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DIGITALLY RECORDED

SWORN STATEMENT

OF



OIG CASE #:

2019-010614

DEPARTMENT OF JUSTICE
OFFICE OF THE INSPECTOR GENERAL

JULY 20, 2021

RESOLUTE DOCUMENTATION SERVICES
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APPEARANCES:

OFFICE OF THE INSPECTOR GENERAL

BY: [REDACTED]

BY: [REDACTED]

WITNESS:

[REDACTED]

OTHER APPEARANCES:

NONE

1 MR. [REDACTED]: 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 Road. We are in the Executive Assistant's
18 office. Also present is DOJ OIG Senior Special
19 Agent [REDACTED] and CO [REDACTED]. This
20 interview will be recorded by me, Special Agent
21 [REDACTED]. Could everyone please identify
22 themselves for the record and spell your last
23 name. To start, I am DOJ OIG Special Agent
24 [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. The investigation pertains to job
4 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 there.

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 Special Agent
9 [REDACTED]. I'll be signing as the
10 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, abuse of correction,
7 organizational assessment and monitoring.

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

10 MR. [REDACTED]: Which college?

11 MS. [REDACTED]: John J.

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

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

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

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

19 MR. [REDACTED]: Okay.

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

22 MR. [REDACTED]: Also from John J.?

23 MS. [REDACTED]: Yes.

24 MR. [REDACTED]: Okay. And what - so prior to
25 working for the BOP, what did you do?

1 MS. [REDACTED]: Juvenile corrections.

2 MR. [REDACTED]: Where?

3 MS. [REDACTED]: Virginia.

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

5 City?

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

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

10 MS. [REDACTED]: Yes.

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

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

14 MR. [REDACTED]: Estimate, yeah.

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

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

19 MS. [REDACTED]: No.

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

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

25 MR. [REDACTED]: Eleven and a half years? And

1 when was your enter on duty date?

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

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

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

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

9 MS. [REDACTED]: March of 2011.

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

12 MS. [REDACTED]: Correctional Officer.

13 MR. [REDACTED]: What is your composition?

14 MS. [REDACTED]: Correctional Systems Officer.

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

17 MS. [REDACTED]: 12:00 to 8:00 Monday through
18 Friday.

19 MR. [REDACTED]: Do you -.

20 MR. [REDACTED]: What does your position
21 entail? What is that?

22 MS. [REDACTED]: Receiving and discharge,
23 movement. I deal with state risk, federal
24 risk, detainers, pending charges, warrants,
25 what else?

1 MR. [REDACTED]: And that's outside of
2 custody?

3 MS. [REDACTED]: Yes.

4 MR. [REDACTED]: Okay. What is your grade
5 level?

6 MS. [REDACTED]: GS-8.

7 MR. [REDACTED]: Eight? Okay.

8 MS. [REDACTED]: Uh-huh.

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

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

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

16 MS. [REDACTED]: Uh-huh.

17 MR. [REDACTED]: And August 10th is Saturday.
18 I can provide you the dailies and the roster --

19 MS. [REDACTED]: And what --.

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

21 MS. [REDACTED]: Okay.

22 MR. [REDACTED]: -- and that's for August 9th
23 and 10th. If you look at it, you'll be able to
24 --.

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

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

2 MR. [REDACTED]: -- provide her also her
3 timesheet.

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

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

8 MS. [REDACTED]: Okay.

9 MR. [REDACTED]: It's (Indiscernible
10 *00:08:58).

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

13 MR. [REDACTED]: So, the timesheet is for
14 August 4th all the way to August 17th. For the
15 9th, where does this timesheet show that you
16 worked?

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

20 MR. [REDACTED]: Is it coded under a certain
21 entry?

22 MR. [REDACTED]: Well just ask her, do you
23 know by looking at these documents, do you know
24 where on August 9th and August 10th you were
25 working? This is not an, "I got you,"

1 whatsoever. Just like, do you recall on August
2 9th(Indiscernible *00:10:03) working?

3 MS. [REDACTED]: Well, I know that this is a
4 custody overtime code for the overtime sheets.
5 So this is -.

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

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

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

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

15 MR. [REDACTED]: Okay. So according to the
16 August 10th schedule, find yourself on the
17 schedule?

18 MS. [REDACTED]: Uh-huh.

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

20 MS. [REDACTED]: Control one.

21 MR. [REDACTED]: Control one. Okay. Do you
22 recall being interviewed by - recall
23 interviewing with the OIG regarding the Epstein
24 investigation in 2019?

25 MS. [REDACTED]: I remember being interviewed,

1 yes.

2 MR. ██████: Okay. What I have is a
3 summary off a report written by the FBI. Was
4 the FBI also present?

5 MS. ██████: Yes.

6 MR. ██████: We did get a copy of it
7 because OIG was present for the interview also.
8 I'm going to read a portion of the interview
9 record for you.

10 MR. ██████: Does it state when she
11 worked on August 9 and 10? That might help
12 clarify things.

13 MR. ██████: For the 10th it does. And
14 so, I'm going to read it. As I read through
15 it, it's just summary for the record. Please
16 tell me if there's any corrections and let me
17 know --

18 MS. ██████: Okay.

19 MR. ██████: -- and we'll address it.
20 "Control's duties including monitoring the
21 activity on the ranges, answering calls from
22 COs, replying on the radio and opening doors."

23 MS. ██████: Monitoring - you - at that
24 time, we didn't have cameras on the ranges so
25 you could only see the center, which is like,

1 they consider it the MPA, multi-purpose area of
2 the unit. You are not able to see down the
3 actual ranges of the units, so no. I wouldn't
4 say, "The ranges," I would say, "The multi-
5 purpose area."

6 MR. [REDACTED]: Multi-purpose area of the
7 ranges. "And [REDACTED]," did I pronounce it
8 right?

9 MS. [REDACTED]: Uh-huh.

10 MR. [REDACTED]: "[REDACTED] stated that no one is
11 really moving anywhere within the institution.
12 A count sheet is called the E-1 and it is
13 printed off from the internal MCC system called
14 SENTRY. Control validates all respondent
15 numbers from the head counts and marks an X on
16 the E-1 sheet to confirm the count. This
17 happens for every check of every unit. E-1s
18 are supplemented with count slips that are
19 properly filled out and stapled to the E-1
20 timesheet. Once all head count numbers are
21 verified to be correct, everything is
22 documented, recorded and then considered to be
23 a good count. [REDACTED] began her shift on August
24 10th at 12:00 midnight to 8:00 a.m. [REDACTED]
25 stated that Lieutenant [REDACTED] took care of

1 the 12 o'clock that day." I'm going to pause
2 right there. I'm going to ask you a question.
3 Do you recall coming on shift that day?

4 MS. [REDACTED]: Yes.

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

7 MS. [REDACTED]: Yes.

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

10 MS. [REDACTED]: Yes.

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

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

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

20 MR. [REDACTED]: I think what he's asking
21 was, was Lieutenant [REDACTED] in the Control
22 with you?

23 MS. [REDACTED]: At some point in time, yes,
24 she was.

25 MR. [REDACTED]: So if she was taking the

1 count, does that mean that she's doing from
2 Control?

3 MS. [REDACTED]: Yes, she's doing it from
4 Control.

5 MR. [REDACTED]: Okay.

6 MR. [REDACTED]: Okay. "[REDACTED] recalled that
7 CO Thomas -" - and this says CO Noel, but is
8 that Noel?

9 MS. [REDACTED]: Noel.

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

1 are filed that are compiled with count
2 verification timesheets for every day of the
3 calendar year."

4 MS. [REDACTED]: That is correct.

5 MR. [REDACTED]: So I asked you, on August
6 10th, you said you worked at midnight in
7 Control.

8 MS. [REDACTED]: Yes.

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

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

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

18 MS. [REDACTED]: I know I worked R&D because
19 that's my regular position and Custody,
20 anything I did in Custody would be considered
21 overtime for me.

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

25 MS. [REDACTED]: It did say overtime. It did

1 say overtime in internal.

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

4 MS. [REDACTED]: No. R&D, this is
5 Correctional Services. R&D is Correctional
6 Systems. Those are two different departments.
7 This is custody and R&D is non-custody.

8 MR. [REDACTED]: So by this, were you in
9 custody?

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

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

13 MS. [REDACTED]: Yes.

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

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

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

21 MS. [REDACTED]: No, she's the only supervisor
22 on duty during that time.

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

25 MS. [REDACTED]: Yes.

1 MR. ██████: Okay. Was she also a
2 supervisor?

3 MS. ██████: Yes.

4 MR. ██████: Are you familiar with inmate
5 Jeffrey Epstein?

6 MS. ██████: Yes.

7 MR. ██████: Did Jeffrey Epstein have a
8 cell mate?

9 MS. ██████: Yes, he did.

10 MR. ██████: Do you know who it was?

11 MS. ██████: I don't know, but I know the
12 inmate went out to court I believe Friday and
13 he didn't come back from court. I don't know
14 if he got released from court, but he didn't
15 come back to the institution that day.

16 MR. ██████: How do you know that?

17 MS. ██████: Because I work in R&D.

18 MR. ██████: So, is this from your
19 knowledge from working in R&D that day or on a
20 later date?

21 MS. ██████: My knowledge of working in
22 R&D that day.

23 MR. ██████: So that's - okay. Because
24 according to this, you were in R&D --

25 MS. ██████: I was in R&D.

1 MR. [REDACTED]: -- I mean, you're in
2 internal.

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

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

7 MS. [REDACTED]: Right.

8 MR. [REDACTED]: -- so that (Indiscernible
9 *00:16:56) be on the schedule at all. You're
10 not going to be on this roster. It's not going
11 to show you as 12:00 to 8:00.

12 MS. [REDACTED]: Custody has a different
13 roster from my department roster.

14 MR. [REDACTED]: Okay.

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

22 MR. [REDACTED]: Okay.

23 MS. [REDACTED]: And that's 16 hours for the
24 day.

25 MR. [REDACTED]: So I'm going to go back and

1 clarify. On August 9th, you worked from
2 midnight to 8:00 a.m. --

3 MS. [REDACTED]: Uh-huh.

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

5 MS. [REDACTED]: Yes.

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

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

10 MR. [REDACTED]: Okay.

11 MS. [REDACTED]: These are all midnight
12 shifts.

13 MR. [REDACTED]: Midnight shifts. But did you
14 work regular shifts those days? August 9th and
15 10th?

16 MS. [REDACTED]: In my department?

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

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

21 MR. [REDACTED]: What about Friday?

22 MS. [REDACTED]: Friday I'm in my department,
23 yes, because my department is Monday through
24 Friday.

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

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

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

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

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

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

9 MR. [REDACTED]: To 8:00 p.m. So, according
10 to this, you were in internal from - on August
11 9th, from midnight to 8:00 a.m., then there was
12 a four hour break? Are you saying there was a
13 four hour break and then you worked from -.

14 MS. [REDACTED]: I'm not sure right here based
15 on this because I might have been working 2:00
16 to 10:00 because I had to do 12:00 8:00 p.m. or
17 2:00 p.m. to 10:00 p.m.

18 MR. [REDACTED]: Okay.

19 MS. [REDACTED]: So, based on this, this says,
20 "Regular base." This might have been from the
21 day shift because this says, "Regular base," so
22 this might have been, I worked midnight to 8:00
23 in the morning and then maybe 8:00 to 4:00 in
24 my department because I don't see no - well, I
25 don't record my duty hours in my department at

1 that time.

2 MR. ██████: It's been a while.

3 MS. ██████: I'm sorry. Yeah.

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

8 MR. ██████: Yeah. So -.

9 MR. ██████: -- with that.

10 MS. ██████: So we key inmates in and out
11 to court.

12 MR. ██████: Okay.

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

15 MS. ██████: Because we have to key them
16 out to go to court. I mean, I don't know
17 actually at that moment that he was Epstein's
18 cell mate, but when the comment came up that
19 his bunkie, they moved his bunkie, they put him
20 in a cell by himself, and when we learned who
21 that specific inmate was, that's how I became
22 aware that, no, this guy went to court and he
23 was released from court, wherever he got
24 removed to. Never came back from court.

25 MR. ██████: What do you mean they moved

1 his bunkie to a separate cell?

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

5 MR. [REDACTED]: Okay.

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

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

19 MS. [REDACTED]: Yes.

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

22 MS. [REDACTED]: Yes.

23 MR. [REDACTED]: Do you recall?

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

1 MR. ██████: Okay. And what is a court
2 list?

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

14 MR. ██████: How do the Marshals send it
15 over?

16 MS. ██████: They always email it or fax
17 it.

18 MR. ██████: Who receives the email?

19 MS. ██████: Everybody in R&D.

20 MR. ██████: Do you recall who was working
21 in R&D that day?

22 MS. ██████: No.

23 MR. ██████: Everybody receives it.

24 MS. ██████: Yeah, everybody in R&D
25 receives it, but I couldn't say off the --

1 MR. [REDACTED]: Yeah.

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

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

7 MS. [REDACTED]: Yeah.

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

10 MS. [REDACTED]: Right.

11 MR. [REDACTED]: Everybody would have
12 gotten it.

13 MS. [REDACTED]: Uh-huh.

14 MR. [REDACTED]: Do you recall receiving that
15 email?

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

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

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

20 MR. [REDACTED]: Okay. And what - so you just
21 mentioned all the inmates that's listed on
22 there anything for movement and the Marshals
23 send it over --

24 MS. [REDACTED]: Uh-huh.

25 MR. [REDACTED]: -- and they email it. And

1 what do you get?

2 MR. [REDACTED]: Email or fax you said,
3 right?

4 MS. [REDACTED]: Email or fax.

5 MR. [REDACTED]: Or fax.

6 MR. [REDACTED]: Is it (Indiscernible
7 *00:22:21) -.

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

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

11 MS. [REDACTED]: Uh-huh.

12 MR. [REDACTED]: Okay.

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

15 MS. [REDACTED]: The movement officer and if
16 the movement officer is not there, whoever is
17 filling in, it might be somebody in the front
18 desk. Just whoever is in the department,
19 they'll fill out the - complete the court list,
20 put it on a call out and get it prepared so
21 overnight, the officer who is internal can pass
22 it out to the housing unit so the inmates are
23 aware when they wake up the next day or the
24 officer can say, "Hey, I got this inmate, I've
25 got to get him ready for court the next day."

1 MR. [REDACTED]: Who is the movement officer?

2 MS. [REDACTED]: I don't know if - I don't
3 know who was the movement officer at that time.
4 I don't know.

5 MR. [REDACTED]: Okay. When do the -.

6 MR. [REDACTED]: When you say a movement
7 officer, are you talking about control?

8 MS. [REDACTED]: No.

9 MR. [REDACTED]: I mean internal?

10 MS. [REDACTED]: No. R&D.

11 MR. [REDACTED]: R&D movement officer?

12 MS. [REDACTED]: We have different position -
13 yeah.

14 MR. [REDACTED]: Okay.

15 MS. [REDACTED]: We have different positions
16 in R&D where everybody had a different
17 function.

18 MR. [REDACTED]: Okay. So is the movement
19 officer in R&D basically like will go into
20 internal with (Indiscernible *00:23:21)?

21 MS. [REDACTED]: No, they are - they are like,
22 they prepare the transfer orders if inmates are
23 moving out of the --

24 MR. [REDACTED]: Okay.

25 MS. [REDACTED]: -- institution.

1 MR. [REDACTED]: So they're doing the
2 background of what the internal guy does
3 almost.

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

6 MR. [REDACTED]: Okay. Because - okay.
7 Sorry.

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

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

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

23 MR. [REDACTED]: Great.

24 MR. [REDACTED]: Do you recall what your
25 position was in the R&D that day?

1 MS. [REDACTED]: I might have been R&D.

2 MR. [REDACTED]: Okay.

3 MS. [REDACTED]: I might have been R&D. I
4 don't believe I was movement but I might have
5 been R&D.

6 MR. [REDACTED]: So as R&D, what would you
7 take care of?

8 MS. [REDACTED]: Court movement, inmates going
9 in and out, keying them in and out, getting
10 inmates down to my area to get prepared for
11 court, tracking inmates going out to the
12 hospital, keying inmates going out to the
13 hospital, keying inmates coming back.
14 Basically, I would be responsible for like
15 inmates leaving in and out of the institution -
16 -

17 MR. [REDACTED]: Okay.

18 MS. [REDACTED]: -- and preparing them to get
19 out of the institution.

20 MR. [REDACTED]: We can take a step back.
21 When did the Marshals list normally come over?
22 Do they send it over the night before?

23 MS. [REDACTED]: Yes.

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

1 MS. [REDACTED]: The evening before.

2 MR. [REDACTED]: Around what time?

3 MS. [REDACTED]: I think it's always around -
4 it's approximately between, I would say, maybe
5 3:00 and 5:00 or - yeah, between like 3:00 and
6 5:00, something like that.

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

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

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

15 MS. [REDACTED]: Uh-huh.

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

18 MS. [REDACTED]: It's just a document, like a
19 SENTRY created document that show the inmate's
20 name, his housing unit, if he has a separatee
21 (Phonetic Sp. *00:25:49) in the institution and
22 what time he has to come down to R&D to move
23 out for court, whether it be that he has court
24 in the a.m. or court in the p.m.

25 MR. [REDACTED]: Okay. And would it state,

1 like, let's say if an inmate was leaving and
2 not coming back, would it state on there?

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

19 MR. [REDACTED]: So are you saying that you
20 guys wouldn't remove the inmate completely from
21 the count, you would just leave them under the
22 out count?

23 MS. [REDACTED]: Yes. We would only remove
24 him if prior to that list, when we got the
25 list, it says, "Transferred WAB, we're sending

1 him somewhere to Brooklyn or he's going back to
2 the state," that night before we would know
3 that. But sometimes at the spur of the moment,
4 things might arise, a judge might give a person
5 time served, he might commit him to drug
6 treatment program, Probation might come and
7 pick him up. It could be a number of things
8 that take place at court that it might be just
9 a regular court proceeding but then he gets
10 released and he doesn't come back to the
11 institution.

12 MR. ██████: Do you recall seeing inmate
13 Efrain Reyes's name on that list?

14 MS. ██████: If he was on that list at
15 that time, then I've seen it, but I don't
16 recall now, speaking now, but at that time,
17 yeah, if his name was on the list, yes.

18 MR. ██████: Do you recall if his - I know
19 you said you don't recall, but by any chance,
20 would you have known if he left WAB? What does
21 WAB stand for?

22 MS. ██████: With all belonging, meaning
23 they're being transferred either to an air
24 lift, transferred to another BOP, transferred
25 to another state institution, that the Marshals

1 will be transferring them to.

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

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

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

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

14 MR. [REDACTED]: Around what time?

15 MS. [REDACTED]: Depending on - any time
16 during from midnight to 8:00 in the morning.
17 They have up until to give out that. But most
18 likely, no later than 5:00 a.m., after the 5
19 o'clock count because at that time, that's when
20 the institution is opening up after the 5:00
21 a.m. count, then the inmates will have their
22 breakfast and start preparing for whatever it
23 is their day entails.

24 MR. [REDACTED]: Do you recall working that
25 morning in R&D and seeing inmate Reyes come

1 down?

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

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

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

8 MR. [REDACTED]: Is a copy of that list
9 maintained anywhere?

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

11 MR. [REDACTED]: R&D.

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

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

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

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

22 MS. [REDACTED]: If it's still in the system,
23 yeah, you would still - you would be able to
24 see it, yeah.

25 MR. [REDACTED]: And you said at that

1 time, they're both fax and email so any single
2 person we could just grab an email from them if
3 it was archived?

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

10 MR. [REDACTED]: Okay.

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

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

18 MS. [REDACTED]: Transferred to a different
19 institution --

20 MR. [REDACTED]: Okay.

21 MS. [REDACTED]: -- because if he got released
22 or he got a disposition, that would be
23 something we would place in his file, why he
24 got released. You know you got to have
25 something to show that why you released this

1 inmate, that we didn't just let him walk out
2 the door, we have this document from the
3 Marshals why we released him.

4 MR. [REDACTED]: So would Reyes have a
5 file like that?

6 MS. [REDACTED]: If it's not sent to archives
7 and this is 2021, his file would be - his file
8 is probably archived now.

9 MR. [REDACTED]: even though it's like -
10 my understanding was like August 9th everything
11 was going to be, like, preserved August 9th and
12 10th. Do you know if that would create it not
13 actually be archived but actually still
14 maintained somewhere?

15 MS. [REDACTED]: You would have to get with
16 SIS, I don't know.

17 MR. [REDACTED]: Okay.

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

19 MR. [REDACTED]: Do you know if that court
20 list is used to update the daily log?

21 MS. [REDACTED]: What do you mean?

22 MR. [REDACTED]: Do you know what a daily log
23 is?

24 MR. [REDACTED]: Show her.

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

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

2 MR. [REDACTED]: Is that --

3 MS. [REDACTED]: -- 38.

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

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

6 MR. [REDACTED]: PP38.

7 MS. [REDACTED]: It just tracks movement of
8 who went out the institution, who went from
9 what unit to what unit, who got keyed out.
10 This is what this is. It just tracks all the
11 movement for that day.

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

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

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

20 MS. [REDACTED]: Uh-huh.

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

22 MS. [REDACTED]: Possibility. Yeah.

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

25 MS. [REDACTED]: We don't list them as pre-

1 remove, we just key him out as pre-remove.

2 MR. ██████: So he was keyed out at that
3 point.

4 MS. ██████: Uh-huh.

5 MR. ██████: And what time was it keyed
6 out, do you know?

7 MS. ██████: 8:38. Uh-huh.

8 MR. ██████: And he wouldn't be - if a
9 person is going to court, what would it be
10 listed as?

11 MS. ██████: If he's going to court on
12 this, you wouldn't see - at that time, you
13 wouldn't see that he went to court. You would
14 have to run an out count to show who was keyed
15 out to court. So, you wouldn't be able to see
16 that on this because this just tracks who came
17 into the institution, who left the institution
18 and what housing units they were transferred
19 from, whether they came out of SHU or they went
20 to SHU or they got moved from one unit, housing
21 unit, to another housing unit or if they're -
22 say an inmate got sentenced, this would show
23 you that he might have went from a A-pre,
24 meaning a pre-trial inmate to a hold, he might
25 have pled guilty so now he's longer a pre-trial

1 and he's waiting sentencing. So this would
2 just show you stuff like that. Or he became a
3 designated inmate and he's a BOP inmate.

4 MR. [REDACTED]: How would you be able to see
5 the difference between an inmate that just left
6 for court and was coming back and an inmate
7 that left?

8 MR. [REDACTED]: Or WAB.

9 MR. [REDACTED]: WAB.

10 MS. [REDACTED]: On this?

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

12 MS. [REDACTED]: Yeah, you could just see -
13 well, you don't know, you just know that they
14 were pre-removed. So you don't know, looking
15 at this, why they were pre-removed.

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

21 MS. [REDACTED]: No.

22 MR. [REDACTED]: At all?

23 MS. [REDACTED]: At that time, we weren't - if
24 the inmate went to court and he was a WAB, we
25 would key him out pre-remove or hold-remove.

1 So yes, but - I'm trying to think, what did you
2 just say. Say it again.

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

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

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

13 MS. [REDACTED]: Uh-huh.

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

17 MS. [REDACTED]: No, they'd be hold to move.

18 MR. [REDACTED]: And what's the
19 difference? So is it either pre-remove or
20 hold-remove?

21 MS. [REDACTED]: Or bail bond.

22 MR. [REDACTED]: Or bail bond. And can
23 you -.

24 MS. [REDACTED]: Or time served.

25 MR. [REDACTED]: Okay. So, when they're

1 leaving and - so it sounds like the latter to
2 that are totally different things. But if -.

3 MS. [REDACTED]: Well, no. They could be on
4 the court list and they could appear and go out
5 to court as a court and they might get ordered
6 to time served.

7 MR. [REDACTED]: Uh-huh.

8 MS. [REDACTED]: So, now, we have them on an
9 out count as going to court because we weren't
10 keying inmates physically out of the
11 institution, we were placing them on an out
12 count. So you would send them out to court as
13 a court, but if you got a disposition back from
14 the Marshals stating that, "Inmate so and so
15 was sentenced to time served," now you would go
16 back in the system and you would key him out,
17 time served. So it doesn't necessarily mean
18 that they could be on the court list as a WAB
19 because that doesn't always happen. Sometimes
20 they do get released straight from the
21 courthouse and never come back to the jail, so
22 those things do happen.

23 MR. [REDACTED]: And that's what ha- so,
24 what we're trying to get to is, is there any
25 way by looking at that, we can determine if

1 Reyes, when he left at 8:38, had a WAB next to
2 his name.

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

4 MR. [REDACTED]: No?

5 MS. [REDACTED]: No.

6 MR. [REDACTED]: The only way we would be
7 able to determine that is by getting that court
8 list?

9 MS. [REDACTED]: Yes.

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

11 MS. [REDACTED]: Because the Marshals could
12 have sent something back over and said, "Inmate
13 so and so is not coming back, he's going with
14 Probation." He could have had a court
15 appearance and he could have - it could have
16 been with his probation officer and at that
17 time, the judge could have said whatever and
18 sentenced the inmate to probation. So now,
19 he's not coming back to the institution, now
20 we've got to pre-remove him. It just all
21 depends on what happened at court and it all
22 depends on what his status was prior to going
23 to court, what we got far as the court list.
24 So I couldn't tell you that just by looking at
25 that.

1 MR. [REDACTED]: When the Marshals send
2 over whatever it is they send over, did they
3 have WAB on their form?

4 MS. [REDACTED]: Yeah.

5 MR. [REDACTED]: Okay.

6 MS. [REDACTED]: Yeah.

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

9 MS. [REDACTED]: At that time, it said WAB,
10 yes.

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

14 MS. [REDACTED]: Right.

15 MR. [REDACTED]: Okay.

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

18 MR. [REDACTED]: Uh-huh.

19 MS. [REDACTED]: Then that's - we go by what's
20 on their list and then we type it up and we
21 disseminate it to the housing units like that.

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

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

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

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

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

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

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

14 MS. [REDACTED]: That can possibly happen
15 after they left, yes.

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

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

25 MR. [REDACTED]: So, all right, so this

1 doesn't tell us anything?

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

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

5 MS. [REDACTED]: Yes.

6 MR. [REDACTED]: And I guess, so - and
7 again, I -.

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

15 MR. [REDACTED]: Okay.

16 MS. [REDACTED]: Now, how we key them out,
17 they're off the institutional count and they're
18 off the unit count. So when we key them out
19 now for court, they - it's like they never -
20 they're not here in the institution at all.

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

25 MS. [REDACTED]: Yes.

1 MR. [REDACTED]: Okay.

2 MS. [REDACTED]: Yes.

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

5 MS. [REDACTED]: Uh-huh.

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

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

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

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

15 MR. [REDACTED]: Okay. We just need to
16 get that court list.

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

19 MS. [REDACTED]: Can't?

20 MR. [REDACTED]: Can, C-A-N, they could come
21 back to the institution.

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

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

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

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

3 MS. [REDACTED]: Right.

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

6 MS. [REDACTED]: Correct.

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

11 MS. [REDACTED]: Correct.

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

14 MS. [REDACTED]: Yes.

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

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

23 MR. [REDACTED]: Okay.

24 MS. [REDACTED]: But what the question was,
25 would I know at this time, was he a WAB, I

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

23 MR. [REDACTED]: So you can't tell that,
24 but you can tell 8:38 he left and was not
25 expected to return.

1 MS. [REDACTED]: Yes.

2 MR. [REDACTED]: Okay. So that's
3 basically the same thing. So, anybody that
4 knew that Reyes was gone at 8:38, like he was,
5 knew very unlikely to return.

6 MS. [REDACTED]: Everybody don't have -
7 everybody doesn't look at this.

8 MR. [REDACTED]: Okay.

9 MS. [REDACTED]: So, if you don't have a
10 reason to look at this, you're not going to
11 look at this and everybody -.

12 MR. [REDACTED]: But anybody that had the
13 - whatever reason you used to code him out like
14 that, they would have had that court list and
15 they would have had the same - they would have
16 known the reason why he was leaving though,
17 correct?

18 MS. [REDACTED]: Right.

19 MR. [REDACTED]: And that he wasn't
20 expected to return?

21 MS. [REDACTED]: Right.

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

25 MS. [REDACTED]: Uh-huh.

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

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

8 MR. [REDACTED]: Even if they had the
9 court list and that's where they're grabbing
10 him from?

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

15 MR. [REDACTED]: Okay.

16 MS. [REDACTED]: Everybody that pulls up
17 SENTRY, does not know how to read a SENTRY
18 document.

19 MR. [REDACTED]: Yeah.

20 MS. [REDACTED]: So I can't say, "Yes," that
21 they should know that or, "No."

22 MR. [REDACTED]: If they knew how to read
23 the court list, they would know.

24 MS. [REDACTED]: Yes.

25 MR. [REDACTED]: Got you.

1 MS. [REDACTED]: Right.

2 MR. [REDACTED]: Yeah, you can't certainly
3 can't say he knew that because you don't even
4 know who we're talking about.

5 MS. [REDACTED]: Right.

6 MR. [REDACTED]: But I'm just saying, like
7 the information would have been on there if
8 they knew how to interpret it.

9 MS. [REDACTED]: Right.

10 MR. [REDACTED]: Okay.

11 MR. [REDACTED]: we might have covered this
12 already, but if we wanted to go back and
13 retrieve that court document, like get a copy,
14 what's the best way we can do it?

15 MS. [REDACTED]: You probably need to get with
16 the Marshals because they're the ones that
17 create that list that they sent to us in order
18 for production.

19 MR. [REDACTED]: Are you aware if they retain
20 it or not?

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

23 MR. [REDACTED]: Okay.

24 MS. [REDACTED]: -- documents.

25 MR. [REDACTED]: No problem.

1 MR. ██████████: No, well, she said that
2 it's emailed to everybody --

3 MR. ██████████: Yeah.

4 MR. ██████████: -- so.

5 MS. ██████████: Uh-huh.

6 MR. ██████████: Now, after reviewing that, do
7 you know if that daily log - if the court
8 document, the court list is used to update the
9 Lieutenant's log?

10 MS. ██████████: There's - yeah, yeah.

11 MR. ██████████: And the daily log.

12 MS. ██████████: Right.

13 MR. ██████████: Okay. We covered this. And
14 the daily log, the entries that are made on it,
15 is it made at the time that it's keyed in or is
16 it - can it be edited later?

17 MS. ██████████: When you say "edited," what
18 do you mean?

19 MR. ██████████: Can someone go in a couple
20 hours later and key in saying that, "Hey,
21 listen, this person left at 8:38."

22 MS. ██████████: I don't think so because
23 everybody that actually - you have a certain
24 time frame to key inmates in and you have a
25 certain time frame to key inmates out.

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

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

21 MR. [REDACTED]: Now thinking back about the
22 possibility that you were working in R&D that
23 day --

24 MS. [REDACTED]: Uh-huh.

25 MR. [REDACTED]: -- do you recall if he was

1 removed or not that day and what time he was
2 removed?

3 MS. [REDACTED]: I don't recall. I just know
4 that when they talked about the inmate, they
5 brought up the inmate and that's when, you
6 know, we realized, "Oh, that was the guy that
7 went to court and didn't come back."

8 MR. [REDACTED]: Where can the daily log be
9 found or accessed?

10 MS. [REDACTED]: This?

11 MR. [REDACTED]: Yes.

12 MS. [REDACTED]: SENTRY.

13 MR. [REDACTED]: And who would have access to
14 it?

15 MS. [REDACTED]: Mainly everybody in the
16 institution.

17 MR. [REDACTED]: Everyone can access it. Can
18 everyone make the changes on it?

19 MS. [REDACTED]: No, you can't make changes on
20 this.

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

22 MS. [REDACTED]: You cannot make changes to
23 this.

24 MR. [REDACTED]: So, that is basically the
25 keyed in information.

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

2 MR. [REDACTED]: Okay.

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

8 MR. [REDACTED]: Okay.

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

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

13 MS. [REDACTED]: The Lieutenants.

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

15 MS. [REDACTED]: Maybe the Captain.

16 MR. [REDACTED]: Where can it be accessed
17 from?

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

19 MR. [REDACTED]: Can it be accessed from
20 Control?

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

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

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

1 MR. ██████: And based on that, it shows
2 inmate Reyes is pre-remove. As per your
3 understanding, that means that he left the
4 institution and he's not coming back.

5 MS. ██████: Right.

6 MR. ██████: Okay. Do you utilize the
7 daily log as part of your job every day?

8 MS. ██████: Yes.

9 MR. ██████: And how do you utilize it?

10 MS. ██████: To make sure I key the inmate
11 out that's out of the institution. So account
12 for how many inmates I keyed out. That's what
13 I use it for in R&D.

14 MR. ██████: Okay. And you're not sure
15 what shift you worked but you believe that you
16 worked in R&D between 8:00 and 4:00 or 12:00
17 and 8:00?

18 MS. ██████: 8:00 to 4:00 or maybe - I was
19 only working two shifts at that time. I'm
20 doing 12:00 to 8:00 now. But it might have
21 been 8:00 to 4:00 or 2:00 to 10:00. One of
22 those two hours. Between those two shifts.

23 MR. ██████: Okay.

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

1 MR. [REDACTED]: When inmates leave through
2 R&D, do you normally see them leaving through
3 R&D?

4 MS. [REDACTED]: Yes.

5 MR. [REDACTED]: Do you recall having a
6 conversation with Reyes at all?

7 MS. [REDACTED]: I couldn't tell you if I
8 spoke to that man or not. I speak to so many
9 inmates, I don't know.

10 MR. [REDACTED]: Well, the better question is,
11 if you (Indiscernible *00:48:06) -.

12 MS. [REDACTED]: I couldn't even tell you what
13 he looks like.

14 MR. [REDACTED]: That's my next question. So
15 you wouldn't happen to know who Reyes - what -.

16 MS. [REDACTED]: I would only know who he is
17 by ID-ing him, his name and his number and his
18 ID card when he comes on down.

19 MR. [REDACTED]: Okay.

20 MS. [REDACTED]: There's so many inmates in
21 here. I don't know.

22 MR. [REDACTED]: Now when did you become aware
23 of Reyes being moved from the MCC? Officially
24 become aware.

25 MS. [REDACTED]: I think when he spoke about -

1 when they - when it was, you know, rumored that
2 the inmate, "Oh, they put him in a cell by
3 himself," and when I heard about that, you
4 know, it was like, "Oh, well, no, his actual,
5 his bunkie just didn't come back from court."

6 MR. ██████: When did you hear about this?
7 Was it the same day? Was it in the evening?

8 MS. ██████: No, it was around the time of
9 when all the commotion was going on after his
10 passing.

11 MR. ██████: So this is the next day.

12 MS. ██████: Pretty much, yeah.

13 MR. ██████: Do you recall if there was
14 any conversation in regards to -.

15 MR. ██████: What is the day of his
16 passing, the day after August 9th I think is
17 what you mean. Is that what you mean?

18 MS. ██████: No, like, during the time he
19 passed, you know. You know, a lot of people
20 were saying, speculating though, he was a
21 suicidal person, he was placed in a cell by
22 himself and that's when, you know, it was like,
23 "No, well, he did have a bunkie." His cell
24 mate went out to court and that's when we all
25 became aware of, you know, who his cell mate

1 was.

2 MR. [REDACTED]: And what conversations
3 were had with regards to the cell mate and
4 leaving for court and not coming back at that
5 time?

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

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

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

19 MR. [REDACTED]: So R&D never contacts
20 either Control or the Housing Unit or the
21 Lieutenant saying, "Hey, these are people that
22 went out and these are people that came back.
23 These people are not coming back."

24 MS. [REDACTED]: No.

25 MR. [REDACTED]: So R&D would not have

1 notified, for instance, the SHU Saying Reyes
2 didn't come back?

3 MS. [REDACTED]: They would be - not unless
4 they called us to say they had a bad count or
5 they had a miscount or something or maybe the
6 inmate left to court and didn't come back, but
7 no.

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

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

16 MR. [REDACTED]: Okay.

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

18 MR. [REDACTED]: But in this case, with
19 him being pre-removed, there would have been no
20 notification that would have been made by R&D
21 saying, "He didn't come back?"

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

23 MR. [REDACTED]: No? So it would only be
24 a need be basis, not - because a lot of them
25 were saying, like, "Hey, he was pre-removed but

1 we don't know if he's actually, you know,
2 definitely removed and not coming back until
3 about 4:00 p.m.

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

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

11 MS. [REDACTED]: Right.

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

15 MS. [REDACTED]: The only people that would
16 keep track of that would be the Control Center
17 and the Lieutenant's office.

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

19 MS. [REDACTED]: You know, we key them out and
20 whatever we key out, we send down to the
21 Control Center so the Control Center has a copy
22 of who was keyed out and they kind of go in the
23 system and check and see if the inmates were
24 keyed out. It's like a checks and balance for
25 the institution because you might have an

1 inmate on the list showing that he left, but
2 he's not keyed out of the system. So there's
3 supposed to be like a checks and balance for us
4 upstairs as well.

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

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

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

16 MS. [REDACTED]: I couldn't tell you because
17 you don't know if that inmate - if you don't
18 know that inmate is coming back, you don't know
19 to say, "Hey, so and so needs a cell mate."
20 And if you don't know, you just don't know.

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

24 MS. [REDACTED]: If the count is not bad, they
25 wouldn't know to call them and say - they

1 wouldn't say that, no.

2 MR. [REDACTED]: So the SHU very well may
3 never have been contacted or would have been
4 contacted saying, "Reyes isn't coming back,
5 consider him gone."

6 MS. [REDACTED]: Correct.

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

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

18 MR. [REDACTED]: Well, notifications were
19 made and the people are saying that they passed
20 it along to other shifts saying, "Yes, he's
21 required to have a cell mate." However,
22 they're saying, "Reyes is gone, possibly not
23 returning. Make sure you get him a bunkie if
24 he doesn't." So it's kind of like, at what
25 point does it determine --

1 MS. [REDACTED]: Hm.

2 MR. [REDACTED]: -- when is Reyes not
3 getting a bunkie - when is Reyes not coming
4 home, coming back.

5 MS. [REDACTED]: Right.

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

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

20 MR. [REDACTED]: So they'll call you
21 rather than the other way around.

22 MS. [REDACTED]: Sometimes they'll call us,
23 yep.

24 MR. [REDACTED]: All right.

25 MS. [REDACTED]: But the only way they'll know

1 that the inmate might - and then, because of
2 the shift change, you might have an officer
3 from these specific set of hours and then now
4 you have a new officer coming in at these
5 specific set of hours. They won't know who
6 went out to court unless they read their court
7 list or they look at their log, they probably
8 wouldn't know. And if they're doing a count
9 and their count is what it's supposed to be,
10 they won't know.

11 MR. [REDACTED]: So you're a very unique
12 person that we're talking to as both - has both
13 sets of knowledge with the fact that you've
14 worked with custody as well as non-custody and
15 you know how these things work when people are
16 removed. If the people in the SHU knew, and
17 let's say, let's just for this example, say
18 everybody in the SHU knows --

19 MS. [REDACTED]: Uh-huh.

20 MR. [REDACTED]: -- that Epstein is
21 required to have a cell mate. Reyes leaves at
22 8:30, he has a pre-removal. At what time do
23 you believe they should have reassigned a new
24 cell mate to Epstein?

25 MS. [REDACTED]: Well, if they knew that he

1 was a pre-removal, then they would be trying to
2 work on that immediately as soon as possible.

3 MR. [REDACTED]: So if -.

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

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

7 MS. [REDACTED]: And if that was what was
8 required.

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

11 MS. [REDACTED]: Uh-huh.

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

13 MS. [REDACTED]: Uh-huh.

14 MR. [REDACTED]: Do you believe that he
15 should have immediately then started working on
16 a new cell mate?

17 MS. [REDACTED]: He would notify the Lieutenant
18 know, "Hey, move -" - that's what he would do -
19 -

20 MR. [REDACTED]: And if -.

21 MS. [REDACTED]: -- if that was what was
22 required.

23 MR. [REDACTED]: So and if their arguments
24 are, let's say the Lieutenants and the OICs are
25 arguing, "That's premature, he could always

1 return. So we pass it on to the next shift
2 saying -."

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

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

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

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

10 MS. [REDACTED]: But -.

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

12 MS. [REDACTED]: Uh-huh.

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

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

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

18 MS. [REDACTED]: Uh-huh.

19 MR. [REDACTED]: And so think of that as
20 let's say that's what happened.

21 MS. [REDACTED]: Uh-huh.

22 MR. [REDACTED]: At that point, do you
23 think it's still premature or you think at time
24 it's appropriate?

25 MS. [REDACTED]: No, if it was - okay. If it

1 was known that this inmate was leaving and he
2 wasn't coming back and if it was known that
3 this individual needed to have someone else in
4 the cell with him, then yes, at that time, it
5 would be required to replace or move him in a
6 cell with somebody else. So, yeah.

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

10 MS. [REDACTED]: Known that he's WAB and also
11 known that this individual requires a cell mate
12 at all time, cannot be housed alone. Now,
13 there are some inmates that have to rec in cell
14 alone and there are signs on their doors and
15 there are some inmates that might be required
16 to have a cell mate. But if there's no
17 notification, and I work a unit and this is not
18 my normal unit and I'm working this unit and
19 I'm just filling in here and there and I'm
20 working and I don't know and there's nothing
21 placed on the walls that state that or on this
22 inmate's - on the door or maybe on my
23 clipboard, I wouldn't know that.

24 MR. [REDACTED]: No, no, no. So what I'm
25 saying, and I'm not talking about - I think

1 you're probably specifically talking about like
2 Tova and Michael Thomas. I'm talking about in
3 the morning at 8:38 a.m., prior to that time --

4 MS. ██████: Uh-huh.

5 MR. ██████: -- they get a court list,
6 WAB, the OIC says, "Yeah, he's WAB, he's likely
7 not to return, he's got his bag, you know, I'm
8 taking him down, I'm giving him off." I know,
9 he says, "I know Epstein is required to have a
10 cell mate."

11 MS. ██████: Oh, well, if he knows it.

12 MR. ██████: But, is it a legitimate
13 argument in your opinion to say, "Placing
14 Epstein with a new cell mate is premature
15 because Reyes could return." Is that a valid
16 argument?

17 MS. ██████: Well, based on what you just
18 said, knowing --

19 MR. ██████: With WAB and with knowing
20 --

21 MS. ██████: -- knowing --

22 MR. ██████: -- Epstein requires,
23 right.

24 MS. ██████: -- that he's WAB, that would
25 not be premature because he's leaving.

1 MR. [REDACTED]: Right.

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

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

12 MS. [REDACTED]: 4:00.

13 MR. [REDACTED]: -- would he know that
14 that trip got canceled? I guess the way I
15 would be asking, he knows the guy left at 8:38
16 WAB and, I guess, by that time, I would think
17 by 2:00 p.m., if a trip got canceled they would
18 know, correct?

19 MS. [REDACTED]: Yeah, because the inmate
20 would have went back upstairs.

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

22 MS. [REDACTED]: He would have went back to
23 the unit.

24 MR. [REDACTED]: -- how often do inmates
25 that go WAB and their trips don't get canceled,

1 how often do those inmates actually return?

2 MS. [REDACTED]: Oh, they go upstairs
3 immediately.

4 MR. [REDACTED]: No, no, no. So I'm
5 saying, if Reyes is listed as WAB and he left
6 at 8:30 in the morning, his trip didn't get
7 canceled by 2:00 p.m. because he never came
8 back upstairs. How often do the WAB inmates
9 actually come back to the institution?

10 MS. [REDACTED]: It has happened with inmates
11 going on an airlift. The Marshals take inmates
12 all the way out of the institution and then
13 have to bring them all the way back. It has
14 happened.

15 MR. [REDACTED]: And let's say if --

16 MS. [REDACTED]: On occasion.

17 MR. [REDACTED]: -- out of 100 --

18 MS. [REDACTED]: I'll say --

19 MR. [REDACTED]: -- WABs.

20 MS. [REDACTED]: I'll say about, if I had to
21 count, maybe about - it's happened, it's
22 happened.

23 MR. [REDACTED]: But I mean, does it
24 happen like very random and seldomly or does it
25 happen like, ah, one out of five times this

1 happens? Or are we talking about like one out
2 100 or one of 1,000?

3 MS. [REDACTED]: I'll say maybe like 10 out of
4 100.

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

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

8 MR. [REDACTED]: Okay.

9 MS. [REDACTED]: Yep.

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

12 MS. [REDACTED]: It has happened.

13 MR. [REDACTED]: So then -.

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

16 MR. [REDACTED]: So then --

17 MS. [REDACTED]: The airlift -.

18 MR. [REDACTED]: -- with keeping that in
19 mind that 10 percent of the time that has
20 happened, then do you believe that is slightly
21 a valid argument to say, "Yeah, we know that he
22 needs a new cell mate but we don't think it's
23 appropriate to do it in this shift, it should
24 be done on the next shift when we verify he's
25 in fact not coming back."

1 MS. [REDACTED]: Yeah. I would say that is
2 appropriate.

3 MR. [REDACTED]: Okay.

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

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

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

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

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

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

14 MS. [REDACTED]: Okay.

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

17 MS. [REDACTED]: Uh-huh.

18 MR. [REDACTED]: Nothing to do with
19 transports getting messed up.

20 MS. [REDACTED]: Right.

21 MR. [REDACTED]: If this inmate is WAB
22 going to court, how often do the inmates going
23 to court WAB actually return?

24 MS. [REDACTED]: They mostly go.

25 MR. [REDACTED]: So is it like maybe one

1 in 100?

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

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

7 MS. [REDACTED]: Yeah.

8 MR. [REDACTED]: So then that argument of
9 -.

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

13 MR. [REDACTED]: So that argument that we
14 needed to wait until verification, that really
15 doesn't hold weight then if they know he was
16 going to court WAB.

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

19 MR. [REDACTED]: Then the argument doesn't
20 hold weight?

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

25 MR. [REDACTED]: Sure. But it sounds like

1 -

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

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

11 MS. [REDACTED]: Yeah.

12 MR. [REDACTED]: -- circumstance.

13 MS. [REDACTED]: Uh-huh.

14 MR. [REDACTED]: All right.

15 MS. [REDACTED]: Yeah.

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

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

20 MR. [REDACTED]: Going to court. Knowing the
21 fact that Epstein needed a cell mate. We know
22 Reyes left, Epstein needed a cell mate. The
23 OIC and the SHU officers knew that he needed a
24 cell mate. Should they have taken action
25 immediately?

1 MS. [REDACTED]: Maybe they should have
2 notified their supervisor.

3 MR. [REDACTED]: Who would they have notified
4 if this -.

5 MS. [REDACTED]: The SHU Lieutenant and let
6 them know that, "Hey -."

7 MR. [REDACTED]: (Indiscernible *01:03:51)
8 no SHU Lieutenant (Indiscernible *01:03:52).
9 Should it be the Ops Lieutenant (Indiscernible
10 *01:03:55) Lieutenant?

11 MS. [REDACTED]: The Ops or the Acting
12 Lieutenant notify, "Hey, we got bunk inmate so
13 up with so and so, he can't be housed by
14 himself."

15 MR. [REDACTED]: Okay.

16 MS. [REDACTED]: But, like I said,
17 communication around here is not at its best.

18 MR. [REDACTED]: Uh-huh.

19 MS. [REDACTED]: So what should have happened,
20 what should have taken place, might not
21 necessarily happen because everybody doesn't
22 know everything that's going on around here.

23 MR. [REDACTED]: Hm.

24 MS. [REDACTED]: Everybody does not
25 communicate the way that they should, so you

1 might know it, but just because you know it,
2 you might assume I know it and we're working
3 together. Not necessarily true.

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

6 MS. ██████████: Right.

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

9 MS. ██████████: Right.

10 MR. ██████████: You know, so -.

11 MS. ██████████: Because it's not - like, if I
12 was working up there, that's not my normal
13 unit. If I was working up there, I would not
14 know that.

15 MR. ██████████: Right.

16 MS. ██████████: You know, if I'm coming from
17 another department and that's not my steady
18 post, I would not know that.

19 MR. ██████████: Absolutely.

20 MS. ██████████: So, what should happen -.

21 MR. ██████████: Yeah, and that's why
22 we're listing people like OIC, SHU Lieutenant,
23 Ops Lieutenant, Activities Lieutenant, these
24 people that -.

25 MS. ██████████: Or maybe Psychology.

1 MR. [REDACTED]: Right.

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

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

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

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

14 MS. [REDACTED]: Did she recall anyone from
15 the SHU calling inquiring the status of Reyes
16 that day.

17 MR. [REDACTED]: All right.

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

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

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

24 MS. [REDACTED]: Uh-huh.

25 MR. [REDACTED]: As a CO in Control, when

1 would you be notified that an inmate is being
2 removed?

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

4 MR. [REDACTED]: Yeah.

5 MS. [REDACTED]: -- that an inmate is being
6 removed?

7 MR. [REDACTED]: Yeah, if you're working in
8 Control.

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

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

12 MS. [REDACTED]: No, we give them - we send
13 them paperwork. So, you have a Control two
14 number person in the Control Center that
15 verifies our key out moves against our
16 paperwork we send them. So this is what the
17 Control Center would use as well to track --

18 MR. [REDACTED]: A daily log?

19 MS. [REDACTED]: -- to track the moves and
20 make sure that these individuals are keyed out.
21 So, now as a Control Center Officer, you might
22 call as the number two, I mean, I said the
23 number one because the number two person does
24 it. The number two person, which is an
25 accounts and assignment person, they would call

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

23 MR. [REDACTED]: So once they are notified,
24 what would the Control Officer update that you
25 wanted?

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

9 MR. [REDACTED]: Nothing like this. This is
10 the --

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

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

14 MS. [REDACTED]: Uh-huh. No, that's an E-1,
15 I'm talking about a running board. It's just a
16 dummy document we create just to track all the
17 moves to like a paper to just verify the counts
18 --

19 MR. [REDACTED]: Okay.

20 MS. [REDACTED]: -- basically checks and
21 balance. So like, if I see that this inmate
22 was moved from five, he was pre-remove, and
23 that unit count was 85, I would just write,
24 "Inmate pre-removed," and I would have a paper
25 log of what that unit count should be.

1 MR. [REDACTED]: Okay.

2 MS. [REDACTED]: Because even my paper log
3 might be accurate but my computer log might be
4 wrong because this person might not have keyed
5 the inmate out.

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

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

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

13 MS. [REDACTED]: There are supposed to be
14 balance and checks, yes. But sometimes people
15 move inmates and they fail to report to maybe
16 the officer or they fail to notify the Control,
17 "I'm moving inmate from this unit to this
18 unit," or something might happen on a unit, an
19 inmate might get locked up and you're in the
20 Control Center, you know, you're doing whatever
21 you hear, an emergency on a unit, you don't
22 know what's going on, you don't know if the
23 inmate is going out to the hospital until
24 somebody actually physically calls you and say,
25 "Hey, I've got an inmate that's (Indiscernible

1 *01:10:14)," if you're not looking at the
2 camera, you see them moving this inmate from
3 this unit and walking him into SHU and you'll
4 call that unit, "Hey, you got one locked - who
5 got locked up?" You might call the Unit
6 Officer and ask those questions. So, it has
7 happened.

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

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

19 MR. [REDACTED]: So, and it can be one of
20 those things that in a situation, let's say an
21 inmate gets moved. The SHU Officer can be
22 like, "Ah, no Control will do it." And Control
23 Lieutenant will be like, "No, the SHU will do
24 it." Is it one person that's actually
25 responsible to make sure that it gets keyed in?

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

21 MR. [REDACTED]: So you're saying it should
22 have been on the SHU Officer to make sure that,
23 "Hey, listen, this inmate is being moved." Did
24 she even notify Control, "Hey, listen."

25 MS. [REDACTED]: If the officer of a unit

1 knows that his inmate got locked up, he's
2 supposed to be calling Control saying, "I've
3 got an inmate that's locked up, he went to
4 SHU." SHU now needs to be calling Control,
5 "Hey, I got one, so and so on my base count."
6 Everybody is supposed to be calling.

7 MR. [REDACTED]: Okay.

8 MS. [REDACTED]: Everybody should be calling,
9 not just -.

10 MR. [REDACTED]: But you did just say
11 though that they - like for instance, SHU. SHU
12 can call Control and say, "Hey, I just want to
13 verify my base, what do you got?"

14 MS. [REDACTED]: No, they wouldn't say, "I
15 want to verify my base, what do you got?" You
16 would say, "I want to verify my base, I have
17 87." And then Control would say, "No, that's
18 good, no, that's bad."

19 MR. [REDACTED]: Okay.

20 MS. [REDACTED]: So now, as the officer, what
21 I would do, I would go around counting my
22 inmates in my unit and I would look at my
23 roster and see who went out to court. But
24 that's what I would do.

25 MR. [REDACTED]: Sure.

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

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

6 MS. [REDACTED]: Yes. So.

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

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

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

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

13 MR. [REDACTED]: Yeah, yeah.

14 MS. [REDACTED]: So, I want to know what's
15 going on, who is in my unit, who is coming out
16 of my unit, you know, so, I'm verifying my
17 stuff on my own.

18 MR. [REDACTED]: Okay. No, that's a good
19 way to do it. So, are you aware of though
20 anybody calling, for instance, Control and
21 getting control? Somehow, however crafty that
22 they use their wordings to actually give them
23 the base count?

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

25 MR. [REDACTED]: No?

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

4 MR. [REDACTED]: Right, right.

5 MR. [REDACTED]: I'm going to show you some
6 documents. Before that, any document that I
7 show you, I'm going to ask you to initial and
8 date on top.

9 MS. [REDACTED]: Uh-huh.

10 MR. [REDACTED]: You're not attesting to it,
11 it's just to show that that's a document that
12 we --

13 MS. [REDACTED]: Okay.

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

15 MS. [REDACTED]: Right here?

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

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

19 MR. [REDACTED]: Well, it sounds like you
20 got the qualification with those degrees. And
21 with the knowledge, we do a ton of BOP stuff.

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

23 MS. [REDACTED]: It's got to be off the
24 record.

25 MR. [REDACTED]: So, are you familiar with the

1 E-1s? Control documents? The first one that
2 I'm going to show you is this would be for
3 August 9th at 5:00 a.m.

4 MS. [REDACTED]: Uh-huh.

5 MR. [REDACTED]: Right? This is the E-1
6 document controlling - Control document. The
7 SHU shows 77 inmates.

8 MS. [REDACTED]: Uh-huh.

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

12 MS. [REDACTED]: Uh-huh.

13 MR. [REDACTED]: Inmate movements?

14 MS. [REDACTED]: Uh-huh.

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

19 MR. [REDACTED]: You need to start at 77
20 to match up with that --

21 MR. [REDACTED]: Yeah.

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

23 MR. [REDACTED]: So, it says 77 at the 5:00
24 a.m.

25 MS. [REDACTED]: Uh-huh.

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

2 MS. [REDACTED]: Uh-huh.

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

4 count at 8:00 a.m.

5 MS. [REDACTED]: Uh-huh.

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

7 (Indiscernible *01:15:25).

8 MS. [REDACTED]: Uh-huh.

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

10 we can see Reyes was removed.

11 MS. [REDACTED]: Uh-huh.

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

13 MS. [REDACTED]: Uh-huh.

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

15 MS. [REDACTED]: Uh-huh.

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

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

18 says, "Inmate Fernandez."

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

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

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

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

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

24 MR. [REDACTED]: Yeah. So let's look at the --

25 so, where do you (Indiscernible *01:15:58)

1 understand, where is the dry cell?

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

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

7 MS. [REDACTED]: Okay.

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

9 MS. [REDACTED]: Okay, okay.

10 MR. [REDACTED]: Okay.

11 MS. [REDACTED]: Uh-huh.

12 MR. [REDACTED]: So at this point, inmate
13 Fernandez is removed and the count comes down
14 to --

15 MS. [REDACTED]: Uh-huh.

16 MR. [REDACTED]: -- 75.

17 MS. [REDACTED]: Uh-huh.

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

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

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

22 MS. [REDACTED]: Uh-huh.

23 MR. [REDACTED]: 4:00 p.m. count for August
24 9th.

25 MS. [REDACTED]: Uh-huh.

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

2 MS. [REDACTED]: Uh-huh.

3 MR. [REDACTED]: -- starting. Reyes is
4 removed, right? Reyes is removed. Epstein is
5 sitting in attorney conference?

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

8 MR. [REDACTED]: Right here? And inmate
9 Fernandez is removed.

10 MS. [REDACTED]: Uh-huh.

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

13 MS. [REDACTED]: Uh-huh. This is - they got
14 76. This is 4 o'clock. Did they say
15 something?

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

17 MR. [REDACTED]: Keep on showing her the
18 other one though --

19 MR. [REDACTED]: Yeah.

20 MR. [REDACTED]: -- because that's not
21 really that --

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

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

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

4 MS. [REDACTED]: Uh-huh.

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

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

8 MS. [REDACTED]: Pull my chair closer so I can
9 see that.

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

11 MS. [REDACTED]: Yeah.

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

16 MS. [REDACTED]: Uh-huh.

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

19 MS. [REDACTED]: Uh-huh.

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

22 MS. [REDACTED]: Uh-huh.

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

1 MS. [REDACTED]: Uh-huh.

2 MR. [REDACTED]: Right?

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

4 MR. [REDACTED]: Sorry, sorry.

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

6 MR. [REDACTED]: From SHU to suicide watch, so

7 now we are down to 71.

8 MS. [REDACTED]: Uh-huh.

9 MR. [REDACTED]: Right? And then, we have

10 Garcia.

11 MS. [REDACTED]: Wait, I'm sorry. Hold on.

12 This is 70, that's one, that's another one,

13 (Indiscernible *01:18:24), okay, that's R&D.

14 One, two - okay, I see why it's two. Okay,

15 that's two, right?

16 MR. [REDACTED]: That's two. And then, you

17 see -.

18 MS. [REDACTED]: So it's the suicide watch,

19 right?

20 MR. [REDACTED]: Yeah. And you see one inmate

21 was gained --

22 MS. [REDACTED]: Uh-huh.

23 MR. [REDACTED]: -- Garcia Penas (Phonetic Sp.

24 *01:18:37) moved over.

25 MS. [REDACTED]: Uh-huh.

1 MR. [REDACTED]: I'm going to show you the
2 10:00 p.m. count.

3 MS. [REDACTED]: Uh-huh.

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

6 MS. [REDACTED]: 73.

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

10 MS. [REDACTED]: Uh-huh.

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

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

13 MR. [REDACTED]: But 73 what?

14 MS. [REDACTED]: Plus one.

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

16 MS. [REDACTED]: That means somebody was
17 there, plus one. So it's somebody that's there
18 but he's, I guess he's not accounted for but
19 he's there.

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

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

25 MS. [REDACTED]: Uh-huh. Not unless - well,

1 normally what it is, is -.

2 MR. [REDACTED]: Before you start asking
3 that that question, just show her the other
4 thing so that she's not going to try to figure
5 this out backwards. Let her reverse engineer
6 it.

7 MR. [REDACTED]: Okay.

8 MR. [REDACTED]: And then explain to her
9 what happened and then let her answer those
10 questions.

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

14 MS. [REDACTED]: Uh-huh.

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

17 MR. [REDACTED]: That was when [REDACTED]-
18 [REDACTED] you said the --

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

20 MR. [REDACTED]: -- Ops Lieutenant
21 actually took the count, but you were on duty
22 at that time.

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

24 MS. [REDACTED]: I don't remember at the
25 moment, but I know I worked in Control that

1 day. I know she came in there and she took one
2 count.

3 MR. [REDACTED]: Were you present when she
4 took that count?

5 MR. [REDACTED]: I think you start at
6 12:00 a.m. in Control, right?

7 MS. [REDACTED]: Uh-huh.

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

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

10 MS. [REDACTED]: Yeah.

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

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

15 MS. [REDACTED]: That's somebody's signature.
16 That's not - that's somebody else. That might
17 be her signature.

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

19 MS. [REDACTED]: Uh-huh. It might be her
20 signature, but that's not --

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

22 MS. [REDACTED]: -- the person that prepared
23 it.

24 MR. [REDACTED]: -- [REDACTED]-[REDACTED] took
25 that count. We'll just let you - so she took

1 the count.

2 MS. [REDACTED]: Uh-huh.

3 MR. [REDACTED]: Do you remember being
4 present that day when she was there taking the
5 count?

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

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

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

10 MS. [REDACTED]: Uh-huh.

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

12 MS. [REDACTED]: 73.

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

14 MS. [REDACTED]: Uh-huh.

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

16 MS. [REDACTED]: Huh-uh.

17 MR. [REDACTED]: Do you recall [REDACTED]-[REDACTED]
18 mentioning the fact that there was a
19 discrepancy in the count?

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

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

23 MS. [REDACTED]: Because I didn't prepare the
24 count, so, I didn't - if I'm the Control
25 Officer, I'm Control one, so my second body is

1 the one that's preparing the counts and taking
2 the counts and viewing the count slips with the
3 Lieutenant is not there. I'm in charge of the
4 radios, they keys, you know, like a count and
5 making sure that all my equipment is accounted
6 for, letting staff know, "Hey, we're on duty."
7 We got to do a pre-announcement and going over
8 equipment and stuff, all those type of things,
9 so no, I didn't - I wouldn't be aware of this
10 if I didn't prepare it, no.

11 MR. ██████████: So what happened? Was
12 ██████████-██████████ figured out - and this is where
13 we were hoping you can help us a little bit.
14 And she figured out that Fernandez, who was
15 placed on dry cell at 3:15, was never keyed out
16 of the SHU.

17 MS. ██████████: Ah.

18 MR. ██████████: However, they're still
19 reporting - because he was never keyed out,
20 they're still reporting 73, 73, 73 --

21 MS. ██████████: Uh-huh.

22 MR. ██████████: -- although there's only
23 72 inmates in the SHU.

24 MS. ██████████: Uh-huh.

25 MR. ██████████: ██████████-██████████ somehow

1 figures out, you guys don't have 73, you've got
2 72 and then either she or someone in Control or
3 whomever, keys him out.

4 MS. [REDACTED]: Uh-huh.

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

8 MS. [REDACTED]: No.

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

13 MS. [REDACTED]: This just shows that this was
14 conducted.

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

17 MR. [REDACTED]: Count slips. If the counts
18 were wrong.

19 MR. [REDACTED]: So all of them are saying
20 73 all though there's only 72 people.
21 Fernandez leaves at 3:15. So knowing that you
22 work in SHU, you work in R&D --

23 MS. [REDACTED]: Uh-huh.

24 MR. [REDACTED]: -- and also you can look
25 at the -.

1 MS. [REDACTED]: Well -.

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

4 MS. [REDACTED]: Uh-huh.

5 MR. [REDACTED]: Although -

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

7 MR. [REDACTED]: Nine south.

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

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

15 MS. [REDACTED]: Normally, I'm just going to,
16 for my experience, when I've had to plus a one,
17 it's because it's a WITSEC inmate that we could
18 not key in because only certain individuals
19 have the authority and capacity to key those
20 individuals in. So, if I got an inmate in SHU
21 that's a WITSEC and staff can't key him in
22 until maybe the Unit Manager of the WITSEC Unit
23 comes in and keys him in or whatever unit team
24 of the WITSEC Unit, we would plus that one
25 because that would show that that's the body

1 that's there that we cannot account for but
2 he's there. That would have - I don't know
3 what this is.

4 MR. ██████: Do you recognize whose
5 handwriting that is? The 9S plus one?

6 MS. ██████: No.

7 MR. ██████: Okay.

8 MR. ██████: Do you know if it's yours
9 by chance?

10 MS. ██████: No, that's -.

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

20 MS. ██████: Normally, when a Lieutenant
21 checks off the slips, it's because they're
22 verifying that it's the unit, it's the accurate
23 count, it's the accurate date, time and staff
24 signature print of two staff members. That's
25 normally how Lieutenant would mark off a count

1 slip to verify that -.

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

3 MR. [REDACTED]: Is that telling to you at
4 all that the fact that these aren't checked
5 off?

6 MS. [REDACTED]: I don't know why they aren't
7 checked off. I couldn't tell you why, I don't
8 know.

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

13 MS. [REDACTED]: Minus - not unless there -
14 the only thing I can gather is that they're
15 saying that this plus one is the inmate that's
16 still keyed to SHU but is sitting in R&D.
17 That's the only thing -.

18 MR. [REDACTED]: And that would be my
19 assumption too. IS that they're saying there's
20 73 bodies in SHU plus one who's actually in
21 R&D.

22 MS. [REDACTED]: Right.

23 MR. [REDACTED]: But that 73 is still off
24 so I guess what the question would be is, the
25 fact that they're using the number that Control

1 has, although they only have 72 in their actual
2 housing unit.

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

4 MR. [REDACTED]: Absolutely.

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

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

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

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

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

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

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

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

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

18 MR. [REDACTED]: There's the August 10th
19 log. Okay.

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

22 MS. [REDACTED]: No, you showed me something
23 with Lieutenant [REDACTED].

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

25 MS. [REDACTED]: Oh.

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

2 MS. [REDACTED]: Oh, okay.

3 MR. [REDACTED]: This -.

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

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

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

7 MR. [REDACTED]: There's a day watch and
8 night.

9 MR. [REDACTED]: You sure, you're getting
10 awful close.

11 MR. [REDACTED]: I'm okay. Unless she says I
12 need it.

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

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

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

19 MS. [REDACTED]: Yeah.

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

21 MS. [REDACTED]: Okay. So this is the 10
22 o'clock count. Okay, so, he's not keyed into
23 R&D. So, this is where your plus one is. So
24 he's still showing in Special Housing but he's
25 in R&D during the 10 o'clock count. So this is

1 what makes your 73. This is the 10 o'clock?

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

6 MS. [REDACTED]: Hm, okay this is acting on
7 way before clock one.

8 MR. [REDACTED]: Before clock one, the one
9 we initially showed you where --

10 MS. [REDACTED]: Okay.

11 MR. [REDACTED]: -- he's also never keyed
12 in. And it is our believe, per the person who
13 said that they keyed him in, it was done after
14 midnight.

15 MS. [REDACTED]: Hm.

16 MR. [REDACTED]: Are you allowed to count an
17 inmate that you can't see?

18 MS. [REDACTED]: No.

19 MR. [REDACTED]: If inmate Fernandez was moved
20 from the SHU at 3:15 p.m., who should have
21 counted him as part of their count slip?

22 MS. [REDACTED]: At 3:15?

23 MR. [REDACTED]: Yeah, he was moved at 3:15
24 and the 4:00 p.m. count was a SHU that should
25 have counted him on the count slip or was it

1 supposed to be R&D?

2 MS. [REDACTED]: Well, to be honest with you,
3 because I work in R&D and I'm going to tell you
4 what goes on, they drop inmates in there and
5 they don't - a lot of the times, staff - that's
6 why now we tell them, "Tell us what you're
7 bringing inmates down here for." Because they
8 would bring an inmate down and place that
9 inmate in a cell. You won't know because
10 you're busy dealing with the Marshals, you're
11 dealing whatever movement you have going on in
12 R&D and you won't know that they brought an
13 inmate down in a cell. So, it could work both
14 ways that, you know, maybe they figured they
15 were just going to place him down there, keep
16 him down there and then maybe bring him back
17 upstairs. So, it could have been a number of
18 things, but I just know from experience,
19 inmates have been brought into my R&D that we
20 weren't aware of and we realized, walking
21 around R&D, "Yeah, we got an inmate in here."
22 "What is he down here for?" So -.

23 MR. [REDACTED]: So this, for me
24 personally, the E-1 isn't as concerning on the
25 4:00 p.m., although --

1 MS. [REDACTED]: Uh-huh.

2 MR. [REDACTED]: -- the count slip is.
3 Because the R&- it was so close to the 4:00
4 p.m. count. It's --

5 MS. [REDACTED]: So -.

6 MR. [REDACTED]: -- to the 10:00, this is
7 where I start getting like -.

8 MS. [REDACTED]: So, on -.

9 MR. [REDACTED]: Because there is no R&D
10 count slip although there's an R&D count slip
11 in this one that's never checked off, but it
12 also has no E-1 notification. So that -.

13 MS. [REDACTED]: And -.

14 MR. [REDACTED]: And to me, it seems like
15 the count slips were created after the fact or
16 manipulated or deleted or something, I don't
17 know.

18 MS. [REDACTED]: I don't know neither.

19 MR. [REDACTED]: So let -.

20 MS. [REDACTED]: Okay.

21 MR. [REDACTED]: As he mentions -.

22 MS. [REDACTED]: Wait a minute. I just want
23 to see. So at 4 o'clock the had 75.

24 MR. [REDACTED]: But technically at that
25 point, they were missing three inmates. Reyes

1 had gone, Fernandez was moved and Epstein was
2 sitting in attorney conference.

3 MR. [REDACTED]: Yeah. And it doesn't -.

4 MS. [REDACTED]: Well -.

5 MR. [REDACTED]: For which -.

6 MS. [REDACTED]: Okay, but where's attorney
7 conference? Oh, here it is. So, this is
8 attorney conference right here. This is the
9 counselor for attorney conference.

10 MR. [REDACTED]: That would say, SATTY on top.
11 Okay.

12 MS. [REDACTED]: Yes. So this is attorney
13 conference.

14 MR. [REDACTED]: Right, that's the one.

15 MS. [REDACTED]: This is all the inmates out
16 to court with Southern District. Is it?

17 MR. [REDACTED]: So yeah, physically
18 present --

19 MS. [REDACTED]: So -.

20 MR. [REDACTED]: -- in the SHU at 4:00 was
21 the 75 although --

22 MS. [REDACTED]: Right.

23 MR. [REDACTED]: -- I mean 74.

24 MS. [REDACTED]: Not (Indiscernible
25 *01:33:26).

1 MR. [REDACTED]: Although they reported 75
2 because Fernandez --

3 MS. [REDACTED]: Okay, well you --

4 MR. [REDACTED]: -- was (Indiscernible
5 *01:33:31).

6 MS. [REDACTED]: -- Epstein accounted for in
7 attorney conference. But this is an out count.

8 MR. [REDACTED]: Correct.

9 MS. [REDACTED]: And he's keyed on the out
10 count and this is what shows where he is
11 actually sitting in key two at that time so
12 this shows that he's in attorney conference.

13 MR. [REDACTED]: Right.

14 MS. [REDACTED]: Because he's keyed out on the
15 out count to attorney conference. And what I
16 was expressing to you guys earlier about the
17 courts, how we used to do it, (Indiscernible
18 *01:34:01) maybe it's a couple (Indiscernible
19 *01:34:02). Okay, this is what we used to do
20 in R&D as far as the out count. So, this would
21 say the inmate outs court, name, register
22 number, what unit and cell he came from and how
23 many from whatever his unit is. So if we had
24 three out from that unit to court, it would be
25 three or whatever, however many numbers and

1 this is how we would - this is what would show
2 in the system that the inmate went out to court
3 that day.

4 MR. ██████: And that's an inmate you're
5 expecting back?

6 MS. ██████: Right.

7 MR. ██████: So if Reyes is not on there,
8 does that mean that Reyes is gone and you're
9 not expecting him back?

10 MS. ██████: Well, if he was keyed out at
11 8 - what did that say, 8:33?

12 MR. ██████: 8:38, yeah.

13 MS. ██████: Then he wouldn't show up on
14 this as an out count because that means he's
15 keyed out.

16 MR. ██████: He's gone, okay.

17 MS. ██████: Right. So -.

18 MR. ██████: So people that are going
19 to court that are expected to come back would
20 be on that sheet.

21 MS. ██████: Right. But we don't -

22 MR. ██████: But Reyes was not
23 expected to come back.

24 MS. ██████: Right. And from the looks of
25 this, I didn't work that shift. That wasn't my

1 shift.

2 MR. [REDACTED]: Yeah, no, and we didn't
3 believe it was. We're -.

4 MR. [REDACTED]: You might have left
5 beforehand?

6 MS. [REDACTED]: I might have left - this
7 might have been the day shift and I might have
8 worked the evening shift, so I might have
9 worked - I don't even know. But I just know
10 that I wasn't dealing with the courts, the
11 movement at that time, just from looking at the
12 out count.

13 MR. [REDACTED]: Okay. So now that we know
14 that the count was off over here and that the
15 10:00 p.m. count, according to the Lieutenant's
16 log, says 72, but 10:00 p.m. says 73 plus one -
17 -

18 MS. [REDACTED]: Uh-huh.

19 MR. [REDACTED]: -- right, and now R&D
20 actually is reporting that there is an inmate
21 in there --

22 MS. [REDACTED]: Uh-huh.

23 MR. [REDACTED]: -- except they're still
24 reporting 73 plus one.

25 MS. [REDACTED]: Uh-huh.

1 MR. [REDACTED]: And then at midnight - where
2 is the - midnight it says 72 over here and the
3 count slip shows 73. What does that tell you
4 about the counts that were done in the SHU?

5 MR. [REDACTED]: What he's asking, if
6 there's only 72 people in there and they're
7 reporting 73 and it just so happened to
8 coincide. And this one - and you need to know
9 that background information.

10 MS. [REDACTED]: Okay, so this is what -

11 MR. [REDACTED]: They reported 73 and the
12 Ops Lieutenant who took the count, found out it
13 was actually only 72, made the change and
14 changed Reye- and keyed Fernandez out.

15 MS. [REDACTED]: Okay.

16 MR. [REDACTED]: So what [REDACTED] is asking
17 you is the fact that they reported 73 on all
18 these, does that indicate anything to you about
19 the counts if they were done or were they not
20 done?

21 MS. [REDACTED]: Yeah, this looks like someone
22 wasn't paying attention because this - what
23 does this look like to you?

24 MR. [REDACTED]: Well, that's what I was
25 going to ask. What is RA? That -.

1 MS. [REDACTED]: RA is where that guy was
2 sitting at on dry cell.

3 MR. [REDACTED]: Is that R&D?

4 MS. [REDACTED]: Yes. So he was - so, because
5 it's now the 12 o'clock count and it's prior to
6 the count, they can go ahead and key him in
7 where he's actually assigned. So it seems that
8 during the 10 o'clock count, he was still keyed
9 to SHU so, what was it, plus one or something?
10 So now at 12 o'clock, because he wasn't keyed
11 there at 10 o'clock, they keyed him there now
12 before the 12 o'clock count which is correct
13 and accurate and what they should have done,
14 but now he's plus one - he's here where he
15 should be where he stated on this notification,
16 right, so that's accurate. But, if he's no
17 longer here, they should have been putting
18 what's here.

19 MR. [REDACTED]: Right.

20 MS. [REDACTED]: Because he's not plus one up
21 there no more.

22 MR. [REDACTED]: Yeah. So this one is
23 clearly that they're off. These guys though,
24 are still even with that 73 plus one, it should
25 have been 72 plus one if they're trying to say,

1 "We got one outside." It shouldn't be 73 plus
2 one. They're utilizing the same number it
3 looks like on the E-1. Somehow it seems that
4 they had that number, that base count number
5 and they knew, "We need - this is the number we
6 need to report, but also we got a plus one over
7 in R&D."

8 MS. ██████: Right

9 MR. ██████: So they're still off on
10 their count. Does that indicate to you that
11 they didn't actually conduct the count, they
12 just used the number that they thought they
13 were supposed to report?

14 MS. ██████: It doesn't indicate that they
15 didn't count.

16 MR. ██████: Because if they counted -
17 -

18 MS. ██████: I -.

19 MR. ██████: -- wouldn't they have the
20 right number?

21 MS. ██████: Sometimes you can count stuff
22 -.

23 MR. ██████: But wouldn't it be really
24 coincidental if they miscount at the exact
25 number that they were supposed to actually

1 provide? They definitely miscounted, but
2 there's 72 people in there and they just happen
3 to miscount exactly what the E-1 shows that
4 they were supposed to count.

5 MS. [REDACTED]: Yeah.

6 MR. [REDACTED]: It's coincidences and the
7 fact that it happened twice in a row, what does
8 that tell you?

9 MR. [REDACTED]: No, three times in a row.

10 MR. [REDACTED]: Three times.

11 MR. [REDACTED]: 4:00 p.m. --

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

13 MR. [REDACTED]: -- 10:00 p.m. and 12:00
14 a.m.

15 MS. [REDACTED]: I'm not going to answer that.

16 MR. [REDACTED]: Well, based on your
17 experience, right? You're experience of
18 working in Control, working in R&D, what do you
19 think happened? Do you think that they did the
20 count or not?

21 MS. [REDACTED]: I'm not going to answer that
22 one.

23 MR. [REDACTED]: How would have they
24 gotten that number that they were supposed to
25 report?

1 MS. [REDACTED]: By probably just looking in
2 their log and seeing, "Okay, when you take over
3 my post, oh, we got 72 guys. One is in R&D but
4 they still got him keyed to our unit." Based
5 on maybe what someone told them.

6 MR. [REDACTED]: And when you worked in
7 the unit at midnight, do you remember this
8 being an issue at all? Because this is where
9 we're told the Ops Lieutenant who took the
10 count, [REDACTED]-[REDACTED], she --

11 MS. [REDACTED]: She had -.

12 MR. [REDACTED]: -- had to run around and
13 try to figure this thing out. She's the one
14 who had to like come in and say like, "Okay,
15 where - who's what, where and I can verify
16 this." Do you remember that at all?

17 MS. [REDACTED]: No.

18 MR. [REDACTED]: Do you remember any
19 telephone calls with the SHU saying, "You got a
20 bad count, you got to recount?"

21 MS. [REDACTED]: No, if she's taking the
22 count, I let her deal with it. I don't - I
23 work on whatever else.

24 MR. [REDACTED]: Okay. So you're not
25 actually involved with her while she's doing

1 it?

2 MS. [REDACTED]: No.

3 MR. [REDACTED]: Okay. And you wouldn't
4 have been, being that you came from R&D, you
5 wouldn't have been the person that she said,
6 "Can you verify with R&D that this person is
7 there?"

8 MS. [REDACTED]: If she asks me and that's
9 what I did then, but I don't recall that.

10 X You don't recall --

11 MS. [REDACTED]: I don't know anything about
12 that.

13 MR. [REDACTED]: -- doing that? Okay.

14 MS. [REDACTED]: Huh-uh.

15 MR. [REDACTED]: You don't remember at all
16 though in that specific - you do - did you
17 recall her being there at all?

18 MS. [REDACTED]: Yeah, she was there.

19 MR. [REDACTED]: So you remember her being
20 in Control Center?

21 MS. [REDACTED]: Uh-huh.

22 MR. [REDACTED]: And you -.

23 MS. [REDACTED]: Because she also made rounds
24 on the units. She walked around the
25 institution.

1 MR. [REDACTED]: All right. And then as
2 far as being keyed in and out, so I guess it's
3 he BP-38, would that show when Fernandez was
4 actually keyed in and out of the system on
5 August 10th?

6 MS. [REDACTED]: Fernandez? The guy from -.

7 MR. [REDACTED]: So Fernandez, 3:15, who
8 was never --

9 MS. [REDACTED]: Oh, the -.

10 MR. [REDACTED]: -- keyed out. He wasn't
11 keyed out.

12 MS. [REDACTED]: The dry cell guy?

13 MR. [REDACTED]: Yeah.

14 MS. [REDACTED]: Yeah, it would show on a 38.

15 MR. [REDACTED]: On the 38 it would
16 actually show what time?

17 MS. [REDACTED]: Uh-huh.

18 MR. [REDACTED]: And how do we get that?
19 So just make a note, we got to get the 38 for -

20 MR. [REDACTED]: That (Indiscernible
21 *01:41:43).

22 MS. [REDACTED]: Since it goes back --

23 MR. [REDACTED]: That's the same document I
24 showed you?

25 MS. [REDACTED]: -- only 45 days.

1 MR. [REDACTED]: Okay. So we wouldn't
2 even be able to get it at this point?
3 Hopefully that day maintained that.

4 MS. [REDACTED]: Well, SENTRY only goes back
5 45 days, so -.

6 MR. [REDACTED]: You're talking about this
7 document?

8 MS. [REDACTED]: Yeah.

9 MR. [REDACTED]: Now what if they did save
10 these documents back then, would we be able to
11 see when he was keyed in?

12 MR. [REDACTED]: Yeah.

13 MS. [REDACTED]: If they saved it, yeah.

14 MR. [REDACTED]: Okay.

15 MS. [REDACTED]: But if it's --

16 MR. [REDACTED]: And -.

17 MS. [REDACTED]: -- not saved, it only goes
18 back 45 days.

19 MR. [REDACTED]: Okay.

20 MR. [REDACTED]: All right, I got.

21 MR. [REDACTED]: So that will be very
22 telling as well if we can get that.

23 MR. [REDACTED]: Okay.

24 MR. [REDACTED]: Before you start taking
25 everything away, there's an issue with initials

1 --

2 MR. [REDACTED]: Yeah.

3 MR. [REDACTED]: -- and dates.

4 MR. [REDACTED]: Being that I showed you these

5 --

6 MR. [REDACTED]: Just the top.

7 MR. [REDACTED]: -- documents, same as before.

8 MS. [REDACTED]: Uh-huh.

9 MR. [REDACTED]: Can you just initial and date
10 the top?

11 MS. [REDACTED]: (Indiscernible *01:42:27)
12 this one.

13 MR. [REDACTED]: Do you know anything
14 about counts not actually being conducted at
15 this time in August of 2019?

16 MS. [REDACTED]: No.

17 MR. [REDACTED]: When you would work on
18 the custody side of the house, would you be
19 involved in things like counts?

20 MS. [REDACTED]: If I'm counting a unit with
21 an officer, yeah. Or if I'm the one taking the
22 count, yes. If I'm -.

23 MR. [REDACTED]: Did you ever do any
24 counts in the SHU?

25 MS. [REDACTED]: I've done counts in the SHU -

1 -

2 MR. [REDACTED]: You have.

3 MS. [REDACTED]: -- but -.

4 MR. [REDACTED]: And when you were there,
5 did they actually conduct the counts?

6 MS. [REDACTED]: When I do counts, I conduct
7 counts, yeah.

8 MR. [REDACTED]: Yeah, yeah, but I mean,
9 I'm not talking about you, I know you did, but
10 I mean --

11 MS. [REDACTED]: Uh-huh.

12 MR. [REDACTED]: -- the people that were
13 there with you, were they actually, you know,
14 you're supposed to have two people to count.
15 Was the other person --

16 MS. [REDACTED]: Well, if I --

17 MR. [REDACTED]: -- also counting?

18 MS. [REDACTED]: -- have - if I'm working,
19 yeah, counting, so it's no - it's not a
20 question. We're not even having that
21 conversation, so.

22 MR. [REDACTED]: Did you ever have anybody
23 push back on you like, "No, no, no, we're
24 good?"

25 MS. [REDACTED]: No.

1 MR. ██████: Have you heard of people who
2 when they're starting the shift, just filling
3 out the counts slips and the round sheets and
4 be like -.

5 MR. ██████: Ahead of time.

6 MR. ██████: Ahead of time.

7 MS. ██████: Well, if they're on their own
8 unit, I can't tell you what they're doing on
9 their unit. I can only tell you what I'm doing
10 on my unit, so.

11 MR. ██████: But like in the SHU, have
12 you ever heard of like people coming in and
13 pre-filling out both count slips and round
14 sheets at the very start of their shift?

15 MS. ██████: If they've done it, I've
16 never seen it.

17 MR. ██████: You've never seen it?

18 MR. ██████: Have you ever heard of people
19 doing anything like that?

20 MS. ██████: I've heard of it, but I don't
21 - I've never seen it.

22 MR. ██████: Is that good practice?

23 MS. ██████: No.

24 MR. ██████: Is it known that you
25 can't do that?

1 MS. [REDACTED]: You're not supposed to do
2 that.

3 MR. [REDACTED]: Does everyone know they
4 can't - especially if we're talking about round
5 sheets. Does everyone know that you can't go
6 and - say it goes from 8:00 a.m. until 12:00
7 p.m., you can't go in at 8:00 a.m. and write
8 out everything you did for around all the way
9 to 12:00 p.m.?

10 MS. [REDACTED]: You cannot do that because
11 anything can happen. An emergency can take
12 place. An inmate could get removed from your
13 unit. You can get a new guy. Any - there's a
14 number of things that could take place that you
15 are not supposed to - even your log book, pre-
16 fill out your log.

17 MR. [REDACTED]: Is there any training
18 though that you all receive saying like, "You
19 got to do this when you're actually conducting
20 the rounds?" And certainly, you know, maybe
21 after the fact is okay because you already did
22 it, but beforehand -.

23 MS. [REDACTED]: Maybe if the Lieutenant sees
24 it, you know, they might say, "Hey, you know,
25 you're not supposed to pre-fill out your count

1 slips." They might say, you know, "You can
2 fill out the date, the time, the unit," you
3 might could even fill in your name, but you're
4 not supposed to put in the actual number
5 because you don't know what can happen, so.

6 MR. [REDACTED]: But as far (Indiscernible
7 *01:45:26) talking about counts slips, I'm
8 talking about round sheets.

9 MS. [REDACTED]: Oh. No, you're not supposed
10 to. They always tell - they - the Lieutenants
11 always say that you're not supposed - they
12 always tell everybody that.

13 MR. [REDACTED]: And do you know if back
14 in August 2019, they were also saying that?

15 MS. [REDACTED]: No, I don't know about that.

16 MR. [REDACTED]: Right.

17 MS. [REDACTED]: I don't know -.

18 MR. [REDACTED]: And is there any training
19 that's provided to teach people how to actually
20 fill out round sheets and counts slips or is it
21 supposed to be common sense?

22 MS. [REDACTED]: Normally you're training on
23 the job as you go along, so if I'm new and, you
24 know, I'm training up under your officer, you
25 might show me certain things and people just

1 learn by asking questions and maybe another
2 officer just showing him ropes and everybody
3 don't do everything the way they're supposed to
4 do so. I might come in as a new officer and
5 you might be showing me stuff and it could be
6 completely wrong, but I'm doing what you showed
7 me because that's all I know. So, it just
8 depends on who's training who and who's showing
9 who what to do and that's pretty much it
10 because on the job, right now, we have new
11 staff training new staff. We have staff that's
12 here like a month training staff that's here a
13 week. So, the blind leading the blind.

14 MR. [REDACTED]: So if someone makes the
15 excuse that, "No one ever told me I could do
16 that, but I saw other people filling out round
17 sheets ahead of time so that's why I did it,"
18 is that an excuse do you believe? So you think
19 that that is an actual excuse to say like,
20 "Well, he did it, so I did it," and that makes
21 it okay? Because don't you think it's pretty
22 common sense that, no, you can't - you're
23 certifying a document saying you conducted that
24 round at that time?

25 MS. [REDACTED]: Yes, common sense to the

1 people that think outside the box and - but
2 common sense is not common to everybody and -
3 and I'm not trying to be a smart ass --

4 MR. [REDACTED]: No, no, no, it's very -.

5 MS. [REDACTED]: -- you know.

6 MR. [REDACTED]: It's a good point.

7 MS. [REDACTED]: And, you know, I've been
8 doing law enforcement for a while, you know,
9 corrections, juveniles, school safety. So,
10 I've seen things on the job that make me take
11 my job seriously. But when you have no
12 knowledge, you have no experience, no
13 correctional background, you've never been
14 placed in an environment that you felt was that
15 dangerous for you to be as mindful as you
16 should be, you don't - and then nothing
17 happens, you follow what you see everybody else
18 doing in past practice and it's not always
19 right and a lot of people don't read what
20 they're supposed to be doing, they just go by
21 what you tell them and what I could tell you
22 what to do, doesn't necessarily mean that
23 that's actually what you are supposed to be
24 doing.

25 MR. [REDACTED]: Sure.

1 MS. [REDACTED]: And if you don't read it in
2 black and white for yourself, how would you
3 know that this is actually what you should be
4 doing? And it's just a lack of training around
5 here. Staff are not being trained and that's
6 what creates a lot of our problems. We don't
7 have a bad institution, we just have a lack of
8 training, you know, and I don't think that
9 people are not willing to work, I think they
10 want to work, but it's a lack of training and
11 it's a lack of morale in the institution, so I
12 think that's what the biggest problem is.
13 People are not being properly trained. So,
14 yeah, if I see you doing it, I think it's okay.
15 I'm not ever thinking, "Oh, you know what?
16 Maybe I shouldn't do that, something might
17 happen." If nothing ever really happens, so.

18 MR. [REDACTED]: I have a few more questions -
19 -

20 MS. [REDACTED]: Uh-huh.

21 MR. [REDACTED]: -- a few more, but we can
22 come back. Some of the questions are going to
23 be redundant --

24 MS. [REDACTED]: Uh-huh.

25 MR. [REDACTED]: -- redundant because we asked

1 the questions --

2 MS. [REDACTED]: Uh-huh.

3 MR. [REDACTED]: -- so I just got to cover it.

4 MS. [REDACTED]: Uh-huh.

5 MR. [REDACTED]: Do you know why Reyes was
6 removed from the MCC?

7 MS. [REDACTED]: Is that the guy that went out
8 to court?

9 MR. [REDACTED]: Yes.

10 MS. [REDACTED]: I would only know that
11 because he went to court. But looking at that
12 document, off the top of my head, I wouldn't be
13 able to recall off the top of my head why he
14 was removed, but I just know he went out to
15 court.

16 MR. [REDACTED]: Were you ever instructed on
17 what actions to take -.

18 MR. [REDACTED]: Well, let's follow up
19 with that. Looking at the Lieutenant's log,
20 does that tell you something different? With
21 the Lieutenant's log and the BP-38?

22 MS. [REDACTED]: You mean the PP-38.

23 MR. [REDACTED]: Is it PP?

24 MS. [REDACTED]: Uh-huh.

25 MR. [REDACTED]: All right. I thought it

1 was like Bureau of Prisons, like BP. So it's
2 PP.

3 MR. ██████: Somebody -.

4 MS. ██████: PP. PP-38.

5 MR. ██████: What does the PP stand
6 for?

7 MS. ██████: It's a SENTRY function. I
8 don't know. Okay. Repeat your question again.

9 MR. ██████: So looking at where it
10 says that Reyes left at --

11 MS. ██████: Okay.

12 MR. ██████: -- 8:38, and then as well
13 as with that document the R&D uses to key
14 people out, the PP-38. Does that tell you why
15 he would have left?

16 MS. ██████: No, because this does not
17 necessarily tell you. It just tells you he was
18 removed out of the institution.

19 MR. ██████: Okay.

20 MS. ██████: So, no - I mean, you just
21 know that he's gone. You don't know why he's
22 gone, you just know he left.

23 MR. ██████: Sure.

24 MS. ██████: And same thing with that, you
25 just - you don't know why, you just know he

1 left.

2 MR. [REDACTED]: Okay. You're talking about
3 the PP-38, right?

4 MS. [REDACTED]: Yes.

5 MR. [REDACTED]: How would the institution
6 know if Reyes was coming back from court?

7 MS. [REDACTED]: R&D would know because he
8 would come back with the Marshals and we would
9 key him back in and we would send him back to
10 his unit.

11 MR. [REDACTED]: Now, if he wasn't - now that
12 he wasn't coming back, is there any other
13 notification that comes up throughout the day
14 through R&D that he isn't coming back?

15 MS. [REDACTED]: It would just be whatever
16 dispositions that the Marshals give us, provide
17 us with.

18 MR. [REDACTED]: When does that disposition
19 come?

20 MS. [REDACTED]: That just depends. Sometime
21 we get it right away, sometimes they forget and
22 we got to pre-remove the inmate out because we
23 don't have nothing and we know that he went
24 with the Marshals. But sometimes we get it as
25 soon as possible and sometimes we don't get it

1 until the next day.

2 MR. ██████: So there is a disposition
3 form that comes in afterwards.

4 MS. ██████: Uh-huh.

5 MR. ██████: What is it? What does the
6 form look like? What does it state on it?

7 MS. ██████: It's just a United States
8 Marshals form and it'll say, "Disposition of -"
9 - it'll be time served, maybe the judge
10 released somebody on recognizance. Just
11 whatever the judge just might - the judge might
12 have dismissed the case. Just whatever
13 happened at court is what will be - it might be
14 a bail bond. Might be a release to Probation.

15 MR. ██████: And where is that form kept?

16 MS. ██████: It would be in the inmate's
17 folder.

18 MR. ██████: Do you recall seeing any
19 forms for - disposition forms for inmate Reyes?

20 MS. ██████: I don't remember.

21 MR. ██████: And what is done with
22 that information once it's received?

23 MS. ██████: We retain it in the inmate's
24 folder and we key the inmate out and -.

25 MR. ██████: Or is the information

1 disseminated throughout or no?

2 MS. [REDACTED]: Do we give Control those?
3 No, we don't give Control a copy. I don't
4 think we give Control a copy of the disposition
5 form because they - we don't give them a copy
6 of it.

7 MR. [REDACTED]: So this circles back to
8 what we talked about before. So once you find
9 out an inmate is definitively not coming back,
10 you do not contact anyone to say, "This guy
11 didn't come back."

12 MS. [REDACTED]: We key them out and normally
13 the Control Officer, if you have a good counts
14 and assignments officer, and he's paying
15 attention, he'll say, "Oh, you guys keyed one
16 out?" We'll say, "Yeah, he's not coming back,
17 he got time served or the Marshals took him and
18 he's not coming back."

19 MR. [REDACTED]: The R&D doesn't
20 proactively provide that information.

21 MS. [REDACTED]: No, because they're supposed
22 to automatically be checking the computer to -
23 like a checks and balance, so it's something
24 that's automatic. When we have inmates going
25 out to court, we have a receipt that we give to

1 the Marshals and a copy also goes downstairs to
2 the Control Center as well, so the Control has
3 a copy of every move we do in R&D, so they get
4 a copy of that.

5 MR. [REDACTED]: Can you recall any situations
6 where an inmate leaves for court and R&D is
7 notified, "Hey, listen, the inmate is not
8 coming back," where R&D actually called the
9 unit to let them know, "Hey, he's not coming
10 back?"

11 MS. [REDACTED]: Yeah, we have. We have.

12 MR. [REDACTED]: Is that because they
13 requested to be notified or is it because, is
14 that something that R&D normally does?

15 MS. [REDACTED]: No, we might have - it might
16 have been that the inmate had property upstairs
17 and we might need him to secure the inmate's
18 property and bring it down. So, that's
19 normally sometimes why we might notify the unit
20 officer because sometimes the inmate, they'll
21 call back to the jail and say, "Oh, they
22 released me. I got my property upstairs." And
23 we'll call upstairs to the unit officer and
24 say, "Hey, inmate so and so is not coming back,
25 can you secure his property?"

1 MR. ██████: Okay. Before he left for the
2 day on August 9th, do you recall talking to any
3 COs about Reyes leaving?

4 MS. ██████: I don't recall that, no.

5 MR. ██████: I know we covered this as
6 part of previous conversation, so I'm going to
7 go through it quick.

8 MS. ██████: Uh-huh.

9 MR. ██████: On August 10th when you came
10 on shift, which counts were you involved in?

11 MS. ██████: I didn't take the counts, I
12 was number one in the Control Center. So my
13 number two person takes the counts.

14 MR. ██████: Number two? Who was the
15 number two, do you recall?

16 MS. ██████: Was it ██████ (Phonetic Sp.
17 *01:55:47)?

18 MR. ██████: You can just look at that
19 for the daily assignments.

20 MR. ██████: Just look at 10th, it's going
21 to be 10th.

22 MS. ██████: ██████.

23 MR. ██████: ██████ ██████ (Phonetic Sp.
24 *01:55:59).

25 MS. ██████: He was in the Control Center

1 with me.

2 MR. [REDACTED]: Okay. And do recall

3 [REDACTED] - [REDACTED] taking the midnight count?

4 MS. [REDACTED]: I believe she came and took
5 the midnight count.

6 MR. [REDACTED]: Were you present for it?

7 MS. [REDACTED]: I was in the Control Center -

8 -

9 MR. [REDACTED]: But -.

10 MS. [REDACTED]: -- but I wasn't focused on
11 them taking the count. I was focused on
12 getting my equipment, account for my equipment.

13 MR. [REDACTED]: Do you recall any issues with
14 the count?

15 MS. [REDACTED]: Not that I know of. Not that
16 I recall.

17 MR. [REDACTED]: And do you recall who called
18 in the count from the SHU?

19 MS. [REDACTED]: Not that I can recall.

20 MR. [REDACTED]: What about the 3:00 a.m. and
21 the 5:00 a.m.?

22 MS. [REDACTED]: I know one of them called the
23 count in because that's the only way we can
24 clear a count.

25 MR. [REDACTED]: Okay.

1 MS. [REDACTED]: So I don't remember who
2 called but I know somebody did call in the
3 count.

4 MR. [REDACTED]: Do you recall during the
5 middle of the count [REDACTED]-[REDACTED] calling the
6 SHU, having conversation with the CO in there?

7 MS. [REDACTED]: I don't know because a lot of
8 times they'll call downstairs when they're
9 calling in the count and she'll have short
10 conversations with the officers, so I can't say
11 whether she called them or they called her, I
12 don't know.

13 MR. [REDACTED]: Do you recall if there was a
14 second count slip sent up for the SHU for the
15 midnight count?

16 MS. [REDACTED]: No, I can't recall, I don't
17 know.

18 MR. [REDACTED]: Can COs just call in the
19 previous number or do they have to physically
20 do the count?

21 MS. [REDACTED]: No, they have to count.

22 MR. [REDACTED]: Why?

23 MS. [REDACTED]: You're counting for living,
24 breathing bodies.

25 MR. [REDACTED]: Once the counts are done, do

1 the COs have to notify you?

2 MS. [REDACTED]: They're supposed to call the
3 Control Center and call in their count. They
4 call the control two, which is [REDACTED], and they
5 call in their count.

6 MR. [REDACTED]: Do the COs fill out any
7 paperwork for the count?

8 MS. [REDACTED]: A count slip. A count slip.

9 MR. [REDACTED]: Think we pretty much covered
10 a lot of the other questions. Do you have
11 anything on that topic?

12 MR. [REDACTED]: Who all has access to
13 update the E-1 document?

14 MS. [REDACTED]: Who all has access to update
15 it? The Control Center officers.

16 MR. [REDACTED]: When you say, "officer,"
17 just the Control Center officers is what you
18 mean?

19 MS. [REDACTED]: Whoever works in the Control
20 --

21 MR. [REDACTED]: Right.

22 MS. [REDACTED]: -- but a lot of times, most
23 of the officers were shifted around working
24 Control, so primarily, if you work the Control
25 Center as a counts and assignments officer, you

1 had access to printing out E-1. All the
2 Lieutenants have access, R&D had access, but we
3 don't have access to that no more.

4 MR. [REDACTED]: But at that point, did you
5 guys have access?

6 MS. [REDACTED]: Yeah, because you have to
7 prepare this for the count, so yeah.

8 MR. [REDACTED]: Okay.

9 MS. [REDACTED]: But we don't have access
10 anymore.

11 MR. [REDACTED]: So Control Officers,
12 Lieutenants, anyone else?

13 MS. [REDACTED]: R&D.

14 MR. [REDACTED]: And that anyone who has
15 worked in Control at that time, at least they
16 maintained the access for a certain amount of
17 period afterwards?

18 MS. [REDACTED]: Yeah, Uh-huh.

19 MR. [REDACTED]: Do you know how long that
20 period of time was at that point?

21 MS. [REDACTED]: I don't think - I think if
22 you had access to it, you just had access to
23 it. It don't think it was no -.

24 MR. [REDACTED]: So, given access once,
25 you got it until --

1 MS. [REDACTED]: Uh-huh.

2 MR. [REDACTED]: -- they revoke it.

3 MS. [REDACTED]: Right. Uh-huh.

4 MR. [REDACTED]: Okay.

5 MS. [REDACTED]: I don't think it was - yeah,
6 it was no time frame that I know of.

7 MR. [REDACTED]: You have any other questions
8 on that? When you were in - are you aware
9 there were cameras inside the MCC on August 9th
10 and 10th?

11 MS. [REDACTED]: Uh-huh.

12 MR. [REDACTED]: When you were in Control, did
13 you have access to see the cameras?

14 MS. [REDACTED]: Yeah, you - the cameras in
15 the - it's like little TV screens with little
16 individual boxes of different areas of the
17 institution.

18 MR. [REDACTED]: Could you see the SHU in
19 there?

20 MS. [REDACTED]: No. You could only see over
21 a balcony looking down to the MP and it was
22 like far off so it's like the camera is up on a
23 balcony and just looking all the way down over
24 there. You don't really - can't really see
25 nothing.

1 MR. [REDACTED]: Was it clear?

2 MS. [REDACTED]: No. It's like, if you see,
3 you might have seen a body move here and there,
4 but you can't really tell - you couldn't really
5 - it wasn't clear, no.

6 MR. [REDACTED]: Did you ever hear that the
7 cameras are not working, offline or not
8 recording?

9 MS. [REDACTED]: All the time.

10 MR. [REDACTED]: And was there complaints
11 filed - told to anybody specific? The Captain,
12 Lieutenant?

13 MS. [REDACTED]: I believe notifications were
14 made, like especially if we're in the Control
15 Center, we would call the com tech and say,
16 "Hey, this camera might have went out." So
17 yeah, notifications were made.

18 MR. [REDACTED]: And did they fix it
19 immediately?

20 MS. [REDACTED]: At that time, no, things
21 weren't getting fixed immediately, no.

22 MR. [REDACTED]: Do you recall seeing Michael
23 Thomas (Indiscernible *02:00:56) on the camera
24 on the night - on the morning watch of August
25 10th?

1 MS. [REDACTED]: You can't see really from the
2 camera that I had access to, you can't really
3 see - you can't - you barely could see because
4 it's like, I don't know if you've ever been in
5 our SHU. Have you ever been in the SHU?

6 MR. [REDACTED]: That's -.

7 MR. [REDACTED]: No, we have pictures but
8 we've never --

9 MR. [REDACTED]: That's this picture.

10 MR. [REDACTED]: -- actually been there.

11 MS. [REDACTED]: So, you can't really see.

12 MR. [REDACTED]: I'm showing you a picture.

13 MS. [REDACTED]: This is -.

14 MR. [REDACTED]: Is this the view?

15 MS. [REDACTED]: Yeah, that's exactly, yeah,
16 this is it. So like, if they were in a black
17 hoodie or something, you can't see nobody over
18 there. If their back is turned and the chairs
19 are - you can't really see. You might see a
20 body walk across or you might see a body walk
21 down, but you can't really see. It's not a
22 real good copy. But yeah, that's exactly what
23 I'm talking about.

24 MR. [REDACTED]: Do you have anything else on
25 the cameras?

1 MR. [REDACTED]: No, just when you're in
2 the Control Center, does it - is there any
3 indication saying that if a camera is working
4 but not recording? No. There's no way for you
5 to know if a camera is recording or not?

6 MS. [REDACTED]: Yeah.

7 MR. [REDACTED]: Just if it was actually
8 live or not.

9 MS. [REDACTED]: Uh-huh. You would just know
10 that the camera is up. You don't know - I
11 wouldn't have been able to tell you that, I
12 don't know. Huh-uh.

13 MR. [REDACTED]: Okay. And did you, prior
14 to 6:33, when a body alarm was set off, did you
15 notice anything unusual happening in the
16 institution on any cameras? Specifically, I
17 guess the SHU one that you couldn't see that
18 well anyway?

19 MS. [REDACTED]: No.

20 MR. [REDACTED]: No. Okay.

21 MS. [REDACTED]: Huh-uh.

22 MR. [REDACTED]: There was no other angles
23 from the SHU you could see?

24 MS. [REDACTED]: No. This is all I - that's
25 all you could see.

1 MR. [REDACTED]: Anything else on that?

2 MR. [REDACTED]: No.

3 MR. [REDACTED]: Now just a few other
4 questions.

5 MS. [REDACTED]: Uh-huh.

6 MR. [REDACTED]: Do you recall anyone going
7 into the SHU that night, on August 10th?

8 MS. [REDACTED]: August 10th, that's the
9 Saturday?

10 MR. [REDACTED]: That's Saturday, overnight.

11 MR. [REDACTED]: The morning that Epstein
12 was found dead.

13 MS. [REDACTED]: Going in? The morning he was
14 found or --

15 MR. [REDACTED]: Yes.

16 MS. [REDACTED]: -- or the night prior to him
17 being found?

18 MR. [REDACTED]: Both is fine.

19 MS. [REDACTED]: Well, I know the Lieutenant
20 made rounds.

21 MR. [REDACTED]: Lieutenant who?

22 MS. [REDACTED]: [REDACTED], she made rounds
23 because they have to call the door, so we have
24 to pop her in.

25 MR. [REDACTED]: So when he says "night,"

1 he's talking about midnight to 6:30 --

2 MS. [REDACTED]: Right. Yeah.

3 MR. [REDACTED]: -- right.

4 MS. [REDACTED]: So, Lieutenant, she made
5 rounds on the unit because the SHU staff called
6 the door for her to pop - for us to pop her
7 into the SHU and when they call the door, when
8 you hit that door, a visual of the door, who
9 standing in front of the door pops up in the
10 Control Center, so you know who is going into
11 the SHU. During the body alarm, our usual
12 staff just responds to a body alarm, so, you
13 know they say, "Hey, we have a medical
14 emergency in SHU," or wherever they call. You
15 got the SHU crew calling the door so staff can
16 run in and assist, so, whoever ran in, I
17 couldn't tell you. But whoever was on shift at
18 that time, responded.

19 MR. [REDACTED]: So the only one overnight
20 would be at that - before his body was found
21 would be Lieutenant [REDACTED]-[REDACTED]?

22 MS. [REDACTED]: Lieutenant [REDACTED],
23 internal. If he had -.

24 MR. [REDACTED]: Who is internal?

25 MS. [REDACTED]: [REDACTED].

1 MR. ██████: Do you recall ██████
2 requesting to go into the SHU?

3 MS. ██████: He would - he don't really -
4 he wouldn't really have a reason to go into
5 SHU, not unless they're calling for you to come
6 in and do something or he's going in, you know,
7 because normally, the two officers will count,
8 they'll put their count slip on the door and
9 the internal officer, he'll pick up the count
10 slip on his rounds while he's counting the
11 other units. So, if he doesn't have a reason
12 to go in the SHU, he won't go in SHU.

13 MR. ██████: Okay. Do you know if there's
14 any other way that anyone can get through that
15 outer door of the SHU without Control buzzing
16 them in?

17 MS. ██████: No.

18 MR. ██████: Is the -.

19 MS. ██████: You would need an emergency
20 key that you would have to get from the Control
21 Center. But no one gets those keys. And
22 especially on morning watch when there's no
23 need for us to give out those keys. Staff are
24 calling the door, so, no, there's no other way
25 to get in that unit.

1 MR. ██████: Are those keys kept open or
2 is it just it's locked up?

3 MS. ██████: It's behind a door in the
4 bathroom in the Control Center.

5 MR. ██████: And that would get you
6 through the first door. Do you know if there's
7 a second set of keys for the internal door for
8 the SHU kept in the Control Center?

9 MS. ██████: We have keys for most of the
10 doors, yes. But those door - the inner door,
11 the Unit Officer would have, the inner door, he
12 has access to that. So the Unit Officers have
13 those keys.

14 MR. ██████: We're just asking just to
15 clarify, if - do you know if anyone checked out
16 the keys for the inner door or the outer door
17 out of the Control Center that night?

18 MS. ██████: The outer door, those keys
19 never get checked out, but the inner door, that
20 key is a key pretty much like a - you have to
21 put a chit on the Control Center and -.

22 MR. ██████: Put a what?

23 MS. ██████: A chit.

24 MR. ██████: What's that?

25 MS. ██████: So it's like a chit system.

1 I have a pair of keys. In order for me to get
2 these keys from Control, I have to turn in a
3 chit --

4 MR. [REDACTED]: So it's basically --

5 MS. [REDACTED]: -- with my name. Yeah, you
6 have to turn in a chit. So it's --

7 MR. [REDACTED]: A key chain with your name on
8 it.

9 MS. [REDACTED]: Yeah, it's a chit. Uh-huh.
10 And you -- it's like a -- what is it, what would
11 you call it? Accountability.

12 MR. [REDACTED]: Okay.

13 MS. [REDACTED]: So, you put the chit on it,
14 you give the person a key. In order to get the
15 chit back, you got to give them the key back,
16 then you get the chit back.

17 MR. [REDACTED]: Do you recall if anyone did
18 that for the SHU keys that night?

19 MS. [REDACTED]: I don't recall. But I don't
20 recall that, no.

21 MR. [REDACTED]: Okay. I've got nothing else.
22 Do you -- is there any questions that you think
23 that we didn't ask you about that you feel that
24 we should ask you about?

25 MS. [REDACTED]: Hm.

1 MR. ██████: In regards to this Epstein
2 investigation?

3 MS. ██████: Mm, no, I think that's -.

4 MR. ██████: Do you believe Epstein
5 took his own life?

6 MS. ██████: I believe so.

7 MR. ██████: Do you have any reason to
8 believe that anyone took Epstein's life aside
9 from himself?

10 MS. ██████: No.

11 MR. ██████: Do you have any knowledge
12 of anyone assisting Epstein with taking his
13 life?

14 MS. ██████: No.

15 MR. ██████: Okay.

16 MS. ██████: No. I believe he had a lot
17 on his plate and this environment was a culture
18 shock to him then. I think that he took his
19 own life.

20 MR. ██████: Now the fact that we
21 don't have camera from that tier - oh, I wanted
22 to circle back with you. So our understanding
23 from the camera technicians and everyone else
24 is that there were actually at that time
25 cameras down each range, they just weren't

1 recording.

2 MS. [REDACTED]: Oh.

3 MR. [REDACTED]: Do you know anything
4 about that?

5 MS. [REDACTED]: No.

6 MR. [REDACTED]: Do you know - do you have
7 any reason to believe that someone knocked
8 those cameras off line intentionally so that
9 they stopped recording?

10 MS. [REDACTED]: No. No. I don't believe
11 that. No. No.

12 MR. [REDACTED]: All right. And you don't
13 know anything about that?

14 MS. [REDACTED]: No. No. That's a good one.

15 MR. [REDACTED]: Well, it's just there's a
16 lot of coincidences in this one.

17 MS. [REDACTED]: Yeah. It's unfortunate. You
18 know, this building is still deteriorating as
19 we speak, so, it just - a lot of repairs and
20 maintenance that needs to be don't in this
21 institution. It's - yeah. Yeah.

22 MR. [REDACTED]: That's all.

23 MR. [REDACTED]: That's it?

24 MR. [REDACTED]: Yeah.

25 MR. [REDACTED]: Well, thank you for taking

1 the time to talk to us.

2 MS. [REDACTED]: You're welcome. You're
3 welcome.

4 MR. [REDACTED]: This is Special Agent [REDACTED]
5 [REDACTED]. The time is 6:12 p.m. on Thursday,
6 July 15, 2021. We're ending the interview and
7 turning off the recorder.

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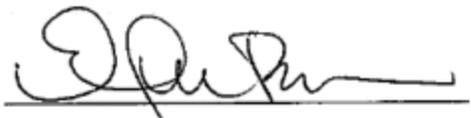
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CERTIFICATE

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

Interview of [REDACTED]



[REDACTED], Transcriber