

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

DIGITALLY RECORDED
SWORN STATEMENT
OF



OIG CASE #:
2019-010614

DEPARTMENT OF JUSTICE
OFFICE OF THE INSPECTOR GENERAL

JULY 20, 2021

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES:

OFFICE OF THE INSPECTOR GENERAL

BY: [REDACTED]

BY: [REDACTED]

WITNESS:

[REDACTED]

OTHER APPEARANCES:

NONE

1 MR. [REDACTED]: This is Special Agent [REDACTED]
2 [REDACTED]. Today is Thursday, July 15, 2021. The
3 time is 4:03 p.m. and I've turned on the
4 recorder. My name is [REDACTED], I'm a
5 Special Agent with the U.S. Department of
6 Justice, Office of Inspector General, New York
7 Field Office and these are my credentials.

8 MS. [REDACTED]: Okay.

9 MR. [REDACTED]: This interview is with the
10 Federal Bureau of Prisons Correctional Officer
11 [REDACTED] and this interview is being conducted as
12 part of an official U.S. Department of Justice,
13 Office of Inspector General investigation.
14 Today is July 15, 2021. The time is 4:04 p.m.
15 This interview is being conducted at the
16 Metropolitan Correctional Center located at 150
17 Park Row~~ad~~. We are in the Executive
18 Assistant's office. Also present is DOJ OIG
19 Senior Special Agent [REDACTED] and CO
20 [REDACTED]. This interview will be recorded by me,
21 Special Agent [REDACTED]. Could everyone
22 please identify themselves for the record and
23 spell your last name. To start, I am DOJ OIG
24 Special Agent [REDACTED], [REDACTED].

25 MR. [REDACTED]: I'm Senior Special Agent

1 [REDACTED], [REDACTED], also
2 with the DOJ OIG.

3 MR. [REDACTED]: Can you please state your
4 first and last name?

5 MR. [REDACTED]: Oh, and these are my
6 credentials just so you do know.

7 MS. [REDACTED]: Okay. I'm Correctional
8 Systems Officers S. [REDACTED], [REDACTED] with
9 the Federal Bureau of Prisons, Department of
10 Justice.

11 MR. [REDACTED]: This is an official DOJ OIG
12 investigation into the death of inmate Jeffery
13 Epstein and the surrounding circumstances. You
14 are being asked to voluntarily provide answers
15 to our questions. Will you agree to a
16 voluntary interview with the DOJ OIG?

17 MS. [REDACTED]: Yes.

18 MR. [REDACTED]: Please review DOJ OIG form 3-
19 226/2. The form basically states, "United
20 States Department of Justice, Office of
21 Inspector General, Warnings and Assurances to
22 Employee Requested to Provide Information on a
23 Voluntary Basis. You are being asked to
24 provide information as part of an investigation
25 being conducted by the Office of Inspector

1 General. This investigation is being conducted
2 pursuant to the Inspector General Act of 1978,
3 as amended. This investigation pertains to
4 job performance failure and security failure."
5 It's in general. It has nothing to do with you
6 directly, it's in general, the investigation
7 we're doing. "This is a voluntary interview.
8 Accordingly, you do not have to answer
9 questions. No disciplinary action will be
10 taken against you if you choose not to answer
11 questions. Any statement you furnish may be
12 used as evidence in any future criminal
13 proceedings or agency disciplinary proceedings
14 or both." The waiver states, "I understand the
15 warnings and assurances stated above and I am
16 willing to make a statement and answer
17 questions. No promises or threats have been
18 made to me or no pressure or coercion of any
19 kind has been used against me." Please review
20 the document and let me know if you understand.
21 If you do understand, please sign the document
22 where it says, "Employee signature," and print
23 your name.

24 MR. [REDACTED]: And just for the record,
25 it doesn't basically state what you just said,

1 it actually states everything that you just
2 read.

3 MR. [REDACTED]: It states that. I used the
4 word "basically states," I shouldn't have said
5 that.

6 MS. [REDACTED]: Okay. And I sign at employee
7 sig-.

8 MR. [REDACTED]: It says, "Employee
9 signature," and print your name right below
10 itthere.

11 MR. [REDACTED]: Oh, do you have any
12 questions on that before we go, just you can
13 totally ask (Indiscernible *00:03:35).

14 MS. [REDACTED]: Okay. No.

15 MR. [REDACTED]: Just, I mean, the long
16 and --

17 MS. [REDACTED]: Date and time?

18 MR. [REDACTED]: -- short of it is --

19 MR. [REDACTED]: I'll put it in there.

20 MR. [REDACTED]: -- we can do that. But
21 then just the long and short of it is, it's
22 voluntary. You do not have to answer
23 questions. You can leave at any time.

24 MS. [REDACTED]: Okay.

25 MR. [REDACTED]: That's the purpose, for

1 you just to -.

2 MR. [REDACTED]: So you understand the form
3 and agree to the form.

4 MS. [REDACTED]: Yes.

5 MR. [REDACTED]: This is Special Agent [REDACTED].
6 I'm signing on the signature of the Office of
7 Inspector General, Special Agent.

8 MR. [REDACTED]: This is Senior Special
9 Agent [REDACTED]. I'll be signing as
10 the witness, printing my name as a witness,
11 entering the date and time as July 15, 2021 at
12 4:07 p.m. and the place MCC New York.

13 MR. [REDACTED]: Before starting the
14 interview, I'd like to place you under oath.
15 Ms. [REDACTED], can you please raise your right
16 hand? Do you swear to tell the truth and
17 nothing but the truth during this interview?

18 MS. [REDACTED]: I do.

19 MR. [REDACTED]: Please - you can put your
20 hand down.

21 MS. [REDACTED]: Oh, okay.

22 MR. [REDACTED]: Please let me know if you
23 don't understand my questions and I'll try to
24 repeat it or try to rephrase it for you.

25 MS. [REDACTED]: Okay.

1 MR. ██████: I want to again, clarify this
2 interview is specifically regarding inmate
3 Jeffrey Epstein on August 9th and 10th, 2019.
4 I'm going to go through some background
5 questions. What is your current home address?

6 MS. ██████: My current home address?

7 MR. ██████: Yes.

8 MS. ██████: Why is that relevant for
9 this?

10 MR. ██████: As part of our investi-.

11 MR. ██████: You don't have to provide
12 that.

13 MS. ██████: Oh yeah, I don't want to --

14 MR. ██████: Yeah.

15 MS. ██████: -- give my address.

16 MR. ██████: If you have anything -
17 any kind of, like a PIV card you can show us
18 just so we can verify who it is that you are?

19 MS. ██████: You know what? I left it at
20 my desk.

21 MR. ██████: That's okay. Do you mind
22 providing us your date of birth and your last
23 four of your social security number?

24 MS. ██████: Yes. ██████ is my date
25 of birth and last four of my social, ██████.

1 MR. [REDACTED]: What is your highest level of
2 education?

3 MS. [REDACTED]: Master's degree.

4 MR. [REDACTED]: Okay. In what?

5 MS. [REDACTED]: Inspector General
6 investigations, fraud, waste, abuse-of
7 correction or ,corruption, organizational
8 assessment and monitoring.

9 MR. [REDACTED]: You know more about this
10 stuff than us then.

11 MR. [REDACTED]: Which college?

12 MS. [REDACTED]: John Jay.

13 MR. [REDACTED]: And what about bachelors?

14 MS. [REDACTED]: My bachelors was correctional
15 administration.

16 MR. [REDACTED]: What did you do prior to
17 working for the BOP?

18 MR. [REDACTED]: Ask her about where this
19 stuff was and when she got these degrees.

20 MR. [REDACTED]: Okay.

21 MS. [REDACTED]: I got my masters in 2017. I
22 got my BA in I believe 2006.

23 MR. [REDACTED]: Also from John Jay-?

24 MS. [REDACTED]: Yes.

25 MR. [REDACTED]: Okay. And what - so prior to

1 working for the BOP, what did you do?

2 MS. [REDACTED]: Juvenile corrections.

3 MR. [REDACTED]: Where?

4 MS. [REDACTED]: Virginia.

5 MR. [REDACTED]: Is that with the state?

6 City?

7 MS. [REDACTED]: Yeah. State Department of
8 Juvenile Justice.

9 MR. [REDACTED]: Was that directly before the
10 BOP?

11 MS. [REDACTED]: Yes.

12 MR. [REDACTED]: What years? I you don't
13 recall -.

14 MR. [REDACTED]: They can be approximate.

15 MR. [REDACTED]: Estimate, yeah.

16 MS. [REDACTED]: Approximately, I think 2006
17 or '07 to 2009, when I started here.

18 MR. [REDACTED]: Okay. Do you have any
19 military service?

20 MS. [REDACTED]: No.

21 MR. [REDACTED]: And how long have you served
22 with the Federal Bureau of Prisons?

23 MS. [REDACTED]: Approximately now, 2009, 2019
24 is 10 years, 20, 21, going on 11 and a half
25 years.

1 MR. [REDACTED]: Eleven and a half years? And
2 when was your enter on duty date?

3 MS. [REDACTED]: 9/13/2009.

4 MR. [REDACTED]: When did you graduate from
5 BOP training?

6 MS. [REDACTED]: I don't remember that. I
7 don't -.

8 MR. [REDACTED]: When did you begin your
9 career here at MCC?

10 MS. [REDACTED]: March of 2011.

11 MR. [REDACTED]: And what was your position at
12 that point?

13 MS. [REDACTED]: Correctional Officer.

14 MR. [REDACTED]: What is your current
15 position ~~position~~?

16 MS. [REDACTED]: Correctional Systems Officer.

17 MR. [REDACTED]: And what's your regular
18 schedule right now?

19 MS. [REDACTED]: 12:00 to 8:00 Monday through
20 Friday.

21 MR. [REDACTED]: Do you -.

22 MR. [REDACTED]: What does your position
23 entail? What is that?

24 MS. [REDACTED]: Receiving and discharge,
25 movement. I deal with state risk, federal

1 risk, detainers, pending charges, warrants,
2 what else?

3 MR. [REDACTED]: And that's outside of
4 custody?

5 MS. [REDACTED]: Yes.

6 MR. [REDACTED]: Okay. What is your grade
7 level?

8 MS. [REDACTED]: GS-8.

9 MR. [REDACTED]: Eight? Okay.

10 MS. [REDACTED]: Uh-huh.

11 MR. [REDACTED]: What was your position on
12 August 9th and 10th, 2019?

13 MS. [REDACTED]: I was a Correctional Systems
14 Officer, but I was working overtime in custody.
15 What a minutes. I don't even know what day
16 that is.

17 MR. [REDACTED]: August 9th is a Friday.

18 MS. [REDACTED]: Uh-huh.

19 MR. [REDACTED]: And August 10th is Saturday.
20 I can provide you the daily assignment ~~ies and~~
21 ~~the~~ roster --

22 MS. [REDACTED]: And what -.

23 MR. [REDACTED]: -- for the MCC --

24 MS. [REDACTED]: Okay.

25 MR. [REDACTED]: -- and that's for August 9th

1 and 10th. If you look at it, you'll be able to
2 -.

3 MR. [REDACTED]: And provide her --

4 MS. [REDACTED]: This is two -.

5 MR. [REDACTED]: -- provide her also her
6 timesheet.

7 MR. [REDACTED]: Yes. Is this your timesheet
8 for the same time period?

9 MR. [REDACTED]: Show her the columns
10 (Indiscernible *00:08:55).

11 MS. [REDACTED]: Okay.

12 MR. [REDACTED]: It's (Indiscernible
13 *00:08:58).

14 MS. [REDACTED]: I normally write everything
15 on a calendar, but looks like my timesheet.

16 MR. [REDACTED]: So, the timesheet is for
17 August 4th all the way to August 17th. For the
18 9th, where does this timesheet show that you
19 worked?

20 MS. [REDACTED]: This - it doesn't show where
21 you're working, it just shows the hours you've
22 worked.

23 MR. [REDACTED]: Is it coded under a certain
24 entry?

25 MR. [REDACTED]: Well just ask her, do you

1 know by looking at these documents, do you know
2 where on August 9th and August 10th you were
3 working? This is not an, "I got you,"
4 whatsoever. Just like, do you recall on August
5 9th(Indiscernible *00:10:03) working?

6 MS. [REDACTED]: Well, I know that this is a
7 custody overtime code for the overtime sheets.
8 So this is -.

9 MR. [REDACTED]: If it doesn't state, that's
10 okay.

11 MS. [REDACTED]: It's possible, because I do -
12 I was working a lot of overtime, so. But I
13 can't recall off the top of my head. But I
14 know I did work the evening of the Epstein
15 situation, so.

16 MR. [REDACTED]: When you say "evening."?

17 MS. [REDACTED]: The morning he hung himself.

18 MR. [REDACTED]: Okay. So according to the
19 August 10th schedule, find yourself on the
20 schedule?

21 MS. [REDACTED]: Uh-huh.

22 MR. [REDACTED]: What were you listed for?

23 MS. [REDACTED]: Control one.

24 MR. [REDACTED]: Control one. Okay. Do you
25 recall being interviewed by - recall

1 interviewing with the OIG regarding the Epstein
2 investigation in 2019?

3 MS. [REDACTED]: I remember being interviewed,
4 yes.

5 MR. [REDACTED]: Okay. What I have is a
6 summary off a report written by the FBI. Was
7 the FBI also present?

8 MS. [REDACTED]: Yes.

9 MR. [REDACTED]: We did get a copy of it
10 because OIG was present for the interview also.
11 I'm going to read a portion of the interview
12 record for you.

13 MR. [REDACTED]: Does it state when she
14 worked on August 9 and 10? That might help
15 clarify things.

16 MR. [REDACTED]: For the 10th it does. And
17 so, I'm going to read it. As I read through
18 it, it's just summary for the record. Please
19 tell me if there's any corrections and let me
20 know --

21 MS. [REDACTED]: Okay.

22 MR. [REDACTED]: -- and we'll address it.

23 "Control's duties include~~ing~~ monitoring the
24 activity on the ranges, answering calls from
25 COs, replying on the radio and opening doors."

1 MS. [REDACTED]: Monitoring - you - at that
2 time, we didn't have cameras on the ranges so
3 you could only see the center, which is like,
4 they consider it the MPA, multi-purpose area of
5 the unit. You are not able to see down the
6 actual ranges of the units, so no. I wouldn't
7 say, "The ranges," I would say, "The multi-
8 purpose area."

9 MR. [REDACTED]: Multi-purpose area of the
10 ranges. "And [REDACTED]," did I pronounce it
11 right?

12 MS. [REDACTED]: Uh-huh.

13 MR. [REDACTED]: "[REDACTED] stated that no one is
14 really moving anywhere within the institution.
15 A count sheet is called the E-1 and it is
16 printed off from the internal MCC system called
17 SENTRY. Control validates all respondent
18 numbers from the head counts and marks an X on
19 the E-1 sheet to confirm the count. This
20 happens for every check of every unit. E-1s
21 are supplemented with count slips that are
22 properly filled out and stapled to the E-1
23 timesheet. Once all head count numbers are
24 verified to be correct, everything is
25 documented, recorded and then considered to be

1 a good count. [REDACTED] began her shift on August
2 10th at 12:00 midnight to 8:00 a.m. [REDACTED]
3 stated that Lieutenant [REDACTED] took care of
4 the 12 o'clock count that day." I'm going to
5 pause right there. I'm going to ask you a
6 question. Do you recall coming on shift that
7 day?

8 MS. [REDACTED]: Yes.

9 MR. [REDACTED]: Do you recall the first count
10 would be at 12:00 midnight?

11 MS. [REDACTED]: Yes.

12 MR. [REDACTED]: And were you in Control when
13 the count happened?

14 MS. [REDACTED]: Yes.

15 MR. [REDACTED]: Who took the count?

16 MS. [REDACTED]: I don't remember at that
17 time. I don't remember all this time ago, but
18 if I said the Lieutenant took the count at that
19 time, then that's who took the count, because
20 every Lieutenant is required to take a count,
21 one count per shift.

22 MR. [REDACTED]: But you don't recall the
23 exact situation -.

24 MR. [REDACTED]: I think what he's asking
25 was, was Lieutenant [REDACTED] in the Control

1 with you?

2 MS. [REDACTED]: At some point in time, yes,
3 she was.

4 MR. [REDACTED]: So if she was taking the
5 count, does that mean that she's doing from
6 Control?

7 MS. [REDACTED]: Yes, she's doing it from
8 Control.

9 MR. [REDACTED]: Okay.

10 MR. [REDACTED]: Okay. "[REDACTED] recalled that
11 CO Thomas -" - and this says CO Noel, but is
12 that Noel?

13 MS. [REDACTED]: Noel.

14 MR. [REDACTED]: "CO Noel worked in the SHU on
15 the day of the incident. [REDACTED] stated that
16 Noel was fairly new. [REDACTED] stated that she
17 does not pay specific attention to just one
18 individual screen during her shifts since so
19 much is going on. [REDACTED] stated that extension
20 6468 is a number that is called for reporting
21 the count. If a Lieutenant is on the unit for
22 the count, then this is when it is considered a
23 watch call. On the 3:00 a.m. and 5:00 a.m.
24 watch calls, [REDACTED] ran the counts. [REDACTED]
25 recalled that the SHU called in the count of

1 the day and that the count was accurate.
2 [REDACTED] does not recall who called in the count
3 from the SHU but recalled that the number was
4 72. [REDACTED] stated that there are folders that
5 are filed that are compiled with count
6 verification timesheets for every day of the
7 calendar year."

8 MS. [REDACTED]: That is correct.

9 MR. [REDACTED]: So I asked you, on August
10 10th, you said you worked at midnight in
11 Control.

12 MS. [REDACTED]: Yes.

13 MR. [REDACTED]: Do you recall if you worked
14 on August 9th?

15 MS. [REDACTED]: I probably did. I don't
16 recall that, this far from now to then, but I
17 probably most likely worked that day and if
18 it's on the roster and it's on my timesheet,
19 most likely, yes.

20 MR. [REDACTED]: But you wouldn't happen to
21 recall if you worked in internal or R&D?

22 MS. [REDACTED]: I know I worked R&D because
23 that's my regular position and Custody,
24 anything I did in Custody would be considered
25 overtime for me.

1 MR. [REDACTED]: Okay. So, on August 9th, by
2 based on that, it wouldn't tell - would the
3 (Indiscernible *00:15:16).

4 MS. [REDACTED]: It did say overtime. It did
5 say overtime in internal.

6 MR. [REDACTED]: But internal is not - is that
7 the same as R&D?

8 MS. [REDACTED]: No. R&D, this is
9 Correctional Services. R&D is Correctional
10 Systems. Those are two different departments.
11 This is custody and R&D is non-custody.

12 MR. [REDACTED]: So by this, were you in
13 custody?

14 MS. [REDACTED]: Yes. I was there.

15 MR. [REDACTED]: Okay. So you were working in
16 internal, not in R&D.

17 MS. [REDACTED]: Yes.

18 MR. [REDACTED]: Okay. Do you recall who your
19 supervisor was when you worked at the MCC on
20 August 9th and 10th?

21 MS. [REDACTED]: I would only know by looking
22 at this roster. [REDACTED], Lieutenant [REDACTED].

23 MR. [REDACTED]: So you report only to
24 [REDACTED], or do you report to any other COs -.

25 MS. [REDACTED]: No, she's the only supervisor

1 on duty during that time.

2 MR. [REDACTED]: During the night. And so
3 both days it was midnight to 8:00 a.m.

4 MS. [REDACTED]: Yes.

5 MR. [REDACTED]: Okay. Was she also a
6 supervisor?

7 MS. [REDACTED]: Yes.

8 MR. [REDACTED]: Are you familiar with inmate
9 Jeffrey Epstein?

10 MS. [REDACTED]: Yes.

11 MR. [REDACTED]: Did Jeffrey Epstein have a
12 cell mate?

13 MS. [REDACTED]: Yes, he did.

14 MR. [REDACTED]: Do you know who it was?

15 MS. [REDACTED]: I don't know, but I know the
16 inmate went out to court I believe Friday and
17 he didn't come back from court. I don't know
18 if he got released from court, but he didn't
19 come back to the institution that day.

20 MR. [REDACTED]: How do you know that?

21 MS. [REDACTED]: Because I work in R&D.

22 MR. [REDACTED]: So, is this from your
23 knowledge from working in R&D that day or on a
24 later date?

25 MS. [REDACTED]: My knowledge of working in

1 R&D that day.

2 MR. [REDACTED]: So that's - okay. Because
3 according to this, you were in R&D --

4 MS. [REDACTED]: I was in R&D.

5 MR. [REDACTED]: -- I mean, you're in
6 internal.

7 MS. [REDACTED]: Right. But this is midnight.
8 My hours in R&D is from 12:00 to 8:00.

9 MR. [REDACTED]: 12:00 to 8:00? So you did
10 work later in the shift --

11 MS. [REDACTED]: Right.

12 MR. [REDACTED]: -- so that (Indiscernible
13 *00:16:56) be on the schedule at all. You're
14 not going to be on this roster. It's not going
15 to show you as 12:00 to 8:00.

16 MS. [REDACTED]: Custody has a different
17 roster from my department roster.

18 MR. [REDACTED]: Okay.

19 MS. [REDACTED]: So you're not going to see my
20 department. My department hours would be that
21 - what you see on that timesheet and this is
22 considered overtime. So anything here, where
23 it says, "Additional," this is overtime because
24 you see the two shifts, the eight up here and
25 the eight at the bottom.

1 MR. [REDACTED]: Okay.

2 MS. [REDACTED]: And that's 16 hours for the
3 day.

4 MR. [REDACTED]: So I'm going to go back and
5 clarify. On August 9th, you worked from
6 midnight to 8:00 a.m. --

7 MS. [REDACTED]: Uh-huh.

8 MR. [REDACTED]: -- and you were in internal.

9 MS. [REDACTED]: Yes.

10 MR. [REDACTED]: And then after that, what was
11 your next shift?

12 MS. [REDACTED]: That was Saturday, the next
13 day. That would be midnight the next night.

14 MR. [REDACTED]: Okay.

15 MS. [REDACTED]: These are all midnight
16 shifts.

17 MR. [REDACTED]: Midnight shifts. But did you
18 work regular shifts those days? August 9th and
19 10th?

20 MS. [REDACTED]: In my department?

21 MR. [REDACTED]: Yeah, in R&D.

22 MS. [REDACTED]: If it's a Friday and a
23 Thursday or a Friday and a Saturday. A
24 Saturday, I wouldn't be in my department, no.

25 MR. [REDACTED]: What about Friday?

1 MS. [REDACTED]: Friday I'm in my department,
2 yes, because my department is Monday through
3 Friday.

4 MR. [REDACTED]: And what's your regular time?

5 MS. [REDACTED]: 12:00 to 8:00. I believe I
6 was working 12:00 to 8:00. I'm not sure.

7 MR. [REDACTED]: That's midnight to 8:00,
8 right? But midnight to 8:00 -.

9 MS. [REDACTED]: No, no, no, 12:00 p.m. in the
10 afternoon --

11 MR. [REDACTED]: 12:00 p.m. to 8:00.

12 MS. [REDACTED]: -- to 8:00 p.m.

13 MR. [REDACTED]: To 8:00 p.m. So, according
14 to this, you were in internal from - on August
15 9th, from midnight to 8:00 a.m., then there was
16 a four hour break? Are you saying there was a
17 four hour break and then you worked from -.

18 MS. [REDACTED]: I'm not sure right here based
19 on this because I might have been working 2:00
20 to 10:00 because I had to do 12:00 8:00 p.m. or
21 2:00 p.m. to 10:00 p.m.

22 MR. [REDACTED]: Okay.

23 MS. [REDACTED]: So, based on this, this says,
24 "Regular base." This might have been from the
25 day shift because this says, "Regular base," so

1 this might have been, I worked midnight to 8:00
2 in the morning and then maybe 8:00 to 4:00 in
3 my department because I don't see no - well, I
4 don't recalled my duty hours in my department
5 at that time.

6 MR. ██████: It's been a while.

7 MS. ██████: I'm sorry. Yeah.

8 MR. ██████: But to follow up though,
9 you said that you knew that Epstein's cell mate
10 had left because you were working in R&D, so
11 you probably want to follow up --

12 MR. ██████: Yeah. So -.

13 MR. ██████: -- with that.

14 MS. ██████: So we key inmates in and out
15 to court.

16 MR. ██████: Okay.

17 MR. ██████: So that - so, Reyes, how did
18 you first come to learn that he left?

19 MS. ██████: Because we have to key them
20 out to go to court. I mean, I don't know
21 actually at that moment that he was Epstein's
22 cell mate, but when the comment came up that
23 his bunkie, they moved his bunkie, they put him
24 in a cell by himself, and when we learned who
25 that specific inmate was, that's how I became

1 aware that, no, this guy went to court and he
2 was released from court, wherever he got
3 removed to. Never came back from court.

4 MR. [REDACTED]: What do you mean they moved
5 his bunkie to a separate cell?

6 MS. [REDACTED]: They kept saying Epstein was
7 put in a cell by himself, he didn't have a cell
8 mate.

9 MR. [REDACTED]: Okay.

10 MS. [REDACTED]: That was not the case, he did
11 have a cell mate, but he got released from
12 court or wherever it is the Marshals took him
13 to, that he didn't come back to MCC. But off
14 the top to say I knew that that was actually
15 his cell mate, I didn't know that until we
16 became aware of who the inmate was that got
17 released and went to court, because we don't
18 know who inmate's cell mates are just by
19 working in R&D, we just know their bed
20 assignment and what unit they're coming from.

21 MR. [REDACTED]: No, working the R&D, are you
22 familiar with something called the court list?

23 MS. [REDACTED]: Yes.

24 MR. [REDACTED]: Was inmate Reyes's name on
25 the court list?

1 MS. [REDACTED]: Yes.

2 MR. [REDACTED]: Do you recall?

3 MS. [REDACTED]: Yeah. Because I think that's
4 the guy we keyed out to court.

5 MR. [REDACTED]: Okay. And what is a court
6 list?

7 MS. [REDACTED]: A court list is something we
8 get from the Marshals. They'll send us over
9 just a roster of names of inmates to appear for
10 production to the court either going out on a
11 writ~~RIT~~ (Phonetic Sp. *00:21:13), being
12 transferred to another jail. A court list
13 consists of whatever type of movement that the
14 Marshals want the inmates for. It could be
15 appearing before a proffer to tell on somebody,
16 it could just be whatever it is that they need
17 them to appear for the court production for.

18 MR. [REDACTED]: How do the Marshals send it
19 over?

20 MS. [REDACTED]: They always email it or fax
21 it.

22 MR. [REDACTED]: Who receives the email?

23 MS. [REDACTED]: Everybody in R&D.

24 MR. [REDACTED]: Do you recall who was working
25 in R&D that day?

1 MS. [REDACTED]: No.

2 MR. [REDACTED]: Everybody receives it.

3 MS. [REDACTED]: Yeah, everybody in R&D
4 receives it, but I couldn't say off the --

5 MR. [REDACTED]: Yeah.

6 MS. [REDACTED]: -- top of my head, "Oh, this
7 person worked," I don't remember who worked
8 with me that day.

9 MR. [REDACTED]: So everybody that
10 actually is in R&D, you all get that same --

11 MS. [REDACTED]: Yeah.

12 MR. [REDACTED]: -- court sheet, so it
13 doesn't matter who was working that day or not.

14 MS. [REDACTED]: Right.

15 MR. [REDACTED]: Everybody would have
16 gotten it.

17 MS. [REDACTED]: Uh-huh.

18 MR. [REDACTED]: Do you recall receiving that
19 email?

20 MS. [REDACTED]: I don't recall receiving the
21 email, but I know we had a court list.

22 MR. [REDACTED]: Who creates that court list?

23 MS. [REDACTED]: Whoever is doing movement.

24 MR. [REDACTED]: Okay. And what - so you just
25 mentioned all the inmates that's listed on

1 there anything for movement and the Marshals
2 send it over --

3 MS. [REDACTED]: Uh-huh.

4 MR. [REDACTED]: -- and they email it. And
5 what do you get?

6 MR. [REDACTED]: Email or fax you said,
7 right?

8 MS. [REDACTED]: Email or fax.

9 MR. [REDACTED]: Or fax.

10 MR. [REDACTED]: Is it (Indiscernible
11 *00:22:21) -.

12 MS. [REDACTED]: Well, I believe they were
13 doing both email and faxing at that time.

14 MR. [REDACTED]: So you get both.

15 MS. [REDACTED]: Uh-huh.

16 MR. [REDACTED]: Okay.

17 MR. [REDACTED]: And once the list comes over,
18 and who did you say creates the court list?

19 MS. [REDACTED]: The movement officer and if
20 the movement officer is not there, whoever is
21 filling in, it might be somebody in the front
22 desk. Just whoever is in the department,
23 they'll fill out the - complete the court list,
24 put it on a call out and get it prepared so
25 overnight, the officer who is internal can pass

1 it out to the housing unit so the inmates are
2 aware when they wake up the next day or the
3 officer can say, "Hey, I got this inmate, I've
4 got to get him ready for court the next day."

5 MR. ██████: Who is the movement officer?

6 MS. ██████: I don't know if - I don't
7 know who was the movement officer at that time.
8 I don't know.

9 MR. ██████: Okay. When do the -.

10 MR. ██████: When you say a movement
11 officer, are you talking about control?

12 MS. ██████: No.

13 MR. ██████: I mean internal?

14 MS. ██████: No. R&D.

15 MR. ██████: R&D movement officer?

16 MS. ██████: We have different position -
17 yeah.

18 MR. ██████: Okay.

19 MS. ██████: We have different positions
20 in R&D where everybody had a different
21 function.

22 MR. ██████: Okay. So is the movement
23 officer in R&D basically like will go into
24 internal with (Indiscernible *00:23:21)?

25 MS. ██████: No, they are - they are like,

1 they prepare the transfer orders if inmates are
2 moving out of the --

3 MR. [REDACTED]: Okay.

4 MS. [REDACTED]: -- institution.

5 MR. [REDACTED]: So they're doing the
6 background of what the internal guy does
7 almost.

8 MS. [REDACTED]: They don't have anything to
9 do with internal.

10 MR. [REDACTED]: Okay. Because - okay.
11 Sorry.

12 MS. [REDACTED]: It's - no.

13 MR. [REDACTED]: I'm making more things
14 more (Indiscernible *00:23:38).

15 MS. [REDACTED]: Nothing to do with internal.
16 It's just preparing inmates to move out of the
17 institution, preparing the production list for
18 inmates to - for a unit - for a list to be
19 disseminated to the housing units for the
20 officers to know what inmate has to appear in
21 court the next day. The movement officer might
22 draft up a - get a compile, like a medical
23 summary, transit order, anything that they need
24 to put together for an inmate to be released to
25 move out of the institution to be transferred.

1 That's what the movement officer does.

2 MR. ██████████: Great.

3 MR. ██████████: Do you recall what your
4 position was in the R&D that day?

5 MS. ██████████: I might have been R&D.

6 MR. ██████████: Okay.

7 MS. ██████████: I might have been R&D. I
8 don't believe I was movement but I might have
9 been R&D.

10 MR. ██████████: So as R&D, what would you
11 take care of?

12 MS. ██████████: Court movement, inmates going
13 in and out, keying them in and out, getting
14 inmates down to my area to get prepared for
15 court, tracking inmates going out to the
16 hospital, keying inmates going out to the
17 hospital, keying inmates coming back.
18 Basically, I would be responsible for like
19 inmates leaving in and out of the institution -
20 -

21 MR. ██████████: Okay.

22 MS. ██████████: -- and preparing them to get
23 out of the institution.

24 MR. ██████████: We can take a step back.
25 When did the Marshals list normally come over?

1 Do they send it over the night before?

2 MS. [REDACTED]: Yes.

3 MR. [REDACTED]: Evening before or they send
4 it the morning of?

5 MS. [REDACTED]: The evening before.

6 MR. [REDACTED]: Around what time?

7 MS. [REDACTED]: I think it's always around -
8 it's approximately between, I would say, maybe
9 3:00 and 5:00 or - yeah, between like 3:00 and
10 5:00, something like that.

11 MR. [REDACTED]: Okay. And -.

12 MS. [REDACTED]: Around that time frame. It's
13 not like a set time, it's whoever does it and
14 faxes it over and emails it. But it was about
15 maybe between 3:00 and 5:00 or 3:00 and 6:00,
16 something like that.

17 MR. [REDACTED]: And then once R&D receives
18 it, you guys prepare a court list.

19 MS. [REDACTED]: Uh-huh.

20 MR. [REDACTED]: And what does it state on the
21 court list?

22 MS. [REDACTED]: It's just a document, like a
23 SENTRY created document that show the inmate's
24 name, his housing unit, if he has a separatee
25 (Phonetic Sp. *00:25:49) in the institution and

1 what time he has to come down to R&D to move
2 out for court, whether it be that he has court
3 in the a.m. or court in the p.m.

4 MR. [REDACTED]: Okay. And would it state,
5 like, let's say if an inmate was leaving and
6 not coming back, would it state on there?

7 MS. [REDACTED]: Yeah, it would say, "WAB,"
8 but most often times, pre-trial is - because
9 they're not our inmates, they're Marshals
10 inmates, the Marshals can move them at any
11 given time and just forward us back a
12 disposition of the inmate leaving. "Inmate so
13 and so was released to Probation. Here's a cut
14 slip for you guys' r file -" - then we can go
15 ahead and key them out. But we don't key
16 inmates out WAB if they're going out to court.
17 We key them out - at that time, we were doing
18 what was considered an out count. We weren't
19 keying inmates out, we were keying them on an
20 out count so we know that we have an account of
21 who went out to court and we have an account of
22 who came back from court.

23 MR. [REDACTED]: So are you saying that you
24 guys wouldn't remove the inmate completely from
25 the count, you would just leave them under the

1 out count?

2 MS. [REDACTED]: Yes. We would only remove
3 him if prior to that list, when we got the
4 list, it says, "Transferred WAB, we're sending
5 him somewhere to Brooklyn or he's going back to
6 the state," that night before we would know
7 that. But sometimes at the spur of the moment,
8 things might arise, a judge might give a person
9 time served, he might commit him to drug
10 treatment program, Probation might come and
11 pick him up. It could be a number of things
12 that take place at court that it might be just
13 a regular court proceeding but then he gets
14 released and he doesn't come back to the
15 institution.

16 MR. [REDACTED]: Do you recall seeing inmate
17 Efrain Reyes's name on that list?

18 MS. [REDACTED]: If he was on that list at
19 that time, then I've seen it, but I don't
20 recall now, speaking now, but at that time,
21 yeah, if his name was on the list, yes.

22 MR. [REDACTED]: Do you recall if his - I know
23 you said you don't recall, but by any chance,
24 would you have known if he left WAB? What does
25 WAB stand for?

1 MS. [REDACTED]: With all belongings, meaning
2 they're being transferred either to an air
3 lift, transferred to another BOP, transferred
4 to another state institution, that the Marshals
5 will be transferring them to.

6 MR. [REDACTED]: And you don't recall if he -
7 do you recall if his name was on as WAB on that
8 list?

9 MS. [REDACTED]: No. I don't recall that.

10 MR. [REDACTED]: Okay. We'll come back in a
11 little bit. The court list that you guys
12 create, who does that get sent to?

13 MS. [REDACTED]: It doesn't get sent to - it
14 gets sent to the unit officers. We don't email
15 it out, we make hard copies and the internal
16 officer comes around at night and he gives one
17 to each housing unit.

18 MR. [REDACTED]: Around what time?

19 MS. [REDACTED]: Depending on - any time
20 during from midnight to 8:00 in the morning.
21 They have up until to give out that. But most
22 likely, no later than 5:00 a.m., after the 5
23 o'clock count because at that time, that's when
24 the institution is opening up after the 5:00
25 a.m. count, then the inmates will have their

1 breakfast and start preparing for whatever it
2 is their day entails.

3 MR. [REDACTED]: Do you recall working that
4 morning in R&D and seeing inmate Reyes come
5 down?

6 MS. [REDACTED]: I don't remember.

7 MR. [REDACTED]: Okay. And when the list is
8 sent up to the units, what do they do with it?

9 MS. [REDACTED]: The unit officers take it and
10 he views it and it just tells him who on his
11 unit has court that day.

12 MR. [REDACTED]: Is a copy of that list
13 maintained anywhere?

14 MR. [REDACTED]: By R&D.

15 MR. [REDACTED]: R&D.

16 MS. [REDACTED]: No. Because --

17 MR. [REDACTED]: Where do we get it?

18 MS. [REDACTED]: -- once we - once that list
19 is done of the day, we just shred it, we don't
20 need it.

21 MR. [REDACTED]: What about what's used to
22 - it sounds like create the list from the
23 Marshals, can we get - can we go back to emails
24 from August 8th, I guess it would be, to get
25 that court list from August 9th?

1 MS. [REDACTED]: If it's still in the system,
2 yeah, you would still - you would be able to
3 see it, yeah.

4 MR. [REDACTED]: And you said at that
5 time, they're both fax and email so any single
6 person we could just grab an email from them if
7 it was archived?

8 MS. [REDACTED]: Uh-huh. If it's still, you
9 know, in the system, but we don't normally keep
10 court lists. Once we done for that day,
11 everything gets shredded and we start fresh for
12 the next day. So we don't hold onto court
13 lists.

14 MR. [REDACTED]: Okay.

15 MS. [REDACTED]: Just something we never did.
16 The only thing we hold onto is transfer orders,
17 people that transferred out, like -.

18 MR. [REDACTED]: So for instance, with
19 Reyes - when you say "transfer order," does
20 that also mean released or is that just
21 transferred to a different institution?

22 MS. [REDACTED]: Transferred to a different
23 institution --

24 MR. [REDACTED]: Okay.

25 MS. [REDACTED]: -- because if he got released

1 or he got a disposition, that would be
2 something we would place in his file, why he
3 got released. You know you got to have
4 something to show that why you released this
5 inmate, that we didn't just let him walk out
6 the door, we have this document from the
7 Marshals why we released him.

8 MR. ██████████: So would Reyes have a
9 file like that?

10 MS. ██████████: If it's not sent to archives
11 and this is 2021, his file would be - his file
12 is probably archived now.

13 MR. ██████████: even though it's like -
14 my understanding was like August 9th everything
15 was going to be, like, preserved August 9th and
16 10th. Do you know if that would create it not
17 actually be archived but actually still
18 maintained somewhere?

19 MS. ██████████: You would have to get with
20 SIS, I don't know.

21 MR. ██████████: Okay.

22 MS. ██████████: I don't know. I don't know.

23 MR. ██████████: Do you know if that court
24 list is used to update the daily log?

25 MS. ██████████: What do you mean?

1 MR. [REDACTED]: Do you know what a daily log
2 is?

3 MR. [REDACTED]: Show her.

4 MR. [REDACTED]: Have you ever seen that?

5 MS. [REDACTED]: Uh-huh. This is --

6 MR. [REDACTED]: Is that -.

7 MS. [REDACTED]: -- 38.

8 MR. [REDACTED]: It's a what?

9 MS. [REDACTED]: We call this a PP38.

10 MR. [REDACTED]: PP38.

11 MS. [REDACTED]: It just tracks movement of
12 who went out the institution, who went from
13 what unit to what unit, who got keyed out.
14 This is what this is. It just tracks all the
15 movement for that day.

16 MR. [REDACTED]: Can you flip to the third
17 page for inmate Efrain Reyes. You see next to
18 it it says, "Pre-remove." Do you know what
19 that means?

20 MS. [REDACTED]: Uh-huh. That means he was
21 removed from the institution.

22 MR. [REDACTED]: Does that mean there's a
23 possibility that the Marshals list came over --

24 MS. [REDACTED]: Uh-huh.

25 MR. [REDACTED]: -- with him as a WAB?

1 MS. [REDACTED]: Possibility. Yeah.

2 MR. [REDACTED]: What else could it - why else
3 would you list an inmate as pre-remove?

4 MS. [REDACTED]: We don't list them as pre-
5 remove, we just key him out as pre-remove.

6 MR. [REDACTED]: So he was keyed out at that
7 point.

8 MS. [REDACTED]: Uh-huh.

9 MR. [REDACTED]: And what time was it keyed
10 out, do you know?

11 MS. [REDACTED]: 8:38. Uh-huh.

12 MR. [REDACTED]: And he wouldn't be - if a
13 person is going to court, what would it be
14 listed as?

15 MS. [REDACTED]: If he's going to court on
16 this, you wouldn't see - at that time, you
17 wouldn't see that he went to court. You would
18 have to run an out count to show who was keyed
19 out to court. So, you wouldn't be able to see
20 that on this because this just tracks who came
21 into the institution, who left the institution
22 and what housing units they were transferred
23 from, whether they came out of SHU or they went
24 to SHU or they got moved from one unit, housing
25 unit, to another housing unit or if they're -

1 say an inmate got sentenced, this would show
2 you that he might have went from a A-pre,
3 meaning a pre-trial inmate to a hold, he might
4 have pled guilty so now he's longer a pre-trial
5 and he's waiting sentencing. So this would
6 just show you stuff like that. Or he became a
7 designated inmate and he's a BOP inmate.

8 MR. [REDACTED]: How would you be able to see
9 the difference between an inmate that just left
10 for court and was coming back and an inmate
11 that left?

12 MR. [REDACTED]: Or WAB.

13 MR. [REDACTED]: WAB.

14 MS. [REDACTED]: On this?

15 MR. [REDACTED]: Yeah. Can you?

16 MS. [REDACTED]: Yeah, you could just see -
17 well, you don't know, you just know that they
18 were pre-removed. So you don't know, looking
19 at this, why they were pre-removed.

20 MR. [REDACTED]: So I guess what he means
21 though, is if someone is just going to court
22 and didn't go to court WAB versus someone who
23 went to court WAB, would they be coded
24 differently on that?

25 MS. [REDACTED]: No.

1 MR. [REDACTED]: At all?

2 MS. [REDACTED]: At that time, we weren't - if
3 the inmate went to court and he was a WAB, we
4 would key him out pre-remove or hold-remove.
5 So yes, but - I'm trying to think, what did you
6 just say. Say it again.

7 MR. [REDACTED]: So I guess, is there a
8 differentiation, if someone is WAB, are they
9 coded as pre-remove if they're just going to
10 court and they don't have WAB next to their
11 name on that form, would it just say something
12 different, like "Court?"

13 MS. [REDACTED]: No, you wouldn't see WAB on
14 this form. You -.

15 MR. [REDACTED]: No, no, no, I'm not
16 saying like you would see WAB on that form --

17 MS. [REDACTED]: Uh-huh.

18 MR. [REDACTED]: -- I'm just saying like,
19 if an inmate goes to court, are they always
20 listed as pre-remove?

21 MS. [REDACTED]: No, they'd be hold-re-to
22 move.

23 MR. [REDACTED]: And what's the
24 difference? So is it either pre-remove or
25 hold-remove?

1 MS. [REDACTED]: Or bail bond.

2 MR. [REDACTED]: Or bail bond. And can
3 you -.

4 MS. [REDACTED]: Or time served.

5 MR. [REDACTED]: Okay. So, when they're
6 leaving and - so it sounds like the latter to
7 that are totally different things. But if -.

8 MS. [REDACTED]: Well, no. They could be on
9 the court list and they could appear and go out
10 to court as a court and they might get ordered
11 to time served.

12 MR. [REDACTED]: Uh-huh.

13 MS. [REDACTED]: So, now, we have them on an
14 out count as going to court because we weren't
15 keying inmates physically out of the
16 institution, we were placing them on an out
17 count. So you would send them out to court as
18 a court, but if you got a disposition back from
19 the Marshals stating that, "Inmate so and so
20 was sentenced to time served," now you would go
21 back in the system and you would key him out,
22 time served. So it doesn't necessarily mean
23 that they could be on the court list as a WAB
24 because that doesn't always happen. Sometimes
25 they do get released straight from the

1 courthouse and never come back to the jail, so
2 those things do happen.

3 MR. [REDACTED]: And that's what ha- so,
4 what we're trying to get to is, is there any
5 way by looking at that, we can determine if
6 Reyes, when he left at 8:38, had a WAB next to
7 his name.

8 MS. [REDACTED]: Not from looking at this, no.

9 MR. [REDACTED]: No?

10 MS. [REDACTED]: No.

11 MR. [REDACTED]: The only way we would be
12 able to determine that is by getting that court
13 list?

14 MS. [REDACTED]: Yes.

15 MR. [REDACTED]: All right. And -.

16 MS. [REDACTED]: Because the Marshals could
17 have sent something back over and said, "Inmate
18 so and so is not coming back, he's going with
19 Probation." He could have had a court
20 appearance and he could have - it could have
21 been with his probation officer and at that
22 time, the judge could have said whatever and
23 sentenced the inmate to probation. So now,
24 he's not coming back to the institution, now
25 we've got to pre-remove him. It just all

1 depends on what happened at court and it all
2 depends on what his status was prior to going
3 to court, what we got far as the court list.
4 So I couldn't tell you that just by looking at
5 that.

6 MR. [REDACTED]: When the Marshals send
7 over whatever it is they send over, did they
8 have WAB on their form?

9 MS. [REDACTED]: Yeah.

10 MR. [REDACTED]: Okay.

11 MS. [REDACTED]: Yeah.

12 MR. [REDACTED]: So, if we get one of
13 those emails, it would say WAB on it.

14 MS. [REDACTED]: At that time, it said WAB,
15 yes.

16 MR. [REDACTED]: Okay. So that's not
17 something that you create and write WAB, they
18 actually would have it on that email.

19 MS. [REDACTED]: Right.

20 MR. [REDACTED]: Okay.

21 MS. [REDACTED]: Right. We don't create that
22 until we get their list.

23 MR. [REDACTED]: Uh-huh.

24 MS. [REDACTED]: Then that's - we go by what's
25 on their list and then we type it up and we

1 disseminate it to the housing units like that.

2 MR. [REDACTED]: Okay. But somebody that
3 your - so, my understanding though is that not
4 everybody that goes to court is WAB.

5 MS. [REDACTED]: That's correct.

6 MR. [REDACTED]: And just to make sure
7 that we are understanding correctly on that, so
8 people that just go to court, would they also
9 be listed as pre-remove?

10 MS. [REDACTED]: They could possibly be, yes.

11 MR. [REDACTED]: Just possibly, but -.

12 MS. [REDACTED]: It could possibly be because
13 the Marshals might call you and say, "Hey, we
14 got inmate so and so, he's not coming back,
15 he's going with the state," and they'll send us
16 a cut slip. Yeah.

17 MR. [REDACTED]: No, that's after the fact
18 though, after they've already left?

19 MS. [REDACTED]: That can possibly happen
20 after they left, yes.

21 MR. [REDACTED]: So if we're looking at
22 this thing on ReyesAS (Phonetic Sp. *00:37:52)
23 where it says 8:38, is that what was entered
24 for him at 8:38 or is it that could have been
25 changed later on, the pre-remove thing?

1 MS. [REDACTED]: It just depends on what time
2 he went out. I don't know because it could
3 have been changed. Well, no. Well, I can't
4 tell you just by looking at this.

5 MR. [REDACTED]: So, all right, so this
6 doesn't tell us anything?

7 MS. [REDACTED]: It tells you that he was
8 removed from the institution.

9 MR. [REDACTED]: At 8:38 though.

10 MS. [REDACTED]: Yes.

11 MR. [REDACTED]: And I guess, so - and
12 again, I -.

13 MS. [REDACTED]: Because at one point in time,
14 how we key inmates out now is not how we were
15 keying inmates out then. We didn't key them
16 out, we just placed them on the out count. So,
17 if we keyed them on an out count, they would
18 show off of the unit population but they would
19 still be on the institutional count.

20 MR. [REDACTED]: Okay.

21 MS. [REDACTED]: Now, how we key them out,
22 they're off the institutional count and they're
23 off the unit count. So when we key them out
24 now for court, they - it's like they never -
25 they're not here in the institution at all.

1 MR. [REDACTED]: Okay. So for these
2 people that were on this pre-remove, does that
3 mean at 8:38, pre-remove, that he was taken off
4 of the institutional count?

5 MS. [REDACTED]: Yes.

6 MR. [REDACTED]: Okay.

7 MS. [REDACTED]: Yes.

8 MR. [REDACTED]: And is there - I do see a
9 few pre-removes on there though.

10 MS. [REDACTED]: Uh-huh.

11 MR. [REDACTED]: Is there anybody on there
12 that went to court that wasn't listed as a pre-
13 remove?

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

15 MR. [REDACTED]: You can't tell by looking
16 at that? All right. So that basically doesn't
17 tell us anything about him being WAB or not.

18 MS. [REDACTED]: Right. I can't tell you who
19 went to court.

20 MR. [REDACTED]: Okay. We just need to
21 get that court list.

22 MR. [REDACTED]: So just to clarify. Some of
23 this list as pre-remove can come back.

24 MS. [REDACTED]: Can't?

25 MR. [REDACTED]: Can, C-A-N, they could come

1 back to the institution.

2 MS. [REDACTED]: If he got another charge and
3 the Marshals brough him back.

4 MR. [REDACTED]: But - okay. So if there is
5 pre-removed, that means he's gone. He's -.

6 MS. [REDACTED]: He's gone.

7 MR. [REDACTED]: He's gone.

8 MS. [REDACTED]: Right.

9 MR. [REDACTED]: And he's not expected to
10 come back?

11 MS. [REDACTED]: Correct.

12 MR. [REDACTED]: Okay. All right. I did
13 miss that. All right. So when you list them
14 as pre-remove, he's going to court, he's not
15 expected to come back.

16 MS. [REDACTED]: Correct.

17 MR. [REDACTED]: So at 8:38, Reyes was
18 gone and not expected to return.

19 MS. [REDACTED]: Yes.

20 MR. [REDACTED]: Okay. Now, is the
21 Marshals supposed to send over a confirmation
22 that he's not coming back? Because you
23 mentioned something about the my being keyed as
24 something different when they are officially
25 gone, like they're off the books.

1 MS. [REDACTED]: No, this would be officially
2 off the books, a pre-remove.

3 MR. [REDACTED]: Okay.

4 MS. [REDACTED]: But what the question was,
5 would I know at this time, was he a WAB, I
6 would only know that if I looked at the court
7 list at that time, then I can determine that,
8 "Okay, yeah, we keyed him out that way because
9 he was leaving with all his belongings," Or,
10 "No, we keyed him out that way because we got a
11 disposition later and stated that he wasn't
12 coming back." I can't just say, just by
13 looking at this, "Oh, well, we keyed him out
14 that way because he was a WAB." Now, I can
15 look at this GCT release and this full term
16 release or this treaty transfer and tell you
17 that these were guys that were getting full
18 term release from the jail and they were not
19 coming back. But - and I can also say that
20 he's not coming back, but I can't tell you why
21 he was pre-removed. I don't know the
22 circumstances of why he was pre-removed. I
23 would have to go back to his folder, look in
24 his folder, pull up his documents of why we
25 keyed him out. I can't just say, "Oh, yeah,

1 because he left with all his belongings, oh, it
2 was a court -" - I can't -.

3 MR. ██████████: So you can't tell that,
4 but you can tell 8:38 he left and was not
5 expected to return.

6 MS. ██████████: Yes.

7 MR. ██████████: Okay. So that's
8 basically the same thing. So, anybody that
9 knew that Reyes was gone at 8:38, like he was,
10 knew very unlikely to return.

11 MS. ██████████: Everybody don't have -
12 everybody doesn't look at this.

13 MR. ██████████: Okay.

14 MS. ██████████: So, if you don't have a
15 reason to look at this, you're not going to
16 look at this and everybody -.

17 MR. ██████████: But anybody that had the
18 - whatever reason you used to code him out like
19 that, they would have had that court list and
20 they would have had the same - they would have
21 known the reason why he was leaving though,
22 correct?

23 MS. ██████████: Right.

24 MR. ██████████: And that he wasn't
25 expected to return?

1 MS. [REDACTED]: Right.

2 MR. [REDACTED]: So, okay. So not
3 specifically that document, but what you used
4 to key him out, they would know.

5 MS. [REDACTED]: Uh-huh.

6 MR. [REDACTED]: so, okay. So, based upon
7 the fact that he was pre-removed by R&D, for
8 instance, the unit he came from, the Special
9 Housing Unit, they should have known he left
10 and was very likely not returning.

11 MS. [REDACTED]: They wouldn't know that. The
12 officers on the unit would not know that.

13 MR. [REDACTED]: Even if they had the
14 court list and that's where they're grabbing
15 him from?

16 MS. [REDACTED]: If the - let me tell you
17 something. I'm trying to figure out how to say
18 this. Everybody that reads a document, do not
19 know what they're reading.

20 MR. [REDACTED]: Okay.

21 MS. [REDACTED]: Everybody that pulls up
22 SENTRY, does not know how to read a SENTRY
23 document.

24 MR. [REDACTED]: Yeah.

25 MS. [REDACTED]: So I can't say, "Yes," that

1 they should know that or, "No."

2 MR. ██████████: If they knew how to read
3 the court list, they would know.

4 MS. ██████████: Yes.

5 MR. ██████████: Got you.

6 MS. ██████████: Right.

7 MR. ██████████: Yeah, you can't certainly
8 can't say he knew that because you don't even
9 know who we're talking about.

10 MS. ██████████: Right.

11 MR. ██████████: But I'm just saying, like
12 the information would have been on there if
13 they knew how to interpret it.

14 MS. ██████████: Right.

15 MR. ██████████: Okay.

16 MR. ██████████: we might have covered this
17 already, but if we wanted to go back and
18 retrieve that court document, like get a copy,
19 what's the best way we can do it?

20 MS. ██████████: You probably need to get with
21 the Marshals because they're the ones that
22 create that list that they sent to us in order
23 for production.

24 MR. ██████████: Are you aware if they retain
25 it or not?

1 MS. [REDACTED]: I don't know nothing about
2 what they do with their --

3 MR. [REDACTED]: Okay.

4 MS. [REDACTED]: -- documents.

5 MR. [REDACTED]: No problem.

6 MR. [REDACTED]: No, well, she said that
7 it's emailed to everybody --

8 MR. [REDACTED]: Yeah.

9 MR. [REDACTED]: -- so.

10 MS. [REDACTED]: Uh-huh.

11 MR. [REDACTED]: Now, after reviewing that, do
12 you know if that daily log - if the court
13 document, the court list is used to update the
14 Lieutenant's log?

15 MS. [REDACTED]: There's - yeah, yeah.

16 MR. [REDACTED]: And the daily log.

17 MS. [REDACTED]: Right.

18 MR. [REDACTED]: Okay. We covered this. And
19 the daily log, the entries that are made on it,
20 is it made at the time that it's keyed in or is
21 it - can it be edited later?

22 MS. [REDACTED]: When you say "edited," what
23 do you mean?

24 MR. [REDACTED]: Can someone go in a couple
25 hours later and key in saying that, "Hey,

1 listen, this person left at 8:38."

2 MS. [REDACTED]: I don't think so because
3 everybody that actually - you have a certain
4 time frame to key inmates in and you have a
5 certain time frame to key inmates out.

6 MR. [REDACTED]: And what's the time frame?

7 MS. [REDACTED]: If inmates - but sometimes in
8 R&D, we don't always get to sit down at the
9 computer right then and there and key them out,
10 because we're dealing with the Marshals,
11 they're walking out with one guy, we still have
12 somebody else we might have to strip out.
13 We're still dealing with this, we're dealing
14 with the phone. When an inmate is being
15 released, you're supposed to key them out right
16 then and there, but you have up to a minimum of
17 at least, I think it's an hour or two hours, to
18 key somebody in that's coming in the
19 institution. But, like I said, just looking at
20 this, it just tells you the time he was keyed
21 out. I don't know if he was picked up earlier
22 and already taken to the courthouse, then he
23 was keyed out, pre-removed after, I couldn't -
24 I can't answer that. I don't know. It's not -
25 I can't answer that.

1 MR. ██████: Now thinking back about the
2 possibility that you were working in R&D that
3 day --

4 MS. ██████: Uh-huh.

5 MR. ██████: -- do you recall if he was
6 removed or not that day and what time he was
7 removed?

8 MS. ██████: I don't recall. I just know
9 that when they talked about the inmate, they
10 brought up the inmate and that's when, you
11 know, we realized, "Oh, that was the guy that
12 went to court and didn't come back."

13 MR. ██████: Where can the daily log be
14 found or accessed?

15 MS. ██████: This?

16 MR. ██████: Yes.

17 MS. ██████: SENTRY.

18 MR. ██████: And who would have access to
19 it?

20 MS. ██████: Mainly everybody in the
21 institution.

22 MR. ██████: Everyone can access it. Can
23 everyone make the changes on it?

24 MS. ██████: No, you can't make changes on
25 this.

1 MR. [REDACTED]: Who can make changes on that?

2 MS. [REDACTED]: You cannot make changes to
3 this.

4 MR. [REDACTED]: So, that is basically the
5 keyed in information.

6 MS. [REDACTED]: This is like a tracker.

7 MR. [REDACTED]: Okay.

8 MS. [REDACTED]: It just shows you all the
9 moves and when it was moved - when the person
10 was moved. So this, you cannot just change.
11 Only thing you can do is put in what you want.
12 It's just a log, it just pulls up a log.

13 MR. [REDACTED]: Okay.

14 MS. [REDACTED]: So this is not nothing you
15 can change, no.

16 MR. [REDACTED]: What about the Lieutenant's
17 log? Who would have access to that?

18 MS. [REDACTED]: The Lieutenants.

19 MR. [REDACTED]: Does anyone else have access?

20 MS. [REDACTED]: Maybe the Captain.

21 MR. [REDACTED]: Where can it be accessed
22 from?

23 MS. [REDACTED]: The Lieutenant's office.

24 MR. [REDACTED]: Can it be accessed from
25 Control?

1 MS. [REDACTED]: I don't know about now, but
2 at that time, no.

3 MR. [REDACTED]: Okay. Do you recall if you
4 reviewed the daily log that day?

5 MS. [REDACTED]: No, I don't remember.

6 MR. [REDACTED]: And based on that, it shows
7 inmate Reyes is pre-remove. As per your
8 understanding, that means that he left the
9 institution and he's not coming back.

10 MS. [REDACTED]: Right.

11 MR. [REDACTED]: Okay. Do you utilize the
12 daily log as part of your job every day?

13 MS. [REDACTED]: Yes.

14 MR. [REDACTED]: And how do you utilize it?

15 MS. [REDACTED]: To make sure I key the inmate
16 out that's out of the institution. ~~TS~~So account
17 for how many inmates I keyed out. That's what
18 I use it for in R&D.

19 MR. [REDACTED]: Okay. And you're not sure
20 what shift you worked but you believe that you
21 worked in R&D between 8:00 and 4:00 or 12:00
22 and 8:00?

23 MS. [REDACTED]: 8:00 to 4:00 or maybe - I was
24 only working two shifts at that time. I'm
25 doing 12:00 to 8:00 now. But it might have

1 been 8:00 to 4:00 or 2:00 to 10:00. One of
2 those two hours. Between those two shifts.

3 MR. ██████: Okay.

4 MS. ██████: Because at one point, I only
5 strictly worked the evening shift, so.

6 MR. ██████: When inmates leave through
7 R&D, do you normally see them leaving through
8 R&D?

9 MS. ██████: Yes.

10 MR. ██████: Do you recall having a
11 conversation with Reyes at all?

12 MS. ██████: I couldn't tell you if I
13 spoke to that man or not. I speak to so many
14 inmates, I don't know.

15 MR. ██████: Well, the better question is,
16 if you (Indiscernible *00:48:06) -.

17 MS. ██████: I couldn't even tell you what
18 he looks like.

19 MR. ██████: That's my next question. So
20 you wouldn't happen to know who Reyes - what -.

21 MS. ██████: I would only know who he is
22 by ID-ing him, his name and his number and his
23 ID card when he comes on down.

24 MR. ██████: Okay.

25 MS. ██████: There's so many inmates in

1 here. I don't know.

2 MR. [REDACTED]: Now when did you become aware
3 of Reyes being moved from the MCC? Officially
4 become aware.

5 MS. [REDACTED]: I think when he spoke about -
6 when they - when it was, you know, rumored that
7 the inmate, "Oh, they put him in a cell by
8 himself," and when I heard about that, you
9 know, it was like, "Oh, well, no, his actual,
10 his bunkie just didn't come back from court."

11 MR. [REDACTED]: When did you hear about this?
12 Was it the same day? Was it in the evening?

13 MS. [REDACTED]: No, it was around the time of
14 when all the commotion was going on after his
15 passing.

16 MR. [REDACTED]: So this is the next day.

17 MS. [REDACTED]: Pretty much, yeah.

18 MR. [REDACTED]: Do you recall if there was
19 any conversation in regards to -.

20 MR. [REDACTED]: What is the day of his
21 passing, the day after August 9th I think is
22 what you mean. Is that what you mean?

23 MS. [REDACTED]: No, like, during the time he
24 passed, you know. You know, a lot of people
25 were saying, speculating though, he was a

1 suicidal person, he was placed in a cell by
2 himself and that's when, you know, it was like,
3 "No, well, he did have a bunkie." His cell
4 mate went out to court and that's when we all
5 became aware of, you know, who his cell mate
6 was.

7 MR. [REDACTED]: And what conversations
8 were had with regards to the cell mate and
9 leaving for court and not coming back at that
10 time?

11 MS. [REDACTED]: I don't think anyone was
12 pretty much aware that that was his cell mate
13 that didn't come back, so I don't - it was just
14 that the conversation was, "Oh, he was placed
15 in a cell by himself," That was what was
16 speculated.

17 MR. [REDACTED]: Now, working in R&D, when
18 inmates do not come back from court, does R&D
19 then notify custody that these people didn't
20 come back? How does that work?

21 MS. [REDACTED]: The Control Center tracks who
22 got keyed out. The Lieutenant, they'll track
23 who got keyed out and that's primarily it.

24 MR. [REDACTED]: So R&D never contacts
25 either Control or the Housing Unit or the

1 Lieutenant saying, "Hey, these are people that
2 went out and these are people that came back.
3 These people are not coming back."

4 MS. [REDACTED]: No.

5 MR. [REDACTED]: So R&D would not have
6 notified, for instance, the SHU Saying Reyes
7 didn't come back?

8 MS. [REDACTED]: They would be - not unless
9 they called us to say they had a bad count or
10 they had a miscount or something or maybe the
11 inmate left to court and didn't come back, but
12 no.

13 MR. [REDACTED]: Okay. Because they - a
14 lot of people have told us they usually get
15 calls from R&D saying, "Hey, this guy didn't
16 come back." That's -.

17 MS. [REDACTED]: There are times that we do -
18 like if an inmate has property upstairs, we
19 might say, "Hey, inmate so and so is not coming
20 back, pack up his property."

21 MR. [REDACTED]: Okay.

22 MS. [REDACTED]: There have been times, yes.

23 MR. [REDACTED]: But in this case, with
24 him being pre-removed, there would have been no
25 notification that would have been made by R&D

1 saying, "He didn't come back?"

2 MS. [REDACTED]: Not if we didn't need to, no.

3 MR. [REDACTED]: No? So it would only be
4 a need be basis, not - because a lot of them
5 were saying, like, "Hey, he was pre-removed but
6 we don't know if he's actually, you know,
7 definitely removed and not coming back until
8 about 4:00 p.m.

9 MS. [REDACTED]: Right. That is true. And
10 not even 4:00 p.m. because there ~~se-are~~ times
11 that the judges, the courts are late. Some
12 inmates don't come back until 7:00, 8 o'clock
13 at night.

14 MR. [REDACTED]: Well, they did clarify
15 that. They said, "Usually until 4:00 p.m. and
16 as late as 8:00 p.m."

17 MS. [REDACTED]: Right.

18 MR. [REDACTED]: But in those instances
19 though, R&D doesn't contact whomever and say,
20 "Hey, this guy didn't come back." Or is it -.

21 MS. [REDACTED]: The only people that would
22 keep track of that would be the Control Center
23 and the Lieutenant's office.

24 MR. [REDACTED]: Okay, so -.

25 MS. [REDACTED]: You know, we key them out and

1 whatever we key out, we send down to the
2 Control Center so the Control Center has a copy
3 of who was keyed out and they kind of go in the
4 system and check and see if the inmates were
5 keyed out. It's like a checks and balance for
6 the institution because you might have an
7 inmate on the list showing that he left, but
8 he's not keyed out of the system. So there's
9 supposed to be like a checks and balance for us
10 upstairs as well.

11 MR. [REDACTED]: Okay. So, when people
12 argue that they didn't know that Reyes wasn't
13 definitely coming back, how do they determine
14 and at what point do they determine, "He's not
15 back, Epstein needs a new cell mate?"

16 MS. [REDACTED]: If they don't know he needs a
17 cell mate, nobody would know, nobody would -.

18 MR. [REDACTED]: But if they know he needs
19 a cell mate, at what point do they say, "Yeah,
20 Reyes isn't back, we need to get him a new cell
21 mate?"

22 MS. [REDACTED]: I couldn't tell you because
23 you don't know if that inmate - if you don't
24 know that inmate is coming back, you don't know
25 to say, "Hey, so and so needs a cell mate."

1 And if you don't know, you just don't know.

2 MR. [REDACTED]: Okay. So, at what point
3 should Control then at some point though call
4 the SHU And say, "Reyes isn't coming back?"

5 MS. [REDACTED]: If the count is not bad, they
6 wouldn't know to call them and say - they
7 wouldn't say that, no.

8 MR. [REDACTED]: So the SHU very well may
9 never have been contacted or would have been
10 contacted saying, "Reyes isn't coming back,
11 consider him gone."

12 MS. [REDACTED]: Correct.

13 MR. [REDACTED]: Okay. So they would have
14 only known that based upon doing rounds and
15 counts is what you're saying?

16 MS. [REDACTED]: Right. But if they don't
17 know that he needs a cell mate, because I don't
18 believe there was any notification that another
19 individual had to be placed in a cell with him
20 so, nobody would know that. Even if you are
21 making rounds and counting your unit, you
22 wouldn't know that we need - if there's no
23 notification.

24 MR. [REDACTED]: Well, notifications were
25 made and the people are saying that they passed

1 it along to other shifts saying, "Yes, he's
2 required to have a cell mate." However,
3 they're saying, "Reyes is gone, possibly not
4 returning. Make sure you get him a bunkie if
5 he doesn't." So it's kind of like, at what
6 point does it determine --

7 MS. [REDACTED]: Hm.

8 MR. [REDACTED]: -- when is Reyes not
9 getting a bunkie - when is Reyes not coming
10 home, coming back.

11 MS. [REDACTED]: Right.

12 MR. [REDACTED]: We've also been told by a
13 number of people though, they say, "R&D would
14 call us to say, 'Yeah, Reyes isn't coming
15 back,'" but to you, you're saying, "No, that
16 doesn't happen. We don't call SHU, we wouldn't
17 have called them to say Reyes -."

18 MS. [REDACTED]: It's a possibility we could
19 have called, but then sometimes we don't call.
20 You know, if there's a miscount, there would be
21 no reason for us to call, we would just key the
22 inmate out. Sometimes they'll call us back and
23 say, "Hey, inmate so and so went out to court,
24 is he coming back?" Some units will call us
25 and ask.

1 MR. ██████████: So they'll call you
2 rather than the other way around.

3 MS. ██████████: Sometimes they'll call us,
4 yep.

5 MR. ██████████: All right.

6 MS. ██████████: But the only way they'll know
7 that the inmate might - and then, because of
8 the shift change, you might have an officer
9 from these specific set of hours and then now
10 you have a new officer coming in at these
11 specific set of hours. They won't know who
12 went out to court unless they read their court
13 list or they look at their log, they probably
14 wouldn't know. And if they're doing a count
15 and their count is what it's supposed to be,
16 they won't know.

17 MR. ██████████: So you're a very unique
18 person that we're talking to as both - has both
19 sets of knowledge with the fact that you've
20 worked with custody as well as non-custody and
21 you know how these things work when people are
22 removed. If the people in the SHU knew, and
23 let's say, let's just for this example, say
24 everybody in the SHU knows --

25 MS. ██████████: Uh-huh.

1 MR. [REDACTED]: -- that Epstein is
2 required to have a cell mate. Reyes leaves at
3 8:30, he has a pre-removal. At what time do
4 you believe they should have reassigned a new
5 cell mate to Epstein?

6 MS. [REDACTED]: Well, if they knew that he
7 was a pre-removal, then they would be trying to
8 work on that immediately as soon as possible.

9 MR. [REDACTED]: So if -.

10 MS. [REDACTED]: But that's if they knew.

11 MR. [REDACTED]: So if they knew, let's
12 say -.

13 MS. [REDACTED]: And if that was what was
14 required.

15 MR. [REDACTED]: Let's say the OIC
16 absolutely knows he's WAB likely --

17 MS. [REDACTED]: Uh-huh.

18 MR. [REDACTED]: -- not to return.

19 MS. [REDACTED]: Uh-huh.

20 MR. [REDACTED]: Do you believe that he
21 should have immediately then started working on
22 a new cell mate?

23 MS. [REDACTED]: He would notify the Lieutenant
24 know, "Hey, move -" - that's what he would do -

25 -

1 MR. [REDACTED]: And if -.

2 MS. [REDACTED]: -- if that was what was
3 required.

4 MR. [REDACTED]: So and if their arguments
5 are, let's say the Lieutenants and the OICs are
6 arguing, "That's premature, he could always
7 return. So we pass it on to the next shift
8 saying -."

9 MS. [REDACTED]: Well, it is premature if you
10 don't know that the inmate is not coming back.

11 MR. [REDACTED]: In this case though, if
12 he's WAB, do you believe it's still premature?

13 MS. [REDACTED]: No, if he is WAB, but looking
14 at this, I don't know.

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

16 MS. [REDACTED]: But -.

17 MR. [REDACTED]: I'm just saying --

18 MS. [REDACTED]: Uh-huh.

19 MR. [REDACTED]: -- if he was WAB.

20 MS. [REDACTED]: If he was -.

21 MR. [REDACTED]: So if the OIC is saying,
22 "Yeah, he was WAB, he had his brown paper bag,
23 he had all of his stuff."

24 MS. [REDACTED]: Uh-huh.

25 MR. [REDACTED]: And so think of that as

1 let's say that's what happened.

2 MS. [REDACTED]: Uh-huh.

3 MR. [REDACTED]: At that point, do you
4 think it's still premature or you think at time
5 it's appropriate?

6 MS. [REDACTED]: No, if it was - okay. If it
7 was known that this inmate was leaving and he
8 wasn't coming back and if it was known that
9 this individual needed to have someone else in
10 the cell with him, then yes, at that time, it
11 would be required to replace or move him in a
12 cell with somebody else. So, yeah.

13 MR. [REDACTED]: So when you're saying
14 "known" though, so, I mean, known that he's
15 WAB, so does that -.

16 MS. [REDACTED]: Known that he's WAB and also
17 known that this individual requires a cell mate
18 at all time, cannot be housed alone. Now,
19 there are some inmates that have to rec in cell
20 alone and there are signs on their doors and
21 there are some inmates that might be required
22 to have a cell mate. But if there's no
23 notification, and I work a unit and this is not
24 my normal unit and I'm working this unit and
25 I'm just filling in here and there and I'm

1 working and I don't know and there's nothing
2 placed on the walls that state that or on this
3 inmate's - on the door or maybe on my
4 clipboard, I wouldn't know that.

5 MR. [REDACTED]: No, no, no. So what I'm
6 saying, and I'm not talking about - I think
7 you're probably specifically talking about like
8 Tova and Michael Thomas. I'm talking about in
9 the morning at 8:38 a.m., prior to that time --

10 MS. [REDACTED]: Uh-huh.

11 MR. [REDACTED]: -- they get a court list,
12 WAB, the OIC says, "Yeah, he's WAB, he's likely
13 not to return, he's got his bag, you know, I'm
14 taking him down, I'm giving him off." I know,
15 he says, "I know Epstein is required to have a
16 cell mate."

17 MS. [REDACTED]: Oh, well, if he knows it.

18 MR. [REDACTED]: But, is it a legitimate
19 argument in your opinion to say, "Placing
20 Epstein with a new cell mate is premature
21 because Reyes could return." Is that a valid
22 argument?

23 MS. [REDACTED]: Well, based on what you just
24 said, knowing --

25 MR. [REDACTED]: With WAB and with knowing

1 --

2 MS. [REDACTED]: -- knowing --

3 MR. [REDACTED]: -- Epstein requires,
4 right.

5 MS. [REDACTED]: -- that he's WAB, that would
6 not be premature because he's leaving.

7 MR. [REDACTED]: Right.

8 MS. [REDACTED]: Now, if for some reason it
9 gets canceled and they say, "Hey, we're not
10 moving this inmate, we're going to move him at
11 a later time," because those things do happen.
12 His trip - he got canceled. But knowing that
13 he's going to be leaving, I don't think that
14 that would be premature, no.

15 MR. [REDACTED]: So if he leaves at 8:38
16 in the morning and the OIC shift ends at 2:00
17 p.m., does that - is there --

18 MS. [REDACTED]: 4:00.

19 MR. [REDACTED]: -- would he know that
20 that trip got canceled? I guess the way I
21 would be asking, he knows the guy left at 8:38
22 WAB and, I guess, by that time, I would think
23 by 2:00 p.m., if a trip got canceled they would
24 know, correct?

25 MS. [REDACTED]: Yeah, because the inmate

1 would have went back upstairs.

2 MR. ██████████: Right. So --

3 MS. ██████████: He would have went back to
4 the unit.

5 MR. ██████████: -- how often do inmates
6 that go WAB and their trips don't get canceled,
7 how often do those inmates actually return?

8 MS. ██████████: Oh, they go upstairs
9 immediately.

10 MR. ██████████: No, no, no. So I'm
11 saying, if Reyes is listed as WAB and he left
12 at 8:30 in the morning, his trip didn't get
13 canceled by 2:00 p.m. because he never came
14 back upstairs. How often do the WAB inmates
15 actually come back to the institution?

16 MS. ██████████: It has happened with inmates
17 going on an airlift. The Marshals take inmates
18 all the way out of the institution and then
19 have to bring them all the way back. It has
20 happened.

21 MR. ██████████: And let's say if --

22 MS. ██████████: On occasion.

23 MR. ██████████: -- out of 100 --

24 MS. ██████████: I'll say -.

25 MR. ██████████: -- WABs.

1 MS. [REDACTED]: I'll say about, if I had to
2 count, maybe about - it's happened, it's
3 happened.

4 MR. [REDACTED]: But I mean, does it
5 happen like very random and seldomly or does it
6 happen like, ah, one out of five times this
7 happens? Or are we talking about like one out
8 100 or one of 1,000?

9 MS. [REDACTED]: I'll say maybe like 10 out of
10 100.

11 MR. [REDACTED]: So about 10 percent of
12 the time it does happen?

13 MS. [REDACTED]: It has happened, yep.

14 MR. [REDACTED]: Okay.

15 MS. [REDACTED]: Yep.

16 MR. [REDACTED]: So 10 percent of the
17 time? All right.

18 MS. [REDACTED]: It has happened.

19 MR. [REDACTED]: So then -.

20 MS. [REDACTED]: It might be something with
21 the airlift, the paperwork is not right.

22 MR. [REDACTED]: So then --

23 MS. [REDACTED]: The airlift -.

24 MR. [REDACTED]: -- with keeping that in
25 mind that 10 percent of the time that has

1 happened, then do you believe that is slightly
2 a valid argument to say, "Yeah, we know that he
3 needs a new cell mate but we don't think it's
4 appropriate to do it in this shift, it should
5 be done on the next shift when we verify he's
6 in fact not coming back."

7 MS. [REDACTED]: Yeah. I would say that is
8 appropriate.

9 MR. [REDACTED]: Okay.

10 MS. [REDACTED]: Because you don't know. You
11 just don't know. Anything is subject to
12 change. So I would say that is appropriate.

13 MR. [REDACTED]: Okay. Now it's different
14 with, you're saying airlift. Now we're talking
15 about pre-remove specifically --

16 MS. [REDACTED]: Well, airlifts --

17 MR. [REDACTED]: -- for court.

18 MS. [REDACTED]: -- could be pre-removed.

19 MR. [REDACTED]: But what I'm saying is --

20 MS. [REDACTED]: Okay.

21 MR. [REDACTED]: -- it's WAB because the
22 person is going to court.

23 MS. [REDACTED]: Uh-huh.

24 MR. [REDACTED]: Nothing to do with
25 transports getting messed up.

1 MS. [REDACTED]: Right.

2 MR. [REDACTED]: If this inmate is WAB
3 going to court, how often do the inmates going
4 to court WAB actually return?

5 MS. [REDACTED]: They mostly go.

6 MR. [REDACTED]: So is it like maybe one
7 in 100?

8 MS. [REDACTED]: Maybe one in 100 that might
9 have come back, but most of the time they go.

10 MR. [REDACTED]: So even one in 100 is
11 like, yeah, no, they're pretty much always
12 gone?

13 MS. [REDACTED]: Yeah.

14 MR. [REDACTED]: So then that argument of
15 -.

16 MS. [REDACTED]: It got to be something
17 drastic that they might have come back, but
18 most of the time they go.

19 MR. [REDACTED]: So that argument that we
20 needed to wait until verification, that really
21 doesn't hold weight then if they know he was
22 going to court WAB.

23 MS. [REDACTED]: If they know he was going to
24 court WAB, yeah.

25 MR. [REDACTED]: Then the argument doesn't

1 hold weight?

2 MS. [REDACTED]: It's a catch 22 because I've
3 seen so many things that have happened that you
4 might think somebody is gone and they bring him
5 back.

6 MR. [REDACTED]: Sure. But it sounds like
7 -

8 MS. [REDACTED]: He might get on that side and
9 something might come up in his paperwork where
10 they're like, "Uh-oh, we got a new case, we got
11 a new charge. Oh, we're not transferring him.
12 We got to sort this out." I mean, it has
13 happened where somebody has come back to the
14 jail, but most of the time, they do go.

15 MR. [REDACTED]: And it sounds like that's
16 extremely rare --

17 MS. [REDACTED]: Yeah.

18 MR. [REDACTED]: -- circumstance.

19 MS. [REDACTED]: Uh-huh.

20 MR. [REDACTED]: All right.

21 MS. [REDACTED]: Yeah.

22 MR. [REDACTED]: So at that point, do you
23 think that they should have taken action
24 immediately if they knew it was WAB?

25 MR. [REDACTED]: WAB going to court.

1 MR. ██████: Going to court. Knowing the
2 fact that Epstein needed a cell mate. We know
3 Reyes left, Epstein needed a cell mate. The
4 OIC and the SHU officers knew that he needed a
5 cell mate. Should they have taken action
6 immediately?

7 MS. ██████: Maybe they should have
8 notified their supervisor.

9 MR. ██████: Who would they have notified
10 if this -.

11 MS. ██████: The SHU Lieutenant and let
12 them know that, "Hey -."

13 MR. ██████: (Indiscernible *01:03:51)
14 no SHU Lieutenant (Indiscernible *01:03:52).
15 Should it be the Ops Lieutenant (Indiscernible
16 *01:03:55) Lieutenant?

17 MS. ██████: The Ops or the Acting
18 Lieutenant notify, "Hey, we got bunk inmate so
19 up with so and so, he can't be housed by
20 himself."

21 MR. ██████: Okay.

22 MS. ██████: But, like I said,
23 communication around here is not at its best.

24 MR. ██████: Uh-huh.

25 MS. ██████: So what should have happened,

1 what should have taken place, might not
2 necessarily happen because everybody doesn't
3 know everything that's going on around here.

4 MR. ██████████: Hm.

5 MS. ██████████: Everybody does not
6 communicate the way that they should, so you
7 might know it, but just because you know it,
8 you might assume I know it and we're working
9 together. Not necessarily true.

10 MR. ██████████: Sure. And yeah, we would
11 only go off of what people tell us directly --

12 MS. ██████████: Right.

13 MR. ██████████: Like, "Did you know
14 this?" "Yes, I knew it." "Okay."

15 MS. ██████████: Right.

16 MR. ██████████: You know, so -.

17 MS. ██████████: Because it's not - like, if I
18 was working up there, that's not my normal
19 unit. If I was working up there, I would not
20 know that.

21 MR. ██████████: Right.

22 MS. ██████████: You know, if I'm coming from
23 another department and that's not my steady
24 post, I would not know that.

25 MR. ██████████: Absolutely.

1 MS. [REDACTED]: So, what should happen -.

2 MR. [REDACTED]: Yeah, and that's why
3 we're listing people like OIC, SHU Lieutenant,
4 Ops Lieutenant, Activities Lieutenant, these
5 people that -.

6 MS. [REDACTED]: Or maybe Psychology.

7 MR. [REDACTED]: Right.

8 MS. [REDACTED]: You know, so it's hard to say
9 yes and no, but if, you know, someone knew,
10 then yes. But everybody that works in this
11 institution, we're all over the place
12 sometimes. We don't know, we don't know
13 everything about every unit. So that's the
14 unfortunate part.

15 MR. [REDACTED]: Do you recall anyone calling
16 R&D looking for the status of Reyes that day?

17 MS. [REDACTED]: I don't remember, no. I'm
18 not going - I don't remember that, no.

19 MR. [REDACTED]: What was your question?

20 MR. DANIELS. [REDACTED]: Did she recall
21 anyone from the SHU calling inquiring the
22 status of Reyes that day.

23 MR. [REDACTED]: All right.

24 MR. [REDACTED]: Do you have anything else on
25 that topic before -.

1 MR. [REDACTED]: I don't think so, we kind
2 of beat it.

3 MR. [REDACTED]: Now, you worked Control
4 August 10th night?

5 MS. [REDACTED]: Uh-huh.

6 MR. [REDACTED]: As a CO in Control, when
7 would you be notified that an inmate is being
8 removed?

9 MS. [REDACTED]: When would I be notified --

10 MR. [REDACTED]: Yeah.

11 MS. [REDACTED]: -- that an inmate is being
12 removed?

13 MR. [REDACTED]: Yeah, if you're working in
14 Control.

15 MS. [REDACTED]: Well, that would be -.

16 MR. [REDACTED]: Well, she just said R&D
17 doesn't call them to tell them.

18 MS. [REDACTED]: No, we give them - we send
19 them paperwork. So, you have a Control two
20 number person in the Control Center that
21 verifies our key out moves against our
22 paperwork we send them. So this is what the
23 Control Center would use as well to track --

24 MR. [REDACTED]: A daily log?

25 MS. [REDACTED]: -- to track the moves and

1 make sure that these individuals are keyed out.
2 So, now as a Control Center Officer, you might
3 call as the number two, I mean, I said the
4 number one because the number two person does
5 it. The number two person, which is an
6 accounts and assignment person, they would call
7 - this is primarily on day watch and evening
8 watch because there's no movement on morning
9 watch, not unless it's an emergency, but you're
10 not moving nobody on morning watch. So on day
11 watch and evening watch, if you see that
12 inmates were moved around or a counselor calls
13 you in Control and say, "Hey, I'm moving inmate
14 so and so from this unit to this unit," then as
15 a Control Center Officer, what I would do, I'm
16 not going to say what everybody else would do,
17 I would call over the radio, "Hey, unit
18 officers, if you lost an inmate or you gained
19 an inmate, call Control and verify your base
20 count." And I would say - they would say, "Oh,
21 inmate so and so left and I have 87." Or, they
22 might give me a wrong count. I'm like, "No,
23 that's bad, you need to check your base count,
24 verify who left the unit." But that's what I
25 would do. But most often times, the Control

1 Center Officer would look at this and see who's
2 moved and verify it with an E-1 and make sure
3 everything is accurate.

4 MR. [REDACTED]: So once they are notified,
5 what would the Control Officer update that you
6 wanted?

7 MS. [REDACTED]: We have what we call the
8 running board. So, with a running board, you
9 have the starting base of one unit and then the
10 ending base of the unit. So if an inmate went
11 out to the hospital, might have been 86, he
12 went out to hospital, 87, he came - I mean, 85,
13 he came back now, his base is back to 86. So,
14 it would be -.

15 MR. [REDACTED]: Nothing like this. This is
16 the --

17 MS. [REDACTED]: Uh-huh. Yeah.

18 MR. [REDACTED]: This is the E-1 document, is
19 this what you're talking about?

20 MS. [REDACTED]: Uh-huh. No, that's an E-1,
21 I'm talking about a running board. It's just a
22 dummy document we create just to track all the
23 moves to like a paper to just verify the counts
24 --

25 MR. [REDACTED]: Okay.

1 MS. [REDACTED]: -- basically checks and
2 balance. So like, if I see that this inmate
3 was moved from five, he was pre-remove, and
4 that unit count was 85, I would just write,
5 "Inmate pre-removed," and I would have a paper
6 log of what that unit count should be.

7 MR. [REDACTED]: Okay.

8 MS. [REDACTED]: Because even my paper log
9 might be accurate but my computer log might be
10 wrong because this person might not have keyed
11 the inmate out.

12 MR. [REDACTED]: So, let's talk about that.
13 Has there been situations where inmates get
14 moved around and not get keyed out?

15 MS. [REDACTED]: Yeah. That has happened.

16 MR. [REDACTED]: How does that happen? Isn't
17 there balance and checks to make sure that
18 nothing like that happens?

19 MS. [REDACTED]: There are supposed to be
20 balance and checks, yes. But sometimes people
21 move inmates and they fail to report to maybe
22 the officer or they fail to notify the Control,
23 "I'm moving inmate from this unit to this
24 unit," or something might happen on a unit, an
25 inmate might get locked up and you're in the

1 Control Center, you know, you're doing whatever
2 you hear, an emergency on a unit, you don't
3 know what's going on, you don't know if the
4 inmate is going out to the hospital until
5 somebody actually physically calls you and say,
6 "Hey, I've got an inmate that's locked up
7 (Indiscernible *01:10:14)," or if you're not
8 looking at the camera, you see them moving this
9 inmate from this unit and walking him into SHU
10 and you'll call that unit, "Hey, you got one
11 locked - who got locked up?" You might call
12 the Unit Officer and ask those questions. So,
13 it has happened.

14 MR. [REDACTED]: Whose responsibility would it
15 be if they're moving an inmate, to key it in?

16 MS. [REDACTED]: To key it in? Depending on
17 what type of move it is. If it's a unit to
18 unit move, that would be the Unit Management,
19 Unit Team. If an inmate is getting locked up
20 from the unit and going to SHU, the Control
21 Center Officer might move that unit, move that
22 inmate from the unit to SHU or SHU might key
23 that inmate into SHU. So, ~~I~~it just depends
24 who does it.

25 MR. [REDACTED]: So, and it can be one of

1 those things that in a situation, let's say an
2 inmate gets moved. The SHU Officer can be
3 like, "Ah, no Control will do it." And Control
4 Lieutenant will be like, "No, the SHU will do
5 it." Is it one person that's actually
6 responsible to make sure that it gets keyed in?

7 MS. [REDACTED]: Well, a lot of times things
8 happen. Like I said, around here, you might
9 have a Lieutenant go to a unit and then walk an
10 inmate out and the inmate gets locked up. Or
11 you might have an inmate that's suicidal and he
12 gets placed on suicide watch so now he's not in
13 the unit, he's in suicide watch. Or you might
14 have an inmate that was taken off of suicide
15 watch, might be put in a housing unit or SHU,
16 you don't know unless somebody notifies you
17 because when you're in the Control, you're
18 answering phones, you're looking at a keypad,
19 you might be looking up and down but you're not
20 constantly on the camera so you won't know
21 unless somebody actually notifies you and say,
22 "Hey, we're moving inmate so and so." So, a
23 lot of times, you just have to - if you got an
24 inmate that you received a new inmate, call
25 Control, verify your base because you won't

1 always know everything.

2 MR. ██████: So you're saying it should
3 have been on the SHU Officer to make sure that,
4 "Hey, listen, this inmate is being moved." Did
5 she even notify Control, "Hey, listen."

6 MS. ██████: If the officer of a unit
7 knows that his inmate got locked up, he's
8 supposed to be calling Control saying, "I've
9 got an inmate that's locked up, he went to
10 SHU." SHU now needs to be calling Control,
11 "Hey, I got one, so and so on my base count."
12 Everybody is supposed to be calling.

13 MR. ██████: Okay.

14 MS. ██████: Everybody should be calling,
15 not just -.

16 MR. ██████: But you did just say
17 though that they - like for instance, SHU. SHU
18 can call Control and say, "Hey, I just want to
19 verify my base, what do you got?"

20 MS. ██████: No, they wouldn't say, "I
21 want to verify my base, what do you got?" You
22 would say, "I want to verify my base, I have
23 87." And then Control would say, "No, that's
24 good, no, that's bad."

25 MR. ██████: Okay.

1 MS. [REDACTED]: So now, as the officer, what
2 I would do, I would go around counting my
3 inmates in my unit and I would look at my
4 roster and see who went out to court. But
5 that's what I would do.

6 MR. [REDACTED]: Sure.

7 MS. [REDACTED]: I can't say what everybody
8 else would do.

9 MR. [REDACTED]: Yeah, no, and trust me,
10 we've talked to a lot of people and everybody
11 does things differently.

12 MS. [REDACTED]: Yes. So.

13 MR. [REDACTED]: That's why we're trying
14 to figure out --

15 MS. [REDACTED]: I like knowing --

16 MR. [REDACTED]: -- should they --

17 MS. [REDACTED]: -- what I need to know on my
18 unit. I'm just nosy like that.

19 MR. [REDACTED]: Yeah, yeah.

20 MS. [REDACTED]: So, I want to know what's
21 going on, who is in my unit, who is coming out
22 of my unit, you know, so, I'm verifying my
23 stuff on my own.

24 MR. [REDACTED]: Okay. No, that's a good
25 way to do it. So, are you aware of though

1 anybody calling, for instance, Control and
2 getting control? Somehow, however crafty that
3 they use their wordings to actually give them
4 the base count?

5 MS. [REDACTED]: I've never heard.

6 MR. [REDACTED]: No?

7 MS. [REDACTED]: Not that I know of. Not that
8 I know of. I'm not going to say it hasn't
9 happened, but I don't know.

10 MR. [REDACTED]: Right, right.

11 MR. [REDACTED]: I'm going to show you some
12 documents. Before that, any document that I
13 show you, I'm going to ask you to initial and
14 date on top.

15 MS. [REDACTED]: Uh-huh.

16 MR. [REDACTED]: You're not attesting to it,
17 it's just to show that that's a document that
18 we --

19 MS. [REDACTED]: Okay.

20 MR. [REDACTED]: -- showed you.

21 MS. [REDACTED]: Right here?

22 MR. [REDACTED]: Yeah. Just anywhere on top
23 is fine. 7/15/21.

24 MS. [REDACTED]: I want to work with you guys.

25 MR. [REDACTED]: Well, it sounds like you

1 got the qualification with those degrees. And
2 with the knowledge, we do a ton of BOP stuff.

3 MR. [REDACTED]: This one too. Just the top.

4 MS. [REDACTED]: It's got to be off the
5 record.

6 MR. [REDACTED]: So, are you familiar with the
7 E-1s? Control documents? The first one that
8 I'm going to show you is this would be for
9 August 9th at 5:00 a.m.

10 MS. [REDACTED]: Uh-huh.

11 MR. [REDACTED]: Right? This is the E-1
12 document controlling - Control document. The
13 SHU shows 77 inmates.

14 MS. [REDACTED]: Uh-huh.

15 MR. [REDACTED]: Now, I'm going to show you
16 the daily log. Are you aware of the
17 Lieutenant's log?

18 MS. [REDACTED]: Uh-huh.

19 MR. [REDACTED]: Inmate movements?

20 MS. [REDACTED]: Uh-huh.

21 MR. [REDACTED]: Okay. Now this is the day
22 watch, document is the day watch Lieutenant's
23 log for August 9th. We can start off, we'll
24 look at the inmate movements, it shows that -.

25 MR. [REDACTED]: You need to start at 77

1 to match up with that --

2 MR. [REDACTED]: Yeah.

3 MR. [REDACTED]: -- 5:00 a.m.

4 MR. [REDACTED]: So, it says 77 at the 5:00

5 a.m.

6 MS. [REDACTED]: Uh-huh.

7 MR. [REDACTED]: It matches up --

8 MS. [REDACTED]: Uh-huh.

9 MR. [REDACTED]: -- at 77, when they did the

10 count at 8:00 a.m.

11 MS. [REDACTED]: Uh-huh.

12 MR. [REDACTED]: It's still at 77 with five in

13 (Indiscernible *01:15:25).

14 MS. [REDACTED]: Uh-huh.

15 MR. [REDACTED]: Now, this shows at 8:38 a.m.,

16 we can see Reyes was removed.

17 MS. [REDACTED]: Uh-huh.

18 MR. [REDACTED]: Right? Pre-remove?

19 MS. [REDACTED]: Uh-huh.

20 MR. [REDACTED]: The count comes down to --

21 MS. [REDACTED]: Uh-huh.

22 MR. [REDACTED]: -- 76. Now the next movement

23 out of the SHU that we see is at 3:15 p.m. It

24 says, "Inmate Fernandez."

25 MS. [REDACTED]: Uh-huh. Wait a minute. He -.

1 MR. [REDACTED]: So, yes, there is a --

2 MS. [REDACTED]: Placed own dry cell.

3 MR. [REDACTED]: -- confusion on that.

4 MS. [REDACTED]: Placed on dry cell from SHU?

5 MR. [REDACTED]: Yeah. So let's look at the -
6 so, where do you (Indiscernible *01:15:58)
7 understand, where is the dry cell?

8 MS. [REDACTED]: I thought it was in SHU.

9 MR. [REDACTED]: Okay. So let's look at the
10 statement up here. On top it says, "Inmate
11 Fernandez on dry cell with staff watch and
12 R&D."

13 MS. [REDACTED]: Okay.

14 MR. [REDACTED]: Does that clarify it for you?

15 MS. [REDACTED]: Okay, okay.

16 MR. [REDACTED]: Okay.

17 MS. [REDACTED]: Uh-huh.

18 MR. [REDACTED]: So at this point, inmate
19 Fernandez is removed and the count comes down
20 to --

21 MS. [REDACTED]: Uh-huh.

22 MR. [REDACTED]: -- 75.

23 MS. [REDACTED]: Uh-huh.

24 MR. [REDACTED]: Okay. Now we're looking at
25 the 5:00 p.m. count for August 9th.

1 MR. [REDACTED]: 4:00 p.m.

2 MR. [REDACTED]: Or 4:00 p.m., sorry.

3 MS. [REDACTED]: Uh-huh.

4 MR. [REDACTED]: 4:00 p.m. count for August
5 9th.

6 MS. [REDACTED]: Uh-huh.

7 MR. [REDACTED]: Right. It shows 76 --

8 MS. [REDACTED]: Uh-huh.

9 MR. [REDACTED]: -- starting. Reyes is
10 removed, right? Reyes is removed. Epstein is
11 sitting in attorney conference?

12 MS. [REDACTED]: Uh-huh. Yes, that's right
13 here.

14 MR. [REDACTED]: Right here? And inmate
15 Fernandez is removed.

16 MS. [REDACTED]: Uh-huh.

17 MR. [REDACTED]: But it still shows 75. It
18 should have been 74.

19 MS. [REDACTED]: Uh-huh. This is - they got
20 76. This is 4 o'clock. Did they say
21 something?

22 MR. [REDACTED]: And this is removed inmate.

23 MR. [REDACTED]: Keep on showing her the
24 other one though --

25 MR. [REDACTED]: Yeah.

1 MR. [REDACTED]: -- because that's not
2 really that --

3 MR. [REDACTED]: Give me Fernando's.

4 MR. [REDACTED]: -- that's not really that
5 eye opening because that's 3:15 to 4:00. Now
6 show her the 10:00 p.m. and the midnight count.

7 MR. [REDACTED]: The next one is over here
8 too, there's some inmates that moved in and
9 out. Now let's go to the 10:00 p.m. count.

10 MS. [REDACTED]: Uh-huh.

11 MR. [REDACTED]: And go over the inmates
12 that - so you can follow the numbers.

13 MR. [REDACTED]: So just look at -.

14 MS. [REDACTED]: Pull my chair closer so I can
15 see that.

16 MR. [REDACTED]: Yeah. Is that better?

17 MS. [REDACTED]: Yeah.

18 MR. [REDACTED]: Now, this is the evening
19 watch document. The other sheet now if you
20 start looking at inmate Hemmingway, 6:34 p.m.,
21 he's removed from the SHU, goes to ES.

22 MS. [REDACTED]: Uh-huh.

23 MR. [REDACTED]: Right? And the next one is
24 inmate Reed gets moved from ZA to GS.

25 MS. [REDACTED]: Uh-huh.

1 MR. [REDACTED]: So, now we lost two more
2 inmates, that's 73.

3 MS. [REDACTED]: Uh-huh.

4 MR. [REDACTED]: Then we gain two inmates, the
5 SHU gains two inmates, 8:21, Felix and Williams
6 from ZA to suicide watch in the SHU.

7 MS. [REDACTED]: Uh-huh.

8 MR. [REDACTED]: Right?

9 MS. [REDACTED]: Wait a minute. From ZA --

10 MR. [REDACTED]: Sorry, sorry.

11 MS. [REDACTED]: No, so he came from SHU.

12 MR. [REDACTED]: From SHU to suicide watch, so
13 now we are down to 71.

14 MS. [REDACTED]: Uh-huh.

15 MR. [REDACTED]: Right? And then, we have
16 Garcia.

17 MS. [REDACTED]: Wait, I'm sorry. Hold on.
18 This is 70, that's one, that's another one,
19 (Indiscernible *01:18:24), okay, that's R&D.
20 One, two - okay, I see why it's two. Okay,
21 that's two, right?

22 MR. [REDACTED]: That's two. And then, you
23 see -.

24 MS. [REDACTED]: So it's the suicide watch,
25 right?

1 MR. [REDACTED]: Yeah. And you see one inmate
2 was gained --

3 MS. [REDACTED]: Uh-huh.

4 MR. [REDACTED]: -- Garcia Pena's (Phonetic
5 Sp. *01:18:37) moved over.

6 MS. [REDACTED]: Uh-huh.

7 MR. [REDACTED]: I'm going to show you the
8 10:00 p.m. count.

9 MS. [REDACTED]: Uh-huh.

10 MR. [REDACTED]: The 10:00 p.m. count on the
11 E-1, what does that show?

12 MS. [REDACTED]: 73.

13 MR. [REDACTED]: Okay. On the last couple of
14 pages, can you find the one for ZA? ZA would
15 be the SHU, right, the count slip?

16 MS. [REDACTED]: Uh-huh.

17 MR. [REDACTED]: What does it show?

18 MS. [REDACTED]: 73 at 10:00. Uh-huh.

19 MR. [REDACTED]: But 73 what?

20 MS. [REDACTED]: Plus one.

21 MR. [REDACTED]: What does that plus one mean?

22 MS. [REDACTED]: That means somebody was
23 there, plus one. So it's somebody that's there
24 but he's, I guess he's not accounted for but
25 he's there.

1 MR. [REDACTED]: But can you, by looking at
2 this document, can you figure out who that is?

3 MR. [REDACTED]: So does that mean, what
4 you're saying is 73 plus one is actually 74
5 that they're thinking that's in there?

6 MS. [REDACTED]: Uh-huh. Not unless - well,
7 normally what it is, is -.

8 MR. [REDACTED]: Before you start asking
9 that that question, just show her the other
10 thing so that she's not going to try to figure
11 this out backwards. Let her reverse engineer
12 it.

13 MR. [REDACTED]: Okay.

14 MR. [REDACTED]: And then explain to her
15 what happened and then let her answer those
16 questions.

17 MR. [REDACTED]: I'm going to show you the
18 12:00 p.m. count too. This is 12:00 a.m.
19 count, there's August 10th --

20 MS. [REDACTED]: Uh-huh.

21 MR. [REDACTED]: 12:00 a.m. count. Now, were
22 you working in Control at that time?

23 MR. [REDACTED]: That was when [REDACTED]-
24 [REDACTED] you said the --

25 MR. [REDACTED]: [REDACTED]-[REDACTED].

1 MR. [REDACTED]: -- Ops Lieutenant
2 actually took the count, but you were on duty
3 at that time.

4 MR. [REDACTED]: Do you recall that at all?

5 MS. [REDACTED]: I don't remember at the
6 moment, but I know I worked in Control that
7 day. I know she came in there and she took one
8 count.

9 MR. [REDACTED]: Were you present when she
10 took that count?

11 MR. [REDACTED]: I think you start at
12 12:00 a.m. in Control, right?

13 MS. [REDACTED]: Uh-huh.

14 MR. [REDACTED]: You're 12:00 a.m.

15 MR. [REDACTED]: 12:00 a.m. until -.

16 MS. [REDACTED]: Yeah.

17 MR. [REDACTED]: So, on this one -.

18 MR. [REDACTED]: So by looking at that,
19 can you tell who it was that took the count?
20 That's the E-1.

21 MS. [REDACTED]: That's somebody's signature.
22 That's not - that's somebody else. That might
23 be her signature.

24 MR. [REDACTED]: [REDACTED]-[REDACTED]?

25 MS. [REDACTED]: Uh-huh. It might be her

1 signature, but that's not --

2 MR. [REDACTED]: So we can tell you --

3 MS. [REDACTED]: -- the person that prepared
4 it.

5 MR. [REDACTED]: -- [REDACTED]-[REDACTED] took
6 that count. We'll just let you - so she took
7 the count.

8 MS. [REDACTED]: Uh-huh.

9 MR. [REDACTED]: Do you remember being
10 present that day when she was there taking the
11 count?

12 MS. [REDACTED]: I was present, yes.

13 MR. [REDACTED]: All right. Now show her
14 the numbers verse what the counts looks at.

15 MR. [REDACTED]: So, E-1 shows 72.

16 MS. [REDACTED]: Uh-huh.

17 MR. [REDACTED]: What does the ZA show?

18 MS. [REDACTED]: 73.

19 MR. [REDACTED]: You see a discrepancy?

20 MS. [REDACTED]: Uh-huh.

21 MR. [REDACTED]: Is that a good count to you?

22 MS. [REDACTED]: Huh-uh.

23 MR. [REDACTED]: Do you recall [REDACTED]-[REDACTED]
24 mentioning the fact that there was a
25 discrepancy in the count?

1 MS. [REDACTED]: I don't recall any of that,
2 no.

3 MR. [REDACTED]: Do you recall her -.

4 MS. [REDACTED]: Because I didn't prepare the
5 count, so, I didn't - if I'm the Control
6 Officer, I'm Control one, so my second body is
7 the one that's preparing the counts and taking
8 the counts and viewing the count slips with the
9 Lieutenant is not there. I'm in charge of the
10 radios, they keys, you know, like a count and
11 making sure that all my equipment is accounted
12 for, letting staff know, "Hey, we're on duty."
13 We got to do a PREA~~pre~~-announcement and going
14 over equipment and stuff, all those type of
15 things, so no, I didn't - I wouldn't be aware
16 of this if I didn't prepare it, no.

17 MR. [REDACTED]: So what happened? Was
18 [REDACTED]-[REDACTED] figured out - and this is where
19 we were hoping you can help us a little bit.
20 And she figured out that Fernandez, who was
21 placed on dry cell at 3:15, was never keyed out
22 of the SHU.

23 MS. [REDACTED]: Ah.

24 MR. [REDACTED]: However, they're still
25 reporting - because he was never keyed out,

1 they're still reporting 73, 73, 73 --

2 MS. [REDACTED]: Uh-huh.

3 MR. [REDACTED]: -- although there's only
4 72 inmates in the SHU.

5 MS. [REDACTED]: Uh-huh.

6 MR. [REDACTED]: [REDACTED] - [REDACTED] somehow
7 figures out, you guys don't have 73, you've got
8 72 and then either she or someone in Control or
9 whomever, keys him out.

10 MS. [REDACTED]: Uh-huh.

11 MR. [REDACTED]: And so what we want to
12 know is do you remember that happening or the
13 circumstances around that?

14 MS. [REDACTED]: No.

15 MR. [REDACTED]: No, you don't? Does this
16 tell you anything about if these counts were
17 conducted? The 4:00 p.m. and the 10:00 p.m.
18 and the 12:00 a.m.?

19 MS. [REDACTED]: This just shows that this was
20 conducted.

21 MR. [REDACTED]: No, not the E-1s, the
22 counts in the SHU.

23 MR. [REDACTED]: Count slips. If the counts
24 were wrong.

25 MR. [REDACTED]: So all of them are saying

1 73 all though there's only 72 people.

2 Fernandez leaves at 3:15. So knowing that you
3 work in SHU, you work in R&D --

4 MS. [REDACTED]: Uh-huh.

5 MR. [REDACTED]: -- and also you can look
6 at the -.

7 MS. [REDACTED]: Well -.

8 MR. [REDACTED]: So these R&D slips show
9 that there's one person in there.

10 MS. [REDACTED]: Uh-huh.

11 MR. [REDACTED]: Although -

12 MS. [REDACTED]: This is 9 -.

13 MR. [REDACTED]: Nine south.

14 MR. [REDACTED]: So what does that mean? So
15 R&D, so on this here, the midnight one, right?

16 MR. [REDACTED]: And also, just please
17 take note of the checks that are all over them.
18 There's no checks on these two. So, and that's
19 the 10:00 p.m. we're looking at. So, we're
20 just trying to piece this thing together.

21 MS. [REDACTED]: Normally, I'm just going to,
22 for my experience, when I've had to plus a one,
23 it's because it's a WITSEC inmate that we could
24 not key in because only certain individuals
25 have the authority and capacity to key those

1 individuals in. So, if I got an inmate in SHU
2 that's a WITSEC and staff can't key him in
3 until maybe the Unit Manager of the WITSEC Unit
4 comes in and keys him in or whatever unit team
5 of the WITSEC Unit, we would plus that one
6 because that would show that that's the body
7 that's there that we cannot account for but
8 he's there. That would have - I don't know
9 what this is.

10 MR. [REDACTED]: Do you recognize whose
11 handwriting that is? The 9S plus one?

12 MS. [REDACTED]: No.

13 MR. [REDACTED]: Okay.

14 MR. [REDACTED]: Do you know if it's yours
15 by chance?

16 MS. [REDACTED]: No, that's -.

17 MR. [REDACTED]: Definitely not yours? My
18 assumption is that was written at midnight, but
19 we still can't figure it out. That's what
20 we're still trying to figure out. We would
21 have thought that the plus one stuff would have
22 happened at the 10:00 p.m. count since we
23 believe that that's when Reyes was keyed in.
24 he was keyed in on the 10th for the 9th because
25 - not Reyes, I'm sorry, Fernandez.

1 MS. [REDACTED]: Normally, when a Lieutenant
2 checks off the slips, it's because they're
3 verifying that it's the unit, it's the accurate
4 count, it's the accurate date, time and staff
5 signature print of two staff members. That's
6 normally how Lieutenant would mark off a count
7 slip to verify that -.

8 MR. [REDACTED]: I want to show - so does -.

9 MR. [REDACTED]: Is that telling to you at
10 all that the fact that these aren't checked
11 off?

12 MS. [REDACTED]: I don't know why they aren't
13 checked off. I couldn't tell you why, I don't
14 know.

15 MR. [REDACTED]: But those plus ones,
16 aside from possibly a WITSEC type of thing,
17 would that make sense with whether it would be
18 a plus one on R&D and a plus one though on ZA?

19 MS. [REDACTED]: Minus - not unless there -
20 the only thing I can gather is that they're
21 saying that this plus one is the inmate that's
22 still keyed to SHU but is sitting in R&D.
23 That's the only thing -.

24 MR. [REDACTED]: And that would be my
25 assumption too. IS that they're saying there's

1 73 bodies in SHU plus one who's actually in
2 R&D.

3 MS. [REDACTED]: Right.

4 MR. [REDACTED]: But that 73 is still off
5 so I guess what the question would be is, the
6 fact that they're using the number that Control
7 has, although they only have 72 in their actual
8 housing unit.

9 MS. [REDACTED]: Can I just --

10 MR. [REDACTED]: Absolutely.

11 MS. [REDACTED]: -- read this again.

12 MR. [REDACTED]: It also tells us that -
13 or I won't say what it tells us, but I just
14 want to know what it tells you.

15 MR. [REDACTED]: Which one do you need?

16 MS. [REDACTED]: Yeah, I don't see -.

17 MR. [REDACTED]: It's the midnight one.

18 MS. [REDACTED]: Okay, now you had gave me -
19 you had another log.

20 MR. [REDACTED]: The 5:00 p -.

21 MS. [REDACTED]: Didn't you have two logs?

22 MR. [REDACTED]: So there was another one, but
23 that's -.

24 MR. [REDACTED]: There's the August 10th
25 log. Okay.

1 MR. [REDACTED]: But I didn't show you the
2 August 10th.

3 MS. [REDACTED]: No, you showed me something
4 with Lieutenant Perez.

5 MR. [REDACTED]: I know, that's in one --

6 MS. [REDACTED]: Oh.

7 MR. [REDACTED]: -- but this is evening watch.

8 MS. [REDACTED]: Oh, okay.

9 MR. [REDACTED]: This -.

10 MS. [REDACTED]: Oh, that's the same. Okay.

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

12 MS. [REDACTED]: All right. I just want to -.

13 MR. [REDACTED]: There's a day watch and
14 night.

15 MR. [REDACTED]: You sure, you're getting
16 awful close.

17 MR. [REDACTED]: I'm okay. Unless she says I
18 need it.

19 MR. [REDACTED]: Would you like a piece?

20 MS. [REDACTED]: Okay, so his ending was 72
21 and he has this guy up here and this is 10
22 o'clock. This is the 9:00.

23 MR. [REDACTED]: So you want the 10:00 p.m.
24 count?

25 MS. [REDACTED]: Yeah.

1 MR. [REDACTED]: Here's the 10:00 p.m. count.

2 MS. [REDACTED]: Okay. So this is the 10
3 o'clock count. Okay, so, he's not keyed into
4 R&D. So, this is where your plus one is. So
5 he's still showing in Special Housing but he's
6 in R&D during the 10 o'clock count. So this is
7 what makes your 73. This is the 10 o'clock?

8 MR. [REDACTED]: But is that also weird
9 though that this count cleared with an R&D
10 slip. R&D 1 that's never checked off. There's
11 nothing on the E-1 for R&D?

12 MS. [REDACTED]: Hm, okay this is acting on
13 way before clock one.

14 MR. [REDACTED]: Before clock one, the one
15 we initially showed you where --

16 MS. [REDACTED]: Okay.

17 MR. [REDACTED]: -- he's also never keyed
18 in. And it is our beliefive, per the person who
19 said that they keyed him in, it was done after
20 midnight.

21 MS. [REDACTED]: Hm.

22 MR. [REDACTED]: Are you allowed to count an
23 inmate that you can't see?

24 MS. [REDACTED]: No.

25 MR. [REDACTED]: If inmate Fernandez was moved

1 from the SHU at 3:15 p.m., who should have
2 counted him as part of their count slip?

3 MS. [REDACTED]: At 3:15?

4 MR. [REDACTED]: Yeah, he was moved at 3:15
5 and the 4:00 p.m. count was a SHU that should
6 have counted him on the count slip or was it
7 supposed to be R&D?

8 MS. [REDACTED]: Well, to be honest with you,
9 because I work in R&D and I'm going to tell you
10 what goes on, they drop inmates in there and
11 they don't - a lot of the times, staff - that's
12 why now we tell them, "Tell us what you're
13 bringing inmates down here for." Because they
14 would bring an inmate down and place that
15 inmate in a cell. You won't know because
16 you're busy dealing with the Marshals, you're
17 dealing whatever movement you have going on in
18 R&D and you won't know that they brought an
19 inmate down in a cell. So, it could work both
20 ways that, you know, maybe they figured they
21 were just going to place him down there, keep
22 him down there and then maybe bring him back
23 upstairs. So, it could have been a number of
24 things, but I just know from experience,
25 inmates have been brought into my R&D that we

1 weren't aware of and we realized, walking
2 around R&D, "Yeah, we got an inmate in here."
3 "What is he down here for?" So -.

4 MR. [REDACTED]: So this, for me
5 personally, the E-1 isn't as concerning on the
6 4:00 p.m., although --

7 MS. [REDACTED]: Uh-huh.

8 MR. [REDACTED]: -- the count slip is.
9 Because the R&- it was so close to the 4:00
10 p.m. count. It's --

11 MS. [REDACTED]: So -.

12 MR. [REDACTED]: -- to the 10:00, this is
13 where I start getting like -.

14 MS. [REDACTED]: So, on -.

15 MR. [REDACTED]: Because there is no R&D
16 count slip although there's an R&D count slip
17 in this one that's never checked off, but it
18 also has no E-1 notification. So that -.

19 MS. [REDACTED]: And -.

20 MR. [REDACTED]: And to me, it seems like
21 the count slips were created after the fact or
22 manipulated or deleted or something, I don't
23 know.

24 MS. [REDACTED]: I don't know neither.

25 MR. [REDACTED]: So let -.

1 MS. [REDACTED]: Okay.

2 MR. [REDACTED]: As he mentions -.

3 MS. [REDACTED]: Wait a minute. I just want
4 to see. So at 4 o'clock they had 75.

5 MR. [REDACTED]: But technically at that
6 point, they were missing three inmates. Reyes
7 had gone, Fernandez was moved and Epstein was
8 sitting in attorney conference.

9 MR. [REDACTED]: Yeah. And it doesn't -.

10 MS. [REDACTED]: Well -.

11 MR. [REDACTED]: For which -.

12 MS. [REDACTED]: Okay, but where's attorney
13 conference? Oh, here it is. So, this is
14 attorney conference right here. This is the
15 counselor for attorney conference.

16 MR. [REDACTED]: That would say, SATTY on top.
17 Okay.

18 MS. [REDACTED]: Yes. So this is attorney
19 conference.

20 MR. [REDACTED]: Right, that's the one.

21 MS. [REDACTED]: This is all the inmates out
22 to court with Southern District. Is it?

23 MR. [REDACTED]: So yeah, physically
24 present --

25 MS. [REDACTED]: So -.

1 MR. [REDACTED]: -- in the SHU at 4:00 was
2 the 75 although --

3 MS. [REDACTED]: Right.

4 MR. [REDACTED]: -- I mean 74.

5 MS. [REDACTED]: Not (Indiscernible
6 *01:33:26).

7 MR. [REDACTED]: Although they reported 75
8 because Fernandez --

9 MS. [REDACTED]: Okay, well you --

10 MR. [REDACTED]: -- was (Indiscernible
11 *01:33:31).

12 MS. [REDACTED]: -- Epstein accounted for in
13 attorney conference. But this is an out count.

14 MR. [REDACTED]: Correct.

15 MS. [REDACTED]: And he's keyed on the out
16 count and this is what shows where he is
17 actually sitting in key two at that time so
18 this shows that he's in attorney conference.

19 MR. [REDACTED]: Right.

20 MS. [REDACTED]: Because he's keyed out on the
21 out count to attorney conference. And what I
22 was expressing to you guys earlier about the
23 courts, how we used to do it, (Indiscernible
24 *01:34:01) maybe it's a couple (Indiscernible
25 *01:34:02). Okay, this is what we used to do

1 in R&D as far as the out count. So, this would
2 say the inmate out tos court, name, register
3 number, what unit and cell he came from and how
4 many from whatever his unit is. So if we had
5 three out from that unit to court, it would be
6 three or whatever, however many numbers and
7 this is how we would - this is what would show
8 in the system that the inmate went out to court
9 that day.

10 MR. ██████: And that's an inmate you're
11 expecting back?

12 MS. ██████: Right.

13 MR. ██████: So if Reyes is not on there,
14 does that mean that Reyes is gone and you're
15 not expecting him back?

16 MS. ██████: Well, if he was keyed out at
17 8 - what did that say, 8:33?

18 MR. ██████: 8:38, yeah.

19 MS. ██████: Then he wouldn't show up on
20 this as an out count because that means he's
21 keyed out.

22 MR. ██████: He's gone, okay.

23 MS. ██████: Right. So -.

24 MR. ██████: So people that are going
25 to court that are expected to come back would

1 be on that sheet.

2 MS. [REDACTED]: Right. But we don't -

3 MR. [REDACTED]: But Reyes was not
4 expected to come back.

5 MS. [REDACTED]: Right. And from the looks of
6 this, I didn't work that shift. That wasn't my
7 shift.

8 MR. [REDACTED]: Yeah, no, and we didn't
9 believe it was. We're -.

10 MR. [REDACTED]: You might have left
11 beforehand?

12 MS. [REDACTED]: I might have left - this
13 might have been the day shift and I might have
14 worked the evening shift, so I might have
15 worked - I don't even know. But I just know
16 that I wasn't dealing with the courts, the
17 movement at that time, just from looking at the
18 out count.

19 MR. [REDACTED]: Okay. So now that we know
20 that the count was off over here and that the
21 10:00 p.m. count, according to the Lieutenant's
22 log, says 72, but 10:00 p.m. says 73 plus one -
23 -

24 MS. [REDACTED]: Uh-huh.

25 MR. [REDACTED]: -- right, and now R&D

1 actually is reporting that there is an inmate
2 in there --

3 MS. [REDACTED]: Uh-huh.

4 MR. [REDACTED]: -- except they're still
5 reporting 73 plus one.

6 MS. [REDACTED]: Uh-huh.

7 MR. [REDACTED]: And then at midnight - where
8 is the - midnight it says 72 over here and the
9 count slip shows 73. What does that tell you
10 about the counts that were done in the SHU?

11 MR. [REDACTED]: What he's asking, if
12 there's only 72 people in there and they're
13 reporting 73 and it just so happened to
14 coincide. And this one - and you need to know
15 that background information.

16 MS. [REDACTED]: Okay, so this is what -

17 MR. [REDACTED]: They reported 73 and the
18 Ops Lieutenant who took the count, found out it
19 was actually only 72, made the change and
20 changed Reye- and keyed Fernandez out.

21 MS. [REDACTED]: Okay.

22 MR. [REDACTED]: So what [REDACTED] is asking
23 you is the fact that they reported 73 on all
24 these, does that indicate anything to you about
25 the counts if they were done or were they not

1 done?

2 MS. [REDACTED]: Yeah, this looks like someone
3 wasn't paying attention because this - what
4 does this look like to you?

5 MR. [REDACTED]: Well, that's what I was
6 going to ask. What is RA? That -.

7 MS. [REDACTED]: RA is where that guy was
8 sitting at on dry cell.

9 MR. [REDACTED]: Is that R&D?

10 MS. [REDACTED]: Yes. So he was - so, because
11 it's now the 12 o'clock count and it's prior to
12 the count, they can go ahead and key him in
13 where he's actually assigned. So it seems that
14 during the 10 o'clock count, he was still keyed
15 to SHU so, what was it, plus one or something?
16 So now at 12 o'clock, because he wasn't keyed
17 there at 10 o'clock, they keyed him there now
18 before the 12 o'clock count which is correct
19 and accurate and what they should have done,
20 but now he's plus one - he's here where he
21 should be where he stated on this notification,
22 right, so that's accurate. But, if he's no
23 longer here, they should have been putting
24 what's here.

25 MR. [REDACTED]: Right.

1 MS. [REDACTED]: Because he's not plus one up
2 there no more.

3 MR. [REDACTED]: Yeah. So this one is
4 clearly that they're off. These guys though,
5 are still even with that 73 plus one, it should
6 have been 72 plus one if they're trying to say,
7 "We got one outside." It shouldn't be 73 plus
8 one. They're utilizing the same number it
9 looks like on the E-1. Somehow it seems that
10 they had that number, that base count number
11 and they knew, "We need - this is the number we
12 need to report, but also we got a plus one over
13 in R&D."

14 MS. [REDACTED]: Right

15 MR. [REDACTED]: So they're still off on
16 their count. Does that indicate to you that
17 they didn't actually conduct the count, they
18 just used the number that they thought they
19 were supposed to report?

20 MS. [REDACTED]: It doesn't indicate that they
21 didn't count.

22 MR. [REDACTED]: Because if they counted -

23 -

24 MS. [REDACTED]: I -.

25 MR. [REDACTED]: -- wouldn't they have the

1 right number?

2 MS. [REDACTED]: Sometimes you can count stuff

3 -.

4 MR. [REDACTED]: But wouldn't it be really
5 coincidental if they miscount at the exact
6 number that they were supposed to actually
7 provide? They definitely miscounted, but
8 there's 72 people in there and they just happen
9 to miscount exactly what the E-1 shows that
10 they were supposed to count.

11 MS. [REDACTED]: Yeah.

12 MR. [REDACTED]: It's coincidences and the
13 fact that it happened twice in a row, what does
14 that tell you?

15 MR. [REDACTED]: No, three times in a row.

16 MR. [REDACTED]: Three times.

17 MR. [REDACTED]: 4:00 p.m. --

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

19 MR. [REDACTED]: -- 10:00 p.m. and 12:00
20 a.m.

21 MS. [REDACTED]: I'm not going to answer that.

22 MR. [REDACTED]: Well, based on your
23 experience, right? You're experience of
24 working in Control, working in R&D, what do you
25 think happened? Do you think that they did the

1 count or not?

2 MS. [REDACTED]: I'm not going to answer that
3 one.

4 MR. [REDACTED]: How would have they
5 gotten that number that they were supposed to
6 report?

7 MS. [REDACTED]: By probably just looking in
8 their log and seeing, "Okay, when you take over
9 my post, oh, we got 72 guys. One is in R&D but
10 they still got him keyed to our unit." Based
11 on maybe what someone told them.

12 MR. [REDACTED]: And when you worked in
13 the unit at midnight, do you remember this
14 being an issue at all? Because this is where
15 we're told the Ops Lieutenant who took the
16 count, [REDACTED]-[REDACTED], she --

17 MS. [REDACTED]: She had --.

18 MR. [REDACTED]: -- had to run around and
19 try to figure this thing out. She's the one
20 who had to like come in and say like, "Okay,
21 where - who's what, where and I can verify
22 this." Do you remember that at all?

23 MS. [REDACTED]: No.

24 MR. [REDACTED]: Do you remember any
25 telephone calls with the SHU saying, "You got a

1 bad count, you got to recount?"

2 MS. [REDACTED]: No, if she's taking the
3 count, I let her deal with it. I don't - I
4 work on whatever else.

5 MR. [REDACTED]: Okay. So you're not
6 actually involved with her while she's doing
7 it?

8 MS. [REDACTED]: No.

9 MR. [REDACTED]: Okay. And you wouldn't
10 have been, being that you came from R&D, you
11 wouldn't have been the person that she said,
12 "Can you verify with R&D that this person is
13 there?"

14 MS. [REDACTED]: If she asks me and that's
15 what I did then, but I don't recall that.

16 MR. [REDACTED]: X -You don't recall --

17 MS. [REDACTED]: I don't know anything about
18 that.

19 MR. [REDACTED]: -- doing that? Okay.

20 MS. [REDACTED]: Huh-uh.

21 MR. [REDACTED]: You don't remember at all
22 though in that specific - you do - did you
23 recall her being there at all?

24 MS. [REDACTED]: Yeah, she was there.

25 MR. [REDACTED]: So you remember her being

1 in Control Center?

2 MS. [REDACTED]: Uh-huh.

3 MR. [REDACTED]: And you -.

4 MS. [REDACTED]: Because she also made rounds
5 on the units. She walked around the
6 institution.

7 MR. [REDACTED]: All right. And then as
8 far as being keyed in and out, so I guess it's
9 he BP-38, would that show when Fernandez was
10 actually keyed in and out of the system on
11 August 10th?

12 MS. [REDACTED]: Fernandez? The guy from -.

13 MR. [REDACTED]: So Fernandez, 3:15, who
14 was never --

15 MS. [REDACTED]: Oh, the -.

16 MR. [REDACTED]: -- keyed out. He wasn't
17 keyed out.

18 MS. [REDACTED]: The dry cell guy?

19 MR. [REDACTED]: Yeah.

20 MS. [REDACTED]: Yeah, it would show on a 38.

21 MR. [REDACTED]: On the 38 it would
22 actually show what time?

23 MS. [REDACTED]: Uh-huh.

24 MR. [REDACTED]: And how do we get that?
25 So just make a note, we got to get the 38 for -

1 MR. [REDACTED]: That (Indiscernible
2 *01:41:43).

3 MS. [REDACTED]: Since it goes back --

4 MR. [REDACTED]: That's the same document I
5 showed you?

6 MS. [REDACTED]: -- only 45 days.

7 MR. [REDACTED]: Okay. So we wouldn't
8 even be able to get it at this point?
9 Hopefully that day maintained that.

10 MS. [REDACTED]: Well, SENTRY only goes back
11 45 days, so -.

12 MR. [REDACTED]: You're talking about this
13 document?

14 MS. [REDACTED]: Yeah.

15 MR. [REDACTED]: Now what if they did save
16 these documents back then, would we be able to
17 see when he was keyed in?

18 MR. [REDACTED]: Yeah.

19 MS. [REDACTED]: If they saved it, yeah.

20 MR. [REDACTED]: Okay.

21 MS. [REDACTED]: But if it's --

22 MR. [REDACTED]: And -.

23 MS. [REDACTED]: -- not saved, it only goes
24 back 45 days.

25 MR. [REDACTED]: Okay.

1 MR. [REDACTED]: All right, I got.

2 MR. [REDACTED]: So that will be very
3 telling as well if we can get that.

4 MR. [REDACTED]: Okay.

5 MR. [REDACTED]: Before you start taking
6 everything away, there's an issue with initials

7 --

8 MR. [REDACTED]: Yeah.

9 MR. [REDACTED]: -- and dates.

10 MR. [REDACTED]: Being that I showed you these

11 --

12 MR. [REDACTED]: Just the top.

13 MR. [REDACTED]: -- documents, same as before.

14 MS. [REDACTED]: Uh-huh.

15 MR. [REDACTED]: Can you just initial and date
16 the top?

17 MS. [REDACTED]: (Indiscernible *01:42:27)

18 this one.

19 MR. [REDACTED]: Do you know anything
20 about counts not actually being conducted at
21 this time in August of 2019?

22 MS. [REDACTED]: No.

23 MR. [REDACTED]: When you would work on
24 the custody side of the house, would you be
25 involved in things like counts?

1 MS. [REDACTED]: If I'm counting a unit with
2 an officer, yeah. Or if I'm the one taking the
3 count, yes. If I'm -.

4 MR. [REDACTED]: Did you ever do any
5 counts in the SHU?

6 MS. [REDACTED]: I've done counts in the SHU -
7 -

8 MR. [REDACTED]: You have.

9 MS. [REDACTED]: -- but -.

10 MR. [REDACTED]: And when you were there,
11 did they actually conduct the counts?

12 MS. [REDACTED]: When I do counts, I conduct
13 counts, yeah.

14 MR. [REDACTED]: Yeah, yeah, but I mean,
15 I'm not talking about you, I know you did, but
16 I mean --

17 MS. [REDACTED]: Uh-huh.

18 MR. [REDACTED]: -- the people that were
19 there with you, were they actually, you know,
20 you're supposed to have two people to count.
21 Was the other person --

22 MS. [REDACTED]: Well, if I --

23 MR. [REDACTED]: -- also counting?

24 MS. [REDACTED]: -- have - if I'm working,
25 you'reeah, counting, so it's no - it's not a

1 question. We're not even having that
2 conversation, so.

3 MR. [REDACTED]: Did you ever have anybody
4 push back on you like, "No, no, no, we're
5 good?"

6 MS. [REDACTED]: No.

7 MR. [REDACTED]: Have you heard of people who
8 when they're starting the shift, just filling
9 out the counts slips and the round sheets and
10 be like -.

11 MR. [REDACTED]: Ahead of time.

12 MR. [REDACTED]: Ahead of time.

13 MS. [REDACTED]: Well, if they're on their own
14 unit, I can't tell you what they're doing on
15 their unit. I can only tell you what I'm doing
16 on my unit, so.

17 MR. [REDACTED]: But like in the SHU, have
18 you ever heard of like people coming in and
19 pre-filling out both count slips and round
20 sheets at the very start of their shift?

21 MS. [REDACTED]: If they've done it, I've
22 never seen it.

23 MR. [REDACTED]: You've never seen it?

24 MR. [REDACTED]: Have you ever heard of people
25 doing anything like that?

1 MS. [REDACTED]: I've heard of it, but I don't
2 - I've never seen it.

3 MR. [REDACTED]: Is that good practice?

4 MS. [REDACTED]: No.

5 MR. [REDACTED]: Is it known that you
6 can't do that?

7 MS. [REDACTED]: You're not supposed to do
8 that.

9 MR. [REDACTED]: Does everyone know they
10 can't - especially if we're talking about round
11 sheets. Does everyone know that you can't go
12 and - say it goes from 8:00 a.m. until 12:00
13 p.m., you can't go in at 8:00 a.m. and write
14 out everything you did for a round all the way
15 to 12:00 p.m.?

16 MS. [REDACTED]: You cannot do that because
17 anything can happen. An emergency can take
18 place. An inmate could get removed from your
19 unit. You can get a new guy. Any - there's a
20 number of things that could take place that you
21 are not supposed to - even your log book, pre-
22 fill out your log.

23 MR. [REDACTED]: Is there any training
24 though that you all receive saying like, "You
25 got to do this when you're actually conducting

1 the rounds?" And certainly, you know, maybe
2 after the fact is okay because you already did
3 it, but beforehand -.

4 MS. [REDACTED]: Maybe if the Lieutenant sees
5 it, you know, they might say, "Hey, you know,
6 you're not supposed to pre-fill out your count
7 slips." They might say, you know, "You can
8 fill out the date, the time, the unit," you
9 might could even fill in your name, but you're
10 not supposed to put in the actual number
11 because you don't know what can happen, so.

12 MR. [REDACTED]: But as far (Indiscernible
13 *01:45:26) talking about counts slips, I'm
14 talking about round sheets.

15 MS. [REDACTED]: Oh. No, you're not supposed
16 to. They always tell - they - the Lieutenants
17 always say that you're not supposed - they
18 always tell everybody that.

19 MR. [REDACTED]: And do you know if back
20 in August 2019, they were also saying that?

21 MS. [REDACTED]: No, I don't know about that.

22 MR. [REDACTED]: Right.

23 MS. [REDACTED]: I don't know -.

24 MR. [REDACTED]: And is there any training
25 that's provided to teach people how to actually

1 fill out round sheets and counts slips or is it
2 supposed to be common sense?

3 MS. [REDACTED]: Normally you're training on
4 the job as you go along, so if I'm new and, you
5 know, I'm training up under your officer, you
6 might show me certain things and people just
7 learn by asking questions and maybe another
8 officer just showing him ropes and everybody
9 don't do everything the way they're supposed to
10 do so. I might come in as a new officer and
11 you might be showing me stuff and it could be
12 completely wrong, but I'm doing what you showed
13 me because that's all I know. So, it just
14 depends on who's training who and who's showing
15 who what to do and that's pretty much it
16 because on the job, right now, we have new
17 staff training new staff. We have staff that's
18 here like a month training staff that's here a
19 week. So, the blind leading the blind.

20 MR. [REDACTED]: So if someone makes the
21 excuse that, "No one ever told me I could do
22 that, but I saw other people filling out round
23 sheets ahead of time so that's why I did it,"
24 is that an excuse do you believe? So you think
25 that that is an actual excuse to say like,

1 "Well, he did it, so I did it," and that makes
2 it okay? Because don't you think it's pretty
3 common sense that, no, you can't - you're
4 certifying a document saying you conducted that
5 round at that time?

6 MS. [REDACTED]: Yes, common sense to the
7 people that think outside the box and - but
8 common sense is not common to everybody and -
9 and I'm not trying to be a smart ass --

10 MR. [REDACTED]: No, no, no, it's very -.

11 MS. [REDACTED]: -- you know.

12 MR. [REDACTED]: It's a good point.

13 MS. [REDACTED]: And, you know, I've been
14 doing law enforcement for a while, you know,
15 corrections, juveniles, school safety. So,
16 I've seen things on the job that make me take
17 my job seriously. But when you have no
18 knowledge, you have no experience, no
19 correctional background, you've never been
20 placed in an environment that you felt was that
21 dangerous for you to be as mindful as you
22 should be, you don't - and then nothing
23 happens, you follow what you see everybody else
24 doing in past practice and it's not always
25 right and a lot of people don't read what

1 they're supposed to be doing, they just go by
2 what you tell them and what I could tell you
3 what to do, doesn't necessarily mean that
4 that's actually what you are supposed to be
5 doing.

6 MR. [REDACTED]: Sure.

7 MS. [REDACTED]: And if you don't read it in
8 black and white for yourself, how would you
9 know that this is actually what you should be
10 doing? And it's just a lack of training around
11 here. Staff are not being trained and that's
12 what creates a lot of our problems. We don't
13 have a bad institution, we just have a lack of
14 training, you know, and I don't think that
15 people are not willing to work, I think they
16 want to work, but it's a lack of training and
17 it's a lack of morale in the institution, so I
18 think that's what the biggest problem is.
19 People are not being properly trained. So,
20 yeah, if I see you doing it, I think it's okay.
21 I'm not ever thinking, "Oh, you know what?
22 Maybe I shouldn't do that, something might
23 happen." If nothing ever really happens, so.
24 MR. [REDACTED]: I have a few more questions -
25 -

1 MS. [REDACTED]: Uh-huh.

2 MR. [REDACTED]: -- a few more, but we can
3 come back. Some of the questions are going to
4 be redundant --

5 MS. [REDACTED]: Uh-huh.

6 MR. [REDACTED]: -- redundant because we asked
7 the questions --

8 MS. [REDACTED]: Uh-huh.

9 MR. [REDACTED]: -- so I just got to cover it.

10 MS. [REDACTED]: Uh-huh.

11 MR. [REDACTED]: Do you know why Reyes was
12 removed from the MCC?

13 MS. [REDACTED]: Is that the guy that went out
14 to court?

15 MR. [REDACTED]: Yes.

16 MS. [REDACTED]: I would only know that
17 because he went to court. But looking at that
18 document, off the top of my head, I wouldn't be
19 able to recall off the top of my head why he
20 was removed, but I just know he went out to
21 court.

22 MR. [REDACTED]: Were you ever instructed on
23 what actions to take -.

24 MR. [REDACTED]: Well, let's follow up
25 with that. Looking at the Lieutenant's log,

1 does that tell you something different? With
2 the Lieutenant's log and the BP-38?

3 MS. [REDACTED]: You mean the PP-38.

4 MR. [REDACTED]: Is it PP?

5 MS. [REDACTED]: Uh-huh.

6 MR. [REDACTED]: All right. I thought it
7 was like Bureau of Prisons, like BP. So it's
8 PP.

9 MR. [REDACTED]: Somebody -.

10 MS. [REDACTED]: PP. PP-38.

11 MR. [REDACTED]: What does the PP stand
12 for?

13 MS. [REDACTED]: It's a SENTRY function. I
14 don't know. Okay. Repeat your question again.

15 MR. [REDACTED]: So looking at where it
16 says that Reyes left at --

17 MS. [REDACTED]: Okay.

18 MR. [REDACTED]: -- 8:38, and then as well
19 as with that document the R&D uses to key
20 people out, the PP-38. Does that tell you why
21 he would have left?

22 MS. [REDACTED]: No, because this does not
23 necessarily tell you. It just tells you he was
24 removed out of the institution.

25 MR. [REDACTED]: Okay.

1 MS. [REDACTED]: So, no - I mean, you just
2 know that he's gone. You don't know why he's
3 gone, you just know he left.

4 MR. [REDACTED]: Sure.

5 MS. [REDACTED]: And same thing with that, you
6 just - you don't know why, you just know he
7 left.

8 MR. [REDACTED]: Okay. You're talking about
9 the PP-38, right?

10 MS. [REDACTED]: Yes.

11 MR. [REDACTED]: How would the institution
12 know if Reyes was coming back from court?

13 MS. [REDACTED]: R&D would know because he
14 would come back with the Marshals and we would
15 key him back in and we would send him back to
16 his unit.

17 MR. [REDACTED]: Now, if he wasn't - now that
18 he wasn't coming back, is there any other
19 notification that comes up throughout the day
20 through R&D that he isn't coming back?

21 MS. [REDACTED]: It would just be whatever
22 dispositions that the Marshals give us, provide
23 us with.

24 MR. [REDACTED]: When does that disposition
25 come?

1 MS. [REDACTED]: That just depends. Sometimes
2 we get it right away, sometimes they forget and
3 we got to pre-remove the inmate out because we
4 don't have nothing and we know that he went
5 with the Marshals. But sometimes we get it as
6 soon as possible and sometimes we don't get it
7 until the next day.

8 MR. [REDACTED]: So there is a disposition
9 form that comes in afterwards.

10 MS. [REDACTED]: Uh-huh.

11 MR. [REDACTED]: What is it? What does the
12 form look like? What does it state on it?

13 MS. [REDACTED]: It's just a United States
14 Marshals form and it'll say, "Disposition of -"
15 - it'll be time served, maybe the judge
16 released somebody on recognizance. Just
17 whatever the judge just might - the judge might
18 have dismissed the case. Just whatever
19 happened at court is what will be - it might be
20 a bail bond. Might be a release to Probation.

21 MR. [REDACTED]: And where is that form kept?

22 MS. [REDACTED]: It would be in the inmate's
23 folder.

24 MR. [REDACTED]: Do you recall seeing any
25 forms for - disposition forms for inmate Reyes?

1 MS. [REDACTED]: I don't remember.

2 MR. [REDACTED]: And what is done with
3 that information once it's received?

4 MS. [REDACTED]: We retain it in the inmate's
5 folder and we key the inmate out and -.

6 MR. [REDACTED]: Or is the information
7 disseminated throughout or no?

8 MS. [REDACTED]: Do we give Control those?
9 No, we don't give Control a copy. I don't
10 think we give Control a copy of the disposition
11 form because they - we don't give them a copy
12 of it.

13 MR. [REDACTED]: So this circles back to
14 what we talked about before. So once you find
15 out an inmate is definitively not coming back,
16 you do not contact anyone to say, "This guy
17 didn't come back."

18 MS. [REDACTED]: We key them out and normally
19 the Control Officer, if you have a good counts
20 and assignments officer, and he's paying
21 attention, he'll say, "Oh, you guys keyed one
22 out?" We'll say, "Yeah, he's not coming back,
23 he got time served or the Marshals took him and
24 he's not coming back."

25 MR. [REDACTED]: The R&D doesn't

1 proactively provide that information.

2 MS. [REDACTED]: No, because they're supposed
3 to automatically be checking the computer to -
4 like a checks and balance, so it's something
5 that's automatic. When we have inmates going
6 out to court, we have a receipt that we give to
7 the Marshals and a copy also goes downstairs to
8 the Control Center as well, so the Control has
9 a copy of every move we do in R&D, so they get
10 a copy of that.

11 MR. [REDACTED]: Can you recall any situations
12 where an inmate leaves for court and R&D is
13 notified, "Hey, listen, the inmate is not
14 coming back," where R&D actually called the
15 unit to let them know, "Hey, he's not coming
16 back?"

17 MS. [REDACTED]: Yeah, we have. We have.

18 MR. [REDACTED]: Is that because they
19 requested to be notified or is it because, is
20 that something that R&D normally does?

21 MS. [REDACTED]: No, we might have - it might
22 have been that the inmate had property upstairs
23 and we might need him to secure the inmate's
24 property and bring it down. So, that's
25 normally sometimes why we might notify the unit

1 officer because sometimes the inmate, they'll
2 call back to the jail and say, "Oh, they
3 released me. I got my property upstairs." And
4 we'll call upstairs to the unit officer and
5 say, "Hey, inmate so and so is not coming back,
6 can you secure his property?"

7 MR. [REDACTED]: Okay. Before ~~he~~you left for
8 the day on August 9th, do you recall talking to
9 any COs about Reyes leaving?

10 MS. [REDACTED]: I don't recall that, no.

11 MR. [REDACTED]: I know we covered this as
12 part of previous conversation, so I'm going to
13 go through it quick.

14 MS. [REDACTED]: Uh-huh.

15 MR. [REDACTED]: On August 10th when you came
16 on shift, which counts were you involved in?

17 MS. [REDACTED]: I didn't take the counts, I
18 was number one in the Control Center. So my
19 number two person takes the counts.

20 MR. [REDACTED]: Number two? Who was the
21 number two, do you recall?

22 MS. [REDACTED]: Was it [REDACTED] (Phonetic Sp.
23 *01:55:47)?

24 MR. [REDACTED]: You can just look at that
25 for the daily assignments.

1 MR. [REDACTED]: Just look at 10th, it's going
2 to be 10th.

3 MS. [REDACTED]: [REDACTED].

4 MR. [REDACTED]: [REDACTED] [REDACTED] (Phonetic Sp.
5 *01:55:59).

6 MS. [REDACTED]: He was in the Control Center
7 with me.

8 MR. [REDACTED]: Okay. And do recall
9 [REDACTED]-[REDACTED] taking the midnight count?

10 MS. [REDACTED]: I believe she came and took
11 the midnight count.

12 MR. [REDACTED]: Were you present for it?

13 MS. [REDACTED]: I was in the Control Center -
14 -

15 MR. [REDACTED]: But -.

16 MS. [REDACTED]: -- but I wasn't focused on
17 them taking the count. I was focused on
18 counting~~getting~~ my equipment, accounting for my
19 equipment.

20 MR. [REDACTED]: Do you recall any issues with
21 the count?

22 MS. [REDACTED]: Not that I know of. Not that
23 I recall.

24 MR. [REDACTED]: And do you recall who called
25 in the count from the SHU?

1 MS. [REDACTED]: Not that I can recall.

2 MR. [REDACTED]: What about the 3:00 a.m. and
3 the 5:00 a.m.?

4 MS. [REDACTED]: I know one of them called the
5 count in because that's the only way we can
6 clear a count.

7 MR. [REDACTED]: Okay.

8 MS. [REDACTED]: So I don't remember who
9 called but I know somebody did call in the
10 count.

11 MR. [REDACTED]: Do you recall during the
12 middle of the count [REDACTED]-[REDACTED] calling the
13 SHU, having conversation with the CO in there?

14 MS. [REDACTED]: I don't know because a lot of
15 times they'll call downstairs when they're
16 calling in the count and she'll have short
17 conversations with the officers, so I can't say
18 whether she called them or they called her, I
19 don't know.

20 MR. [REDACTED]: Do you recall if there was a
21 second count slip sent up for the SHU for the
22 midnight count?

23 MS. [REDACTED]: No, I can't recall, I don't
24 know.

25 MR. [REDACTED]: Can COs just call in the

1 previous number or do they have to physically
2 do the count?

3 MS. [REDACTED]: No, they have to count.

4 MR. [REDACTED]: Why?

5 MS. [REDACTED]: You're counting for living,
6 breathing bodies.

7 MR. [REDACTED]: Once the counts are done, do
8 the COs have to notify you?

9 MS. [REDACTED]: They're supposed to call the
10 Control Center and call in their count. They
11 call the control two, which is 6468, and they
12 call in their count.

13 MR. [REDACTED]: Do the COs fill out any
14 paperwork for the count?

15 MS. [REDACTED]: A count slip. A count slip.

16 MR. [REDACTED]: Think we pretty much covered
17 a lot of the other questions. Do you have
18 anything on that topic?

19 MR. [REDACTED]: Who all has access to
20 update the E-1 document?

21 MS. [REDACTED]: Who all has access to update
22 it? The Control Center officers.

23 MR. [REDACTED]: When you say, "officer,"
24 just the Control Center officers is what you
25 mean?

1 MS. [REDACTED]: Whoever works in the Control

2 --

3 MR. [REDACTED]: Right.

4 MS. [REDACTED]: -- but a lot of times, most
5 of the officers were shifted around working
6 Control, so primarily, if you work the Control
7 Center as a counts and assignments officer, you
8 had access to printing out an E-1. All the
9 Lieutenants have access, R&D had access, but we
10 don't have access to that no more.

11 MR. [REDACTED]: But at that point, did you
12 guys have access?

13 MS. [REDACTED]: Yeah, because you have to
14 prepare this for the count, so yeah.

15 MR. [REDACTED]: Okay.

16 MS. [REDACTED]: But we don't have access
17 anymore.

18 MR. [REDACTED]: So Control Officers,
19 Lieutenants, anyone else?

20 MS. [REDACTED]: R&D.

21 MR. [REDACTED]: And that anyone who has
22 worked in Control at that time, at least they
23 maintained the access for a certain amount of
24 period afterwards?

25 MS. [REDACTED]: Yeah, Uh-huh.

1 MR. [REDACTED]: Do you know how long that
2 period of time was at that point?

3 MS. [REDACTED]: I don't think - I think if
4 you had access to it, you just had access to
5 it. It don't think it was no -.

6 MR. [REDACTED]: So, given access once,
7 you got it until --

8 MS. [REDACTED]: Uh-huh.

9 MR. [REDACTED]: -- they revoke it.

10 MS. [REDACTED]: Right. Uh-huh.

11 MR. [REDACTED]: Okay.

12 MS. [REDACTED]: I don't think it was - yeah,
13 it was no time frame that I know of.

14 MR. [REDACTED]: You have any other questions
15 on that? When you were in - are you aware
16 there were cameras inside the MCC on August 9th
17 and 10th?

18 MS. [REDACTED]: Uh-huh.

19 MR. [REDACTED]: When you were in Control, did
20 you have access to see the cameras?

21 MS. [REDACTED]: Yeah, you - the cameras in
22 the - it's like little TV screens with little
23 individual boxes of different areas of the
24 institution.

25 MR. [REDACTED]: Could you see the SHU in

1 there?

2 MS. ██████: No. You could only see over
3 a balcony looking down to the MP and it was
4 like far off so it's like the camera is up on a
5 balcony and just looking all the way down over
6 there. You don't really - can't really see
7 nothing.

8 MR. ██████: Was it clear?

9 MS. ██████: No. It's like, if you see,
10 you might have seen a body move here and there,
11 but you can't really tell - you couldn't really
12 - it wasn't clear, no.

13 MR. ██████: Did you ever hear that the
14 cameras are not working, offline or not
15 recording?

16 MS. ██████: All the time.

17 MR. ██████: And was there complaints
18 filed - told to anybody specific? The Captain,
19 Lieutenant?

20 MS. ██████: I believe notifications were
21 made, like especially if we're in the Control
22 Center, we would call the com tech and say,
23 "Hey, this camera might have went out." So
24 yeah, notifications were made.

25 MR. ██████: And did they fix it

1 immediately?

2 MS. [REDACTED]: At that time, no, things
3 weren't getting fixed immediately, no.

4 MR. [REDACTED]: Do you recall seeing Michael
5 Thomas (Indiscernible *02:00:56) on the camera
6 on the night - on the morning watch of August
7 10th?

8 MS. [REDACTED]: You can't see really from the
9 camera that I had access to, you can't really
10 see - you can't - you barely could see because
11 it's like, I don't know if you've ever been in
12 our SHU. Have you ever been in the SHU?

13 MR. [REDACTED]: That's -.

14 MR. [REDACTED]: No, we have pictures but
15 we've never --

16 MR. [REDACTED]: That's this picture.

17 MR. [REDACTED]: -- actually been there.

18 MS. [REDACTED]: So, you can't really see.

19 MR. [REDACTED]: I'm showing you a picture.

20 MS. [REDACTED]: This is -.

21 MR. [REDACTED]: Is this the view?

22 MS. [REDACTED]: Yeah, that's exactly, yeah,
23 this is it. So like, if they were in a black
24 hoodie or something, you can't see nobody over
25 there. If their back is turned and the chairs

1 are - you can't really see. You might see a
2 body walk across or you might see a body walk
3 down, but you can't really see. It's not a
4 real good copy. But yeah, that's exactly what
5 I'm talking about.

6 MR. ██████: Do you have anything else on
7 the cameras?

8 MR. ██████: No, just when you're in
9 the Control Center, does it - is there any
10 indication saying that if a camera is working
11 but not recording? No. There's no way for you
12 to know if a camera is recording or not?

13 MS. ██████: Yeah.

14 MR. ██████: Just if it was actually
15 live or not.

16 MS. ██████: Uh-huh. You would just know
17 that the camera is up. You don't know - I
18 wouldn't have been able to tell you that, I
19 don't know. Huh-uh.

20 MR. ██████: Okay. And did you, prior
21 to 6:33, when a body alarm was set off, did you
22 notice anything unusual happening in the
23 institution on any cameras? Specifically, I
24 guess the SHU one that you couldn't see that
25 well anyway?

1 MS. [REDACTED]: No.

2 MR. [REDACTED]: No. Okay.

3 MS. [REDACTED]: Huh-uh.

4 MR. [REDACTED]: There was no other angles
5 from the SHU you could see?

6 MS. [REDACTED]: No. This is all I - that's
7 all you could see.

8 MR. [REDACTED]: Anything else on that?

9 MR. [REDACTED]: No.

10 MR. [REDACTED]: Now just a few other
11 questions.

12 MS. [REDACTED]: Uh-huh.

13 MR. [REDACTED]: Do you recall anyone going
14 into the SHU that night, on August 10th?

15 MS. [REDACTED]: August 10th, that's the
16 Saturday?

17 MR. [REDACTED]: That's Saturday, overnight.

18 MR. [REDACTED]: The morning that Epstein
19 was found dead.

20 MS. [REDACTED]: Going in? The morning he was
21 found or --

22 MR. [REDACTED]: Yes.

23 MS. [REDACTED]: -- or the night prior to him
24 being found?

25 MR. [REDACTED]: Both is fine.

1 MS. [REDACTED]: Well, I know the Lieutenant
2 made rounds.

3 MR. [REDACTED]: Lieutenant who?

4 MS. [REDACTED]: [REDACTED], she made rounds
5 because they have to call the door, so we have
6 to pop her in.

7 MR. [REDACTED]: So when he says "night,"
8 he's talking about midnight to 6:30 --

9 MS. [REDACTED]: Right. Yeah.

10 MR. [REDACTED]: -- right.

11 MS. [REDACTED]: So, Lieutenant, she made
12 rounds on the unit because the SHU staff called
13 the door for her to pop - for us to pop her
14 into the SHU and when they call the door, when
15 you hit that door, a visual of the door, who
16 standing in front of the door pops up in the
17 Control Center, so you know who is going into
18 the SHU. During the body alarm, our usual
19 staff just responds to a body alarm, so, you
20 know they say, "Hey, we have a medical
21 emergency in SHU," or wherever they call. You
22 got the SHU crew calling the door so staff can
23 run in and assist, so, whoever ran in, I
24 couldn't tell you. But whoever was on shift at
25 that time, responded.

1 MR. [REDACTED]: So the only one overnight
2 would be at that - before his body was found
3 would be Lieutenant [REDACTED]-[REDACTED]?

4 MS. [REDACTED]: Lieutenant [REDACTED],
5 internal. If he had -.

6 MR. [REDACTED]: Who is internal?

7 MS. [REDACTED]: [REDACTED].

8 MR. [REDACTED]: Do you recall [REDACTED]
9 requesting to go into the SHU?

10 MS. [REDACTED]: He would - he don't really -
11 he wouldn't really have a reason to go into
12 SHU, not unless they're calling for you to come
13 in and do something or he's going in, you know,
14 because normally, the two officers will count,
15 they'll put their count slip on the door and
16 the internal officer, he'll pick up the count
17 slip on his rounds while he's counting the
18 other units. So, if he doesn't have a reason
19 to go in the SHU, he won't go in SHU.

20 MR. [REDACTED]: Okay. Do you know if there's
21 any other way that anyone can get through that
22 outer door of the SHU without Control buzzing
23 them in?

24 MS. [REDACTED]: No.

25 MR. [REDACTED]: Is the -.

1 MS. [REDACTED]: You would need an emergency
2 key that you would have to get from the Control
3 Center. But no one gets those keys. And
4 especially on morning watch when there's no
5 need for us to give out those keys. Staff are
6 calling the door, so, no, there's no other way
7 to get in that unit.

8 MR. [REDACTED]: Are those keys kept open or
9 is it just it's locked up?

10 MS. [REDACTED]: It's behind a door in the
11 bathroom in the Control Center.

12 MR. [REDACTED]: And that would get you
13 through the first door. Do you know if there's
14 a second set of keys for the internal door for
15 the SHU kept in the Control Center?

16 MS. [REDACTED]: We have keys for most of the
17 doors, yes. But those door - the inner door,
18 the Unit Officer would have, the inner door, he
19 has access to that. So the Unit Officers have
20 those keys.

21 MR. [REDACTED]: We're just asking just to
22 clarify, if - do you know if anyone checked out
23 the keys for the inner door or the outer door
24 out of the Control Center that night?

25 MS. [REDACTED]: The outer door, those keys

1 never get checked out, but the inner door, that
2 key is a key pretty much like a - you have to
3 put a chit on the Control Center and -.

4 MR. [REDACTED]: Put a what?

5 MS. [REDACTED]: A chit.

6 MR. [REDACTED]: What's that?

7 MS. [REDACTED]: So it's like a chit system.

8 I have a pair of keys. In order for me to get
9 these keys from Control, I have to turn in a
10 chit --

11 MR. [REDACTED]: So it's basically -.

12 MS. [REDACTED]: -- with my name. Yeah, you
13 have to turn in a chit. So it's -.

14 MR. [REDACTED]: A key chain with your name on
15 it.

16 MS. [REDACTED]: Yeah, it's a chit. Uh-huh.
17 And you - it's like a - what is it, what would
18 you call it? Accountability.

19 MR. [REDACTED]: Okay.

20 MS. [REDACTED]: So, you put the chit on it,
21 you give the person a key. In order to get the
22 chit back, you got to give them the key back,
23 then you get the chit back.

24 MR. [REDACTED]: Do you recall if anyone did
25 that for the SHU keys that night?

1 MS. [REDACTED]: I don't recall. But I don't
2 recall that, no.

3 MR. [REDACTED]: Okay. I've got nothing else.
4 Do you - is there any questions that you think
5 that we didn't ask you about that you feel that
6 we should ask you about?

7 MS. [REDACTED]: Hm.

8 MR. [REDACTED]: In regards to this Epstein
9 investigation?

10 MS. [REDACTED]: Mm, no, I think that's -.

11 MR. [REDACTED]: Do you believe Epstein
12 took his own life?

13 MS. [REDACTED]: I believe so.

14 MR. [REDACTED]: Do you have any reason to
15 believe that anyone took Epstein's life aside
16 from himself?

17 MS. [REDACTED]: No.

18 MR. [REDACTED]: Do you have any knowledge
19 of anyone assisting Epstein with taking his
20 life?

21 MS. [REDACTED]: No.

22 MR. [REDACTED]: Okay.

23 MS. [REDACTED]: No. I believe he had a lot
24 on his plate and this environment was a culture
25 shock to him then. I think that he took his

1 own life.

2 MR. [REDACTED]: Now the fact that we
3 don't have camera from that tier - oh, I wanted
4 to circle back with you. So our understanding
5 from the camera technicians and everyone else
6 is that there were actually at that time
7 cameras down each range, they just weren't
8 recording.

9 MS. [REDACTED]: Oh.

10 MR. [REDACTED]: Do you know anything
11 about that?

12 MS. [REDACTED]: No.

13 MR. [REDACTED]: Do you know - do you have
14 any reason to believe that someone knocked
15 those cameras off line intentionally so that
16 they stopped recording?

17 MS. [REDACTED]: No. No. I don't believe
18 that. No. No.

19 MR. [REDACTED]: All right. And you don't
20 know anything about that?

21 MS. [REDACTED]: No. No. That's a good one.

22 MR. [REDACTED]: Well, it's just there's a
23 lot of coincidences in this one.

24 MS. [REDACTED]: Yeah. It's unfortunate. You
25 know, this building is still deteriorating as

1 we speak, so, it just - a lot of repairs and
2 maintenance that needs to be done~~e't~~ in this
3 institution. It's - yeah. Yeah.

4 MR. [REDACTED]: That's all.

5 MR. [REDACTED]: That's it?

6 MR. [REDACTED]: Yeah.

7 MR. [REDACTED]: Well, thank you for taking
8 the time to talk to us.

9 MS. [REDACTED]: You're welcome. You're
10 welcome.

11 MR. [REDACTED]: This is Special Agent [REDACTED]
12 [REDACTED]. The time is 6:12 p.m. on Thursday,
13 July 15, 2021. We're ending the interview and
14 turning off the recorder.

15

16

17

18

19

20

21

22

23

24

25

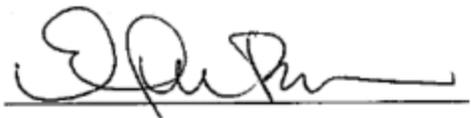
- 1
- 2
- 3
- 4
- 5
- 6
- 7

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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], Transcriber