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APPEARANCES:

OFFICE OF THE INSPECTOR GENERAL

BY: [REDACTED] [REDACTED]

BY: [REDACTED] [REDACTED]

WITNESS:

[REDACTED] [REDACTED]

OTHER APPEARANCES:

NONE

1 MR. [REDACTED]: The recorder is on. My
2 name is [REDACTED] [REDACTED]. I am a Senior
3 Special Agent with the U.S. Department of
4 Justice Office of the Inspector General New
5 York Field Office. This interview is with
6 former Federal Bureau of Prisons correctional
7 officer [REDACTED] [REDACTED]. It is being conducted as
8 part of an official U.S. Department of Justice
9 Office of the Inspector General investigation.
10 Today's date is June 16, 2021 and the time is
11 4:38 p.m. This interview is being conducted by
12 telephone. Mr. [REDACTED] is calling from telephone
13 number [REDACTED]. Also present is DOJ OIG
14 Special Agent [REDACTED] [REDACTED]. This interview is
15 being recorded by me, Senior Special Agent
16 [REDACTED] [REDACTED]. Can everyone please
17 identify themselves for the record and spell
18 their last name. To start, I am DOJ OIG Senior
19 Special Agent [REDACTED] [REDACTED], [REDACTED]-
20 [REDACTED]. [REDACTED], can you go next?

21 MR. [REDACTED]: I am DOJ OIG Special Agent
22 [REDACTED] [REDACTED], [REDACTED].

23 MR. [REDACTED]: And Mr. [REDACTED].

24 MR. [REDACTED]: [REDACTED] [REDACTED], [REDACTED]. Last
25 four is [REDACTED]. [REDACTED].

1 MR. [REDACTED]: Perfect.

2 MR. [REDACTED]: Is that good?

3 MR. [REDACTED]: Thank you, sir. This DOJ
4 investigation concerns the overall review of
5 this investigation has to do with job
6 performance failure and security failure.
7 That's what we're looking into as the DOJ OIG.
8 And this is - as I mentioned - an official DOJ
9 ingestion. You are being asked to provide
10 answers to our questions voluntarily. Will you
11 agree to a voluntary interview with us?

12 MR. [REDACTED]: Yes.

13 MR. [REDACTED]: Thank you, sir. We place
14 people under oath. It's going to be a little
15 bit different. But do you swear to tell the
16 truth and nothing but the truth during our
17 interview?

18 MR. [REDACTED]: Yes.

19 MR. [REDACTED]: Thank you, sir. And if
20 you don't understand any of my questions,
21 please feel free to ask me to rephrase and I'll
22 do my best to make it clear. As I mentioned,
23 I'm just going to go through a couple of
24 different interview questions in the beginning
25 just to kind of get your background. So you

1 said you're down at the Federal law enforcement
2 training center right now, sir?

3 MR. [REDACTED]: Yes, sir.

4 MR. [REDACTED]: And do you have a current
5 home address?

6 MR. [REDACTED]: Yes. It's in Florida.

7 MR. [REDACTED]: And what's that now?

8 MR. [REDACTED]: Uh [REDACTED]
9 [REDACTED], Homestead, Florida 33035.

10 MR. [REDACTED]: Thank you, sir. And
11 what's your date of birth?

12 MR. [REDACTED]: [REDACTED].

13 MR. [REDACTED]: And you said your last
14 four of your social security number were -?

15 MR. [REDACTED]: [REDACTED].

16 MR. [REDACTED]: Awesome. What's your
17 highest level of education?

18 MR. [REDACTED]: Some college.

19 MR. [REDACTED]: Where did you go to
20 college?

21 MR. [REDACTED]: In Guam.

22 MR. [REDACTED]: Guam how cool. When did
23 you do that?

24 MR. [REDACTED]: I'm sorry?

25 MR. [REDACTED]: When did you attend

1 college in Guam?

2 MR. [REDACTED]: Ooh. That was in 2007 I
3 believe.

4 MR. [REDACTED]: Did you receive like an
5 associate degree or anything?

6 MR. [REDACTED]: No just a couple credits here
7 and there.

8 MR. [REDACTED]: Okay. And how long did
9 you work for the Bureau of Prisons?

10 MR. [REDACTED]: From 2004 to 2006. Then I
11 left the Bureau and I came back in 2012 until I
12 left recently and was in 2020.

13 MR. [REDACTED]: 2020? Okay so it was
14 over a year ago that you left. Or do you
15 remember the date?

16 MR. [REDACTED]: Uh, I believe my last day was
17 -. On the books with - because I was on leave
18 - so on the books, technically with BOP my last
19 day was October 11 of 2020.

20 MR. [REDACTED]: Okay. And who do you
21 currently work for?

22 MR. [REDACTED]: Customs and border protection.

23 MR. [REDACTED]: And when did you start
24 working for them?

25 MR. [REDACTED]: October 13 of 2020.

1 MR. [REDACTED]: And that's the purpose of
2 your training down at the Federal Law
3 Enforcement Training Center is to get
4 officially trained by them?

5 MR. [REDACTED]: Yes, sir.

6 MR. [REDACTED]: Alright. Thank you, sir.
7 When you were last with the Bureau of Prisons,
8 what was your title and rank?

9 MR. [REDACTED]: I was the lieutenant GS11
10 lieutenant.

11 MR. [REDACTED]: Perfect. Okay. I'm just
12 going to ask you -. As mentioned, I'm going to
13 go over an interview port that was created.
14 Was it true that you were interviewed by both
15 the FBI and the OIG back in 2019 regarding the
16 Epstein matter?

17 MR. [REDACTED]: I believe so yes. I know OIG
18 was there. I believe one of them was an agent
19 with the FBI and they had I think an AUSA there
20 as well.

21 MR. [REDACTED]: Okay. Great. I'm going
22 to read you that report. And if you can just
23 stop me if anything is inaccurate and as
24 mentioned, I'm going to ask for you to fill in
25 a couple of the blanks.

1 MR. [REDACTED]: Okay.

2 MR. [REDACTED]: It says: [REDACTED] began
3 working for the BOP in 2004 at Fort Dix, New
4 Jersey. [REDACTED] eventually ended his employment
5 with the BOP and then later returned to the BOP
6 as a lieutenant. [REDACTED] has - so when did you
7 become a lieutenant?

8 MR. [REDACTED]: Um, in 2016.

9 MR. [REDACTED]: Okay.

10 MR. [REDACTED]: I had a couple different
11 positions before I became a lieutenant. So.

12 MR. [REDACTED]: Okay. [REDACTED] has since
13 been assigned to various other BOP facilities
14 including Florence and Englewood. [REDACTED] began
15 working at the Manhattan Correction Center,
16 that's not correct though. It's the
17 Metropolitan Correctional Center. Correct?

18 MR. [REDACTED]: Yes, sir.

19 MR. [REDACTED]: Located at [REDACTED],
20 New York, New York approximately one year ago.
21 Do you recall from when to when did you work at
22 the MCC?

23 MR. [REDACTED]: Yes. It was I believe I got
24 there in like April 2018 around that. Don't
25 quote me on that. I'm not (Indiscernible

1 *00:05:37) around that time. It was right
2 before summer I believe.

3 MR. ██████████: And that is - did you
4 work there until you departed the BOP in 2020?

5 MR. ██████████: Yes, sir.

6 MR. ██████████: Okay. ██████████ is currently
7 employed as a GS11. ██████████ works in the special
8 housing unit and the operations unit. ██████████ is
9 sometimes assigned to the SR2. What is the
10 SR2?

11 MR. ██████████: It's a relief post. I wasn't
12 -. At the time of all this, Epstein, I was not
13 the special housing unit lieutenant. So I want
14 to make sure I was clear on that.

15 MR. ██████████: But you were a special
16 housing unit lieutenant in the past?

17 MR. ██████████: Yes, sir.

18 MR. ██████████: Okay. Great. You'll be
19 perfect to answer some of these questions then.
20 But the SR2. I'm sorry. What is that?

21 MR. ██████████: It's like a relief post. So
22 you kind of work some day-watch shifts, some
23 evening watch shifts, and morning watch shifts.
24 So it's like a variable change post.

25 MR. ██████████: Okay.

1 MR. [REDACTED]: They're a (Indiscernible
2 *00:06:26) supervisor.

3 MR. [REDACTED]: And were working in both
4 activities and operations there.

5 MR. [REDACTED]: Yes, dir.

6 MR. [REDACTED]: Primary responsibilities
7 while working in operations include logging the
8 movements of the building and managing overtime
9 issues. [REDACTED] also does rounds in the SHU and
10 goes down range to address any issues that
11 inmates have. So when you say you do rounds in
12 the SHU, would you actually conduct rounds with
13 the inmates? Or are you saying you would visit
14 the SHU and do a round with your staff members?

15 MR. [REDACTED]: I'm sorry. Say - repeat the
16 question one more time? I'm sorry.

17 MR. [REDACTED]: So when this say that
18 [REDACTED] also does rounds in the SHU, does that
19 mean when you would visit the SHU would you
20 actually do rounds with the other correctional
21 officers that were in the SHU? So you would do
22 rounds with the inmates?

23 MR. [REDACTED]: Yes, sir.

24 MR. [REDACTED]: Okay.

25 MR. [REDACTED]: Rounds with staff, make sure

1 there's any issues. Do rounds with the inmates
2 if they have any issues. And then I depart.

3 MR. [REDACTED]: Great.

4 MR. [REDACTED]: And then I go to the other
5 units as well and do the same thing with
6 officers in the housing units.

7 MR. [REDACTED]: Perfect. It says: [REDACTED]
8 stated that the assigned operations lieutenant
9 will visit the SHU approximately once a day and
10 sign the signature sheet. The lieutenant
11 brings the signature sheet to the captain to
12 sign and file the sheet into the logbook. So
13 when you would visit the SHU, as an operations
14 lieutenant, would you conduct rounds with the
15 inmates at that time?

16 MR. [REDACTED]: It also depends on the
17 workload.

18 MR. [REDACTED]: Okay.

19 MR. [REDACTED]: For instance, let's say
20 there's a use of force or some other disruptive
21 inmate you're dealing with. You know as
22 operations lieutenant, you've got to address,
23 and that's why you have the activities
24 lieutenant. And if you can't make it there in
25 time, or if he can't address that, you'll kind

1 of cover up and go through the rounds for the
2 operations lieutenant.

3 MR. [REDACTED]: When the Epstein matter
4 occurred on August 10, 2019, prior to that
5 time, was there ever a requirement that
6 lieutenants had to conduct one round in the SHU
7 with the inmates per shift?

8 MR. [REDACTED]: Yeah, that was policy. That
9 wasn't necessarily operations or activities. A
10 lieutenant had - was obligated to go there and
11 make rounds. Of course, like I said, working
12 in various institutions, MCC New York is a very
13 unique beast because it's constant movement
14 going on. Constant issues. But like I said,
15 depending on the workload or situation, there's
16 not an issue they're dealing with, yes. You
17 have to go there at least once a shift.

18 MR. [REDACTED]: Now just so I want to be
19 clear on this. Is it just go there to check in
20 or is it go there to actually -?

21 MR. [REDACTED]: No. Not just to go in there,
22 sign the books, and go. Of course just make
23 sure the staff's okay. Do your rounds down
24 range. Make sure there's any issues - inmate
25 issues - you log them down. See if you can try

1 to answer them. And go through the other
2 housing units and do the same thing.

3 MR. [REDACTED]: Okay. So it was - but at
4 that time, in August 2019, prior to Epstein
5 being found dead, was there a requirement that
6 every shift that either the operations or the
7 activities lieutenant conduct round --

8 MR. [REDACTED]: Yes.

9 MR. [REDACTED]: -- in the SHU with the
10 inmates?

11 MR. [REDACTED]: Yes.

12 MR. [REDACTED]: Okay. Good to know.
13 Alright. [REDACTED] is not involved with the count
14 in the SHU during the week unless there is an
15 unscheduled emergency count. [REDACTED]' typical
16 involvement with the count is limited to making
17 sure rounds have been completed. The only
18 shift scheduled in the SHU for a lieutenant is
19 the 6:00 a.m. until 2:00 p.m. shift. There is
20 no nighttime SHU lieutenant scheduled at MCC.
21 [REDACTED] has worked at other BOP facilities where
22 a nighttime lieutenant is scheduled. All BOP
23 employees are required to participate in an
24 annual refresher training. The last training
25 was held at [REDACTED] in New York, New

1 York. There is also quarterly training for new
2 correctional officers assigned to the SHU and
3 others who are mandated to attend. The
4 training discusses the signs of suicide and
5 what an employee should do if an inmate
6 attempts or successfully commits suicide. The
7 details of these trainings are found in post
8 orders which are displayed at the MCC. Now for
9 people that would do overtime shifts not
10 normally be assigned to the SHU, would they
11 have received guidance or training on how
12 they're supposed to operate when they're in the
13 SHU?

14 MR. [REDACTED]: Usually - well you're saying
15 if the training it's worked as a special
16 housing officer. Correct?

17 MR. [REDACTED]: Correct. So I know like,
18 for instance, in a special housing officer,
19 they do quarterly SHU training. Right?

20 MR. [REDACTED]: Yes, sir. So whoever -
21 whoever - okay so let's say you've got your
22 regular SHU officers there. So before the SHU,
23 they take over that SHU, before the quarter
24 begins, they have quarterly SHU training with
25 that staff. That's where a lot of the rules

1 that are implemented in special housing
2 reviewed, and pretty much all your policy in
3 special housing is reviewed before that - you
4 take over that shift for that quarter. Now for
5 other officers that just do their overtime, and
6 stuff like that, it's the annual refresher
7 training that you get once a year.

8 MR. [REDACTED]: Okay. So at that once a
9 year training though, do you get - was that
10 sufficient in order to know the rules and
11 policies and regulations for when they did work
12 in the SHU?

13 MR. [REDACTED]: Uh, technically yes. Yes.
14 They're - the - it covers everything - special
15 housing, the rules, and regulations and how
16 movement is in special housing. My opinion,
17 coming from different institutions, is that
18 it's always a lot of stuff going on in special
19 housing because you have the (Indiscernible
20 *00:12:00) or the ADX. I believe you should
21 get some more training.

22 MR. [REDACTED]: Okay.

23 MR. [REDACTED]: That's just my opinion.

24 MR. [REDACTED]: Fair enough. Alright.

25 So [REDACTED] had not heard about Epstein until he

1 arrived at the MCC as an inmate. [REDACTED] was not
2 working at the time of Epstein's attempted
3 suicide and was told about the incident
4 afterwards. Standard practice at MCC is that
5 if an inmate is placed on suicide watch, a
6 cellmate will be placed with that inmate. The
7 psychology unit gives correctional officers a
8 hotlist which lists the names of any inmates
9 who are on suicide watch and require a
10 cellmate. So if some of the -. If the
11 officers that are working in the SHU knew that
12 Epstein had tried to commit suicide previously,
13 should have they known that he needed a
14 cellmate at all times?

15 MR. [REDACTED]: Yes, sir.

16 MR. [REDACTED]: Alright. And is that
17 regardless if that was their quarterly bidden
18 post versus like someone -.

19 MR. [REDACTED]: Yeah because in special
20 housing, you have to house the (Indiscernible
21 *00:12:59) the officers' stations or right
22 behind it. Or the one at MCC New York and any
23 other institution, it's right there at the
24 officer's stations. So you have the list,
25 pictures, and that's the hotlist. So anybody

1 that's at suicide risk has to have an inmate.
2 And yes. They should have.

3 MR. [REDACTED]: Okay. It says: Epstein
4 was placed on suicide watch, was brought
5 upstairs to the SHU, and discussions about who
6 Epstein's cellmate would be. [REDACTED] was not
7 present at any of those meetings. Once Reyes
8 was selected to be Epstein's cellmate, [REDACTED]
9 spoke with Epstein and Reyes about it. And
10 neither inmate had an issue with it. [REDACTED]
11 physically placed Reyes into Epstein's cell.
12 Oh, so you were the lieutenant at the time?

13 MR. [REDACTED]: Yes. I was the operations
14 when they cleared that specific inmate to be
15 with Epstein. And I put him up there. Put him
16 in the first cell. And when I left, he was
17 still - that was his cellmate.

18 MR. [REDACTED]: Okay.

19 MR. [REDACTED]: It says: Then there is an
20 agent note and says at this point in the
21 interview, [REDACTED] was shown a printed email from
22 AUSA [REDACTED], [REDACTED]. [REDACTED] stated he recalled
23 receiving an email which was prior to assigning
24 Reyes to be Epstein's cellmate. Now I'm
25 assuming that email was the one from July 30th

1 from psychology saying that Epstein was
2 required to have a cellmate. Do you recall?

3 MR. [REDACTED]: Yeah. Briefly. Yes, sir. I
4 know we had a lot of emails about Epstein. And
5 then that one I know he was required to have
6 that. And then they specified which inmate was
7 going to be his.

8 MR. [REDACTED]: Okay. It says: On
9 8/9/19, so on August 9, 2019, [REDACTED] was
10 assigned as the operations lieutenant on the
11 8:00 a.m. to 4:00 p.m. shift, which is actually
12 worked 6:00 a.m. to 2:00 p.m. Correctional
13 officers during the morning watch shift knew
14 that Epstein and Reyes were to be kept in the
15 same cell. Reyes was removed from Epstein's
16 cell during the shift for a court appearance
17 and was released. A new cellmate was not
18 immediately placed into Epstein's cell. [REDACTED]
19 was aware of Epstein being alone and was
20 waiting to see what inmate would be assigned as
21 Epstein new cellmate.

22 MR. [REDACTED]: Okay.

23 MR. [REDACTED]: [REDACTED] believed that the
24 captain or psychology unit will make this
25 assignment. So did you have any conversations

1 with anybody -?

2 MR. [REDACTED]: No.

3 MR. [REDACTED]: No?

4 MR. [REDACTED]: No. That was - would be -.

5 No, that's a little bit different of how it was
6 said.

7 MR. [REDACTED]: So let me -. Here, I'll
8 read the next sentence and you can tell me if
9 this is correct.

10 MR. [REDACTED]: Okay.

11 MR. [REDACTED]: It says: [REDACTED] did not
12 tell any members of the relieving shift or
13 captain Darden that Reyes has been released
14 from MCC or that Epstein was currently without
15 a cellmate. [REDACTED] did not work on 8/10/2019
16 and heard about Epstein's death in the news.

17 MR. [REDACTED]: No. So this is exactly how it
18 went down. So with everything else, 100,000
19 things that was going on in that building,
20 usually when people go to court, we don't know
21 if they come back or not. There's nothing
22 specified okay, this person comes back.
23 Sometimes they do go to court, they post bail,
24 whatever the case may be, they get transferred.
25 We don't know until later on that day or after

1 the shift. But that's - when I heard that,
2 it's kind of weird how they stated that because
3 at no point do we kind of have an idea that, oh
4 right now this inmate is not coming back.
5 Because especially in the detention center, a
6 lot of these guys do come back. Some of these
7 guys come late. Some of these guys come like
8 7:00, 8:00 on the next shift. It all depends.
9 So that's why I don't know with that statement
10 - I don't agree with that tone.

11 MR. [REDACTED]: So did you know that
12 Epstein's cellmate Reyes was not coming back?

13 MR. [REDACTED]: No. I did not know.

14 MR. [REDACTED]: Oh you did not know.

15 Alright. Because yeah, I mean.

16 MR. [REDACTED]: Yeah. I did not.

17 MR. [REDACTED]: So I know the institution
18 was called at 1:50 advising that he was not
19 coming back.

20 MR. [REDACTED]: See I didn't know that, sir.

21 MR. [REDACTED]: You did not. Alright.
22 So you're saying how they wrote this is
23 actually not correct.

24 MR. [REDACTED]: Yeah. Not correct. I did not
25 know that.

1 MR. [REDACTED]: Okay. Who - should have
2 you known it if you were worked until 2:00 p.m.
3 and then they called at 1:50? Should someone
4 have advised you?

5 MR. [REDACTED]: Either me or the oncoming
6 lieutenant. So because when we do the
7 lieutenant exchange, we go in (Indiscernible
8 *00:17:22) all the building, and like I said,
9 any other issues that we're dealing with.
10 Somebody doesn't want to return to their cell
11 or inmate fight or whatever the case may be.
12 There's a lot of stuff going on. That's why I
13 tried to tell the individuals during that first
14 interview. During the day, it's not like okay
15 yeah this person goes here. It's kumbaya all
16 day. It's fast moving all the time. So yes.
17 So some things do get slipped through the
18 cracks? Yes. Do all of them? No. But at the
19 time with that, I was not - to my knowledge at
20 that time - that I knew that he was coming
21 back.

22 MR. [REDACTED]: Alright. And that's what
23 I was going to ask you. Are you positive that
24 you didn't - you were not informed that he had
25 left?

1 MR. [REDACTED]: Sir, to tell you the truth.
2 Like me right now even thinking back then. I
3 was not sure. I'm not sure. I was not aware
4 if he wasn't gone. I don't remember getting
5 any time of notification saying he was not
6 coming back.

7 MR. [REDACTED]: So you don't recall is
8 what you're saying?

9 MR. [REDACTED]: Yeah. I don't recall. I did
10 not get any type of correspondence saying that
11 that inmate was not coming back at 1:54 or
12 whatever the time that you stated.

13 MR. [REDACTED]: Okay.

14 MR. [REDACTED]: That -.

15 MR. [REDACTED]: Yeah, I think it was at
16 1:50. So when they call over to say there's
17 somebody is not coming back. Who do they call?

18 MR. [REDACTED]: They usually it's the
19 operations lieutenant or if they're might be
20 R&D. And R&D lets us know that this inmate's
21 not coming back. I never got any type of
22 notification from R&D or the captain himself.
23 Honestly, sir. And being with the inmate being
24 so high profile, usually a person like that
25 will come from our next-step-leadership which

1 would be the captain. I never received any
2 correspondence from him.

3 MR. [REDACTED]: No, and I'm not talking
4 about Epstein. I'm talking about Reyes. Was
5 Reyes also high profile?

6 MR. [REDACTED]: No, I'm just saying then that
7 he was in the same vicinity. If they - because
8 they made a big issue to make sure that's his
9 cellmate. Because I remember a couple of times
10 with the correspondence I got from him that
11 this is the inmate that he needs to be with
12 him. And make it happen. Put him in a cell
13 with him and that. So I would assume being
14 that he is kind of tied to Epstein for housing
15 purposes, and they knew that he was not coming
16 back, I should at least have got some type of
17 notification from the captain which I didn't at
18 that time. That I do know.

19 MR. [REDACTED]: Alright. So I thought
20 you were saying that if they knew that he
21 wasn't coming back, they would call the
22 operations lieutenant. Were you saying?

23 MR. [REDACTED]: Well either R&D will know -
24 Receiving District - because they deal a lot
25 with the court cases and they'll disseminate it

1 from operations. Or if they check. Because
2 sometimes, honestly, sir, if they call the
3 operations lieutenant, sometimes we're not in
4 that office. Or we're moving around and about
5 whatever the case may be. It all depends on
6 the day. So majority of the time, it will come
7 from R&D or if somebody does notify us, like
8 you said, more than likely be the lieutenant's
9 office or R&D or - for that situation - I would
10 think the higher-ups would know and let us
11 know.

12 MR. [REDACTED]: Alright. Because I'm
13 looking at the notes now from eh FBI. And it
14 says the same thing. New cellmate wasn't
15 placed. [REDACTED] was waiting to see who new
16 cellmate would be. And it would be decided by
17 the captain or psychology who would make that
18 decision. So do you remember talking to them
19 about that?

20 MR. [REDACTED]: Honestly sir, no. I don't -.

21 MR. [REDACTED]: And it said that Epstein
22 couldn't have just been placed with anyone.

23 MR. [REDACTED]: That is for sure. That he was
24 not going to be placed with just anyone.

25 MR. [REDACTED]: That is true? Is that

1 what you said?

2 MR. [REDACTED]: Yeah. That - they didn't want
3 no - any other cellmate to be with him other
4 than Reyes.

5 MR. [REDACTED]: Um, right. Okay.
6 Alright. I'll just keep going on. [REDACTED]
7 explained that correctional officers travel
8 between the 9th floor and the 10th floor of the
9 MCC via staircase. Now are you talking about
10 the MCC in general or are you talking about in
11 the SHU?

12 MR. [REDACTED]: I'm - you mean the staircase
13 in SHU?

14 MR. [REDACTED]: I don't know. The way
15 that that sentence says is [REDACTED] explained that
16 correctional officers travel between the 9th
17 floor and 10th floor -.

18 MR. [REDACTED]: Oh, that's okay. So the 9th
19 floor is the special housing. Now the
20 staircase to go to the 10th floor which is the
21 high-profile inmates go.

22 MR. [REDACTED]: Like 10 South. Right?

23 MR. [REDACTED]: 10 South. Yeah. That's the
24 staircase that they're -.

25 MR. [REDACTED]: Okay. So in the general

1 SHU area is that was explaining how you get
2 from the SHU up to 10 South.

3 MR. [REDACTED]: Exactly.

4 MR. [REDACTED]: Okay. Correctional
5 officers can take an elevator from the 9th
6 floor to the 11th floor, but it does not stop
7 on the 10th floor. The 10th floor is not a
8 full floor and is similar to an attic. There
9 are bathrooms for use of correctional officers
10 on the 9th and 10th floor. Female correctional
11 officers mostly use the 10th floor bathroom
12 because it's more comfortable and private.
13 Correctional officers pick up the house phone
14 and have the control unit open the doors for
15 them to access the bathroom and to complete
16 their rounds. [REDACTED] also explained that
17 overtime during the nighttime shift for
18 correctional officers in the SHU is not often
19 sought after. This is because it requires
20 officers to be mobile and to prepare the
21 paperwork for the morning shift. Alright. So
22 you already talked about how -. So during the
23 August 9th and 10th. Every operations
24 lieutenant or activities lieutenant should have
25 conducted a round within the SHU and like

1 witnessed or participated in either a round or
2 a count?

3 MR. ██████: Yes. Uh, yes.

4 MR. ██████: Do you know if anybody
5 did during your shift? Either yourself or the
6 activities lieutenant.

7 MR. ██████: My shift it would have either
8 been -. I don't remember going to the SHU. I
9 know I was dealing with a lot of stuff that
10 day. Um. More than likely, if I can't do it,
11 it was my activities lieutenant that um, that
12 would knock that out.

13 MR. ██████: You would have asked your
14 activities lieutenant? Is that what you said?

15 MR. ██████: Yes.

16 MR. ██████: Alright.

17 MR. ██████: Well if he knows I'm busy, or
18 I'm dealing with something during the day,
19 he'll go up there and do the rounds in SHU.

20 MR. ██████: Alright. And it looks
21 like that would have been ██████. Are you
22 familiar with ██████?

23 MR. ██████: Yes.

24 MR. ██████: Okay. Do you -. I mean
25 I know we're talking about a long time ago but

1 being that this was such a big incident. Do
2 you know - do you recall if you asked him to do
3 it?

4 MR. [REDACTED]: Sir, I would be lying if I
5 said I did remember. I don't.

6 MR. [REDACTED]: No, no worries. So then
7 the person that relieved you was [REDACTED] as the
8 operations lieutenant and then [REDACTED] relieved
9 [REDACTED]. So during their shift, one of them
10 should have also witnessed a round or a count
11 in the SHU?

12 MR. [REDACTED]: Yes, sir.

13 MR. [REDACTED]: Okay. And are you
14 positive that was policy at that time?

15 MR. [REDACTED]: At that time, a lieutenant has
16 to at least go to SHU to make rounds ever
17 shift.

18 MR. [REDACTED]: Right. And with the
19 inmates, not just to stop by.

20 MR. [REDACTED]: Yes. Not just hey, how you
21 doing. It's actually go down range and do your
22 rounds in range.

23 MR. [REDACTED]: Alright. And then after
24 that, the nighttime shift it would have been.
25 You know I guess for officers it would have

1 been 10:00 p.m. to 6:00 a.m. That was [REDACTED]
2 [REDACTED] and it actually says the activities
3 lieutenant -. Oh no, activities lieutenant
4 came on at 6:00. It was just the operations
5 lieutenant. So [REDACTED] would have she
6 been required to do the same during the same
7 with the SHU - in the SHU?

8 MR. [REDACTED]: Yes, sir. Every lieutenant
9 should (Indiscernible *00:25:13). Everybody
10 got to show their face at least once a shift.
11 And now when I say show your face, you have to
12 with the officers and with the inmates go down
13 range.

14 MR. [REDACTED]: Okay. So [REDACTED]
15 even though it was from 10:00 p.m. to 6:00
16 a.m., should have also gone downrange --

17 MR. [REDACTED]: Yep.

18 MR. [REDACTED]: -- and done a round with
19 the inmates?

20 MR. [REDACTED]: Yes. Because that would have
21 covered that morning watch shift.

22 MR. [REDACTED]: Alright. Great. And
23 being that you were the lieutenant, you know
24 the SHU lieutenant, you know that this is
25 policy. Correct?

1 MR. [REDACTED]: Yes, sir.

2 MR. [REDACTED]: Alright. Great. And
3 it's not something that was implemented after
4 this fact? It was actually -.

5 MR. [REDACTED]: No, it was -. That's in every
6 SHU around the Bureau.

7 MR. [REDACTED]: Okay. Great. Now so if
8 you were not informed about Reyes being removed
9 from the institution. What should have
10 happened and who should have taken - or who
11 should have ensured that a new cellmate was
12 assigned to Epstein?

13 MR. [REDACTED]: Okay. So. Again. Repeat the
14 question one more time. I just want to make
15 sure I grasp what you're asking.

16 MR. [REDACTED]: So first of all I guess I
17 should ask do you recall on that day were you
18 gone by 2:00 p.m.?

19 MR. [REDACTED]: Uh, if not 2:00 p.m., usually
20 we try to relieve each other 15 minutes early
21 whatever. Give a little exchange and we go.
22 Usually I'll probably be out right at 2:00 p.m.

23 MR. [REDACTED]: MR. LARGENT: So by 2:00
24 p.m. you would have bene gone?

25 MR. [REDACTED]: Yes, sir.

1 MR. [REDACTED]: Alright. So if this
2 information comes in and again, you said
3 usually, typically, directly, they call and
4 they usually typically call the operations
5 lieutenant and provide this information that
6 this person is not coming back?

7 MR. [REDACTED]: (Indiscernible *00:26:56) I'm
8 going to say 80% of the time, R&D would know.
9 Okay, this inmate, because they've got the
10 whole transfer of inmates, where they're going,
11 and what's going on. So if they knew that one
12 was on the court list or whatever was not
13 coming back, you know, they usually would know.
14 Or sometimes, you know, they'll notify us by
15 calling the lieutenant's office. That's what I
16 meant by that.

17 MR. [REDACTED]: Okay. So typically, R&D
18 would call the ops lieutenant, the ops
19 lieutenant would contact the lieutenant's
20 office, and they would notify the SHU? Is that
21 how it would work?

22 MR. [REDACTED]: Yeah. And then without fail,
23 the such-and-such inmate needs to have - he's
24 not coming -. Well especially with that one.
25 He needs a cellmate because his cellie is not

1 coming back. And the whole issue of him
2 getting that special cellmate would definitely
3 be a - how do I put it. Somewhere not that in
4 suicide watch and we couldn't get involved.

5 MR. [REDACTED]: I'm sorry, I couldn't
6 hear. What was the last thing you were saying?

7 MR. [REDACTED]: So it's, you know, especially
8 with that, not any inmate could go with him.
9 They should have put him on suicide watch until
10 they confirmed which would be his next
11 cellmate. Because I know not everybody could
12 have gone with him. So that's why that
13 information should have disseminated a lot
14 quicker. Because you know, they couldn't find.
15 It was a specific inmate to get with him which
16 was Reyes. Now to get another one, they would
17 have another backup inmate to go with him if
18 that person didn't come back. So I would have
19 thought they should have put him at least in
20 suicide watch so they can kind of figure out
21 who they were going to stick with him being
22 that he couldn't be by himself.

23 MR. [REDACTED]: Okay. Now do the ops
24 lieutenant and the activities lieutenant are
25 their shifts like the same? Would have [REDACTED]

1 also left at about 2:00 p.m.?

2 MR. [REDACTED]: Uh, see that time, that's why
3 I'm kind of confused. At that time, you just
4 reminded me. Because I knew we went -.
5 Usually the - typically shift for operations is
6 eight hours. And I know at one time being with
7 the shortage and everything, they started
8 flipping it to 12-hour shifts. So I'm trying
9 to remember what time [REDACTED] came in because if
10 he -.

11 MR. [REDACTED]: Well underneath his -.
12 So it's difficult because you guys aren't all
13 coming in at the times that is listed on the
14 actual roster. Sounds like you're all two
15 hours beforehand. Like your shift says 8:00 to
16 1600.

17 MR. [REDACTED]: Yeah.

18 MR. [REDACTED]: But it sounds like you're
19 actually coming in at 6:00 a.m. and leaving at
20 2:00 p.m. Is that correct?

21 MR. [REDACTED]: Yeah. That was the stuff they
22 were letting us do because of traffic
23 especially in detention centers. They let the
24 lieutenants come in and work the 6:00 to 2:00
25 instead of uh, 8:00 to 4:00 trying to

1 disseminate from you know the traffic and the
2 commute and stuff like that.

3 MR. [REDACTED]: No [REDACTED] as the
4 activities lieutenant, it shows that he was in
5 there from 6:00 to 2:00.

6 MR. [REDACTED]: But again, he would have been
7 leaving exactly with me. Because that's why in
8 --

9 MR. [REDACTED]: Alright.

10 MR. [REDACTED]: -- activities they work 6:00
11 to 2:00, 2:00 to 10:00.

12 MR. [REDACTED]: Alright. And so it was
13 only the ops lieutenants that were the two
14 hours before the activities lieutenants were
15 actually whatever it says on the schedule?

16 MR. [REDACTED]: Yes. That was their official
17 post - 6:00 to 2:00.

18 MR. [REDACTED]: Alright. So this call
19 comes in at 1:50 according to the official
20 records. So it's right on the cusp of either
21 you guys leaving or the next crew coming in.

22 MR. [REDACTED]: Yes, sir.

23 MR. [REDACTED]: And then it just -. So
24 [REDACTED] who was the guy who relieved you, he
25 said he never knew about it. No one ever

1 informed him.

2 MR. [REDACTED]: Yeah.

3 MR. [REDACTED]: And that's the weird part
4 is that your interview report says that you
5 did. My only question for you was going to be
6 like who informed you and did you really that
7 information to anyone else? But -.

8 MR. [REDACTED]: No. I don't recall saying
9 that I knew. I knew he left. I didn't know
10 that he was gone. You know because we have a -
11 as an operations lieutenant, you have a list of
12 who is going to court. So I knew he was
13 leaving, I didn't know he was not coming back.

14 MR. [REDACTED]: Oh.

15 MR. [REDACTED]: Maybe that's where they
16 misconstrued what I was trying to say. Yeah, I
17 knew he was leaving. But I didn't know he was
18 not coming back.

19 MR. [REDACTED]: So do you know why they
20 would have wrote -. And this is again in both
21 the report as well as in their handwritten
22 notes, "[REDACTED] was waiting to see who the new
23 cellmate would be. It would be decided by the
24 captain or psychology to make that decision."

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

1 MR. [REDACTED]: No? So you didn't have a
2 conversation with the captain or psychology
3 about like hey, I'm waiting on you to make that
4 decision?

5 MR. [REDACTED]: Sir, I have to be honest. I
6 don't remember talking to the captain about
7 that.

8 MR. [REDACTED]: Right. Yeah-yeah-yeah.
9 And that's what it says and then later in the
10 interview report that's where it says. And
11 that's the reason why we're talking is just to
12 figure out --

13 MR. [REDACTED]: Yeah, I --

14 MR. [REDACTED]: -- where the --

15 MR. [REDACTED]: -- to be honest --

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

17 MR. [REDACTED]: I don't remember. I don't
18 know what this - I don't remember talking to
19 the captain about him waiting for a cellmate.
20 So that's pretty much saying okay I knew he was
21 not coming back, I'm just waiting for the
22 guidance from the captain. Which I don't
23 remember having a conversation with.

24 MR. [REDACTED]: No-no. And that's what
25 it says. It says, "[REDACTED] did not tell any

1 members of the relieving shift or captain
2 Darden that Reyes had been released from MCC or
3 that Epstein was currently without a cellmate.
4 [REDACTED] did not work on 8/10 and heard about
5 Epstein's death on the news." So yeah,
6 obviously the way that it reads, it looks like
7 - you know at least it says, the information
8 was provided to you and then you didn't do
9 anything with it. So that's why --

10 MR. [REDACTED]: Yeah-yeah.

11 MR. [REDACTED]: -- we're talking to you.

12 MR. [REDACTED]: That's why like when you're
13 explaining it, I'm like wow, man, that's not
14 how it went down. I knew he was leaving, but I
15 didn't know he was not coming back. I never -.
16 I don't recall ever having that conversation
17 with the captain well yeah, I'm waiting for you
18 to let me know who you want me to put in there.

19 MR. [REDACTED]: Okay. And would it have
20 anything to do with like you getting a call as
21 you were running out the door or anything like
22 that? Or like telling [REDACTED] hey make sure
23 this is handled? Or something?

24 MR. [REDACTED]: No, sir. You - for myself.
25 Just wait. I know you don't know me from a can

1 in the wall. But when I worked special
2 housing, there was been many nights - many,
3 many nights that I stayed there 4 or 5 hours
4 after just to make sure everything is done. So
5 me getting call like hey, take care of that.
6 No.

7 MR. [REDACTED]: Okay. What other
8 questions should we cover with him there
9 [REDACTED]?

10 MR. [REDACTED]: Hey Mr. [REDACTED], when you made
11 your rounds to the SHU, do you recall seeing
12 any kind of paperwork on the desk saying that
13 Epstein needed a cellmate? Like a large piece
14 of paper or something?

15 MR. [REDACTED]: I don't recall, sir.

16 MR. [REDACTED]: But you said that there
17 was a hotlist that he was on.

18 MR. [REDACTED]: Yeah, oh yeah, the hotlist.
19 The hotlist. I thought what -.

20 MR. [REDACTED]: No-no-no. He's asking
21 you specifically. So the information we have is
22 that they - on the officer in charge the OIC's
23 desk - there was like a colored paper that said
24 Epstein is required to have a cellmate. And
25 that's what he's asking.

1 MR. [REDACTED]: I think that was a list the
2 officers -. I guess whatever officer was there
3 left a note for the oncoming saying that he
4 needed a cellmate. So I don't know after I
5 left if that got disseminated. I'm not sure.
6 I know that yellow note - sticky pad or
7 whatever - that they said they wrote. That was
8 from the officers that was there to the
9 oncoming officers that were coming on.

10 MR. [REDACTED]: Okay. So if the SHU
11 officers knew that he was supposed to have a
12 cellmate. Once they found out that Reyes
13 wasn't coming back, what should have they done?

14 MR. [REDACTED]: With the officers should have
15 done first of all, what they should have done
16 was notify the oncoming - whoever the on-shift
17 lieutenant was saying that this inmate doesn't
18 have a cellie. Who do you want me to put in
19 there? So from here, that's when the shift
20 lieutenant should have called and notified the
21 captain and say hey we can't just put anybody
22 with him. Who do you want us to put him? You
23 want to put him on suicide watch or what until
24 we kind of figure out who we're going to put
25 int here with him. That's what should have

1 happened.

2 MR. [REDACTED]: Okay. So once they
3 realized it, they should have -. Now should
4 have that happened with every new shift. If
5 the people are relieved on the morning watch to
6 the night watch - or day watch to night watch,
7 night watch knows that he's supposed to have a
8 cellmate, should have they again contacted the
9 ops lieutenant?

10 MR. [REDACTED]: Yes.

11 MR. [REDACTED]: And then same thing for
12 the morning watch? From the -?

13 MR. [REDACTED]: Yes.

14 MR. [REDACTED]: Okay. So every shift
15 should have again -.

16 MR. [REDACTED]: Yeah. Somebody should have
17 called. Somebody should have called.

18 MR. [REDACTED]: Okay. And no one called
19 -? As far as you know, no one called you and
20 contacted you and let you know that Reyes was
21 not coming back?

22 MR. [REDACTED]: Sir, I don't recall anybody
23 having that conversation. I knew he was
24 leaving from the outgoing stuff going on. I
25 don't recall anybody calling me and saying he's

1 not coming back. And me waiting for the
2 captain to let me know who I should put on him.
3 Because if it was like that, the captain should
4 - if he was the man, so he should have known.
5 So I don't ever recall -.

6 MR. [REDACTED]: But like you said, the
7 R&D would have called the ops lieutenant not
8 the captain. Correct? Wouldn't it be the ops
9 lieutenant's job to call the captain?

10 MR. [REDACTED]: Exactly. And that's why he -.
11 By you saying that I was waiting for the call
12 from the captain, means I knew that and I was
13 waiting for the captain to give me more
14 correspondence on who he wanted me to put on.

15 MR. [REDACTED]: Yeah, no. And we can
16 forget about that part. The part I'm asking
17 about is do you know if anyone ever told you
18 that Reyes wasn't coming back?

19 MR. [REDACTED]: Sir, I don't recall anybody
20 telling me he was not coming back. But that's
21 I knew he was leaving. I never received any
22 correspondence saying he was not coming back.
23 I never got a call or nothing like that.

24 MR. [REDACTED]: And would it be a call
25 typically or an email? Or how is that usually

1 done?

2 MR. [REDACTED]: Call. It can be an email as
3 well. But majority of the time it will be a
4 call.

5 MR. [REDACTED]: Okay. And you don't
6 recall receiving a call?

7 MR. [REDACTED]: No, sir.

8 MR. [REDACTED]: And you don't recall
9 telling the FBI and the OIG back at you know in
10 let me see what date it says that. It was in
11 August 2019. You don't remember telling them
12 that?

13 MR. [REDACTED]: I'm not saying I don't
14 remember unless I misconstrued how I said - how
15 I was trying to put it out there. Kind of like
16 when I explained it to you, that's kind of like
17 how it's was - how it was probably trying to
18 mean at the time. Or -.

19 MR. [REDACTED]: Alright. So are you
20 thinking like what you -? Are you thinking
21 what you told them was something more along the
22 lines of I knew that he left to go to court but
23 I didn't know he wasn't coming back to the
24 institution?

25 MR. [REDACTED]: There you go.

1 MR. ██████████: Alright. And then do you
2 know how they would have -? Do you remember at
3 all if you could try to place yourself back
4 into there, where they would have come up with
5 the shole you're waiting on a new cellmate to
6 be assigned?

7 MR. ██████████: Sir, I don't - I'll be honest.
8 I'm not sure.

9 MR. ██████████: Yeah-yeah. No worries.
10 I'm just going to -

11 MR. ██████████: I'm trying to go through all
12 these years. How many years past are we - one
13 or two? I'm just trying to remember
14 everything. It's just, you know -.

15 MR. ██████████: Sure.

16 MR. ██████████: I don't want to give you a
17 false thing that says, yeah that's what I said
18 if I really don't - it's. It's kind of vague
19 for me.

20 MR. ██████████: Okay. What else do we
21 want to ask him while we've got him on the
22 phone? Since he especially since he was the
23 lieutenant in the SHU?

24 MR. ██████████: Mr. ██████████, you wouldn't
25 happen to recall who the officer was in the R&D

1 that day. Right?

2 MR. ██████: No, sir.

3 MR. ██████: Okay.

4 MR. ██████: In that building during the
5 day, like prior to Epstein, that building every
6 day it's just always moving. Like we have 30
7 inmates going to court every day. So not
8 including the fight that's going on down -
9 going on in the first or second floor - I mean,
10 the fifth and seventh floor, we have other
11 inmates going on with this, stuff with the
12 officers, the inmates. There's always
13 something going on.

14 MR. ██████: Okay.

15 MR. ██████: So that's what I was trying to
16 explain to the people that interviewed me the
17 first time. It's a lot of stuff - a lot of lot
18 of stuff going on. I'm not saying it's an
19 excuse or nothing like that, but sometimes the
20 - there's just the motion of stuff going on in
21 that building. You know?

22 MR. ██████: During your visits to the
23 SHU, did you ever tell anybody that Epstein was
24 required to have a cellmate? Just in general?

25 MR. ██████: Yes. That when I first put

1 him in there, my - he was - he's going to have
2 this inmate. This is his inmate and he's
3 supposed to have an inmate.

4 MR. [REDACTED]: And when you say you
5 first put him in there, is that after he came
6 off of suicide watch you're referring to?

7 MR. [REDACTED]: Yes. Yes. The first time
8 when they found Reyes and they specified this
9 is going to be the inmate that's going to be
10 with him.

11 MR. [REDACTED]: Okay. And did you note
12 though not only is this going to be his inmate,
13 the inmate that's going to be his cellmate, but
14 was it ever discussed that at all times he
15 needs a cellmate?

16 MR. [REDACTED]: Every inmate that's on suicide
17 watch needs a cellmate. That was the norm.

18 MR. [REDACTED]: But did you ever -? I
19 guess what I'm asking is like so if these
20 people say, hey I didn't know that. What I'm
21 asking is like, do you remember ever saying
22 that to them? That hey, guys, he's on suicide
23 watch. He needs a cellmate. Or is that
24 conducted in training? Or how -? If they
25 claim that they didn't know that how to what

1 can we say back to them and say you should have
2 known that based upon - this person told you or
3 it was conducted in training? Or how -?

4 MR. [REDACTED]: During SHU training, you have
5 a block of that SHU training is with the
6 psychologist. And she goes over all the
7 suicide risks and once he comes off the suicide
8 watch, she always states and goes in depth with
9 the suicide part of the SHU training. And
10 inmate needs a cellmate coming off suicide
11 watch regardless if it's a felonious accusation
12 or not because he's going to get a cellmate.

13 MR. [REDACTED]: Okay. Now is that the
14 SHU training that's the quarterly training
15 you're referring to.

16 MR. [REDACTED]: Both. The quarterly training
17 and the annual training refresher course.

18 MR. [REDACTED]: So that's also addressed
19 during the annual training?

20 MR. [REDACTED]: Yes, sir.

21 MR. [REDACTED]: Okay. Great to know. Do
22 you recall having any conversations with people
23 just though and maybe not even in the SHU, just
24 in general, with regard to other lieutenants
25 about the fact that Epstein needs a cellmate at

1 all times?

2 MR. [REDACTED]: I don't recall, sir.

3 MR. [REDACTED]: You don't recall.

4 Alright. Do you have any reason to believe
5 that Epstein's death wasn't due to suicide?

6 MR. [REDACTED]: No.

7 MR. [REDACTED]: No? There was no foul
8 play involved.

9 MR. [REDACTED]: No. No foul play. It's just
10 - people just didn't do their job. That's what
11 it boils down to.

12 MR. [REDACTED]: And speaking of not doing
13 their job, are you aware that people in the SHU
14 were not conducting rounds and counts?

15 MR. [REDACTED]: I was not aware of people not
16 doing their rounds and counts. I was assuming
17 that everybody was doing their job like they're
18 supposed to do. Do their rounds, do their
19 counts, to make sure whatever you put on paper
20 is what you're supposed to be putting on paper.

21 MR. [REDACTED]: Oh, okay. And on your
22 shift, it says the ops lieutenant or activities
23 lieutenant, would you regularly go to the SHU
24 and conduct those rounds and counts with the
25 inmates?

1 MR. [REDACTED]: When I was a shift lieutenant?
2 Yes. If and I'm not saying -.

3 MR. [REDACTED]: I mean not the SHU
4 lieutenant. When you were acting as the ops
5 lieutenant or the activities -.

6 MR. [REDACTED]: As an ops lieutenant. If I
7 was busy, if I did do a use of force and I'm
8 doing an actual (Indiscernible *00:42:20), it's
9 either myself or my activities lieutenant.
10 Somebody on my shift was up there to do their
11 rounds.

12 MR. [REDACTED]: Okay. And in your
13 opinion, who then with the limited information
14 that we just gave you, the fact that you know
15 they're getting the institution is getting -.
16 Somebody in the institution is getting a call
17 at 1:50 saying that he's not coming back.
18 Where - how should have this played out? Who
19 kind of dropped the ball there in your opinion?

20 MR. [REDACTED]: Um.

21 MR. [REDACTED]: Because it's documented
22 that the institution was called at 1:50 saying
23 that he wasn't coming back.

24 MR. [REDACTED]: I don't know who dropped the
25 ball. I think everybody dropped the ball.

1 Because if we - let's say we start with R&D.
2 If they didn't specifically speak to somebody
3 or do an email that people don't regularly
4 check - especially at that time. Or the
5 captain, you know, the captain should have
6 known. Regardless, but let's say it passed
7 that first section. When the next shift
8 section comes, you've got to go up there and do
9 your rounds. So right there, Epstein - he's a
10 high profile. He obviously does not have an
11 inmate - suicide risk. That's the second block
12 that missed. The third block hit the morning
13 watch shift. So to point exactly where the
14 ball dropped, I don't - I can't really specify
15 exactly.

16 MR. [REDACTED]: Sure. Now I just want to
17 -. I don't know that we really have many more.
18 I just want to remind you though, you are under
19 oath and this is more of an administrative
20 matter right now, but if you know - the lying
21 thing is what could bring it to like a
22 criminal. So I just want to make sure that
23 you're confident with that statement that you
24 did not receive a call or an email saying that
25 Reyes wasn't coming back.

1 MR. [REDACTED]: Sir, like I said, I do not
2 recall a phone call. If an email went through,
3 I don't know if I didn't check it or nothing
4 like that. But a call - I don't remember. I
5 don't recall.

6 MR. [REDACTED]: Verbal call? Any kind of
7 communication?

8 MR. [REDACTED]: No didn't. I don't recall a
9 verbal call of communication or if somebody
10 stopped by my office. Hey, he's not coming
11 back.

12 MR. [REDACTED]: And you also don't
13 believe you told the FBI that you received that
14 information? Or the OIG?

15 MR. [REDACTED]: Yes. I don't - I'm not
16 saying. I don't -. I didn't exactly say
17 unless how I worded it came out wrong.

18 MR. [REDACTED]: Because obviously this
19 was a big deal. Right?

20 MR. [REDACTED]: Yes, sir.

21 MR. [REDACTED]: So something like --

22 MR. [REDACTED]: I wouldn't just go and lie and
23 say -.

24 MR. [REDACTED]: -- this -. What's that?

25 MR. [REDACTED]: I said this is a huge thing so

1 I wouldn't just say hey, I wouldn't lie and say
2 I never got a call. I truly do not recall
3 receiving a phone call of somebody telling me
4 he was not coming back.

5 MR. [REDACTED]: And you also are saying
6 that you didn't tell the OIG or the FBI during
7 your interview with also the AUSA. Because
8 we're going to have like you said, four
9 witnesses that were in the room to talk to them
10 to say, hey did he say this? Because he's
11 saying that he didn't.

12 MR. [REDACTED]: Sir, I'm trying to refresh my
13 memory. I don't recall saying. If I did say
14 it, then I said it. But I don't recall that
15 happening, sir.

16 MR. [REDACTED]: Okay. because like when
17 I was saying about the big event, I'm just
18 saying like obviously Epstein dies. You would
19 think that one, it would stand out in your
20 mind: oh man, I got a call about Reyes not
21 coming back. And then two, you'd remember
22 because hey, I just got interviewed by the FBI,
23 the OIG, and the U.S. Attorney's Office all in
24 the same room at the same time.

25 MR. [REDACTED]: Yes, sir.

1 MR. [REDACTED]: So and again, being under
2 oath, knowing that if you're lying that could
3 actually bring this from --

4 MR. [REDACTED]: Yes.

5 MR. [REDACTED]: -- an administrative
6 matter where you don't work for the BOP anymore
7 to a potential criminal matter. Are you
8 confident with that statement?

9 MR. [REDACTED]: Sir, I don't -. I'm being
10 honest with you. I do not recall stating that.
11 I don't. If I did, then I don't know if I was
12 nervous or -. I don't recall them calling me,
13 sir. I don't. Right now, in June 16 of 2021,
14 I do not recall them calling me and telling me
15 that he was not coming back.

16 MR. [REDACTED]: Okay. But as - so we'll
17 go past that. But again, if they had called
18 you, you would have -. Your next course of
19 action would have been to tell the captain.
20 Correct?

21 MR. [REDACTED]: Exactly. Tell the captain.

22 MR. [REDACTED]: And you didn't do that.
23 Right? And should have - if they did call you
24 - should have you told [REDACTED], your
25 replacement?

1 MR. [REDACTED]: Yes, sir.

2 MR. [REDACTED]: Okay. And obviously you
3 didn't do either of those. Correct?

4 MR. [REDACTED]: No, sir.

5 MR. [REDACTED]: Okay. Anything else we
6 want to ask?

7 MR. [REDACTED]: No.

8 MR. [REDACTED]: Alright. This is my cell
9 phone. If for some reason that's - you can
10 recall and your statement change. Please let
11 me know. because again, it's a moment we're
12 talking about administrative stuff for a
13 department you don't work for anymore. So if
14 it --

15 MR. [REDACTED]: Okay.

16 MR. [REDACTED]: -- you know, if you can
17 recall that conversation, if you can recall the
18 interview, if you can recall statements that
19 were made, please. As soon as possible -.

20 MR. [REDACTED]: Sir, I - I - I'm - right now
21 I'm being completely honest with you. If I
22 said that, like right now, I don't remember.
23 And I don't know -. We're talking about a year
24 and a half ago.

25 MR. [REDACTED]: But that's not something

1 you'd remember. You know with the biggest case
2 in the news and still in the news today. You
3 know what I mean?

4 MR. [REDACTED]: Yes, sir, I know. And I truly
5 do not remember them calling me and saying he
6 was not coming back, sir.

7 MR. [REDACTED]: And again, it doesn't
8 have to be - it can be verbal, call, text,
9 email - any of that. Communication. You don't
10 recall any communication with anyone telling
11 you that Reyes wasn't coming back?

12 MR. [REDACTED]: I'm trying to remember an
13 email. I don't remember a call, sir. Right
14 now. I truly don't.

15 MR. [REDACTED]: Okay.

16 MR. [REDACTED]: Hey Mr. [REDACTED].

17 MR. [REDACTED]: Yes.

18 MR. [REDACTED]: The next day, when after the
19 incident happened, did you get called on -
20 called into the MCC?

21 MR. [REDACTED]: No.

22 MR. [REDACTED]: So you weren't present on
23 Saturday then?

24 MR. [REDACTED]: No.

25 MR. [REDACTED]: Okay.

1 MR. [REDACTED]: Any follow-ups?

2 MR. [REDACTED]: No.

3 MR. [REDACTED]: Nothing?

4 MR. [REDACTED]: Nothing else I can.

5 MR. [REDACTED]: Okay. Well we really

6 appreciate your time. We'll relay this.

7 Obviously this information goes to the highest

8 of levels. So if you do recall, especially in

9 the very near term. Again, please call me back

10 and let me know. Again, you're under oath and

11 we do appreciate your time. And good luck at

12 training. And I hope CBP works out.

13 MR. [REDACTED]: Alright. Thank you.

14 MR. [REDACTED]: Thank you, sir. You have

15 a good night. It is currently 5:27 p.m. on

16 Wednesday June 16, 2012. This is Senior

17 Special Agent [REDACTED] [REDACTED] and I am

18 turning off the recorder.

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CERTIFICATE

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

Interview of [REDACTED] [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED], Transcriber