

DIGITALLY RECORDED
SWORN STATEMENT
OF

[REDACTED]

OIG CASE #:
2019-010614

DEPARTMENT OF JUSTICE
OFFICE OF THE INSPECTOR GENERAL
JUNE 15, 2021

RESOLUTE DOCUMENTATION SERVICES
28632 Roadside Drive, Suite 285
Agoura Hills, CA 91301
Phone: (818) 431-5800

APPEARANCES:

OFFICE OF THE INSPECTOR GENERAL

BY: [REDACTED]
BY: [REDACTED]

WITNESS:
[REDACTED]

OTHER APPEARANCES:
NONE

1 MR. [REDACTED]: All right. The recorder
2 is on. Today is Tuesday, June 15, 2021, and
3 the time is 10:08 a.m. My name is [REDACTED]
4 [REDACTED], and I am a Senior Special Agent
5 with the U.S. Department of Justice Office of
6 the Inspector General, New York Field Office.
7 And these are my credentials.
8 MR. [REDACTED]: Okay.
9 MR. [REDACTED]: This interview with
10 Federal Bureau of Prisons employee - let me see
11 - is it Jermaine?
12 MR. [REDACTED]: Yes.
13 MR. [REDACTED]: [REDACTED], is being
14 conducted as part of an official U.S.
15 Department of Justice Office of the Inspector
16 General investigation. Today's date is - again
17 - June 15, 2021. This interview is being
18 conducted at the West Side - within the West
19 Side Administrative Building, second floor
20 conference room, FCI Fort Dix, New Jersey.
21 Also present is DOJ OIG Special Agent [REDACTED]
22 [REDACTED] and Mr. [REDACTED]. This interview will be
23 recorded by me, Senior Special Agent [REDACTED]
24 [REDACTED]. Could everyone please identify
25 themselves for the record, and spell their last

1 name? To start, again, I am DOJ OIG Senior
2 Special Agent, [REDACTED]. [REDACTED]
3 [REDACTED].
4 MR. [REDACTED]: This is DOJ Special Agent
5 [REDACTED].
6 MR. [REDACTED]: This is BOP employee,
7 [REDACTED].
8 MR. [REDACTED]: All right. Thank you,
9 everyone. And this is an official DOJ
10 investigation surrounding the circumstances of
11 Jeffrey Epstein's death, and you are being
12 asked to voluntarily provide answers to our
13 questions. Will you agree to a voluntary
14 interview with the DOJ OIG?
15 MR. [REDACTED]: Yes.
16 MR. [REDACTED]: Great. We're just going
17 to review the DOJ OIG voluntary interview form.
18 I'm going to read it for the record. It says,
19 United States Department of Justice Office of
20 the Inspector General Warnings and Assurances
21 to Employee Requested to Provide Information on
22 a Voluntary Basis." "You are being asked to
23 provide information as part of an investigation
24 being conducted by the Office of the Inspector
25 General. This investigation is being conducted

1 pursuant to the Inspector General Act of 1978,
 2 as amended. This investigation pertains to job
 3 performance failure and security failure. This
 4 is a voluntary interview. Accordingly, you do
 5 not have to answer questions. No disciplinary
 6 action will be taken against you if you choose
 7 not to answer questions. Any statements you
 8 furnished may be used as evidence in any future
 9 criminal proceedings, or Agency disciplinary
 10 proceedings, or both." And there is a waiver.
 11 It says, "I understand the Warnings and
 12 Assurances stated above and I am willing to
 13 make a statement and answer questions. No
 14 promises or threats have been made to me, and
 15 no pressure or coercion of any kind has been
 16 used against me." You can take a look at that,
 17 if you would like, and if you agree, you can
 18 sign where it says Employee's Signature.
 19 MR. [REDACTED]: (Indiscernible *00:02:57)
 20 copy of this.
 21 MR. [REDACTED]: This isn't what I wanted.
 22 Do you need it? Thank you, sir, for signing. I
 23 am going to sign as the signature of the Office
 24 of the Inspector General Special Agent. And I
 25 am going to print my name. Mr. [REDACTED], do you

1 Justice, Federal Bureau of Prisons credentials
 2 of Mr. [REDACTED]. It says that he is the
 3 Discipline Hearing Officer at FCI Fort Dix in
 4 New Jersey. And it has a picture of him.
 5 Thank you, sir.
 6 MR. [REDACTED]: Okay.
 7 MR. [REDACTED]: All right. And what is
 8 your current home address?
 9 MR. [REDACTED]: [REDACTED].
 10 [REDACTED].
 11 MR. [REDACTED]: Thank you. And what is
 12 your current cell phone number?
 13 MR. [REDACTED]: It is [REDACTED].
 14 MR. [REDACTED]: And what is your highest
 15 level of education?
 16 MR. [REDACTED]: I have three years of
 17 college.
 18 MR. [REDACTED]: And where did you go to
 19 college?
 20 MR. [REDACTED]: I went to - I actually have
 21 my Associates Degree at Northwestern State
 22 University.
 23 MR. [REDACTED]: And where is that
 24 located?
 25 MR. [REDACTED]: That's going to be in

1 mind just printing your name where it says
 2 Employee's Name? Sorry.
 3 MR. [REDACTED]: All right.
 4 MR. [REDACTED]: Right below it.
 5 MR. [REDACTED]: Thank you, sir. And
 6 Special Agent [REDACTED], can you sign that as the
 7 witness?
 8 MR. [REDACTED]: Yes. This is Special Agent
 9 [REDACTED]. I have signed as a witness.
 10 MR. [REDACTED]: Thank you, sir. Can you
 11 hold onto that? And do you understand the OIG
 12 form?
 13 MR. [REDACTED]: Yes.
 14 MR. [REDACTED]: Great. Before starting,
 15 I would like you place you under oath. Can you
 16 just raise your right hand? Mr. [REDACTED], do you
 17 swear to tell the truth and nothing but the
 18 truth during this interview?
 19 MR. [REDACTED]: I do.
 20 MR. [REDACTED]: Thank you, sir. Can you
 21 just show me your credentials, for the record,
 22 to make sure that --
 23 MR. [REDACTED]: Here you go, sir.
 24 MR. [REDACTED]: -- all right. For the
 25 record, I am looking at the U.S. Department of

1 Natchitoches, Louisiana.
 2 MR. [REDACTED]: Great. And what was that
 3 Associate's degree in?
 4 MR. [REDACTED]: It was in Social Work.
 5 MR. [REDACTED]: Okay. Great. And then,
 6 what year?
 7 MR. [REDACTED]: I believe it was 2012 or '13.
 8 MR. [REDACTED]: Great. Thanks. Did you
 9 have any employment prior to the BOP?
 10 MR. [REDACTED]: Yes. I had worked almost two
 11 years for the Colorado Department of
 12 Corrections.
 13 MR. [REDACTED]: Okay.
 14 MR. [REDACTED]: As a Correctional Officer.
 15 And before that, I spent 11 years - almost ten
 16 years - well, nine years, 11 months in the
 17 United States Army.
 18 MR. [REDACTED]: Awesome. Thanks for your
 19 service.
 20 MR. [REDACTED]: Mm-hmm.
 21 MR. [REDACTED]: When did you work as a
 22 Correctional Officer for two years?
 23 MR. [REDACTED]: In Colorado?
 24 MR. [REDACTED]: Yes.
 25 MR. [REDACTED]: I believe the dates were from

9

1 July of 2004 to November 27 or November 26 of
2 2005.
3 MR. [REDACTED]: Okay. Great. And then,
4 you said you were in the - did you say the
5 Army?
6 MR. [REDACTED]: Yes.
7 MR. [REDACTED]: And what was your rank in
8 the Army?
9 MR. [REDACTED]: I was a Sergeant.
10 MR. [REDACTED]: Honorable discharge?
11 MR. [REDACTED]: Yes.
12 MR. [REDACTED]: When you left, what was
13 your primary responsibility?
14 MR. [REDACTED]: Basically, at that time, I
15 was a Section Sergeant, as a topographical
16 surveyor.
17 MR. [REDACTED]: Okay. And what was that?
18 Where did you say?
19 MR. [REDACTED]: Sir?
20 MR. [REDACTED]: The topographical?
21 MR. [REDACTED]: It's a topographical surveyor
22 --
23 MR. [REDACTED]: Oh, a surveyor.
24 MR. [REDACTED]: -- (Indiscernible *00:07:19)
25 surveyor. Right.

11

1 Hearing Officer at FCI Fort Dix.
2 MR. [REDACTED]: All right. Great. And
3 is it correct that you used to work at the MCC
4 in New York City?
5 MR. [REDACTED]: That is correct.
6 MR. [REDACTED]: All right. And what were
7 your positions when you were at the MCC?
8 MR. [REDACTED]: MCC, I was the Captain.
9 MR. [REDACTED]: Okay. And from what
10 dates were you the Captain?
11 MR. [REDACTED]: I was the Captain from
12 September of, I believe it was third, 2018, all
13 the way until June 25 of 2020.
14 MR. [REDACTED]: Okay. Great. And then,
15 was that your first assignment as a Captain?
16 MR. [REDACTED]: No. That was my second.
17 MR. [REDACTED]: What was your first
18 assignment as a Captain?
19 MR. [REDACTED]: My first assignment as a
20 Captain was - I was a Deputy Captain at MDC
21 Brooklyn.
22 MR. [REDACTED]: Okay. And then you got
23 promoted, and went to MCC?
24 MR. [REDACTED]: Yes. Yes.
25 MR. [REDACTED]: And what does the MCC

10

1 MR. [REDACTED]: Okay. Perfect. And
2 then, you said a Sergeant. E-4, E-5?
3 MR. [REDACTED]: E-5.
4 MR. [REDACTED]: E-5. All right. When
5 was your Enter on Duty date with the Bureau of
6 Prisons?
7 MR. [REDACTED]: 09/27/2005. No. I'm sorry.
8 11/27/2005.
9 MR. [REDACTED]: Great. And when did you
10 graduate from BOP training down at the Federal
11 Law Enforcement Training Center?
12 MR. [REDACTED]: I believe it was March of
13 2006.
14 MR. [REDACTED]: Okay. We don't have to
15 go through it. Or I guess, just briefly, I
16 mean, what positions have you held with the
17 BOP? You don't have to go into each
18 institution. Just, like -.
19 MR. [REDACTED]: Right. I started as a five,
20 step one. I've - with more responsibility - I
21 was promoted to through six, seven, Senior
22 Officer Specialist. I was also a GL-9
23 Lieutenant. A GL-11 Lieutenant. I was the
24 Deputy Captain, GL-12. And I was also a GL-13.
25 And currently, I am at the GL-12 Discipline

12

1 stand for?
2 MR. [REDACTED]: The Metropolitan Correctional
3 Center.
4 MR. [REDACTED]: Perfect. And located at
5 150 Park Row, New York, New York?
6 MR. [REDACTED]: That is correct.
7 MR. [REDACTED]: Thank you, sir. As a
8 Captain, who would you consider your Supervisor
9 when you were at the MCC?
10 MR. [REDACTED]: It would be, at that point,
11 at that time, we was transitioning.
12 MR. [REDACTED]: Okay.
13 MR. [REDACTED]: So, I would, normally, I
14 would answer to two people, which would be the
15 AW of Custody, which, at that time, was [REDACTED]
16 [REDACTED].
17 MR. [REDACTED]: Okay.
18 MR. [REDACTED]: However, we was transitioning
19 when that incident happened. It was [REDACTED]
20 [REDACTED] was the AW over Custody at that time.
21 MR. [REDACTED]: All right. So, when you
22 are talking about that time, are you talking
23 about August 9th and August 10th of 2019?
24 MR. [REDACTED]: That is correct.
25 MR. [REDACTED]: Okay. So, are you aware

1 of [REDACTED] was still the AW in
 2 charge of Custody at that time?
 3 MR. [REDACTED]: No.
 4 MR. [REDACTED]: She was not? Okay.
 5 MR. [REDACTED]: No. Basically, what it was -
 6 again - with the areas of responsibility had
 7 changed, prior --
 8 MR. [REDACTED]: Okay.
 9 MR. [REDACTED]: -- to this incident. So,
 10 that week, Ms. [REDACTED] was going to be -
 11 even though hers responsibilities had changed
 12 as the AW over Custody, and Warden
 13 N'DiayeN'Diaye had appointed - or instructed -
 14 that Ms. [REDACTED] would then take over the
 15 responsibilities. But however, she was
 16 supposed to go on annual leave.
 17 MR. [REDACTED]: Okay.
 18 MR. [REDACTED]: So, at that time, Ms.
 19 [REDACTED] was actually there, as far as,
 20 she was still in that capacity when the
 21 incident happened.
 22 MR. [REDACTED]: Okay.
 23 MR. [REDACTED]: However, again, the previous
 24 question that you asked, normally, as my
 25 responsibilities, I would notify the AW over

1 MR. [REDACTED]: Yes.
 2 MR. [REDACTED]: Okay. Which you just
 3 said was - you went with [REDACTED]
 4 because she was on?
 5 MR. [REDACTED]: That's right.
 6 MR. [REDACTED]: Okay. Have you since
 7 learned anything about, like, was that not
 8 correct?
 9 MR. [REDACTED]: Well, what I realized is
 10 that, once the incident had occurred, AW [REDACTED]
 11 responded to the institution, at which time her
 12 annual leave, I believe she cancelled her
 13 annual leave, and she assumed her position as
 14 the AW over Custody.
 15 MR. [REDACTED]: All right. How do you
 16 spell her last name?
 17 MR. [REDACTED]: Ms. [REDACTED]?
 18 MR. [REDACTED]: Yes.
 19 MR. [REDACTED]: A-D-G-E.
 20 MR. [REDACTED]: Perfect. Thank you. All
 21 right. So, is it correct that you were
 22 interviewed by Agents of the FBI and the DOJ
 23 OIG back when this instance occurred in August
 24 of 2019?
 25 MR. [REDACTED]: That is correct.

1 Custody, and also, I would have conversations
 2 the Warden.
 3 MR. [REDACTED]: Okay.
 4 MR. [REDACTED]: So, it would just depends on
 5 what the situation may be. So, if there was
 6 instances where I would run things through the
 7 chain, from the AW to the Warden, and there was
 8 times that I would take direction directly from
 9 the Warden.
 10 MR. [REDACTED]: Okay. As far as, though,
 11 in this instance, if, you know, being that
 12 August 9th and August 10th, I believe that the
 13 first person you contacted when you were --
 14 MR. [REDACTED]: Was [REDACTED].
 15 MR. [REDACTED]: -- correct. And that was
 16 because the other AW was out. Is that what you
 17 were saying?
 18 MR. [REDACTED]: My belief is that she was on
 19 annual leave, which was stated --
 20 MR. [REDACTED]: Okay.
 21 MR. [REDACTED]: -- that we had closed out on
 22 that Friday, that she would be starting annual
 23 leave.
 24 MR. [REDACTED]: Okay. But the other AW
 25 was, in fact, your Supervisor at that time?

1 MR. [REDACTED]: Great. I'm just going to
 2 go over the report that was written in response
 3 to their conversations with you.
 4 MR. [REDACTED]: Mm-hmm.
 5 MR. [REDACTED]: We want to just go over
 6 for accuracy, as well as to fill in some gaps
 7 that we've found, that we just need some
 8 clarification on.
 9 MR. [REDACTED]: Absolutely.
 10 MR. [REDACTED]: So, I'm just going to
 11 read it. And you stop me if there is anything
 12 that you find that is inaccurate.
 13 MR. [REDACTED]: Correct.
 14 MR. [REDACTED]: All right. So, "[REDACTED]
 15 began his career with the BOP in Florence,
 16 Colorado in 2005."
 17 MR. [REDACTED]: Correct.
 18 MR. [REDACTED]: "In 2014, he was
 19 transferred to the Metropolitan Detention
 20 Center, MDC, in Brooklyn, to Captain at MCC,
 21 his current position, where he over --". Or
 22 sorry.
 23 MR. [REDACTED]: Yeah. There's a lot missing
 24 in between there.
 25 MR. [REDACTED]: Yeah, yeah.

1 MR. [REDACTED]: Yeah. Right.
 2 MR. [REDACTED]: So, it says, "In
 3 Brooklyn." I missed this line. It says,
 4 "Where he was made Deputy Captain in 2015. In
 5 2018, [REDACTED] was promoted to Captain at MCC,
 6 his current position, where he oversees
 7 security for the entire building."
 8 MR. [REDACTED]: Well, yeah. There was a
 9 little bit missing there because, yeah, I
 10 entered on duty, and I started my career in
 11 Florence. However, I left Florence in 2009.
 12 And that's when I went to Pollock. FCC
 13 Pollock.
 14 MR. [REDACTED]: Okay.
 15 MR. [REDACTED]: And then, from FCC Pollock,
 16 from 2009, I was there to 2014. And then, from
 17 '14, I left Pollock to go to MDC Brooklyn. And
 18 then, in '18, that's when I assumed duties at
 19 MCC.
 20 MR. [REDACTED]: Okay. So, they have -
 21 yes - so, I guess you were transferred to the
 22 MDC in Brooklyn, 2014, and in 2015 was when you
 23 were promoted to Deputy Captain?
 24 MR. [REDACTED]: That is correct.
 25 MR. [REDACTED]: Okay. It says, "[REDACTED]"

1 MR. [REDACTED]: Correct.
 2 MR. [REDACTED]: "Among others, [REDACTED] is
 3 responsible for the following: Special Housing
 4 Unit Lieutenant, Lieutenant [REDACTED]." Is that
 5 correct?
 6 MR. [REDACTED]: Correct.
 7 MR. [REDACTED]: "As an Administrative
 8 Lieutenant, responsible for maintaining
 9 paperwork, et cetera." So, when you say an
 10 Administrative Lieutenant here, are you saying
 11 whoever was Acting in the Administrative
 12 Lieutenant --
 13 MR. [REDACTED]: Capacity?
 14 MR. [REDACTED]: -- position?
 15 MR. [REDACTED]: No, I wasn't. Basically,
 16 Administrative duties. The Administrative
 17 duties falls under the appointed SHU
 18 Lieutenant. The SHU Lieutenant, the appointed
 19 SHU Lieutenant has certain duties that have to
 20 be done daily, within the unit. Not just the
 21 supervision of the line staff that work the
 22 unit, but also over all on running of the Unit.
 23 Meaning, that ensuring that all paperwork is
 24 done.
 25 MR. [REDACTED]: Okay.

1 directly supervises approximately 13
 2 Lieutenants." Does that comprise of all the
 3 Lieutenants? This was at the time. Was that
 4 all the Lieutenants at the MCC?
 5 MR. [REDACTED]: Correct.
 6 MR. [REDACTED]: Okay. "And it has
 7 approximately 125 to 135 line
 8 staff/Correctional Officers under his purview."
 9 MR. [REDACTED]: Mm-hmm. Yes. Well, you
 10 know, when they say that, what they understand
 11 is, is that, under Correctional Services, that
 12 was probably the amount of staff that was -
 13 again - in Correctional Services, as
 14 subordinate staff. However, my direct
 15 supervision would have been over just the 13
 16 Lieutenants.
 17 MR. [REDACTED]: Okay. There are 13 - oh,
 18 13 Lieutenants. Right. I thought you were
 19 saying GS-13. Gotcha. "[REDACTED] also sits on
 20 the Institution's Executive Staff, which also
 21 includes the Warden. [REDACTED] primary duty is
 22 to ensure that security protocols are met by
 23 his Lieutenants and sub-staff, and that policy
 24 guidelines are being followed, as set forth by
 25 the BOP."

1 MR. [REDACTED]: All security protocols are
 2 followed. To ensure that inmates - or run
 3 rosters - to ensure that inmates are placed in
 4 the correct cells, or in the proper cells. To
 5 ensure that they're supposed to audit said
 6 rosters, to ensure they have proper
 7 accountability of the inmates in the unit.
 8 MR. [REDACTED]: So, I guess what I was
 9 getting at is, like, how the SHU Lieutenant was
 10 [REDACTED]. Was there a specific person that was the
 11 Administrative Lieutenant?
 12 MR. [REDACTED]: Yes. The Administrative
 13 Lieutenant at that time was [REDACTED].
 14 MR. [REDACTED]: And do you happen to know
 15 how to spell that last name?
 16 MR. [REDACTED]: It's [REDACTED].
 17 MR. [REDACTED]: Thank you, sir. "An SIS
 18 Lieutenant responsible for paperwork." And who
 19 was that?
 20 MR. [REDACTED]: Which was the Lieutenant
 21 [REDACTED] (Phonetic Sp. *00:17:10).
 22 MR. [REDACTED]: And [REDACTED], common
 23 spelling?
 24 MR. [REDACTED]: Yes.
 25 MR. [REDACTED]: Okay. "And Operations In

1 Activities Lieutenants".
 2 MR. [REDACTED]: Which are on the day of the
 3 incident?
 4 MR. [REDACTED]: Yeah. And would you like
 5 to see the duty roster for August 9th and
 6 August 10th?
 7 MR. [REDACTED]: Hmm-mm.
 8 MR. [REDACTED]: No? Okay. Do you know
 9 who it was?
 10 MR. [REDACTED]: So, I believe the morning
 11 watch Lieutenant, when that incident occurred,
 12 was Lieutenant - what is her damn name? - I
 13 just said her name.
 14 MR. [REDACTED]: I can show you this.
 15 MR. [REDACTED]: Yeah.
 16 MR. [REDACTED]: So, I'm showing you a
 17 duty Agent roster from - or daily assignment
 18 roster - from Friday, August 9, 2019, as well
 19 as one from Saturday, August 10 --
 20 MR. [REDACTED]: Right.
 21 MR. [REDACTED]: -- 2019.
 22 MR. [REDACTED]: Right.
 23 MR. [REDACTED]: And you can keep them in
 24 front of you for the --
 25 MR. [REDACTED]: Okay.

1 - actually - the Operations Lieutenant, which
 2 was [REDACTED]. Lieutenant [REDACTED]. He informed me -
 3 or I guess he became aware of the incident, I
 4 believe, at 6:30 that morning.
 5 MR. [REDACTED]: Okay. And so, I already
 6 asked the Operations Lieutenant. It says, "The
 7 Operations Lieutenant and the Activities
 8 Lieutenant are responsible for day to day
 9 operations and maintaining order for three
 10 shifts. And an Emergency Preparedness
 11 Lieutenant. A Collateral Duty Responsibility
 12 in the event of an emergency incident, such as
 13 fires, bomb threats, et cetera." So, is there
 14 a - during these instances - was there an
 15 Emergency Preparedness Lieutenant?
 16 MR. [REDACTED]: Yes.
 17 MR. [REDACTED]: Who was that?
 18 MR. [REDACTED]: I believe it was Lieutenant
 19 [REDACTED].
 20 MR. [REDACTED]: Lieutenant [REDACTED]? Okay.
 21 MR. [REDACTED]: Mm-hmm.
 22 MR. [REDACTED]: Was Lieutenant [REDACTED] off
 23 that day, though?
 24 MR. [REDACTED]: Lieutenant [REDACTED] was, I
 25 believe, at that time, his schedule, the SHU

1 MR. [REDACTED]: -- for the interview,
 2 just so you can - we're going to talk about
 3 people - so you can reference the two.
 4 MR. [REDACTED]: Right. All right. So, it
 5 appears here, it would have been [REDACTED].
 6 [REDACTED] would have been the
 7 Operations Lieutenant on Saturday, August 10,
 8 2019.
 9 MR. [REDACTED]: And is it [REDACTED]?
 10 MR. [REDACTED]: [REDACTED].
 11 MR. [REDACTED]: Yeah. [REDACTED] -
 12 [REDACTED]. Perfect. And what times did she work
 13 from?
 14 MR. [REDACTED]: At that time, the shift they
 15 were working a different schedule. The
 16 schedule was, I believe it was 10:00 to 0600.
 17 MR. [REDACTED]: Okay. So, 10:00 p.m. on
 18 August 9th to 0600 on August 10th.
 19 MR. [REDACTED]: That is correct.
 20 MR. [REDACTED]: And then, I'm assuming
 21 there was another Administrative Lieutenant at
 22 the, you know, when Epstein was discovered, and
 23 I think that was a little after 6:00 a.m.
 24 Correct?
 25 MR. [REDACTED]: That is - yeah - that was the

1 Lieutenants were not working on the weekends.
 2 MR. [REDACTED]: Okay.
 3 MR. [REDACTED]: They worked Monday through
 4 Friday. I believe it was 7:30 to 4:00.
 5 MR. [REDACTED]: Okay.
 6 MR. [REDACTED]: So, Lieutenant [REDACTED] was on
 7 military - he was on leave. He had military
 8 leave because he had his monthly drill, monthly
 9 drill --
 10 MR. [REDACTED]: Okay.
 11 MR. [REDACTED]: -- that he would attend.
 12 MR. [REDACTED]: Do you know if he was on
 13 leave both on August 9th and August 10th? Or
 14 August 10th, you said he wouldn't have worked.
 15 But was on the 9th?
 16 MR. [REDACTED]: Let me see here.
 17 MR. [REDACTED]: And you can just say, was
 18 he on the schedule?
 19 MR. [REDACTED]: Yeah. So, I mean, right
 20 here, I'm looking at the roster for Friday,
 21 August 9th. And I believe that the SHU
 22 Lieutenant post was left un-assigned for that
 23 Friday.
 24 MR. [REDACTED]: All right. So, that
 25 would just lead us to believe he was not there.

1 Correct?
 2 MR. [REDACTED]: That is correct. He was not
 3 there, no.
 4 MR. [REDACTED]: Great. And would his
 5 position have been, like, you know, was there
 6 someone that's placed in the Acting role when
 7 he's gone, or is -?
 8 MR. [REDACTED]: Normally, due to our staffing
 9 at MCC, at that point, or at that time, we
 10 tried to ensure that, you know, looking over
 11 the roster, to try to ensure that someone was
 12 within there, the supervising unit. But again,
 13 due to the shortage of Lieutenants at that
 14 time, I had to - as monitoring, or looking at
 15 the roster - I would try to place areas of
 16 importance, so Operations Lieutenant, ensured
 17 that the Activities Lieutenants was filled.
 18 And at that time, that particular day, he
 19 wasn't on the roster, or that post was left un-
 20 assigned.
 21 MR. [REDACTED]: And that post, like you
 22 said, isn't assigned on the weekends.
 23 MR. [REDACTED]: No.
 24 MR. [REDACTED]: So, Saturday. Great.
 25 MR. [REDACTED]: No, it's not.

1 restroom, et cetera." So, did he receive - and
 2 I know, it's my understanding that he was, most
 3 days, in with his Attorneys?
 4 MR. [REDACTED]: Yes. So, most days, from the
 5 time that the Attorney visitation would open,
 6 inmate Epstein was in that area, primarily,
 7 until it closed.
 8 MR. [REDACTED]: All right. And that's
 9 where it says, "Epstein spent most of the day
 10 with his Defense Counsel, and was brought down
 11 as soon as the Attorney visit opened." So,
 12 would that be, like, Monday through Friday, or
 13 Monday --
 14 MR. [REDACTED]: No. That's --
 15 MR. [REDACTED]: -- that's seven days a
 16 week?
 17 MR. [REDACTED]: -- that's seven days a week.
 18 MR. [REDACTED]: All right. So, was it
 19 almost every day?
 20 MR. [REDACTED]: Every day.
 21 MR. [REDACTED]: Okay. And was his food
 22 brought to him there, then?
 23 MR. [REDACTED]: No.
 24 MR. [REDACTED]: Okay. How would he
 25 obtain food?

1 MR. [REDACTED]: All right. "[REDACTED]
 2 advised that his staff provide special
 3 considerations for high-profile inmates, if
 4 deemed appropriate, and designated as such. In
 5 order to ensure an inmate is providing with
 6 proper care, the facility evaluates the inmate
 7 using several measures, including mental,
 8 physical, medical, psychological, and sexual
 9 assault victim, or predator assessments. Since
 10 different inmates are admitted with different
 11 criteria, appropriate housing varies."
 12 MR. [REDACTED]: Correct.
 13 MR. [REDACTED]: All right. "[REDACTED]
 14 interacted with inmate Jeffrey Epstein on
 15 approximately three occasions at MCC. All of
 16 which Epstein maintained a pleasant demeanor."
 17 MR. [REDACTED]: Correct.
 18 MR. [REDACTED]: "During the first
 19 instance, Epstein asked [REDACTED] who he was, and
 20 [REDACTED] responded by introducing himself, and
 21 explaining his position at the jail. During
 22 another instance, [REDACTED] explained to Epstein
 23 the policy regarding meals during Attorney
 24 sessions, and made certain Epstein was
 25 accommodated with water, visits to the

1 MR. [REDACTED]: Now, as far as food, I know -
 2 and, like I said, it's been a while - normally,
 3 inmates do not eat while they're in visitation.
 4 MR. [REDACTED]: Okay.
 5 MR. [REDACTED]: They're provided water.
 6 They're provided to go to the bathroom. The
 7 inmate, you know, is afforded the meal.
 8 However, I believe that he was offered meals
 9 from the vending machine. I'm not sure.
 10 MR. [REDACTED]: Okay.
 11 MR. [REDACTED]: I can't remember as far as -
 12 because I didn't remember there was an issue
 13 with that, and I know we tried to accommodate,
 14 or to address it. I just can't remember --
 15 MR. [REDACTED]: Sure.
 16 MR. [REDACTED]: -- what was done.
 17 MR. [REDACTED]: Would the Attorneys be
 18 allowed to bring him in food?
 19 MR. [REDACTED]: No. No, no, no, no, no.
 20 MR. [REDACTED]: No?
 21 MR. [REDACTED]: No.
 22 MR. [REDACTED]: Okay.
 23 MR. [REDACTED]: No. No. No. No. Outside
 24 food would not have been allowed.
 25 MR. [REDACTED]: Okay.

1 MR. [REDACTED]: So, I can't tell you if he
2 was actually getting a tray, during that time,
3 I can't remember. But I do remember, there
4 were conversations that - and I know we did
5 something in order to ensure that the inmate
6 was provided some type of meal. Or whatever.
7 I can't remember.

8 MR. [REDACTED]: Sure. All right. That's
9 fine. As far as the, it mentions two visits.
10 Do you remember anything about the third visit
11 that you made with Epstein?

12 MR. [REDACTED]: The third one. So, that
13 night, on - that would be Friday, August 9th of
14 2019, I believe I had worked that day close to
15 8:00. It was about 8:00 or so.

16 MR. [REDACTED]: 8:00 p.m. on August 9?

17 MR. [REDACTED]: 8:00 p.m.

18 MR. [REDACTED]: Okay.

19 MR. [REDACTED]: Correct. So, I was actually
20 on my way, and exited, you know, went and
21 talked to the Operations and Activities
22 Lieutenants. You know, let them know I was
23 leaving for the day. And when I reached the
24 elevator on the third floor, inmate Epstein was
25 being escorted out of Attorney visit by his

1 MR. [REDACTED]: Okay.

2 MR. [REDACTED]: So, I said, make sure that
3 takes place. I'm good with it. So, that's
4 when I got in the elevator, and I exited the
5 institution.

6 MR. [REDACTED]: All right. So, this
7 conversation happened with [REDACTED], in front of
8 Mr. Epstein?

9 MR. [REDACTED]: Yes, it did.

10 MR. [REDACTED]: Okay. And that's the
11 point where - okay, so, you did authorize that
12 call to be made, from the SHU?

13 MR. [REDACTED]: Yes.

14 MR. [REDACTED]: Was there a certain line
15 that they should have used?

16 MR. [REDACTED]: Yes. It's a secure line.
17 You have two lines. You know, you can plug it
18 into the outgoing, and then, it's the jack
19 that's just for inside of the institution
20 calls. Or you can put it into the other jack,
21 which allows those calls to be outgoing.

22 MR. [REDACTED]: Would that be called a
23 legal line?

24 MR. [REDACTED]: Yeah. It would be just an
25 out. This would be a out, out.

1 Unit Manager.

2 MR. [REDACTED]: Okay. And who was that?

3 MR. [REDACTED]: Which that was, I believe,
4 Mr. [REDACTED]. (Phonetic Sp. *00:25:26)

5 MR. [REDACTED]: Right.

6 MR. [REDACTED]: At which time, I, you know, I
7 said, hello, how you doing, Mr. Epstein? And he
8 was, like, okay. So, he had asked me, and he
9 said, Captain, is it okay if I get a telephone
10 call? Now, mind you, we had already discussed
11 that when the inmate - we would reasonably
12 attempt to always facilitate a phone call for
13 the inmate, especially while him being housed
14 in the Special Housing Unit. So, I said to the
15 Unit Manager, Mr. [REDACTED], I said, Mr. [REDACTED],
16 are you going to SHU? He said, yeah. I said,
17 well, are you going to be able to monitor the
18 call with the inmate? And he was, like, yeah, I
19 got no problem with that. I said, well, I
20 don't have a problem. Just make sure that you
21 follow the protocols, and the protocols is, is
22 when that inmate is allowed to use the phone,
23 it has to be monitored by staff, and the
24 number, and who they're talking to has to be
25 placed in a log.

1 MR. [REDACTED]: Okay.

2 MR. [REDACTED]: Out line.

3 MR. [REDACTED]: Sure.

4 MR. [REDACTED]: Mm-hmm.

5 MR. [REDACTED]: And they're not recorded

6 --

7 MR. [REDACTED]: Right.

8 MR. [REDACTED]: -- and that's why you
9 said make sure that it's --

10 MR. [REDACTED]: Yes.

11 MR. [REDACTED]: -- and did you --

12 MR. [REDACTED]: Correct.

13 MR. [REDACTED]: -- did you tell him, at
14 all, to document what was --?

15 MR. [REDACTED]: Yes. I told him to ensure
16 that he is present, that - the protocol is,
17 because I asked him, I said, look, I said, make
18 sure that you're present at the phone call. I
19 said, make sure that it's logged. And when you
20 dial the numbers, the number you have to, like,
21 stay on the line and said, he says, well, I
22 want to call my Attorney. Who was your
23 Attorney? So and so, and so and so. Okay.
24 When they answer the phone, I said, this is
25 MCC, my name is so and so. I have a call for

1 Jeffrey Epstein. What is your name? And what
 2 is your title? So, we can log it.
 3 MR. [REDACTED]: Okay.
 4 MR. [REDACTED]: And the time that it's
 5 logged. And then, you give the phone to the
 6 inmate, and then you sit there while they're on
 7 the phone.
 8 MR. [REDACTED]: And do you know if that
 9 was done?
 10 MR. [REDACTED]: Again, I don't know.
 11 MR. [REDACTED]: You don't know?
 12 MR. [REDACTED]: I just ensured. That's it.
 13 If you - like I said, that's why I asked him, I
 14 said, are you going to SHU? And are you going
 15 to be able to monitor phone calls?
 16 MR. [REDACTED]: But you don't know if --
 17 MR. [REDACTED]: He didn't say yes.
 18 MR. [REDACTED]: -- he wrote up anything?
 19 MR. [REDACTED]: I don't know what he did.
 20 MR. [REDACTED]: Okay.
 21 MR. [REDACTED]: I just ensured that I told
 22 him.
 23 MR. [REDACTED]: Sure.
 24 MR. [REDACTED]: What needed to be done.
 25 MR. [REDACTED]: And what would typically

1 MR. [REDACTED]: It would be a green logbook.
 2 You know, and it would have the name of the
 3 inmate, and who they called, the number, the
 4 time. I don't know if the duration is on
 5 there. But it will be the person who also
 6 monitored the call. So, you know, all that
 7 information. But it wasn't something, like, a
 8 form that was filled out, and then it was
 9 placed in the inmate's file.
 10 MR. [REDACTED]: Sure.
 11 MR. [REDACTED]: Or central file.
 12 MR. [REDACTED]: Sure.
 13 MR. [REDACTED]: No. It wasn't like that.
 14 MR. [REDACTED]: And do you know if that
 15 log in the book was filled out?
 16 MR. [REDACTED]: I don't know.
 17 MR. [REDACTED]: You don't know. Okay.
 18 When you met with Epstein on that night, how
 19 was his demeanor?
 20 MR. [REDACTED]: It was fine. He was
 21 cheerful.
 22 MR. [REDACTED]: He was cheerful.
 23 MR. [REDACTED]: You know, he didn't look
 24 disheveled. He felt - because I asked him, I
 25 said, how you doing? You all right? - he said,

1 happen with that log, then? After he logged it.
 2 MR. [REDACTED]: That phone call?
 3 MR. [REDACTED]: Sure.
 4 MR. [REDACTED]: Or that log?
 5 MR. [REDACTED]: Like, after he documented
 6 it.
 7 MR. [REDACTED]: It would be maintained, just
 8 in a log.
 9 MR. [REDACTED]: Okay.
 10 MR. [REDACTED]: It wouldn't be brought for
 11 anyone's review. You know? It would just be,
 12 hey, did, hey, did Epstein get a call? Yeah. I
 13 could tell you. So, I can pull the book. And
 14 then, I can tell you, and look, when he was
 15 given a call.
 16 MR. [REDACTED]: So, it goes into a
 17 specific Epstein file?
 18 MR. [REDACTED]: Yeah. No. It wouldn't. It
 19 doesn't go in a file. It goes into a book. It
 20 goes into a book for monitored calls, for all
 21 the inmates, and legal calls.
 22 MR. [REDACTED]: For all inmates. So, not
 23 just Epstein. It would be all --
 24 MR. [REDACTED]: That is correct.
 25 MR. [REDACTED]: -- inmates? Okay.

1 man, I'm good. Everything is fine. And I
 2 said, did you have a good visit? And he said,
 3 yeah. Everything is fine, Cap. I said, all
 4 right, man.
 5 MR. [REDACTED]: Okay.
 6 MR. [REDACTED]: You know?
 7 MR. [REDACTED]: No cause for concern?
 8 MR. [REDACTED]: No, because every time we had
 9 that interaction, it was always pleasant. It
 10 was never negative.
 11 MR. [REDACTED]: Okay. It says, "[REDACTED]
 12 was made aware of the possibility that Epstein
 13 would be housed at MCC in advance of Epstein's
 14 arrival. [REDACTED] was not present when inmate
 15 Epstein was admitted to the facility. Epstein
 16 was thoroughly vetted to determine if he was
 17 fit for general population, and was ultimately
 18 placed in the Special Housing Unit. MCC places
 19 inmates under three categories of close
 20 supervision. One: dry cell for those at risk
 21 for smuggling contraband. Two: psychological
 22 observation. And three: suicide watch."
 23 MR. [REDACTED]: Mm-hmm.
 24 MR. [REDACTED]: Is that all correct?
 25 MR. [REDACTED]: Yes. At that time, yes.

1 MR. [REDACTED]: Okay. So, who made the
2 decision to place him in the Special Housing
3 Unit, specifically, and why?
4 MR. [REDACTED]: Okay. So, basically, the
5 rationale for placement of the inmate in the
6 Special Housing Unit would have been a decision
7 ultimately made by the Warden. They would have
8 taken the criteria of the inmate. They would
9 have been, like, okay, well, what's his risk?
10 You know, what would be the likelihood of him
11 being endangered if he would be placed in
12 general population? His culpability. Can he
13 cope while being inside of a general housing
14 unit? So, the determinations were made between
15 Medical, Health Services - oh, I'm sorry -
16 Health Services, Psychology, and the Warden.
17 MR. [REDACTED]: And who was the Warden at
18 that time?
19 MR. [REDACTED]: It was Mr. [REDACTED].
20 MR. [REDACTED]: And do you know how to
21 spell that last name?
22 MR. [REDACTED]: It would be [REDACTED] - --
23 MR. [REDACTED]: Apostrophe.
24 MR. [REDACTED]: -- apostrophe, [REDACTED].
25 MR. [REDACTED]: Thank you, sir. Are

1 though?
2 MR. [REDACTED]: It is an acronym.
3 MR. [REDACTED]: Okay. And that is not
4 made by anyone at the MCC? That's made by the
5 Attorney General --
6 MR. [REDACTED]: Yeah.
7 MR. [REDACTED]: -- is that -? Okay.
8 MR. [REDACTED]: That's going to be - yeah.
9 That's - yes.
10 MR. [REDACTED]: All right. Was there any
11 discussion of placing Epstein in one of those
12 units?
13 MR. [REDACTED]: No.
14 MR. [REDACTED]: Could he have been placed
15 in one of those units?
16 MR. [REDACTED]: I'm sure he could have.
17 MR. [REDACTED]: But I mean, by executive
18 staff, or would they have had to make a call to
19 the -?
20 MR. [REDACTED]: I believe they would have had
21 to make special concessions for the inmate.
22 MR. [REDACTED]: Okay.
23 MR. [REDACTED]: They would have to, you know,
24 vet him, and someone would have to approve it,
25 I believe, outside of the executive staff at

1 there any other secure housing units within the
2 MCC?
3 MR. [REDACTED]: There is only one secured
4 housing unit. That's the SHU.
5 MR. [REDACTED]: Okay. Not --
6 MR. [REDACTED]: But however, we do have --
7 MR. [REDACTED]: -- Ten South (Phonetic
8 Sp. *00:32:04).
9 MR. [REDACTED]: -- Ten South.
10 MR. [REDACTED]: Okay.
11 MR. [REDACTED]: And Ten South is for, I
12 believe those are for SAM inmates. And those
13 inmates are under a specialized monitoring,
14 which comes from, I believe it's from the
15 Attorney General, I believe. I can't remember
16 who's the person that's over it, but I believe
17 it was the Attorney General, or whoever, makes
18 the determinations for those SAMS inmates.
19 MR. [REDACTED]: Okay. And what is SAMS
20 stand for?
21 MR. [REDACTED]: I believe - I can't remember.
22 MR. [REDACTED]: Okay. But is it, like,
23 S-A-M-S?
24 MR. [REDACTED]: That is correct.
25 MR. [REDACTED]: Okay. Like, an acronym,

1 MCC.
2 MR. [REDACTED]: Okay. And then, that's
3 where I meant by, is, so the executive staff
4 wasn't able to --
5 MR. [REDACTED]: I don't believe so.
6 MR. [REDACTED]: -- independently -?
7 MR. [REDACTED]: No. We were not.
8 MR. [REDACTED]: Okay. Were there many
9 inmates housed within Ten South at that time?
10 MR. [REDACTED]: No. I believe, at that time,
11 we may have had a total of four to five. Of
12 course, you know, we had the notorious Joaquin
13 Guzman up there. We also had the Apple Puff
14 (Phonetic Sp. *00:33:38) was up there. We also
15 had inmate - it starts with an S. I can't
16 remember his name. But basically, these are
17 inmates that have made crimes against the
18 United States, which it was deemed that those
19 inmates would be in that Special Management
20 Unit, and they couldn't, of course, go to the
21 general population.
22 MR. [REDACTED]: Was this, like, a
23 terrorist type of people?
24 MR. [REDACTED]: I would say some of them were
25 terrorists. You know, of course, you had

1 Joaquin Guzman that was up there, the terrorist
2 king pin, drug king pin. He couldn't go on a
3 general population unit.

4 MR. [REDACTED]: Sure.

5 MR. [REDACTED]: He would go - normally, guys
6 like that would be in places where I come from,
7 before, you know, like Florence.

8 MR. [REDACTED]: Okay.

9 MR. [REDACTED]: He would be at the ADX
10 (Phonetic Sp. *00:34:19). Apopov (Phonetic Sp.
11 *00:34:21). I believe that - Apopov - I think
12 that was his name, Apopov or Sopotov (Phonetic
13 Sp. *00:34:25). These guys had made terrorist
14 threats against the United States, or there was
15 guys up there that had materials, or that was
16 found in cooperation with outside Agencies that
17 was trying to determent of (Indiscernible
18 *00:34:43), and cause harm to the United
19 States. These kind of guys was put in that
20 unit.

21 MR. [REDACTED]: Sure.

22 MR. [REDACTED]: Guys you wouldn't want in the
23 general population because --

24 MR. [REDACTED]: Yeah.

25 MR. [REDACTED]: -- of their recruitment

1 value, or their radical ability they could be
2 able to do - have recruitment value for, you
3 know, for other inmates in the general
4 population. You don't want those guys in
5 there.

6 MR. [REDACTED]: Yeah.

7 MR. [REDACTED]: But Jeffrey Epstein, you
8 know, he's a multi-billionaire.

9 MR. [REDACTED]: Sure. Now, as far as Ten
10 South. Is that one inmate per cell?

11 MR. [REDACTED]: Yes.

12 MR. [REDACTED]: And video monitored at
13 all times?

14 MR. [REDACTED]: Yes.

15 MR. [REDACTED]: Okay. So, it's like your
16 maximum security type?

17 MR. [REDACTED]: That would be the highest
18 security that an inmate at MCC would be placed
19 in.

20 MR. [REDACTED]: Okay.

21 MR. [REDACTED]: Yeah. Could be placed in.

22 Yeah.

23 MR. [REDACTED]: But the executive team
24 never discussed that?

25 MR. [REDACTED]: No.

1 MR. [REDACTED]: Okay. "[REDACTED] advised
2 that Epstein preferred not to have a cell mate
3 and engaged in manipulative behavior to avoid
4 having one." What type of behavior did he -?

5 MR. [REDACTED]: I believe that Epstein and -
6 when he first came in - he was doing self-
7 manipulative behavior. You know, he was
8 showing passive resistant activity, as far as,
9 you know, when they're taking meals, or
10 wouldn't listen to staff, as far as when
11 they're giving him direction. You know, he
12 would sit in his cell, and he wouldn't talk.
13 You know, I believe he wasn't taking meals at
14 one point. He was refusing to take showers.
15 Things of those that nature.

16 MR. [REDACTED]: And the sentence
17 continues, including requesting to see a
18 Psychologist.

19 MR. [REDACTED]: Yeah.

20 MR. [REDACTED]: Is that part of it?

21 MR. [REDACTED]: Yes.

22 MR. [REDACTED]: Okay. Did he say why he
23 wanted to see a Psychologist?

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

25 MR. [REDACTED]: No?

1 MR. [REDACTED]: Remember that, no.

2 MR. [REDACTED]: Sure. "At Epstein's
3 request, he was interviewed by a Psychologist."
4 Do you know who he made that request to? Would
5 it have been SHU staff?

6 MR. [REDACTED]: He probably would have made
7 those requests to any of the staff that may
8 have been monitoring him at that time. Because
9 if he was placed on psychological observation
10 at that time, psychological observation, you
11 would have had to have a staff person that sat
12 there and monitored the inmate. Another inmate
13 couldn't have monitored him.

14 MR. [REDACTED]: Okay. And that, is that,
15 like, 24/7?

16 MR. [REDACTED]: That would have been 24 hours
17 of that. Seven days a week.

18 MR. [REDACTED]: So, a staff member is
19 just --

20 MR. [REDACTED]: Right.

21 MR. [REDACTED]: -- would just sit there
22 and watch him?

23 MR. [REDACTED]: Correct.

24 MR. [REDACTED]: Communicate with him, or
25 no?

1 MR. [REDACTED]: Yeah, of course.
 2 MR. [REDACTED]: Okay.
 3 MR. [REDACTED]: I mean, and that's, you know,
 4 encouraged. I mean, you know, and not have -
 5 you want it to - even though the inmate is
 6 placed in that situation, again, we're talking
 7 about humanity here.
 8 MR. [REDACTED]: Mm-hmm.
 9 MR. [REDACTED]: You know, you want to gage
 10 this guy's mental acuity. Meaning that, the
 11 inmate, you want to know how he's feeling, how
 12 he's doing.
 13 MR. [REDACTED]: Sure.
 14 MR. [REDACTED]: Is he improving? Or is he
 15 declining? Because if he's declining, and you
 16 can actually see it, you want to contact
 17 somebody. You know, if this guy is in there
 18 being very, you know, belligerent, he's being
 19 passive aggressive, or active resistant, or
 20 displaying signs of violence. You want to make
 21 sure you notify someone. You're not just going
 22 to sit there and allow this guy to do self-harm
 23 to himself and/or a staff when they come to the
 24 door, to provide his services. You know? Such
 25 as taking him to shower; providing his meals;

1 that's okay. "After some time, he was returned
 2 to the SHU. [REDACTED] began hearing talk that
 3 Epstein was trying to get back on suicide
 4 watch."
 5 MR. [REDACTED]: Mm-hmm.
 6 MR. [REDACTED]: "Information like this is
 7 usually generated from rounds, kites -", and
 8 kites are notes, correct?
 9 MR. [REDACTED]: Correct.
 10 MR. [REDACTED]: And notes from inmates,
 11 specifically. Correct?
 12 MR. [REDACTED]: It could be - yes - that
 13 would be inmate correspondence.
 14 MR. [REDACTED]: Yeah. "And monitoring of
 15 phone calls and letters."
 16 MR. [REDACTED]: Correct.
 17 MR. [REDACTED]: So, the hearing of talk,
 18 that's all based upon inmate talk?
 19 MR. [REDACTED]: That would have been - all
 20 that staff.
 21 MR. [REDACTED]: Okay. Staff, as well?
 22 MR. [REDACTED]: You know, staffing sitting
 23 there, and, you know, especially when he's on
 24 suicide watch. You know, staff are taking
 25 notes. So, it's every 15 minutes, you know,

1 providing his medication or whatever it is.
 2 So, you just don't want to just sit there and
 3 allow this inmate just, you know, if he's going
 4 to be detrimentally could be harm to staff, or
 5 himself, you want to ensure that you notify
 6 someone.
 7 MR. [REDACTED]: Okay. "So, following
 8 this assessment, Epstein was initially placed
 9 on suicide watch. He was later interviewed
 10 again, and downgraded to psychological
 11 observation."
 12 MR. [REDACTED]: Mm-hmm.
 13 MR. [REDACTED]: Now, just for the suicide
 14 watch and psychological observation, where are
 15 they located?
 16 MR. [REDACTED]: Those would be conducted
 17 downstairs, on the second floor, in the Health
 18 Services area.
 19 MR. [REDACTED]: And that's outside of the
 20 SHU. Correct?
 21 MR. [REDACTED]: That is correct.
 22 MR. [REDACTED]: And that was prior to any
 23 attempt on his life or anything like that?
 24 MR. [REDACTED]: That is correct.
 25 MR. [REDACTED]: Okay. Was that - ah,

1 staff is - oh, I'm sorry - every 30 minutes, I
 2 believe, I can't remember. It's been a while.
 3 But, you know, a staff member - it's every 30
 4 minutes, I believe, is taking a log of what the
 5 inmate is doing inside of his cell.
 6 MR. [REDACTED]: Mm-hmm.
 7 MR. [REDACTED]: You know? So, you know, what
 8 is he doing? The inmate is facing to the right.
 9 The inmate is facing away from staff. The
 10 inmate is, you know, doing what, or he makes
 11 statements, those statements will be written in
 12 the log.
 13 MR. [REDACTED]: Okay. It says, "On or
 14 about July 23, 2019, Epstein was found
 15 unresponsive, on the floor of his cell, with a
 16 homemade piece of fabric on his chest." When
 17 you say a "homemade piece of fabric," can you
 18 explain that a little bit?
 19 MR. [REDACTED]: Okay. Basically, a homemade
 20 piece of fabric. It could be anything.
 21 Because it's out of the Special Housing, that's
 22 what we're talking about. Right?
 23 MR. [REDACTED]: Yeah. I mean, I'm
 24 talking about specifically in this instance.
 25 Do you know what is meant by "found on the

1 floor, with a homemade piece of fabric on his
 2 chest?"
 3 MR. [REDACTED]: It could have been fragments
 4 from a t-shirt. It could have been fragments
 5 from sheets. It could have been fragment --
 6 MR. [REDACTED]: So, like, pieces of cloth
 7 --
 8 MR. [REDACTED]: -- cloth --
 9 MR. [REDACTED]: -- that they could tie
 10 together.
 11 MR. [REDACTED]: It was tied together, or --
 12 MR. [REDACTED]: Sure.
 13 MR. [REDACTED]: -- you know, (Indiscernible
 14 *00:41:14), to make some type of homemade
 15 fashioned --
 16 MR. [REDACTED]: Did you see it at all,
 17 though, yourself?
 18 MR. [REDACTED]: I can't remember.
 19 MR. [REDACTED]: Okay. Sure. "Epstein's
 20 cell mate had flagged the attention of a staff
 21 member, who handcuffed the cell mate, and
 22 removed Epstein, to bring him to the Medical
 23 Unit." Do you recall, at that time, who his
 24 cell mate was?
 25 MR. [REDACTED]: Tartaglione.

1 unconscious state." Or sorry. "Because he was
 2 observed opening his eyes and making other
 3 suspicious movements not consistent with an
 4 unconscious state. Epstein was medically
 5 assessed and became coherent. Epstein claimed
 6 that his cell mate, Nicholas Tartaglione -", T-
 7 A-R-T-A-G-L-I-O-N-E --
 8 MR. [REDACTED]: Mm-hmm.
 9 MR. [REDACTED]: -- tried to take his
 10 life." Was that investigated?
 11 MR. [REDACTED]: I believe - no, I mean --
 12 MR. [REDACTED]: Sure.
 13 MR. [REDACTED]: -- I can't remember, but I
 14 believe a report of incident may have been
 15 done.
 16 MR. [REDACTED]: Okay.
 17 MR. [REDACTED]: And primarily, when a report
 18 of incident is generated - so, any time that an
 19 incident happens in the institution, I'm going
 20 to walk you through this. The Lieutenant
 21 that's on shift is supposed to do the initial
 22 fact finding. The gathering of evidence.
 23 Okay?
 24 MR. [REDACTED]: Mm-hmm.
 25 MR. [REDACTED]: And all of these things. And

1 MR. [REDACTED]: Okay. Great. And did
 2 you - all right. We talk about him in a little
 3 bit. "[REDACTED] heard from his staff that Epstein
 4 may have been faking unconsciousness." Do you
 5 know who told you that?
 6 MR. [REDACTED]: Well, basically, in
 7 memorandum, I remember when it was reported to
 8 me, and I made my report, I believe it was in
 9 the report of incident by Lieutenant [REDACTED].
 10 MR. [REDACTED]: Okay. [REDACTED]-[REDACTED]?
 11 MR. [REDACTED]: [REDACTED]-[REDACTED]. And I
 12 believe that she had put out an e-mail, which
 13 concluded that the inmate was showing
 14 manipulative behavior through his statements,
 15 and what was observed by Medical staff.
 16 MR. [REDACTED]: Okay.
 17 MR. [REDACTED]: So, basically, they were
 18 saying that the incident didn't occur as the
 19 inmate may have tried to make it look or occur.
 20 MR. [REDACTED]: Okay. And we're going to
 21 get into in a second.
 22 MR. [REDACTED]: So.
 23 MR. [REDACTED]: "Because he was not
 24 observed opening his eyes and making other
 25 suspicious movements not consistent with an

1 then, they write a brief synopsis, and then,
 2 it's put in a packet, and then, ultimately, SIS
 3 Department will investigate it, especially if
 4 we're having an assault, which would have been
 5 a 224 Alpha, which is a minor assault of
 6 another. So, pictures would have been taken.
 7 Clinical assessments of both inmates would have
 8 been taken. Witness statements would have been
 9 taken. All of these things would have been
 10 done, and it goes into an investigative packet.
 11 MR. [REDACTED]: Sure. So, [REDACTED]-[REDACTED]
 12 - Lieutenant [REDACTED]-[REDACTED] - would have -?
 13 MR. [REDACTED]: Would have been --
 14 MR. [REDACTED]: Created it and provided
 15 it to SIS?
 16 MR. [REDACTED]: -- and would have created it,
 17 and for it to move on.
 18 MR. [REDACTED]: And do you know if there
 19 was any credibility found to the claim that
 20 Epstein made, that this other - his cellmate -
 21 had tried to take his life?
 22 MR. [REDACTED]: I don't believe there was any
 23 credibility that was ever concluded --
 24 MR. [REDACTED]: Okay.
 25 MR. [REDACTED]: -- that that incident

1 happened.

2 MR. [REDACTED]: And do you know anything

3 about when he was initially found, if the

4 homemade rope or whatever it was, was found

5 around his neck, or it says in this, "On his

6 chest," anything with that, with, you know, do

7 you know what I mean? Like, if someone was

8 trying to hang themselves, if it came on their

9 chest, do you know anything about how that may

10 have happened?

11 MR. [REDACTED]: I mean, forensically, I

12 wouldn't know. I'm not a --

13 MR. [REDACTED]: Sure.

14 MR. [REDACTED]: -- an investigator on that

15 level. So, I can't really tell you the

16 position of any type of homemade fashioned item

17 that would be used to facilitate a suicide

18 attempt, or --

19 MR. [REDACTED]: Sure.

20 MR. [REDACTED]: -- an assault attempt.

21 That's not my level.

22 MR. [REDACTED]: Sure.

23 MR. [REDACTED]: Again, I'm trying to remember

24 what it was, or what was used, but again --

25 MR. [REDACTED]: Mm-hmm.

1 assessment. So, that's why Health Services

2 helps us out, because the inmates don't want

3 understand that everything they're doing, or

4 anything they're saying, is being entered on

5 that clinical assessment.

6 MR. [REDACTED]: Sure.

7 MR. [REDACTED]: So, that's where they were

8 saying that he wasn't - his actions may not

9 have been what they should have been for a

10 person that was quasi supposed to had been

11 assaulted.

12 MR. [REDACTED]: Sure.

13 MR. [REDACTED]: Or if he was supposed to have

14 been unconscious, you was displaying this type

15 of manipulative behavior. So, again, I wasn't

16 there. So, I don't know what occurred. I'm

17 just going by what was - the information that

18 was relayed back to me.

19 MR. [REDACTED]: Absolutely. So, as far

20 as Tartaglione --

21 MR. [REDACTED]: Correct.

22 MR. [REDACTED]: -- what was he in for?

23 MR. [REDACTED]: I believe that Tartaglione

24 was responsible for - he was a former Police

25 Officer, I believe - and I believe he had

1 MR. [REDACTED]: -- I don't know exactly. So,

2 I can't really determine or give you that type

3 of, you know, I don't have expertise --

4 MR. [REDACTED]: Sure.

5 MR. [REDACTED]: -- in that area. So --

6 MR. [REDACTED]: But the information that

7 was provided to you suggested that he tried to

8 take his own life, not that the cell mate tried

9 to take is life?

10 MR. [REDACTED]: Correct. That it was

11 inconclusive that the inmate had - inmate

12 Tartaglione - had tried to kill this guy. Or

13 tried to do any self-harm to this guy. So, you

14 have to - so, like, you have to take an

15 advantage because it's one inmates' word

16 against another.

17 MR. [REDACTED]: Sure.

18 MR. [REDACTED]: So, when the investigation

19 comes down, of course, inmate Epstein would

20 have been interviewed; inmate Tartaglione would

21 have been interviewed, at which time, you would

22 have took those statements, you would have

23 waived, and then you would have took into

24 consideration any witness statements, or

25 anything that was observed during the clinical

1 killed four people, and then he buried them,

2 buried the victims somewhere up near Otisville

3 Prison. I think that's what it was. Back in

4 the day.

5 MR. [REDACTED]: Okay.

6 MR. [REDACTED]: Yeah. Something like that.

7 MR. [REDACTED]: So, he was actually in

8 for murder, though?

9 MR. [REDACTED]: Yeah. It was murder. He was

10 in for murder and whatever other stuff he was

11 doing.

12 MR. [REDACTED]: Okay.

13 MR. [REDACTED]: Doing in his capacity as a

14 Police Officer.

15 MR. [REDACTED]: And who selected him and

16 why? To be Epstein's --

17 MR. [REDACTED]: Who selected him?

18 MR. [REDACTED]: -- who selected him to be

19 Epstein's roommate, and why?

20 MR. [REDACTED]: I don't remember who vetted

21 Tartaglione. But what I will tell you is that,

22 even though Tartaglione had a murder on his

23 jacket, Tartaglione also was an inmate that had

24 issues being in general population. You

25 understand what I'm saying?

1 MR. [REDACTED]: Mm-hmm. Former Police
2 Officer?

3 MR. [REDACTED]: Former Police Officer. He
4 had issues - because I've dealt with
5 Tartaglione at Brooklyn - so, he was up on one
6 of the Units in Brooklyn, and he had issues
7 with those inmates in those blocks, where
8 they're made for people who are sex offenders.
9 For inmates that have issues with - when they
10 go to population - general, they can't cope.
11 Formal law enforcement. These type of guys are
12 in that unit. So, you don't really have that
13 much issues in those type of units because
14 these guys are going to do their time, or await
15 their sentencing, and then move on. So, you
16 don't really have a lot of violence. But this
17 guy was always, always in the mix of something.

18 MR. [REDACTED]: Mm-hmm.

19 MR. [REDACTED]: But we couldn't put him on
20 the general population unit, and you just can't
21 throw him in SHU. You know what I'm saying?
22 Just because. You just can't. So, in
23 Brooklyn, we had the ability to put him in - I
24 think it was in K82. I can't remember. When
25 he goes to MCC, you know, they don't have those

1 at MCC - that were facing murder charges.
2 There's a lot of them.

3 MR. [REDACTED]: Sure.

4 MR. [REDACTED]: Hey, I mean, if they're in
5 SHU, that means they can't cope on the outside.
6 They can't cope in the general population unit.
7 So, we would look at him just like another
8 inmate.

9 MR. [REDACTED]: Mm-hmm.

10 MR. [REDACTED]: He never hurt another inmate.

11 MR. [REDACTED]: And that was going to be
12 my next question. So, he wasn't known to
13 assault anyone?

14 MR. [REDACTED]: Bro, he never assaulted
15 another inmate.

16 MR. [REDACTED]: Okay.

17 MR. [REDACTED]: Yeah, he got a murder beef,
18 okay, that's fine. But guess what? He never
19 hurt any other inmates while incarcerated.

20 MR. [REDACTED]: Sure. So, taking,
21 though, that he was incarcerated due to murder,
22 though, and that Epstein claimed that he tried
23 to murder him, do you think that - do you
24 believe that there was any credibility to that
25 claim?

1 type of units. You know? So, he would have to
2 go in general population, or he would go to
3 SHU. So, if the inmate fails the program and
4 said I'm not going to population, you can't
5 force me. So, when you do his assessment, his
6 Unit Team does the assessment, Psychology does
7 their assessment, Health Services does that
8 assessment, and say, well, hey, this guy is
9 clear to go to GP. There's nothing precluded
10 him to go. But the inmate said, well, you
11 know, I'm a 306. 306 is refusal of programs.
12 I'm not going. So, put me in SHU. So, that's
13 how he ended up in SHU.

14 MR. [REDACTED]: Sure. So, he was in SHU
15 already?

16 MR. [REDACTED]: Yeah.

17 MR. [REDACTED]: And do you believe he was
18 a good placement for Epstein?

19 MR. [REDACTED]: Well, at the time, again, you
20 would have to be mindful, we don't - how could
21 I put this? - inmates are not placed in cells
22 based on race, or - but however - or gang
23 affiliations, all of these things that, you
24 know, but however, you vet inmates. So, you
25 say, okay, well, you have guys up there that -

1 MR. [REDACTED]: Again, what I will say is, is
2 that I will tell you, like you said, my
3 statements before, that it was brought to my
4 attention that inmate Epstein was doing
5 manipulative behavior, kind of testing the
6 water to see what he could get away with.

7 MR. [REDACTED]: Sure.

8 MR. [REDACTED]: Being his initial
9 incarceration. Probably not too familiar with
10 being in jail, but however, he's a smart guy.
11 He kind of figured out what he could do, in
12 order for him, one) not to go to GP; two) try
13 to get in SHU and try to get a cell by himself.
14 That's kind of where he wanted it to go.

15 MR. [REDACTED]: So then, he wanted to be
16 in SHU by himself --

17 MR. [REDACTED]: Of course.

18 MR. [REDACTED]: -- and that may have been
19 why he --

20 MR. [REDACTED]: Yes.

21 MR. [REDACTED]: -- said that -? Okay.
22 So, you believe that he made the claim against
23 Tartaglione because he wanted a cell by
24 himself.

25 MR. [REDACTED]: That's in my belief, after

1 looking at everything, and everything that was
2 done, I believe so. I think that would be
3 accurate.

4 MR. [REDACTED]: Okay. It says, "He was
5 placed back on suicide watch for approximately
6 one week." So, that happened the 23rd, and it
7 brought him up to about July 30th. Is that
8 correct?

9 MR. [REDACTED]: Mm-hmm. Correct.

10 MR. [REDACTED]: Of 2019. "Unlike his
11 first and previous placement on suicide watch,
12 Epstein now has definitive suicidal tendencies
13 reported in his incarceration history. The
14 staff was tasked with determining whether
15 Epstein was in fact suicidal, or using
16 manipulative tactics to avoid assignment of a
17 cell mate. After suicide watch, Epstein was
18 placed on psychological observation, and
19 eventually returned to the SHU." Now, again,
20 and just to go back, this Ten South thing, that
21 didn't never - were Lieutenants bringing it to
22 you? Like, hey, he should be on Ten South?

23 MR. [REDACTED]: No.

24 MR. [REDACTED]: You don't recall any
25 Lieutenants saying that?

1 MR. [REDACTED]: That's put on an inmate just
2 like - I will give you an example - sentencing
3 designations. Okay?

4 MR. [REDACTED]: Sure.

5 MR. [REDACTED]: That's their job.

6 MR. [REDACTED]: Mm-hmm.

7 MR. [REDACTED]: They're going to do, say,
8 what Security level inmates, what type of
9 prisons they go to, if they're a transgender,
10 you know, all of these different things, all
11 that stuff is going to come from that Central
12 Office, to say, okay, we looked at this
13 particular inmate's history, or PSI, and we
14 feel that this identifier needs to be placed on
15 this inmate. So, a SAMS identification, or
16 moniker, put on an inmate, executive staff
17 can't put that on there.

18 MR. [REDACTED]: Sure.

19 MR. [REDACTED]: That's going to come from
20 Central Office.

21 MR. [REDACTED]: Okay. So, although a
22 Lieutenants may have thought -.

23 MR. [REDACTED]: They may have - yeah - they
24 may have thought and said, yeah, due to, yeah,
25 his situation, of him being a multi-

1 MR. [REDACTED]: That wouldn't be a
2 Lieutenant's purview.

3 MR. [REDACTED]: Sure.

4 MR. [REDACTED]: A Lieutenant, most of the
5 people - and then, I will tell you, I didn't
6 understand SAMS placement until I became a
7 Deputy Captain.

8 MR. [REDACTED]: Okay.

9 MR. [REDACTED]: All right? And I understood
10 that, you know, these guys, you just can't put
11 a guy as a SAMS. That identifier, that's an
12 identifier that has to come from Central
13 Office.

14 MR. [REDACTED]: Okay.

15 MR. [REDACTED]: BOP Central Office.

16 MR. [REDACTED]: So, if a Lieutenant - so,
17 if we're talking Lieutenants, and they're
18 saying, he should have been in Ten South --

19 MR. [REDACTED]: Well --

20 MR. [REDACTED]: -- but they don't know
21 what they're talking about, basically?

22 MR. [REDACTED]: No. Because that identifier
23 - because I believe you know this - it's an
24 identifier.

25 MR. [REDACTED]: Mm-hmm.

1 billionaire, or whatever, or due to his issues
2 of his proclivity to sexual deviances, and all
3 of these things, he wouldn't be a good
4 candidate to go to GP. But guess what? That
5 responsibility, that identifier, that moniker
6 should have been put on Epstein before he even
7 came to MCC.

8 MR. [REDACTED]: Sure. So, do you know if
9 this is something - obviously, it sounds like
10 it would have been out of your hands - would
11 that be something that the Warden would discuss
12 with, what? The Regional Director?

13 MR. [REDACTED]: That's right. The Warden
14 would have had that discussion between SIA, the
15 Regional staff, and also, it goes to the
16 Region, the Central Office staff over
17 Correctional Programming.

18 MR. [REDACTED]: Okay. And you were never
19 --

20 MR. [REDACTED]: And designations.

21 MR. [REDACTED]: -- involved with any of
22 that?

23 MR. [REDACTED]: I would never be in any of
24 those conversations.

25 MR. [REDACTED]: Okay. Fair enough. So,

1 who would be the two to - I guess the Warden
 2 would be the right person to go back to and
 3 just say, hey, did this ever come up in
 4 conversation?
 5 MR. [REDACTED]: Right.
 6 MR. [REDACTED]: Okay. Okay. It says,
 7 "At the direction of the Warden, [REDACTED]
 8 initiated the process of compiling possible
 9 cell mates for Epstein, vetting them and
 10 submitting candidates to the Warden for his
 11 review. [REDACTED] and his staff fully screened
 12 potential cell mates, and reported their
 13 determinations up to the Warden. Efrain Reyes
 14 -, E-F-R-A-I-N, R-E-Y-E-S, "- was selected and
 15 housed in a cell with Epstein."
 16 MR. [REDACTED]: That's right.
 17 MR. [REDACTED]: And it says, "The
 18 Assistant Warden," but I'm assuming they mean
 19 the Associate Warden, "Warden and Regional
 20 Director were notified."
 21 MR. [REDACTED]: Okay. This is how that went
 22 down. Mr. [REDACTED] sat with me - not with the
 23 AW present - and we wanted to - we started
 24 talking about security protocols, moving
 25 forward for Jeffrey Epstein. That's with me

1 and he gave them, and he faxed him the whole
 2 makeup of all three of them, and the Regional
 3 Director said, no, I want this guy.
 4 MR. [REDACTED]: So, the Regional Director
 5 --
 6 MR. [REDACTED]: Yes.
 7 MR. [REDACTED]: -- ultimately made the
 8 decision?
 9 MR. [REDACTED]: Yes.
 10 MR. [REDACTED]: So, give me a little
 11 background on Reyes. What was he in for?
 12 MR. [REDACTED]: I believe Reyes was a
 13 Hispanic, older male. I believe that
 14 particular inmate was in for - I think he was
 15 in for child - some type of sexual stuff. I
 16 can't remember.
 17 MR. [REDACTED]: Some kind of a charge
 18 with --
 19 MR. [REDACTED]: Charge, dealing with --
 20 MR. [REDACTED]: -- sexual --
 21 MR. [REDACTED]: -- with, you know, those type
 22 of charges, sexual --
 23 MR. [REDACTED]: So, a similar type of --
 24 MR. [REDACTED]: -- similar type of charges --
 25 MR. [REDACTED]: -- charge.

1 and Mr. [REDACTED], we had this discussion.
 2 MR. [REDACTED]: Okay.
 3 MR. [REDACTED]: Because like I said earlier
 4 in my statement, even though the AW would have
 5 been my next in succession, as far as my
 6 Supervisor, however, I did have conversations
 7 directly with the Warden, as far as for
 8 security situations (Indiscernible *00:57:32)
 9 in the institution.
 10 MR. [REDACTED]: Sure.
 11 MR. [REDACTED]: So, we sat there, and he
 12 wanted me to compile names, and vet inmates
 13 that would be possible good candidates as a
 14 cell mate for Epstein moving forward.
 15 MR. [REDACTED]: Sure.
 16 MR. [REDACTED]: So, I brought a compiled, I
 17 believe I had ten names, and he and I went
 18 through those names, we brought it down to
 19 three. Then those three names, Mr. [REDACTED] -
 20 because I sat there - when he called the
 21 Regional Director, on the phone, and he and the
 22 Regional Director vetted those three names.
 23 MR. [REDACTED]: Sure.
 24 MR. [REDACTED]: And then, I sat there, and I
 25 was privy to that conversation. I sat there,

1 MR. [REDACTED]: -- as Epstein, I believe, or
 2 I can't remember.
 3 MR. [REDACTED]: Okay. Was he - when he
 4 was being vetted - was he close to, like, a
 5 release date or anything like that? An
 6 anticipated release date?
 7 MR. [REDACTED]: No one knew that. Because
 8 this is what you need to understand about MCC.
 9 MCC and MDC are basically jails. They're not
 10 prisons.
 11 MR. [REDACTED]: Sure.
 12 MR. [REDACTED]: It's a jail. So, that means
 13 if a guy goes to court, you know, you get
 14 locked up, and then, the next day, you might go
 15 to court, the Judge might say, no, I'm
 16 releasing you. We don't know.
 17 MR. [REDACTED]: Sure.
 18 MR. [REDACTED]: The only time we'll know is
 19 when the inmates come back from court, where is
 20 this guy at? He was released.
 21 MR. [REDACTED]: Gotcha.
 22 MR. [REDACTED]: Okay. Now, we got this guy
 23 still in our count. So, if they don't bring a
 24 transfer order, our count is bad. So, they're
 25 going to bring the transfer order back with

1 them for court line. These guys got released.
2 So, normally, court line is over before 4:00.
3 So, we try to get these guys up. Do some
4 inmates come back after 4:00? Yes, they do.
5 But however, we don't know if an inmate goes
6 out to court, if they're coming back.

7 MR. [REDACTED]: Sure.

8 MR. [REDACTED]: However, there is times when
9 they put out a roster, and it's given to - as
10 far as all Correctional Officers that work the
11 units, and it will say, court line, inmate
12 Reyes - using him as an example - WAB. That
13 means that he has to come downstairs with all
14 belongings. So, if they say it, that means
15 he's not coming back. That's either he's
16 transferring to another BOP facility, or he's
17 going to be released to the street.

18 MR. [REDACTED]: Okay.

19 MR. [REDACTED]: But I can guarantee you that
20 that transfer or that roster, that inmate Reyes
21 was on that day, it didn't say WAB. Because it
22 would have said WAB, the first thing that that
23 OIC should have said, that's my orange tag guy.
24 Because I made them do all the orange tag guys,
25 and I made them put them up on the board.

1 get across to us, as me, as the Captain, to
2 when I disseminated down to the subordinate
3 staff, this is another inmate. Who cares about
4 what his charges are?

5 MR. [REDACTED]: Sure.

6 MR. [REDACTED]: Or since he's sensationalized
7 in the media. Nobody cares.

8 MR. [REDACTED]: Of course.

9 MR. [REDACTED]: We're going to manage him
10 appropriately. Because if you know anything
11 about jails, and the BOP, especially Brooklyn
12 and MCC, we don't run those jails. The court
13 runs those jails.

14 MR. [REDACTED]: Right.

15 MR. [REDACTED]: So, and that's the truth, the
16 court, the Judges, whatever the Judge says
17 goes. So, and that's unfortunate, but that's
18 neither here nor there. So, Mr. [REDACTED] wanted
19 the staff to say no, this is the inmate, yeah,
20 he has certain charges, but we're going to make
21 sure he gets everything that all the inmates
22 get when they come to MCC. The inmates are
23 going to get proper care. The inmate is going
24 to get showers. The inmate is going to be fed.
25 Whatever it may be. But however, after those

1 Epstein is that orange tag guy. He's supposed
2 to have a cellie. WAB. Oh. Cap. SHU
3 Lieutenant wasn't there. But he would have
4 called me directly. God. Hey, so and so don't
5 have a cell.

6 MR. [REDACTED]: Yeah. So, how long did
7 it take to vet? You know, I know you said you
8 started it with ten, and then it brought down
9 to three, and then the Regional Director
10 ultimately decided the one. But how long does
11 that process take?

12 MR. [REDACTED]: I believe it took - I'm
13 thinking we did it for - we did a day. It took
14 a day.

15 MR. [REDACTED]: Okay.

16 MR. [REDACTED]: I mean, we actually went -
17 and, you know, I don't know - I know either the
18 Warden and I was having a lengthy
19 conversations, because the Warden wanted to
20 ensure - Warden [REDACTED] philosophy when
21 dealing with Mr. Epstein was this: he's another
22 inmate.

23 MR. [REDACTED]: Mm-hmm.

24 MR. [REDACTED]: And what he tried to try to
25 get across to exec staff, and what he tried to

1 situations with Epstein where it showed that
2 his behavior was manipulative, when it shows
3 that he was trying to get things for
4 unnecessary gain. Or he would do anything to
5 get anything that would benefit him, we had to
6 take some different protocols. We had to take
7 a different - they had to take a different --

8 MR. [REDACTED]: Approach.

9 MR. [REDACTED]: -- mindset with this guy, or
10 the way we managed him had to change. Because
11 we already had this guy saying that he was
12 going to be killed, and all of this stuff, or
13 whatever. So, we just wanted to make sure,
14 moving forward, we put protocols in place that
15 will protect us, as an Agency.

16 MR. [REDACTED]: So, speaking of
17 protocols, was it discussed, then, when you
18 were vetting these, hey, we have inmates
19 constantly moving out of here, if Reyes is
20 moved, one of these other two that were down to
21 the three would be moved in with him? Was that
22 discussed?

23 MR. [REDACTED]: No. He would just basically
24 - because like I said, again, at MCC, you
25 wouldn't know how long the duration on the

1 inmates stay.
 2 MR. [REDACTED]: Sure.
 3 MR. [REDACTED]: You wouldn't know.
 4 MR. [REDACTED]: So, you just have to
 5 start the vetting process --
 6 MR. [REDACTED]: Press it --
 7 MR. [REDACTED]: -- over again?
 8 MR. [REDACTED]: -- all over again.
 9 MR. [REDACTED]: Okay.
 10 MR. [REDACTED]: Whoever is available in the
 11 unit, that may be single-celled, because as you
 12 know, our policy and protocols in the Bureau of
 13 Prisons are dealing with restricted inmates,
 14 and Special Housing Units, they cannot be
 15 celled alone.
 16 MR. [REDACTED]: And --
 17 MR. [REDACTED]: They must have a cell mate.
 18 MR. [REDACTED]: -- in the Special Housing
 19 Unit, everyone must have a cell mate?
 20 MR. [REDACTED]: Mm-hmm.
 21 MR. [REDACTED]: Oh, I didn't know that.
 22 So, every single one needs to have a cell mate?
 23 MR. [REDACTED]: Except - except, because it's
 24 one of the areas that we didn't discuss,
 25 outside of Ten South - there was a range that

1 that, if they was put with another inmate,
 2 inside of the Special Housing Unit, they would
 3 die.
 4 MR. [REDACTED]: And was part of that --
 5 MR. [REDACTED]: They would be assaulted. So,
 6 we would have to make those considerations.
 7 So, the protocols of how we dealt with inmates,
 8 according to their situation --
 9 MR. [REDACTED]: Mm-hmm.
 10 MR. [REDACTED]: -- I believe it was sound.
 11 But guess what? You can only - you're like the
 12 coach - I can make the game plan, but if the
 13 players are not executing the game plan, whose
 14 fault is that? Is it the coach? Or the player?
 15 MR. [REDACTED]: And exactly, and that's
 16 what we're doing here, we're Monday morning
 17 quarterbacking. We're just saying, like, all
 18 right, this is - and that's why we're going
 19 back through it. So, "The Warden directed
 20 [REDACTED] on multiple occasions that Epstein
 21 needed a cell mate at all times, and [REDACTED]
 22 verbally informed his Lieutenants the same.
 23 [REDACTED] repeatedly directed his SHU Lieutenant -
 24 Lieutenant [REDACTED] - that Epstein needed a cell
 25 mate at all times. Additionally, [REDACTED]

1 was meant for - it was, like, a stepdown from
 2 Ten South, that only had one man cell
 3 occupancy, which was on G-range.
 4 MR. [REDACTED]: Okay. Was that part of
 5 the Special Housing Unit?
 6 MR. [REDACTED]: Mm-hmm.
 7 MR. [REDACTED]: So, there is a part of
 8 the Special Housing Unit that is a one-man
 9 occupancy, and --
 10 MR. [REDACTED]: Mm-hmm.
 11 MR. [REDACTED]: -- another part that has
 12 two-man occupancy?
 13 MR. [REDACTED]: That is correct.
 14 MR. [REDACTED]: Okay. And Epstein was
 15 housed in the two-man occupancy?
 16 MR. [REDACTED]: Mm-hmm.
 17 MR. [REDACTED]: Was it ever discussed to
 18 put him in one of the one-man occupancies?
 19 MR. [REDACTED]: No.
 20 MR. [REDACTED]: No?
 21 MR. [REDACTED]: Because all of those cells
 22 were filled with inmates that were vetted, that
 23 needed that type of supervision.
 24 MR. [REDACTED]: Okay.
 25 MR. [REDACTED]: You had inmates in there

1 visited the SHU on multiple occasions, and
 2 directed staff to be very alert and attentive
 3 about Epstein's special accommodations." So,
 4 when you say that about the SHU staff, did you
 5 also inform the SHU staff that Epstein needed
 6 to have a cell mate?
 7 MR. [REDACTED]: Yes.
 8 MR. [REDACTED]: Oh, so, they all were --
 9 MR. [REDACTED]: Yes.
 10 MR. [REDACTED]: -- were aware?
 11 MR. [REDACTED]: Yes.
 12 MR. [REDACTED]: Can you look at the - so,
 13 the SHU staff for both of August 9th and the
 14 very early morning hours of August 10th - can
 15 you just list the people and let me know if you
 16 informed those people?
 17 MR. [REDACTED]: So, basically, my hours of
 18 work were normally from - let's just say 7:30
 19 to 4:00.
 20 MR. [REDACTED]: Sure.
 21 MR. [REDACTED]: So, I ensured that it wasn't
 22 within one week, but it was a process of doing
 23 rounds. So, I try to hit every shift.
 24 MR. [REDACTED]: Sure.
 25 MR. [REDACTED]: So, I hit the day watch

1 because that's the one I work. Evening watch,
 2 I stay over late. I walk up there. Hey guys,
 3 this is the situation. Let's make sure that,
 4 you know, we're paying attention. And then,
 5 morning watch, of course.
 6 MR. [REDACTED]: Okay.
 7 MR. [REDACTED]: So -.
 8 MR. [REDACTED]: So, beginning at 8:00
 9 a.m., then, on August 9th, can you just look to
 10 who - and name the people - can you just name
 11 who was in the SHU, and if you've ever had a
 12 conversation with them, if they were aware.
 13 MR. [REDACTED]: Okay. Let me see here.
 14 Well, we had [REDACTED]. I've talked to [REDACTED].
 15 Perry Joiner (Phonetic Sp. *01:08:06). He was
 16 in there. [REDACTED]. [REDACTED] was one of the guys
 17 that was up there as a Rec Officer.
 18 MR. [REDACTED]: So, all --
 19 MR. [REDACTED]: Him.
 20 MR. [REDACTED]: -- all of those people
 21 were, you had conversations --
 22 MR. [REDACTED]: Yes.
 23 MR. [REDACTED]: -- specifically with
 24 them, and they know?
 25 MR. [REDACTED]: I've talked with these guys.

1 but it's less labor intensive.
 2 MR. [REDACTED]: Okay.
 3 MR. [REDACTED]: Because, in my opinion, from
 4 when I worked Special Housing, Special Housing
 5 was always hard work because I'm going to tell
 6 you why. You have to be vigilant. And when I
 7 mean vigilant, you have to understand, when
 8 you're working that Unit, anything can happen.
 9 It could be quiet. But guess what? If you're
 10 not walking, looking in those cells, testing
 11 the Security protocols. Meaning, making sure
 12 the flaps are closed. Making sure the doors
 13 are locked. You want to know that, in SHU,
 14 sometimes doors was unlocked.
 15 MR. [REDACTED]: Mm-hmm.
 16 MR. [REDACTED]: Or flaps opened. To chase
 17 doors, those --
 18 MR. [REDACTED]: What is a flap?
 19 MR. [REDACTED]: -- the Food Service flap.
 20 MR. [REDACTED]: Okay. Sure.
 21 MR. [REDACTED]: You know? Making rounds.
 22 Making sure the inmates are not - have
 23 coverings up when you open up the - what do you
 24 call it?
 25 MR. [REDACTED]: The window?

1 MR. [REDACTED]: Absolutely. Can you just
 2 name the other people for the shifts after him?
 3 I think they just -.
 4 MR. [REDACTED]: You got - now, M. Thomas. M.
 5 Thomas, what you need to understand is, that he
 6 would have been - because, you know, like I
 7 said - overtime. Non-custody. He's non-
 8 custody staff. I don't have conversations with
 9 him.
 10 MR. [REDACTED]: Okay. So, Michael Thomas
 11 --
 12 MR. [REDACTED]: So, that mean --
 13 MR. [REDACTED]: -- may not have known?
 14 MR. [REDACTED]: -- right, because
 15 realistically, the morning watch and evening
 16 watch shift, people don't like to come to work.
 17 MR. [REDACTED]: Sure.
 18 MR. [REDACTED]: So, they - if you sign up for
 19 overtime, you say, oh, SHU two is open. Okay.
 20 I'll take it. But you're non-custody. So,
 21 that means anybody can work it. A teacher. A
 22 Food Service foreman.
 23 MR. [REDACTED]: Is the SHU easier to work
 24 than the other units?
 25 MR. [REDACTED]: I wouldn't say it's easier,

1 MR. [REDACTED]: The windows or putting a
 2 towel over their beds, and blocking the light
 3 from you being able to observe them.
 4 MR. [REDACTED]: But then, how --
 5 MR. [REDACTED]: And what I said about --
 6 MR. [REDACTED]: but how -.
 7 MR. [REDACTED]: -- but I want to go back
 8 because I know about the statement, about the
 9 doors being left open. I'm talking about more
 10 in general population, as far as when you're
 11 making rounds, those type of things, you test.
 12 Making sure the door is secure. Making sure
 13 the food slots are secure.
 14 MR. [REDACTED]: Mm-hmm.
 15 MR. [REDACTED]: As an Officer coming up, even
 16 as a Lieutenant, do you know that I've actually
 17 walked in a Unit and pulled on the door that's
 18 supposed to be secure, and its inmate is wide
 19 open?
 20 MR. [REDACTED]: Wow. Ever at the MCC?
 21 MR. [REDACTED]: No. Because that wasn't my
 22 capacity.
 23 MR. [REDACTED]: Sure.
 24 MR. [REDACTED]: That wasn't my job. But as a
 25 Line Officer subordinate, and also when I was a

1 Lieutenant making rounds, that's what I would
 2 do. When I hit a unit, it wasn't just to talk
 3 to staff. I would walk in and look at the
 4 Security protocols in the Unit. Is their fire
 5 extinguisher there? Good. Your phone work?
 6 Computers work? Hey, let's walk the block.
 7 Pulling on doors. Pulling on food slots.
 8 Showing - trying to train the Officers.
 9 MR. [REDACTED]: Sure.
 10 MR. [REDACTED]: That's what I used to do.
 11 MR. [REDACTED]: Lead by example.
 12 MR. [REDACTED]: And guess what happens? You
 13 would find stuff, because people in hurry
 14 enough to go home on that evening watch, them
 15 inmates know their doors are locked. But they
 16 know they're not going to come out. Because if
 17 they come out, there's a situation. But
 18 they'll sit up there and leave it open.
 19 MR. [REDACTED]: So, back to this, though.
 20 Can you look at the other SHU on, you know, the
 21 subsequent shifts, if you had conversations
 22 with them?
 23 MR. [REDACTED]: So --
 24 MR. [REDACTED]: So, Thomas, no.
 25 MR. [REDACTED]: -- so, Thomas, because he

1 inside of the Unit, you know, he was in charge
 2 of ensuring those Sentry rosters was updated,
 3 to ensure that the accountability of the unit
 4 was correct, to make sure that the inmates were
 5 placed in their proper cells. Who was this?
 6 I'm sorry. Hold on.
 7 MR. [REDACTED]: And so, in the SHU, we
 8 want to be focusing on?
 9 MR. [REDACTED]: T. Noel. T. Noel was one of
 10 the --
 11 MR. [REDACTED]: And that's Tova?
 12 MR. [REDACTED]: -- now, I know Tova.
 13 MR. [REDACTED]: Yeah.
 14 MR. [REDACTED]: Now, Tova, I can't remember
 15 if I spoke to Tova. Tova - exactly.
 16 MR. [REDACTED]: Okay.
 17 MR. [REDACTED]: But I know that I had hit all
 18 three shifts. Meaning that, day watch. I was
 19 always up there on day watch. Evening watch.
 20 I stayed over because that's what the Warden
 21 wanted. He told me. Hey, make sure you go and
 22 hit all three shifts. The Warden told me to do
 23 it. So, if the Warden told me to do it, why
 24 wouldn't I go do it?
 25 MR. [REDACTED]: Sure.

1 would have just been on there. Mr. Washington.
 2 Yeah. I've talked to Mr. Washington because
 3 Mr. Washington would go between evening watch,
 4 because I would talk to him. Clyde would work
 5 evening watch, so I've talked to him on evening
 6 watch. He was working morning watch because
 7 these guys, it was such short of staff, that
 8 these SHU guys was working back to back shifts.
 9 Or staff. It didn't matter. People who wanted
 10 money, or wanted to, you know, they would sign
 11 up for overtime. So, Clyde Washington was one
 12 of the regular SHU staff on the evening watch.
 13 Yeah, so, I talked to him. [REDACTED]. Percy
 14 Joiner. I talked with him. [REDACTED].
 15 [REDACTED] would go between the three, and also
 16 the OIC, because he had the most knowledge out
 17 of those guys. So, sometimes, he - even though
 18 he was the three - he was the one with OIC
 19 duties.
 20 MR. [REDACTED]: And OIC stands for
 21 Officer-in-Charge?
 22 MR. [REDACTED]: Officer-in-Charge.
 23 MR. [REDACTED]: Okay.
 24 MR. [REDACTED]: So, he was doing all the
 25 rosters. When it was time to move inmates

1 MR. [REDACTED]: The Warden --
 2 MR. [REDACTED]: Okay.
 3 MR. [REDACTED]: -- we sat down, he said,
 4 these are the things that I want to happen.
 5 First, I want you to make sure, walk through,
 6 talk about, make sure the staff is aware,
 7 (Indiscernible *01:13:53) are doing this, this,
 8 and this. And also, I know that you have -
 9 that I put out an e-mail. So, I just didn't
 10 tell them - what do you call that? - by --
 11 MR. [REDACTED]: So, you sent an e-mail to
 12 all the SHU?
 13 MR. [REDACTED]: Yes, I did. To all
 14 Correctional Services staff. And I think I
 15 still got it.
 16 MR. [REDACTED]: To all Correctional?
 17 MR. [REDACTED]: Yeah. I still got --
 18 MR. [REDACTED]: Did you ever provide --
 19 MR. [REDACTED]: -- that e-mail.
 20 MR. [REDACTED]: -- that to anyone?
 21 MR. [REDACTED]: Huh?
 22 MR. [REDACTED]: Did you ever provide that
 23 to anyone?
 24 MR. [REDACTED]: No. And they never asked for
 25 it.

1 MR. [REDACTED]: Can you absolutely
2 provide that to us?
3 MR. [REDACTED]: Yeah. I think I have one,
4 and we can go to my office, so I can show you.
5 I don't want you to think I - I will bring it
6 up for you.
7 MR. [REDACTED]: So, would have this
8 Michael Thomas and Tova Noel been on that e-
9 mail?
10 MR. [REDACTED]: Tova would have been, because
11 he's a Correctional Officer. But not Thomas.
12 MR. [REDACTED]: Okay.
13 MR. [REDACTED]: You understand?
14 MR. [REDACTED]: Okay.
15 MR. [REDACTED]: But however, what we did was
16 --
17 MR. [REDACTED]: I thought everyone was
18 considered a Correctional Officer. That's not
19 the case?
20 MR. [REDACTED]: As far as when emergencies
21 happen.
22 MR. [REDACTED]: Okay.
23 MR. [REDACTED]: When emergencies happen,
24 regardless of what your discipline is, we all
25 come together, it means you going to -

1 difference between close supervision - what is
2 it? - suicide watch.
3 MR. [REDACTED]: Psychological
4 observation.
5 MR. [REDACTED]: And psychological. There's
6 no such thing as psychological - and that you
7 know now - there's no such thing. It's called
8 close supervision. There's no such as
9 psychological. That was an MCC thing.
10 MR. [REDACTED]: Okay.
11 MR. [REDACTED]: That they made up. So, it's
12 a close supervision and/or suicide watch.
13 MR. [REDACTED]: So, you have at least one
14 e-mail, though, that you sent to Correctional
15 Officers saying that Epstein needed a cell
16 mate?
17 MR. [REDACTED]: It wasn't saying Epstein, but
18 I do have two. I think I gave one e-mail and
19 one memorandum that I wrote for the 583 packet
20 for Epstein. I think you may have that. I
21 don't know if you have it. And then, I have
22 wrote another one about the important of doing
23 30-minute rounds in the Special Housing Unit.
24 MR. [REDACTED]: Okay. Yeah, if you can -
25 after we're done - either you can send it to

1 everyone, when you came in the BOP, everyone
2 was given the opportunity, that when you went
3 through Correctional - those tactics that you
4 learned in Glynco, it was about being a
5 Correctional Officer. It wasn't about being a
6 Dentist, or being a Chaplin, or whatever. It's
7 about Correctional principals.
8 MR. [REDACTED]: Okay.
9 MR. [REDACTED]: Introduction to Correctional
10 principals.
11 MR. [REDACTED]: But as far as there is an
12 e-mail that just the people that are working in
13 the Correctional Officer --
14 MR. [REDACTED]: Yes.
15 MR. [REDACTED]: -- okay.
16 MR. [REDACTED]: And I can show that to you.
17 MR. [REDACTED]: Perfect.
18 MR. [REDACTED]: I have that.
19 MR. [REDACTED]: Awesome.
20 MR. [REDACTED]: Because it wasn't just me
21 just talking to them. I put out guidance, and
22 I kept putting out guidance. It wasn't like it
23 was one time. I talked about inmates being
24 placed on suicide watch. I talked about
25 inmates putting on there - what is the

1 me, or you can give it to me.
2 MR. [REDACTED]: I can give it to you. I'm
3 going to give you a copy.
4 MR. [REDACTED]: Perfect.
5 MR. [REDACTED]: Mm-hmm.
6 MR. [REDACTED]: All right. Then just --
7 MR. [REDACTED]: And so --
8 MR. [REDACTED]: -- I think there's a few
9 more. Like, I don't know how to spell his
10 name, pronounce his name, but --
11 MR. [REDACTED]: So --
12 MR. [REDACTED]: -- [REDACTED]?
13 MR. [REDACTED]: -- so, [REDACTED].
14 MR. [REDACTED]: [REDACTED].
15 MR. [REDACTED]: Again, that was another non-
16 custody guy. So, [REDACTED], I believe worked in
17 - he was a Material Handler. I think [REDACTED]
18 was a Material Handler. So, he's not
19 Correctional Services anymore. However, did
20 they have a background - no, I'm sorry.
21 [REDACTED] went to R and D. So, he was Receiving
22 and Discharge. So, these staff members worked
23 as Correctional Officers, came up as
24 Correctional Officers. But their daily
25 assignment, their job descriptions changed.

1 MR. [REDACTED]: Mm-hmm.
 2 MR. [REDACTED]: Their whatever, their non-
 3 custody.
 4 MR. [REDACTED]: So, the people that
 5 worked in the SHU, and the Correctional
 6 Officers, they were aware of it, but people
 7 that had different functions in the facility,
 8 they may not have been?
 9 MR. [REDACTED]: May not have been because I
 10 wouldn't talk to them on a daily basis.
 11 MR. [REDACTED]: And what about, do you
 12 know if there were any kind of, like, post-it
 13 notes, or sticky notes, or any -?
 14 MR. [REDACTED]: Yes. I had created - it was
 15 one, one, because I said orange card inmates -
 16 I said, make sure these particular inmates,
 17 inmates high visibility inmates, and I think I
 18 talked about that, that the inmates, their
 19 cards should be orange. And those would be our
 20 high visibility inmates that you - and I think
 21 I got an e-mail about that, too - about the
 22 high visibility inmates inside the unit, you
 23 should take special care to ensure these
 24 inmates are --
 25 MR. [REDACTED]: Observed.

1 MR. [REDACTED]: [REDACTED]. Sorry. So, Ms.
 2 [REDACTED]. Ms. [REDACTED], she would work
 3 Correctional post.
 4 MR. [REDACTED]: So, should have he known
 5 that --
 6 MR. [REDACTED]: She would have known.
 7 MR. [REDACTED]: -- should have she known
 8 that Epstein had -?
 9 MR. [REDACTED]: It's common knowledge that
 10 you're supposed to do 30-minute rounds.
 11 MR. [REDACTED]: Mm-hmm.
 12 MR. [REDACTED]: And be vigilant. But
 13 however, would she know, necessarily, that
 14 those protocols were placed on Jeffrey Epstein,
 15 that he was supposed to have a cellie? I mean,
 16 you see an orange card, if you see the
 17 guidance. I believe I had put something
 18 together, that was on the OIC's desk, on the
 19 desk, talked about the high visibility inmates,
 20 and Jeffrey Epstein was a high visibility
 21 inmate.
 22 MR. [REDACTED]: But is it understood that
 23 a high visibility inmate like that needs a cell
 24 mate?
 25 MR. [REDACTED]: Yes.

1 MR. [REDACTED]: -- observed. When you're
 2 doing your rounds.
 3 MR. [REDACTED]: Anything, though, about
 4 the actual cell mate requirement, though? Do
 5 you know if there was any kind of, like, sticky
 6 note, or any kind of post-it about saying, hey,
 7 make sure that Epstein -?
 8 MR. [REDACTED]: I can't remember.
 9 MR. [REDACTED]: Yeah, yeah.
 10 MR. [REDACTED]: But like I said, I was
 11 putting out a lot of guidance --
 12 MR. [REDACTED]: Absolutely.
 13 MR. [REDACTED]: -- you know, coming from -
 14 and, you know - coming from the Warden, and
 15 things that I would have thought that was
 16 beneficial to the Correctional Officers. I was
 17 just putting that guidance out. I kept putting
 18 out. You know, like I said, you know, I'm
 19 talking to them, I'm putting out the guidance,
 20 but if they don't open their e-mail and don't
 21 read it.
 22 MR. [REDACTED]: What about some of the
 23 people who were Acting Lieutenants? Somebody
 24 like an SOS [REDACTED].
 25 MR. [REDACTED]: Ms. [REDACTED]?

1 MR. [REDACTED]: Okay. So, you're saying,
 2 make sure you're doing rounds, but it's also
 3 understood, if it's a high-visibility inmate,
 4 they need a cell mate at all times?
 5 MR. [REDACTED]: Yes.
 6 MR. [REDACTED]: Okay. And did they all
 7 understand that?
 8 MR. [REDACTED]: Yes.
 9 MR. [REDACTED]: All right. And to
 10 include Thomas and --
 11 MR. [REDACTED]: I don't know.
 12 MR. [REDACTED]: -- Noel?
 13 MR. [REDACTED]: Because they are not custody.
 14 MR. [REDACTED]: Okay.
 15 MR. [REDACTED]: And I don't believe I had
 16 that conversation with them. I'm not going to
 17 lie. I didn't have that conversation with
 18 them.
 19 MR. [REDACTED]: What about some of these
 20 Lieutenants, like the Acting Lieutenants, like
 21 [REDACTED]?
 22 MR. [REDACTED]: Ms. [REDACTED]? Oh, Ms. [REDACTED]
 23 was in Correctional Services. And she - I
 24 believe - during that time, was working an
 25 Attorney conference.

1 MR. [REDACTED]: Yes.
 2 MR. [REDACTED]: She was in Correctional
 3 Service. She was working an Attorney
 4 conference during that time. So, Ms. [REDACTED], I
 5 actually promoted her to Acting Lieutenant.
 6 She was getting paid as a Lieutenant. So, yes.
 7 She would have known.
 8 MR. [REDACTED]: So, she should have - or
 9 would have, or should have?
 10 MR. [REDACTED]: Yes.
 11 MR. [REDACTED]: How about some of these
 12 other ones that we're on? You said [REDACTED],
 13 obviously, you already said you --
 14 MR. [REDACTED]: Yeah.
 15 MR. [REDACTED]: -- specifically directed
 16 him.
 17 MR. [REDACTED]: If he - yeah - I brought him
 18 in the office, and we spoke. Yes.
 19 MR. [REDACTED]: Do you know how - and I
 20 think you said that you spoke to him on
 21 multiple occasions --
 22 MR. [REDACTED]: Yes.
 23 MR. [REDACTED]: -- is that correct, and
 24 made sure, hey, make sure he has a cell mate?
 25 MR. [REDACTED]: Yes.

1 on morning watch. Inmates are locked in their
 2 cells.
 3 MR. [REDACTED]: Right.
 4 MR. [REDACTED]: So, anything, day watch,
 5 evening watch, that SHU Lieutenant should be
 6 aware.
 7 MR. [REDACTED]: Okay.
 8 MR. [REDACTED]: So, that's why
 9 MR. [REDACTED]: And we'll get in --
 10 MR. [REDACTED]: So, that's why we would have
 11 that conversation. When he and I had that
 12 conversation.
 13 MR. [REDACTED]: And do you remember - so,
 14 you recall specifically talking with him - do
 15 you - and this is, I want to know about - aside
 16 from what they should have known - specific
 17 conversations with [REDACTED] [REDACTED]?
 18 MR. [REDACTED]: [REDACTED]. I can't
 19 remember about [REDACTED]. I believe it's as
 20 internal. I came into the Lieutenant's Office
 21 and we spoke about it. So, as a collective,
 22 the Lieutenants were made aware. I can't say I
 23 remember that I would come into the
 24 Lieutenants, and we would talk about Epstein.
 25 So, again, between the guidance that was put

1 MR. [REDACTED]: Okay. What about [REDACTED]
 2 [REDACTED] ?
 3 MR. [REDACTED]: [REDACTED] [REDACTED]. I had
 4 conversations - well, I don't believe I had a
 5 conversation with her.
 6 MR. [REDACTED]: Should have she known,
 7 based upon the orange card?
 8 MR. [REDACTED]: Yes. She would have known
 9 because I put the guidance out through the e-
 10 mail.
 11 MR. [REDACTED]: Now, the guidance,
 12 though, said about - you said it talked about
 13 rounds as opposed to actual cell mate
 14 requirement, though, correct?
 15 MR. [REDACTED]: I can't remember.
 16 MR. [REDACTED]: Okay.
 17 MR. [REDACTED]: You know, I don't know,
 18 because like I said, again, I put out a lot of
 19 guidance.
 20 MR. [REDACTED]: Yeah.
 21 MR. [REDACTED]: But I know the people who I
 22 actually spoke to as far as, like, hey, you the
 23 OIC, I mean, you're the Lieutenant of SHU, that
 24 means you working day watch, that means any
 25 movement happens on day watch, it don't happen

1 out through emails, and the conversations that
 2 I would have just encountering Lieutenants,
 3 yes, but however, I can tell you for sure, I
 4 had a conversation with [REDACTED].
 5 MR. [REDACTED]: And would have [REDACTED] made
 6 sure that those people working in the SHU knew
 7 this information?
 8 MR. [REDACTED]: He would have - as the
 9 Lieutenant-in-Charge, yes.
 10 MR. [REDACTED]: Should have he made sure
 11 somebody like - somebody that's not in there.
 12 Although, Tova Noel, I think that was her
 13 quarterly post. Or at least she was in there a
 14 lot of times --
 15 MR. [REDACTED]: Mm-hmm.
 16 MR. [REDACTED]: -- leading up to it. So,
 17 should have he made sure that she --
 18 MR. [REDACTED]: Yeah.
 19 MR. [REDACTED]: -- what about --
 20 MR. [REDACTED]: Because she worked evening
 21 watch.
 22 MR. [REDACTED]: -- what about Michael
 23 Thomas?
 24 MR. [REDACTED]: Michael Thomas, probably not.
 25 But by him working in the unit, he would know.

1 I mean, you would say, okay, if he's working on
 2 evening watching or morning watch, there was no
 3 need to move inmates. There was no showers
 4 that should have been taking place. There was
 5 no hearings. No medical. Nothing that we had
 6 to open up a cell door for, for those inmates.
 7 MR. [REDACTED]: Okay.
 8 MR. [REDACTED]: So, most of those inmates was
 9 done on day watch, there was no reason for them
 10 to move these guys.
 11 MR. [REDACTED]: Okay.
 12 MR. [REDACTED]: You understand what I'm
 13 saying?
 14 MR. [REDACTED]: Sure. And then, as far
 15 as conversations with [REDACTED]?
 16 MR. [REDACTED]: [REDACTED] was one of the
 17 Lieutenants. As far as - again - speaking to
 18 as Lieutenants as a forum, you know, hey, got
 19 to make sure that you guys are doing it, you
 20 know, like that. But I know for a fact, the
 21 only person that I spoke to, that I pulled in
 22 my office, was the SHU OIC.
 23 MR. [REDACTED]: So --
 24 MR. [REDACTED]: Was the SHU Lieutenant.
 25 Because they're in charge of that unit. So, I

1 and 10th --
 2 MR. [REDACTED]: Mm-hmm.
 3 MR. [REDACTED]: -- should have they known
 4 that Epstein was required to have a cell mate?
 5 MR. [REDACTED]: I believe so.
 6 MR. [REDACTED]: Okay.
 7 MR. [REDACTED]: But, like again, I would have
 8 to go back through my emails, you know, because
 9 a lot of the communication that me and the
 10 Lieutenants had were through e-mail, because
 11 you can't catch them all on shift.
 12 MR. [REDACTED]: Sure.
 13 MR. [REDACTED]: You know, you catch them
 14 passing and coming. So, I would put out
 15 guidance that way.
 16 MR. [REDACTED]: But as far as - you said
 17 - that everyone knew that he had an orange card
 18 and that he was a high visibility inmate, and
 19 therefore, he was required to have a cell mate.
 20 So, should have they known through that?
 21 MR. [REDACTED]: Yeah.
 22 MR. [REDACTED]: And is there any excuse
 23 for any of them to say, I didn't know?
 24 MR. [REDACTED]: I'm not going to put that on
 25 the Lieutenant. You know, I'm not going to do

1 disseminate the information and the guidance
 2 out to him, and he's supposed to take that
 3 guidance --
 4 MR. [REDACTED]: Mm-hmm.
 5 MR. [REDACTED]: -- and push it forward --
 6 MR. [REDACTED]: For the unit. So, he's
 7 in the charge of the unit. You went to the guy
 8 in charge of the unit and you said, hey, you're
 9 in charge of the unit. Make sure he's got a
 10 cell mate at all times.
 11 MR. [REDACTED]: Yes.
 12 MR. [REDACTED]: And he, then, is supposed
 13 to take that, and anybody that works within his
 14 unit should know?
 15 MR. [REDACTED]: Yeah.
 16 MR. [REDACTED]: Okay. What about these
 17 Lieutenants, though, especially the ones that
 18 are Acting as, like, Ops Lieutenants and
 19 Activities Lieutenants --
 20 MR. [REDACTED]: Okay. Yeah.
 21 MR. [REDACTED]: -- people like [REDACTED],
 22 [REDACTED], Durant. I think [REDACTED].
 23 MR. [REDACTED]: Yeah.
 24 MR. [REDACTED]: Should have they known,
 25 during these shifts, specifically on the 9th

1 that.
 2 MR. [REDACTED]: Okay.
 3 MR. [REDACTED]: I'm not going to be that guy
 4 to say whatever, whatever. Because I'm going
 5 to tell you what, sir, to be real with you, it
 6 was so much going on --
 7 MR. [REDACTED]: Sure.
 8 MR. [REDACTED]: -- through that timeframe,
 9 that I don't want to put my statement to
 10 something like that, that could detrimentally
 11 harm one of these Lieutenants.
 12 MR. [REDACTED]: Mm-hmm.
 13 MR. [REDACTED]: I'm not going to say that,
 14 hey, I talked to --
 15 MR. [REDACTED]: Right.
 16 MR. [REDACTED]: -- [REDACTED] on this day. I'm
 17 not going to do that.
 18 MR. [REDACTED]: And I'm not saying about
 19 speaking. I'm saying just the fact that there
 20 was an - and again, you're saying that you
 21 don't recall specific conversations about the
 22 cell mate requirements --
 23 MR. [REDACTED]: Right.
 24 MR. [REDACTED]: -- aside from [REDACTED]. But
 25 the fact that, if there was an orange --

1 MR. [REDACTED]: Yes.
 2 MR. [REDACTED]: -- card --
 3 MR. [REDACTED]: Yeah.
 4 MR. [REDACTED]: -- is that something that
 5 just is common knowledge, if someone has an
 6 orange card, a Lieutenant should know, he's got
 7 an orange card, he needs a cell mate?
 8 MR. [REDACTED]: Right. But then again, also,
 9 it was high visibility guys on - what do you
 10 call that? - on --
 11 MR. [REDACTED]: Ten South?
 12 MR. [REDACTED]: -- no. On G.
 13 MR. [REDACTED]: Oh, okay. The --
 14 MR. [REDACTED]: On that --
 15 MR. [REDACTED]: -- the one inmate.
 16 MR. [REDACTED]: -- that one occupancy. So,
 17 with the guidance I had put out, I got to give
 18 you that e-mail.
 19 MR. [REDACTED]: Okay.
 20 MR. [REDACTED]: That e-mail was saying that,
 21 hey, these guys with these orange cards, you
 22 need to ensure high visibility vigilance.
 23 MR. [REDACTED]: So - all right - so --
 24 MR. [REDACTED]: Ensure that these guys, you
 25 know, are alive, and all of this, you know,

1 when I had those teams together, yeah, I would
 2 talk about vigilance after doing 30 minute
 3 rounds. Making sure this is done. Making sure
 4 that is done.
 5 MR. [REDACTED]: Okay.
 6 MR. [REDACTED]: Making sure this guy -. You
 7 know, that's what I did.
 8 MR. [REDACTED]: Okay.
 9 MR. [REDACTED]: Because that's what Mr.
 10 [REDACTED] wanted. So, I did it.
 11 MR. [REDACTED]: All right. And then,
 12 again, just to make sure that I'm not
 13 misunderstanding you. You said you talked to
 14 [REDACTED] specifically about it, but when you did
 15 visit the SHU, not only were you telling them
 16 to keep high visibility on Epstein, were you
 17 also telling them, the people that you did
 18 interact with, that he needed to have a cell
 19 mate?
 20 MR. [REDACTED]: Yes.
 21 MR. [REDACTED]: Okay.
 22 MR. [REDACTED]: Yes.
 23 MR. [REDACTED]: On Friday, August 9th -
 24 or sorry - when is the last time, can you
 25 recall, that you had that conversation with the

1 report any, you know, I went into detail with
 2 that.
 3 MR. [REDACTED]: Okay. So, maybe not, if
 4 it's an orange card, it doesn't necessarily
 5 mean, then, that they require a cell mate, they
 6 just require --
 7 MR. [REDACTED]: Higher - or higher
 8 supervision.
 9 MR. [REDACTED]: Okay. So, you just need
 10 to know what they're doing at all times, and
 11 make sure that they're okay?
 12 MR. [REDACTED]: Yeah.
 13 MR. [REDACTED]: All right. So, in this
 14 instance, it wouldn't be, necessarily, cell
 15 mate. It would be everybody knows keep an eye
 16 on Epstein, make sure that he's --
 17 MR. [REDACTED]: That is correct.
 18 MR. [REDACTED]: -- all right. So, [REDACTED]
 19 is the only one that you can specifically
 20 recall --
 21 MR. [REDACTED]: Yes.
 22 MR. [REDACTED]: -- and again, what you
 23 said --?
 24 MR. [REDACTED]: And then, again, when I went
 25 on evening watch, morning watch, those shifts,

1 SHU staff?
 2 MR. [REDACTED]: I can't remember, sir.
 3 MR. [REDACTED]: No problem.
 4 MR. [REDACTED]: I don't remember. Because
 5 like I said, that guidance came out between the
 6 time of him being upon his release from suicide
 7 watch from that last time, to the time during
 8 the time that we was doing the vetting for the
 9 cell mate.
 10 MR. [REDACTED]: So --?
 11 MR. [REDACTED]: So, it was, you know, it was
 12 a short period of time that this guidance and
 13 these conversations took place.
 14 MR. [REDACTED]: Mm-hmm.
 15 MR. [REDACTED]: And then, the reinforcement
 16 was when we would walk through the unit and
 17 just do rounds. And then, I'm, like, hey, this
 18 is a high visibility guy, why this guy got
 19 trays in the cell? Extra trays in his cell.
 20 Why this guy got this? So then, of course, you
 21 know, a lot of people at MCC, they didn't like
 22 me because I was trying to hold people
 23 accountable. But I didn't always write people
 24 up.
 25 MR. [REDACTED]: Mm-hmm.

1 MR. [REDACTED]: That's how I did, I came up
2 like that. I'm trying to help you. People
3 thought me trying to just talk to them about
4 Correctional Services, or trying, giving them
5 little, you know, helping them out, talking to
6 them, you know, that I was trying to be the
7 know-all, be-all, be that guy. You know? You
8 know, you're not sociable, but now you're down
9 here, telling us what to do. You're not one of
10 those. That's the way it felt like. So, like,
11 again, I can give you the playbook to success.
12 But if you don't read it, it's just words.

13 MR. [REDACTED]: Sure.

14 MR. [REDACTED]: It's just words. And then, I
15 had a lot of issues with the Lieutenants. You
16 know, Lieutenants, you know, were self-serving,
17 even though, in my previous statement, I would
18 never say anything statements to hurt them.
19 I'm not doing that. But what I'll tell you
20 was, the relationship between me and the
21 Lieutenant core was not good. So, again, as we
22 move forward through today, you know, the
23 statements that I make is not to try to put
24 blame or try to hurt anybody. The only thing
25 I'm doing is, is telling you that, when the

1 MR. [REDACTED]: Because like I said, I'm not
2 here - I mean --

3 MR. [REDACTED]: I mean, we might say who
4 was responsible --

5 MR. [REDACTED]: Right.

6 MR. [REDACTED]: -- or did they drop the
7 ball?

8 MR. [REDACTED]: Right.

9 MR. [REDACTED]: But that's us asking you
10 a direct question. Not you coming to us,
11 saying, it was this guy's fault.

12 MR. [REDACTED]: Right.

13 MR. [REDACTED]: You know, we're
14 specifically asking you. So, just --

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

16 MR. [REDACTED]: -- you know?

17 MR. [REDACTED]: That's what I didn't
18 understand.

19 MR. [REDACTED]: But --

20 MR. [REDACTED]: And that's not what I'm - I
21 mean, I'm not here for that. I'm just --

22 MR. [REDACTED]: Right.

23 MR. [REDACTED]: -- I'm just here --

24 MR. [REDACTED]: I mean, we do have to
25 figure out --

1 Warden gave me direction, he said he wanted X,
2 Y, and Z, and X, Y, Z. Not only did I talk to
3 staff, I also re-enforced it by putting out
4 emails, because I know I can't catch everybody,
5 and I know that staff is going to blow you off.
6 I mean, like, yeah, whatever. I'm glad he out
7 the unit. Let's go ahead and go back to
8 whatever we was doing. It's what it is.

9 MR. [REDACTED]: Sure. And just so you
10 know, just to give you a little bit of peace of
11 mind, we're asking you the questions directly.
12 You're not placing blame on anybody.

13 MR. [REDACTED]: Right.

14 MR. [REDACTED]: So, if we ask you --

15 MR. [REDACTED]: Yeah.

16 MR. [REDACTED]: -- like --

17 MR. [REDACTED]: Okay.

18 MR. [REDACTED]: -- if they were
19 responsible or something, that's not on you.

20 MR. [REDACTED]: Oh, okay. Well, I just
21 wanted to --

22 MR. [REDACTED]: Yeah.

23 MR. [REDACTED]: -- because I didn't
24 understand that.

25 MR. [REDACTED]: Yeah, yeah.

1 MR. [REDACTED]: You know?

2 MR. [REDACTED]: -- who did drop the ball
3 here.

4 MR. [REDACTED]: Yeah.

5 MR. [REDACTED]: But that's not - you're
6 not coming to us. We're coming to you.

7 MR. [REDACTED]: Right. I understand.

8 MR. [REDACTED]: So, "On Friday, August 9,
9 2019, Lieutenant [REDACTED] was on leave, and thus,
10 there was no dedicated Lieutenant assigned to
11 the SHU."

12 MR. [REDACTED]: That is correct.

13 MR. [REDACTED]: "In this event, the
14 Operations Lieutenant, Lieutenant [REDACTED] --

15 MR. [REDACTED]: Mm-hmm.

16 MR. [REDACTED]: -- had oversight that
17 day, and took over the responsibilities of the
18 SHU Lieutenant."

19 MR. [REDACTED]: Mm-hmm.

20 MR. [REDACTED]: So, what time did - can
21 you look at the - on August 9th - what times
22 that he worked on? [REDACTED].

23 MR. [REDACTED]: The periods that - this is
24 Friday, right?

25 MR. [REDACTED]: Correct. August 9th.

1 MR. [REDACTED]: I got - so, basically, I have
 2 [REDACTED] was not there.
 3 MR. [REDACTED]: Oh.
 4 MR. [REDACTED]: He was there on that
 5 Saturday, which was evening watch on that
 6 Saturday.
 7 MR. [REDACTED]: Did he not work 4:00 p.m.
 8 to midnight?
 9 MR. [REDACTED]: He worked 4:00 p.m. -
 10 midnight on that Saturday, the August 10th.
 11 MR. [REDACTED]: Okay. You can speak. Do
 12 you know something different?
 13 MR. [REDACTED]: No, no, no. I was just
 14 clarifying.
 15 MR. [REDACTED]: Oops, sorry. Can I see
 16 the August 9th?
 17 MR. [REDACTED]: So, who was working on August
 18 9th?
 19 MR. [REDACTED]: August 9th, it appears - I
 20 think you got [REDACTED].
 21 MR. [REDACTED]: All right. So, [REDACTED]
 22 would have been the Ops Lieutenant?
 23 MR. [REDACTED]: Right.
 24 MR. [REDACTED]: Well, [REDACTED] and then
 25 [REDACTED]?

1 cell mate?
 2 MR. [REDACTED]: I believe so, yes.
 3 MR. [REDACTED]: Okay. All right. So,
 4 that was incorrect, all this stuff about the
 5 [REDACTED] thing. And then, it goes on to say,
 6 "[REDACTED] informally advised his Lieutenants that
 7 Epstein was not to be housed alone, and
 8 emphasized the need to be vigilant about 30-
 9 minute checks and unannounced rounds." And
 10 that's - you said there was emails about that,
 11 as well as when you spoke with your
 12 Lieutenants, and when you went to the SHU,
 13 specifically?
 14 MR. [REDACTED]: Mm-hmm.
 15 MR. [REDACTED]: Correct? All right. And
 16 you don't remember the last time you did that,
 17 but between August --
 18 MR. [REDACTED]: No.
 19 MR. [REDACTED]: -- between July 30th and
 20 August 9th, you at least did it a few times?
 21 MR. [REDACTED]: Right.
 22 MR. [REDACTED]: Okay. And you think you
 23 hit at least all three shifts between that
 24 time?
 25 MR. [REDACTED]: Correct.

1 MR. [REDACTED]: Yeah.
 2 MR. [REDACTED]: And then, underneath
 3 them, the Activities Lieutenant would have been
 4 Durant, and then, [REDACTED].
 5 MR. [REDACTED]: Right.
 6 MR. [REDACTED]: Correct. All right. All
 7 right. So, they must have got this wrong
 8 somehow. So, it said - so, this is not
 9 accurate, when it says in this report - "In
 10 this event, the Operations Lieutenant,
 11 Lieutenant [REDACTED], had oversight that day and
 12 took over responsibilities for the SHU." Who
 13 actually had oversight, then, since [REDACTED] was
 14 out?
 15 MR. [REDACTED]: That would have been the day
 16 watch Operations Lieutenant.
 17 MR. [REDACTED]: And who was that?
 18 MR. [REDACTED]: The day watch Operations
 19 Lieutenant for August 9th would have been - it
 20 appears it was [REDACTED].
 21 MR. [REDACTED]: So, [REDACTED] would have been
 22 responsible?
 23 MR. [REDACTED]: Right.
 24 MR. [REDACTED]: And is it your
 25 understanding that [REDACTED] knew that he needed a

1 MR. [REDACTED]: Okay.
 2 MR. [REDACTED]: I believe I did. Yeah.
 3 MR. [REDACTED]: All right. Inmates, cell
 4 mates, and are typically the people that are
 5 assigned to the SHU, are they in those three
 6 shifts, or you would have hit the people that
 7 are assigned between that time period? So,
 8 point being, maybe you don't remember
 9 specifically, I had a conversation with that
 10 person, or that person, or that person, but if
 11 they're assigned to SHU, not a temporary duty
 12 assignment like an OT --
 13 MR. [REDACTED]: Right.
 14 MR. [REDACTED]: -- type of assignment,
 15 but the people that were assigned there --
 16 MR. [REDACTED]: Yeah.
 17 MR. [REDACTED]: -- that was their duty,
 18 too --
 19 MR. [REDACTED]: So, like, I remember
 20 specifically, I hit day watch.
 21 MR. [REDACTED]: Right.
 22 MR. [REDACTED]: [REDACTED]. [REDACTED]. I
 23 remember Mr. Perry. Percy or Perry. Whatever
 24 his name. I remember those guys.
 25 MR. [REDACTED]: Mm-hmm.

1 MR. [REDACTED]: I know I spoke to [REDACTED]. I
 2 know I spoke to different guys. The SHU staff
 3 that was always up there.
 4 MR. [REDACTED]: But you just don't
 5 specifically remember talking to Noel?
 6 MR. [REDACTED]: No.
 7 MR. [REDACTED]: Okay.
 8 MR. [REDACTED]: She might have been in the
 9 background somewhere.
 10 MR. [REDACTED]: Right.
 11 MR. [REDACTED]: She could have been there. I
 12 don't know. But I don't remember --
 13 MR. [REDACTED]: But [REDACTED] should have
 14 spoken --
 15 MR. [REDACTED]: -- actually --
 16 MR. [REDACTED]: -- with her?
 17 MR. [REDACTED]: Of course.
 18 MR. [REDACTED]: Okay.
 19 MR. [REDACTED]: Because that's part of -
 20 that's part of the expectations of the unit.
 21 If I give you a guidance, your guidance should
 22 have been disseminated down to the Officers.
 23 MR. [REDACTED]: Okay. How about the
 24 people - so, we were going to get into this
 25 later, but since we're conversing about it now

1 that would have been SHU one, because he would
 2 have got the notice that he was supposed to
 3 move the guys.
 4 MR. [REDACTED]: And who was that?
 5 MR. [REDACTED]: And move the inmate.
 6 MR. [REDACTED]: And who was that?
 7 MR. [REDACTED]: It was [REDACTED].
 8 MR. [REDACTED]: [REDACTED]. And what time
 9 was he working from?
 10 MR. [REDACTED]: He was working from 8:00 to
 11 4:00.
 12 MR. [REDACTED]: So, he was 8:00 to 4:00.
 13 And those times are accurate on there, and if
 14 some Lieutenants said, oh, we, you know, it
 15 says zero to 8:00 --
 16 MR. [REDACTED]: Right.
 17 MR. [REDACTED]: -- but we're actually
 18 10:00 p.m. --
 19 MR. [REDACTED]: And that's true, but the
 20 Officers worked those prescribed shifts.
 21 MR. [REDACTED]: Okay.
 22 MR. [REDACTED]: The Lieutenants was given
 23 those shifts because of their commutes.
 24 MR. [REDACTED]: Okay.
 25 MR. [REDACTED]: Some of them were commuting

1 - it looks like Reyes was moved - I think his
 2 appointment with court was at, like, 8:30, and
 3 I think --
 4 MR. [REDACTED]: Mm-hmm.
 5 MR. [REDACTED]: -- he was gone from the
 6 institution by --
 7 MR. [REDACTED]: Mm-hmm.
 8 MR. [REDACTED]: -- like, 1:50 p.m.
 9 MR. [REDACTED]: Mm-hmm.
 10 MR. [REDACTED]: Does that sound right?
 11 MR. [REDACTED]: Something like that. It
 12 could have been.
 13 MR. [REDACTED]: So, who was in the SHU at
 14 that time? If he's gone from the institution
 15 by, like, 1:50 p.m., who would have --
 16 MR. [REDACTED]: So, that would have been --
 17 MR. [REDACTED]: -- who would have --?
 18 MR. [REDACTED]: -- all of your 6:00 to 2:00,
 19 and your 8:00 to 4:00 staff.
 20 MR. [REDACTED]: Okay.
 21 MR. [REDACTED]: So, that would have been --
 22 MR. [REDACTED]: So, I guess let's go from
 23 the top. Who would have been the person in
 24 charge at the top level?
 25 MR. [REDACTED]: That, I mean, as far as -

1 two hours out. So, for them to come from
 2 various parts of New Jersey, or Long Island,
 3 you know, as a consensus, we said, hey, I will
 4 continue - because that was the previous
 5 Administration, the previous Captain put that
 6 in for those guys.
 7 MR. [REDACTED]: Okay.
 8 MR. [REDACTED]: So, you know, with those
 9 conversations, you know, with the Lieutenants,
 10 I said, I will keep that. I said, you know,
 11 you try to do things - where I came from, we
 12 didn't do those things.
 13 MR. [REDACTED]: Mm-hmm.
 14 MR. [REDACTED]: You know, as far as that, you
 15 know, the Captain ran his shifts, whatever the
 16 shift was, you did it. But when I came to
 17 Brooklyn, that was a common practice in
 18 Brooklyn. You know, the Captain would allow
 19 them - when I was the Lieutenant - would allow
 20 us to, you know, to work those shifts. And due
 21 to, we've got staff that commute far out. So,
 22 that was just an incentive to get these guys to
 23 come to work.
 24 MR. [REDACTED]: Mm-hmm.
 25 MR. [REDACTED]: You know?

1 MR. [REDACTED]: Sure.
 2 MR. [REDACTED]: So, yes.
 3 MR. [REDACTED]: But the times for these,
 4 the SHU staff, that's the actual hours that's
 5 listed on that.
 6 MR. [REDACTED]: But for the Line staff --
 7 MR. [REDACTED]: Okay.
 8 MR. [REDACTED]: -- the Line staff, that
 9 roster correctly imitates their schedule.
 10 MR. [REDACTED]: Perfect. So, who, then -
 11 I guess you said they would be working until
 12 4:00 p.m.?
 13 MR. [REDACTED]: Right.
 14 MR. [REDACTED]: So, they would have at
 15 least two hours to be able to do something.
 16 MR. [REDACTED]: Right.
 17 MR. [REDACTED]: And who was it that was
 18 on that day?
 19 MR. [REDACTED]: So, I had [REDACTED]. I had
 20 Joiner. I had [REDACTED]. And I had [REDACTED].
 21 MR. [REDACTED]: And did you speak with
 22 all of those individuals about the need for a
 23 cell mate?
 24 MR. [REDACTED]: I believe I did because they
 25 were day watch, but like I said, it wouldn't

1 MR. [REDACTED]: Okay. So, they would have
 2 known that he wasn't coming back until probably
 3 evening watch.
 4 MR. [REDACTED]: Okay. So, you don't
 5 think those guys would have known?
 6 MR. [REDACTED]: No. They wouldn't have
 7 known. Because I don't know when the inmate
 8 left the institution, but what happens is, when
 9 that court line comes out, I believe that the
 10 inmates leave the institution - supposed to -
 11 between 6:00 and 8:00, or 7:00, you know, let's
 12 say 7:00 to 9:00. So, between that time, those
 13 inmates are - they're picked up, and then,
 14 they're transported to a court.
 15 MR. [REDACTED]: Okay. So, what time did
 16 [REDACTED] work? What was his shift?
 17 MR. [REDACTED]: [REDACTED] was 8:00 to 4:00.
 18 MR. [REDACTED]: So, if we can - let's
 19 assume, for this instance, that [REDACTED] knows
 20 that he needs a cell mate.
 21 MR. [REDACTED]: Right.
 22 MR. [REDACTED]: What should have he done?
 23 MR. [REDACTED]: [REDACTED] probably wouldn't have
 24 known.
 25 MR. [REDACTED]: But let's say, for this

1 have been on August 9th.
 2 MR. [REDACTED]: Right. But just --
 3 MR. [REDACTED]: It would have been on --
 4 MR. [REDACTED]: -- but they would have
 5 known the need to --
 6 MR. [REDACTED]: They was in the unit.
 7 MR. [REDACTED]: Okay.
 8 MR. [REDACTED]: For that quarter. So, once I
 9 got the guidance from Mr. [REDACTED], of what he
 10 wanted me to do, I moved on and did it. So, I
 11 can't tell you, but I know I spoke to the day
 12 watch SHU staff.
 13 MR. [REDACTED]: Sure.
 14 MR. [REDACTED]: They was the first ones I
 15 spoke to.
 16 MR. [REDACTED]: So, who, then - out of
 17 there - who would have the SHU staff reported
 18 the matter to?
 19 MR. [REDACTED]: The what now?
 20 MR. [REDACTED]: So, the SHU staff that's
 21 in there --
 22 MR. [REDACTED]: Mm-hmm.
 23 MR. [REDACTED]: -- they now know that he
 24 doesn't have a cell mate, and the cell mate is
 25 not coming back.

1 instance, he did know.
 2 MR. [REDACTED]: So, if he knew?
 3 MR. [REDACTED]: He knew that he needed a cell
 4 mate, and he knew that the cell mate wasn't
 5 coming back.
 6 MR. [REDACTED]: He probably wouldn't - but
 7 what I'm trying to tell you, sir - he probably
 8 wouldn't have never known.
 9 MR. [REDACTED]: I know, but in this
 10 instance, I'm just saying, let's --
 11 MR. [REDACTED]: Oh, oh, okay.
 12 MR. [REDACTED]: -- let's say that he did.
 13 MR. [REDACTED]: Okay. So, the instance of
 14 what would have happen. What would happen was
 15 --
 16 MR. [REDACTED]: What should have he done?
 17 MR. [REDACTED]: -- he should have - okay,
 18 this guy is not coming - he should have
 19 notified me.
 20 MR. [REDACTED]: Okay.
 21 MR. [REDACTED]: And should have been, like,
 22 hey, Cap, hey, Reyes, Epstein's cell mate, hey,
 23 he went out to court, he's not coming back.
 24 MR. [REDACTED]: And he did not?
 25 MR. [REDACTED]: No.

1 MR. [REDACTED]: Okay.
 2 MR. [REDACTED]: No one later informed me that
 3 that inmate had even went to court. I didn't
 4 even know he went with the court. Because
 5 guess what? During the time this inmate is in
 6 court, Epstein is in Attorney visiting all day.
 7 MR. [REDACTED]: Sure.
 8 MR. [REDACTED]: So, nobody would have even
 9 thought about it because, oh, Epstein is in
 10 Attorney visiting, his cell mate is not in
 11 there. Okay, his cell mate went to court.
 12 Nobody would have even been made aware that he
 13 didn't have a cellie until when they went to
 14 put him physically in the cell.
 15 MR. [REDACTED]: Okay. So, when do you
 16 think it would have been - in this instance -
 17 when do you think it would have come up?
 18 MR. [REDACTED]: As far as knowing he didn't
 19 have a cellie?
 20 MR. [REDACTED]: Correct.
 21 MR. [REDACTED]: Somebody should have known
 22 when he didn't come. That should have been on
 23 evening watch.
 24 MR. [REDACTED]: So, who was on evening
 25 watch?

1 [REDACTED]. But guess what? I was there. I
 2 didn't leave that night until, like, 8:00
 3 something. I was there until 8:00 that night.
 4 MR. [REDACTED]: Right. And you did not
 5 visit the SHU that night, though. Correct?
 6 MR. [REDACTED]: I can't remember.
 7 MR. [REDACTED]: All right.
 8 MR. [REDACTED]: I'm not going to say did I
 9 make rounds that day or didn't I. I don't
 10 know.
 11 MR. [REDACTED]: Yeah.
 12 MR. [REDACTED]: But I know I didn't leave
 13 that institution until late that night.
 14 MR. [REDACTED]: And you know, though,
 15 that Reyes, you were never aware - on that day,
 16 August 9th - that Reyes --
 17 MR. [REDACTED]: Had went to court. No.
 18 MR. [REDACTED]: -- you didn't even know
 19 he went to court, let alone wasn't coming back.
 20 MR. [REDACTED]: Correct.
 21 MR. [REDACTED]: Okay. So, [REDACTED]
 22 should have went direct to [REDACTED]?
 23 MR. [REDACTED]: Correct.
 24 MR. [REDACTED]: All right. And [REDACTED]
 25 is somebody that you did have a conversation

1 MR. [REDACTED]: So, evening watch, well,
 2 well, well, well, well, well let's see here.
 3 You're talking about as the OIC?
 4 MR. [REDACTED]: In the SHU.
 5 MR. [REDACTED]: Yeah.
 6 MR. [REDACTED]: Yeah.
 7 MR. [REDACTED]: That would have been
 8 [REDACTED].
 9 MR. [REDACTED]: Okay. So, [REDACTED]?
 10 MR. [REDACTED]: Mm-hmm.
 11 MR. [REDACTED]: And who should have he
 12 reported the matter to?
 13 MR. [REDACTED]: He would have reported it to
 14 the Operations Lieutenant.
 15 MR. [REDACTED]: And who was the
 16 Operations Lieutenant at that time?
 17 MR. [REDACTED]: I believe the Lieutenant
 18 would have been, that would have been [REDACTED].
 19 MR. [REDACTED]: All right. And [REDACTED] -
 20 again, you, no one told you, so, obviously,
 21 [REDACTED] didn't tell you.
 22 MR. [REDACTED]: Mm-hmm.
 23 MR. [REDACTED]: So - okay - and would
 24 [REDACTED] gone directly to [REDACTED]?
 25 MR. [REDACTED]: Yeah. He would have called

1 with, with regard to the need for a cell mate.
 2 Correct?
 3 MR. [REDACTED]: I don't know if I - again,
 4 talking to people in all three shifts, do I
 5 remember [REDACTED]? Working in the unit? Yeah.
 6 But as you're talking to people, I don't
 7 remember that, hey, I talked - there's certain
 8 people that I can't remember that I spoke
 9 specifically to.
 10 MR. [REDACTED]: Right.
 11 MR. [REDACTED]: As opposed to some people,
 12 you know, could have been in the area. That's
 13 why I can't - I know I talked to the day watch
 14 SHU staff for sure.
 15 MR. [REDACTED]: Okay.
 16 MR. [REDACTED]: And I mentioned those names.
 17 I talked to those guys.
 18 MR. [REDACTED]: So, but [REDACTED] should have
 19 certainly have told them?
 20 MR. [REDACTED]: Yes.
 21 MR. [REDACTED]: So, he's the Officer-in-
 22 Charge. Who else was on that day?
 23 MR. [REDACTED]: You had Tova Noel. And she
 24 was the number two. And then, you had M. [REDACTED]
 25 --

1 MR. [REDACTED]: Tova Noel. Correct?
 2 MR. [REDACTED]: -- yeah.
 3 MR. [REDACTED]: Okay.
 4 MR. [REDACTED]: Noel. And then, you had M.
 5 [REDACTED], was SHU three that day. And then, you
 6 had the SHU four, was not assigned.
 7 MR. [REDACTED]: Okay. So, those three
 8 people were in SHU. So, was it ultimately the
 9 Officer-in-Charge responsibility, or should
 10 have these other two - [REDACTED] and Noel - have
 11 taken any action? Should have they contacted
 12 anyone?
 13 MR. [REDACTED]: Well, if you're walking, and
 14 you're doing rounds in the unit, you would see
 15 - especially at the 4:00 count, because you
 16 need to know where all of your inmates are -
 17 so, at that 4:00 count, and where is Epstein?
 18 Epstein is at - he's in Attorney visiting,
 19 because I'm going to get a count slip from
 20 Attorney visiting, right?
 21 MR. [REDACTED]: Mm-hmm.
 22 MR. [REDACTED]: Where is Reyes? Reyes is out
 23 at court. Then somebody should have called R&D
 24 (Phonetic Sp. *01:45:06). Where is this guy
 25 at? Somebody should have called R&D. That

1 that the 4:00 count, when you going through the
 2 unit -.
 3 MR. [REDACTED]: But if they didn't do a
 4 4:00 p.m. count. So, let's say, in this
 5 instance, that they didn't do a 4:00 p.m.
 6 count.
 7 MR. [REDACTED]: Nobody would know.
 8 MR. [REDACTED]: Would R&D have --
 9 MR. [REDACTED]: Nope.
 10 MR. [REDACTED]: -- called them?
 11 MR. [REDACTED]: No.
 12 MR. [REDACTED]: So, unless they do the
 13 count, they don't even know that the guy is not
 14 coming back?
 15 MR. [REDACTED]: That's right.
 16 MR. [REDACTED]: Okay.
 17 MR. [REDACTED]: So, normally -.
 18 MR. [REDACTED]: So, no one is calling
 19 them and saying, by the way, your guy that went
 20 to court, he's not coming back?
 21 MR. [REDACTED]: Right.
 22 MR. [REDACTED]: Okay.
 23 MR. [REDACTED]: Because you would know.
 24 Because like I told you before, sometimes
 25 inmates go to court and don't come back. The

1 means the Lieutenant would have been notified
 2 because you can't clear the count. Where is
 3 the inmate at?
 4 MR. [REDACTED]: Right.
 5 MR. [REDACTED]: So, if you can't clear the
 6 count, where is the inmate? The inmate went
 7 out. But it's now 4:00. But I did say that
 8 sometimes inmates don't come back on the 4:00.
 9 So, they call that "ghosting." Supposedly,
 10 he's supposed to be at court. But did you get
 11 a count slip from court? No. When he leaves
 12 out of the institution, that's on them. So,
 13 that means the institution number should have
 14 came down minus one.
 15 MR. [REDACTED]: So, you believe that the
 16 SHU should have known by 4:00 p.m., during the
 17 4:00 p.m. count?
 18 MR. [REDACTED]: Yeah.
 19 MR. [REDACTED]: All right. And let's -
 20 in this case - if they didn't do a count at
 21 4:00 p.m., should have they somehow known
 22 otherwise, after that? So, would someone have
 23 contacted them and said, by the way, this guy
 24 is not coming back?
 25 MR. [REDACTED]: Right. So, that means that,

1 only time you're going to know is when these
 2 guys always come back from the court line by
 3 4:00.
 4 MR. [REDACTED]: Okay.
 5 MR. [REDACTED]: But sometimes they don't come
 6 back at 4:00.
 7 MR. [REDACTED]: Now, what time was their
 8 shift? Was it 4:00 to midnight?
 9 MR. [REDACTED]: Who?
 10 MR. [REDACTED]: The people we were just
 11 talking about, the evening watch.
 12 MR. [REDACTED]: Yes. Their - yes. 4:00 to
 13 midnight.
 14 MR. [REDACTED]: So, 4:00 p.m. to
 15 midnight. At that point, if it was recognized
 16 that there was no cell mate and he needed a
 17 cell mate, could have a - if they did contact
 18 the Ops Lieutenant, Ops Lieutenant did contact
 19 you - could have an inmate been assigned at
 20 that time, or would have had to have wait the
 21 next day?
 22 MR. [REDACTED]: Well, what I would have done,
 23 if I would have known right then and there that
 24 he didn't have a cell mate, he's already in
 25 Attorney visiting, right?

1 MR. [REDACTED]: Yup.
 2 MR. [REDACTED]: So, I would have went on
 3 ahead. All right. Keep him in Attorney
 4 visiting. I would have called - guess who I
 5 would have called? I would have let the AW
 6 know. Ms. [REDACTED]. Well, Ms. [REDACTED], and
 7 I would have called the Warden. I would have
 8 said, hey, look, this guy went out the WAB
 9 today. Or Reyes didn't come back from court.
 10 We got to vet another guy.
 11 MR. [REDACTED]: Okay.
 12 MR. [REDACTED]: That's what would happen.
 13 And plus, I was there at 8:00. So, let's say
 14 he got released from Attorney visiting, and he
 15 didn't go back, and when they went to the -
 16 let's say, hey, this dude - he don't have a
 17 cell mate. I would have been, like, hold up.
 18 I would have said, because I got R&D staff down
 19 there. Right?
 20 MR. [REDACTED]: Mm-hmm.
 21 MR. [REDACTED]: Because I can't put him on
 22 suicide watch. I can't put him on close
 23 supervision. So, I would have said, hey,
 24 quarter this guy right now in R&D, put a staff
 25 member on it, which would have been Fox One.

1 MR. [REDACTED]: Okay. Now, let's go back
 2 and say, if [REDACTED] did know, and didn't tell
 3 anybody, he didn't tell you, he didn't tell
 4 [REDACTED] --
 5 MR. [REDACTED]: Mm-hmm.
 6 MR. [REDACTED]: -- is he the one that --
 7 MR. [REDACTED]: He dropped the ball.
 8 MR. [REDACTED]: -- right.
 9 MR. [REDACTED]: Because, again, like I told
 10 you about count, and you made a good statement,
 11 then how did you clear the count?
 12 MR. [REDACTED]: Mm-hmm. So, the two
 13 people that - so, if [REDACTED] knew, and he didn't
 14 tell anybody he dropped the ball, but at the
 15 same time, if the 4:00 p.m. count was
 16 conducted, they would have, then, raised the
 17 issue with [REDACTED]?
 18 MR. [REDACTED]: Right.
 19 MR. [REDACTED]: So, there would have been
 20 two checks there.
 21 MR. [REDACTED]: Right.
 22 MR. [REDACTED]: And if not that, it would
 23 have also happened at the 10:00 p.m. count, as
 24 well.
 25 MR. [REDACTED]: Right.

1 Put him on Fox One. Put a staff member down
 2 there. Let me call the Warden.
 3 MR. [REDACTED]: What does Fox One mean?
 4 MR. [REDACTED]: That means - that's R&D.
 5 MR. [REDACTED]: Okay.
 6 MR. [REDACTED]: That's that cell assignment,
 7 I believe.
 8 MR. [REDACTED]: Okay.
 9 MR. [REDACTED]: It would have been Fox One.
 10 MR. [REDACTED]: And are those -
 11 MR. [REDACTED]: Just, I can't just put him on
 12 suicide watch.
 13 MR. [REDACTED]: Right. And in Fox One,
 14 people monitored at all times?
 15 MR. [REDACTED]: No. But I would have had
 16 somebody monitored --
 17 MR. [REDACTED]: Oh, I gotcha.
 18 MR. [REDACTED]: -- I would have had, hey, put
 19 a staff member down there, and watch this guy,
 20 until we get him a cell mate.
 21 MR. [REDACTED]: Okay. And you think that
 22 that same day, August 9th, he would have had a
 23 cell mate, if you were made aware?
 24 MR. [REDACTED]: Yes. If I was made aware, he
 25 would have got a cell mate.

1 MR. [REDACTED]: So, if the 4:00 p.m.
 2 count, the 10:00 p.m. count were both
 3 conducted, there would have been notice, hey,
 4 no cell mate --
 5 MR. [REDACTED]: Correct.
 6 MR. [REDACTED]: -- bring it up to
 7 [REDACTED].
 8 MR. [REDACTED]: Correct.
 9 MR. [REDACTED]: All right. So, if
 10 [REDACTED] didn't know, [REDACTED] didn't tell him.
 11 So, [REDACTED] dropped the ball, the SHU staff
 12 dropped the ball, it looks like.
 13 MR. [REDACTED]: Right.
 14 MR. [REDACTED]: Okay. Before we move on
 15 from that, do you want to talk to anything
 16 specific to that notion?
 17 MR. [REDACTED]: No.
 18 MR. [REDACTED]: Okay.
 19 MR. [REDACTED]: Can we take a break?
 20 MR. [REDACTED]: Absolutely. All right.
 21 It is currently 11:58 p.m. This is Senior
 22 Special Agent [REDACTED], and I am
 23 pausing the recording.
 24 (Whereupon, the above-entitled matter went
 25 off the record and back on the record).

1 MR. [REDACTED]: Okay. The recorder is
2 on. It is currently Tuesday, June 15, 2021, at
3 12:06 p.m. We just took a short eight-minute
4 break. And Mr. [REDACTED], I remind you that you
5 are under oath. Thank you very much for your
6 cooperation with this matter, and it is
7 voluntary, and you can choose not to answer, or
8 leave at any time.

9 MR. [REDACTED]: Okay.

10 MR. [REDACTED]: All right. So, what we
11 are talking about before, before we move on, I
12 just want to go back to, so, you said, if [REDACTED]
13 knew he dropped the ball, if the SHU staff
14 didn't do their counts at 4:00 p.m., and at
15 10:00 p.m., that's when they would have next
16 found out that Epstein was without a cell mate,
17 and they would have, then, reported it up.

18 MR. [REDACTED]: Mm-hmm.

19 MR. [REDACTED]: Correct? What did we want
20 to follow up with on that?

21 MR. [REDACTED]: If a notification came from
22 court that Reyes wasn't coming back, who would
23 have got that notification?

24 MR. [REDACTED]: That notification would have
25 came though R&D and through the Control Center,

1 not physically there, and they would have had
2 notified the Operations Lieutenant, that this
3 guy didn't come back. So, that means somebody
4 would have had to make sure that the
5 institutional count was right or wrong.

6 MR. [REDACTED]: So, in this instance, if
7 [REDACTED] knew, who would have been the one that
8 would have informed him?

9 MR. [REDACTED]: That would have one of the -
10 that would have been either [REDACTED] - [REDACTED]
11 would have notified him, but then, I also said
12 that [REDACTED] worked in the capacity of OIC
13 because a lot of those Officers would say, oh,
14 I don't have the ability to log on, into the
15 program. So, he would do double duties.

16 MR. [REDACTED]: Okay. So, let's say that
17 the SHU staff that time did notify [REDACTED].

18 MR. [REDACTED]: Okay.

19 MR. [REDACTED]: Let's say [REDACTED] now
20 didn't take any action.

21 MR. [REDACTED]: Mm-hmm.

22 MR. [REDACTED]: Okay? Now, let's say the
23 next SHU staff comes on board, should they
24 continue to report the matter up the chain?

25 MR. [REDACTED]: Yeah.

1 which, the Control Center would have updated
2 the count in Sentry, to reflect if the inmate
3 was physically in the institution, or was still
4 out in court. So, it would be contingent to
5 look at that Sentry roster, which would be the
6 E-1, that the Control Center had created for
7 those counts, to find out if Reyes was still on
8 the count, as physically being in the
9 institution, or out the court.

10 MR. [REDACTED]: Okay. And if R&D and Control
11 did get that notification, did they have to
12 notify the SHU?

13 MR. [REDACTED]: Yes. Because then the count
14 would be off.

15 MR. [REDACTED]: If, let's just say that that
16 notification came between 1:00 p.m. and 3:00
17 p.m., who in the SHU would have got notified?

18 MR. [REDACTED]: The OIC. Which would have
19 been - for day watch - it would have been
20 either [REDACTED] or [REDACTED].

21 MR. [REDACTED]: And what should they have
22 done?

23 MR. [REDACTED]: And with that one time, they
24 would have reflected on - inside of Sentry, and
25 also, they would have known that the inmate was

1 MR. [REDACTED]: Even though the SHU that
2 replaced them already made the notification
3 that Epstein was without a cell mate and needed
4 a new one?

5 MR. [REDACTED]: Because their count would
6 have been off.

7 MR. [REDACTED]: Well -.

8 MR. [REDACTED]: And then, they wouldn't have
9 known that, you know, when they brought him
10 back from Attorney visiting, that the cell was
11 empty.

12 MR. [REDACTED]: Right. And I'm not
13 specifically talking about the count right now.
14 What I'm saying is, like, if the SHU did notify
15 [REDACTED], hey, Epstein is required to have a cell
16 mate and his cell mate is gone, we need to get
17 him a new one.

18 MR. [REDACTED]: Right.

19 MR. [REDACTED]: [REDACTED] now never takes any
20 action. Should the SHU, later that day, made
21 the same notification to the - in this case -
22 to [REDACTED]? Hey, Epstein still hasn't been re-
23 assigned a cell mate.

24 MR. [REDACTED]: Correct.

25 MR. [REDACTED]: Okay. So, the SHU may

1 have done it right at day watch, and [REDACTED] got
 2 the notification, but the SHU on night watch --
 3 MR. [REDACTED]: Didn't do it.
 4 MR. [REDACTED]: -- didn't do it, and they
 5 should have.
 6 MR. [REDACTED]: Because he was in Attorney
 7 visiting. So, they said, oh, it was an empty
 8 cell. We said, okay, yeah. Epstein is still
 9 at Attorney visiting. Nobody would have cared
 10 about the cellie because they would have
 11 thought he was still out at court.
 12 MR. [REDACTED]: Okay.
 13 MR. [REDACTED]: But if he didn't come back by
 14 8:00 that night, somebody should have said
 15 something.
 16 MR. [REDACTED]: Now, let's go even
 17 further from, now we go from evening watch to
 18 now morning watch, we're on August 10th, where
 19 Noel and Thomas are now in there.
 20 MR. [REDACTED]: Correct.
 21 MR. [REDACTED]: Should have they made the
 22 notification to [REDACTED]-[REDACTED]?
 23 MR. [REDACTED]: They wouldn't have known.
 24 MR. [REDACTED]: All right. So, they
 25 should have -.

1 MR. [REDACTED]: All right. So, I got the
 2 --
 3 MR. [REDACTED]: 5:00.
 4 MR. [REDACTED]: -- it looks like we got
 5 the 5:00, the 10:00, the midnight, the 3:00
 6 a.m., the 5:00 a.m., and then, is this the
 7 rounds?
 8 MR. [REDACTED]: Yeah. That's the control.
 9 MR. [REDACTED]: The control.
 10 MR. [REDACTED]: Yeah, we don't want this.
 11 I'll take this.
 12 MR. [REDACTED]: Okay. So, here are the
 13 counts from August 9th, from 4:00 p.m. through
 14 August 10th, through 5:00 a.m.
 15 MR. [REDACTED]: Okay.
 16 MR. [REDACTED]: Now, we have reason to
 17 believe that the 4:00 p.m., the 10:00 p.m., the
 18 12:00 a.m., the 3:00 a.m., and the 5:00 p.m.,
 19 none of them were conducted.
 20 MR. [REDACTED]: Okay. So, you're saying that
 21 the 4:00 count for August 9th was not done, and
 22 the 10:00 wasn't done?
 23 MR. [REDACTED]: And the 10:00. And nor
 24 was the 12:00 a.m., the 3:00 a.m., or the 5:00
 25 a.m.

1 MR. [REDACTED]: They would have been in the
 2 unit, with the assumption that all of the
 3 inmates have been accounted for by the previous
 4 shifts because the count didn't go - wasn't
 5 bad.
 6 MR. [REDACTED]: So, that's the 12:00
 7 a.m., 3:00 a.m., and 5:00 a.m.?
 8 MR. [REDACTED]: Correct.
 9 MR. [REDACTED]: Are you saying they don't
 10 really need to do those counts?
 11 MR. [REDACTED]: No, no, no. I'm not saying
 12 that. What I'm saying is, they would have not
 13 known that that inmate didn't come back from
 14 court, if it wasn't addressed on either at day
 15 watch or evening watch.
 16 MR. [REDACTED]: Okay.
 17 MR. [REDACTED]: They wouldn't know. They
 18 would just - can't be responsible for counting
 19 what inmates was housed in that unit, between
 20 the hours of 12:00 to 5:00 a.m. Because those
 21 are the three counts.
 22 MR. [REDACTED]: These.
 23 MR. [REDACTED]: So, yeah, let's see - so,
 24 these are the counts - let's look.
 25 MR. [REDACTED]: So, the 5:00 p.m. one?

1 MR. [REDACTED]: Okay. So --
 2 MR. [REDACTED]: Now, is there a way to
 3 look at that, if there is someone, let's say,
 4 because at the 12:00 a.m. count, you'll notice
 5 there is a discrepancy. There is one inmate
 6 they're off by. Control says, hey, you're off
 7 by one.
 8 MR. [REDACTED]: Right.
 9 MR. [REDACTED]: Is there a way to kind of
 10 look at these counts and notice, all right,
 11 this would have been picked up then, or a way
 12 to kind of tell that these weren't conducted by
 13 just looking at those documents, or noticing
 14 if, you know, if Reyes is gone by 1:50, you
 15 know --
 16 MR. [REDACTED]: Yeah.
 17 MR. [REDACTED]: -- he's released. Is
 18 there a way to tell that on there?
 19 MR. [REDACTED]: Because you've got it right
 20 here.
 21 MR. [REDACTED]: Okay.
 22 MR. [REDACTED]: This is the form right there.
 23 This will tell you who the inmates are, out of
 24 count
 25 MR. [REDACTED]: Okay.

1 MR. [REDACTED]: And that's from Small. He
 2 was one of the receiving and discharged
 3 employees that was probably working on August
 4 9th.
 5 MR. [REDACTED]: Okay.
 6 MR. [REDACTED]: So, she would know who was
 7 still out at count. So, that means, Operations
 8 Lieutenant didn't even sign it. That's a
 9 violation.
 10 MR. [REDACTED]: So, this document that
 11 you're looking at, it looks like - what is it?
 12 - like, the third page on there?
 13 MR. [REDACTED]: Yeah. That they should have
 14 - because you've got right here. Clark.
 15 Unassigned work assignments. So, this inmate
 16 Clark. This saying he's out at court.
 17 MR. [REDACTED]: Okay.
 18 MR. [REDACTED]: So, he --
 19 MR. [REDACTED]: Okay.
 20 MR. [REDACTED]: -- so now, our count is minus
 21 one. But we know where he is because he's
 22 still out at court. So, Reyes, that count -
 23 so, if he went out to court, let's say we was
 24 at 88, let's just say. When he went out to
 25 court, him and Clark went out, we would have

1 receipt signed by the Marshals by the staff
 2 that was at the New York court over there, the
 3 people that handle the inmates, that transfer
 4 order should have been sent back with whoever
 5 was transporting the inmates, and brought back
 6 to the institution to say that this guy never
 7 came back.
 8 MR. [REDACTED]: So, that third page that
 9 you're saying, though, that that was a
 10 violation that the Operations Lieutenant didn't
 11 sign?
 12 MR. [REDACTED]: Right.
 13 MR. [REDACTED]: Would have that been
 14 [REDACTED] or [REDACTED], at that time?
 15 MR. [REDACTED]: Because all of this stuff,
 16 it's called a 30-day file.
 17 MR. [REDACTED]: Okay.
 18 MR. [REDACTED]: So, what the Lieutenants are
 19 supposed to do on their shift, is supposed to,
 20 when they make rounds in Control, they're
 21 suppose - because we're supposed to take a
 22 count on every shift. Especially in the off-
 23 hours. So, before Epstein, that was a
 24 responsibility. On the off-hours, you will be
 25 responsible for taking the count. So, that

1 went down to 86. But guess what? Reyes drops
 2 off the count. How? He got released. Where is
 3 the --
 4 MR. [REDACTED]: So, if he was released --
 5 MR. [REDACTED]: -- form that should have come
 6 from the Marshals back to us, saying that he
 7 got released.
 8 MR. [REDACTED]: So, between the 10:00
 9 a.m. count and the 4:00 p.m. count, would there
 10 be a form in there showing that he was
 11 released?
 12 MR. [REDACTED]: There should have been.
 13 MR. [REDACTED]: Okay.
 14 MR. [REDACTED]: That should have been
 15 generated from the Marshals because it's a
 16 transfer order. You heard of a transfer order?
 17 Every time an inmate goes off, if you've got
 18 ten that went out to court that day, that's
 19 that transfer order. Whatever the disposition
 20 of those inmates are, okay, boom, ten went out
 21 to count, eight coming back. Okay, where are
 22 the other two? Okay. I got this guy that's
 23 still out of counted, and he's at court. He's
 24 still at whatever, at this timeframe. Where is
 25 Reyes? There should have been a transfer

1 evening watch guy would take that 10:00 count.
 2 Right? Or somebody would take the 4:00 count.
 3 So, the Operations Lieutenant or the Activities
 4 would normally go down and take the 4:00. They
 5 would go through the paperwork for that day, up
 6 to 4:00, and you would sign all of the forms.
 7 Like, if somebody checked out keys, restricted
 8 key forms, Operations is supposed to sign it.
 9 MR. [REDACTED]: Mm-hmm.
 10 MR. [REDACTED]: If a transfer order receipts
 11 comes back, you're supposed to sign it.
 12 Whatever happens on that shift, you're supposed
 13 to sign the count slips. That form, right
 14 here? That should have been signed by the
 15 Lieutenant.
 16 MR. [REDACTED]: Okay. So, these forms
 17 that we're looking at 4:00 p.m., there is a
 18 number of signatures that are missing?
 19 MR. [REDACTED]: Yeah.
 20 MR. [REDACTED]: And should have that been
 21 the Lieutenant, as in - it looks like [REDACTED],
 22 or -?
 23 MR. [REDACTED]: Official preparing count,
 24 official taking count. Those are going to be -
 25 so, the person that was taking that count would

1 have been the OIC, then the person who actually
 2 was there as a Lieutenant that was taking the
 3 count, normally we would sign it in red.
 4 MR. [REDACTED]: Now, the Lieutenant, when
 5 you say they're there, aren't they in the
 6 Control Center?
 7 MR. [REDACTED]: They're in the Control Center
 8 --
 9 MR. [REDACTED]: And then, the SHU calls -
 10 .
 11 MR. [REDACTED]: -- while the Officers are
 12 doing the count.
 13 MR. [REDACTED]: Okay. So, the SHU calls
 14 in, says, we got the count, 72, 73, 74,
 15 whatever it is.
 16 MR. [REDACTED]: Mm-hmm.
 17 MR. [REDACTED]: And in this case, when
 18 you look at the 4:00 p.m. though, you're seeing
 19 that there was no Lieutenant that signed off on
 20 that?
 21 MR. [REDACTED]: No.
 22 MR. [REDACTED]: So, on the first page, as
 23 well as the third page, was where they should
 24 have signed?
 25 MR. [REDACTED]: Right.

1 MR. [REDACTED]: These?
 2 MR. [REDACTED]: Yup. So, these are the
 3 slips that the actual SHU - for the ones that
 4 are in the SHU. Can you just put an initial by
 5 it, or circle it, or whatever, which ones it is
 6 that would have been conducted at the SHU?
 7 MR. [REDACTED]: Okay. I think it's Zulu
 8 Bravo. Zulu Alpha.
 9 MR. [REDACTED]: So, ZA and ZB are the two
 10 SHUs?
 11 MR. [REDACTED]: Yes.
 12 MR. [REDACTED]: Are there any more than
 13 that?
 14 MR. [REDACTED]: You have - so, that's -
 15 you've got Food Service. GS, (Indiscernible
 16 *00:12:11) Attorney visiting. That's Kilo
 17 India. That's court. Kilo Zulu. Yes. So,
 18 Zulu Alpha would have been that, and then, that
 19 would have been Ten South.
 20 MR. [REDACTED]: All right. So, Ten
 21 South.
 22 MR. [REDACTED]: Charlie Alpha. Charlie
 23 Alpha.
 24 MR. [REDACTED]: But no, just specific to
 25 the SHU. Like, where? Not - I don't know if

1 MR. [REDACTED]: All right. And then - .
 2 MR. [REDACTED]: Yeah, because I got a - look
 3 - I got a signature for this one, that was
 4 approved by the Operations Lieutenant right
 5 here.
 6 MR. [REDACTED]: And who was that?
 7 MR. [REDACTED]: That's - I don't know who
 8 that signature is.
 9 MR. [REDACTED]: All right. It looks like
 10 [REDACTED] would have been on duty, is that what
 11 time?
 12 MR. [REDACTED]: That's going to be 4:00 p.m.,
 13 whoever took the 4:00 p.m., that Lieutenant
 14 would have been [REDACTED].
 15 MR. [REDACTED]: Okay. Can we go to the
 16 SHU count slips themselves? And that should be
 17 the last, like, page or two.
 18 MR. [REDACTED]: See, yup. Those are the
 19 inmates that went to the Attorney visiting.
 20 So, those three would have been on the count --
 21 MR. [REDACTED]: Mm-hmm.
 22 MR. [REDACTED]: -- slip. Now, you said
 23 where?
 24 MR. [REDACTED]: The very last page.
 25 It's, like, the actual slips.

1 Ten South is considered SHU, but I'm just
 2 talking specific to, like, where Epstein was,
 3 in the SHU. Like, who, you know, the --
 4 MR. [REDACTED]: Yeah.
 5 MR. [REDACTED]: -- I'm assuming the 72,
 6 73 count.
 7 MR. [REDACTED]: Yeah. Right here. That
 8 would have been the Zulu Bravo and the Zulu
 9 Alpha.
 10 MR. [REDACTED]: All right. Great. And
 11 are you able to tell me who all are on those
 12 slips?
 13 MR. [REDACTED]: It says S. [REDACTED] and Tova
 14 Noel, and [REDACTED].
 15 MR. [REDACTED]: Okay.
 16 MR. [REDACTED]: And that would have been for
 17 the 4:00.
 18 MR. [REDACTED]: All right.
 19 MR. [REDACTED]: For M. [REDACTED], and Tova Noel,
 20 for the 4:00 count.
 21 MR. [REDACTED]: Okay. And now, what is
 22 the difference between the ZB and ZA?
 23 MR. [REDACTED]: I believe that ZA is the
 24 total SHU.
 25 MR. [REDACTED]: Okay.

1 MR. [REDACTED]: And then, then you had the
 2 inmates that were up on Ten South.
 3 MR. [REDACTED]: Okay. So, the ZB, is
 4 that Ten South, then?
 5 MR. [REDACTED]: Yes.
 6 MR. [REDACTED]: So, we're focused on ZA?
 7 MR. [REDACTED]: Yes.
 8 MR. [REDACTED]: All right. So, ZA, and
 9 that one was signed by who?
 10 MR. [REDACTED]: It looks like Noel and [REDACTED].
 11 M. [REDACTED].
 12 MR. [REDACTED]: Now, if that count wasn't
 13 actually conducted, are they the only two that
 14 are responsible for falsifying that, or would
 15 the other people -?
 16 MR. [REDACTED]: This would be the whole Unit.
 17 It would be --
 18 MR. [REDACTED]: The whole Unit.
 19 MR. [REDACTED]: -- the OIC, everybody that
 20 was in the Unit.
 21 MR. [REDACTED]: Okay.
 22 MR. [REDACTED]: Because that means, on
 23 evening watch, I believe you have one, two,
 24 three, four staff, and they all have a
 25 different range that they have a responsibility

1 MR. [REDACTED]: So, that would have been --
 2 MR. [REDACTED]: That was the August 9th.
 3 MR. [REDACTED]: -- that would have been --
 4 MR. [REDACTED]: Are we looking at August
 5 9th?
 6 MR. [REDACTED]: -- so, [REDACTED] probably took
 7 the count. And then, R. [REDACTED] - or Ms.
 8 [REDACTED], [REDACTED] would have been in Ten South,
 9 doing the count in Ten South, I believe. If I
 10 could remember. It's been a while.
 11 MR. [REDACTED]: All right. So--
 12 MR. [REDACTED]: Because it's only per -
 13 there's only one staff member inside of Ten
 14 South.
 15 MR. [REDACTED]: So. Ms. [REDACTED] should
 16 have been present for the count at 4:00 p.m.?
 17 MR. [REDACTED]: Yeah. Because I'm looking,
 18 and you have Ten South number one was Mason.
 19 And then, you had Ten South number two was [REDACTED].
 20 [REDACTED]. So, [REDACTED] probably was up there
 21 doing property.
 22 MR. [REDACTED]: Now, is this only for the
 23 four, or should there have been a Lieutenant,
 24 as well as in the 10:00 p.m., 12:00 a.m., 3:00
 25 a.m., and 5:00 a.m.?

1 of.
 2 MR. [REDACTED]: Okay.
 3 MR. [REDACTED]: You know what I'm saying? So,
 4 they feed us, they feed the ranges. They
 5 monitor the ranges by doing the 30-minute
 6 rounds. So, the OIC has the key. So, those
 7 other three staff - the number two, the three,
 8 and the four, I believe - they're supposed to
 9 do rounds, feed, do - issue cosmetics - do
 10 whatever they need to do as far as the normal
 11 operations inside the unit. So, if nobody
 12 counted, that means who count, who help assist
 13 in counting in Ten South? For the five guys.
 14 MR. [REDACTED]: Right.
 15 MR. [REDACTED]: Because I believe the
 16 Lieutenant is supposed to come up. Normally,
 17 the Activities will go up, I believe, and do
 18 the count in Zulu Bravo. So, that means that
 19 one of the Lieutenants would be up in the unit
 20 when the count was going on.
 21 MR. [REDACTED]: So, in this case, a
 22 Lieutenant should have actually been present?
 23 MR. [REDACTED]: Yeah.
 24 MR. [REDACTED]: Which Lieutenant on that
 25 date would that have been?

1 MR. [REDACTED]: So, S. [REDACTED].
 2 MR. [REDACTED]: So, who is S. [REDACTED]?
 3 MR. [REDACTED]: S. [REDACTED] is one of the
 4 Officers.
 5 MR. [REDACTED]: What is the first name on
 6 that?
 7 MR. [REDACTED]: S. [REDACTED]. And then, I'm
 8 looking in here, so, Ten South number two is [REDACTED]
 9 [REDACTED], which is the Property Officer. So,
 10 during that time, I was hiring [REDACTED] to go
 11 up here and get the property situated on the
 12 evening watch.
 13 MR. [REDACTED]: So, is S. [REDACTED] even
 14 working in the SHU at that point? I think he
 15 would have had the first --
 16 MR. [REDACTED]: Because, you know, that -
 17 because that would have been S. [REDACTED]. Let
 18 me look at the day of, because I don't think he
 19 would work that, because it said [REDACTED] is
 20 the number one.
 21 MR. [REDACTED]: And that's where I'm
 22 confused, by looking at some of these counts,
 23 why would they even have -?
 24 MR. [REDACTED]: S. [REDACTED] was on overtime.
 25 So, [REDACTED] was day watch. So, that means

1 Mason probably came in late.
 2 MR. [REDACTED]: Okay.
 3 MR. [REDACTED]: So, [REDACTED] probably did the
 4 count because Mason didn't get there. And now,
 5 he was notorious for that.
 6 MR. [REDACTED]: Okay.
 7 MR. [REDACTED]: Mr. Mason a good guy, but he
 8 had some health problems, and maybe he didn't
 9 get there on time. So, [REDACTED] went on ahead,
 10 and since the count started at 4:00, he
 11 probably went ahead and did the count.
 12 MR. [REDACTED]: All right. And are you
 13 able to tell on that, does this have a time for
 14 when the count was supposedly conducted?
 15 MR. [REDACTED]: It's all of them going to
 16 reflect 4:00.
 17 MR. [REDACTED]: Just 4:00.
 18 MR. [REDACTED]: 4:00. It's not going to say
 19 4:05, 4:04. The count is 4:00 p.m.
 20 MR. [REDACTED]: Okay. So, in this case,
 21 though, the one for the overall SHU, that would
 22 have been - you said - is that a (Indiscernible
 23 *00:17:15), or are you just telling that's for
 24 the Ten South?
 25 MR. [REDACTED]: Overall SHU would have been

1 talked about the timeframe that goes between
 2 the 30-minute rounds. So, like, let's say it's
 3 11:00. You should do a round somewhere between
 4 11:00 and 11:30. You understand?
 5 MR. [REDACTED]: Yup.
 6 MR. [REDACTED]: If it's done at 11:29, that's
 7 fine. But you should be doing it within that
 8 30-minutes because it has to be irregular. So,
 9 you can't put on there and said, I did rounds
 10 at 11:00, 11:30.
 11 MR. [REDACTED]: 12:00.
 12 MR. [REDACTED]: 12:00, 12:30. You know, you
 13 can't do it like that. So, let's say, you
 14 know, you're feeding up there, you're up t here
 15 feeding, but that round is not going to be -
 16 because you're not monitoring, you're doing a
 17 service. Just because you're on the range,
 18 that means you did a round. A round is
 19 physically stopping what you're doing. So, if
 20 I'm feeding during the time it's supposed to,
 21 I'm supposed to do a round, secure the slot, I
 22 go to the beginning of the range. One, two,
 23 five, seven, nine, 11, whatever, whatever,
 24 whatever. Document the time I did the round.
 25 Then go back to feeding. It's not while I'm up

1 Zulu Alpha.
 2 MR. [REDACTED]: Yeah, and who was on
 3 that? That's where I'm -
 4 MR. [REDACTED]: Noel and [REDACTED].
 5 MR. [REDACTED]: So, [REDACTED] and
 6 Noel would have been the one that did the
 7 overall, but what you're saying is everyone -
 8 if the overall count was not conducted -
 9 everyone was responsible?
 10 MR. [REDACTED]: Yes.
 11 MR. [REDACTED]: For falsifying that?
 12 MR. [REDACTED]: Yup.
 13 MR. [REDACTED]: Because everyone would
 14 have known.
 15 MR. [REDACTED]: They would have known --
 16 MR. [REDACTED]: That it wasn't conducted.
 17 MR. [REDACTED]: -- that it wasn't conducted.
 18 MR. [REDACTED]: Now, is there any kind
 19 of, like, hey, we fed them, that's how we did
 20 our count?
 21 MR. [REDACTED]: No. Count - because I put
 22 this guidance out --
 23 MR. [REDACTED]: Yup.
 24 MR. [REDACTED]: -- the difference between
 25 doing rounds and accurate rounds, you know, we

1 there. Okay, I'll feed the range, it took me
 2 seven minutes, 7.9 seconds to feed a round.
 3 And so, that's telling me that you did a
 4 regular round for a hour, one hour, because you
 5 was up there for 45 minutes? No. Did you do a
 6 round?
 7 MR. [REDACTED]: Right.
 8 MR. [REDACTED]: Did you - can I physically
 9 watch you go from cell to cell? That's a round.
 10 MR. [REDACTED]: But what about - so, can
 11 a round can't be a count - but can a count be a
 12 round?
 13 MR. [REDACTED]: No.
 14 MR. [REDACTED]: So, every 30 minutes, if
 15 you're doing a count at 4:00, you also have to
 16 do a round at 4:00?
 17 MR. [REDACTED]: Yup.
 18 MR. [REDACTED]: Okay.
 19 MR. [REDACTED]: Because if I go up there at
 20 4:00, if I go - let's say I start 4:00. At
 21 4:00, that's going to be that round. You
 22 understand what I'm saying? Because count, I'm
 23 taking accountability of the unit, so, if it
 24 takes probably two or three minutes a count,
 25 that would be 4:03 that I count in that range.

1 I go to the next range. I'm done at 4:09.
 2 4:16. 4:20. 4:27. Guess what? Between that
 3 30 to 5:00, I got to go do another round, in
 4 between that timeframe, not to exceed 40
 5 minutes. That's the policy.
 6 MR. [REDACTED]: Okay. Do you know
 7 anything about the SHU not conducting rounds?
 8 MR. [REDACTED]: Do I know of SHU not
 9 conducting rounds?
 10 MR. [REDACTED]: If the personnel in the
 11 SHU. Do you know of anything about that, of
 12 them -?
 13 MR. [REDACTED]: I would have never known that
 14 those staff were not - because again, that's
 15 not my purview.
 16 MR. [REDACTED]: Sure.
 17 MR. [REDACTED]: To sit down there and monitor
 18 --
 19 MR. [REDACTED]: So --
 20 MR. [REDACTED]: -- rounds.
 21 MR. [REDACTED]: -- I just mean, like, had
 22 anybody told --
 23 MR. [REDACTED]: No.
 24 MR. [REDACTED]: -- told you this?
 25 MR. [REDACTED]: No. I would have never known

1 MR. [REDACTED]: I would have thought they
 2 would have been done.
 3 MR. [REDACTED]: -- but do you - now - do
 4 you know if they were or they weren't?
 5 MR. [REDACTED]: I was told that they were not
 6 conducted.
 7 MR. [REDACTED]: 4:00 p.m., as well?
 8 MR. [REDACTED]: I was told that the Officers
 9 that were assigned to the morning watch shift
 10 did not do rounds from the time they walked
 11 into that Unit until the time that they found
 12 inmate Epstein deceased in the cell.
 13 MR. [REDACTED]: That, I think what you're
 14 referring to is the August 10th --
 15 MR. [REDACTED]: Yes.
 16 MR. [REDACTED]: -- I'm saying August 9th.
 17 MR. [REDACTED]: August 9th. I would have not
 18 known that.
 19 MR. [REDACTED]: No, no, no, no. Now.
 20 I'm talking about.
 21 MR. [REDACTED]: Now, I'm aware of it.
 22 Because if the inmate didn't come back from
 23 court, how did you clear court?
 24 MR. [REDACTED]: And did you know that
 25 prior to this conversation, though? Have you

1 until after the Epstein thing, we had to
 2 monitor the camera footage of what the SHU
 3 staff did, and I was appalled to what they were
 4 doing on the off-hours.
 5 MR. [REDACTED]: So now, after the fact,
 6 are you aware if any of these counts were
 7 conducted or not conducted?
 8 MR. [REDACTED]: I was not made aware that no
 9 count was conducted because I do not monitor
 10 camera footage of the staff --
 11 MR. [REDACTED]: No, I'm saying after --
 12 MR. [REDACTED]: -- so, I wouldn't know.
 13 MR. [REDACTED]: -- no, I'm saying after
 14 the fact. So now.
 15 MR. [REDACTED]: Now, I know, and I was - and
 16 again, when I had to monitor the footage per
 17 the new directive that was put out for the
 18 Central Office, and the Captain would have to
 19 monitor X amount of hours of SHU footage per
 20 week? Even after we had the situation with
 21 Epstein, staff wasn't still doing it right.
 22 MR. [REDACTED]: But in the - what I'm
 23 asking is - in those instances, do you know if
 24 the 4:00, the 10:00, the 5:00, on these August
 25 9th and August 10th, do you --

1 ever --
 2 MR. [REDACTED]: No.
 3 MR. [REDACTED]: -- oh. Yeah. So, what
 4 I'm saying is --
 5 MR. [REDACTED]: So, this is all new to me.
 6 MR. [REDACTED]: -- okay. So, you didn't
 7 - you had never heard, up until this date, that
 8 it's possible that the 4:00 p.m. and the 10:00
 9 p.m. were not conducted?
 10 MR. [REDACTED]: That is correct.
 11 MR. [REDACTED]: All right. And no one
 12 ever brought that to your attention?
 13 MR. [REDACTED]: That is correct.
 14 MR. [REDACTED]: Okay. You can just
 15 speak.
 16 MR. [REDACTED]: Did you - what if I told you
 17 there was a memo written by Officer [REDACTED]
 18 stating that he told Officers [REDACTED], [REDACTED],
 19 and Joiner that at 1:50 p.m., on August 9th,
 20 that inmate Reyes was going WAB, and possibly
 21 not returning?
 22 MR. [REDACTED]: Hmm. Didn't know anything
 23 about that.
 24 MR. [REDACTED]: So, no one made you aware
 25 about it?

1 MR. [REDACTED]: Nope. So, 1:50. If they
 2 knew that he was - like, I remember, I told you
 3 - that it comes out automatically, from R&D.
 4 It says, the X, Y, Z inmate won't be returning,
 5 so he needs to bring his belongings to court
 6 line. So, if they knew he was WAB, who
 7 informed him? Because I bet you, I can
 8 guarantee, on that Sentry paperwork, that was
 9 generated that morning, that night - so, that
 10 would have been the 7th, because it's generated
 11 on the 7th for the 8th - no, the 8th for the
 12 9th, I know it didn't have WAB on it.
 13 MR. [REDACTED]: Okay. So, my question --
 14 MR. [REDACTED]: What does WAB stand for?
 15 MR. [REDACTED]: -- With All Belongings.
 16 MR. [REDACTED]: Oh.
 17 MR. [REDACTED]: That's what you would --
 18 MR. [REDACTED]: Huh?
 19 MR. [REDACTED]: -- WAB stands for With All
 20 Belongings. Right?
 21 MR. [REDACTED]: Yes.
 22 MR. [REDACTED]: So, and here's my question
 23 for you. If Officer [REDACTED] was aware of that
 24 --
 25 MR. [REDACTED]: Mm-hmm.

1 first page - should that have been updated by
 2 then?
 3 MR. [REDACTED]: Yup. This E-1 --
 4 MR. [REDACTED]: So, is that --
 5 MR. [REDACTED]: -- this E-1 should have -
 6 this is not a correct E-1.
 7 MR. [REDACTED]: So, the E-1 is wrong? So, at
 8 that point, that 4:00 p.m. count, that out -
 9 what is that? The last column, what does that
 10 say?
 11 MR. [REDACTED]: Which one, sir?
 12 MR. [REDACTED]: The out count. The out count
 13 shouldn't have shown 1:00 for the SHU.
 14 MR. [REDACTED]: Right. Because it would have
 15 said 2:00. You know what I'm saying? Because
 16 that means that out count from the SHU was
 17 Jeffrey Epstein.
 18 MR. [REDACTED]: If you look at it, is the
 19 Epstein popping up on another column over
 20 there? Under attorney visit.
 21 MR. [REDACTED]: It should have been on --
 22 MR. [REDACTED]: Is there an Attorney -?
 23 MR. [REDACTED]: -- Attorney visiting.
 24 MR. [REDACTED]: Is he on there? On Attorney
 25 visiting. At - check the first or second

1 MR. [REDACTED]: -- he would be made aware by
 2 who?
 3 MR. [REDACTED]: He would have been made by
 4 R&D staff.
 5 MR. [REDACTED]: Who was the R&D staff that
 6 day?
 7 MR. [REDACTED]: Well, the only one I could -
 8 because he's not on our roster, he's not
 9 Correctional Services - I can only go by this.
 10 MR. [REDACTED]: And who is that?
 11 MR. [REDACTED]: Ms. Small.
 12 MR. [REDACTED]: Ms. Small. Okay.
 13 MR. [REDACTED]: But I can tell you Ms. Small,
 14 she works from - I think her end shift is
 15 10:00. So, that means she would have been
 16 there around 2:00, because I think she worked
 17 2:00 to 10:00. I don't think - on the weekends
 18 - I don't think the R&D staff stayed past
 19 10:00, past 10:00. You understand what I'm
 20 saying?
 21 MR. [REDACTED]: Okay.
 22 MR. [REDACTED]: So, they didn't stay past
 23 10:00.
 24 MR. [REDACTED]: So, my question is, if R&D
 25 knew, should that Control document - on the

1 column.
 2 MR. [REDACTED]: Okay. Let's see.
 3 MR. [REDACTED]: Is there one that says ATTY?
 4 MR. [REDACTED]: Okay. No, sir. I don't see
 5 ATTY on it.
 6 MR. [REDACTED]: Can I see that for a second?
 7 This one right here.
 8 MR. [REDACTED]: Oh, I'm sorry. I'm sorry.
 9 MR. [REDACTED]: I pointed to the first column
 10 that said it.
 11 MR. [REDACTED]: Okay. I'm sorry. Yes. It
 12 shows that there was a total on the - a total
 13 of three inmates that was out at Attorney, and
 14 out at Attorney visiting, during the 4:00 p.m.
 15 count.
 16 MR. [REDACTED]: And one of them, did one of
 17 those inmates belong to the SHU?
 18 MR. [REDACTED]: One of those was Zulu Alpha.
 19 MR. [REDACTED]: Okay.
 20 MR. [REDACTED]: Correct.
 21 MR. [REDACTED]: And then, at that point, they
 22 also - for Zulu Alpha - they're showing that
 23 one inmate was for - is still on out count,
 24 which means possibly, that it's mentioning
 25 Efrain Reyes, then?

1 MR. [REDACTED]: Okay. Now --
 2 MR. [REDACTED]: The last column.
 3 MR. [REDACTED]: -- the last column, it says
 4 out count, it still says 1:00 for Zulu Alpha.
 5 MR. [REDACTED]: So, it should have been
 6 updated by then, being the fact that this is
 7 the 4:00 p.m. count?
 8 MR. [REDACTED]: Right.
 9 MR. [REDACTED]: They should have been updated
 10 by then, because they got a notification at
 11 1:50 that he's not coming back.
 12 MR. [REDACTED]: Correct.
 13 MR. [REDACTED]: So, that E-1 document is
 14 wrong.
 15 MR. [REDACTED]: Right.
 16 MR. [REDACTED]: Now, if [REDACTED] told
 17 Officers [REDACTED], [REDACTED], and Joiner that inmate
 18 Reyes wasn't going WAB, and that Epstein would
 19 need to be assigned a cell mate upon arrival
 20 from his Attorney visit --
 21 MR. [REDACTED]: Yes, sir.
 22 MR. [REDACTED]: -- Reyes has to communicate
 23 where - who dropped the ball, and at that
 24 point?
 25 MR. [REDACTED]: Okay. I mean, for the sake

1 time.
 2 MR. [REDACTED]: Yes.
 3 MR. [REDACTED]: Correct. All right. And
 4 what you're saying, though, is - I think what
 5 you said, though, is during the morning shift,
 6 the zero dark hundred to 8:00 a.m., or I think
 7 it was 8:00 a.m., right?
 8 MR. [REDACTED]: Yes, sir.
 9 MR. [REDACTED]: It's 8:00 a.m.? They
 10 wouldn't have known.
 11 MR. [REDACTED]: They wouldn't have known.
 12 MR. [REDACTED]: Right. Because they --
 13 MR. [REDACTED]: They wouldn't have known.
 14 MR. [REDACTED]: -- because if the counts
 15 weren't done at 4:00 p.m. and 10:00 p.m., they
 16 wouldn't have necessarily known.
 17 MR. [REDACTED]: They wouldn't necessarily
 18 know.
 19 MR. [REDACTED]: But what about, like, if
 20 they had a conversation at 12:00 a.m. with the
 21 Ops Lieutenant about the fact that the counts
 22 are off, re-do - or was it 10:00 p.m.?
 23 MR. [REDACTED]: It's midnight.
 24 MR. [REDACTED]: The midnight one was the
 25 one where the count is --

1 of time, what we talked about before is, that
 2 means they would notify by me that he needed a
 3 cell mate?
 4 MR. [REDACTED]: Yeah.
 5 MR. [REDACTED]: They knew. They knew the
 6 expectation. So, that means - if you know
 7 that, at 1:50 p.m. he wasn't coming back - that
 8 means you should have got on the phone and
 9 contacted the Operations Lieutenant.
 10 MR. [REDACTED]: And we discussed this.
 11 And --
 12 MR. [REDACTED]: Right.
 13 MR. [REDACTED]: -- and this is --
 14 MR. [REDACTED]: Right.
 15 MR. [REDACTED]: -- this is where we
 16 talked about, if they did that, they let [REDACTED]
 17 know, [REDACTED] is the one who dropped the ball.
 18 MR. [REDACTED]: Mm-hmm.
 19 MR. [REDACTED]: Yeah.
 20 MR. [REDACTED]: The next people that
 21 would have done it would have been at the 4:00
 22 p.m., the 10:00 p.m. type of count. They
 23 should have, then, notified the Operations --
 24 MR. [REDACTED]: Yes.
 25 MR. [REDACTED]: -- Lieutenant at the same

1 MR. [REDACTED]: If you look at - yeah, the
 2 count.
 3 MR. [REDACTED]: So, if you go 8:00, 9:00, to
 4 - we're going to 08/10 now --
 5 MR. [REDACTED]: What?
 6 MR. [REDACTED]: (Indiscernible *00:28:37).
 7 MR. [REDACTED]: -- so, 08/10.
 8 MR. [REDACTED]: And she worked 10:00 p.m.
 9 --
 10 MR. [REDACTED]: At --
 11 MR. [REDACTED]: -- and she worked from
 12 4:00 p.m. through.
 13 MR. [REDACTED]: So, she wasn't (Indiscernible
 14 *00:28:41).
 15 MR. [REDACTED]: This is it right here.
 16 MR. [REDACTED]: Oh, okay.
 17 MR. [REDACTED]: Okay.
 18 MR. [REDACTED]: So, this is it right here.
 19 So, we're talking about 08/10/2019, that's
 20 going to be - so, this E-1 was generated at
 21 003517 hours.
 22 MR. [REDACTED]: On August 10th?
 23 MR. [REDACTED]: On August 10th. And this
 24 shows that there's 72 inmates in SHU.
 25 MR. [REDACTED]: Can you look at the counts

1 for that day?
 2 MR. [REDACTED]: The very last page.
 3 MR. [REDACTED]: Yeah.
 4 MR. [REDACTED]: Or it could be the second
 5 to last. So, I'm assuming you're looking for
 6 ZA.
 7 MR. [REDACTED]: Correct.
 8 MR. [REDACTED]: And then, if you could
 9 just circle ZA, so we know what we're looking
 10 at.
 11 MR. [REDACTED]: ZA.
 12 MR. [REDACTED]: What is the count on that?
 13 MR. [REDACTED]: That is - it appears - it
 14 says that the count on that day was 73.
 15 MR. [REDACTED]: And that cleared count
 16 was 72, correct?
 17 MR. [REDACTED]: That is correct.
 18 MR. [REDACTED]: Okay. Do you want to
 19 follow up?
 20 MR. [REDACTED]: If there was a mistake with
 21 the count, and the Lieutenant caught onto the
 22 mistake, what was the --
 23 MR. [REDACTED]: And the quota was the
 24 protocols?
 25 MR. [REDACTED]: -- yeah.

1 MR. [REDACTED]: Okay.
 2 MR. [REDACTED]: So, you go upstairs -. Well,
 3 I'm sorry. That's the expectation.
 4 MR. [REDACTED]: So, expectation, not
 5 policy.
 6 MR. [REDACTED]: I can't - I'm not going to
 7 sit up here and quote policy when I don't know
 8 it verbatim.
 9 MR. [REDACTED]: Absolutely.
 10 MR. [REDACTED]: But I will tell you the
 11 expectation is that Supervisor - Correctional
 12 Services - a Lieutenant, on an announcement of
 13 a bad count will go to the area of the count,
 14 and will observe the said count.
 15 MR. [REDACTED]: What if the Supervisor
 16 claims that, when they called in the count, and
 17 they said 73, they said, hey, we're calling in
 18 73, but we know we're off by one? Does that
 19 make any sense?
 20 MR. [REDACTED]: That doesn't. That means the
 21 institutions count is going to be bad, which --
 22 MR. [REDACTED]: And then, then that --
 23 MR. [REDACTED]: -- that is the worst thing
 24 that you can --
 25 MR. [REDACTED]: And -.

1 MR. [REDACTED]: All right. This is what
 2 happened. So, if I'm the Officers, I count, I
 3 count the Unit, and they say 73. The Control
 4 Center would have been, like, no, bad count.
 5 They're not going to tell you what you counted.
 6 They're going to make you count again. So, the
 7 procedure is, once that bad count has been made
 8 notified, the Control Center notifies the
 9 Lieutenant, and the Lieutenant is supposed to
 10 go up to the Unit, to observe the count.
 11 MR. [REDACTED]: All right. So --
 12 MR. [REDACTED]: For --
 13 MR. [REDACTED]: -- so, if the Ops
 14 Lieutenant - in this case, [REDACTED] --
 15 MR. [REDACTED]: Right.
 16 MR. [REDACTED]: -- should have gone --
 17 MR. [REDACTED]: Should have went to the --
 18 MR. [REDACTED]: -- and observed.
 19 MR. [REDACTED]: -- went to SHU, to observe
 20 the count.
 21 MR. [REDACTED]: So, if there is a bad
 22 count, that's --
 23 MR. [REDACTED]: That's right.
 24 MR. [REDACTED]: -- that's the protocol.
 25 MR. [REDACTED]: That's the policy.

1 MR. [REDACTED]: -- besides the inmate - it's
 2 three things - an inmate died, your count being
 3 off, or an inmate escaping. Those are the big
 4 things right there. If your count is bad -
 5 because that's what we get paid to do - we're
 6 the masters of count, that's what we do,
 7 accountability of inmates, in a Correctional
 8 setting. That's what you do. That's what
 9 you're paid for. So, you call me, as a
 10 Lieutenant, and you tell me, hey, LT., we keep
 11 counting the unit, and the unit, and the count
 12 is bad. So, the next thing I'm going to tell
 13 you, give me some staff up there. I want a
 14 standup bed book.
 15 MR. [REDACTED]: So, if they say that --
 16 MR. [REDACTED]: -- so then, I'm going to
 17 identify each inmate by their face, and their
 18 cell assignment, to get the count.
 19 MR. [REDACTED]: So, what if they say,
 20 we're off by one, but we know where that one
 21 is? That one is over there. And then, the
 22 Lieutenant responds --
 23 MR. [REDACTED]: But they know --
 24 MR. [REDACTED]: -- all right, I'm going
 25 to go verify where that one staff is, you redo

1 the count. Would that make sense?
 2 MR. [REDACTED]: No. What I'm telling you is
 3 when it was supposed to have been done.
 4 MR. [REDACTED]: Okay.
 5 MR. [REDACTED]: Because -.
 6 MR. [REDACTED]: So, even if they said,
 7 like, hey, we wrote down 73, but that - so,
 8 let's say Thomas, who is not a typical SHU guy-
 9 he's the one that calls this in. He says, I
 10 wrote down 73 on the count slip, but that's
 11 because one our guys that we're counting for is
 12 over at --
 13 MR. [REDACTED]: R&D.
 14 MR. [REDACTED]: -- let's say R&D. And --
 15 MR. [REDACTED]: Okay. So --
 16 MR. [REDACTED]: -- and then, the
 17 Lieutenant then says, I'm going to go verify
 18 that that person is there, you reconduct the
 19 count, and create a new count slip.
 20 MR. [REDACTED]: Okay. So, it was one RA - I
 21 believe that's R&D. RA, I believe, is R&D.
 22 Right? No. So, in R&D, there was nobody in
 23 R&D. There's no one --
 24 MR. [REDACTED]: So, what if the -.
 25 MR. [REDACTED]: -- there's no one in R&D.

1 Where did those inmates go? So, somebody was in
 2 there messing with the numbers in order for the
 3 count to clear.
 4 MR. [REDACTED]: In order to find out
 5 where they went is it, we have to go into
 6 TRUSCOPE (Phonetic Sp. *00:34:52)? Is that
 7 where we would have to find --
 8 MR. [REDACTED]: You would - you could go in
 9 the TRU - most - Sentry is supposed to be full-
 10 proof, all-proof.
 11 MR. [REDACTED]: Okay. So, Sentry.
 12 MR. [REDACTED]: But it's only as good as the
 13 people that's putting the information in there.
 14 MR. [REDACTED]: Sure. Sure.
 15 MR. [REDACTED]: Yeah.
 16 MR. [REDACTED]: And are the SHU the
 17 people that are putting the information in, or
 18 is it the Control Center?
 19 MR. [REDACTED]: So, this is what happens. In
 20 theory, you've got - when inmates come back
 21 from court, and they do the transfer orders,
 22 and it goes down to Control, R&D is supposed to
 23 update those inmates coming back in. Control
 24 Center gets the transfer order, and they're
 25 verifying. Any time any internal movement is

1 So, the policy is, the Lieutenant is on there,
 2 I'm going to watch you do it, and so, that's
 3 the second count. The third count is the
 4 standing bed book count. That I used the bed
 5 book cards, and I go cell by cell, and I make
 6 the inmates say their name and number, and I
 7 physically identify them by their face.
 8 MR. [REDACTED]: All right.
 9 MR. [REDACTED]: If that don't work, all of
 10 this stuff is supposed to be annotated in the
 11 log, that bad count one, bad count two, SHU
 12 reports bad count three. Bed book count was
 13 identified. The next thing would have been,
 14 was to go back through the prior counts to see
 15 of the movement, of who was in or out, because
 16 if your count cleared here, at 10:00, you only
 17 had one out of the unit, which was Epstein.
 18 When he came back, that means your count should
 19 have went from - if it was 72 here - that's
 20 telling me that it must have been 71. At -
 21 boom. So, it was 76 --
 22 MR. [REDACTED]: Is that the 4:00 p.m. count?
 23 MR. [REDACTED]: -- yeah. It was 76. Then,
 24 at the 10:00 count, on the 9:30 count, it was
 25 73. So, where did those three inmates go?

1 done inside of a unit, like SHU, the OIC is
 2 supposed to do it. If a Case Manager and Unit
 3 Manager, or a Counselor, moves the inmate on
 4 the unit, guess what? They're supposed to make
 5 that Sentry - (Indiscernible *00:35:49) PP-34
 6 transaction in Sentry to make the appropriate
 7 move.
 8 MR. [REDACTED]: So, looking at these, do
 9 you believe that they're all --
 10 MR. [REDACTED]: These all bad.
 11 MR. [REDACTED]: -- they're all bad?
 12 MR. [REDACTED]: Mm-hmm. All.
 13 MR. [REDACTED]: All of them?
 14 MR. [REDACTED]: They're all bad. All bogus.
 15 MR. [REDACTED]: All right. So, 4:00 p.m.
 16 through -.
 17 MR. [REDACTED]: The Control Center, R&D.
 18 It's bad.
 19 MR. [REDACTED]: Okay.
 20 MR. [REDACTED]: Just a clarifying question.
 21 Can a person do a count - let's just say they
 22 know someone is in a different unit - can they
 23 say, oh, I know the person is out of the unit,
 24 and I'm going to count them as part of my unit,
 25 and just give the count number. Are they

1 allowed to do that, or --
 2 MR. [REDACTED]: No.
 3 MR. [REDACTED]: -- do they have to physically
 4 have to get eyes on them?
 5 MR. [REDACTED]: So, it's only - who - the
 6 amount of inmates that are in their unit at
 7 that time.
 8 MR. [REDACTED]: Correct.
 9 MR. [REDACTED]: Okay.
 10 MR. [REDACTED]: That's it.
 11 MR. [REDACTED]: All right. Let's keep
 12 going on this. Thank you for that. That's
 13 hugely helpful. So, "Inmates' cell mates are
 14 moved for various reasons, including but not
 15 limited to an incident in the cell, visits to
 16 court, legal library, medical, and recreation.
 17 On Friday, August 9, 2019, Epstein's cell mate,
 18 Reyes, had court. It would not be uncommon for
 19 Reyes to be out of his cell for an extended
 20 period. Epstein had an Attorney session that
 21 day. Epstein's Attorney was processed into the
 22 facility in the morning, and Epstein was
 23 brought down to the Attorney room." And you
 24 said that that was pretty much seven days a
 25 week? With Epstein. "[REDACTED] was not notified

1 A Correctional Officer assigned to the SHU
 2 would have been aware that Reyes' - or any
 3 inmates - belongings were removed. At this
 4 time, the Correctional Officer should notify a
 5 Lieutenant, who would in turn brief [REDACTED].
 6 [REDACTED] was not notified that Reyes' belongings
 7 were removed. [REDACTED] advised that if he had
 8 known that Epstein was without a cell mate, he
 9 would have likely put Epstein on psychological
 10 observation." But now you're saying you
 11 probably would have put him off --
 12 MR. [REDACTED]: I would have not put him on
 13 psych obs, because I can't.
 14 MR. [REDACTED]: Right. You would have
 15 put him in Fox -?
 16 MR. [REDACTED]: I would have probably put him
 17 - if he was already - if I would have known,
 18 between those hours of 1:50 to 4:00, I would
 19 say, keep him in the Attorney conference,
 20 because guess what? I've got a staff member
 21 right there. And where he was, there's a room
 22 here, so we normally kept him in these first
 23 two rooms. So, you could see him. So, I would
 24 just say, hey, just have somebody stay there,
 25 and I would have hired somebody. I would have

1 that Reyes was released from court." And
 2 again, on that note, would have been the Ops
 3 Lieutenant that would have been responsible to
 4 tell you, for instance --
 5 MR. [REDACTED]: Yes.
 6 MR. [REDACTED]: -- if someone heard --
 7 MR. [REDACTED]: If you would recall, he
 8 should have - because he know the - he knew the
 9 expectation.
 10 MR. [REDACTED]: Right.
 11 MR. [REDACTED]: So, by our previous
 12 conversation, they knew the expectation. But
 13 again, they chose not to follow the playbook.
 14 MR. [REDACTED]: Okay. "Typically, if an
 15 inmate is likely to be discharged or
 16 transferred following court, their property was
 17 retrieved from their cell, boxed and secured
 18 with a property form, by receiving and
 19 discharged staff. All items are normally
 20 accounted for, and inventoried. In order to
 21 enter the SHU, all staff not assigned there
 22 must identify themselves and sign a logbook,
 23 and then be physically escorted by a
 24 Correctional Officer. Alternatively, the staff
 25 can pick up inmate property at the Unit door.

1 hired anybody. I'll pay you overtime to sit on
 2 this guy until I got him - I would have kept
 3 him in Attorney conference, right there - until
 4 I got him a cell mate. I wouldn't have had to
 5 put him on psych - you're not - that's not - I
 6 apologize - I can't do that.
 7 MR. [REDACTED]: All right. So, this line
 8 where you said you would have likely put him --
 9 MR. [REDACTED]: No.
 10 MR. [REDACTED]: -- that's not correct?
 11 MR. [REDACTED]: No, I wouldn't have done
 12 that.
 13 MR. [REDACTED]: Okay.
 14 MR. [REDACTED]: That's - because like I said
 15 in my earlier statement - if it would have been
 16 after the hours of operation, let's say
 17 everybody - at 8:00, when he went back to the
 18 cell in SHU, and because I was still there, I
 19 would have said, no, put him in R&D. Because I
 20 got R&D staff there until 10:00
 21 MR. [REDACTED]: Mm-hmm.
 22 MR. [REDACTED]: I would have called the AW.
 23 I would have called the Warden. And
 24 unfortunately, we would have the - somebody
 25 would have to come in - and we would have been

1 there later than vetting a cell mate for him.
 2 MR. [REDACTED]: Right. And it says,
 3 "[REDACTED] is not aware of any Lieutenants knowing
 4 that Reyes' property was moved."
 5 MR. [REDACTED]: We didn't know.
 6 MR. [REDACTED]: Okay. Well, that you
 7 know of. [REDACTED] may have.
 8 MR. [REDACTED]: He may have.
 9 MR. [REDACTED]: But he didn't tell you.
 10 MR. [REDACTED]: Of course.
 11 MR. [REDACTED]: Right.
 12 MR. [REDACTED]: He didn't tell me.
 13 MR. [REDACTED]: "On Saturday, August 10,
 14 2019, [REDACTED] received a phone call from
 15 Lieutenant [REDACTED] around 7:00 a.m."
 16 MR. [REDACTED]: No, that's not accurate.
 17 MR. [REDACTED]: Okay.
 18 MR. [REDACTED]: I received the phone call
 19 from Lieutenant [REDACTED], I believe it was between
 20 the hours - approximately - 6:35, between 6:35
 21 and 6:45-50.
 22 MR. [REDACTED]: Okay.
 23 MR. [REDACTED]: Somewhere in there.
 24 MR. [REDACTED]: "And was told that
 25 Epstein was found unresponsive in his cell."

1 MR. [REDACTED]: -- I thought we said on
 2 August 9th, he didn't work.
 3 MR. [REDACTED]: He wasn't there. On August
 4 9th, he wasn't there.
 5 MR. [REDACTED]: All right.
 6 MR. [REDACTED]: So, it's supposedly --
 7 MR. [REDACTED]: So, from 4:00 p.m. to
 8 10:00 p.m., who was there? [REDACTED]?
 9 MR. [REDACTED]: Yeah. But, like, this thing,
 10 like, when [REDACTED] saying he's non-custody,
 11 because you can see these rosters --
 12 MR. [REDACTED]: So, was [REDACTED] - so, the
 13 two - and the Activities Lieutenant was [REDACTED],
 14 correct?
 15 MR. [REDACTED]: See, let me - can I school
 16 you on something?
 17 MR. [REDACTED]: Absolutely. Please.
 18 MR. [REDACTED]: Let me just school you on
 19 something.
 20 MR. [REDACTED]: Please. That's why we're
 21 here.
 22 MR. [REDACTED]: These rosters, you see when
 23 you printed this roster? You printed this
 24 roster here. That says, 06/02/2021. That's
 25 this year. I can guarantee you the roster

1 But it was [REDACTED] who called you?
 2 MR. [REDACTED]: Yes, it was.
 3 MR. [REDACTED]: Okay. "[REDACTED] inquired
 4 about Epstein's cell mate, and was surprised to
 5 hear [REDACTED] respond that Epstein did not a cell
 6 mate."
 7 MR. [REDACTED]: That is correct.
 8 MR. [REDACTED]: So, you immediately said,
 9 where is the cell mate?
 10 MR. [REDACTED]: Yes.
 11 MR. [REDACTED]: Okay. Yeah. Now, this
 12 is, again, where I'm getting confused because
 13 in the report, they - again - say, "[REDACTED]
 14 worked a 4:00 p.m. to 10:00 p.m. shift on
 15 August 9, 2019 --
 16 MR. [REDACTED]: Right.
 17 MR. [REDACTED]: -- and you're saying
 18 that's not right?
 19 MR. [REDACTED]: No. He would have worked
 20 2:00 to 10:00.
 21 MR. [REDACTED]: And did he work on August
 22 9th, 2:00 to 10:00?
 23 MR. [REDACTED]: August 9th, on --
 24 MR. [REDACTED]: I thought we --
 25 MR. [REDACTED]: -- Right here?

1 don't look like this back on the day the roster
 2 was printed, initially inputted.
 3 MR. [REDACTED]: So, someone would have
 4 changed it?
 5 MR. [REDACTED]: Somebody went in here and
 6 changed it.
 7 MR. [REDACTED]: But does that mean that -
 8 -
 9 MR. [REDACTED]: And I can tell you --
 10 MR. [REDACTED]: -- this is inaccurate, or
 11 the other was inaccurate?
 12 MR. [REDACTED]: -- this is inaccurate. I can
 13 tell you why because [REDACTED], one, this is how
 14 - because I was, like, [REDACTED], non-custody?
 15 Why would he make sure that said non-custody?
 16 Now, [REDACTED], I temp prompted him to 11. I
 17 temp promote him to 11.
 18 MR. [REDACTED]: Can you circle that?
 19 MR. [REDACTED]: Because he couldn't have been
 20 in the institution by himself.
 21 MR. [REDACTED]: So, you think that he
 22 went in there and put in that (Indiscernible
 23 *00:42:09)?
 24 MR. [REDACTED]: I'm not going to say that.
 25 MR. [REDACTED]: But that's not what --

1 MR. [REDACTED]: But what I will --
 2 MR. [REDACTED]: -- what it normally would
 3 say?
 4 MR. [REDACTED]: No. Because he become non-
 5 custody until, I think it was when he got out
 6 of non-custody and became a Counselor, I
 7 believe that wasn't until 2020. Not 2020. I
 8 think it was the last part of '19, going into
 9 '20, or something like that. He was still on
 10 Correctional Services. But the thing about
 11 this roster, all of these pages right here, any
 12 time you make a change, it tells you the date
 13 and time of the change. So, let's go here.
 14 Time change. Activities Lieutenant R. [REDACTED].
 15 That was done on 08/09, C.P., who - you've got
 16 to find out who C.P. was.
 17 MR. [REDACTED]: But 08/09. That was
 18 prior to the incident.
 19 MR. [REDACTED]: 08/09, 09. 08/09. That was
 20 done in 9:09 a.m.
 21 MR. [REDACTED]: (Indiscernible
 22 *00:43:13).
 23 MR. [REDACTED]: The Ops Lieutenant. It was
 24 [REDACTED]. So, [REDACTED] took sick leave on that
 25 day, and --

1 MR. [REDACTED]: But that's something that
 2 we should address with [REDACTED]?
 3 MR. [REDACTED]: That's something you've got
 4 to do, from the time you printed one - look,
 5 when you printed one of these rosters, right? I
 6 can guarantee you, if you go back to the 583
 7 packet, and print out the roster for 08/09 and
 8 08/10 of 2019, it's not going to mirror the
 9 same. It's going to be changed. It's not
 10 going to be the same.
 11 MR. [REDACTED]: And do we have the
 12 ability to do that?
 13 MR. [REDACTED]: Sure.
 14 MR. [REDACTED]: To go --
 15 MR. [REDACTED]: It should be in the 583.
 16 MR. [REDACTED]: So, we --
 17 MR. [REDACTED]: The 583 for the incident --
 18 MR. [REDACTED]: Yup.
 19 MR. [REDACTED]: -- that occurred?
 20 MR. [REDACTED]: Mm-hmm.
 21 MR. [REDACTED]: You understand?
 22 MR. [REDACTED]: And that will have that
 23 roster in there?
 24 MR. [REDACTED]: For Jeffrey --
 25 MR. [REDACTED]: Yup.

1 MR. [REDACTED]: So, [REDACTED] was sick
 2 leave.
 3 MR. [REDACTED]: -- [REDACTED] changed him
 4 on the roster on 08/09, at 8:58 a.m., on
 5 Friday, August 9. [REDACTED] was relieving an
 6 Officer on 08/09, 09, but as you see, where you
 7 see N.C. at?
 8 MR. [REDACTED]: What are we looking for?
 9 MR. [REDACTED]: N.C. Non-custody. It's not
 10 there.
 11 MR. [REDACTED]: Oh, and it would have.
 12 So, somebody went in, at some point, and put -
 13 and if he put non-custody, was that somebody
 14 trying to cover up, like, hey, I had nothing to
 15 do with that?
 16 MR. [REDACTED]: I wasn't in custody at that
 17 time. He put me in there because, you know,
 18 why would I do that? You're a Lieutenant.
 19 MR. [REDACTED]: So, it's somebody trying
 20 to say, like, hey --
 21 MR. [REDACTED]: I don't know. I got --
 22 MR. [REDACTED]: -- I got --
 23 MR. [REDACTED]: -- I would have to --
 24 MR. [REDACTED]: Look into it.
 25 MR. [REDACTED]: -- go through it.

1 MR. [REDACTED]: -- Epstein's --
 2 MR. [REDACTED]: Mm-hmm.
 3 MR. [REDACTED]: -- incident.
 4 MR. [REDACTED]: Okay.
 5 MR. [REDACTED]: Those two copies of that
 6 roster should be in there.
 7 MR. [REDACTED]: Okay. Good point. We'll
 8 go back and look at that.
 9 MR. [REDACTED]: But you printed a couple
 10 weeks ago, it's not going to say the - it
 11 should.
 12 MR. [REDACTED]: So, up to - so, just to
 13 clarify - up to 08/09 that morning, at 8:58
 14 a.m., before that time, it was [REDACTED]
 15 schedule?
 16 MR. [REDACTED]: Yeah.
 17 MR. [REDACTED]: That means he called in and
 18 [REDACTED] - C.P. - [REDACTED] at 8:58 a.m. on
 19 August 9th, changed it over to [REDACTED].
 20 MR. [REDACTED]: Correct.
 21 MR. [REDACTED]: So, I wonder why - okay.
 22 All right. So, that is inaccurate.
 23 MR. [REDACTED]: One more question. Sorry.
 24 MR. [REDACTED]: So, go ahead.
 25 MR. [REDACTED]: That C.P., can anyone enter

1 C.P., or it's what it was in the system?
 2 MR. [REDACTED]: And we did know that.
 3 This is on this.
 4 MR. [REDACTED]: Okay.
 5 MR. [REDACTED]: Okay.
 6 MR. [REDACTED]: Okay. Anyone enter C.P., or
 7 --
 8 MR. [REDACTED]: No.
 9 MR. [REDACTED]: -- or is it -?
 10 MR. [REDACTED]: Because when you log-in the
 11 roster program --
 12 MR. [REDACTED]: Okay. It's a system.
 13 MR. [REDACTED]: -- it's done by your PIV card
 14 number.
 15 MR. [REDACTED]: Okay. No problem. That's
 16 it.
 17 MR. [REDACTED]: Okay.
 18 MR. [REDACTED]: Thank you.
 19 MR. [REDACTED]: All right. And it says
 20 that, Lieutenant [REDACTED] is the one who did
 21 the 10:00 p.m. to 6:00 a.m. shift.
 22 MR. [REDACTED]: Correct.
 23 MR. [REDACTED]: It says, "[REDACTED] did not
 24 personally tell [REDACTED] that Epstein required
 25 a cell mate at all times. He believed she was

1 [REDACTED] - [REDACTED] - her claiming she didn't - if
 2 she's claiming she didn't know, and if you
 3 didn't specifically tell her, who should have
 4 told her? Or how should have she known?
 5 MR. [REDACTED]: How she would have known is,
 6 is that, when she did rounds, she would have
 7 saw those cards.
 8 MR. [REDACTED]: No, no, no. Okay. So --
 9 MR. [REDACTED]: She would have known that
 10 these inmates are high visibility. And the
 11 guidance was already out, so, it was
 12 disseminating throughout the Unit. So, the
 13 staff was aware. So, of course, probably in,
 14 you know, with her, we didn't have a good
 15 relationship, but regardless of the fact is, is
 16 that I made the Lieutenants aware of my
 17 expectations.
 18 MR. [REDACTED]: Mm-hmm.
 19 MR. [REDACTED]: So, even though I might not
 20 have told her because she worked the morning
 21 watch shift, and by 6:00, she would be gone. I
 22 wouldn't see her.
 23 MR. [REDACTED]: Now, was that abnormal
 24 for her to leave before 6:00, before her shift
 25 is done?

1 aware because he had informed his Lieutenants
 2 repeatedly, and instructed them to pass this
 3 message along, and convey the information among
 4 themselves." Is that correct?
 5 MR. [REDACTED]: Yes.
 6 MR. [REDACTED]: "[REDACTED] did not hold a
 7 formal all Lieutenants meeting regarding
 8 Epstein, or send an all staff e-mail with the
 9 Warden's directive."
 10 MR. [REDACTED]: Mm-hmm.
 11 MR. [REDACTED]: However, you did send
 12 emails with regard to --
 13 MR. [REDACTED]: Yes.
 14 MR. [REDACTED]: -- the way that they were
 15 supposed to act, and their duties and
 16 responsibilities.
 17 MR. [REDACTED]: Correct.
 18 MR. [REDACTED]: And you'll send me that?
 19 MR. [REDACTED]: Yeah.
 20 MR. [REDACTED]: Okay. "He verbally
 21 instructed his Lieutenants on an informal and
 22 individual basis, as many as possible with whom
 23 he had the opportunity. On Saturday morning,
 24 August 10, 2019, [REDACTED] was relieved early by
 25 [REDACTED]." Now, as far as [REDACTED] goes -

1 MR. [REDACTED]: They was working 10:00 to
 2 6:00.
 3 MR. [REDACTED]: Yup.
 4 MR. [REDACTED]: So, by the time I walked in
 5 the door, she would be gone.
 6 MR. [REDACTED]: But what I'm saying is,
 7 if she's leaving before 6:00, is that -?
 8 MR. [REDACTED]: Now, before 6:00, that would
 9 be a problem.
 10 MR. [REDACTED]: So, even, like, ten
 11 minutes before, is that a problem?
 12 MR. [REDACTED]: Not really.
 13 MR. [REDACTED]: Okay.
 14 MR. [REDACTED]: Not really. Because if the
 15 relieving person gets there, because knowing
 16 the Lieutenants, some Lieutenants come an hour
 17 early. Some Lieutenants come ten, 15 minutes
 18 early. It's just whatever --
 19 MR. [REDACTED]: Okay.
 20 MR. [REDACTED]: -- happens. Sometimes the
 21 Lieutenant has to work late, because they have
 22 an incident, or they have administrative duties
 23 they have to finish after their shift, which is
 24 fine, but they are compensated for that.
 25 MR. [REDACTED]: Right. Okay. "In the

1 SHU, 30-minute rounds need to be completed
2 consistently, at non-uniform intervals, within
3 a 40-minute timeframe. The purpose of these
4 rounds is to ensure that good order is being
5 maintained, there is no suspicious activity,
6 and all inmates are accounted for and
7 responsive. 30-minute rounds are documenting
8 in TRUSCOPE, which serves as an electronic
9 logbook. After a round is physically done, the
10 Correctional Officer can log into TRUSCOPE and
11 press a button, certifying that the round was
12 completed. Unfortunately, sometimes Officers
13 do not complete a 30-minute round or exceed the
14 40-minute threshold. TRUSCOPE also documents
15 from what location, terminal the rounds are
16 logged."

17 MR. [REDACTED]: That's right.

18 MR. [REDACTED]: "[REDACTED] is aware of at
19 least two terminals located in the SHU. The
20 only way to determine if a 30-minute round was
21 physically completed is to check the video
22 surveillance footage."

23 MR. [REDACTED]: That is correct.

24 MR. [REDACTED]: "There are two
25 Correctional Officers assigned to the SHU on

1 afterhours, that Lieutenant should go up there
2 and observe the count.

3 MR. [REDACTED]: No, but what I'm saying
4 is, like, if a round is signed off on, by one
5 person, but everybody in the Unit, nobody in
6 the Unit did it, and not just the person who
7 signed the round, but also everyone else is
8 also responsible for that falsified round?

9 MR. [REDACTED]: Right.

10 MR. [REDACTED]: Okay.

11 MR. [REDACTED]: Everybody --

12 MR. [REDACTED]: It's the same thing for
13 counts?

14 MR. [REDACTED]: -- yeah, it don't matter. If
15 you're on the roster, and you're assigned to
16 that Unit, and a falsified document goes up,
17 and you said, like, me and you count, I know we
18 didn't count, but I sign that, and you sign it
19 --

20 MR. [REDACTED]: No, what I'm saying is --

21 MR. [REDACTED]: -- then we both --

22 MR. [REDACTED]: -- what I'm saying is, if
23 you sign it, I don't sign it, but we're both
24 responsible?

25 MR. [REDACTED]: Right. No. You're going to

1 morning watch, at midnight. SHU One and SHU
2 Two. SHU Two is responsible for completing
3 rounds." They're both technically responsible.
4 Correct?

5 MR. [REDACTED]: Right.

6 MR. [REDACTED]: And so, is the SHU Two
7 usually the Officer-in-Charge?

8 MR. [REDACTED]: Right. So, basically what
9 would have happened is, they're supposed to,
10 you know, because one has the key. So, I do a
11 round, I come back, then you do a round. Same
12 thing when they do the count.

13 MR. [REDACTED]: Now, is it the same thing
14 with counts and rounds, like --

15 MR. [REDACTED]: No, no, I'm sorry, with the
16 count.

17 MR. [REDACTED]: -- so, with a round, if
18 rounds aren't being conducted, does that also
19 mean that everybody in the Unit is to blame?
20 Not just --

21 MR. [REDACTED]: Yes.

22 MR. [REDACTED]: -- okay.

23 MR. [REDACTED]: Right, because --

24 MR. [REDACTED]: So, it would be --

25 MR. [REDACTED]: -- because it, in essence,

1 be responsible because you didn't sign it. But
2 if I said, if I didn't sign it, then I'm going
3 to tell you why. I said, we didn't do the
4 count. I'm going to put a memo in.

5 MR. [REDACTED]: So, what I'm --

6 MR. [REDACTED]: I'm going to let the
7 Lieutenant know. It's a big --

8 MR. [REDACTED]: -- so --

9 MR. [REDACTED]: -- that's going to be a big
10 situation.

11 MR. [REDACTED]: I guess what I'm saying
12 is, like, all right, so, in these count slips
13 specifically, there's two --

14 MR. [REDACTED]: Two signatures.

15 MR. [REDACTED]: -- two signatures.

16 MR. [REDACTED]: Correct.

17 MR. [REDACTED]: But there's four people
18 working.

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

20 MR. [REDACTED]: So, are the other two
21 people that aren't working, if they didn't
22 report it --

23 MR. [REDACTED]: Right.

24 MR. [REDACTED]: -- they're also
25 responsible?

1 MR. [REDACTED]: Yes.
 2 MR. [REDACTED]: All right. Okay.
 3 MR. [REDACTED]: And then, on the morning
 4 watch, there's only two people in the unit.
 5 MR. [REDACTED]: Right.
 6 MR. [REDACTED]: So, they're both complicit.
 7 MR. [REDACTED]: And I know you said bad
 8 count, Officer should come down. How often
 9 should - I mean, a Lieutenant should come down
 10 - how often should Lieutenants be observing
 11 counts?
 12 MR. [REDACTED]: Okay. Okay.
 13 MR. [REDACTED]: In the SHU. Let's talk
 14 about specifically for the SHU.
 15 MR. [REDACTED]: Well, in the SHU? In the SHU,
 16 a Lieutenant should have been monitoring that -
 17 I believe that Ten South count.
 18 MR. [REDACTED]: Ten South. What about,
 19 like, where Epstein was, in regular SHU?
 20 MR. [REDACTED]: Well, no, but we didn't
 21 implement that until after the Epstein
 22 incident.
 23 MR. [REDACTED]: All right. So, up to
 24 August 10th, Lieutenants were not observing
 25 counts --

1 MR. [REDACTED]: "The camera technician
 2 notified [REDACTED] that he was working on the
 3 system earlier that week, but [REDACTED] did not
 4 know specifics and was not informed that the
 5 cameras were not functioning. Since the "-",
 6 so, you didn't know that any of the TRU cameras
 7 may have been out?
 8 MR. [REDACTED]: No.
 9 MR. [REDACTED]: Okay. "Since the "-", and
 10 who would have been - was he the one
 11 responsible for that?
 12 MR. [REDACTED]: Yes. So -.
 13 MR. [REDACTED]: So, if he's notified that
 14 the camera is now out, how soon thereafter
 15 should he get that up and running?
 16 MR. [REDACTED]: No. If he was aware that the
 17 camera system was down and was not working, he
 18 should have contacted me, and then, I would
 19 immediately contact the AW and the Warden
 20 because --
 21 MR. [REDACTED]: And in this instance --
 22 MR. [REDACTED]: -- that's a Security
 23 situation.
 24 MR. [REDACTED]: -- so, in this instance,
 25 he didn't do that?

1 MR. [REDACTED]: No.
 2 MR. [REDACTED]: -- they were simply
 3 taking the count --
 4 MR. [REDACTED]: Counting in Control.
 5 MR. [REDACTED]: -- in the Control Room.
 6 Okay.
 7 MR. [REDACTED]: That is Control. That is
 8 correct.
 9 MR. [REDACTED]: Okay. "[REDACTED] was aware
 10 that the camera system in the SHU was down. He
 11 left early on Thursday, when the discussion
 12 about the camera system would have occurred.
 13 Mr. [REDACTED] -", what is Mr. [REDACTED] first
 14 name?
 15 MR. [REDACTED]: I can't remember his first
 16 name.
 17 MR. [REDACTED]: Now, is he, like, a C.O.,
 18 though? Or, like --
 19 MR. [REDACTED]: No. He would be --
 20 MR. [REDACTED]: -- a BOP employee?
 21 MR. [REDACTED]: -- he's COMTECH (Phonetic Sp.
 22 *00:52:39).
 23 MR. [REDACTED]: COMTECH, but a BOP
 24 employee?
 25 MR. [REDACTED]: Yes.

1 MR. [REDACTED]: No.
 2 MR. [REDACTED]: All right. And would
 3 anyone else have known that a SHU camera was
 4 down?
 5 MR. [REDACTED]: [REDACTED] (Phonetic Sp.
 6 *00:53:26).
 7 MR. [REDACTED]: [REDACTED]? And who is
 8 [REDACTED]?
 9 MR. [REDACTED]: He would be the General
 10 Foreman.
 11 MR. [REDACTED]: Okay.
 12 MR. [REDACTED]: Over Facilities.
 13 MR. [REDACTED]: So, those two people
 14 would have been the ones that knew this camera
 15 is out, and they should have notified you?
 16 MR. [REDACTED]: Yeah.
 17 MR. [REDACTED]: And they did not?
 18 MR. [REDACTED]: No.
 19 MR. [REDACTED]: Okay. Do you know, at
 20 this point - and I'm not talking about at the
 21 time, but now - do you know what was down and
 22 for how long?
 23 MR. [REDACTED]: I don't know.
 24 MR. [REDACTED]: No? Okay.
 25 MR. [REDACTED]: I can't remember. I don't

1 even - that's - I don't remember.
 2 MR. [REDACTED]: Do you know if a camera
 3 in the SHU was ever down?
 4 MR. [REDACTED]: Yes.
 5 MR. [REDACTED]: Okay. What camera?
 6 MR. [REDACTED]: I know that there were issues
 7 with the cameras because we had done a program
 8 review before then, and there was cameras down
 9 in Ten South. So, we had got those fixed. You
 10 know, in the --
 11 MR. [REDACTED]: Mm-hmm.
 12 MR. [REDACTED]: -- in the individual cells.
 13 MR. [REDACTED]: Yup.
 14 MR. [REDACTED]: And then, there was a camera
 15 system that was down because I believe they was
 16 doing some type of maintenance on the ranges,
 17 or something like that, that everyone was aware
 18 of. That's all I can remember.
 19 MR. [REDACTED]: Okay.
 20 MR. [REDACTED]: And I don't remember
 21 specifics and timeframes, but -.
 22 MR. [REDACTED]: All right. But you don't
 23 know specifically if, like, for instance, the
 24 range that Epstein was on, that camera was out
 25 or not?

1 have happened.
 2 MR. [REDACTED]: Oh.
 3 MR. [REDACTED]: Right? I think that's the
 4 date of (Indiscernible *00:55:07).
 5 MR. [REDACTED]: Well, no, it says, "Mr.
 6 [REDACTED], the Camera Technician, notified [REDACTED]
 7 that he was working on the system earlier that
 8 week." He's saying that he left early
 9 Thursday, when the discussion about the camera
 10 system would have occurred.
 11 MR. [REDACTED]: Would have. So, he should
 12 known --
 13 MR. [REDACTED]: If there was a
 14 conversation. But you don't know that there
 15 was?
 16 MR. [REDACTED]: No.
 17 MR. [REDACTED]: Okay. Sorry.
 18 MR. [REDACTED]: Because, like, in close out,
 19 or if there was something with the Warden that
 20 day, normally on Thursdays, at times, you know,
 21 it was for my - I have a disease. So, I would
 22 go for blood work on Thursdays, when I could,
 23 if an institution emergency, you know, but
 24 normally, on Thursday, I would leave early on
 25 Thursdays. I would take a half a day.

1 MR. [REDACTED]: That, I don't know that for -
 2 -
 3 MR. [REDACTED]: You're not sure?
 4 MR. [REDACTED]: -- yeah, no.
 5 MR. [REDACTED]: Okay. But again, if it
 6 was, it would have been [REDACTED] and - what did
 7 you say the last name was? [REDACTED]?
 8 MR. [REDACTED]: [REDACTED]. Christopher [REDACTED].
 9 MR. [REDACTED]: And how do you spell that
 10 last name?
 11 MR. [REDACTED]: [REDACTED].
 12 MR. [REDACTED]: Can you say that one more
 13 time?
 14 MR. [REDACTED]: [REDACTED].
 15 MR. [REDACTED]: Perfect.
 16 MR. [REDACTED]: [REDACTED].
 17 MR. [REDACTED]: Okay. Thank you.
 18 MR. [REDACTED]: Just had a quick question.
 19 Who was that conversation about, the
 20 discussion? You mentioned there was a
 21 discussion --
 22 MR. [REDACTED]: Mr. [REDACTED].
 23 MR. [REDACTED]: -- no, you --
 24 MR. [REDACTED]: You say --
 25 MR. [REDACTED]: -- when that discussion would

1 MR. [REDACTED]: Okay.
 2 MR. [REDACTED]: To go to my medical
 3 appointments. So, if there was a meeting that
 4 was convened about the camera systems, I wasn't
 5 present at that meeting.
 6 MR. [REDACTED]: But whatever --
 7 MR. [REDACTED]: However, I know that a camera
 8 project was going on during that time, which
 9 Mr. [REDACTED] was responsible for installing the
 10 new - I don't know what - I can't remembering
 11 what you call it - but it's a system, because
 12 our system was antiquated, so they was doing
 13 camera repairs. So --
 14 MR. [REDACTED]: Okay.
 15 MR. [REDACTED]: -- there was certain cameras
 16 down, in certain areas of the institution. But
 17 he was actively working on that.
 18 MR. [REDACTED]: Okay.
 19 MR. [REDACTED]: So.
 20 MR. [REDACTED]: So, if there was a
 21 meeting, that you are not aware of, on
 22 Thursday, who would have been present for it?
 23 MR. [REDACTED]: For a meeting with the
 24 Warden?
 25 MR. [REDACTED]: It would have been with

1 the Warden?
 2 MR. [REDACTED]: Yeah. It would have been - I
 3 mean, the Warden would have known if someone
 4 had a meeting about the camera system being
 5 down, and then, probably the Facilities
 6 Manager, which is [REDACTED]. It would have been
 7 the AW of Custody, at that time, which would
 8 have been Ms. [REDACTED]. And of course, it
 9 would have been the Warden.
 10 MR. [REDACTED]: Didn't you say it was
 11 actually somebody else? [REDACTED] was no
 12 longer the custody?
 13 MR. [REDACTED]: Ms. [REDACTED]. Ms. [REDACTED] was
 14 there, but she had just got there. So --
 15 MR. [REDACTED]: Okay.
 16 MR. [REDACTED]: -- she was over another
 17 discipline. So, that would have been the
 18 meeting with the executive staff.
 19 MR. [REDACTED]: Okay. So, it was the
 20 executive staff meeting. Would that meeting
 21 also have taken place if the cameras are still
 22 down on Friday? Would it have taken place on
 23 Friday, as well?
 24 MR. [REDACTED]: That would have been Friday,
 25 as well.

1 MR. [REDACTED]: Some - I mean, they don't
 2 have the ability to monitor.
 3 MR. [REDACTED]: Right.
 4 MR. [REDACTED]: But, you know, of course, the
 5 ones in Ten South, you know --
 6 MR. [REDACTED]: Yeah, where they are live
 7 monitoring.
 8 MR. [REDACTED]: Yeah. The live monitoring.
 9 So, of course.
 10 MR. [REDACTED]: And do you know - and you
 11 don't know, though, even to this date, if a
 12 camera was, in fact, down?
 13 MR. [REDACTED]: I can't remember.
 14 MR. [REDACTED]: In fact?
 15 MR. [REDACTED]: I don't know.
 16 MR. [REDACTED]: Okay. No. That's fine.
 17 I was just going to ask, even if it wasn't
 18 recording, do you know if it was, like, being a
 19 live monitor, or anything like that --
 20 MR. [REDACTED]: Right.
 21 MR. [REDACTED]: -- or it could have been.
 22 MR. [REDACTED]: Yeah.
 23 MR. [REDACTED]: But you're unaware?
 24 MR. [REDACTED]: I'm unaware.
 25 MR. [REDACTED]: Okay. Okay. So, "After

1 MR. [REDACTED]: But you weren't involved
 2 with a meeting like that?
 3 MR. [REDACTED]: No.
 4 MR. [REDACTED]: And you don't know of a
 5 meeting taking place?
 6 MR. [REDACTED]: No.
 7 MR. [REDACTED]: Okay. Would it have
 8 taken place every day that the camera was down,
 9 or just the first day?
 10 MR. [REDACTED]: There would have been an
 11 update because the person that falls under
 12 that, the contact, is [REDACTED]. So, the AW over
 13 Facilities would have wanted an update, weekly
 14 report, as well as the Captain.
 15 MR. [REDACTED]: Okay.
 16 MR. [REDACTED]: Because that's a Security
 17 issue. So, we would have wanted - but the
 18 camera system was down because of - I think it
 19 was some routine maintenance that they was
 20 doing anyway.
 21 MR. [REDACTED]: Okay.
 22 MR. [REDACTED]: So -.
 23 MR. [REDACTED]: Now, would any
 24 Lieutenants or SHU staff have known that the
 25 camera was down?

1 receiving the phone call from [REDACTED] on the
 2 morning of Saturday, August 10, 2019, [REDACTED]
 3 notified Associate Warden, [REDACTED], who
 4 informed the Warden. [REDACTED] also attempted to
 5 call Institution Duty Officer, Nathaniel
 6 [REDACTED].
 7 MR. [REDACTED]: Yup.
 8 MR. [REDACTED]: To Chaplin, and in the
 9 building, to get more information." What does
 10 that mean by, "In the building"? Do you know?
 11 MR. [REDACTED]: So, basically, you know, it
 12 was just --
 13 MR. [REDACTED]: Like, the main number?
 14 MR. [REDACTED]: -- it was just a bunch of,
 15 you know, people that we tried to notify, I
 16 tried to notify. So, I think I notified Ms.
 17 [REDACTED], of course. She notifies the
 18 Warden. I notified the IDO. I said, hey,
 19 because inmate death, they needed me coming
 20 into the institution, because that's one of
 21 their off times, so they needed to be making a
 22 - because they're going to be responsible for
 23 making certain calls to the Region. I notified
 24 the Chaplin, because Chaplin made sure,
 25 (Indiscernible *00:59:19) also, I believe I

1 informed them to call ██████ (Phonetic Sp.
 2 *00:59:25), which was the Executive Assistant.
 3 I think ██████ or I may have called Mr.
 4 Johnson, the Attorney, for MCC.
 5 MR. ██████: Okay.
 6 MR. ██████: And I'm trying to think who
 7 else.
 8 MR. ██████: No, that's fine.
 9 MR. ██████: Was there.
 10 MR. ██████: And it says that, "He
 11 went to the MCC, arriving before 8:00 a.m.,
 12 approximately."
 13 MR. ██████: Mm-hmm.
 14 MR. ██████: "Upon arrival, ██████
 15 screened in and retrieved his gear from the
 16 third floor. He went to the SHU and signed the
 17 logbook. He gathered any records pertaining to
 18 Epstein, including the 30-minute round logbook,
 19 the Attorney conference logbook, count slips,
 20 and E-1s." What are E-1s?
 21 MR. ██████: So, all this stuff right
 22 here.
 23 MR. ██████: Okay.
 24 MR. ██████: So, you basically, I walk
 25 through the building, I know the protocol,

1 MR. ██████: No. It is not normal.
 2 MR. ██████: Oh, it's not normal?
 3 MR. ██████: It's not normal. No.
 4 MR. ██████: And do you think that
 5 somebody removed things from it?
 6 MR. ██████: No, I'm not going to make
 7 that accusation. I don't know. I would just
 8 say, that's not a normal instances, that being
 9 working as a former OIC, being a Correctional
 10 Officer, and all of that stuff, that's not
 11 normal.
 12 MR. ██████: What stuff is usually in
 13 there?
 14 MR. ██████: I can tell you, it would be
 15 his - all of the intake screening stuff that we
 16 do on the inmates, the expectations, the cell
 17 assignment things that the inmate is supposed
 18 to sign, the clothing issue forms. It would be
 19 292s in there. It would be a - the SROs. It
 20 would also be the Psychology, where Psychology
 21 comes to see these guys, that those notes
 22 should be placed in there.
 23 MR. ██████: And none of that was in
 24 there?
 25 MR. ██████: None of that was in there.

1 because what happens is, these things will come
 2 up missing, then you have no evidence.
 3 MR. ██████: Okay.
 4 MR. ██████: So, I secured count slips,
 5 the E-1s. I went to SHU. I got all of the
 6 logbooks that I knew where Epstein had been. I
 7 grabbed those logbooks. I went to SHU. I took
 8 his inmate SHU file from the Special Housing,
 9 plus all of the round sheets (Indiscernible
 10 *01:00:34).
 11 MR. ██████: This actually says "He
 12 could not locate Epstein's inmate file." Do
 13 you remember that?
 14 MR. ██████: It was a file, but it had
 15 limited stuff in there.
 16 MR. ██████: Okay.
 17 MR. ██████: So, his actual file, yeah, it
 18 had his picture, had a couple things on there,
 19 but it wasn't anything in it.
 20 MR. ██████: So, when this says, "Not
 21 locate a file," you located the file, it was
 22 just a --
 23 MR. ██████: It was empty.
 24 MR. ██████: -- it was empty. And is
 25 that abnormal?

1 MR. ██████: And where is that file
 2 located?
 3 MR. ██████: It's supposed to be located
 4 in the OIC, right there --
 5 MR. ██████: Okay.
 6 MR. ██████: -- in the OIC.
 7 MR. ██████: When you say "The OIC,"
 8 is that the SHU, where the OIC sits?
 9 MR. ██████: Yes.
 10 MR. ██████: And so, anyone could have
 11 had access to that?
 12 MR. ██████: Yes.
 13 MR. ██████: And had you ever seen the
 14 file before that time?
 15 MR. ██████: I would - no.
 16 MR. ██████: Did you ever locate it
 17 after that time?
 18 MR. ██████: No.
 19 MR. ██████: So, it's likely that
 20 someone took documents out? If they should have
 21 been in there and they're not in there, is that
 22 --
 23 MR. ██████: Correct.
 24 MR. ██████: -- so, someone likely -
 25 I'm not saying --

1 MR. [REDACTED]: Yeah.
 2 MR. [REDACTED]: -- who did it, but
 3 someone likely did?
 4 MR. [REDACTED]: In my belief, yes, those
 5 documents were purposefully taken.
 6 MR. [REDACTED]: And can you think of a
 7 reason why they would have been taken?
 8 MR. [REDACTED]: I don't know, sir.
 9 MR. [REDACTED]: All right. But you had
 10 never seen them before?
 11 MR. [REDACTED]: No, sir. That was --
 12 MR. [REDACTED]: And who would be the --
 13 MR. [REDACTED]: -- that wouldn't be my
 14 purview to go through, to audit those files.
 15 MR. [REDACTED]: Who would be --
 16 MR. [REDACTED]: That's the --
 17 MR. [REDACTED]: -- the person to ask
 18 about that?
 19 MR. [REDACTED]: That would have been the
 20 Lieutenant.
 21 MR. [REDACTED]: So, Lieutenant [REDACTED]?
 22 MR. [REDACTED]: Lieutenant [REDACTED]. Or the
 23 Lieutenant --
 24 MR. [REDACTED]: Okay.
 25 MR. [REDACTED]: -- he would have been the one

1 SHU file is not up there. X, Y, Z. So, I
 2 informed him of what happened. Sunday, I get a
 3 call that he broke his leg. And then,
 4 Lieutenant [REDACTED] was out for, like, six months.
 5 MR. [REDACTED]: And did he really break
 6 his leg?
 7 MR. [REDACTED]: I wouldn't know.
 8 MR. [REDACTED]: Is there any reason to
 9 believe, or had you heard that he actually
 10 didn't?
 11 MR. [REDACTED]: Again, he was supposed to be
 12 in that training, like I said, right? That -
 13 what do you call it? --
 14 MR. [REDACTED]: I can look it up.
 15 MR. [REDACTED]: -- when you go for reserves
 16 training.
 17 MR. [REDACTED]: Oh, yeah.
 18 MR. [REDACTED]: What you do --
 19 MR. [REDACTED]: Correct.
 20 MR. [REDACTED]: -- you do it every month.
 21 MR. [REDACTED]: Yup. He was in military
 22 --
 23 MR. [REDACTED]: Right?
 24 MR. [REDACTED]: -- training.
 25 MR. [REDACTED]: Because of his military

1 that would have audited those files.
 2 MR. [REDACTED]: Okay.
 3 MR. [REDACTED]: Because they do the SROs.
 4 MR. [REDACTED]: And did you ask him where
 5 the file was?
 6 MR. [REDACTED]: Of course. I called him.
 7 MR. [REDACTED]: And what did he say?
 8 MR. [REDACTED]: He didn't know. He had no
 9 knowledge.
 10 MR. [REDACTED]: All right. So, he
 11 claimed he doesn't know --
 12 MR. [REDACTED]: Right.
 13 MR. [REDACTED]: -- anything about it.
 14 MR. [REDACTED]: Because --
 15 MR. [REDACTED]: Did he ever say he looked
 16 at the file before?
 17 MR. [REDACTED]: No. No. I don't remember
 18 him saying that. But when I called him that
 19 Saturday, because I had conversations with
 20 Lieutenant [REDACTED] on that Saturday and that
 21 Sunday, because he was supposed to come to work
 22 that Sunday. So, once he found out about the
 23 situation with Epstein, because I had called
 24 him, and I said, hey, man, where is his inmate
 25 file? What are you talking about? I said, his

1 training. So, he tells me they're doing the PT
 2 that next day, which was Sunday, he broke his
 3 leg.
 4 MR. [REDACTED]: Did he ever provide any
 5 kind of --
 6 MR. [REDACTED]: Or he injured his leg.
 7 MR. [REDACTED]: -- did he ever provide
 8 any documentation?
 9 MR. [REDACTED]: Hmm-mm.
 10 MR. [REDACTED]: No?
 11 MR. [REDACTED]: Hmm. He did provide
 12 something, but it was from a doctor. I mean,
 13 and that was sent through - he provided
 14 documentation, but --
 15 MR. [REDACTED]: Okay.
 16 MR. [REDACTED]: -- I can't - I don't - I'm
 17 not a doctor - so, I can't tell you what it is,
 18 and I'm not going to call the doctor to verify
 19 if that was the situation, but basically, it
 20 said that he had a substantial leg injury that
 21 prevented him from coming to work.
 22 MR. [REDACTED]: So, have you had any
 23 conversations with him since?
 24 MR. [REDACTED]: Oh, he came back - so then,
 25 so [REDACTED] went out in August - September,

1 October, November, December - I think he came
 2 back either December or January.
 3 MR. [REDACTED]: Of 2019?
 4 MR. [REDACTED]: Of 2020.
 5 MR. [REDACTED]: Or 2020.
 6 MR. [REDACTED]: Of 2020.
 7 MR. [REDACTED]: Okay.
 8 MR. [REDACTED]: Somewhere in that timeframe.
 9 MR. [REDACTED]: Okay.
 10 MR. [REDACTED]: So, he came back. And he
 11 went back up to SHU as the OIC.
 12 MR. [REDACTED]: And ever any
 13 conversations about this matter?
 14 MR. [REDACTED]: I had discussed it with him
 15 on the phone twice.
 16 MR. [REDACTED]: And tell me about those
 17 discussions.
 18 MR. [REDACTED]: Those discussion. So,
 19 basically, I asked him about the inmate file.
 20 I had talked to him about, that Sunday, he
 21 alerted me that he was injured. When he came
 22 back, we had discussions that the staff, when
 23 he would - me and [REDACTED] were - I go - I would
 24 say out of all the Lieutenants - me and [REDACTED],
 25 we spoke a lot. I thought very highly of him.

1 I'm going to be honest - if I'm a third party,
 2 looking at this, somebody would say, I'm wrong.
 3 They would say, you failed to supervise your
 4 staff. You should have been auditing all of
 5 the paperwork. You should have been more
 6 responsive, or you should have been more
 7 responsible, and been in the unit more. You
 8 should have done more rounds. You should have
 9 did more training. You understand what I'm
 10 saying?
 11 MR. [REDACTED]: Sure.
 12 MR. [REDACTED]: But guess what? That's not my
 13 purview. As the Captain, Security, I did this,
 14 this, that, and the third. But everybody has a
 15 job to do in a prison.
 16 MR. [REDACTED]: Mm-hmm.
 17 MR. [REDACTED]: The Officers have a job, to
 18 count, maintain accountability, for the inmate
 19 population. The Lieutenants all oversee the
 20 staff, and make sure they're doing their jobs
 21 right. And then, ultimately, me as the
 22 Captain, over the Lieutenants, I have to
 23 reassure that they're doing their jobs right.
 24 But when you go back and you start going
 25 through fine tooth combing through documents

1 And he would talk, and he was saying that he
 2 was having difficulties with the staff, and his
 3 other peers, because he, you know, the
 4 appearance was that he faked the injury, and --
 5 MR. [REDACTED]: Oh, so there was rumor --
 6 MR. [REDACTED]: -- and not to be a part of
 7 what everybody else was going through, during
 8 that Epstein situation. So, he was getting it
 9 from the Lieutenants, and he was also getting
 10 it from the line staff.
 11 MR. [REDACTED]: Okay. So, on him, is
 12 there anything that you know - I know he wasn't
 13 there those days - but if there's anything
 14 there that he did wrong?
 15 MR. [REDACTED]: Hmm. What - [REDACTED] being
 16 wrong, I'm not going to say he did something
 17 wrong or purposeful, you know, to say that, you
 18 know, to cause the death of inmate Epstein. Of
 19 course not. I'm not going to say that.
 20 MR. [REDACTED]: Yeah, and I'm not saying
 21 that. I'm just saying --
 22 MR. [REDACTED]: But I'm saying --
 23 MR. [REDACTED]: -- it's, like --
 24 MR. [REDACTED]: -- this is, in my opinion, if
 25 I'm a third party, if I'm a third party - and

1 that you thinking that, you know, your staff
 2 are doing the right thing, and now you finding
 3 out that people are fudging documents, and
 4 creating documents that - or counting inmates
 5 that wasn't in the institution.
 6 MR. [REDACTED]: Well, in this instance,
 7 it sounds like somebody removed --
 8 MR. [REDACTED]: And removed --
 9 MR. [REDACTED]: -- files.
 10 MR. [REDACTED]: -- for doing all of these
 11 things that, after the fact, you're, like, I
 12 can't believe this is happening.
 13 MR. [REDACTED]: So, if someone removed
 14 files, though, I'm assuming if they're trying
 15 to cover something up, it would have happened
 16 on, like, the 10th, the 9th or the 10th.
 17 MR. [REDACTED]: It would have b been --
 18 MR. [REDACTED]: Correct?
 19 MR. [REDACTED]: -- the 10th, as soon as they
 20 found out he passed away.
 21 MR. [REDACTED]: And well, did a lot of
 22 people have access to that room, at that time?
 23 MR. [REDACTED]: It was - at that time - it
 24 would have been - and it's not a room. You're
 25 talking about for --

1 MR. [REDACTED]: Wherever these --
 2 MR. [REDACTED]: -- Epstein?
 3 MR. [REDACTED]: -- wherever this file was
 4 located.
 5 MR. [REDACTED]: That file. It's, like --
 6 MR. [REDACTED]: (Indiscernible
 7 *01:08:42).
 8 MR. [REDACTED]: -- when you come into the
 9 unit, you walk into the unit.
 10 MR. [REDACTED]: All right. This is a
 11 good transition.
 12 MR. [REDACTED]: All right.
 13 MR. [REDACTED]: I believe that this is a
 14 map of the SHU.
 15 MR. [REDACTED]: Right.
 16 MR. [REDACTED]: Can you tell me what
 17 we're looking at here? Where are the staff
 18 located, and where would this file be? And
 19 then, where would Epstein's cell be, if you
 20 know? My understanding is that his cell was the
 21 closest to them, and approximately 15 feet
 22 away.
 23 MR. [REDACTED]: Shit.
 24 MR. [REDACTED]: But that's without ever
 25 putting eyes on it.

1 MR. [REDACTED]: Excuse me?
 2 MR. [REDACTED]: It's a Folger Adams key.
 3 MR. [REDACTED]: Okay.
 4 MR. [REDACTED]: It's a prison key.
 5 MR. [REDACTED]: But it's not, like, a
 6 special name that you call it in the SHU?
 7 MR. [REDACTED]: No. It's the OIA number
 8 one's keys.
 9 MR. [REDACTED]: Okay. But so, they
 10 physically have to open the - in order to get
 11 anyone in or out of the SHU - they physically
 12 have to open the --
 13 MR. [REDACTED]: After they open it.
 14 MR. [REDACTED]: -- and there's only one
 15 way in and out?
 16 MR. [REDACTED]: Right.
 17 MR. [REDACTED]: Okay.
 18 MR. [REDACTED]: No, but I mean, yeah. Yes.
 19 Precisely. I'm trying to figure out - even
 20 this is orientation of me looking at this - is
 21 I'm trying to figure out because I know this is
 22 - this is the floor.
 23 MR. [REDACTED]: I'm assuming there's a --
 24 MR. [REDACTED]: There's your stairs. So, I'm
 25 trying to figure out, this is L. Yeah, that's

1 MR. [REDACTED]: Right. All right.
 2 MR. [REDACTED]: Aside from video.
 3 MR. [REDACTED]: So, the office. Bird cage.
 4 Office. I'm trying to figure out which one is
 5 the entrance into the unit.
 6 MR. [REDACTED]: Speaking of entrance into
 7 the Unit, my understanding is that there are
 8 two ways - two doors that you've got to go
 9 through. One is the Control --
 10 MR. [REDACTED]: Yeah.
 11 MR. [REDACTED]: -- accesses, and then,
 12 the interior is what the SHU staff --
 13 MR. [REDACTED]: Yes.
 14 MR. [REDACTED]: -- and how do they open
 15 it from the SHU staff? Is it --
 16 MR. [REDACTED]: By a key.
 17 MR. [REDACTED]: -- by a key?
 18 MR. [REDACTED]: By a key.
 19 MR. [REDACTED]: And what is the key
 20 called? Is it a gate key?
 21 MR. [REDACTED]: It's a prison key.
 22 MR. [REDACTED]: Oh, just a prison key.
 23 It's not a special name?
 24 MR. [REDACTED]: Folger Adams (Phonetic Sp.
 25 *01:09:52).

1 L. Then you've got J. So, he was on L-tier,
 2 right?
 3 MR. [REDACTED]: Mm-hmm.
 4 MR. [REDACTED]: So, L-tier, it wouldn't be
 5 like this. And then, you would have had the
 6 Officer Station, which, this would have been
 7 the Officer Station. And that's going to the
 8 Officer Station. There would have been a file
 9 cabinet because the desks go around like so.
 10 MR. [REDACTED]: Have you ever seen the video
 11 of the SHU? Where the Officer Station is.
 12 MR. [REDACTED]: You're talking about when the
 13 staff --
 14 MR. [REDACTED]: The camera. The camera.
 15 MR. [REDACTED]: -- so, that camera is by the
 16 27 door, I believe. And that shines from where
 17 the entrance of ZB, of --
 18 MR. [REDACTED]: Yeah.
 19 MR. [REDACTED]: -- that shines down like
 20 that.
 21 MR. [REDACTED]: Is that --
 22 MR. [REDACTED]: And then, L-tier is right
 23 here.
 24 MR. [REDACTED]: -- yeah. Is that pointed
 25 right behind the desk, to the left of the desk?

1 MR. [REDACTED]: Yeah.
 2 MR. [REDACTED]: Okay. That's what you
 3 pointed at?
 4 MR. [REDACTED]: Yeah.
 5 MR. [REDACTED]: Okay.
 6 MR. [REDACTED]: So, that's what I was showing
 7 you. So, that camera - in essence - that
 8 camera would be right there.
 9 MR. [REDACTED]: So, it would be clearly
 10 showing that file cabinet, if we reviewed that
 11 camera?
 12 MR. [REDACTED]: Yup.
 13 MR. [REDACTED]: Okay.
 14 MR. [REDACTED]: So, that file cabinet sat
 15 right behind the desk. So, hopefully that's
 16 better orientation. And then, the cell, I
 17 think is L-tier, that Jeffrey Epstein was
 18 assigned to was 16.
 19 MR. [REDACTED]: When you say "assigned to
 20 -" --
 21 MR. [REDACTED]: Or something like that.
 22 MR. [REDACTED]: -- it sounds like, was he
 23 not in that cell?
 24 MR. [REDACTED]: He wasn't in the right cell.
 25 He was not there.

1 cell. Because I just want to get an idea.
 2 MR. [REDACTED]: But I think it's L-. I think
 3 he was found on L-tier. Right? Do you know
 4 that?
 5 MR. [REDACTED]: That's my understanding.
 6 MR. [REDACTED]: Yeah. That's my
 7 understanding, too.
 8 MR. [REDACTED]: -- is L-tier.
 9 MR. [REDACTED]: L-tier.
 10 MR. [REDACTED]: Again, I don't know the
 11 layout. There's got to be somewhere where it
 12 says it on this.
 13 MR. [REDACTED]: I think it -.
 14 MR. [REDACTED]: Because that's G. Yeah.
 15 That, it should be J and L. So, when you come
 16 up the steps, I think this was supposed to be -
 17 that's his assignment, this cell over here, but
 18 he was found in one of these cells over here.
 19 MR. [REDACTED]: Now, do you know why? Did
 20 you ask that question?
 21 MR. [REDACTED]: Because what they were doing
 22 consistently is, is that when we do cell
 23 rotations, which is supposed to be done between
 24 every 30 days. Okay?
 25 MR. [REDACTED]: Mm-hmm.

1 MR. [REDACTED]: He was in a different
 2 cell than he was assigned?
 3 MR. [REDACTED]: You didn't know that?
 4 MR. [REDACTED]: No. Well, tell me about
 5 this. So, where -? So, is this the first time
 6 that he was ever not in the right cell?
 7 MR. [REDACTED]: He was not in the right cell,
 8 sir. After we went back and we started looking
 9 at the Sentry paperwork and all that stuff,
 10 that inmate was not in the right cell for six
 11 days. So, that mean --
 12 MR. [REDACTED]: For six days, he was in
 13 the wrong --
 14 MR. [REDACTED]: -- so, basically, he was
 15 assigned to this cell, he died in this cell.
 16 MR. [REDACTED]: But for six days, he was
 17 going to the wrong cell? So, it wasn't, like,
 18 just the one day he was found dead?
 19 MR. [REDACTED]: Right. So, they had him
 20 quartered over here, but it was inmates already
 21 over there. And then, you understand what I'm
 22 saying? But he was found in this cell.
 23 MR. [REDACTED]: I don't understand when
 24 you say --
 25 MR. [REDACTED]: Wait. Let's point to the

1 MR. [REDACTED]: They may have moved the
 2 inmates, but they weren't changing the PP-34
 3 transaction in Sentry.
 4 MR. [REDACTED]: All right. So, what -.
 5 MR. [REDACTED]: So, the inmates were moved,
 6 right? Physically, but the Sentry paperwork
 7 would never be done.
 8 MR. [REDACTED]: So, he was supposed to be
 9 moved, they just didn't follow with what their
 10 necessary paperwork?
 11 MR. [REDACTED]: No. He was in this cell.
 12 They must have moved him in Sentry. They must
 13 have moved him, right? But he - when the Sentry
 14 assignment came up - it showed that he was
 15 still remained assigned to that cell, instead
 16 of him being physically found in this cell.
 17 MR. [REDACTED]: But what I'm saying is,
 18 like, it sounds, like, they were supposed to
 19 move him, they just never did the paperwork to
 20 say that he was moved?
 21 MR. [REDACTED]: Correct.
 22 MR. [REDACTED]: Okay. So, it's not,
 23 like, I mean, I guess they technically put him
 24 in the wrong cell because he wasn't technically
 25 assigned to that, but the move was supposed to

1 happen, they just didn't follow with the
 2 administrative part of it.
 3 MR. [REDACTED]: Right.
 4 MR. [REDACTED]: Okay. So --
 5 MR. [REDACTED]: So, you --
 6 MR. [REDACTED]: -- so, aside from the
 7 administrative failure, is there any other
 8 suspicion about the fact that he wasn't in the
 9 assigned cell?
 10 MR. [REDACTED]: It was, and also, the
 11 suspicion was, why did he have so much linen?
 12 And so many t-shirts, and so many blankets.
 13 No. We're taught you get one blanket, maybe
 14 two.
 15 MR. [REDACTED]: And what --
 16 MR. [REDACTED]: You get one, two, until you
 17 get two t-shirts, two boxers, two pairs of
 18 socks.
 19 MR. [REDACTED]: Was that question asked?
 20 I mean, did you ask, like, [REDACTED], or any of the
 21 SHU staff since then?
 22 MR. [REDACTED]: Of course.
 23 MR. [REDACTED]: And what did they say?
 24 MR. [REDACTED]: I mean, they're going to be,
 25 like, I don't -- how would I know?

1 MR. [REDACTED]: Now, is --
 2 MR. [REDACTED]: Kicking on the door.
 3 MR. [REDACTED]: Is having those extra
 4 linens, and those extra, you know, boxers or
 5 whatever, is that a security issue?
 6 MR. [REDACTED]: Yes.
 7 MR. [REDACTED]: And why is that a
 8 security issue?
 9 MR. [REDACTED]: Because ultimately, that
 10 gives the inmates the materials to be able to
 11 make homemade fashioned and improvised nooses.
 12 MR. [REDACTED]: Okay.
 13 MR. [REDACTED]: Or they'll build a TT, and
 14 use it as escape paraphernalia, just like they
 15 did in Chicago. Tie that stuff together, they
 16 broke out the window, and the inmate had a
 17 rope. That's why we don't give inmates excess
 18 clothing.
 19 MR. [REDACTED]: Okay. Now, as far as
 20 this file, though, you never found out where
 21 those --
 22 MR. [REDACTED]: No.
 23 MR. [REDACTED]: -- documents went?
 24 MR. [REDACTED]: I couldn't find them.
 25 MR. [REDACTED]: Okay. And when we were

1 MR. [REDACTED]: Who was responsible?
 2 MR. [REDACTED]: But you know what? That
 3 happens all the time, sir. Because I will tell
 4 you, I could clean out SHU. I've done it. And
 5 they could say, I've went up there physically,
 6 supervisors going in there, cleaning out the
 7 SHU. I think I did it three or four times.
 8 Well, and then, less than a week, I could go do
 9 rounds, and inmates got all the stuff back.
 10 MR. [REDACTED]: Who was responsible for
 11 giving it to them?
 12 MR. [REDACTED]: The staff because staff have
 13 the keys.
 14 MR. [REDACTED]: And they just say, you
 15 need more, here you go?
 16 MR. [REDACTED]: Here you go.
 17 MR. [REDACTED]: Well, would the staff do
 18 it, or would the Lieutenant do it, or --?
 19 MR. [REDACTED]: I don't think Lieutenants
 20 would do it.
 21 MR. [REDACTED]: So, the --
 22 MR. [REDACTED]: It's more of a staff.
 23 MR. [REDACTED]: -- okay.
 24 MR. [REDACTED]: Because they don't want to
 25 hear an inmate crying.

1 saying people that had access to this room, was
 2 it just a flood of people at that point, coming
 3 out?
 4 MR. [REDACTED]: Anybody that -- the people who
 5 would be most would know about those files
 6 would be the SHU staff.
 7 MR. [REDACTED]: The SHU staff.
 8 MR. [REDACTED]: And the Lieutenants.
 9 MR. [REDACTED]: Okay.
 10 MR. [REDACTED]: Of course.
 11 MR. [REDACTED]: And what would be in
 12 those files that possibly people wouldn't want
 13 people to see?
 14 MR. [REDACTED]: I mean, the only thing, I
 15 mean, that would be in there, like I said,
 16 292s, because you're supposed to do them every
 17 day.
 18 MR. [REDACTED]: And what are 292s?
 19 MR. [REDACTED]: 292s basically are, it shows
 20 the inmates activities in the unit, daily. It
 21 talks about if the inmate -- any time the inmate
 22 is out of the SHU time, out of cell time, it's
 23 annotated on the 292. When the inmate showers,
 24 when the inmate exercises, when the inmate
 25 eats. Every meal.

1 MR. [REDACTED]: Now, in your opinion,
 2 would it be --
 3 MR. [REDACTED]: For a 24-hour period.
 4 MR. [REDACTED]: -- would these documents
 5 be missing because they were potentially
 6 falsified, or because they might show something
 7 about the death of Epstein?
 8 MR. [REDACTED]: It would show if he wasn't
 9 taking meals. And they didn't report it. It
 10 would show if the inmate wasn't afforded any
 11 outside recreation time. Or any out of cell
 12 time. But we know he wasn't getting that
 13 because he was going to Attorney conference.
 14 MR. [REDACTED]: Okay.
 15 MR. [REDACTED]: But those forms, no, they
 16 wouldn't show that the inmate, you know, all of
 17 that stuff is just administrative stuff that we
 18 track for every inmate.
 19 MR. [REDACTED]: That's why I'm just
 20 trying to figure out what would be the purpose
 21 of taking those files?
 22 MR. [REDACTED]: Is there a possibility the
 23 file was never updated?
 24 MR. [REDACTED]: I don't believe that.
 25 MR. [REDACTED]: Okay.

1 MR. [REDACTED]: Yeah. Sunday. That's
 2 what I'm saying. Do you know, up until this
 3 point, though? Like, so, if the file is gone,
 4 he's now there for, what? Almost two months.
 5 MR. [REDACTED]: (Indiscernible *01:19:43).
 6 MR. [REDACTED]: Would it be one person
 7 responsible, or --
 8 MR. [REDACTED]: Right.
 9 MR. [REDACTED]: -- whoever is there on
 10 Sunday?
 11 MR. [REDACTED]: She wouldn't have known. So,
 12 I mean, she wouldn't have - that's something,
 13 unless you're the full-time SHU OIC, that you
 14 would be cognizant of.
 15 MR. [REDACTED]: Okay.
 16 MR. [REDACTED]: She wouldn't know that.
 17 MR. [REDACTED]: So, there's that.
 18 MR. [REDACTED]: Question for you. If he was
 19 put on suicide watch, or psych observation,
 20 would that file be moved with him?
 21 MR. [REDACTED]: When the inmate goes on
 22 suicide watch, they create another 292 because
 23 he's not in the unit. So, that 292 goes down
 24 with - and is put on the door. Right? So, that
 25 copy of that 292, yeah, that's supposed to go

1 MR. [REDACTED]: And who would be updating
 2 the files? Just anybody in SHU?
 3 MR. [REDACTED]: That would be the OIC. Every
 4 Sunday. You're printing out all the 292s, then
 5 you put them in the file.
 6 MR. [REDACTED]: So, on Sundays. Is it
 7 one person that typically -?
 8 MR. [REDACTED]: The OICs. Normally, the OIC
 9 on morning watch would do that. They would
 10 print out all of the 292s, and they would put
 11 them all in each file.
 12 MR. [REDACTED]: Do you know, at this
 13 time, around the August 9th and August 10th,
 14 who would have been responsible for those
 15 files, and printing those out, and putting them
 16 in?
 17 MR. [REDACTED]: That would have been either
 18 the - that would have probably been the SHU
 19 staff - it would have been either, it would
 20 probably be Tova Noel.
 21 MR. [REDACTED]: Noel would have been?
 22 MR. [REDACTED]: Because she was assigned as
 23 the - that would have been one of the
 24 responsibilities of the SHU One. But that
 25 would have been on Sunday.

1 to psychology, and the copy is supposed to go
 2 back to Correctional Services, to put in his
 3 file, to be maintained that, yeah, he was on
 4 suicide watch. This would happen. You know,
 5 you tell the story. So, yeah. Yeah. It would
 6 - all of that information would be in there.
 7 MR. [REDACTED]: No. But I'm just asking, is
 8 it possible it went to psych observation or
 9 wherever that unit is, and never made it back?
 10 MR. [REDACTED]: It's a possibility.
 11 MR. [REDACTED]: But then, he's made there
 12 since - but it should - like you were saying -
 13 it should have been constantly updated. So,
 14 from July 30th through August 9th or 10th,
 15 there should still be extra stuff in there.
 16 Correct?
 17 MR. [REDACTED]: Mm-hmm.
 18 MR. [REDACTED]: Okay.
 19 MR. [REDACTED]: All right. So, let's
 20 keep going here. " [REDACTED] expressed to [REDACTED]
 21 that the staff admitted to her they did not
 22 complete rounds, the 3:00 a.m. and 5:00 a.m.
 23 counts." And that, so, and that's all they
 24 admitted to, was those two? Not the ones prior
 25 to that?

1 MR. [REDACTED]: Right. So, when I talked to
 2 [REDACTED] on the phone, that's what he told me on
 3 the phone.
 4 MR. [REDACTED]: Okay.
 5 MR. [REDACTED]: He said, hey, Cap, the staff
 6 told me they didn't do the rounds.
 7 MR. [REDACTED]: All right.
 8 MR. [REDACTED]: And I said, okay.
 9 MR. [REDACTED]: And that, "Officer Thomas
 10 entered Epstein's cell without supervision."
 11 Now, what does that mean?
 12 MR. [REDACTED]: That means that any time -
 13 especially in the Special Housing Unit - any
 14 time that cell, it should have been -
 15 especially after hours - a Supervisor should
 16 have been present.
 17 MR. [REDACTED]: When he went in to do the
 18 life-saving measures, right?
 19 MR. [REDACTED]: Yup.
 20 MR. [REDACTED]: Now, do you know if - was
 21 Thomas and Noel, were they together, and he
 22 walked in, or was she, like, down the range?
 23 MR. [REDACTED]: I believe she was on the
 24 down, she was off the tier, and he probably
 25 went to go do - doing the breakfast carts, and

1 MR. [REDACTED]: I've seen a lot of stuff at
 2 MCC, as far as with security protocols. I've
 3 written staff up for violation of security
 4 protocols. That instance right there, what he
 5 did, wouldn't be uncommon.
 6 MR. [REDACTED]: Okay.
 7 MR. [REDACTED]: Because you try to tell
 8 people how to react in an emergency situation,
 9 and guess what? Everybody is not going to say
 10 how they're going to react. But we do tell
 11 them, if you're in the Special Housing Unit,
 12 you need to wait until a Supervisor comes on
 13 the scene before you pop a door in SHU.
 14 MR. [REDACTED]: Now, do you know how --
 15 MR. [REDACTED]: Period.
 16 MR. [REDACTED]: -- he was found? Was he
 17 hanging? --
 18 MR. [REDACTED]: I don't know how he was
 19 found.
 20 MR. [REDACTED]: -- was he on the floor?
 21 No?
 22 MR. [REDACTED]: Don't know. I didn't read
 23 the autopsy report. I don't know.
 24 MR. [REDACTED]: Okay.
 25 MR. [REDACTED]: I only know what the news had

1 by the time he comes down the tier, and he
 2 comes through - so, that means he didn't do a
 3 round, because he would have saw him. Right?
 4 So, that means he's going around, because
 5 that's how feed, as soon as we come on, we
 6 don't go this way. We go this way. So, that
 7 cell that Epstein was found in, I think it's,
 8 like, the second from the in. And so, it's,
 9 like, the last cell, and then he was in that
 10 next cell. Right? So, they come around the
 11 whole area, and when he get to his cell, you
 12 observe the inmate unresponsive. So, what
 13 you're supposed to do is, you call Control.
 14 Control, hey, I've got an unresponsive inmate.
 15 Send staff to SHU. Or I've got an unresponsive
 16 inmate, please state the medical emergency,
 17 send someone to SHU. [REDACTED] to Ops, hey, I
 18 need you come to the Special Housing Unit.
 19 Boom. You come up there. You've got a staff
 20 because you don't know if it's a rouse. You
 21 just popped down the door and just go in there.
 22 You're putting yourself in jeopardy.
 23 MR. [REDACTED]: Now, does this create
 24 suspicion for you, the fact that he went in
 25 there by himself?

1 reported.
 2 MR. [REDACTED]: Okay. It says, "Epstein
 3 was placed on the floor to administer life-
 4 saving efforts," and that's why I asked, I
 5 didn't know if he was still hanging --
 6 MR. [REDACTED]: I don't know.
 7 MR. [REDACTED]: -- he took them off. All
 8 right. [REDACTED] informed Associate Warden
 9 [REDACTED] about what Officers Noel and
 10 Thomas admitted to [REDACTED]. [REDACTED] had concerns
 11 about the whereabouts of Epstein's cell mate.
 12 Some of his staff were under the impression
 13 that Reyes was released from the SHU, which
 14 [REDACTED] later confirmed was not true." Was not
 15 true or was true? You confirmed that -?
 16 MR. [REDACTED]: He wasn't released from SHU.
 17 He wasn't released from SHU.
 18 MR. [REDACTED]: He was released?
 19 MR. [REDACTED]: He was released from court.
 20 MR. [REDACTED]: Oh, okay.
 21 MR. [REDACTED]: He wasn't released from the
 22 institution. Usually, it's from court.
 23 MR. [REDACTED]: Oh, okay. So, what
 24 they're trying to say here is that you guys
 25 didn't release him. He went to court, and they

1 released him, he never --
 2 MR. [REDACTED]: That's right.
 3 MR. [REDACTED]: -- he never came back.
 4 MR. [REDACTED]: He never came back.
 5 MR. [REDACTED]: Okay. But he was
 6 released from custody?
 7 MR. [REDACTED]: Yes. He was released in
 8 custody when he went to court --
 9 MR. [REDACTED]: Gotcha.
 10 MR. [REDACTED]: -- that day.
 11 MR. [REDACTED]: All right. So, this is
 12 worded weird. "The purpose of the 3:00 and the
 13 5:00 a.m. count is to physically count and
 14 confirm each person is in their cell. There
 15 were no entries of counts in TRUSCOPE the
 16 entire night. If technology is down, the
 17 Correctional Officers also have the option to
 18 document the count on a hard copy form.
 19 Although there are no electronic records of
 20 counts, hard copies must have been retained."
 21 MR. [REDACTED]: That is correct.
 22 MR. [REDACTED]: Is it odd that they
 23 didn't enter it into the TRUSCOPE that night?
 24 MR. [REDACTED]: No, it's not odd. Because I
 25 told you, on occasion, the staff member would

1 MR. [REDACTED]: When I input, when I - and
 2 then, I have to counsel them, where is my stuff
 3 weekly? So, I've counseled them. I've got
 4 counseling's for that.
 5 MR. [REDACTED]: Did you ever counsel
 6 either Thomas or Noel?
 7 MR. [REDACTED]: No. I don't know if I have a
 8 counseling on them.
 9 MR. [REDACTED]: Okay.
 10 MR. [REDACTED]: No, but before this incident,
 11 but no.
 12 MR. [REDACTED]: It says, "All inmate
 13 phone calls in the SHU are monitored, and
 14 inmates have limited access to phone calls.
 15 All calls should be recorded. [REDACTED] was not
 16 aware of any issues or complaints with Epstein,
 17 related to phone calls. On Saturday, August
 18 10, 2019, [REDACTED] was told that Epstein made a
 19 phone call at approximately 7:00 p.m. on the
 20 evening of Friday, August 9, 2019. It is
 21 uncommon to make an unrecorded phone call in
 22 the SHU, and [REDACTED] would advise against it
 23 because calls should be surveilled. Inmates
 24 can make a recorded phone call in the
 25 Lieutenant's Office, where it is documented in

1 say, oh, I don't have access to TRUSCOPE, but
 2 however, they are given hard copies of the
 3 count slip, which continues for the 24-hour
 4 period.
 5 MR. [REDACTED]: Right. Yeah.
 6 MR. [REDACTED]: So, you're continuing to do
 7 your rounds. And then, at the end of the
 8 rounds, at the end of the week, this is how
 9 it's supposed to happen. Because I actually
 10 put this in place, because that was one of the
 11 vitals that we had during our program review,
 12 which we got a hit on. At the end of the week,
 13 the Lieutenant is supposed to get them, and he
 14 will audit them, to make every sure all of your
 15 rounds was conducted in the 40-minutes
 16 irregular. If it's not, that staff member is
 17 identified, and then, they're given counseling.
 18 So, we're trying to stop staff, you know, we
 19 try to encourage staff to do the right thing,
 20 but if they're not, we're trying to catch it on
 21 our level, before it gets reported out. So,
 22 even then, you know, the Lieutenants there was
 23 sign put up there that it wasn't getting done
 24 on a regular basis.
 25 MR. [REDACTED]: Mm-hmm.

1 a monitored logbook. In the SHU, Correctional
 2 Officers are not permitted to give inmate phone
 3 calls, but a Unit Task Team member, or the
 4 Chaplin can take the inmate to the Lieutenant's
 5 Office and make a call. [REDACTED] is not briefed
 6 on phone calls in the SHU generally." But in
 7 this case, you said that you did advise [REDACTED]
 8 that he could. And where did the call take
 9 place?
 10 MR. [REDACTED]: Well, because I know between
 11 that time, we had installed a jack.
 12 MR. [REDACTED]: Okay.
 13 MR. [REDACTED]: In SHU, in order to do the
 14 outgoing calls. So, they could actually do
 15 those calls in SHU. Though, before the
 16 Chaplin, of course. So, if you had a SHU
 17 inmate, he didn't have to bring the inmate all
 18 the way down to the Lieutenant's Office to do a
 19 call.
 20 MR. [REDACTED]: Okay.
 21 MR. [REDACTED]: So, there was a jack up there
 22 in the - I can't remember where it is. I'm
 23 sorry.
 24 MR. [REDACTED]: It's near the shower
 25 room?

1 MR. [REDACTED]: Yeah. Something like that.
2 But so, we actually had the ability to have
3 that outgoing call capability for those inmates
4 in SHU. Because you can't bring them down to
5 the Lieutenant's Office.

6 MR. [REDACTED]: Okay.

7 MR. [REDACTED]: So, you could do an outgoing
8 call capability in the SHU.

9 MR. [REDACTED]: Okay. And so, you did
10 approve that call, and then, just log it?

11 MR. [REDACTED]: Yes.

12 MR. [REDACTED]: Okay. And take care of
13 all that?

14 MR. [REDACTED]: Yes, I did. And that was
15 something that Mr. [REDACTED] said, and Mr.
16 [REDACTED] was, actually, I believe he was the
17 IDO.

18 MR. [REDACTED]: And again, what is the
19 IDO?

20 MR. [REDACTED]: The Institutional Duty
21 Officer.

22 MR. [REDACTED]: And what does that mean?

23 MR. [REDACTED]: That means is that every
24 week, for a seven-day period, normally, people
25 with a grades of just 12 and above, 12, 13s,

1 general population that should be addressed by
2 the Unit Team or Correctional Services, and
3 stuff like that. And so, that's what they do.

4 MR. [REDACTED]: Okay. And then, this
5 concludes, "[REDACTED] wholeheartedly emphasized
6 that he and his staff at MCC did their best to
7 supervise, safeguard, and ensure the protection
8 of Epstein and all inmates effectively. His
9 staff is aware of the seriousness of the
10 investigation into Epstein's death."

11 MR. [REDACTED]: Right.

12 MR. [REDACTED]: Now, as far as what I
13 just read you, I know it was over the course of
14 two hours, but - I mean, four hours - but is
15 there anything else you told the FBI or the OIG
16 that wasn't included in this report?

17 MR. [REDACTED]: Yeah.

18 MR. [REDACTED]: And what was that
19 regarding?

20 MR. [REDACTED]: I talked about that, when I,
21 it was brief in there, but I talked about
22 Lieutenant [REDACTED] actions. Talked about
23 that, one) she didn't do physical rounds in the
24 unit because, as I said, I went into TRUSCOPE,
25 because I wanted to know, because I did all

1 would be the Institutional - or 14s - would be
2 the Institutional Duty Officer. Right? So,
3 that means they go around, and they check all
4 of the institutional - that they're taking
5 calls after hours, from Correctional Services.
6 They're reporting certain stuff to the Region.
7 They're doing rounds in SHU. They're doing
8 rounds throughout the institution, in all the
9 areas of the institution, and the accumulated
10 report, which is given to the Warden for their
11 review, about the daily operations of the
12 institution during that week. Also, a part of
13 that is SHU rounds. You know, they make sure
14 that SHU rounds, everybody that's supposed to
15 do rounds within a week, you have to do them,
16 or you get notified, and then you notify that
17 Thursday or Friday, and you're supposed to go
18 do your rounds. By the close out. You only
19 have to do it there once a week. So, that's
20 just part of the duties. But they bring the
21 report, they create a report of the total
22 operations. Any incidents that occurred. The
23 counts in SHU, if they was bad. Anything that
24 was going on in Food Service, or if they
25 observed certain instances during the - in

1 this within the time that I got to the
2 institution, I pulled up TRUSCOPE, and I can
3 actually go in, and I get to see where they're
4 logging in and doing rounds because once I pull
5 up those reports, because the two I verify off
6 of, I pull those reports up, I can show where
7 the computer terminals are. And all of her
8 rounds was done from the Lieutenant's Office.

9 MR. [REDACTED]: Okay. I thought - so --

10 MR. [REDACTED]: Because you -

11 MR. [REDACTED]: -- [REDACTED] - aside from
12 the bad count, where she should have went - she
13 should have, even with the bad count, she
14 should have been there, observing an actual
15 count?

16 MR. [REDACTED]: Mm-hmm.

17 MR. [REDACTED]: In the SHU?

18 MR. [REDACTED]: Yeah.

19 MR. [REDACTED]: And what count?

20 MR. [REDACTED]: No. No, no, no. What she
21 should have done is then done rounds.

22 MR. [REDACTED]: Oh.

23 MR. [REDACTED]: In the SHU that night. So,
24 between 10:00 and 6:00, she should have done a
25 round in SHU. Well, any time after 12:00 a.m.

1 to 6:00, she should have done a round in SHU.
 2 There was no rounds. All of the rounds were
 3 done from the Lieutenant's Office.
 4 MR. [REDACTED]: Well, if she did - I
 5 think we do believe that she did conduct a
 6 round at 4:00 a.m.
 7 MR. [REDACTED]: Okay.
 8 MR. [REDACTED]: So, she actually
 9 physically went into the SHU at 4:00 a.m. --
 10 MR. [REDACTED]: Okay.
 11 MR. [REDACTED]: -- and spoke with them.
 12 And then, potentially even came back, and
 13 checked in a little while later.
 14 UNKNOWN MALE: Dude, it's been a while. I
 15 got a little busy.
 16 MR. [REDACTED]: Thank you, sir. And so,
 17 if she did that one time, at the 4:00 a.m.,
 18 possibly another check-in ten or 15 minutes
 19 later, would that be sufficed for whatever her
 20 duty and responsibility was?
 21 MR. [REDACTED]: Well, that means, if you sat
 22 there and you did all your rounds, so, I did
 23 all of my rounds at the computer office.
 24 MR. [REDACTED]: And never went --
 25 MR. [REDACTED]: In the computer

1 MR. [REDACTED]: So, that means they can go on
 2 a floor, and they don't have to go log into
 3 both computers on the floor, as long as you log
 4 into one on the floor, you're good. That's the
 5 policy.
 6 MR. [REDACTED]: And is that just to show
 7 that they are physically there, and they're not
 8 --
 9 MR. [REDACTED]: Yeah.
 10 MR. [REDACTED]: -- falsifying the rounds?
 11 MR. [REDACTED]: There is.
 12 MR. [REDACTED]: Okay.
 13 MR. [REDACTED]: So, you just can't just sit
 14 at the desk, and say, I did all the rounds.
 15 MR. [REDACTED]: I'm going to investigate the
 16 (Indiscernible *01:34:05) of what the
 17 Lieutenant rounds entails.
 18 MR. [REDACTED]: You can ask again, if you
 19 want. Go ahead. (Indiscernible *01:34:09).
 20 MR. [REDACTED]: I don't remember if you did.
 21 I apologize if you answered it already. When a
 22 Lieutenant has to do a round in a - let's say
 23 any tier - and let's say the SHU, what does
 24 that entail? What (Indiscernible *01:34:19)?
 25 MR. [REDACTED]: They're supposed to go door

1 (Indiscernible *01:32:56).
 2 MR. [REDACTED]: -- and she never - she
 3 was supposed to go to the Control Center, and
 4 actually do the counts from there, right?
 5 MR. [REDACTED]: Well, you're supposed to take
 6 - yeah - one of the counts. So, normally, we
 7 would take the 3:45 count or the 5:00. Either
 8 one. You could take one of the counts. It
 9 don't matter which one you take. You've just
 10 got to take one. The 12:00, the 3:00, or the
 11 5:00. Right? You've got to take a count.
 12 You've got to go through, go do a round in SHU.
 13 A round in SHU. So, you have to go, actually,
 14 go physically to the unit. And then, you're
 15 supposed to do rounds throughout the entire
 16 institution. So, if I'm at the Lieutenant's
 17 desk, and I say that all my rounds was done
 18 from this one terminal, because you're actually
 19 supposed to go in, I provide it in card
 20 readers.
 21 MR. [REDACTED]: So, they're supposed to -
 22 when they do a round there - so, they're
 23 supposed to log it in from the unit?
 24 MR. [REDACTED]: From that terminal.
 25 MR. [REDACTED]: Okay.

1 by door, just like I explained to you before.
 2 You're supposed to go in the unit, go on the
 3 tier, and you're supposed to walk and look at
 4 every cell.
 5 MR. [REDACTED]: And what'd he saying, he
 6 just - to clarify - he wants to make sure it's
 7 the Lieutenants that are also supposed to do
 8 that.
 9 MR. [REDACTED]: Yes.
 10 MR. [REDACTED]: Not just the staff. And
 11 is that - and again, for clarification, I
 12 apologize, but it's so much, we've got to
 13 dissect, you know, we're going to have to
 14 digest what you told us, and listen to it again
 15 - but is it every shift, a Lieutenant should do
 16 that?
 17 MR. [REDACTED]: Yes. Every shift, in the 24-
 18 hour period, rounds have to be conducted by a
 19 Lieutenant. In SHU.
 20 MR. [REDACTED]: And so, if Lieutenants
 21 are telling us that they don't think that
 22 that's part of their duties, they're supposed
 23 to do just rounds --
 24 MR. [REDACTED]: They're wrong.
 25 MR. [REDACTED]: -- of staff, and is that

1 policy that says --
 2 MR. [REDACTED]: Yeah.
 3 MR. [REDACTED]: -- that they need to do
 4 that?
 5 MR. [REDACTED]: Yeah.
 6 MR. [REDACTED]: So, and if they're
 7 telling us that, are they lying to us, or are
 8 they just --?
 9 MR. [REDACTED]: I think just think they're
 10 unaware or confused.
 11 MR. [REDACTED]: Okay.
 12 MR. [REDACTED]: I really do. If it says that
 13 a Lieutenant will perform a round in the
 14 Special Housing Unit, once on their shift.
 15 MR. [REDACTED]: And then, and that means
 16 an actual, not a round to check in with the
 17 staff, but a round --
 18 MR. [REDACTED]: No. That's a --
 19 MR. [REDACTED]: -- to actually looking at
 20 the --?
 21 MR. [REDACTED]: -- round to walk around the
 22 unit.
 23 MR. [REDACTED]: So, in this matter, when
 24 you're looking at these 4:00, 10:00 p.m., 12:00
 25 a.m., 3:00, and 5:00, which - on our duty

1 PC unit, that was on the third floor --
 2 MR. [REDACTED]: Okay.
 3 MR. [REDACTED]: -- you was responsible for
 4 doing a round in the PC unit.
 5 MR. [REDACTED]: And are you aware if
 6 [REDACTED] or Durant, they were there? Do you know
 7 if either of them are aware that they needed to
 8 do rounds of inmates in the SHU?
 9 MR. [REDACTED]: Yeah, they knew.
 10 MR. [REDACTED]: Okay.
 11 MR. [REDACTED]: Either one of them would have
 12 done it.
 13 MR. [REDACTED]: Okay.
 14 MR. [REDACTED]: So, I would say, normally,
 15 when I was the Operations Lieutenant, I would
 16 have sent the Activity, hey, go to SHU, go
 17 knock out the round.
 18 MR. [REDACTED]: So, Durant, probably,
 19 would have been the one there?
 20 MR. [REDACTED]: And then, for [REDACTED], I
 21 would have sent [REDACTED] up there.
 22 MR. [REDACTED]: All right. So, [REDACTED]
 23 or [REDACTED] should have done a round. Okay. And
 24 it doesn't have to be - so, when you're saying
 25 a round, are you talking about the counts or

1 roster, on both August 9th and August 10th -
 2 which Lieutenant should have conducted rounds?
 3 MR. [REDACTED]: Okay. So, on --
 4 MR. [REDACTED]: With the inmates.
 5 MR. [REDACTED]: -- on August 9th, [REDACTED]-
 6 [REDACTED] should have done a round in SHU.
 7 MR. [REDACTED]: But what, approximately
 8 what time?
 9 MR. [REDACTED]: It's going to be from 1000
 10 hours, only 2200 hours, to 06.
 11 MR. [REDACTED]: So, the day before - -
 12 MR. [REDACTED]: Right.
 13 MR. [REDACTED]: -- for August 8th --
 14 MR. [REDACTED]: So, that means --
 15 MR. [REDACTED]: -- 2200.
 16 MR. [REDACTED]: -- she would have done
 17 anything after 12:00.
 18 MR. [REDACTED]: Okay.
 19 MR. [REDACTED]: [REDACTED] or Durant would have
 20 done them. So, I don't know who would have
 21 done them on that day, and especially since we
 22 didn't have a SHU Lieutenant, they should have
 23 done a round in SHU.
 24 MR. [REDACTED]: Okay.
 25 MR. [REDACTED]: Because just like we had the

1 the rounds? It could have been any round,
 2 because rounds are 30, it would be 30-minutes
 3 or so --
 4 MR. [REDACTED]: Right.
 5 MR. [REDACTED]: -- are you talking about
 6 one of the main counts?
 7 MR. [REDACTED]: So, just like a Correctional
 8 Supervisor, a Lieutenant, is supposed to make a
 9 round in SHU.
 10 MR. [REDACTED]: I know, but what - I just
 11 want to make sure we're clarifying the
 12 difference between the 30-minute round and the
 13 - because you said they should have conducted
 14 one of the 4:00, 10:00, 12:00 --
 15 MR. [REDACTED]: That's a count.
 16 MR. [REDACTED]: -- that's a count? So,
 17 are they supposed to conduct a count, or just
 18 one of the regular 30-minute rounds?
 19 MR. [REDACTED]: No. On every shift, within a
 20 24-hour period, a Lieutenant is supposed to
 21 make a round in SHU.
 22 MR. [REDACTED]: A round. So, not --
 23 MR. [REDACTED]: A Lieutenant. That's why I
 24 would say a Lieutenant.
 25 MR. [REDACTED]: Yup.

1 MR. [REDACTED]: It specifies to a - because I
 2 can't say the Operations, the Activities, the
 3 Admin. No. A Lieutenant. So, that's why we
 4 get by on day watch because you have the
 5 assigned Lieutenant in the unit, that's going
 6 to make the said round.
 7 MR. [REDACTED]: Okay. And so, when --
 8 MR. [REDACTED]: Or day watch.
 9 MR. [REDACTED]: -- so, when [REDACTED] went
 10 to - at 4:00 - to the SHU, she should have
 11 conducted a round of the inmate --
 12 MR. [REDACTED]: Of the entire Unit.
 13 MR. [REDACTED]: -- not just checked in
 14 with the staff?
 15 MR. [REDACTED]: No. She should have made a
 16 round.
 17 MR. [REDACTED]: Okay. And then, that's
 18 what I wanted to clarify a round versus count.
 19 Because that could have happened any time in
 20 between - you know, for these people - any time
 21 in between any of the counts, at any time they
 22 could have showed up and said, let's do a
 23 round.
 24 MR. [REDACTED]: Mm-hmm.
 25 MR. [REDACTED]: Real quick. Okay.

1 You understand?
 2 MR. [REDACTED]: So, not only --
 3 MR. [REDACTED]: So, he'll do --
 4 MR. [REDACTED]: -- is he doing it, but
 5 also one of the Activities or Ops Lieutenant is
 6 also doing one?
 7 MR. [REDACTED]: No. If [REDACTED] is in there,
 8 he's the one to do that round.
 9 MR. [REDACTED]: And then --
 10 MR. [REDACTED]: He's going to do the round,
 11 because he's in the Unit all day.
 12 MR. [REDACTED]: Right. And he's actually
 13 physically in the Unit, when he's there?
 14 MR. [REDACTED]: Mm-hmm. Yes. That's his
 15 place of duty.
 16 MR. [REDACTED]: All right. So then, the,
 17 you know, the Ops or the Activities
 18 Lieutenants, they don't need to then go to the
 19 SHU --
 20 MR. [REDACTED]: No.
 21 MR. [REDACTED]: -- and do rounds on that
 22 day?
 23 MR. [REDACTED]: No.
 24 MR. [REDACTED]: It's only when he's not
 25 there?

1 MR. [REDACTED]: And when she made that round,
 2 she just sees the person, she doesn't have to
 3 talk to them?
 4 MR. [REDACTED]: You walk around, and if it's
 5 at night, you're going to take and shine your
 6 light in there, because you're not doing a
 7 count. So, as Correctional Officers, you know,
 8 over the years, you're taught to look at
 9 certain things in a cell. When I shine that
 10 light in there, I'm shining, I make sure,
 11 because normally inmates will move their foot
 12 or move their leg, or arm, or leg, so I would
 13 count flesh when I see flesh. I could check
 14 the windows real quick, or if they got stuff in
 15 hanging, that's restricting my view, I could
 16 correct it at that time, hey, take that down,
 17 hey you, so and so, get up, take the covering
 18 down. That's doing an effective round. And
 19 you do that for every cell in the block.
 20 MR. [REDACTED]: What about when the SHU
 21 Lieutenant [REDACTED] is on duty, is he the one
 22 that's doing the rounds?
 23 MR. [REDACTED]: Yeah. No. No, no. Officers
 24 are doing the rounds. So, when he does his
 25 rounds, it's normally with a status report.

1 MR. [REDACTED]: Correct.
 2 MR. [REDACTED]: Okay. And then,
 3 obviously, he's only there in the day, right?
 4 He's not there at night?
 5 MR. [REDACTED]: Right.
 6 MR. [REDACTED]: So, whoever the Ops
 7 Lieutenant is at night, always needs to go do
 8 it.
 9 MR. [REDACTED]: Got to do go a round. Yup.
 10 Yeah.
 11 MR. [REDACTED]: And that's what you meant
 12 when you said [REDACTED]-[REDACTED] didn't conduct a
 13 round, you're talking about, she didn't
 14 actually do the inmate round?
 15 MR. [REDACTED]: Right, because then, she
 16 probably would have probably seen the inmate in
 17 distress, or --
 18 MR. [REDACTED]: Right.
 19 MR. [REDACTED]: -- something like that.
 20 MR. [REDACTED]: And do you know anything
 21 about when Epstein actually died versus when he
 22 was found?
 23 MR. [REDACTED]: No.
 24 MR. [REDACTED]: Okay.
 25 MR. [REDACTED]: I heard it was hours before.

1 MR. [REDACTED]: Okay. Where the SHU
2 staff are located in the map that you just drew
3 --
4 MR. [REDACTED]: Mm-hmm.
5 MR. [REDACTED]: -- could they see into
6 Epstein's cell from there?
7 MR. [REDACTED]: No. But you could see, like,
8 if the lights was on, you know, so, if I'm
9 standing down by the Officer's Station, I could
10 look up on the tier, and I could look down, and
11 if the lights are on, I could definitely see if
12 the light was on in the cell or not.
13 MR. [REDACTED]: About how big are the
14 windows of the doors?
15 MR. [REDACTED]: I would say they are probably
16 like this.
17 MR. [REDACTED]: About that? Okay. So --
18 MR. [REDACTED]: But --
19 MR. [REDACTED]: -- about, like --
20 MR. [REDACTED]: -- and then --
21 MR. [REDACTED]: -- 24 inches by, like,
22 ten inches?
23 MR. [REDACTED]: Yeah.
24 MR. [REDACTED]: Or something.
25 MR. [REDACTED]: Something like that.

1 MR. [REDACTED]: No.
2 MR. [REDACTED]: Have you heard that they
3 were sleeping on this shift?
4 MR. [REDACTED]: I heard that, and what camera
5 footage I saw, I could physically observe them
6 sleeping.
7 MR. [REDACTED]: So, did you see them both
8 sleeping?
9 MR. [REDACTED]: Yeah.
10 MR. [REDACTED]: So, you did actually
11 review the video?
12 MR. [REDACTED]: I saw - I did see that video.
13 MR. [REDACTED]: Okay. You did. And you
14 saw both of them asleep? Do you know about how
15 long they were sleeping?
16 MR. [REDACTED]: I can't remember that.
17 MR. [REDACTED]: Sure. And is that a big
18 problem?
19 MR. [REDACTED]: That is a very big problem.
20 MR. [REDACTED]: Okay.
21 MR. [REDACTED]: I mean, my thing is, is that
22 I understand that, you know, you worked
23 overtime, or you was mandated to work another
24 time. When I was a Correctional Officer, guess
25 what? I'll go get on the tier, I'll go do

1 MR. [REDACTED]: Okay. And they're always
2 open?
3 MR. [REDACTED]: Yes.
4 MR. [REDACTED]: There's nothing that
5 covers them, or -?
6 MR. [REDACTED]: We do have the ability to
7 close, like, when we have an incident on the
8 tier, we have an unresponsive inmate, or --
9 MR. [REDACTED]: Yup.
10 MR. [REDACTED]: -- we were giving medical,
11 you know, if we're doing anything that deals
12 with the inmate specifically, we'll block those
13 other observation windows off, so the inmates
14 can't see.
15 MR. [REDACTED]: Now, when the staff are
16 doing an overnight, the early morning watch,
17 from zero, from 12:00 a.m. and through 8:00
18 a.m., are they allowed to sleep?
19 MR. [REDACTED]: No. You can't sleep.
20 MR. [REDACTED]: So, if the SHU, if
21 they're in the SHU, can one sleep while the
22 other stays awake?
23 MR. [REDACTED]: No.
24 MR. [REDACTED]: So, no one is allowed to
25 sleep?

1 rounds. I would just stay walking in the unit.
2 You know? It's nothing wrong to get on the
3 internet. But between that time you're on the
4 internet, you need to shut it off, and go do
5 rounds. If that's the way you stay awake at
6 night, or do your OIC duties. Audit the - what
7 they're told to do - audit the bed book. Audit
8 the - make sure all the 292s is done for the
9 previous shift. You know, do all the stuff
10 that's mandated on your watch as you're
11 supposed to do, then do those functions. That
12 will keep you awake.
13 MR. [REDACTED]: Yeah.
14 MR. [REDACTED]: If you're doing the work.
15 MR. [REDACTED]: Were they allowed --
16 MR. [REDACTED]: Do you --
17 MR. [REDACTED]: -- yeah.
18 MR. [REDACTED]: -- do you know if either
19 of these individuals, in this instance - Noel
20 or Thomas - were on mandatory overtime?
21 MR. [REDACTED]: Noel was. I believe she was
22 going from evening watch to morning watch, and
23 I believe that Thomas came into work that as
24 overtime.
25 MR. [REDACTED]: Now, Noel was mandatory

1 overtime, though? She didn't --
 2 MR. [REDACTED]: Yeah. She was a mandated. I
 3 think she was mandated because if you see here,
 4 she was - her shift was 4:00 to 12:00. Right?
 5 And then, if you see here, as TO - Noel
 6 overtime. So, if you go here, it's going to
 7 show, go to SHU One. Yeah. So, basically, if
 8 she - yeah, it says, yeah - if she was SHU One,
 9 [REDACTED] had hired her on 05/19. So, it doesn't
 10 show if she was mandatory, or whatever.
 11 MR. [REDACTED]: So, it could have
 12 voluntary?
 13 MR. [REDACTED]: It could have been voluntary.
 14 MR. [REDACTED]: Okay. Okay. Great. And
 15 the last thing I want to ask you about, and
 16 then I'll turn it over to Lyeson. Here's an e-
 17 mail that was sent out on 07/30/2019, from a
 18 [REDACTED]. Do you know who that is? [REDACTED]
 19 [REDACTED].
 20 MR. [REDACTED]: [REDACTED]. That sounds --
 21 MR. [REDACTED]: I think it's --
 22 MR. [REDACTED]: -- I think Ms. [REDACTED] - hold
 23 on - she works in Psychology.
 24 MR. [REDACTED]: Yeah. And it says,
 25 "Inmate Epstein, number 76318-054, is being

1 me the --
 2 MR. [REDACTED]: Mm-hmm.
 3 MR. [REDACTED]: -- it gives me an option
 4 - in my e-mail at least - do you want to send a
 5 read response?
 6 MR. [REDACTED]: No, it's different --
 7 MR. [REDACTED]: Or not.
 8 MR. [REDACTED]: -- like, on mine, how I got
 9 mine set up, I could see the e-mail message.
 10 You know you can do that, right? Like, on my
 11 mine, like, when my emails come up --
 12 MR. [REDACTED]: Yeah, yeah.
 13 MR. [REDACTED]: -- I can read what it is
 14 without actually clicking on it.
 15 MR. [REDACTED]: So, there's a ton of
 16 people on there that it doesn't say "Read."
 17 MR. [REDACTED]: Right.
 18 MR. [REDACTED]: Do you think that they
 19 actually didn't see this e-mail, or didn't
 20 actually read it?
 21 MR. [REDACTED]: I mean, I believe it.
 22 MR. [REDACTED]: So, are a lot of BOP
 23 employees, then, not reading their emails?
 24 MR. [REDACTED]: Yeah.
 25 MR. [REDACTED]: So, if it doesn't "Read"

1 taken off psych observation, and needs to be
 2 housed with an appropriate cell mate. Do you
 3 recall getting that at all?
 4 MR. [REDACTED]: So, "At 07/30, inmate Epstein
 5 is going to be taken off of psychological, and
 6 needs to be housed with an appropriate inmate."
 7 I probably did. Yeah.
 8 MR. [REDACTED]: Now, can you flip over -
 9 you're going to see all, like, the Lieutenants
 10 and everybody in there. If your Lieutenants
 11 received this --
 12 MR. [REDACTED]: It would have said "Read."
 13 MR. [REDACTED]: -- so, do they have to
 14 click on a - do they have, like, for me, I can
 15 say, like, do I want to send a response or not?
 16 MR. [REDACTED]: No, they have to click on it.
 17 MR. [REDACTED]: Right. So, if they don't
 18 click on it, they could still have read it?
 19 MR. [REDACTED]: Mm-hmm.
 20 MR. [REDACTED]: And it wouldn't say "Read
 21 response"?
 22 MR. [REDACTED]: Mm-hmm. You would have to
 23 click on it to read it.
 24 MR. [REDACTED]: Do you know what I'm
 25 saying? So, like, if I open an e-mail, it gives

1 on there, you believe that some of these
 2 Lieutenants actually may not have seen that e-
 3 mail?
 4 MR. [REDACTED]: Mm-hmm.
 5 MR. [REDACTED]: Okay. That's fair
 6 enough.
 7 MR. [REDACTED]: And that's fair. Because I
 8 know, if you look at mine, like, I can actually
 9 monitor emails, so you don't know if I read, if
 10 I seen it.
 11 MR. [REDACTED]: Well, that's kind of my
 12 point.
 13 MR. [REDACTED]: Yeah.
 14 MR. [REDACTED]: Is that, like --
 15 MR. [REDACTED]: Yeah. I have. Yeah.
 16 MR. [REDACTED]: -- you can read it
 17 without actually it showing that it was read.
 18 MR. [REDACTED]: Yes. I can do it.
 19 MR. [REDACTED]: So, that's what I'm
 20 saying. So, in this case --
 21 MR. [REDACTED]: Yeah.
 22 MR. [REDACTED]: -- do you think that,
 23 just because it says --
 24 MR. [REDACTED]: Yeah, because, like, [REDACTED]
 25 read it. [REDACTED] read it. [REDACTED] read it. SHU

1 staff. The AW read it. I'm just looking at
 2 all of the Lieutenants. Lieutenant Durant read
 3 it. The Warden read it. (Indiscernible
 4 *01:47:41) read it. So, yeah, there was a few
 5 Lieutenants that actually read it.
 6 MR. [REDACTED]: Okay. But just because
 7 it says that they didn't read it, doesn't mean
 8 they necessarily - like you - they could have
 9 had something --
 10 MR. [REDACTED]: Right.
 11 MR. [REDACTED]: -- set up where it
 12 doesn't even show that they read it.
 13 MR. [REDACTED]: Right.
 14 MR. [REDACTED]: All right. Before I turn
 15 it over, can you just - just so we know what
 16 documents - can you just initial and date the
 17 top of each of these sets of documents that I
 18 gave you?
 19 MR. [REDACTED]: Yeah. Right here?
 20 MR. [REDACTED]: Yeah. Just all on top.
 21 Yup. Just your initial and date. Today's date
 22 is --
 23 MR. [REDACTED]: What is today?
 24 MR. [REDACTED]: 06/15.
 25 MR. [REDACTED]: -- 06/15/21.

1 MR. [REDACTED]: Yeah. No. That's - did
 2 you know anything about that?
 3 MR. [REDACTED]: No.
 4 MR. [REDACTED]: But again, that's an
 5 administrative error, as opposed to any kind of
 6 suspicion related to his death. Correct?
 7 MR. [REDACTED]: Right.
 8 MR. [REDACTED]: And then, just the duty
 9 Agent rosters, or the schedules. Thank you,
 10 sir.
 11 MR. [REDACTED]: You're welcome.
 12 MR. [REDACTED]: All right. Lyeson.
 13 MR. [REDACTED]: Just a couple of follow up
 14 questions.
 15 MR. [REDACTED]: Sure.
 16 MR. [REDACTED]: Was Epstein given special
 17 privileges, anything like that?
 18 MR. [REDACTED]: No. I don't believe so. No.
 19 MR. [REDACTED]: You mentioned that he was
 20 meeting with his Attorneys seven days a week?
 21 MR. [REDACTED]: Mm-hmm.
 22 MR. [REDACTED]: And was that allowed for any
 23 other the inmates?
 24 MR. [REDACTED]: I mean, all the inmates are
 25 afforded that because while they're pre-trial

1 MR. [REDACTED]: Oh.
 2 MR. [REDACTED]: 06/15/21.
 3 MR. [REDACTED]: 06/15?
 4 MR. [REDACTED]: Yeah. 06/15/21.
 5 MR. [REDACTED]: 06/15/21. Sorry about that.
 6 MR. [REDACTED]: And just for all the
 7 counts and stuff, too. It was the sheet --
 8 MR. [REDACTED]: So, I got to do it --
 9 MR. [REDACTED]: No, no. Just --
 10 MR. [REDACTED]: -- no, no, no, no --
 11 MR. [REDACTED]: -- for all of these?
 12 MR. [REDACTED]: -- just the top of each,
 13 like, so, there's the staple. Just on each one
 14 that's stapled.
 15 MR. [REDACTED]: All right. 06/15/21?
 16 MR. [REDACTED]: Yeah. This is just the
 17 way we keep records of what we actually talked
 18 about.
 19 MR. [REDACTED]: I'm sorry. You know, it's
 20 taking all day.
 21 MR. [REDACTED]: No. We really - it's
 22 super helpful. There's a lot of stuff that you
 23 told us that we didn't know about, so.
 24 MR. [REDACTED]: I was surprised you didn't
 25 know about him being in the wrong cell.

1 inmates, they have that right, to seek the
 2 legal counsel.
 3 MR. [REDACTED]: Okay.
 4 MR. [REDACTED]: So, it's up to the legal
 5 counsel when they want to go see them. If they
 6 don't want to go see them every 90 days,
 7 that's, you know, but his legal counsel came
 8 quite often.
 9 MR. [REDACTED]: Okay. The phone call. The
 10 instruction you gave [REDACTED]. You told him
 11 that had made the phone call, record it. Now,
 12 if Epstein mentioned that he wants to make the
 13 phone call to a certain person, and if [REDACTED]
 14 dialed that number, is he supposed to identify
 15 that that's the person who answered the phone?
 16 MR. [REDACTED]: Yeah. Like I told you
 17 before, that's part of the process. So,
 18 that's, like, if I call you, and you say, well,
 19 I'm so and so, and I'm his Attorney. Okay.
 20 Fine.
 21 MR. [REDACTED]: Now, if that person wasn't
 22 the person who answered the phone, what was
 23 [REDACTED] supposed to do?
 24 MR. [REDACTED]: Then he was supposed to not
 25 give and allow him to - like, if he was trying

1 to call a male and a female answered the phone,
2 if that meant, is so and so available? No.
3 Then he wouldn't have gotten - been able to
4 speak to the female person that answered the
5 phone. No.

6 MR. [REDACTED]: According to the records, I
7 think Epstein mentioned he wanted to speak to
8 his mother.

9 MR. [REDACTED]: Okay. I don't know.

10 MR. [REDACTED]: Is there, like, a list that
11 they need to go by, or just Epstein would
12 provide the number, and that was it?

13 MR. [REDACTED]: Basically, inmates are
14 supposed to supply certain people their
15 supposed to call. So, like, on their phone
16 list, there's certain people that we vet, that
17 the inmates can call. So, normally, it's,
18 like, over in - a religious person, your
19 immediate family members, a girlfriend, a wife,
20 a spouse, children, stuff like that, past or
21 whatever. But then, legally, if your legal
22 contact or your Attorney, it's different. You
23 know, you can - that's a totally different type
24 of call. Outside of what the inmates get.
25 Like, if they pick up the commissary phone, and

1 that everyone else knew about it, that
2 requirement?

3 MR. [REDACTED]: No. Well, what do you mean?

4 MR. [REDACTED]: Let's say, at Psych, that

5 [REDACTED] --

6 MR. [REDACTED]: Yeah.

7 MR. [REDACTED]: -- e-mail came out saying
8 that, Epstein required a cell mate.

9 MR. [REDACTED]: Okay. So, what would have
10 happened is, if he would have been released -
11 because she would put that out. So, if the
12 inmate was being released from suicide watch,
13 prior for him being released from suicide
14 watch, that would have went to the exec staff,
15 that would have went to the SHU OIC, the
16 Operations Lieutenant, to inform him that he
17 needs - before place him in SHU - he needs to
18 have an appropriate cell mate. Not a vetted
19 one. Just someone because of what the SHU
20 policy says, that an inmate must have a cell
21 mate.

22 MR. [REDACTED]: Okay, but it's on --

23 MR. [REDACTED]: But it doesn't say a vetted
24 cell mate. It doesn't say all these protocols.
25 But with her, that's a general statement that

1 try to call, it's only going to allow them to
2 call those numbers off of the phone list.

3 MR. [REDACTED]: Okay.

4 MR. [REDACTED]: You know what I'm saying? The
5 proof form is the green form. But over here,
6 they say, well, I need to speak to my Attorney.
7 Okay, I'll give you the Attorney call. But if
8 that was the case, he could have been afforded
9 or given, if he was calling his mother, if he
10 had time on the books, because he went back to
11 his cell prior to - I think the cell, the SHU,
12 the cell, the phones in SHU cut off at 9:00
13 p.m. I'm not certain. I can't remember. He
14 could have called his mother at that time. And
15 we wouldn't have had to facilitate the call.
16 He could have called her right from the thing.

17 MR. [REDACTED]: So, I just want to - should
18 [REDACTED] have checked that list before he made
19 that phone call?

20 MR. [REDACTED]: Yeah.

21 MR. [REDACTED]: Okay. And the last question
22 is, if the order came from Psych, right? - It
23 was just a question - if the order came from
24 Psych, that Epstein needed a cell mate, should
25 they have come down to the Unit and made sure

1 would be made for any suicide watch inmate
2 coming off of suicide watch.

3 MR. [REDACTED]: Oh so, she sent that e-mail?

4 MR. [REDACTED]: That's it, if you pull up any
5 other e-mail dealing with an e-mail coming from
6 suicide watch, back to SHU, that would be for
7 any inmate. But however, with him, you
8 couldn't necessarily do that because he would
9 have to have a vetted cell mate. He would have
10 to have somebody appropriate for him. Not just
11 any cell that was open. That, you know, if it
12 was a --

13 MR. [REDACTED]: I see.

14 MR. [REDACTED]: -- single occupancy, then you
15 could put him in there. But no, he had to be
16 vetted before he could go in with anybody.

17 MR. [REDACTED]: That's all I had.

18 MR. [REDACTED]: Is there anything we're
19 missing? Anything we didn't cover?

20 MR. [REDACTED]: That's it.

21 MR. [REDACTED]: Let me see this form
22 right here. Yeah, we covered that. All right.
23 So, yeah. If there's nothing else on your end,
24 then just we'll wrap it up.

25 MR. [REDACTED]: Okay.

1 MR. [REDACTED]: And there's - again -
 2 there's nothing that you discussed with the
 3 FBI, or the OIG, previous, that we didn't
 4 cover? On this.
 5 MR. [REDACTED]: No. That's pretty much
 6 everything.
 7 MR. [REDACTED]: That's it. Perfect. It
 8 sounds like you were with [REDACTED]-[REDACTED]. Was
 9 there anything else that she didn't do, that
 10 she should have? Aside from that round.
 11 MR. [REDACTED]: I mean, with [REDACTED]-[REDACTED],
 12 I believe that it was the issue with the log.
 13 I think it was a log issue that we had talked
 14 about, that when I pulled up the initial log,
 15 after I got there, when I pulled up the
 16 Lieutenant's log, it appeared that it was two
 17 different logs in the system. And then, within
 18 45 minutes, one log had disappeared out of the
 19 system, and then, I see her leaving at about
 20 9:15 a.m., out of the building. I don't know
 21 where she was in the building, but at 9:15
 22 a.m., she comes walking out of the building.
 23 And I reported that to OIG when I talked to
 24 them. I talked to them about that log being --
 25 MR. [REDACTED]: And what was the log?

1 -
 2 MR. [REDACTED]: No.
 3 MR. [REDACTED]: -- he took his own life?
 4 MR. [REDACTED]: I believe he took his own
 5 life.
 6 MR. [REDACTED]: Okay.
 7 MR. [REDACTED]: I don't believe any of the
 8 staff did any harm to him. No, I don't.
 9 MR. [REDACTED]: Okay.
 10 MR. [REDACTED]: I don't. Nah.
 11 MR. [REDACTED]: And then, as far as -
 12 going back to [REDACTED]-[REDACTED] and this log book
 13 - when you saw that there was two - it looks
 14 like - duplicates, did you see what the
 15 discrepancies were, when you noticed that there
 16 were two of them for that daily log?
 17 MR. [REDACTED]: Right. Because I'm going to
 18 tell you how I found out.
 19 MR. [REDACTED]: Okay.
 20 MR. [REDACTED]: So, when I went in TRUSCOPE,
 21 I told you I was looking for the rounds.
 22 MR. [REDACTED]: Mm-hmm.
 23 MR. [REDACTED]: Because I'm bouncing the log
 24 off of what the rounds was.
 25 MR. [REDACTED]: Mm-hmm.

1 MR. [REDACTED]: -- the daily log.
 2 MR. [REDACTED]: The daily log.
 3 MR. [REDACTED]: The Lieutenant's log. So,
 4 there was two different logs, and then, one of
 5 the logs wasn't right. And then, when I went
 6 back, it had been deleted. And then, I see her
 7 leaving out the building at 9:15 a.m.
 8 MR. [REDACTED]: Okay.
 9 MR. [REDACTED]: On that Saturday morning.
 10 MR. [REDACTED]: And when should have she
 11 left?
 12 MR. [REDACTED]: She should have left at 6:00.
 13 Why was she in the building for another three
 14 plus hours? And I brought that up to the
 15 investigators, to the OIG.
 16 MR. [REDACTED]: Can I see that timeline?
 17 MR. [REDACTED]: Do you have any reason to
 18 believe - obviously, there looks like there was
 19 some people that dropped the ball here, there's
 20 some, like we talked about, job performance
 21 failure, security failure - do you have any
 22 reason to believe that there's anybody that
 23 harmed Epstein?
 24 MR. [REDACTED]: No.
 25 MR. [REDACTED]: So, do you believe that -

1 MR. [REDACTED]: Because all this stuff is
 2 going into evidence. So, I'm hurrying, I'm
 3 trying to gather this stuff. So, the log, I'm
 4 trying to compare it to the rounds, it's not
 5 jiving. So, I'm reading the log, and the log
 6 is totally - it's not jiving. The whole thing
 7 is - the times, the frames - it's not jiving.
 8 So then, all of the sudden, when I'm printing
 9 out the paperwork from TRUSCOPE, I go back and
 10 I look at the log, boom, another log pops up.
 11 So, I'm reading this one, and then, the other
 12 log that was there before is deleted.
 13 MR. [REDACTED]: And she has the ability
 14 to do that?
 15 MR. [REDACTED]: Yeah.
 16 MR. [REDACTED]: Would the system reflect that
 17 she made changes?
 18 MR. [REDACTED]: No. It's not like --
 19 MR. [REDACTED]: Or made changes.
 20 MR. [REDACTED]: -- it's not like the roster.
 21 The roster is not going to tell you. You know,
 22 the roster will tell you who goes in there and
 23 manipulates the roster. But not that.
 24 MR. [REDACTED]: (Indiscernible
 25 *01:58:10).

1 MR. [REDACTED]: But like I said, then, when
2 I'm in passing, because I'm in the Lieutenant's
3 Office, and I see across, I look out, because,
4 you know, the Alpha door, that door that leads
5 out, she's walking, they let her out through
6 Control Center, at 9:15. I'm, like, where she
7 been all this time?

8 MR. [REDACTED]: And did you ever talk to
9 her?

10 MR. [REDACTED]: I needed to talk to her.

11 MR. [REDACTED]: Did you ever question her
12 about that?

13 MR. [REDACTED]: No.

14 MR. [REDACTED]: No?

15 MR. [REDACTED]: I let OIG deal with it.
16 Because once the file came up missing, she
17 didn't report doing rounds. The log was
18 duplicated. I said, something is going on
19 here. I let Mr. [REDACTED] know that. I told the
20 Warden. I told OIG. That was part of my - I
21 don't know why it's not in there - I talked
22 about that log.

23 MR. [REDACTED]: And was that --

24 MR. [REDACTED]: I talked about her leaving
25 the institution at 9:15.

1 MR. [REDACTED]: Do you understand what I'm
2 saying?

3 MR. [REDACTED]: Like, what he's talking
4 about is, after these, and I actually cut that
5 out. So, they're there.

6 MR. [REDACTED]: So, no, but - he's mentioning
7 - from my understanding is - you're saying that
8 the log afterwards, or throughout the night?
9 That all night, you got --

10 MR. [REDACTED]: When I got --

11 MR. [REDACTED]: -- you were (Indiscernible
12 *02:00:02).

13 MR. [REDACTED]: -- when I was reviewing the
14 log from the night, from 08/09 into 08/10.

15 MR. [REDACTED]: Okay.

16 MR. [REDACTED]: That morning watch log for
17 08/10? Because it starts off with this one, and
18 then it follows, like this. It was totally
19 bad. It was messed up. It showed - it was a
20 bad log. And then, by the time I was being
21 able to print that log, that log had changed.

22 MR. [REDACTED]: All right.

23 MR. [REDACTED]: And then, another one was
24 there. That's why I reported it. I don't know
25 why it's not - I reported that to OIG.

1 MR. [REDACTED]: -- and is that with the
2 FBI present?

3 MR. [REDACTED]: Yeah.

4 MR. [REDACTED]: Okay. Yeah.

5 MR. [REDACTED]: And at 9:15, she left between
6 the hours - approximately - 9:10 and 9:15 a.m.,
7 on 08/10.

8 MR. [REDACTED]: Okay.

9 MR. [REDACTED]: Just, we have a note in here
10 that the SHU count was corrected by the
11 Lieutenant log, completed by Lieutenant
12 [REDACTED]. At the midnight time, the midnight
13 count, where she corrected it from 73 to 72.
14 Do you recall reading that?

15 MR. [REDACTED]: Like I said, it was all kind
16 of discrepancies, all kinds of discrepancies on
17 that log. So, I'm just trying to gather
18 everything, so I could bring it before the
19 Warden, to let him know what's going on.
20 Before we put it in the 583.

21 MR. [REDACTED]: That's what we talked
22 about.

23 MR. [REDACTED]: Yeah.

24 MR. [REDACTED]: We already talked about
25 that, though.

1 MR. [REDACTED]: Okay. So, it was a log -
2 overnight log - that got changed?

3 MR. [REDACTED]: Yes.

4 MR. [REDACTED]: All right.

5 MR. [REDACTED]: All right. We'll have to
6 follow up with that. But all right. Anything
7 else?

8 MR. [REDACTED]: No. That's it, man.

9 MR. [REDACTED]: Thank you. That was
10 very, very helpful. Thank you so much for your
11 time. It is currently 2:07 p.m., on Tuesday,
12 June 15, 2021. This is Senior Special Agent
13 [REDACTED] with the DOJ OIG, and I am
14 turning off the recorder.

CERTIFICATE

I hereby certify that the foregoing pages represent an accurate transcript of the electronic sound recording of the proceedings before the Department of Justice, Office of the Inspector General in the matter of:

Interview of [REDACTED]

Brianna Rose Burton, Transcriber