

DIGITALLY RECORDED

SWORN STATEMENT

OF

TOVA NOEL

OIG CASE #:

2019-010614

DEPARTMENT OF JUSTICE

OFFICE OF THE INSPECTOR GENERAL

JUNE 21, 2021

RESOLUTE DOCUMENTATION SERVICES



APPEARANCES:

OFFICE OF THE INSPECTOR GENERAL

BY: [REDACTED]

BY: [REDACTED]

WITNESS:

TOVA NOEL

OTHER APPEARANCES:

JASON FOY, ESQ.

ERIC SARRAGA, ESQ.

[REDACTED]

1 MR. [REDACTED]: The recorder is on. My
2 name is [REDACTED]. I am a Senior
3 Special Agent with the U.S. Department of
4 Justice Office of the Inspector General New
5 York Field Office and these are my credentials.
6 This interview with Federal Bureau of Prisons
7 correctional officer Tova Noel is being
8 conducted as part of an official U.S.
9 Department of Justice Office of the Inspector
10 General investigation. Today's date is June
11 22, 2021 and the time is 10:09 a.m. This
12 interview is being conducted at - what is the
13 location - 15 -?

14 MR. FOY: [REDACTED]
15 [REDACTED]

16 MR. [REDACTED]: Thank you, sir.

17 MR. FOY: Bergen County Bar Association,
18 second floor conference room.

19 MR. [REDACTED]: Okay.

20 MR. FOY: By the way, that was Jason Foy
21 speaking.

22 MR. [REDACTED]: Yes. Also present are
23 DOJ OIG Special Agent [REDACTED];
24 Correctional officer Tova Noel; Ms. Noel's
25 attorneys, Jason Foy, and Eric Sarraga of Foy &

1 Sepowitz, LLC; as well as union representative
2 ██████████ of the Local 3149 with the BOP.
3 This interview will be recorded by me, Senior
4 Special Agent ██████████. Could
5 everyone please identify themselves for the
6 record and spell your last name. To start,
7 again, I am DOJ OIG Senior Special Agent ██████████
8 ██████████, M-A-T-U-L-██████-W-I-C-Z.

9 MR. ██████████: I am DOJ OIG Special Agent
10 ██████████, D-A-N-I-██████-L.

11 MS. NOEL: I'm Tova Noel, N-O-██████-L.

12 MR. FOY: Jason Foy, F-O-Y, attorney for
13 Tova Noel.

14 MR. SARRAGA: Eric Sarraga, S-A-R-R-A-G-A,
15 attorney for Tova Noel.

16 MS. ██████████: ██████████ ██████████, G-R-██████-G-G, Local
17 3148.

18 MR. ██████████: Thank you everyone. Ms.
19 Noel, you are here today as a subject in this
20 DOJ OIG investigation. This DOJ OIG
21 investigation concerns your alleged misconduct
22 to include allegations of false statements, job
23 performance failure, security failure, and
24 reporting false information. This is an
25 official DOJ OIG investigation and you are

1 being asked to voluntarily provide answers to
2 our questions. Will you agree to a voluntary
3 interview with the DOJ OIG?

4 MS. NOEL: Yes.

5 MR. [REDACTED]: Alright. Great. And
6 then everyone that does voluntary interviews
7 with the DOJ we provide them with these
8 voluntary interview forms. I don't know if you
9 guys were sent that at the time, but it says,
10 "United States Department of Justice Office of
11 the Inspector General, Warnings and Assurances
12 to Employee Requested to Provide Information on
13 a Voluntary Basis. You are being asked to
14 provide information as part of an investigation
15 being conducted by the Office of the Inspector
16 General. This investigation is being conducted
17 pursuant to the Inspector General Act of 1978
18 as amended. This investigation pertains to
19 your alleged misconduct to include allegations
20 of false statements, job performance failure,
21 security failure, and reporting false
22 information. This is a voluntary interview.
23 Accordingly, you do not have to answer
24 questions. No disciplinary action will be
25 taken against you if you choose not to answer

1 questions. Any statement you furnish may be
2 used as evidence in any future criminal
3 proceeding or agency disciplinary proceedings
4 or both. And of course, there's the DPA
5 waiver. I understand the warnings and
6 assurances stated above and I am willing to
7 make a statement or answer questions. No
8 promises or threats have been made to me and no
9 pressure or coercion of any kind has been used
10 against me. You can take a look at this and
11 review it. If you agree, there's a section
12 there for your name and signature.

13 MR. FOY: So the only thing that this is
14 actually subject to is the deferred prosecution
15 agreement.

16 MR. [REDACTED]: Well so there's the
17 agreement that you had, so that's the part
18 where I'm talking about the specific part where
19 it says criminal.

20 MR. FOY: Mm-hmm.

21 MR. [REDACTED]: That's something I think
22 that was worked out with the U.S. Attorney's
23 Office --

24 MR. FOY: Right. Exactly.

25 MR. [REDACTED]: So -.

1 MR. FOY: I know there's no sort of
2 protection with regard to the disciplinary
3 internally the administrative thing that --

4 MR. [REDACTED]: Correct.

5 MR. FOY: -- will happen at some point.
6 But I just wanted to make that clear. But go
7 ahead, you can sign Tova.

8 MR. [REDACTED]: Now obviously, that is
9 pursuant to you answering questions truthfully.

10 MR. FOY: Right. Of course. That's the
11 exception to our agreement.

12 MR. [REDACTED]: There's a line that says
13 employee signature.

14 MS. NOEL: Mm-hmm.

15 MR. [REDACTED]: Alright. And the rest
16 will be filled out by the two of us.

17 MR. FOY: Okay.

18 MR. [REDACTED]: Thank you, sir.

19 MR. FOY: Yep.

20 MR. [REDACTED]: And thank you for signing
21 Ms. Noel. Alright. So I'm going to sign where
22 it says signature of the Office of the
23 Inspector General Special Agent. Again, this
24 is [REDACTED]. I'm printing my name.
25 And Special Agent [REDACTED], can you fill out the

1 rest for signature of witness, name of witness,
2 date, time, and place.

3 MR. [REDACTED]: This is Agent [REDACTED] signing
4 on the signature of witness.

5 MR. [REDACTED]: And then do you understand
6 the form as you read and you review?

7 MS. NOEL: Yes, I do.

8 MR. [REDACTED]: Great. Thank you.
9 Before starting the interview, I'd like to
10 place you under oath. Can you please raise
11 your right hand? Do you swear to tell the
12 truth and nothing but the truth during this
13 interview?

14 MS. NOEL: Yes, sir.

15 MR. [REDACTED]: Thank you, Ma'am.
16 Alright. Please let me know if you do not
17 understand any of my questions. I'll try to
18 rephrase or ask it a different way.

19 MS. NOEL: Okay.

20 MR. [REDACTED]: Alright. So this is
21 something we ask everybody. Do you - what's
22 your current home address?

23 MS. NOEL: [REDACTED]

24 [REDACTED]

25 MR. [REDACTED]: Thank you. What's your

1 date of birth?

2 MS. NOEL: [REDACTED]

3 MR. [REDACTED]: And your last four of
4 your Social Security number.

5 MS. NOEL: [REDACTED]

6 MR. [REDACTED]: Thank you. What's your
7 highest level of education?

8 MS. NOEL: A bachelor's degree.

9 MR. [REDACTED]: And what was your
10 bachelor's degree in?

11 MS. NOEL: Criminal justice (Indiscernible
12 *00:06:14) in law.

13 MR. [REDACTED]: And where did you receive
14 that degree from?

15 MS. NOEL: John Jay.

16 MR. [REDACTED]: John Jay in New York
17 City?

18 MS. NOEL: Yes, sir.

19 MR. [REDACTED]: And when did you
20 graduate?

21 MS. NOEL: 2017.

22 MR. [REDACTED]: Thank you. What did you
23 do - just briefly - prior to working with the
24 BOP?

25 MS. NOEL: Prior to working with the BOP I

1 worked at the Post Office.

2 MR. [REDACTED]: Okay. What did you do
3 there?

4 MS. NOEL: I was a mail handler.

5 MR. [REDACTED]: And for how long?

6 MS. NOEL: Uh, six months.

7 MR. [REDACTED]: Six months?

8 MS. NOEL: Mm-hmm.

9 MR. [REDACTED]: And that was in 2016,
10 2016? When did you do that?

11 MS. NOEL: Yes.

12 MR. [REDACTED]: 2015 and 2016?

13 MS. NOEL: No. At the post office, I was
14 there 2017.

15 MR. [REDACTED]: Oh 2017.

16 MS. NOEL: '16, '17. Mm-hmm.

17 MR. [REDACTED]: Oh, okay. And do you
18 have any military service?

19 MS. NOEL: Yes.

20 MR. [REDACTED]: And what is that?

21 MS. NOEL: Military service?

22 MR. [REDACTED]: Yeah. Can you tell me
23 what the service?

24 MS. NOEL: The Army.

25 MR. [REDACTED]: Army. And how long were

1 you in the Army?

2 MS. NOEL: Six years.

3 MR. [REDACTED]: From when until when?

4 MS. NOEL: 2008 to 2014.

5 MR. [REDACTED]: And what did you do with
6 the military?

7 MS. NOEL: I was a patient administrative
8 specialist.

9 MR. [REDACTED]: And what is that?

10 MS. NOEL: Patient admin.

11 MR. [REDACTED]: Patient as in like a
12 hospital?

13 MS. NOEL: Yes.

14 MR. [REDACTED]: Okay. So you worked in a
15 hospital. And what was your rank when you left
16 the military?

17 MS. NOEL: E4 Specialist.

18 MR. [REDACTED]: And did you leave - were
19 you honorably discharged?

20 MS. NOEL: Yes.

21 MR. [REDACTED]: Okay.

22 MR. FOY: Can I - one second real quick?
23 For the post office, you said 16 - 17 but you
24 started MCC in 18.

25 MS. NOEL: Yeah.

1 MR. FOY: So would it be 17 into 18?

2 MS. NOEL: 18 yeah.

3 MR. [REDACTED]: Oh you did start with the
4 BOP in '18?

5 MS. NOEL: Yes.

6 MR. [REDACTED]: Not in '16?

7 MS. NOEL: No. That was an error in the
8 (Indiscernible *00:07:49).

9 MR. FOY: Right. So it's '18, then she
10 left the Post Office in '17, going to - so I
11 think it's 16 -. No 17 - 18.

12 MS. NOEL: '18 - Mm-hmm.

13 MR. FOY: Post Office. Then MCC.

14 MR. [REDACTED]: Okay. And did you work
15 for anybody prior or in between your military
16 service and the post office?

17 MS. NOEL: No.

18 MR. [REDACTED]: No? Okay.

19 MS. NOEL: Hm-mm.

20 MR. [REDACTED]: So you were unemployed at
21 that time?

22 MS. NOEL: No I was going to school.

23 MR. [REDACTED]: Oh that's when you went
24 to John Jay.

25 MS. NOEL: That's when I was going to John

1 Jay. Yeah.

2 MR. [REDACTED]: Okay. Thank you. And
3 when was your Enter on Duty Date with BOP?

4 MS. NOEL: June 24, 2018.

5 MR. [REDACTED]: Okay. And when did you
6 graduate from BOP training down at the Federal
7 Law Enforcement Training Center?

8 MS. NOEL: Um, I want to say September of
9 2018.

10 MR. [REDACTED]: Okay. But you did
11 graduate from there?

12 MS. NOEL: Yes, I did.

13 MR. [REDACTED]: That was a correctional
14 officer training?

15 MS. NOEL: Yes.

16 MR. [REDACTED]: Alright. And when and
17 where was your first office assignment with the
18 BOP?

19 MS. NOEL: Say that again?

20 MR. [REDACTED]: When and where was your
21 first office assignment with the BOP? So where
22 did you start - did you start working in MCC
23 and work there the entire time?

24 MS. NOEL: Yes, sir.

25 MR. [REDACTED]: Okay. And what positions

1 have you held with the BOP?

2 MS. NOEL: Correctional officer.

3 MR. [REDACTED]: Okay. The entire time?

4 MS. NOEL: Yes, sir.

5 MR. [REDACTED]: Alright. And when you
6 were there last, who did you report to? Who
7 was your direct supervisor? Or did you have
8 one?

9 MS. NOEL: [REDACTED]

10 MR. [REDACTED]: And do you know how to
11 spell that last name?

12 MS. NOEL: [REDACTED].

13 MR. [REDACTED]: Thank you. What is your
14 current -? Again, this is something we ask
15 everybody. We won't be contacting your client.
16 But what is your current cell phone number?

17 MS. NOEL: [REDACTED]

18 MR. [REDACTED]: Okay. And how long have
19 you had that number?

20 MS. NOEL: Years.

21 MR. [REDACTED]: Years.

22 MS. NOEL: Mm-hmm.

23 MR. [REDACTED]: So for a long time.

24 MS. NOEL: Yes.

25 MR. [REDACTED]: And to include in 2019?

1 MS. NOEL: Yes.

2 MR. [REDACTED]: Okay. Any other cell
3 phone numbers?

4 MS. NOEL: No.

5 MR. [REDACTED]: Okay. And your current
6 email address?

7 MS. NOEL: Um, [REDACTED]

8 MR. [REDACTED]: Okay. Great. And have
9 you had that one also for years?

10 MS. NOEL: Yes.

11 MR. [REDACTED]: Okay. Any others?

12 MS. NOEL: Yes.

13 MR. [REDACTED]: What are the others?

14 MS. NOEL: Uh, [REDACTED]

15 MR. [REDACTED]: Same?

16 MS. NOEL: Mm-hmm.

17 MR. [REDACTED]: You've had that for
18 years?

19 MS. NOEL: Yes.

20 MR. [REDACTED]: Okay. Both in 2019?

21 MS. NOEL: Yes.

22 MR. [REDACTED]: Okay. Thank you. Um, do
23 you have any current -? I should have asked
24 this. Are you currently employed right now?

25 MS. NOEL: No.

1 MR. [REDACTED]: By no other means?

2 MS. NOEL: No.

3 MR. [REDACTED]: Okay. And when did you
4 last work at the MCC?

5 MS. NOEL: August 10, 2019.

6 MR. [REDACTED]: And was that the same
7 supervisor that you mentioned?

8 MS. NOEL: Yes.

9 MR. [REDACTED]: Okay. Briefly, what
10 training have you attended or conducted during
11 your employment with the BOP? You mentioned
12 the correctional officer training at FLETC.
13 What other trainings have they provided for
14 you?

15 MS. NOEL: Um, their two-week training
16 when you first start at BOP. I forget what
17 it's called. IF training. Yes.

18 MR. [REDACTED]: IF training?

19 MS. NOEL: Mm-hmm.

20 MR. [REDACTED]: And any other training?

21 MS. NOEL: No.

22 MR. [REDACTED]: Annual refresher
23 training?

24 MS. NOEL: I have one.

25 MR. [REDACTED]: Okay. So you've gone to

1 annual. And what about like a SHU training
2 course?

3 MS. NOEL: No.

4 MR. [REDACTED]: Okay. But you did - and
5 this is just - you guys can take a look at this
6 if you would like. This is the training that
7 we have for you. That we asked for your list
8 of training. I'm not asking you to necessarily
9 verify that you've conducted all of it, but it
10 shows the last time you did your annual
11 training was on 3/8/2019 was when you actually
12 completed that week of training.

13 MS. NOEL: Yes.

14 MR. [REDACTED]: Does that sound correct?

15 MS. NOEL: Correct.

16 MR. [REDACTED]: Again, this just goes
17 along with it. It shows -. It shows what the
18 syllabus was as well as the sign-in sheet where
19 Ms. Noel signed in. Again, it's - we're not
20 asking to you -.

21 MS. NOEL: Mm-hmm.

22 MR. [REDACTED]: For - if you want to take
23 a look at it you can. It just shows that you
24 did that training in March of 2019. And
25 anything that I'm going to provide to you, can

1 you just initial and date? And that's just a
2 way for us to verify that that's what we showed
3 you.

4 MS. NOEL: Okay.

5 MR. FOY: Each page or just to top?

6 MR. [REDACTED]: Nope, just the top of
7 each page.

8 MR. FOY: Okay. Is (Indiscernible
9 *00:12:34)?

10 MR. [REDACTED]: No, you do have that. So
11 just briefly, you don't have to like list off
12 the course syllabus. But what did they cover
13 during that annual training?

14 MS. NOEL: Um they spoke about different
15 areas like dealing with inmates. They spoke
16 about the issues on the job like dealing with
17 shortages. They spoke about um, basically like
18 mask fitted I remember.

19 MR. [REDACTED]: Mask fitting?

20 MS. NOEL: Mm-hmm.

21 MR. [REDACTED]: Was that back in 2019?
22 People were wearing masks as well?

23 MS. NOEL: No like um.

24 MR. [REDACTED]: It's for OC's sprays?

25 MR. [REDACTED]: Oh, for OC spray.

1 MS. NOEL: Yes.

2 MR. [REDACTED]: Okay. Did they include
3 things like ethics, standards of conduct?

4 MS. NOEL: Yes.

5 MR. [REDACTED]: Okay. What about like
6 counts and rounds?

7 MS. NOEL: I don't recall them talking
8 about counts and rounds.

9 MR. [REDACTED]: Okay. So did they go
10 over like MCC policies and guidance?

11 MS. NOEL: Yes.

12 MR. [REDACTED]: Okay. And did they ever
13 provide you with the policies and guidelines or
14 did they just speak to you about it?

15 MS. NOEL: For in this training?

16 MR. [REDACTED]: Yes.

17 MS. NOEL: They just spoke about it.

18 MR. [REDACTED]: At another time did they
19 provide you with the polices and guidelines?

20 MS. NOEL: Yeah. It's on like the
21 computer.

22 MR. [REDACTED]: Okay.

23 MS. NOEL: The -.

24 MR. [REDACTED]: Do you have to certify
25 that you've like received it and you reviewed

1 it? Polices and guidelines?

2 MS. NOEL: I think I signed that like you
3 receive it.

4 MR. [REDACTED]: Right. Okay. If you
5 don't mind, just -.

6 MR. FOY: You want it in the lower right?

7 MR. [REDACTED]: Doesn't matter. Top or
8 bottom. You know wherever there's room. I
9 typically do top, but bottom is totally fine.

10 MR. FOY: This one, that one.

11 MR. [REDACTED]: Today's date is June 22nd.

12 MR. FOY: That's part of the same
13 document.

14 MS. NOEL: Hm.

15 MR. FOY: And just the top page.

16 MR. [REDACTED]: And now you mentioned
17 that you didn't quite remember them going over
18 training when conducting counts and rounds in
19 this training. Did you - were you - did you
20 ever receive training on conducting counts and
21 rounds?

22 MS. NOEL: Yes.

23 MR. [REDACTED]: Okay. When would that
24 have been?

25 MS. NOEL: In an IF training.

1 MR. [REDACTED]: And what does IF stand
2 for?

3 MS. NOEL: Hm.

4 MS. [REDACTED]: You want some clarity? I can
5 tell you --

6 MR. [REDACTED]: Sure.

7 MS. [REDACTED]: -- just what it stands for.
8 Institution Familiarization training.

9 MR. [REDACTED]: Okay. Great. And that's
10 something that the MCC provided directly?

11 MS. NOEL: Yes.

12 MR. [REDACTED]: Okay. Great. And then
13 you had mentioned - did you ever receive
14 policies on counts and rounds?

15 MS. NOEL: No.

16 MR. [REDACTED]: I know you said you
17 certified. Do you remember that specific
18 policy - like receiving that?

19 MS. NOEL: Like specifically on counts and
20 rounds?

21 MR. [REDACTED]: I'm not asking you to
22 like verbatim tell me what it was. I'm just
23 saying like were you provided and you reviewed
24 it. DO you remember?

25 MS. NOEL: Not specifically on counts and

1 rounds. Just like a general -

2 MR. [REDACTED]: Right.

3 MS. NOEL: Like -.

4 MR. [REDACTED]: Like you know the housing
5 orders or unit policies and things like that.
6 When you're supposed to conduct counts, when
7 you're supposed to do rounds, that type of
8 thing.

9 MS. NOEL: The post orders.

10 MR. [REDACTED]: Post orders. Right.

11 Okay. Great. You mentioned you didn't
12 remember ever going to quarterly SHU training.
13 This is a sign-in sheet for quarterly SHU
14 training. I just want to -. Is this your
15 signature on there for June 26, 2019?

16 MS. NOEL: You see how I'm the last one on
17 the bottom of all of them?

18 MR. [REDACTED]: Correct.

19 MS. NOEL: Because I wasn't at the
20 training when I came -.

21 MR. [REDACTED]: Did they provide it to
22 you one-on-one though?

23 MS. NOEL: No.

24 MR. [REDACTED]: So how come -?

25 MS. NOEL: Because when I came back from

1 an injury, the lieutenant asked me to sign
2 because when they had program review, they need
3 to show that I received the training. But I
4 never did. She just asked me to sign. That's
5 why I wonder why.

6 MR. [REDACTED]: Who asked you to do that?

7 MS. NOEL: [REDACTED]

8 MR. [REDACTED]: So that supervisor you
9 mentioned was your first line supervisor asked
10 you sign without providing you the training?

11 MS. NOEL: Yes.

12 MR. [REDACTED]: And she didn't like
13 provide you anything to review?

14 MS. NOEL: No.

15 MR. [REDACTED]: She didn't go over
16 anything with you?

17 MS. NOEL: No.

18 MR. [REDACTED]: Did you discuss this with
19 her - that how can you sign something without
20 being provided the training?

21 MS. NOEL: Well I just told her I wasn't
22 here. I was out on an injury. She said she
23 knows but she needed me to sign it because they
24 need it for program review.

25 MR. [REDACTED]: What's her first name?

1 MS. NOEL: [REDACTED]

2 MR. [REDACTED]: And is she a lieutenant?

3 MS. NOEL: She's a - I don't know what she
4 is now. But she's not at MCC anymore. She's
5 at somewhere in Jersey.

6 MS. [REDACTED]: I'm sorry. Before you go, are
7 you done with that question?

8 MR. [REDACTED]: Actually, let me um, I
9 didn't do this.

10 MS. [REDACTED]: Because I want to
11 (Indiscernible *00:17:14)

12 MR. [REDACTED]: And I did forget to do
13 this. There's an advisory to the union
14 representative.

15 MS. [REDACTED]: Mm-hmm.

16 MR. [REDACTED]: Can you review this? And
17 I do apologize. But since you're speaking up a
18 little bit, let me hand this to you. and then
19 you can review that. And then if you want to
20 just take a look. After you're done reviewing,
21 you may sign it if you agree.

22 MS. [REDACTED]: Will you be able to give me a
23 copy of it?

24 MR. [REDACTED]: Yes. I think it says on
25 there that we will forward you a copy of that.

1 MS. [REDACTED]: I didn't even see that part.

2 MR. [REDACTED]: Should I continue asking
3 questions while she's reviewing that or do you
4 want to wait?

5 MR. FOY: Yeah, you can ask questions.
6 Absolutely.

7 MR. [REDACTED]: Sure. So there's another
8 training that you - it says that you conducted
9 on also June 26, 2019 for SHU suicide
10 prevention training. Did you also not receive
11 that training?

12 MS. NOEL: Yeah. I didn't.

13 MR. [REDACTED]: You did not receive that
14 training?

15 MS. NOEL: No.

16 MR. [REDACTED]: Did you receive - so
17 there's slides in the back that shows the
18 training and how they conducted it. Did they
19 provide you with those slides?

20 MS. NOEL: No because I wasn't there.

21 MR. [REDACTED]: You weren't there?

22 MS. NOEL: I was out on an injury.

23 MR. [REDACTED]: Okay. Can you -? When
24 were you out on the injury? What are the
25 dates?

1 MS. NOEL: From March 2019 to - I came
2 back in June. So when I came back in June,
3 that's when I was told to sign this.

4 MR. [REDACTED]: Okay.

5 MS. NOEL: Mm-hmm.

6 MR. [REDACTED]: Alright. Thank you for
7 signing the Advisory to Union Representative.

8 MS. [REDACTED]: I signed it (Indiscernible
9 *00:19:02).

10 MR. [REDACTED]: I am just going to sign
11 that form as name of OIG special agent. Again,
12 I do apologize for not providing that up front.

13 MS. [REDACTED]: So I just -.

14 MR. [REDACTED]: I'm sorry, what was your
15 question?

16 MS. NOEL: I want to call because
17 (Indiscernible *00:19:15) I'm just saying that
18 well I know that the dynamics are that I should
19 interrupt you in the middle of a question. But
20 interrupt her answering a question. So I was
21 asking were you done because I wanted to just
22 step out for just one second.

23 MR. [REDACTED]: You want to step out?

24 MS. NOEL: Mm-hmm.

25 MR. [REDACTED]: Okay. We don't want to

1 interrupt the interview because we have a lot
2 of questions to get through.

3 MS. [REDACTED]: Mm-hmm.

4 MR. [REDACTED]: If the attorneys ask
5 that, that's not really -. But if you would
6 like to -.

7 MS. [REDACTED]: So based on the agreement we
8 just signed, right?

9 MR. [REDACTED]: Sure.

10 MS. [REDACTED]: It acknowledges the right to
11 have me representing her. And part of those
12 rights are the ability to assist in
13 representing her. Right? And so I don't want
14 to dispute and I don't want to hold up the
15 process at all. I just want to say something
16 to her.

17 MR. [REDACTED]: Sure. We'll let that -
18 we'll do that this time, but if this continues
19 to happen, I'm going to have to give you a
20 different form that says you can stay here
21 voluntarily if you want, but we're going to ask
22 you not to interrupt the interview. And if you
23 do, then we're going to ask her if she wants to
24 continue with the interview without you.

25 MS. [REDACTED]: So but that form says

1 something contrary to what you're saying.

2 MR. [REDACTED]: I'm going to give you a
3 different form that says that I'm going to let
4 you interrupt the interview now to talk to her
5 out there. And if you do it again, I'm going
6 to ask that you not be here any longer so that
7 we can continue with the interview. Obviously,
8 her attorneys would stay here. So I just want
9 to make sure that we don't just continue.

10 MS. [REDACTED]: I just need clarity then. I
11 need clarity.

12 MR. [REDACTED]: Sure.

13 MS. [REDACTED]: So the representing of and
14 talking to the employee who I have the right to
15 represent is considered by you an interruption
16 of the interview?

17 MR. [REDACTED]: We haven't even gotten
18 into the questions yet. So -.

19 MS. [REDACTED]: Well -.

20 MR. [REDACTED]: -- yes, we need to
21 continue with the interview. But we're now -.
22 I can allow you to do that now. I'm just not
23 going to be able to allow you to continue to
24 stop the interview and leave the room.

25 MS. [REDACTED]: I'm just asking for clarity

1 right. So it was kind of -.

2 MR. [REDACTED]: Sure. Absolutely.

3 MS. [REDACTED]: And I don't mean to be
4 difficult. It kind of was a yes or no. So
5 you're saying to me based on the document that
6 I signed -.

7 MR. [REDACTED]: I'm saying that you can
8 assist her.

9 MS. [REDACTED]: I didn't get to -.

10 MR. [REDACTED]: Sure. Go ahead.

11 MS. [REDACTED]: Okay. So you're saying based
12 on the document that I signed, in my right to
13 represent the employee, which is asking to
14 caucus and say something to Ms. Noel is
15 interrupting the interview even though I have
16 the right to do so based on the document I
17 signed?

18 MR. [REDACTED]: It's more for her to be
19 able to ask you for a question.

20 MS. [REDACTED]: So it's just a yes or no.

21 MR. [REDACTED]: Oh, no-no. I'm the one
22 that's leading the interview here. So if she
23 stops and asks you for clarity, absolutely.
24 You stopping to inform her? No.

25 MS. [REDACTED]: I never identified to you that

1 I would be informing her of anything.

2 MR. [REDACTED]: Okay. But so yes. To
3 answer your question, you can be here to
4 represent here if she's asking you for the
5 information. I don't want you stopping our
6 interview.

7 MS. [REDACTED]: Mm-hmm.

8 MR. [REDACTED]: And then asking to leave
9 the room. I'm going to allow that this time.
10 After that, I will consider that an
11 interruption of the interview.

12 MS. [REDACTED]: Mm-hmm.

13 MR. [REDACTED]: And then we'll have to
14 proceed from there. And then there's a
15 different form to provide you. So does that
16 make sense?

17 MS. [REDACTED]: No it doesn't.

18 MR. [REDACTED]: Okay. So I'm asking you
19 not to interrupt -.

20 MS. [REDACTED]: Wait. It doesn't make sense
21 but I'm not - that was -.

22 MR. [REDACTED]: So I'm asking you not to
23 interrupt the interview. She may defer to you
24 and ask you for questions.

25 MS. [REDACTED]: Mm-hmm.

1 MR. [REDACTED]: I'm asking you not to
2 interrupt my questions.

3 MS. [REDACTED]: Okay. It doesn't make sense
4 to me. What I'm interpreting is my ability to
5 represent is only if the employee asks a
6 question that's what you're saying to me.

7 MR. [REDACTED]: Correct. So her
8 attorneys are here.

9 MS. [REDACTED]: I got it. I got it.

10 MR. [REDACTED]: Her attorneys are here.
11 I'm asking if she has a question for her union
12 representative --

13 MS. [REDACTED]: Mm-hmm.

14 MR. [REDACTED]: -- she may at any time
15 ask you.

16 MS. [REDACTED]: I got it.

17 MR. [REDACTED]: I'm asking you not to
18 interrupt.

19 MS. [REDACTED]: I got it.

20 MR. [REDACTED]: These questions are not
21 for you.

22 MS. [REDACTED]: Mm-hmm.

23 MR. [REDACTED]: They're not directed at
24 you.

25 MS. [REDACTED]: Mm-hmm.

1 MR. [REDACTED]: They're directed at Mrs.
2 Noel.

3 MS. [REDACTED]: I'm not answering questions.
4 I was just trying to -. I'm representing her.
5 But I understand that there has been a
6 determination of how I'm able to represent.
7 And so I'll deal with that in a different
8 venue. You can move forward.

9 MR. [REDACTED]: Alright. Let me read
10 this real quick in this paperwork so that we're
11 not going to have any disputes.

12 MS. [REDACTED]: We don't have to. You don't
13 have to continue. Right. Because I don't want
14 to interrupt. So you can go on ahead and move
15 forward.

16 MR. [REDACTED]: Okay. So it just says
17 that you may not attempt to answer the
18 questions.

19 MS. [REDACTED]: Mm-hmm.

20 MR. [REDACTED]: Or dictate the employee's
21 actions to question or otherwise take charge of
22 proceedings.

23 MS. [REDACTED]: Mm-hmm.

24 MR. [REDACTED]: But again, please feel
25 free to go confer with Ms. Noel.

1 MS. [REDACTED]: I appreciate it. Thank you.

2 MR. [REDACTED]: I am going to pause the
3 recording. It is currently 10:32 a.m.

4 [Whereupon, the above-entitled matter went off
5 the record and went back on the record.] Okay.
6 The recorder is back on. It is 10:38 a.m.
7 Tuesday, June 22, 2021. This is Senior Special
8 Agent [REDACTED]. We're resuming the
9 interview. Ms. Noel I just remind you that you
10 are under oath and this is a voluntary
11 interview. I'm sorry. What was your question?

12 MS. [REDACTED]: You need me to initial
13 (Indiscernible *00:24:24)?

14 MR. [REDACTED]: If you don't mind. And
15 again, it's just to show that you know, what we
16 are looking at.

17 MS. [REDACTED]: Okay.

18 MR. [REDACTED]: Now since we took that
19 break, is there anything else we want to
20 discuss or -?

21 MS. FOY: No, we can move forward.

22 MS. NOEL: No, thank you.

23 MR. [REDACTED]: Thank you again very much
24 for your cooperation with this matter. Is
25 there anything else you wanted to -? No?

1 Alright. DO you know where we left off Lyeson?

2 What was the last question that we asked?

3 MR. [REDACTED]: It was what we asked for
4 (Indiscernible *00:24:53) about the injuries.

5 MR. [REDACTED]: Okay. So you were
6 telling us you said March through June you were
7 injured?

8 MS. NOEL: Yes.

9 MR. [REDACTED]: And you were not actually
10 working during that time?

11 MS. NOEL: No.

12 MR. [REDACTED]: Do you remember around
13 when in March and when did it end? Was it the
14 beginning of March, end of March, middle?

15 MS. NOEL: Um I'm not sure. I just know
16 it was March.

17 MR. [REDACTED]: Sometime in March?

18 MS. NOEL: Yes.

19 MR. [REDACTED]: But when you came back,
20 was it around the 26th when they asked you to
21 sign those?

22 MS. NOEL: I came back in June. I don't
23 recall the date exactly.

24 MR. [REDACTED]: Okay.

25 MS. NOEL: But I remember the day I came

1 into work and the lieutenant asked me to go see
2 [REDACTED]. And she asked me to sign
3 and I said but I wasn't here. I was out on an
4 injury. And she said she's aware but they need
5 me to sign it for program review.

6 MR. [REDACTED]: Okay.

7 MS. NOEL: So I signed.

8 MR. [REDACTED]: So both trainings when
9 you signed, they didn't actually even provide
10 you anything?

11 MS. NOEL: No.

12 MR. [REDACTED]: Verbally?

13 Electronically? Nothing?

14 MS. NOEL: No.

15 MR. [REDACTED]: Okay. And that was on
16 the date that was signed that that happened?

17 MS. NOEL: Actually she told me not to
18 date it. I remember when I was signing, she
19 said don't date it.

20 MR. [REDACTED]: But you dated it anyway?
21 Did you have a conversation about that?

22 MS. NOEL: No.

23 MR. [REDACTED]: After you dated it, she
24 didn't say why did you date it or anything like
25 that?

1 MS. NOEL: No.

2 MR. [REDACTED]: Okay. Did you receive
3 that training though in the annual training
4 courses as well? Like the suicide prevention
5 or the - you know how to operate in the SHU
6 during MCC annual? Or the - I think you call
7 it the IF training? Or during the correctional
8 officer training at FLETC?

9 MS. NOEL: Those trainings are like
10 general overall training. It's not
11 specifically speaking about SHU. Like SHU may
12 come up in the conversations, but it's not
13 specific to SHU or how to operate or run the
14 SHU.

15 MR. [REDACTED]: Okay.

16 MS. NOEL: Mm-hmm.

17 MR. [REDACTED]: Do you know if they were
18 doing this with other employees as well?
19 Having them sign training that they weren't
20 actually conducting?

21 MS. NOEL: I don't know.

22 MR. [REDACTED]: Okay. But did you do
23 this per the direction of your supervisor?

24 MS. NOEL: Supervisor. Yes.

25 MR. [REDACTED]: So she - did she

1 specifically you must sign this?

2 MS. NOEL: Yes.

3 MR. [REDACTED]: Okay. And again, that
4 was [REDACTED] -.

5 MS. NOEL: [REDACTED].

6 MR. [REDACTED]: [REDACTED]. And you said -
7 and I apologize. I don't know if we were
8 interrupted when -. Where did you say she is
9 currently?

10 MS. NOEL: She is in Jersey I know. I'm
11 trying to -.

12 MR. [REDACTED]: At the FCI Fort Dix?

13 MS. NOEL: Yes.

14 MR. [REDACTED]: Okay.

15 MR. FOY: Question real quick.

16 MR. [REDACTED]: Absolutely. Do you want
17 a more precise answer to when she was out and
18 when she came back?

19 MR. [REDACTED]: Uh, so far -.

20 MR. FOY: Because I happen to know --

21 MR. [REDACTED]: Oh sure. If you'd like.

22 MR. FOY: -- the approximate dates.

23 MR. [REDACTED]: Sure. You can provide
24 that.

25 MR. FOY: And this is based on my review

1 of discovery and conversations with Ms. Noel.
2 We're looking at about March 15 to June 24-ish.

3 MR. [REDACTED]: Okay.

4 MR. FOY: And I note that the execution
5 was on the 26th. But I think there was some
6 time, you know, it's not like the first minute
7 she was there they had her sign the document.

8 MR. [REDACTED]: Okay.

9 MS. NOEL: Right.

10 MR. FOY: So those are the estimated
11 times. I could be off by a day or two, but -.

12 MR. [REDACTED]: Perfect.

13 MR. FOY: The 15th of March to June 24th.

14 MR. [REDACTED]: And thank you attorney
15 Foy.

16 MR. FOY: No problem.

17 MR. [REDACTED]: During your time at the
18 MCC, how often were you assigned to the special
19 housing unit also known as the SHU?

20 MS. NOEL: Mm.

21 MR. [REDACTED]: And this is an
22 approximate. I'm not asking you for like exact
23 amount.

24 MS. NOEL: When I came back from the
25 injury, my assignment was the SHU. So from

1 June 20-whatever to August 10th, I worked the
2 SHU.

3 MR. [REDACTED]: Okay. And that was your
4 quarterly assignment was in the SHU from - for
5 that whole summer --

6 MS. NOEL: Yes.

7 MR. [REDACTED]: -- in 2019?

8 MS. NOEL: Yes.

9 MR. [REDACTED]: Okay. Thank you. So I
10 know that you said that you didn't - they
11 didn't provide you with the SHU training. Did
12 they provide you with the policies of the SHU?

13 MS. NOEL: No.

14 MR. [REDACTED]: So you never received
15 those policies? Would it have been when you
16 received and you said you had to initial and
17 date something electronically? I think you
18 said when you provided -?

19 MS. NOEL: That's the employee code of
20 conduct.

21 MR. [REDACTED]: Okay.

22 MS. NOEL: That's the - like the handbook
23 that's online.

24 MR. [REDACTED]: Should have they provided
25 you with the polices and post orders in the

1 SHU?

2 MS. NOEL: In the SHU there is post
3 orders.

4 MR. [REDACTED]: Oh, okay. So in the SHU
5 there's the post orders.

6 MS. NOEL: Yes.

7 MR. [REDACTED]: And were you provided a
8 copy of that to review?

9 MS. NOEL: Yes.

10 MR. [REDACTED]: And had you reviewed
11 that?

12 MS. NOEL: Yes.

13 MR. [REDACTED]: Okay. And when did you
14 review that?

15 MS. NOEL: When I came back.

16 MR. [REDACTED]: So sometime in that June
17 --

18 MS. NOEL: So in June.

19 MR. [REDACTED]: -- or July timeframe?

20 MS. NOEL: Yes.

21 MR. [REDACTED]: Okay. So aside from those
22 post orders, did you receive any other SHU
23 training?

24 MS. NOEL: No.

25 MR. [REDACTED]: No. And who was

1 responsible for making sure that you actually
2 did receive SHU training?

3 MS. NOEL: I don't know.

4 MR. [REDACTED]: You don't know was that a
5 lieutenant issue --

6 MS. NOEL: I assumed -.

7 MR. [REDACTED]: -- or your first line
8 supervisor?

9 MS. NOEL: I would assume the lieutenant.
10 My supervisor. I don't know.

11 MR. [REDACTED]: And when you say the
12 lieutenant, who was the lieutenant in the SHU
13 at the time?

14 MS. NOEL: [REDACTED].

15 MR. [REDACTED]: [REDACTED]. Do you know his
16 first name?

17 MS. NOEL: [REDACTED].

18 MR. [REDACTED]: Okay. And would he be
19 responsible for making sure that you were
20 training when you were in the SHU?

21 MS. NOEL: I mean, I'm going to direct
22 that question to her. I don't know.

23 MR. [REDACTED]: I don't want you to
24 direct a question to her.

25 MS. NOEL: Okay.

1 MR. [REDACTED]: But if you need to like,
2 yeah, that's fine.

3 MS. NOEL: Mm-hmm. Yeah.

4 MR. [REDACTED]: And if you don't know,
5 that's totally acceptable.

6 MS. NOEL: Yeah because I don't know.

7 MR. [REDACTED]: Okay. No-no, that's a
8 totally acceptable answer.

9 MS. NOEL: Mm-hmm.

10 MR. [REDACTED]: So yeah, if you know - if
11 you don't know something or you do know
12 something, that's great. You don't really want
13 to ask other people for the answers.

14 MS. NOEL: Right.

15 MR. [REDACTED]: You know, obviously if
16 you need to confer, and you know with your
17 attorneys or your union representative,
18 absolutely fine. But we just want to try to
19 get away from them answering for you.

20 MS. NOEL: Okay.

21 MR. [REDACTED]: Alright. And then from
22 your recollection though, you don't remember
23 receiving SHU training during the annual
24 refresher training?

25 MS. NOEL: No.

1 MR. [REDACTED]: No. Okay. Did you
2 receive training on how to conduct rounds?

3 MS. NOEL: Yes.

4 MR. [REDACTED]: And when was that?

5 MS. NOEL: In IF.

6 MR. [REDACTED]: In IF?

7 MS. NOEL: Mm-hmm.

8 MR. [REDACTED]: Okay. And what did it
9 teach you about conducting rounds?

10 MS. NOEL: That you need two people to
11 count and conduct rounds. And one person goes
12 and counts. The other person goes and counts.
13 And then you confirm the numbers of counting.

14 MR. [REDACTED]: Okay.

15 MS. NOEL: And make sure when you're
16 counting that you're counting everybody's
17 standing at their bed when you're counting.

18 MR. [REDACTED]: Okay. And did you
19 receive suicide prevention training during the
20 MCC annual refresher training?

21 MS. NOEL: I don't recall.

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

23 MS. NOEL: Mm-hmm.

24 MR. [REDACTED]: Okay. What was your
25 understanding if an inmate was placed, you

1 know, is suicidal or placed on suicide watch?
2 What was your understanding of how you should
3 treat those inmates?

4 MS. NOEL: If an inmate is placed on
5 suicide watch, I don't deal with them. They go
6 downstairs to suicide watch and they're being
7 watched by other inmates.

8 MR. [REDACTED]: Mm-hmm.

9 MS. NOEL: But and then when they're
10 cleared, they come back to the unit.

11 MR. [REDACTED]: And are you trained - are
12 you supposed to handle them differently when
13 they come back to the unit?

14 MS. NOEL: Uh, no.

15 MR. [REDACTED]: You're not?

16 MS. NOEL: You're not.

17 MR. [REDACTED]: You're not supposed to
18 handle them differently?

19 MS. NOEL: No.

20 MR. [REDACTED]: Not at all?

21 MS. NOEL: Because they're cleared to come
22 back.

23 MR. [REDACTED]: Okay.

24 MS. NOEL: So once you're cleared, you're
25 back to normal.

1 MR. [REDACTED]: Okay. And were you
2 assigned to the SHU on August 9th and 10th of
3 2019?

4 MS. NOEL: Yes.

5 MR. [REDACTED]: Do you recall what time
6 you began working on the SHU on August 9th?

7 MS. NOEL: 4:00 to midnight.

8 MR. [REDACTED]: Four to midnight. And
9 then on August 10th? It was?

10 MS. NOEL: Midnight to eight in the
11 morning.

12 MR. [REDACTED]: Okay. You said, again,
13 that was your quarterly bid post.

14 MS. NOEL: Yes.

15 MR. [REDACTED]: Quarterly assignment.
16 And what were your overall duties and
17 responsibilities when you were assigned to the
18 SHU?

19 MS. NOEL: It varies because I'm new and
20 because I don't know how to run the SHU. I
21 just always rely on the senior person that I'm
22 working with. So even if the roster reflects
23 that I'm the senior officer, because sometimes
24 I'm assigned SHU 1, I don't do what SHU 1 is
25 supposed to do because I don't know how to do

1 it. I rely on the senior officer that I'm
2 working with.

3 MR. [REDACTED]: Okay. So you didn't
4 really know what your duties and
5 responsibilities were? Is that what you're
6 saying?

7 MS. NOEL: In the SHU like um, to give out
8 food, to collect the trays, to give out linen,
9 collect linen. Whenever we would go down range
10 to give out those, we count that as a round to
11 make sure the inmates are good. You shower I
12 think every other day. Count, that's it.

13 MR. [REDACTED]: So rounds and counts are
14 a part of that though?

15 MS. NOEL: Rounds and counts are a part of
16 it. But I've never worked in the SHU and
17 actually done rounds every 30 minutes. We go
18 down range to do stuff and we count it as a
19 round.

20 MR. [REDACTED]: Perfect. And that's
21 going to be something that we're going to
22 discuss.

23 MS. NOEL: Mm-hmm.

24 MR. [REDACTED]: And ask you things like
25 who told you that and houses that, you know who

1 should have provided you with the proper
2 training and information on how it was
3 technically supposed to be done.

4 MS. NOEL: Mm-hmm.

5 MR. [REDACTED]: And were there any
6 requirements - special requirements - for
7 inmates who are assigned to the SHU?

8 MS. NOEL: I don't know.

9 MR. [REDACTED]: That's fine. Do inmates
10 in the SHU have cellmates?

11 MS. NOEL: Yes.

12 MR. [REDACTED]: Okay. And are they
13 required to have cellmates?

14 MS. NOEL: I don't know.

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

16 MS. NOEL: Hm-mm.

17 MR. [REDACTED]: Are there any inmates
18 that don't have cellmates?

19 MS. NOEL: Yes.

20 MR. [REDACTED]: And do you know why they
21 wouldn't have cellmates?

22 MS. NOEL: I don't know.

23 MR. [REDACTED]: Did you ever - were you
24 ever told it's because another inmate could
25 harm that inmate? Or there were certain

1 classifications of an inmate? They never
2 discussed that with you?

3 MS. NOEL: No.

4 MR. [REDACTED]: No? Okay. Did you ever
5 see training on medical emergencies? With
6 inmates?

7 MS. NOEL: Mm. No. I just know like if
8 you are making a round and something happens to
9 an inmate, you call and you wait for somebody
10 to come before you enter the cell. That's all
11 I know.

12 MR. [REDACTED]: Okay. But did you - were
13 you provided like CPR training or any kind of
14 like you know, if something were to happen in
15 front of you how you would respond?

16 MS. NOEL: Yes. We had CPR training
17 (Phonetic Sp. *00:35:08)

18 MR. [REDACTED]: Okay. And when would you
19 conduct training like that CPR training or you
20 know if someone is trying to kill themselves or
21 something like that. When did you receive that
22 training? How you would respond to a medical
23 emergency?

24 MS. NOEL: That was in IF.

25 MR. [REDACTED]: IF as well?

1 MS. NOEL: Mm-hmm.

2 MR. [REDACTED]: Okay. So who is or was
3 Inmate Jeffrey Epstein? Reg number 76318-054?

4 MS. NOEL: Who was he?

5 MR. [REDACTED]: Who was he? Was he an
6 inmate assigned to the MCC?

7 MS. NOEL: Yes.

8 MR. [REDACTED]: Was he assigned to the
9 SHU?

10 MS. NOEL: Yes.

11 MR. [REDACTED]: Okay. Do you know what
12 he was at the MCC for and why he was
13 incarcerated by the BOP?

14 MS. NOEL: Actually I didn't even know who
15 he was when I worked with him. It was the
16 other coworker that told me who he was. I
17 didn't know who he was.

18 MR. [REDACTED]: And who -?

19 MS. NOEL: As in I knew his name but
20 didn't know like what he was there for and who
21 he actually was.

22 MR. [REDACTED]: So and when you say the
23 other coworker told you, who told you?

24 MS. NOEL: [REDACTED].

25 MR. [REDACTED]: [REDACTED]?

1 MS. NOEL: Uh-huh.

2 MR. [REDACTED]: And what is [REDACTED] first
3 name?

4 MS. NOEL: [REDACTED].

5 MR. [REDACTED]: [REDACTED] [REDACTED]?

6 MS. NOEL: Mm-hmm.

7 MR. [REDACTED]: And what did he inform
8 you?

9 MS. NOEL: He basically said that this is
10 Jeffrey Epstein. You don't know who he is?
11 And I said no. And he was like he's in the
12 news every day. And I was like okay. I didn't
13 know.

14 MR. [REDACTED]: Do you remember when you
15 had that conversation? Like at least if you
16 think about August 9th, August 10th?

17 MS. NOEL: Mm. No.

18 MR. [REDACTED]: Was it obviously it was
19 then prior to August 9th?

20 MS. NOEL: Yes.

21 MR. [REDACTED]: Okay. But you were
22 working in the SHU together?

23 MS. NOEL: Yes.

24 MR. [REDACTED]: Okay. Was Epstein in the
25 SHU when you had that conversation?

1 MS. NOEL: Never.

2 MR. [REDACTED]: No. Was he with his
3 attorneys?

4 MS. NOEL: Mm-hmm.

5 MR. [REDACTED]: Okay. Do you remember
6 anything else about that conversation when he
7 told you about him?

8 MS. NOEL: No. That was it.

9 MR. [REDACTED]: Did he tell you why he
10 was in?

11 MS. NOEL: No.

12 MR. [REDACTED]: No? Just that he was
13 famous and in the SHU?

14 MS. NOEL: Mm-hmm.

15 MR. [REDACTED]: Okay. Why was - do you
16 know why Epstein was assigned to the SHU?

17 MS. NOEL: No.

18 MR. [REDACTED]: Did anyone ever tell you
19 it was because he was a risk for suicide or
20 safety concerns?

21 MS. NOEL: No.

22 MR. [REDACTED]: No? We're going to get
23 into this a little later, but do you know what
24 the hotlist is?

25 MS. NOEL: Um.... Are those -? I think

1 the hotlist is like um, how should I say, like
2 inmates that are like -. Inmates that are like
3 - mm.

4 MR. [REDACTED]: I'm just going to show
5 you this and ask you if you ever received this
6 training either.

7 MS. NOEL: Mm-hmm.

8 MR. [REDACTED]: Or if you've ever seen
9 it. This will spell out exactly what the
10 hotlist is.

11 MS. NOEL: Mm-hmm.

12 MR. [REDACTED]: So this is the MCC New
13 York special housing unit. Slides.

14 (Indiscernible *00:38:01)

15 MR. [REDACTED]: Oh sorry.

16 MR. [REDACTED]: This one is special
17 housing unit management suicide prevention.

18 MS. NOEL: Mm-hmm.

19 MR. [REDACTED]: So can you just have -
20 there's two different tabs here which --

21 MS. NOEL: Mm-hmm.

22 MR. [REDACTED]: -- the first one is going
23 to say -. I'll just read it for the record.
24 SHU hotlist identifies inmates with mental
25 health conditions who may become dangerous,

1 self-destructive, or suicidal when placed into
2 the SHU.

3 MS. NOEL: Hm.

4 MR. [REDACTED]: And that - did you know
5 that?

6 MS. NOEL: No.

7 MR. [REDACTED]: So do you know what I'm
8 talking about when I say hotlist? There was a
9 list in the SHU of -.

10 MS. NOEL: No. I actually thought that
11 the hotlist was something else. Like that was
12 on the computer. No. I don't know that.

13 MR. [REDACTED]: Okay. And then it talks
14 about when someone is on the hotlist, it's
15 supposed to be a special notation on the
16 hotlist, a special notation on the cell door,
17 and there's also a special notation on the SHU
18 board.

19 MS. NOEL: Mm. There was never none of
20 that.

21 MR. [REDACTED]: So did you ever -? Can
22 you just take a look quickly? You don't have
23 to look through that. Just basically the --

24 MR. [REDACTED]: The two tabs.

25 MR. [REDACTED]: -- two tabs as well as

1 the front.

2 MS. NOEL: Mm-hmm.

3 MR. [REDACTED]: Was that ever provided to
4 you? Did you ever see this?

5 MS. NOEL: Hm-mm. No.

6 MR. [REDACTED]: No. Okay.

7 MR. FOY: Do you want her to initial?

8 MR. [REDACTED]: If you could. Yeah.

9 Just so that we can -. You can do it on the
10 top page. No-no. Sorry. The front page.

11 MR. [REDACTED]: ON the front page.

12 MR. FOY: Just the first page.

13 MS. NOEL: Oh.

14 MR. [REDACTED]: And do you know who would
15 have been required to provide you that --

16 MS. NOEL: No.

17 MR. [REDACTED]: -- information? No? And
18 no one discussed that with you?

19 MS. NOEL: No.

20 MR. [REDACTED]: Did anyone ever discuss
21 the hotlist with you?

22 MS. NOEL: No.

23 MR. [REDACTED]: Had you ever heard of the
24 term hotlist?

25 MS. NOEL: No.

1 MR. [REDACTED]: You never even heard the
2 term?

3 MS. NOEL: I thought that hotlist was like
4 inmates that were like, um.... Like the
5 inmates that were up on 10 South. Like those
6 high inmates. Like El Chapo and those type of
7 inmates.

8 MR. [REDACTED]: Sure.

9 MS. NOEL: That's what I though hotlist
10 was.

11 MR. [REDACTED]: Okay. And because you
12 brought up 10 South, what's 10 South?

13 MS. NOEL: The level above the SHU.

14 MR. [REDACTED]: And is that a specialized
15 unit that are even more secure than the SHU?

16 MS. NOEL: Yes.

17 MR. [REDACTED]: And can you just explain
18 to me a little bit about who goes there? What
19 the cell makeup is? Are there cameras in each
20 individual cell?

21 MS. NOEL: I don't know.

22 MR. [REDACTED]: Oh, you don't know?

23 MS. NOEL: Hm-mm.

24 MR. [REDACTED]: Okay. Are inmates that
25 are in those cells only one inmate per cell?

1 MS. NOEL: I think so.

2 MR. [REDACTED]: And are they monitored
3 24/7?

4 MS. NOEL: Yes.

5 MR. [REDACTED]: Okay. But you don't know
6 how they're monitored?

7 MS. NOEL: No.

8 MR. [REDACTED]: Okay. But they're for
9 like a terrorist, high-profile, drugs -.

10 MS. NOEL: Yes.

11 MR. [REDACTED]: You know?

12 MS. NOEL: Mm-hmm.

13 MR. [REDACTED]: Okay. And that's one
14 floor above where the SHU is?

15 MS. NOEL: Yes.

16 MR. [REDACTED]: Is it kind of in the
17 general location of the SHU though?

18 MS. NOEL: It's upstairs.

19 MR. [REDACTED]: Can you get to it through
20 the SHU?

21 MS. NOEL: Yes.

22 MR. [REDACTED]: And would it be
23 considered as - I know it's 10 South and it's
24 unique. But is it also part of the general
25 SHU?

1 MS. NOEL: I mean when you come into the
2 SHU, you go up the stairs and it's right there.

3 MR. [REDACTED]: Okay. Can you get to it
4 by other means?

5 MS. NOEL: No.

6 MR. [REDACTED]: So you have to go through
7 the SHU --

8 MS. NOEL: Go through the SHU.

9 MR. [REDACTED]: -- to get --

10 MS. NOEL: Mm-hmm.

11 MR. [REDACTED]: -- into it? Okay. And
12 how many correctional officers are placed in
13 the 10 South?

14 MS. NOEL: Um, one.

15 MR. [REDACTED]: One?

16 MS. NOEL: Mm-hmm.

17 MR. [REDACTED]: And there's no way in or
18 out other than through the SHU?

19 MS. NOEL: Mm-hmm, through the SHU.

20 MR. [REDACTED]: Okay. So when they come
21 in and out, do the officers that are working in
22 the SHU - you know where you are working - are
23 you the ones that have to allow them to get in
24 and out of the SHU?

25 MS. NOEL: Yes.

1 MR. [REDACTED]: Okay. Do you recall who
2 was working on 10 South on August 9th or 10th?

3 MS. NOEL: [REDACTED].

4 MR. [REDACTED]: [REDACTED]?

5 MS. NOEL: Mm-hmm.

6 MR. [REDACTED]: Okay. Was that August
7 9th or 10th or both?

8 MS. NOEL: I don't know about the 9th but
9 the 10th.

10 MR. [REDACTED]: That's fine. And some of
11 this stuff I'll probably at some point give you
12 a list of the people so you can refer to like
13 the roster so you don't have to -.

14 MS. NOEL: Okay.

15 MR. [REDACTED]: You know you can recall
16 that way if you remember that those people were
17 in (Indiscernible *00:41:35).

18 MS. NOEL: Okay.

19 MR. [REDACTED]: But you did say Epstein
20 was assigned to the SHU on August 9th and
21 August 10th, 2019?

22 MS. NOEL: Yes.

23 MR. [REDACTED]: Okay. And he was
24 assigned to the SHU on the days leading up to
25 August 9, 2019?

1 MS. NOEL: Yes.

2 MR. [REDACTED]: Okay. Do you know
3 approximately how long Epstein was assigned to
4 the SHU?

5 MS. NOEL: No.

6 MR. [REDACTED]: Was he assigned to the
7 SHU for the most part of when you were doing
8 you assignments in the SHU?

9 MS. NOEL: When I came back and I was
10 working there?

11 MR. [REDACTED]: Correct.

12 MS. NOEL: Yes.

13 MR. [REDACTED]: Okay.

14 MS. NOEL: Mm-hmm.

15 MR. [REDACTED]: Yes? Okay. So does July
16 and August sound about right? That he was in
17 the SHU?

18 MS. NOEL: Mm-hmm.

19 MR. [REDACTED]: Yes? What was Epstein's
20 routine while he was assigned to the SHU? We
21 talked about it briefly. He was with attorneys
22 and stuff. So was that like a daily routine?
23 Can you just tell me when he would come and go?
24 And when he would be in the SHU and not be in
25 the SHU?

1 MS. NOEL: Oh I come in at 2:00. And I
2 come in at 4:00. And when I come in he's not
3 there. He would come back like around after
4 8:00.

5 MR. [REDACTED]: 8:00 p.m.?

6 MS. NOEL: Yes.

7 MR. [REDACTED]: Okay. And did you
8 typically work after 8:00? So you come in at
9 2:00 or 4:00. When would you typically work
10 until?

11 MS. NOEL: 2:00 to 10:00 or 4:00 to
12 midnight. Mm-hmm.

13 MR. [REDACTED]: And then would you
14 typically do overtime shifts after that?

15 MS. NOEL: No because I usually do it on
16 the front end.

17 MR. [REDACTED]: Okay.

18 MS. NOEL: So I usually come in the 8:00
19 to 4:00 and do 4:00 to 12:00.

20 MR. [REDACTED]: And when you would come
21 in 8:00 to 4:00, would he be gone already?

22 MS. NOEL: Yes.

23 MR. [REDACTED]: Okay. But he would come
24 back around -? So he would be gone before 8:00
25 a.m. and come back around 8:00 p.m.?

1 MS. NOEL: Mm-hmm.

2 MR. [REDACTED]: Would he eat when he was
3 in the SHU?

4 MS. NOEL: He gets common fare. That's
5 all I know. I don't know if he eats it. But
6 he gets common fare.

7 MR. [REDACTED]: Would that be something
8 you supplied after 8:00 p.m.?

9 MS. NOEL: When he comes back. Yes.

10 MR. [REDACTED]: Okay. What time is
11 typically feeding time? In the evening?

12 MS. NOEL: Um...after 4:00?

13 MR. [REDACTED]: And so because he was
14 away, does he get -? Would he get an
15 individual tray that was saved for him or
16 provided when he returned?

17 MS. NOEL: Yes.

18 MR. [REDACTED]: Okay. And would you
19 provide that try to him?

20 MS. NOEL: Not necessarily me just
21 whomever.

22 MR. [REDACTED]: Did you ever?

23 MS. NOEL: Yes.

24 MR. [REDACTED]: Okay. Did you provide
25 that to him on August 9th?

1 MS. NOEL: Yes.

2 MR. [REDACTED]: You were the one who did?

3 MS. NOEL: Mm-hmm.

4 MR. [REDACTED]: Okay. Did you ever have
5 any communications with Epstein during his stay
6 at the MCC?

7 MS. NOEL: No.

8 MR. [REDACTED]: Never any conversations
9 at all?

10 MS. NOEL: No.

11 MR. [REDACTED]: Okay. Did you even
12 verbal say hello - hello back? Anything like
13 that?

14 MS. NOEL: Mm. He was in the shower to
15 make a phone call. And he was calling because
16 he wanted to come out of the shower. And I
17 told him that he had to wait because there were
18 other inmates out. And you can't move him and
19 them out at the same time. That's the only
20 conversation I ever had with him.

21 MR. [REDACTED]: And we'll get into that
22 but was that phone call on August 9, 2019?

23 MS. NOEL: Yes.

24 MR. [REDACTED]: Okay. But when you would
25 provide food or anytime he would come back

1 after 8:00 p.m. - even when he was coming in or
2 out, you wouldn't even say hello?

3 MS. NOEL: No.

4 MR. [REDACTED]: No? Okay. For the one
5 interaction you can think of with the phone
6 call, do you remember if that was a positive or
7 a negative interaction? Do you remember it at
8 all? Was it -?

9 MS. NOEL: It was regular.

10 MR. [REDACTED]: Regular?

11 MS. NOEL: Mm-hmm.

12 MR. [REDACTED]: Did he seem upset?

13 MS. NOEL: Uh, no.

14 MR. [REDACTED]: No? Abnormal? Anything
15 out of the ordinary?

16 MS. NOEL: No.

17 MR. [REDACTED]: No. What were your
18 instructions with regard to Epstein being
19 assigned to the SHU?

20 MS. NOEL: There was no instructions.

21 MR. [REDACTED]: So no one said Epstein
22 was a high priority here? Pay closer attention
23 to him?

24 MS. NOEL: No.

25 MR. [REDACTED]: Alright. So even when

1 you had that interaction with the one
2 individual who told you that he was a high-
3 profile person, that he was in the news all the
4 time, there was never a discussed that we need
5 to pay close attention to him?

6 MS. NOEL: No.

7 MR. [REDACTED]: And [REDACTED], you
8 said was the lieutenant in the SHU, he never
9 told you to pay special attention to Epstein?

10 MS. NOEL: No.

11 MR. [REDACTED]: Okay. Was Epstein
12 assigned any cellmates when he was assigned to
13 the SHU?

14 MS. NOEL: Yes.

15 MR. [REDACTED]: And do you know when he
16 was assigned to the SHU was he always assigned
17 a cellmate?

18 MS. NOEL: Um, I just know he had two
19 cellmates.

20 MR. [REDACTED]: Okay. Two different
21 ones?

22 MS. NOEL: Yes.

23 MR. [REDACTED]: Alright. Did anyone ever
24 speak with you about Epstein needing a cellmate
25 when he was in the SHU?

1 MS. NOEL: No.

2 MR. [REDACTED]: No? Who was the officer
3 in charge or the OIC in the SHU?

4 MS. NOEL: Me.

5 MR. [REDACTED]: Um, are you talking about
6 at 12:00 a.m.?

7 MS. NOEL: Yes. On (Indiscernible
8 *00:46:06) -.

9 MR. [REDACTED]: In general, was there
10 like one officer in charge that has like is
11 considered the OIC in the SHU?

12 MS. NOEL: That's what I'm telling you.
13 On paper, it says me. But I don't know how to
14 run the SHU. So I rely on the senior officer.
15 Well on the roster, it says that I was the OIC.

16 MR. [REDACTED]: And -.

17 MS. NOEL: But -.

18 MR. [REDACTED]: I think I'm just not
19 asking the question correctly. I'm not talking
20 about like from 12:00 a.m. to 8:00 a.m. on
21 August 10th. I mean in general. Like in July
22 and August when you were in the SHU, was there
23 one person that was considered the officer in
24 charge? Like how there's one lieutenant of the
25 SHU which was [REDACTED]? Was there also an officer

1 in charge of the SHU?

2 MS. NOEL: No.

3 MR. [REDACTED]: Do you know who - wasn't
4 it Grill?

5 MR. [REDACTED]: [REDACTED].

6 MR. [REDACTED]: Do you know who [REDACTED]
7 is?

8 MS. NOEL: Yes.

9 MR. [REDACTED]: Would he be considered
10 the officer in charge?

11 MS. NOEL: See I don't know. Because on
12 the roster, it can be a different person.

13 MR. [REDACTED]: Okay. Did [REDACTED] have
14 like a desk or a computer area that he always
15 sat in when he was there?

16 MS. NOEL: No.

17 MR. [REDACTED]: Specifically?

18 MS. NOEL: It's the one that we all sit
19 at.

20 MR. [REDACTED]: But he didn't have one
21 specific location that he would sit at? Like -
22 ?

23 MS. NOEL: No.

24 MR. [REDACTED]: No, he would sit
25 wherever?

1 MS. NOEL: Yes.

2 MR. [REDACTED]: Can you give me just like
3 a layout? How many desks and computers were
4 there in the SHU where the officers sat?

5 MS. NOEL: It was two desks. One this way
6 and one this way.

7 MR. [REDACTED]: So kind of like an L type
8 of formation?

9 MS. NOEL: Yes. And computers, about
10 three.

11 MR. [REDACTED]: About three computers?

12 MS. NOEL: Mm-hmm.

13 MR. [REDACTED]: And had you sat at all
14 three of those computers at least one time
15 during your shifts?

16 MS. NOEL: Um, yes.

17 MR. [REDACTED]: Okay. So it's just - it
18 rotates. You can sit at each one?

19 MS. NOEL: I mean you can sit at any one.

20 MR. [REDACTED]: And do you remember ever
21 there being a sign posted on any of the
22 computers saying that Epstein was required to
23 have a cellmate?

24 MS. NOEL: No.

25 MR. [REDACTED]: Alright. And then

1 [REDACTED]. Am I pronouncing that right?
2 MR. [REDACTED]: Yeah. [REDACTED].
3 MR. [REDACTED]: How do you spell that
4 last name? Do you remember?
5 MR. [REDACTED]: [REDACTED].
6 MR. [REDACTED]: Thank you Agent [REDACTED].
7 So he didn't have a specialized computer where
8 he would have posted a sign on a computer?
9 MS. NOEL: No.
10 MR. [REDACTED]: No? What about - do you
11 recall ever seeing a sign posted on Epstein's
12 door?
13 MS. NOEL: No.
14 MR. [REDACTED]: Saying that he was
15 required to have a cellmate?
16 MS. NOEL: No.
17 MR. [REDACTED]: No? Okay. Who was
18 Inmate Nicholas Tartaglione, T-A-R-T-A-G-L-I-O-
19 N- [REDACTED]?
20 MS. NOEL: Uh, his first um cellmate that
21 he had.
22 MR. [REDACTED]: Epstein's first cellmate?
23 MS. NOEL: Mm-hmm.
24 MR. [REDACTED]: Was that his cellmate in
25 July of 2019?

1 MS. NOEL: I'm not sure about the month,
2 but that was his first cellmate.

3 MR. [REDACTED]: Okay. Do you recall if
4 Tartaglione was already in the SHU or was he
5 brought in specifically to be Epstein's
6 cellmate?

7 MS. NOEL: I don't know that.

8 MR. [REDACTED]: You don't know that?

9 MS. NOEL: No.

10 MR. [REDACTED]: Okay. Are you aware of
11 any issues that took place between Epstein and
12 Tartaglione when they were cellmates?

13 MS. NOEL: No.

14 MR. [REDACTED]: No. Were you aware that
15 on or around July 23 of 2019 um that Epstein
16 allegedly attempted to commit suicide?

17 MS. NOEL: I wasn't at work that day but I
18 was told.

19 MR. [REDACTED]: Okay. And were you told
20 anything else about the incident?

21 MS. NOEL: No.

22 MR. [REDACTED]: Are you aware if
23 Tartaglione was his inmate at the time?

24 MS. NOEL: Yes.

25 MR. [REDACTED]: And you said you didn't

1 have any involvement in that matter though?

2 MS. NOEL: I wasn't at work. Hm-mm.

3 MR. [REDACTED]: Do you know if
4 Tartaglione was removed as Epstein's cellmate?
5 At that point?

6 MS. NOEL: After that he had another
7 cellmate: Reyes.

8 MR. [REDACTED]: And do you know why they
9 changed?

10 MS. NOEL: But I don't know why.

11 MR. [REDACTED]: Okay. Do you know who
12 would have made that decision to change
13 cellmates?

14 MS. NOEL: No.

15 MR. [REDACTED]: No. Had you ever heard
16 that Tartaglione attempted to harm Epstein?

17 MS. NOEL: No.

18 MR. [REDACTED]: You didn't even hear that
19 rumor?

20 MS. NOEL: No.

21 MR. [REDACTED]: Okay. Do you know what
22 was used in the incident when Epstein attempted
23 to - allegedly attempted to take his life?

24 MS. NOEL: No.

25 MR. [REDACTED]: No?

1 MS. NOEL: Hm-mm.

2 MR. [REDACTED]: Do you know if it was
3 like linens or a shirt or any kind of -?

4 MS. NOEL: I don't know.

5 MR. [REDACTED]: No?

6 MS. NOEL: No.

7 MR. [REDACTED]: No one discussed that
8 with you?

9 MS. NOEL: No.

10 MR. [REDACTED]: And you didn't ask
11 anybody about it?

12 MS. NOEL: No.

13 MR. [REDACTED]: Do you know if Epstein
14 was placed on suicide watch or psychological
15 observation?

16 MS. NOEL: I think he was placed after
17 that. But I don't know which one.

18 MR. [REDACTED]: Okay. Is it usually that
19 someone will go on suicide watch for about 24
20 hours? Then after that they would go on what's
21 called psychological observation.

22 MS. NOEL: I'm not sure.

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

24 MS. NOEL: Hm-mm.

25 MR. [REDACTED]: Is that done in the SHU

1 or elsewhere?

2 MS. NOEL: It's done downstairs.

3 MR. [REDACTED]: And when you say
4 downstairs, what - do you know where?

5 MS. NOEL: Where the suicide watch is or
6 Unit 2.

7 MR. [REDACTED]: Okay. So second floor?

8 MS. NOEL: Mm-hmm.

9 MR. [REDACTED]: And do you know who makes
10 the determination to be able to place someone
11 on suicide watch or psychological observation?

12 MS. NOEL: No.

13 MR. [REDACTED]: No? Okay. Does it sound
14 right that he was placed on suicide watch on or
15 around July 23, 2019? And returned to the SHU
16 on or around July 30, 2019?

17 MS. NOEL: Yes.

18 MR. [REDACTED]: That sounds about right?

19 MS. NOEL: Mm-hmm.

20 MR. [REDACTED]: And at that time, was
21 Epstein assigned another cellmate?

22 MS. NOEL: Yes.

23 MR. [REDACTED]: Who - which cellmate?

24 MS. NOEL: Reyes.

25 MR. [REDACTED]: Reyes?

1 MS. NOEL: Mm-hmm.

2 MR. [REDACTED]: On or around July 30th.

3 And who was Inmate Reyes - Efrain Reyes?

4 MS. NOEL: His cellmate.

5 MR. [REDACTED]: Do you know anything
6 about him?

7 MS. NOEL: No.

8 MR. [REDACTED]: Okay. But you do know he
9 was his cellmate from that point until about
10 August 9, 2019?

11 MS. NOEL: Yes.

12 MR. [REDACTED]: Okay. And do you know if
13 Inmate Reyes was already in the SHU? Or was he
14 brought in specifically to be Epstein's
15 cellmate?

16 MS. NOEL: I don't know.

17 MR. [REDACTED]: You don't know if he was
18 already in there?

19 MS. NOEL: No.

20 MR. [REDACTED]: Now do you ever -? Do
21 you have any involvement with the inmates when
22 you're in there? Would you like converse with
23 them or do you just kind of -?

24 MS. NOEL: No.

25 MR. [REDACTED]: No? so you don't -. Did

1 you ever know why people were specifically in
2 the SHU?

3 MS. NOEL: No.

4 MR. [REDACTED]: No. Do you know why
5 Inmate Reyes was removed from the MCC on August
6 9, 2019?

7 MS. NOEL: No.

8 MR. [REDACTED]: So even at this point do
9 you know why he was removed?

10 MS. NOEL: No. I didn't even know he was
11 removed.

12 MR. [REDACTED]: No, I'm saying even today
13 do you know that?

14 MS. NOEL: Oh, no.

15 MR. [REDACTED]: You don't even know that
16 he was removed?

17 MS. NOEL: No. I'm saying at that point
18 in time, I didn't know that he was removed.

19 MR. [REDACTED]: Yeah. So I'm even saying
20 as of today -.

21 MS. NOEL: But for now, I don't know the
22 reason why he was removed.

23 MR. [REDACTED]: Okay.

24 MS. NOEL: No.

25 MR. [REDACTED]: But you do know that he

1 was removed?

2 MS. NOEL: Yes.

3 MR. [REDACTED]: And did you know that he
4 was removed on August 9, 2019?

5 MS. NOEL: No.

6 MR. [REDACTED]: So even on August 9th you
7 didn't know that he was removed?

8 MS. NOEL: No.

9 MR. [REDACTED]: You knew that Epstein had
10 a cellmate. You just didn't know that he
11 didn't have a cellmate on that day?

12 MS. NOEL: He had a cellmate. I didn't
13 know that the cellmate was removed and wasn't
14 coming back.

15 MR. [REDACTED]: Okay. So you never
16 learned on August 9th or August 10th for that
17 matter, prior to 6:30 that there was no other
18 inmate within Epstein's cell?

19 MS. NOEL: No.

20 MR. [REDACTED]: Okay. And do you know if
21 anybody was aware that Reyes was departing the
22 MCC or SHU prior to August 9, 2019?

23 MS. NOEL: I don't know.

24 MR. [REDACTED]: You don't even know that
25 - you know at this point- if anyone was aware?

1 MS. NOEL: No.

2 MR. [REDACTED]: No. Do you know if it
3 was anticipated or not an anticipated move?

4 MS. NOEL: I don't know.

5 MR. [REDACTED]: No? So on August 9th
6 during your time from 4:00 p.m. even to just
7 12:00 a.m. That was not discussed with you at
8 all or within the SHU? That Epstein's roommate
9 Reyes was removed?

10 MS. NOEL: Never.

11 MR. [REDACTED]: Never?

12 MS. NOEL: Never.

13 MR. [REDACTED]: Okay. And are you pretty
14 confident about that?

15 MS. NOEL: Yes.

16 MR. [REDACTED]: Okay. Are you aware if
17 Epstein should have been reassigned a cellmate
18 after Inmate Reyes was removed on August 9,
19 2019?

20 MS. NOEL: No.

21 MR. [REDACTED]: So you're not aware?

22 MS. NOEL: No.

23 MR. [REDACTED]: If he should have been?

24 MS. NOEL: No.

25 MR. [REDACTED]: So your understanding was

1 he had cellmates. You just didn't know if one
2 of them was removed that he should be
3 reassigned one?

4 MS. NOEL: Exactly. Mm-hmm.

5 MR. [REDACTED]: Okay. Do you know who
6 was responsible for assigning Epstein a new
7 cellmate?

8 MS. NOEL: I don't know.

9 MR. [REDACTED]: No. Could SHU staff have
10 assigned Epstein a new cellmate? Would you
11 have the authority being - working in the SHU -
12 if you knew someone was supposed to have a
13 cellmate? Do you have the authority to place
14 another inmate with that person?

15 MS. NOEL: See I don't know. Because I'm
16 that new.

17 MR. [REDACTED]: Okay.

18 MS. NOEL: So like I said, I rely on the
19 senior person a lot. So I don't know. like
20 that would be a question I would ask them. So
21 I don't know.

22 MR. [REDACTED]: When you were - during
23 your time in the SHU, which you said I guess
24 was from you know late June through August 9th
25 or 10th. Did you ever see that happen before?

1 SHU staff assign inmates with other inmates?

2 MS. NOEL: When an inmate comes, they
3 place them with another inmate.

4 MR. [REDACTED]: And would they do that
5 based upon their own responsibilities and
6 duties or would someone tell them to do that?

7 MS. NOEL: See I don't know.

8 MR. [REDACTED]: You don't even know?

9 MS. NOEL: Hm-mm.

10 MR. [REDACTED]: Okay. So you saw people
11 be assigned with other ones, but you don't know
12 how --

13 MS. NOEL: No.

14 MR. [REDACTED]: -- that was determined?

15 MS. NOEL: Yeah.

16 MR. [REDACTED]: Okay. So you don't even
17 know if you could have assigned Epstein a new
18 cellmate?

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

20 MR. [REDACTED]: Do you know if SHU staff
21 should have assigned? You know like -. Or I
22 guess you just answered that. So you said you
23 know. And again, on August 9th, no one
24 notified you that Reyes was gone from the SHU?

25 MS. NOEL: No.

1 MR. [REDACTED]: And you were working in
2 the SHU.

3 MS. NOEL: Nope.

4 MR. [REDACTED]: Do they typically tell
5 you when an inmate in the SHU is - has left and
6 is not coming back?

7 MS. NOEL: Nobody said anything to me. I
8 don't know.

9 MR. [REDACTED]: Because don't you have to
10 be able to keep your counts correct? And be
11 able to know how many people are in the SHU?
12 So if someone is removed, don't they have to
13 tell you? This person's not coming back so
14 your count is going to be lower.

15 MS. NOEL: Mm-hmm. But it wasn't told to
16 me. So I don't know.

17 MR. [REDACTED]: Um okay. Do you know who
18 the MCC staff psychologists were in August of
19 2019?

20 MS. NOEL: No.

21 MR. [REDACTED]: Do you have any dealings
22 with them at all?

23 MS. NOEL: No.

24 MR. [REDACTED]: Does the name [REDACTED]
25 [REDACTED] ring a bell?

1 MS. NOEL: No.

2 MR. [REDACTED]: No? How about staff
3 psychologist [REDACTED]?

4 MS. NOEL: Mm-hmm. I know her.

5 MR. [REDACTED]: Okay. Who is she?

6 MS. NOEL: She's one of the psychologists.

7 MR. [REDACTED]: Okay. And did you have
8 dealings with her?

9 MS. NOEL: I had dealings with her after.

10 MR. [REDACTED]: You after August 10th?

11 MS. NOEL: Like on August 10th she came to
12 the unit.

13 MR. [REDACTED]: Okay. Prior to August
14 10th did you have any dealings with her?

15 MS. NOEL: No not really.

16 MR. [REDACTED]: No. What about a
17 [REDACTED]?

18 MS. NOEL: Yes I know her.

19 MR. [REDACTED]: And who is she?

20 MS. NOEL: A psychologist.

21 MR. [REDACTED]: Did you have any dealings
22 with her?

23 MS. NOEL: No.

24 MR. [REDACTED]: So only with [REDACTED]
25 [REDACTED]?

1 MS. NOEL: Yes but she came after the
2 incident.

3 MR. [REDACTED]: But what was your dealing
4 with her after the incident?

5 MS. NOEL: She just asked was I alright.

6 MR. [REDACTED]: Okay. Did she ask you
7 anything about Epstein or his cellmate or
8 anything like that?

9 MS. NOEL: No.

10 MR. [REDACTED]: No? So it was specific
11 to you?

12 MS. NOEL: Yes.

13 MR. [REDACTED]: Okay. Are you aware was
14 Epstein meeting with staff psychologists during
15 his stay at the MCC?

16 MS. NOEL: No.

17 MR. [REDACTED]: No. Would have he met
18 with them I guess during suicide watch and
19 psychological obviously?

20 MS. NOEL: Yes.

21 MR. [REDACTED]: Okay. So that. Did you
22 know that he did meet with them then?

23 MS. NOEL: I don't know if he did, but I'm
24 going to assume he did.

25 MR. [REDACTED]: Okay. But you do know

1 that he was placed on suicide watch?

2 MS. NOEL: Yes.

3 MR. [REDACTED]: And they never - no one
4 from psychology ever provided you instructions
5 with regard to when he returned - how he was to
6 be treated?

7 MS. NOEL: No.

8 MR. [REDACTED]: Or that he was - needed
9 to have a cellmate at all times.

10 MS. NOEL: No.

11 MR. [REDACTED]: Or that you needed to
12 watch him?

13 MS. NOEL: No.

14 MR. [REDACTED]: Do you know who placed
15 him on suicide watch?

16 MS. NOEL: No.

17 MR. [REDACTED]: No? So what is your
18 understanding of suicide watch? When someone
19 is on suicide watch and comes back. What is
20 your understanding of how you're supposed to
21 treat those people? Now my understanding is
22 that you would have received this training you
23 know. Now I know you said you didn't do the
24 SHU training. But the other trainings that you
25 attended - the IF, the MCC annual, and the

1 correctional officer training at FLETC. Did
2 they discuss suicide?

3 MS. NOEL: I mean if someone is like
4 explains to you that they're feeling a certain
5 kind of way or they want to harm themselves,
6 then you report it to them. They will place
7 them on suicide watch. But as far as when they
8 return, there's no - nothing special that we're
9 told to do when someone returns from suicide
10 watch.

11 MR. [REDACTED]: So they don't tell you
12 like this person's on suicide watch, he's
13 returning, he needs, you know a high likelihood
14 of attempting to harm himself.

15 MS. NOEL: No.

16 MR. [REDACTED]: We should place him with
17 another cellmate.

18 MS. NOEL: No.

19 MR. [REDACTED]: That we should watch him.

20 MS. NOEL: No.

21 MR. [REDACTED]: Or make sure that he
22 hasn't harmed himself.

23 MS. NOEL: No.

24 MR. [REDACTED]: Or pay special close
25 attention to that individual.

1 MS. NOEL: No.

2 MR. [REDACTED]: You said suicide watch
3 though, that is on the second floor?

4 MS. NOEL: Yes.

5 MR. [REDACTED]: Okay. So you're not
6 aware that the requirement that if someone is
7 returned to the SHU that they're required to
8 have a cellmate if they were on suicide watch?

9 MS. NOEL: No.

10 MR. [REDACTED]: Do you know the
11 difference between suicide watch and
12 psychological observation?

13 MS. NOEL: No.

14 MR. [REDACTED]: No? Are they both done
15 in - on the second floor?

16 MS. NOEL: Yes.

17 MR. [REDACTED]: Okay. But you don't even
18 know what that is?

19 MS. NOEL: No.

20 MR. [REDACTED]: Did you know that Epstein
21 was also on psychological observation?

22 MS. NOEL: No.

23 MR. [REDACTED]: No? Just suicide watch?

24 MS. NOEL: Mm-hmm.

25 MR. [REDACTED]: And to you it's one and

1 the same thing?

2 MS. NOEL: Yes.

3 MR. [REDACTED]: Okay.

4 MS. NOEL: Mm-hmm.

5 MR. [REDACTED]: And I did ask about
6 suicide watch, but do you know who placed
7 Epstein on psychological observation?

8 MS. NOEL: No.

9 MR. [REDACTED]: No? And you don't know -
10 . Are inmates that come from psychological
11 observation required to have a cellmate?

12 MS. NOEL: No.

13 MR. [REDACTED]: You don't know?

14 MS. NOEL: I don't know.

15 MR. [REDACTED]: So were you aware of any
16 inmates that are in the SHU that were on
17 suicide watch - came from suicide watch and
18 psychological observation?

19 MS. NOEL: No.

20 MR. [REDACTED]: And again, that hotlist.
21 Did you say that you do remember there being
22 one?

23 MS. NOEL: No.

24 MR. [REDACTED]: In the SHU?

25 MS. NOEL: No.

1 MR. [REDACTED]: So you don't even
2 remember there being a hotlist in the SHU?

3 MS. NOEL: No.

4 MR. [REDACTED]: Would you like look
5 around at the boards and look at the walls and
6 see different things?

7 MS. NOEL: There is no board.

8 MR. [REDACTED]: No? There's no like --

9 MS. NOEL: No.

10 MR. [REDACTED]: -- where the post orders
11 are - where are they kept as -.

12 MS. NOEL: It's on the desk.

13 MR. [REDACTED]: Was there also on the
14 desk something called the hotlist?

15 MS. NOEL: No.

16 MR. [REDACTED]: Was there a list on the
17 desk that had like inmate's names and anything
18 next to them? Like a description?

19 MS. NOEL: There's a roster.

20 MR. [REDACTED]: A roster like of all the
21 inmates in the SHU? Total?

22 MS. NOEL: Yes.

23 MR. [REDACTED]: Well what about like -
24 and I only say this because I know that there
25 was one. So you don't recall saying like -

1 seeing like one list where there's special
2 people assigned to that list called the
3 hotlist?

4 MS. NOEL: No.

5 MR. [REDACTED]: No? And you did work
6 there all June, July, and August? Or not all -
7 end of June, July, and then it's August.

8 MS. NOEL: Yes.

9 MR. [REDACTED]: Did any staff
10 psychologist visit the SHU?

11 MS. NOEL: Yes.

12 MR. [REDACTED]: Did they ever visit
13 Epstein in the SHU?

14 MS. NOEL: No.

15 MR. [REDACTED]: No? What time typically
16 would they come to the SHU when they would
17 visit?

18 MS. NOEL: Um like after -. When I worked
19 the 8:00 to 4:00. I don't know. Sometime in
20 the day like maybe around 12:00.

21 MR. [REDACTED]: And would they not have
22 come to the SHU to see Epstein because he
23 wasn't there at 12:00?

24 MS. NOEL: Because he wasn't there.

25 MR. [REDACTED]: Do you know if they ever

1 visited him when he was with his attorneys?

2 MS. NOEL: I don't know.

3 MR. [REDACTED]: You don't know. So did
4 anyone - so psychologist, peers, supervisors,
5 or anyone else - ever tell you that Epstein was
6 required to have a cellmate?

7 MS. NOEL: Nobody.

8 MR. [REDACTED]: Nobody. Did you ever
9 receive any emails? So any type or form of
10 communication? So not just verbal. Emails and
11 writing, text messages - anything?

12 MS. NOEL: No.

13 MR. [REDACTED]: No? Do you have that
14 email? This isn't an email that was sent to
15 you. I just want to see if you - if someone
16 ever forwarded this to you. Did anyone ever
17 forward you -? This is -. First of all, this
18 is an email from [REDACTED]. It says
19 suicide watch / psychological observation
20 update. It's what was sent on July 30, 2019.
21 It says inmate Epstein is being taken off
22 psychological observation and needs to be
23 housed with an appropriate cellmate. Did
24 anyone ever forward this information to you?
25 Being that you worked in the SHU where he was

1 assigned?

2 MS. NOEL: No.

3 MR. [REDACTED]: No? So no one ever
4 discussed that with you in the SHU? Like none
5 of the other employees in the SHU that would
6 have received this?

7 MS. NOEL: No.

8 MR. [REDACTED]: Do you know why other
9 employees would have received this and you
10 wouldn't have?

11 MS. NOEL: I'm not going to say that they
12 received it and I didn't.

13 MR. [REDACTED]: Well if you look at the
14 back it's all the people that it was sent to.
15 So if you go to the last page, do you recognize
16 any of the people on there that worked in the
17 SHU with you? The names. Look at the last -
18 sorry, that middle page and toward the bottom.
19 The following page I think. Middle, toward the
20 bottom.

21 MS. NOEL: That's the lieutenant.

22 MR. [REDACTED]: Do you recognize
23 [REDACTED] on there?

24 MS. NOEL: Yes. But this is not sent -.
25 This is not the workers.

1 MR. [REDACTED]: None of those people were
2 assigned to the SHU? Towards the bottom of
3 that?

4 MS. NOEL: No.

5 MR. [REDACTED]: No? Okay. So just the
6 only person that you see on that is Lieutenant
7 [REDACTED]?

8 MS. NOEL: [REDACTED].

9 MR. [REDACTED]: And he never discussed
10 that matter with you?

11 MS. NOEL: No.

12 MR. [REDACTED]: If you don't mind, could
13 you initial and date it?

14 MS. NOEL: I initialed.

15 MR. [REDACTED]: And date.

16 MS. NOEL: Ten....

17 MR. [REDACTED]: The 22nd. 6/22/21.

18 MR. [REDACTED]: Agent [REDACTED] just has a
19 couple questions on that.

20 MR. [REDACTED]: Here.

21 MR. [REDACTED]: During your time in the SHU -
22 -

23 MS. NOEL: Mm-hmm.

24 MR. [REDACTED]: Did any new inmates come in
25 during your shift?

1 MS. NOEL: On that specific day or in
2 general?

3 MR. [REDACTED]: Yeah. From June to August.
4 When you worked in the SHU. Did the SHU
5 receive any new inmates?

6 MS. NOEL: Yeah.

7 MR. [REDACTED]: When they came in, how did
8 you assign the inmates?

9 MS. NOEL: I didn't. The senior officer
10 did.

11 MR. [REDACTED]: Senior officer. Did you see
12 them assign inmates? Assign a cell to them.

13 MS. NOEL: Like they put them in a cell?
14 Yes.

15 MR. [REDACTED]: Were they ever put by
16 themselves?

17 MS. NOEL: I don't remember.

18 MR. [REDACTED]: Do you recall any inmates
19 being placed by themselves in the SHU?

20 MS. NOEL: I think there was one inmate by
21 himself.

22 MR. [REDACTED]: Any reason why he was placed
23 by himself?

24 MS. NOEL: I don't know.

25 MR. [REDACTED]: So of all the inmates,

1 there was only one that was by themselves?

2 MS. NOEL: I think it was an inmate by
3 himself on G tier.

4 MR. [REDACTED]: Now you mentioned that day
5 were you on August 9th you were notified that
6 Efren Reyes was removed. But during your time
7 in the SHU, were you ever notified if an inmate
8 was ever removed from the SHU for whatever
9 reason? Were you notified about it?

10 MS. NOEL: No.

11 MR. [REDACTED]: How would you find out if the
12 inmate was supposed to be in the SHU or not?

13 MS. NOEL: How would I find out if an
14 inmate is supposed -?

15 MR. [REDACTED]: Let's say the morning
16 started.

17 MS. NOEL: Mm-hmm.

18 MR. [REDACTED]: You came on shift at 2:00
19 p.m. or possibly 4:00. After that, there's
20 counts and rounds. When you do the counts,
21 right. I just want to know in terms of how
22 would you know if an inmate was removed or not?

23 MS. NOEL: When I count and he's not
24 there.

25 MR. [REDACTED]: You wouldn't be notified any

1 other way?

2 MS. NOEL: No.

3 MR. [REDACTED]: That's all I have.

4 MR. [REDACTED]: And I know we discussed
5 the cellmates, but were you ever told you
6 needed to keep a close watch on Epstein --

7 MS. NOEL: No.

8 MR. [REDACTED]: -- when he was there?
9 No? Who was the MCC warden in July and August
10 of 2019?

11 MS. NOEL: [REDACTED].

12 MR. [REDACTED]: Is that [REDACTED]?

13 MS. NOEL: Yes.

14 MR. [REDACTED]: Okay. What
15 communications did you have with the warden
16 with regard to Epstein being housed within the
17 MCC or the MCC SHU?

18 MS. NOEL: None.

19 MR. [REDACTED]: None. And he never
20 provided you special instructions with regard
21 to Epstein?

22 MS. NOEL: No.

23 MR. [REDACTED]: Did the warden ever tell
24 you that Epstein was required to have a
25 cellmate?

1 MS. NOEL: No.

2 MR. [REDACTED]: Did the warden ever visit
3 the SHU during Epstein's stay at the MCC?

4 MS. NOEL: I don't know. Not on my shift.

5 MR. [REDACTED]: Not during your shift?

6 MS. NOEL: No.

7 MR. [REDACTED]: No? Okay. Do you know
8 if the warden ever met with Epstein during his
9 stay?

10 MS. NOEL: I don't know.

11 MR. [REDACTED]: Who were the MCC
12 associate wardens in August of 2019?

13 MS. NOEL: Um, associate warden was
14 [REDACTED].

15 MR. [REDACTED]: [REDACTED] [REDACTED].

16 MS. NOEL: Yes.

17 MR. [REDACTED]: Anyone else? That you're
18 aware of?

19 MS. NOEL: No.

20 MR. [REDACTED]: Okay. And what
21 communications did you have with [REDACTED]
22 [REDACTED] or the other AW with regard to
23 Epstein being housed within the MCC or the MCC
24 SHU?

25 MS. NOEL: None.

1 MR. [REDACTED]: None? Would you have
2 communications with any of the AWs?

3 MS. NOEL: No.

4 MR. [REDACTED]: No? So did you not even
5 ever speak with them?

6 MS. NOEL: Not in the SHU.

7 MR. [REDACTED]: Not in the SHU. When
8 would you speak with them?

9 MS. NOEL: On the regular housing unit
10 when they made rounds.

11 MR. [REDACTED]: So in July and August did
12 you ever speak with them that you recall?

13 MS. NOEL: No.

14 MR. [REDACTED]: No. So not since you
15 were assigned to the SHU at the end of June.

16 MS. NOEL: Mm-hmm.

17 MR. [REDACTED]: Okay. What about the
18 warden? Is that the same thing?

19 MS. NOEL: Mm-hmm.

20 MR. [REDACTED]: No communications?

21 MR. FOY: Don't know.

22 MS. NOEL: No.

23 MR. [REDACTED]: No?

24 MR. FOY: Don't answer if you don't know.

25 MS. NOEL: Okay.

1 MR. FOY: Okay?

2 MR. [REDACTED]: Do you know if any of the
3 AWA ever visited the SHU during Epstein's stay?

4 MS. NOEL: I don't know.

5 MR. [REDACTED]: You don't know. Not
6 during your watch though?

7 MS. NOEL: No.

8 MR. [REDACTED]: Okay. Do you know if any
9 of the AWA ever met with Epstein during his
10 stay at the MCC?

11 MS. NOEL: I don't know.

12 MR. [REDACTED]: You don't know. But not
13 when you were in the SHU?

14 MS. NOEL: Not on my shift.

15 MR. [REDACTED]: Who was the MCC captain
16 in July and August of 2019?

17 MS. NOEL: [REDACTED].

18 MR. [REDACTED]: Is that [REDACTED]?

19 MS. NOEL: Yes.

20 MR. [REDACTED]: Okay. And what
21 communications did you have with [REDACTED]
22 with regard to Epstein being housed within the
23 MCC or the MCC SHU?

24 MS. NOEL: None.

25 MR. [REDACTED]: None? And did he ever

1 provide you with special instructions with
2 regards to Epstein?

3 MS. NOEL: No.

4 MR. [REDACTED]: [REDACTED]?

5 MS. NOEL: No.

6 MR. [REDACTED]: Did the captain ever tell
7 you that Epstein was required to have a
8 cellmate?

9 MS. NOEL: No.

10 MR. [REDACTED]: In the SHU? No? Did the
11 captain ever visit the SHU during Epstein stay
12 at the MCC?

13 MS. NOEL: Not on my shift.

14 MR. [REDACTED]: Not during your time?
15 Okay. And do you know if the captain ever met
16 with Epstein during his stay at the MCC?

17 MS. NOEL: I don't know.

18 MR. [REDACTED]: You don't know. So who -
19 ? I'm going to give you now just because -.
20 Uh okay, where are the rosters? I'm going to
21 ask her about some of the supervisors that were
22 on duty. So are you familiar with these
23 rosters? Like just by looking at it are you
24 able to decipher who was on duty and who
25 wasn't? Or who was on duty on August 9th and

1 10th? I'm giving you the MCC New York daily
2 assignment roster. So there's August 9th and
3 August 10th. So who were the MCC supervisors
4 on duty with responsibility for overseeing the
5 SHU on August 9th and 10th? Do you recall if
6 [REDACTED] was there on August 9th or
7 10th?

8 MS. NOEL: I don't recall.

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

10 MS. NOEL: No.

11 MR. [REDACTED]: Okay. So he wasn't
12 there. So if he's not there, who has oversight
13 over the SHU?

14 MS. NOEL: I don't know.

15 MR. [REDACTED]: Do you - would it be the
16 operations lieutenant or the activities
17 lieutenant?

18 MS. NOEL: I don't know.

19 MR. [REDACTED]: You don't even know who
20 is - that would have responsibility if the
21 lieutenant of the SHU wasn't there?

22 MS. NOEL: No.

23 MR. [REDACTED]: Would anybody if
24 [REDACTED] wasn't there check in with you?

25 MS. NOEL: I mean the other lieutenant

1 would make a round.

2 MR. [REDACTED]: What other lieutenant
3 would that be?

4 MS. NOEL: Whoever was on. You mean that
5 day?

6 MR. [REDACTED]: Yes. On August 9th and
7 August 10th. I'm wondering who had
8 responsibility of the SHU? If [REDACTED]
9 wasn't there. He was the SHU lieutenant.

10 MS. NOEL: In the daytime, it was a
11 regular officer acting.

12 MR. [REDACTED]: Okay.

13 MS. NOEL: From the when I was on at 4:00
14 to 12:00.

15 MR. [REDACTED]: Okay.

16 MS. NOEL: And then from midnight it was
17 Lieutenant [REDACTED].

18 MR. [REDACTED]: Okay. So would that
19 other person that you're referring to. Do you
20 know who that was?

21 MS. NOEL: The acting? That was acting?

22 MR. [REDACTED]: Acting.

23 MS. NOEL: [REDACTED].

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

25 MS. NOEL: Say that again.

1 MR. [REDACTED]: Was it SOS [REDACTED]?

2 Senior Officer Specialist [REDACTED]?

3 MS. NOEL: Yes.

4 MR. [REDACTED]: Is that [REDACTED]?

5 MS. NOEL: (Indiscernible *01:11:25)

6 MR. [REDACTED]: I might be saying that
7 name wrong.

8 MS. NOEL: I'm not sure of her first name,
9 but -.

10 MR. [REDACTED]: That's fine. Okay. So
11 those are the two that you remember: [REDACTED]
12 [REDACTED] and [REDACTED]?

13 MS. NOEL: Was Acting in the day. Yes.

14 MR. [REDACTED]: Okay. What about by
15 looking at that. Would the - do you see where
16 it says [REDACTED]?

17 MS. NOEL: Yes.

18 MR. [REDACTED]: Would that person have
19 oversight over the SHU from - does it say that
20 that person was the operations lieutenant?

21 MS. NOEL: That's what it says here but I
22 didn't see [REDACTED].

23 MR. [REDACTED]: And do you know as being
24 the operations lieutenant would they be
25 responsible for overseeing the SHU? If -?

1 MS. NOEL: I don't know.

2 MR. [REDACTED]: You don't even know that?

3 Okay. So you don't know if after -. Is it
4 true that after [REDACTED], [REDACTED] replaced him
5 as the operations lieutenant?

6 MS. NOEL: According to this, yes.

7 MR. [REDACTED]: Okay. And you're not
8 aware that that person would have oversight
9 over the SHU?

10 MS. NOEL: I don't know.

11 MR. [REDACTED]: You don't know. No one
12 ever talked to you about [REDACTED] isn't there. Who
13 should you go to if there are any problems or
14 who would check in with you?

15 MS. NOEL: No. I would call downstairs to
16 the lieutenant's office.

17 MR. [REDACTED]: And would you just talk
18 to whoever answered?

19 MS. NOEL: Yes.

20 MR. [REDACTED]: And who would sit in the
21 lieutenant's office?

22 MS. NOEL: The lieutenants.

23 MR. [REDACTED]: All of them?

24 MS. NOEL: Yes.

25 MR. [REDACTED]: So it wouldn't be like

1 the operations lieutenant and the activities
2 lieutenant?

3 MS. NOEL: No. All the lieutenants.

4 MR. [REDACTED]: Okay. They all just sit
5 in there together?

6 MS. NOEL: Mm-hmm.

7 MR. [REDACTED]: Not one of them
8 specifically answers the phone though? Just -?

9 MS. NOEL: No. Anybody.

10 MR. [REDACTED]: Okay. Do you remember -?
11 Again, [REDACTED] was reportedly off on
12 August 9th and August 10th.

13 MS. NOEL: Mm-hmm.

14 MR. [REDACTED]: Do you recall ever seeing
15 him on August 9th or August 10th?

16 MS. NOEL: Hm-mm.

17 MR. [REDACTED]: Where would Lieutenant
18 [REDACTED] sit? When he was at the MCC?

19 MS. NOEL: Upstairs.

20 MR. [REDACTED]: When you say upstairs,
21 upstairs where?

22 MS. NOEL: There's an office right next to
23 10 South upstairs there.

24 MR. [REDACTED]: Within the SHU?

25 MS. NOEL: Yes.

1 MR. [REDACTED]: Okay. So he was
2 physically in the SHU?

3 MS. NOEL: Yes.

4 MR. [REDACTED]: Alright. So when he
5 wasn't there, would any other lieutenant come
6 visit the SHU?

7 MS. NOEL: When they make rounds.

8 MR. [REDACTED]: Okay. When they make
9 rounds. And do you remember if that person was
10 the acting or the operations lieutenant or the
11 activities lieutenant? The person that would
12 do those rounds?

13 MS. NOEL: I don't know.

14 MR. [REDACTED]: You don't know. you just
15 knew that they were a lieutenant.

16 MS. NOEL: Yes.

17 MR. [REDACTED]: Okay. So would you even
18 be provided that information where there's a
19 duty agent roster? Is that something that
20 would be like, hey. It's up. If I need to get
21 in contact with somebody, I can look at that
22 roster and see who is where?

23 MS. NOEL: No. Just call the lieutenant's
24 office.

25 MR. [REDACTED]: Just call the

1 lieutenant's office.

2 MS. NOEL: Yes.

3 MR. [REDACTED]: Okay. And I believe you
4 answered this, but did you have any
5 communications with [REDACTED] regarding
6 Epstein at all?

7 MS. NOEL: No.

8 MR. [REDACTED]: So he never provided you
9 any special instructions with Epstein?

10 MS. NOEL: No.

11 MR. [REDACTED]: And you never -
12 [REDACTED] never told you Epstein was
13 required to have a cellmate in the SHU?

14 MS. NOEL: No.

15 MR. [REDACTED]: Do you know who
16 Operations Lieutenant [REDACTED] [REDACTED] was from
17 August 9th? Do you know that individual?

18 MS. NOEL: Yes.

19 MR. [REDACTED]: But as the operations
20 lieutenant, you don't know that he was
21 responsible for overseeing the SHU on August 9,
22 2019?

23 MS. NOEL: I don't know.

24 MR. [REDACTED]: Did you have any
25 communications with [REDACTED] regarding

1 Epstein being housed at the MCC or in the SHU?

2 MS. NOEL: No.

3 MR. [REDACTED]: He never did - did
4 [REDACTED] ever provide you with special
5 instructions with regard to Epstein?

6 MS. NOEL: No.

7 MR. [REDACTED]: Did [REDACTED] ever
8 tell you that Epstein was required to have a
9 cellmate while he was assigned to the SHU?

10 MS. NOEL: No. I'm going to ask you these
11 questions with a couple people. So I just want
12 you to like really think about those people and
13 they're going to be repetitive.

14 MS. NOEL: Okay.

15 MR. [REDACTED]: Because I know you can
16 just simply say I didn't have any
17 communications. But I want you to really think
18 about that individual and any communications
19 you had with that person with regard to Epstein
20 and the SHU and your assignments. Okay?

21 MS. NOEL: Okay.

22 MR. [REDACTED]: Who is Lieutenant [REDACTED]
23 [REDACTED]?

24 MS. NOEL: A lieutenant.

25 MR. [REDACTED]: A lieutenant. By looking

1 at that roster, was he on it on August 9th?

2 MS. NOEL: No.

3 MR. [REDACTED]: No. Do you know if he
4 was physically present at -? Do you recall if
5 he was physically present on August 9th?

6 MS. NOEL: I don't recall.

7 MR. [REDACTED]: He was reportedly on sick
8 leave. I just want to make sure that he wasn't
9 there.

10 MS. NOEL: Okay.

11 MR. [REDACTED]: So you don't recall
12 having any communications with him?

13 MS. NOEL: No.

14 MR. [REDACTED]: Alright. And did
15 Lieutenant [REDACTED] ever provide you with special
16 instructions with regard to Epstein?

17 MS. NOEL: No.

18 MR. [REDACTED]: No. Did Lieutenant
19 [REDACTED] ever tell you that Epstein was required
20 to have a cellmate while he was assigned to the
21 SHU?

22 MS. NOEL: No.

23 MR. [REDACTED]: And then this is who you
24 were just referring to. Who was senior officer
25 specialist [REDACTED] [REDACTED]?

1 MS. NOEL: An officer.

2 MR. [REDACTED]: And on August 9th, was
3 she the acting lieutenant responsible for
4 overseeing the SHU?

5 MS. NOEL: I don't know if she was
6 responsible for overseeing the SHU, but I know
7 she was the acting lieutenant. I don't know
8 for the whole building.

9 MR. [REDACTED]: But you said she --

10 MS. NOEL: But she -.

11 MR. [REDACTED]: -- conducted a round?

12 MS. NOEL: She did.

13 MR. [REDACTED]: Okay. So if she
14 conducted a round, would that lead you to
15 believe that she was probably -? Hey,
16 [REDACTED] isn't there, she's conducting
17 the round here, she's probably got oversight
18 over the SHU?

19 MS. NOEL: I don't know. It could be
20 another lieutenant also. I don't know.

21 MR. [REDACTED]: Okay. Did she visit the
22 SHU on August 9, 2019?

23 MS. NOEL: Yeah, she did.

24 MR. [REDACTED]: And what time was she on
25 duty on August 9th? By looking at that roster.

1 Can you tell?

2 MS. NOEL: It says 8:00 to 4:00.

3 MR. [REDACTED]: I think it would just be
4 on that first page.

5 MR. [REDACTED]: Is that August 10th or 9th?

6 MS. NOEL: This is 9th.

7 MR. [REDACTED]: It just says 8:00 to
8 4:00?

9 MS. NOEL: Yes.

10 MR. [REDACTED]: Can you check on the
11 lieutenants column up top?

12 MS. NOEL: (Indiscernible *01:17:34)

13 MR. [REDACTED]: Is there a name?

14 MR. [REDACTED]: It should be under
15 activities lieutenant.

16 MS. NOEL: Oh yeah. 4:00 to midnight.

17 MR. [REDACTED]: 4:00 to midnight? Okay.
18 So you knew that - you do recall having an
19 interaction with her. Did she have any
20 communications with - [REDACTED] we're talking
21 about now - with regard to Epstein being housed
22 within MCC or the SHU?

23 MS. NOEL: No.

24 MR. [REDACTED]: No? And did she provide
25 you with any special instructions with regard

1 to Epstein?

2 MS. NOEL: No.

3 MR. [REDACTED]: Did SOS [REDACTED] ever tell
4 you that Epstein was required to have a
5 cellmate when he was assigned to the SHU?

6 MS. NOEL: No.

7 MR. [REDACTED]: Okay. Now we're going to
8 go on to some staff members. Who was present
9 in the SHU when you worked in the SHU on August
10 9, 2019? So you said you were from 4:00 to
11 midnight on that August 9th. Do you recall who
12 that was?

13 MS. NOEL: [REDACTED] and [REDACTED].

14 MR. [REDACTED]: Just [REDACTED] and [REDACTED]?
15 When you arrived to the SHU was anybody else
16 there? Do you recall replacing?

17 MS. NOEL: I don't remember who I
18 relieved.

19 MR. [REDACTED]: Do you know a [REDACTED]
20 [REDACTED]?

21 MR. [REDACTED]: [REDACTED].

22 MS. NOEL: [REDACTED].

23 MR. [REDACTED]: [REDACTED].

24 MS. NOEL: Yes.

25 MR. [REDACTED]: Alright. And [REDACTED]

1 [REDACTED]?

2 MS. NOEL: Yes.

3 MR. [REDACTED]: Were either of them in
4 the SHU on August 9, 2019?

5 MS. NOEL: [REDACTED].

6 MR. [REDACTED]: [REDACTED]?

7 MS. NOEL: Mm-hmm.

8 MR. [REDACTED]: But while you were there,
9 not [REDACTED]?

10 MS. NOEL: I don't remember. But I
11 remember [REDACTED] because he spoke to me.

12 MR. [REDACTED]: Okay. So [REDACTED],
13 [REDACTED] and [REDACTED] are the people that you
14 remember that were in the SHU?

15 MS. NOEL: Yes.

16 MR. [REDACTED]: Okay. And you said that
17 you remember [REDACTED] speaking with you?

18 MS. NOEL: Yes.

19 MR. [REDACTED]: About what?

20 MS. NOEL: He told me he placed Epstein in
21 the shower to use the phone. And he called and
22 told me to take the phone from him.

23 MR. [REDACTED]: Can you give me a little
24 more detail on that? What do you mean?

25 MS. NOEL: So because he -.

1 MR. [REDACTED]: Just walk me through.
2 This one is one of those ones I'll ask you to
3 explain a little more. Can you just from eh
4 start of the conversation to what you did with
5 Epstein to the finish.

6 MS. NOEL: Okay. So Epstein stays in
7 attorney conference all day. So I guess when
8 it's time to use the phone, he's not present.
9 So when he came upstairs, [REDACTED] gave him the
10 phone in the shower to use the phone. And then
11 [REDACTED] left. He called on the phone. I
12 happened to answer and he said, "Hey can you
13 take the phone from Epstein? Because the time
14 is up." So -.

15 MR. [REDACTED]: So when he gave him the
16 phone he left and no one else was present with
17 Epstein when he was on the phone?

18 MS. NOEL: No. Nobody was there.

19 MR. [REDACTED]: Do you know that to be a
20 legitimate practice?

21 MS. NOEL: I mean it's in the SHU, so
22 yeah.

23 MR. [REDACTED]: So is no one supposed to
24 be - because is the SHU a recorded line?

25 MS. NOEL: I don't know.

1 MR. [REDACTED]: So do you know if someone
2 is calling from a non-recorded line, are you
3 supposed to take notes of that call?

4 MS. NOEL: I don't know.

5 MR. [REDACTED]: Do you know if you're
6 supposed to log the telephone call in any kind
7 of a logbook?

8 MS. NOEL: No.

9 MR. [REDACTED]: Okay. So your
10 understanding is [REDACTED] gave him - plugged in
11 the line, gave him the phone, and then left?

12 MS. NOEL: Yes.

13 MR. [REDACTED]: No one was there to
14 monitor?

15 MR. [REDACTED]: Okay. So he -.

16 MS. NOEL: We were in the SHU, but nobody
17 was monitoring him.

18 MR. [REDACTED]: How far away from you was
19 he when he was making this call?

20 MS. NOEL: He was on G tier. And like
21 that's far from the desk.

22 MR. [REDACTED]: Approximately - do you
23 know how to like -?

24 MS. NOEL: I don't know.

25 MR. [REDACTED]: Is it like from here to

1 like that fire extinguisher over there? Or is
2 it further?

3 MS. NOEL: No. Maybe from the wall by the
4 AC to over there.

5 MR. [REDACTED]: Okay. So approximately
6 25 feet?

7 MS. NOEL: Mm-hmm.

8 MR. [REDACTED]: Could you hear his
9 conversation from there?

10 MS. NOEL: No.

11 MR. [REDACTED]: And were you asked to
12 listen to his conversation?

13 MS. NOEL: No.

14 MR. [REDACTED]: Prior to placing the
15 call, did [REDACTED] speak to you at all?

16 MS. NOEL: No.

17 MR. [REDACTED]: So just after he placed
18 the call, he called you and what did he say?

19 MS. NOEL: He said to take the phone from
20 him because the time is up.

21 MR. [REDACTED]: Do you know how long he
22 was on that phone?

23 MS. NOEL: No.

24 MR. [REDACTED]: Were you watching him
25 while he was on that phone?

1 MS. NOEL: No.

2 MR. [REDACTED]: Was it abnormal for an
3 inmate to be out by himself on the phone in the
4 SHU?

5 MS. NOEL: No.

6 MR. [REDACTED]: So they can just freely -
7 that's not an abnormal circumstance?

8 MS. NOEL: No because he wasn't free. He
9 was in a cell. He was in a cell on the phone.
10 But he -.

11 MR. [REDACTED]: Oh so he was in a cell?

12 MS. NOEL: Yeah but he was - he was in the
13 shower because the [REDACTED] - where his cell is,
14 the [REDACTED] didn't work. So he was placed in the
15 shower to use the phone there. But the shower
16 is like a cell.

17 MR. [REDACTED]: Okay. So was the door
18 closed --

19 MS. NOEL: Yes.

20 MR. [REDACTED]: -- in the cell? So he
21 was in the shower area. Was he by himself?

22 MS. NOEL: Yes.

23 MR. [REDACTED]: Were showers running?

24 MS. NOEL: No.

25 MR. [REDACTED]: He was just - he placed

1 the call in the shower, cell closed behind him,
2 it was approximately 25 feet from you but you
3 didn't hear anything?

4 MS. NOEL: No.

5 MR. [REDACTED]: And he didn't - and
6 [REDACTED] didn't instruct you?

7 MS. NOEL: No.

8 MR. [REDACTED]: Did you ever experience
9 that prior to that instance? Where an inmate
10 would do that in the SHU?

11 MS. NOEL: Yeah. If they have to use the
12 phone and where there cell is, it's not
13 working. They place them in there because they
14 have to plug it close to where they can have
15 access to the phone.

16 MR. [REDACTED]: Okay. So in their cells
17 do they have cell lines that they can typically
18 call from?

19 MS. NOEL: No.

20 MR. [REDACTED]: Are the inmates provided
21 anything to be able to make calls?

22 MS. NOEL: No.

23 MR. [REDACTED]: Some kind of a card pass
24 or number or like something to be able to -?

25 MS. NOEL: Oh, like a pack and - yeah.

1 MR. [REDACTED]: Okay. Can you explain
2 what that is?

3 MS. NOEL: I mean I don't know too much
4 about it. I just know that they have a PIN
5 that they use to use the phone.

6 MR. [REDACTED]: Okay. Do you know if
7 Epstein had that PIN to use the phone?

8 MS. NOEL: I don't know.

9 MR. [REDACTED]: But specifically with
10 regard to the shower, having an inmate call
11 from the shower, have you ever experienced that
12 before?

13 MS. NOEL: Yes.

14 MR. [REDACTED]: When was the last time
15 you had experienced that prior to August 9th?

16 MS. NOEL: If the [REDACTED] is not working.
17 The [REDACTED] that's closest to their door. If it's
18 not working, then it's being plugged at the
19 bottom where the shower is. So you place them
20 in the shower just so they can reach the phone.

21 MR. [REDACTED]: And do you know if that
22 was an authorized practice?

23 MS. NOEL: I don't know.

24 MR. [REDACTED]: Okay. And did you ever
25 place anybody in the shower to do that?

1 MS. NOEL: No.

2 MR. [REDACTED]: No?

3 MS. NOEL: No.

4 MR. [REDACTED]: Who typically does that?

5 MS. NOEL: The officers.

6 MR. [REDACTED]: Okay. But not you,
7 right?

8 MS. NOEL: No.

9 MR. [REDACTED]: Would you ever allow
10 inmates to place calls?

11 MS. NOEL: When -.

12 MR. [REDACTED]: You personally.

13 MS. NOEL: When I come on, they have
14 already like got their phone calls.

15 MR. [REDACTED]: Oh, okay. So it's not
16 typically one of your responsibilities?

17 MS. NOEL: No.

18 MR. [REDACTED]: What was unique about
19 this situation with Epstein?

20 MS. NOEL: Well I guess because he's
21 always downstairs, so they made an exception
22 for him to make a call.

23 MR. [REDACTED]: Okay. Do we need to take
24 a break?

25 MR. FOY: DO you need to use the bathroom

1 or anything?

2 MS. NOEL: No.

3 MR. FOY: We can continue.

4 MR. [REDACTED]: Great. Alright. So what
5 were [REDACTED] instructions. You said that
6 he's - his time is up. So what's - how much
7 time is he allotted?

8 MS. NOEL: I don't know.

9 MR. [REDACTED]: Do you know how long he
10 was in that shower?

11 MS. NOEL: Mm.... I don't know.

12 MR. [REDACTED]: You don't know. Was it
13 like 5 minutes, 10 minutes -?

14 MS. NOEL: It wasn't 5 minutes. He was in
15 there for maybe 20 minutes.

16 MR. [REDACTED]: 20 minutes? Okay. And
17 where was [REDACTED]?

18 MS. NOEL: He was gone.

19 MR. [REDACTED]: Like left the SHU
20 altogether?

21 MS. NOEL: Mm-hmm.

22 MR. [REDACTED]: So he placed him in there
23 --

24 MS. NOEL: Sorry.

25 MR. [REDACTED]: -- left the SHU, and then

1 where did he call you from in order to say get
2 the phone from him?

3 MS. NOEL: A phone in the building. I
4 don't know where because it doesn't say where.
5 Like the phone rang and I answered. And he
6 just told me to take the phone from Epstein.
7 His time is up.

8 MR. [REDACTED]: Is that weird to you at
9 all? That he again, he gave someone a phone,
10 put them in the shower and then left?

11 MS. NOEL: No.

12 MR. [REDACTED]: That's not weird?

13 MS. NOEL: No.

14 MR. [REDACTED]: Okay. But without
15 providing anybody -. Did you know if he -
16 [REDACTED] - provided anybody instructions prior
17 to him departing the SHU?

18 MS. NOEL: I don't know.

19 MR. [REDACTED]: You don't know.

20 MS. NOEL: No.

21 MR. [REDACTED]: Who else was in the SHU
22 with you at that time?

23 MS. NOEL: [REDACTED] and [REDACTED].

24 MR. [REDACTED]: And did you recall when
25 around that took place?

1 MS. NOEL: Like the time?

2 MR. [REDACTED]: Yep.

3 MS. NOEL: It had to have been about after
4 8:00 because that's the time he comes back from
5 attorney conference.

6 MR. [REDACTED]: Okay. So around 8:00
7 p.m. - ish?

8 MS. NOEL: After.

9 MR. [REDACTED]: After 8:00 p.m. - ish?

10 MS. NOEL: Mm-hmm.

11 MR. [REDACTED]: Okay. Are you able to
12 look? Was [REDACTED] assigned to the SHU when he
13 gave him his phone call?

14 MS. NOEL: No.

15 MR. [REDACTED]: Where was he assigned?
16 That's fine. Do you know what [REDACTED] - why
17 [REDACTED] went to the SHU in the first place?
18 Was the escorting Epstein back from his
19 attorneys?

20 MS. NOEL: I'm not sure.

21 MR. [REDACTED]: So you don't know the
22 reason why he actually entered the SHU?

23 MS. NOEL: No. I don't know.

24 MR. [REDACTED]: And you -? Do you
25 remember if he walked into the SHU with Epstein

1 and immediately placed him into the shower
2 area? Or do you think that he went and
3 retrieved Epstein from his cell?

4 MS. NOEL: No. He didn't retrieve him
5 from his cell. He came in and said that he was
6 going to give him a phone call.

7 MR. [REDACTED]: So he was with him at the
8 time?

9 MS. NOEL: Yes. And he placed him in the
10 shower.

11 MR. [REDACTED]: So do you recall then if
12 he walked in the SHU with Epstein?

13 MS. NOEL: I don't know if he walked in
14 with him. But after because you could come in
15 and he could have been -. There's a holding
16 cell there. That's why I'm saying I don't
17 know. And then he came in after with him. But
18 from that door to the shower, he walked in with
19 [REDACTED].

20 MR. [REDACTED]: Okay. So Epstein wasn't
21 in his own cell?

22 MS. NOEL: No.

23 MR. [REDACTED]: He could have potentially
24 been in a holding cell?

25 MS. NOEL: Yes.

1 MR. [REDACTED]: Alright. But you don't
2 know who brough Epstein --

3 MS. NOEL: No because --

4 MR. [REDACTED]: -- back there?

5 MS. NOEL: -- somebody could have brought
6 him up and then - so I don't know.

7 MR. [REDACTED]: Okay. Now in order to
8 get into the SHU though, either you, [REDACTED] or
9 [REDACTED] --

10 MS. NOEL: Had to open the -.

11 MR. [REDACTED]: -- open the door. Do you
12 remember who opened the door on that day?

13 MS. NOEL: I don't know.

14 MR. [REDACTED]: It was not you?

15 MS. NOEL: No.

16 MR. [REDACTED]: Okay. And I'm sorry, you
17 may have said this and I do apologize. What
18 time did [REDACTED] and [REDACTED] work there until?

19 MS. NOEL: [REDACTED] was 4:00 to 12:00 and
20 [REDACTED] was 2:00 to 10:00.

21 MR. [REDACTED]: Okay. And what was the
22 hierarchy with the three of you that were
23 present at that time? Is there someone that
24 was in charge as an officer in charge? Or how
25 does that work when you're working together

1 with those two other individuals?

2 MS. NOEL: I don't know who was in charge.
3 We just kind of worked together that day. But
4 I don't know as far as who is the -.

5 MR. [REDACTED]: Is everyone considered
6 equals? When you're working together?

7 MS. NOEL: Well I'm the newest person
8 there, so [REDACTED] and [REDACTED] - I don't know how
9 long they've been there, but -.

10 MR. [REDACTED]: Does it - does then when
11 you work with someone else, is it based upon
12 how long they've been with the Bureau?

13 MS. NOEL: No.

14 MR. [REDACTED]: So is there -. I know
15 you're saying you're the newest. So you might
16 ask them questions. But is there like when
17 there's three of you in there, is there someone
18 that's supposed to be in charge? Or are you
19 all equally -?

20 MS. NOEL: On the roster it'll say who is
21 supposed to be in charge.

22 MR. [REDACTED]: Okay. So (Indiscernible
23 *01:28:25) -.

24 MS. NOEL: But that doesn't necessarily -
25 that's not necessarily the case.

1 MR. [REDACTED]: On that roster on August
2 9th of those three people, who does it say
3 should have been in charge?

4 MR. [REDACTED]: It's on the first page.

5 MR. [REDACTED]: It's on the first page.
6 If you look all the way to the left, you'll see
7 SHU assignments. And then you can look - go
8 over to the right and see their names. I
9 believe.

10 MS. NOEL: I don't see [REDACTED]. I'm looking
11 for [REDACTED]. I don't see that.

12 MS. [REDACTED]: Really quick, can I just show
13 her how she reads --

14 MR. [REDACTED]: Absolutely.

15 MS. [REDACTED]: -- a roster?

16 MS. NOEL: Oh I see him here.

17 MS. [REDACTED]: So - sorry. Most of what
18 they're asking you would be on page one and
19 page two, right? So these are your shifts.
20 These are the posts. And then these are the
21 people who worked that shift too. If morning
22 watch, 3:00, 6:00 to 2:00, 6:00 and 8:00 is day
23 watch. This is the p.m. 12:00 to 8:00, 2:00 to
24 10:00, and this is all your evening watch.
25 This is like a person with a day off, sick

1 leave, so on and so forth. These things I
2 don't believe apply to their questions because
3 these are all the changes that took place on
4 the roster.

5 MR. [REDACTED]: Most everything is going
6 to be on the first page.

7 MS. [REDACTED]: Yeah, so this can be a little
8 bit confusing.

9 MS. NOEL: Okay.

10 MS. [REDACTED]: And it probably doesn't apply
11 to the stuff that they're asking.

12 MS. NOEL: Okay.

13 MS. [REDACTED]: So you would just focus on -.

14 MS. NOEL: These two pages.

15 MS. [REDACTED]: Yeah. The shifts are up top.

16 MR. FOY: So how does she determine who's
17 the boss? Because that's the question.

18 MS. NOEL: Yeah.

19 MS. [REDACTED]: So this - these positions will
20 tell you who is in that position for that
21 shift. Right? I don't want to answer the
22 question for you, but when you look at the SHU
23 -.

24 MR. FOY: Can you show her where the
25 answer is on the paper?

1 MS. [REDACTED]: Here. SHU I. That's your
2 OIC.

3 MS. NOEL: Okay.

4 MS. [REDACTED]: Straight across. SHU II. SHU
5 III is your 6:00 to 2:00, 2:00 to 10:00. And
6 SHU IV is straight across. Right? So for
7 example, SHU IV was vacant on evening watch.
8 And then this is showing that [REDACTED] was SHU
9 number one for the evening watch shift.

10 MS. NOEL: And this one to what time?

11 MS. [REDACTED]: Shift III is 6:00 to 2:00.

12 MS. NOEL: Oh, okay.

13 MS. [REDACTED]: And then shift ten is 2:00 to
14 10:00.

15 MS. NOEL: Okay.

16 MR. [REDACTED]: Thank you very much for
17 that assistance.

18 MS. [REDACTED]: Mm-hmm.

19 MS. NOEL: So basically on this it would
20 have been [REDACTED].

21 MR. [REDACTED]: Okay. [REDACTED] would
22 have been -?

23 MS. NOEL: In charge. Mm-hmm.

24 MR. [REDACTED]: Okay. Because he was SHU
25 I?

1 MS. NOEL: Yes.

2 MR. [REDACTED]: And do you know what SHU
3 I means he was the officer in charge?

4 MS. NOEL: Yes.

5 MR. [REDACTED]: What does SHU II and SHU
6 III represent? Are there different duty
7 responsibilities - duties and responsibilities
8 based upon if you're SHU I, SHU II, or SHU III?

9 MS. NOEL: I just know whoever the number
10 one is would be the person in charge. But as
11 far as two and three, I don't know the
12 difference in responsibility.

13 MR. [REDACTED]: Now in the time that you
14 worked there, did that actually play into
15 anything? If someone was SHU I or SHU II or
16 SHU III?

17 MS. NOEL: No.

18 MR. [REDACTED]: No? So -.

19 MS. NOEL: Because we're always short-
20 staffed. So.

21 MR. [REDACTED]: Okay. So would that mean
22 that like if the person SHU I even though on
23 paper they're the officer in charge, they're
24 actually not providing orders or anything?
25 Everyone's equally -.

1 MS. NOEL: Doing what we need to do.

2 MR. [REDACTED]: Okay. So everybody
3 basically has the same job responsibility.

4 MS. NOEL: Yes.

5 MR. [REDACTED]: Okay. So you don't look
6 to someone as the actual officer in charge.

7 MS. NOEL: I do because I don't know. So
8 - but not necessarily the officer in charge,
9 just whoever that I'm working with.

10 MR. [REDACTED]: Okay. And what was your
11 -? I don't know, this may have just answered
12 that, but what was your role in the SHU on
13 August 9, 2019? What SHU number were you?

14 MS. NOEL: Number two.

15 MR. [REDACTED]: Number two. Like again,
16 you don't believe that actually provided you
17 with a different responsibility that SHU I or
18 SHU III?

19 MS. NOEL: No.

20 MR. [REDACTED]: No? Okay. And what
21 conversations did you have with the SHU staff
22 that you worked with on August 9th regarding
23 Epstein?

24 MS. NOEL: None.

25 MR. [REDACTED]: So you said that the one

1 was with [REDACTED].

2 MS. NOEL: Yes.

3 MR. [REDACTED]: Correct? With regard to
4 the phone call.

5 MS. NOEL: Yes.

6 MR. [REDACTED]: Now try to put yourself
7 back then.

8 MS. NOEL: Mm-hmm.

9 MR. [REDACTED]: Any other conversations
10 at that point with regard to Epstein?

11 MS. NOEL: Um.... No.

12 MR. [REDACTED]: Any follow on to when he
13 said get the phone from Epstein?

14 MS. NOEL: No. When he said to get the
15 phone, I got the phone. And I spoke to
16 Epstein.

17 MR. [REDACTED]: Okay. And what was it
18 that you spoke with Epstein about?

19 MS. NOEL: I was told that your time is up
20 and I have to take the phone. And he said
21 okay.

22 MR. [REDACTED]: Okay. And did [REDACTED]
23 say to then place him back in his cell? Or was
24 that understood?

25 MS. NOEL: No. That was understood.

1 MR. [REDACTED]: And is that what you did?

2 MS. NOEL: I didn't place him back in the
3 cell. I went to the bathroom upstairs on 10.

4 MR. [REDACTED]: Okay.

5 MS. NOEL: And when I came back, he was
6 placed back in his cell.

7 MR. [REDACTED]: Okay. So what did you
8 do? You went to the shower and just instructed
9 him through the door?

10 MS. NOEL: Yeah.

11 MR. [REDACTED]: To hang up?

12 MS. NOEL: No. I told him that I was told
13 that his time was up and I have to take the
14 phone in. And he said okay. And then he
15 handed me the phone. It's like a slot.

16 MR. [REDACTED]: Okay. And then you
17 walked away?

18 MS. NOEL: Yes.

19 MR. [REDACTED]: And he just stayed there
20 and waited?

21 MS. NOEL: Yes.

22 MR. [REDACTED]: And then who brought him
23 from the shower to his cell?

24 MS. NOEL: I don't know. well it had to
25 be [REDACTED] and [REDACTED] because it takes two

1 people to move him. And I went to the
2 bathroom.

3 MR. [REDACTED]: Okay. So you used the
4 restroom at the time that he was transported -?

5 MS. NOEL: Back to his cell. Yes.

6 MR. [REDACTED]: Okay. And did you have
7 any conversation with the individuals after
8 they placed - before or after they placed him
9 into the cell?

10 MS. NOEL: No.

11 MR. [REDACTED]: Did you instruct them,
12 hey I just took the phone from him, can you
13 place him back into the cell?

14 MS. NOEL: Yes.

15 MR. [REDACTED]: Okay. So you did talk to
16 them about that.

17 MS. NOEL: Yes. I said I was going to the
18 bathroom and he has to go back to the cell.

19 MR. [REDACTED]: Okay. That was the
20 extent of it?

21 MS. NOEL: That was the extent of it.

22 MR. [REDACTED]: Alright. And again, we
23 briefly talked about him, but [REDACTED] [REDACTED].

24 MS. NOEL: Yes.

25 MR. [REDACTED]: Now do you know if he

1 worked that day?

2 MS. NOEL: In the morning.

3 MR. [REDACTED]: And who replaced him?

4 MS. NOEL: [REDACTED].

5 MR. [REDACTED]: [REDACTED].

6 MS. NOEL: Because he worked 6:00 to 2:00
7 and [REDACTED] comes in 2:00 to 10:00.

8 MR. [REDACTED]: Okay. So when someone
9 gets replaced, do they typically give a
10 briefing? Like so would - and I apologize
11 about the name but - [REDACTED]. Would they -
12 would he typically be responsible to provide
13 [REDACTED] with information so that he - you know
14 with regard to what happened on his assignment
15 so that he can utilize that for when he's not
16 replacing him?

17 MS. NOEL: I don't know.

18 MR. [REDACTED]: Does that make any sense?

19 MS. NOEL: I mean I don't know if he's
20 typically required to, but I guess if there's
21 information to give, he would give it to him.
22 But I don't know if he has to.

23 MR. [REDACTED]: Okay. And during your
24 time, was there any conversation with any
25 information that [REDACTED] gave to [REDACTED]? Or

1 passed along?

2 MS. NOEL: I wasn't -.

3 MR. [REDACTED]: For the replacements?

4 MS. NOEL: I wasn't there at 2:00. I came
5 in at 4:00. But nothing was told to me.

6 MR. [REDACTED]: So [REDACTED] never informed
7 you or [REDACTED] in your presence?

8 MS. NOEL: No.

9 MR. [REDACTED]: Okay. So there was no
10 discussion for Epstein to be reassigned a
11 cellmate?

12 MS. NOEL: No.

13 MR. [REDACTED]: And again, you didn't
14 even know that his cellmate wasn't there?

15 MS. NOEL: Wasn't there.

16 MR. [REDACTED]: Okay. And should have
17 you known that his cellmate wasn't there?

18 MS. NOEL: I don't know.

19 MR. [REDACTED]: So when you're doing
20 rounds and conducting counts, wouldn't that be
21 when you would know if someone was with or
22 without a cellmate? Because you said only one
23 other person there didn't have a cellmate.
24 Correct?

25 MS. NOEL: But people move all the time.

1 When you're in SHU, like let's say if you did
2 something and you're in trouble. So you're in
3 the SHU. You could be sent back to your
4 regular unit. So it wouldn't be odd like if I
5 was counting and the person wasn't there. It
6 would just be lesser the count. But it
7 wouldn't be odd if the physical person wasn't
8 there to me. Because people move back all the
9 time.

10 MR. [REDACTED]: But wouldn't they have to
11 advise you if you knew that there was only one
12 person without - you know, one person that
13 doesn't have a cellmate. Wouldn't they have to
14 advise you? Hey, this person left, so this
15 persons' in there by himself.

16 MS. NOEL: I don't know. Because nobody
17 said anything to me.

18 MR. [REDACTED]: So I'm not -. I'm just
19 saying in general now. So like if you're
20 conducting your rounds and your counts, in
21 order for you to know who you're supposed to be
22 counting and what -. During both rounds and
23 counts, you know, who are you supposed to be
24 checking on. Wouldn't you need to know if a
25 cellmate was removed and now there's only one

1 inmate in the cell?

2 MS. NOEL: No. like if I'm counting and
3 the person is not there. Like say the count
4 was 66. And I counted 65, that's just what
5 I'll count.

6 MR. [REDACTED]: And you wouldn't try to
7 like figure out where is the 66th?

8 MS. NOEL: No because whoever moved the
9 person would have I guess documented where they
10 moved them to.

11 MR. [REDACTED]: So you wouldn't - it is
12 after you count at 65, then would you have to
13 just go try to find paperwork. Hey, is there
14 another guy that someone else moved?

15 MS. NOEL: No.

16 MR. [REDACTED]: Okay. So how do you
17 reconcile the numbers? Rather than me saying
18 so many words, you tell me how --

19 MS. NOEL: Okay. So let's say --

20 MR. [REDACTED]: -- do you know who's in
21 the SHU?

22 MS. NOEL: So let's say like if there was
23 66 people in there. And one person moved to
24 wherever. They would have already did that.
25 So it wouldn't be for me to do. When I count

1 now because the person is not there, I'm going
2 to just count 65. But the number is not going
3 to be off because whoever moved the body
4 already moved them to like let's say back to
5 the unit or wherever. So I wouldn't be trying
6 to find or figure out where the person went.
7 I'm just counting.

8 MR. [REDACTED]: Okay. So and you're
9 counting during the counts, right? Not during
10 the rounds?

11 MS. NOEL: Right. During the counts.

12 MR. [REDACTED]: Rounds are every 30
13 minutes approximately?

14 MS. NOEL: Yeah.

15 MR. [REDACTED]: So during those rounds,
16 are you supposed to be when you're conducting
17 the rounds, what is the intent of those rounds?

18 MS. NOEL: Whoever is in there to make
19 sure that they're okay.

20 MR. [REDACTED]: So if you don't know who
21 is in there, how do you make sure that they're
22 there and okay?

23 MS. NOEL: Because they would have already
24 been -. If the person is not there, like they
25 would have already been moved in the system.

1 So if I'm making a round, I'm not going be like
2 well oh this person is not in here. Because
3 people go to different places. They go back to
4 the unit. They go to court. They go to
5 different places. So again, it wouldn't be
6 odd if somebody is not there. I mean I could
7 ask the person that I'm working with. Like oh
8 hey, whatever happened to so-and-so, but.

9 MR. [REDACTED]: Alright. So you're
10 saying that even though you knew only one
11 inmate didn't have a SHU and especially, it
12 sounds like you're working later.

13 MS. NOEL: Mm-hmm.

14 MR. [REDACTED]: So everyone should pretty
15 much be back from wherever they went to.
16 Correct?

17 MS. NOEL: Correct.

18 MR. [REDACTED]: So at that point, you
19 only know one person doesn't have a cellmate.
20 You're walking through and you see that someone
21 doesn't have a cellmate. You're not asking --

22 MS. NOEL: But see I don't know -.

23 MR. [REDACTED]: -- where is that person?

24 MS. NOEL: But see I don't know that the
25 person has to have a cellmate. So again, even

1 though the one person doesn't have a cellmate,
2 it's not odd to me because I don't know that
3 they have to have a cellmate. What if the
4 person went back to the unit? I didn't know
5 where Reyes went to.

6 MR. [REDACTED]: Okay.

7 MR. [REDACTED]: Can I ask her something?

8 MR. [REDACTED]: Yes, please.

9 MS. NOEL: Mm-hmm.

10 MR. [REDACTED]: I just want to clarify. When
11 you come in, right. Let's say you come on re-
12 shift. Is there somewhere near the computer
13 that tells you how many inmates are supposed to
14 be in the SHU?

15 MS. NOEL: On the roster.

16 MR. [REDACTED]: On the roster?

17 MS. NOEL: Yes.

18 MR. [REDACTED]: And now let's say - do you
19 review the roster when you come in?

20 MS. NOEL: No.

21 MR. [REDACTED]: So how do you know? Let's
22 just say someone went missing. How do you
23 know?

24 MS. NOEL: I don't know.

25 MR. [REDACTED]: But isn't that - when you

1 come on shift, right. You're responsible. I'm
2 not saying this is the case. But you're
3 responsible to know how many inmates are in the
4 SHU at that time. Right?

5 MS. NOEL: When I come on shift, I just
6 come on and relieve the person and just -. Like
7 when I come on at 4:00, it's time to feed. So
8 I'm doing trays and I'm feeding. I'm not
9 looking to see who's on the roster or -. You
10 would probably wait for count time to count and
11 then count to see how much people is in there.
12 But I'm not looking to see okay the roster says
13 75 and I'm counting to make sure there's 75
14 people. Only at count time.

15 MR. [REDACTED]: So when you're doing your
16 rounds, all you're doing is the people that you
17 see, are they okay. If someone escaped, you
18 wouldn't know that until count time?

19 MS. NOEL: I wouldn't. No.

20 MR. [REDACTED]: Okay. And that's
21 basically - that answers it. So she's saying
22 that she's not even worried about if someone is
23 not there. She's only worried about the people
24 that are there. Is that correct?

25 MS. NOEL: Yes. Yes.

1 MR. [REDACTED]: Alright.

2 MS. [REDACTED]: What - I've got a question.

3 MR. [REDACTED]: Absolutely.

4 MS. [REDACTED]: Would procedural clarification
5 help with the question?

6 MR. [REDACTED]: Sure. We have all the
7 policies here. Would you like me to show her
8 the policies? I'm happy to do that.

9 MS. [REDACTED]: Yeah. Or I could explain it.

10 MR. [REDACTED]: I'll give her the
11 policies and just ask if she's familiar with
12 them. That's fine. So she knows what she
13 should have done.

14 MS. [REDACTED]: I'll just say this to you.
15 The policy is very general for the entire
16 agency, not specific to MCC New York.

17 MR. [REDACTED]: Okay.

18 MS. [REDACTED]: So.

19 MR. [REDACTED]: While he's looking, I just
20 want clarification.

21 MS. NOEL: Mm-hmm.

22 MR. [REDACTED]: When you came in, if an
23 inmate was removed, would that roster have been
24 edited?

25 MS. NOEL: It should be.

1 MR. [REDACTED]: Do you recall if that roster
2 - was there a roster on your desk?

3 MS. NOEL: There's always a roster. But I
4 don't look at the roster.

5 MR. [REDACTED]: But you don't recall if there
6 was anything - if there was a notification or
7 anything written down saying inmate Efren Reyes
8 was removed from the SHU?

9 MS. NOEL: No.

10 MR. [REDACTED]: Is that something the
11 previous shift should have communicated to you?

12 MS. NOEL: They could have.

13 MR. [REDACTED]: Alright. So I'm going to
14 read this out loud and then I'll provide it to
15 you. This is the Metropolitan Correctional
16 Center, New York, New York specific post
17 orders. This is specifically says SHU number
18 one. And I think that would be the officer in
19 charge as we just discussed. But I think that
20 they're, like you said, everyone's kind of
21 responsible for the same thing. But it
22 discusses right here, I'm going to go down to
23 the third paragraph on page 2 of 18. It says
24 report for duty by telephone with the
25 operations lieutenant and receive any

1 additional information. Begin making 30 -. So
2 according to this, it says when you're report
3 to duty, you're supposed to talk to the
4 operations lieutenant and receive whatever
5 information you're supposed to on your shift.
6 It says, "Begin making 30-minute rounds
7 ensuring you document the findings into True
8 Scope (Phonetic Sp. *01:42:49). Staff will
9 observe all inmates in continued lockdown
10 status once in the first 30-minute period of
11 the hour. Example, 12:00 to 12:30 a.m.
12 Followed by another round in the second 30-
13 minute period of the same hour 12:30 to 1:00
14 a.m. This will ensure an inmate is observed at
15 least twice per hour. These rounds are to be
16 conducted on an irregular schedule and no more
17 than 40 minutes apart. All observations must
18 be documented. It should be clearly understood
19 that none of these activities are to take place
20 until the evening watch officer is relieved.
21 It should be noted that it is understood that
22 not all of the above will be accomplished by or
23 before the count." Then it talks about
24 official count time. The SHU number two
25 officer you said you were working, is that for

1 both your shifts? Because this is specifically
2 talking about 12:00 a.m. What were you at
3 12:00 a.m. on August 10th?

4 MS. NOEL: I think I was number one. Yes.

5 MR. [REDACTED]: Alright. So this
6 actually is pertaining to your shift during
7 12:00 a.m. to 8:00 a.m. So -.

8 MR. FOY: You mean according to what you
9 just read?

10 MR. [REDACTED]: What I just read. This
11 says for --

12 MR. FOY: Right.

13 MR. [REDACTED]: -- the specific
14 (Indiscernible *01:43:58) so we're SHU number
15 one. So I guess what you were supposed to do
16 per post orders was when you get on board,
17 you're supposed to call the operations
18 lieutenant. And then you're supposed to say
19 hey, is there any information I need to know.
20 And then you're supposed to start making your
21 counts. And that would be like where you would
22 find out Epstein doesn't have a cellmate. Make
23 sure that when you're doing your rounds, you
24 know there's nobody in there. You know I would
25 think. Is that - was that your understanding

1 at all?

2 MS. NOEL: No. I've never -.

3 MR. [REDACTED]: Was that ever put into
4 practice?

5 MS. NOEL: No. Nobody ever calls the
6 lieutenant when they get on shift.

7 MR. [REDACTED]: So no one ever talked to
8 them?

9 MS. NOEL: No.

10 MR. [REDACTED]: Okay. Is there - I don't
11 know if I need to continue reading this because
12 we're going to take a lot of time with it if we
13 do. Just because I read it, if you want to
14 take a look. And just initial and date there.
15 And then we're just going to move on.

16 MS. NOEL: Mm-hmm.

17 MR. [REDACTED]: Because that's - this is
18 taking up.

19 MR. FOY: Initial the top.

20 MR. [REDACTED]: But the point on that
21 matter was that you knew you were supposed to
22 observe the people that were there. You
23 weren't too concerned about people that weren't
24 there.

25 MS. NOEL: Nothing. Correct.

1 MR. [REDACTED]: Is that a correct
2 understanding?

3 MS. NOEL: Yes.

4 MR. [REDACTED]: Alright. On August 9th,
5 do you recall having any discussions with [REDACTED]
6 regarding Epstein?

7 MS. NOEL: No.

8 MR. [REDACTED]: And again, [REDACTED] would
9 have been the one - did you say he was the one
10 who replaced -?

11 MS. NOEL: Relieved [REDACTED].

12 MR. [REDACTED]: Okay. So if [REDACTED]
13 provided [REDACTED] with information, [REDACTED] did not
14 provide you with that information.

15 MS. NOEL: I don't know if [REDACTED] -.

16 MR. [REDACTED]: Yeah-yeah-yeah, I know.
17 I'm asking that -.

18 MS. NOEL: Oh, about [REDACTED] didn't -.

19 MR. [REDACTED]: If he did that, [REDACTED]
20 certainly didn't provide it to you.

21 MS. NOEL: No.

22 MR. [REDACTED]: Okay. And [REDACTED] didn't
23 provide you with any special instructions
24 regarding Epstein?

25 MS. NOEL: No.

1 MR. [REDACTED]: No? Did you discuss the
2 need for Epstein to be reassigned a cellmate
3 with anyone on August 9th?

4 MS. NOEL: No.

5 MR. [REDACTED]: No. When did [REDACTED]
6 depart the SHU? On August 9th?

7 MS. NOEL: At 10:00.

8 MR. [REDACTED]: 10:00 p.m.? Correct?

9 MS. NOEL: Correct.

10 MR. [REDACTED]: You said unit manager
11 Nathan [REDACTED]. He actually wasn't in the SHU?
12 I mean he wasn't assigned to the SHU. I'm
13 sorry.

14 MS. NOEL: No.

15 MR. [REDACTED]: He was just in there in
16 order to facilitate the start of this telephone
17 conversation?

18 MS. NOEL: Phone call. Yes.

19 MR. [REDACTED]: And you don't know why he
20 was in there in the first place?

21 MS. NOEL: No.

22 MR. [REDACTED]: So you don't know if he
23 brought Epstein in?

24 MS. NOEL: No.

25 MR. [REDACTED]: He just - and you're not

1 the one to allow them?

2 MS. NOEL: No.

3 MR. [REDACTED]: Alright. So he didn't
4 actually have any responsibilities in the SHU?

5 MS. NOEL: No.

6 MR. [REDACTED]: And aside from the
7 telephone conversation that you had with
8 [REDACTED], with specifically with regards to get
9 the phone away from him, his time is up. Any
10 other conversations?

11 MS. NOEL: With [REDACTED], no.

12 MR. [REDACTED]: No. About Epstein or
13 otherwise.

14 MS. NOEL: No.

15 MR. [REDACTED]: No. Any conversations
16 with him in person?

17 MS. NOEL: Only when I took the phone from
18 him.

19 MR. [REDACTED]: No-no, not Epstein.
20 [REDACTED].

21 MS. NOEL: Oh, no.

22 MR. [REDACTED]: And that's what I was
23 asking about before. It's just to make sure
24 that we're clear. Any other conversations
25 aside from that one conversation on the phone

1 where he said get the phone from Epstein his
2 time is up.

3 MS. NOEL: And when he came in, he said
4 I'm going to put him in the shower to use the
5 phone.

6 MR. [REDACTED]: And that was the extent
7 of it?

8 MS. NOEL: That was the extent of it.

9 MR. [REDACTED]: Okay. Nothing to do with
10 Epstein being housed with MCC or SHU?

11 MS. NOEL: No.

12 MR. [REDACTED]: Or the need for a
13 cellmate?

14 MS. NOEL: No.

15 MR. [REDACTED]: Do you know who
16 authorized [REDACTED] to provide Epstein with that
17 telephone call?

18 MS. NOEL: I don't know.

19 MR. [REDACTED]: No. Who plugged the
20 telephone line into the legal line in the
21 shower area?

22 MS. NOEL: [REDACTED].

23 MR. [REDACTED]: [REDACTED] did. And do you
24 know if he did that per [REDACTED]' direction?

25 MS. NOEL: No.

1 MR. [REDACTED]: You're not sure. And to
2 you, that was an authorized practice?

3 MS. NOEL: To use the phone in the shower?
4 Yeah.

5 MR. [REDACTED]: What is that line in the
6 shower area for?

7 MS. NOEL: I don't know.

8 MR. [REDACTED]: Is it -? Okay. Is there
9 usually a phone that's plugged in there? Or is
10 it just a --

11 MS. NOEL: No.

12 MR. [REDACTED]: -- line that's available?

13 MS. NOEL: The [REDACTED] is there.

14 MR. [REDACTED]: Just the [REDACTED]. And you
15 know that to be a legal line like for
16 attorneys?

17 MS. NOEL: I don't know.

18 MR. [REDACTED]: You don't know that
19 that's what that is - a legal line?

20 MS. NOEL: I don't know.

21 MR. [REDACTED]: But what is just your
22 overall understanding briefly about policy for
23 inmates assigned to the SHU when they need to
24 make a phone call? How often do they get to do
25 it? How do they do it?

1 MS. NOEL: Um. When they had them the
2 phone in the cell and they use that PIN - the
3 number - to make the phone call. How often, I
4 don't know. Because that's usually done before
5 I come in. But I know showers are every other
6 day. I don't know if phones is every other day
7 also.

8 MR. [REDACTED]: Okay. So you're not
9 sure?

10 MS. NOEL: I'm not sure.

11 MR. [REDACTED]: You said you didn't hear
12 any part of that telephone conversation?

13 MS. NOEL: No.

14 MR. [REDACTED]: Did you see any part of
15 that telephone conversation?

16 MS. NOEL: Only when I went to go get it
17 from him.

18 MR. [REDACTED]: But while he was on it?

19 MS. NOEL: No.

20 MR. [REDACTED]: Discussing?

21 MS. NOEL: No.

22 MR. [REDACTED]: And no one observed him?

23 MS. NOEL: No.

24 MR. [REDACTED]: So no one watched him or
25 listened?

1 MS. NOEL: No.

2 MR. [REDACTED]: And no one informed you
3 to watch or listen?

4 MS. NOEL: No.

5 MR. [REDACTED]: And previous instances
6 when people have used that line, were other -
7 were people watching and listening to those
8 people?

9 MS. NOEL: No.

10 MR. [REDACTED]: And around what time was
11 Epstein brought back to his cell did you say?

12 MS. NOEL: Maybe about after 9:00.

13 MR. [REDACTED]: So he did the telephone
14 call sometime before 9:00 and around after 9:00
15 is when he was put back into his cell?

16 MS. NOEL: Probably because I was in the
17 bathroom.

18 MR. [REDACTED]: And you went to the
19 bathroom you think around 9:00?

20 MS. NOEL: I'm not sure.

21 MR. [REDACTED]: Sure.

22 MS. NOEL: But around.

23 MR. [REDACTED]: I'm not asking for
24 specifics.

25 MS. NOEL: Yeah. Like around.

1 MR. [REDACTED]: Around 9:00 p.m.

2 MS. NOEL: Mm-hmm.

3 MR. [REDACTED]: Okay. And you said
4 you're not the person who brought him. Someone
5 else did. After someone else brought him to
6 his cell, did you have any more conversations
7 with Epstein?

8 MS. NOEL: Yes.

9 MR. [REDACTED]: Okay. What - when was
10 that and where?

11 MS. NOEL: Not a conversation when I
12 counted.

13 MR. [REDACTED]: When did you count?

14 MS. NOEL: At 10:00.

15 MR. [REDACTED]: At 10:00 p.m. you
16 counted?

17 MS. NOEL: Yes.

18 MR. [REDACTED]: So you actually went
19 through each tier and counted?

20 MS. NOEL: Yes.

21 MR. [REDACTED]: And did you go into the
22 tier? Or did you just go up to the door?

23 MS. NOEL: I went into the tier.

24 MR. [REDACTED]: Okay. So you didn't head
25 around at 10:00 p.m. you didn't stop at the

1 door and just look in? You actually went
2 through?

3 MS. NOEL: Yeah, I went through.

4 MR. [REDACTED]: And looked through and
5 counted each person?

6 MS. NOEL: Yes because he was on the
7 floor. And I knocked. And he put his hand up.

8 MR. [REDACTED]: Okay. So that wasn't
9 just from the outer door of the tier.

10 MS. NOEL: No.

11 MR. [REDACTED]: That was actually -.

12 MS. NOEL: No, that was in there.

13 MR. [REDACTED]: Okay. And you said you
14 don't know who brought him back to the cell.

15 MS. NOEL: No I was in the bathroom.

16 MR. [REDACTED]: Okay. And when - around
17 10:00 p.m. you looked in and you said he was on
18 the floor and he put his hand up?

19 MS. NOEL: Yeah. He sleeps on the floor.
20 The mattress - he puts the mattress on the
21 floor.

22 MR. [REDACTED]: Okay. So you never
23 actually see his bunk. He would sleep on the
24 floor.

25 MS. NOEL: The floor yeah.

1 MR. [REDACTED]: Take the mattress off the
2 bunk?

3 MS. NOEL: And put it on the floor.

4 MR. [REDACTED]: Sleep there. Is that
5 typical?

6 MS. NOEL: For him.

7 MR. [REDACTED]: For him? Which other
8 inmates do that?

9 MS. NOEL: Not in the SHU, but sometimes
10 they do that.

11 MR. [REDACTED]: And is there anything up
12 with policy that prohibits people from doing
13 that?

14 MS. NOEL: Not that I know of.

15 MR. [REDACTED]: No. So it wasn't
16 anything of concern?

17 MS. NOEL: No.

18 MR. [REDACTED]: Okay. But he - did you -
19 did he verbalize anything or just put his hand
20 up?

21 MS. NOEL: He put his hand up.

22 MR. [REDACTED]: Just like, I'm accounted
23 for?

24 MS. NOEL: Right.

25 MR. [REDACTED]: Okay. And is that after

1 you said you knocked?

2 MS. NOEL: Yes.

3 MR. [REDACTED]: And did you communicate
4 with him at all?

5 MS. NOEL: Mm....

6 MR. [REDACTED]: You okay?

7 MS. NOEL: No.

8 MR. [REDACTED]: No. So it was just a
9 knock and hand up.

10 MS. NOEL: Yes.

11 MR. [REDACTED]: No communication.

12 MS. NOEL: None.

13 MR. [REDACTED]: Just visualization.

14 MS. NOEL: Yeah.

15 MR. [REDACTED]: And notice anything
16 different about him at that time?

17 MS. NOEL: No.

18 MR. [REDACTED]: No. You said that was
19 around 10:00 p.m.?

20 MS. NOEL: I think he asked for the CPAP
21 machine to be plugged in because he had a CPAP
22 machine.

23 MR. [REDACTED]: What's a CPAP machine?

24 MS. NOEL: When people have sleep apnea, I
25 guess they use that machine.

1 MR. [REDACTED]: Okay.

2 MS. NOEL: So the cord has to be ran from
3 outside of his room all the way down to be
4 plugged in.

5 MR. [REDACTED]: It's for sleep apnea?

6 MS. NOEL: I don't know what else it's
7 for. But that's what I know people use it for.

8 MR. [REDACTED]: And did you get it for
9 him?

10 MS. NOEL: It's in his room. It's just
11 for it to be plugged in.

12 MR. [REDACTED]: Oh. And did you plug it
13 in for him?

14 MS. NOEL: Yes.

15 MR. [REDACTED]: Okay. So you did have
16 some communication with him then?

17 MS. NOEL: Well he asked and I just
18 nodded. And I plugged it in.

19 MR. [REDACTED]: So okay. So when I ask
20 you these things, I just really want you to be
21 clear with like --

22 MS. NOEL: Mm-hmm.

23 MR. [REDACTED]: -- if there's
24 communications just really think about like
25 what communications you actually had.

1 MS. NOEL: Mm-hmm.

2 MR. [REDACTED]: So just tell me about
3 specifically what you can remember. Because
4 again, if this is the last time you saw him.
5 Just try to recall --

6 MS. NOEL: Remember it.

7 MR. [REDACTED]: -- what it is he said.

8 MS. NOEL: I remember he put his hand up.
9 And he asked about the CPAP machine to be
10 plugged in. That's it.

11 MR. [REDACTED]: Do you remember his
12 words? Like --

13 MS. NOEL: NO.

14 MR. [REDACTED]: -- did he say, "CPAP
15 machine." Or, "Can you plug this in for me?"

16 MS. NOEL: I don't remember how he said
17 it, but basically he asked for it to be plugged
18 in. But I don't remember exactly what he said
19 or how he said it.

20 MR. [REDACTED]: Alright. So at that
21 point you went and plugged it in?

22 MS. NOEL: Yes.

23 MR. [REDACTED]: Alright. And that's like
24 a cord that runs like under his cell door or
25 something?

1 MS. NOEL: Yes.

2 MR. [REDACTED]: Okay. And then any
3 conversations afterwards?

4 MS. NOEL: No.

5 MR. [REDACTED]: No. Alright. Can you
6 just briefly explain the process of people
7 entering and exiting the SHU?

8 MS. NOEL: There's double doors.

9 MR. [REDACTED]: Okay.

10 MS. NOEL: And we open the doors to let
11 the person in.

12 MR. [REDACTED]: So is there somebody that
13 they have to go through an outer door first to
14 get to your door?

15 MS. NOEL: Yeah. There's two doors. And
16 so they come in the first door, then the second
17 door, and then you're in the SHU.

18 MR. [REDACTED]: How do they get into the
19 first door?

20 MS. NOEL: We open the door.

21 MR. [REDACTED]: Not the control center?

22 MS. NOEL: No.

23 MR. [REDACTED]: So you're able to - from
24 the first door before they get to your door,
25 you open both doors?

1 MS. NOEL: Yes.

2 MR. [REDACTED]: Okay. So the control
3 center, they don't call for it first and the
4 control center pops the first door? And then
5 you have keys for the second door?

6 MS. NOEL: No.

7 MR. [REDACTED]: Alright. Okay. So I'm
8 going to stop talking. You tell me exactly how
9 they do it. Somebody knock or they call or
10 buzz or what?

11 MS. NOEL: Somebody knocks. Or sometimes
12 they use the radio. And then we go to the door
13 and open the door.

14 MR. [REDACTED]: So do you have a - from
15 your desk is there a buzz to -?

16 MS. NOEL: No. You've got to open it with
17 a key.

18 MR. [REDACTED]: The initial outer door?

19 MS. NOEL: Both doors.

20 MR. [REDACTED]: So you go, you open the
21 inner door to you and then go to the --

22 MS. NOEL: Door.

23 MR. [REDACTED]: -- outer door --

24 MS. NOEL: Yes.

25 MR. [REDACTED]: -- and do the second?

1 MS. NOEL: Yes.

2 MR. [REDACTED]: And you have control over
3 both doors?

4 MS. NOEL: Yes.

5 MR. [REDACTED]: Alright. Does the
6 operations center also have control over that
7 outer door?

8 MS. NOEL: I don't know. I don't think
9 for SHU they do. I don't know.

10 MR. [REDACTED]: Alright. Anytime people
11 enter and exit, you've always -

12 MS. NOEL: The person on the inside yes.

13 MR. [REDACTED]: For both doors.

14 MS. NOEL: Yes.

15 MR. [REDACTED]: Alright. And that's the
16 same as when they leave?

17 MS. NOEL: Yes.

18 MR. [REDACTED]: So after they leave that
19 second outer door --

20 MS. NOEL: Mm-hmm.

21 MR. [REDACTED]: -- you go, you lock that
22 manually --

23 MS. NOEL: Mm-hmm.

24 MR. [REDACTED]: -- and then lock the
25 other one?

1 MS. NOEL: Yeah.

2 MR. [REDACTED]: Manually? Both manually
3 from the SHU?

4 MS. NOEL: If that one I think - the outer
5 one like once you pull it in it locks.

6 MR. [REDACTED]: Okay. Which one is that?

7 MS. NOEL: The outer door.

8 MR. [REDACTED]: The outer door. And who
9 entered and exited the SHU on August 9, 2019
10 between let's say for the first shift: 9:00
11 p.m. and 12:00 p.m. So if you have to open up
12 two doors, I'm assuming that's kind of a
13 process and there aren't many of you in there.

14 MS. NOEL: [REDACTED].

15 MR. [REDACTED]: [REDACTED]?

16 MS. NOEL: No you said on the first shift?

17 MR. [REDACTED]: First shift. From 9:00
18 p.m. to 12:00 a.m. - 12:00 a.m. sorry.

19 MS. NOEL: From - I don't know.

20 MR. [REDACTED]: So it would be the people
21 that were in there. Correct? Would that be
22 [REDACTED] and [REDACTED]?

23 MS. NOEL: [REDACTED]. And me.

24 MR. [REDACTED]: And you. Anyone else?

25 MS. NOEL: I'm trying to remember because

1 you said between 9:00 p.m. and 12:00 a.m. I
2 don't remember exactly when [REDACTED] made her
3 rounds, but -.

4 MR. [REDACTED]: Okay. [REDACTED] would have
5 showed up at one time or another though?

6 MS. NOEL: Yes.

7 MR. [REDACTED]: Do you remember that
8 conversation when she showed up?

9 MS. NOEL: No.

10 MR. [REDACTED]: Did she talk to you about
11 anything?

12 MS. NOEL: No.

13 MR. [REDACTED]: Did you specifically
14 speak to her at all?

15 MS. NOEL: I mean I said hey.

16 MR. [REDACTED]: Just hey.

17 MR. [REDACTED]: What's up.

18 MR. [REDACTED]: Okay. And who allowed
19 [REDACTED] to enter and exit?

20 MS. NOEL: I don't remember that.

21 MR. [REDACTED]: Alright. Do you know who
22 - when [REDACTED] and [REDACTED] left, who allowed
23 them to leave?

24 MS. NOEL: Mm. I don't remember that.

25 MR. [REDACTED]: You don't remember that.

1 MS. NOEL: No.

2 MR. [REDACTED]: Alright. And who was
3 present with you in the SHU after midnight?
4 From approximately 6:30, 6:33 a.m. on August
5 10, 2019?

6 MS. NOEL: Me and [REDACTED].

7 MR. [REDACTED]: Anyone else?

8 MS. NOEL: No.

9 MR. [REDACTED]: Visitors?

10 MS. NOEL: [REDACTED].

11 MR. [REDACTED]: At around what time did
12 she visit?

13 MS. NOEL: I don't remember the time.

14 MR. [REDACTED]: Does around 4:00 a.m.
15 sound right?

16 MS. NOEL: I don't remember the time. To
17 be honest.

18 MR. [REDACTED]: Okay. Was there another
19 officer that you remember around like 5:30 a.m.
20 visiting?

21 MS. NOEL: No. The officer upstairs - he
22 left to go get food and come back.

23 MR. [REDACTED]: So would that be 10
24 South?

25 MS. NOEL: Yes.

1 MR. [REDACTED]: Alright. And then when
2 he leaves 10 South to come to the SHU, do you
3 also have to allow him access into the SHU? Or
4 is he able to get into the SHU by himself?

5 MS. NOEL: Coming down from 10 South?

6 MR. [REDACTED]: Mm-hmm.

7 MS. NOEL: [REDACTED] relieved him. And then
8 he came down and went.

9 MR. [REDACTED]: [REDACTED] relieved the
10 person on 10 South?

11 MS. NOEL: Yes.

12 MR. [REDACTED]: So [REDACTED] wasn't assigned
13 to the SHU? He was assigned to 10 South.

14 MS. NOEL: He was assigned to the SHU.

15 MR. [REDACTED]: So can you just explain
16 what you mean by relieved? You mean he relived
17 him temporarily while he got food?

18 MS. NOEL: He called and said that the
19 lieutenant said that he could go get his food.

20 So can one of us relieve him to go get his
21 food. So [REDACTED] went, relieved him, and he
22 came down and he went out to get his food.

23 MR. [REDACTED]: Okay. So you were the
24 only person in the SHU at that point?

25 MS. NOEL: Downstairs I guess.

1 MR. [REDACTED]: And [REDACTED]?

2 MS. NOEL: As far as the time, I don't
3 know.

4 MR. [REDACTED]: Okay. So are they the
5 only two people that were in the SHU between -?

6 MR. FOY: Do you want the context of when
7 that request from [REDACTED] to get coverage to get
8 food? Because there's a context there.

9 MR. [REDACTED]: Sure. I mean.

10 MR. FOY: Alright. So I want you to talk
11 about what you were doing before when he asked
12 you. Right.

13 MS. NOEL: Okay.

14 MR. FOY: You remember what you were
15 doing, right?

16 MS. NOEL: I remember what I was doing but
17 I -.

18 MR. FOY: This is a three event, there's a
19 five event, and then -.

20 MS. NOEL: Oh! Like I counted with [REDACTED]
21 upstairs at that time. And when I came back
22 downstairs, he called and he said that the
23 lieutenant said to relive him to get food. I
24 didn't believe him, so I called the
25 lieutenant's office. And I said, did you say

1 for me to relieve [REDACTED] to get food? But
2 another lieutenant came on, so he said well I
3 don't know if the lieutenant before said that.
4 So I said okay and I hung the phone up. And
5 [REDACTED] said I'll go relieve him so he could go
6 get his food.

7 MR. [REDACTED]: Okay. And I do
8 apologize. You counted with him?

9 MS. NOEL: Yes.

10 MR. [REDACTED]: And you're talking about
11 the individual in 10 South.

12 MS. NOEL: Yes.

13 MR. [REDACTED]: And then you came back to
14 the SHU and then [REDACTED] relieved him?

15 MS. NOEL: Yes.

16 MR. [REDACTED]: Um.

17 MS. NOEL: But I don't remember if it was
18 at the 3:00 or the 5:00. I don't remember
19 which one.

20 MR. [REDACTED]: Alright. And I do
21 apologize. I just want to make sure I have
22 this clear. So when you went up at either 3:00
23 or 5:00, and I'm assuming it was 5:00, you
24 helped him count. And at that point he's -
25 when he said he wanted to go get food?

1 MS. NOEL: When I came back downstairs he
2 called.

3 MR. [REDACTED]: Oh so not while you were
4 doing the count.

5 MS. NOEL: No.

6 MR. [REDACTED]: So you left.

7 MS. NOEL: Came back downstairs.

8 MR. [REDACTED]: He called and said I just
9 spoke to the lieutenant?

10 MS. NOEL: He said the lieutenant said for
11 when you had to relieve me to get food.

12 MR. [REDACTED]: And then you said you
13 verified that?

14 MS. NOEL: I called.

15 MR. [REDACTED]: The lieutenant?

16 MS. NOEL: Yes.

17 MR. [REDACTED]: Was this both [REDACTED]
18 [REDACTED] both times? Was that who it was?

19 MS. NOEL: No. When I called, [REDACTED]
20 [REDACTED] answered and he said he didn't know.

21 MR. [REDACTED]: SO it was Lieutenant
22 [REDACTED]. So this would have been at like 5:30
23 then probably?

24 MS. NOEL: Probably.

25 MR. [REDACTED]: Okay. If you look at the

1 schedule, can you tell me what time [REDACTED] came
2 on?

3 MS. NOEL: On here it says 8:00 to 4:00.

4 MR. [REDACTED]: Are you looking at 8/10 -
5 August 10th?

6 MS. NOEL: Yes. But it was before that.
7 It was (Indiscernible *02:00:18).

8 MR. [REDACTED]: Oh, sorry. So there's a
9 little caveat there. So the officers' times
10 are two hours before, so he would have started
11 at 6:00. But I believe he actually - his would
12 be 6:00 to 2:00 as opposed to 8:00 to 4:00 like
13 the roster. So it's confusing. Um, they
14 allowed the lieutenants to come in two hours
15 earlier and end their shift two earlier.

16 MS. NOEL: Hm.

17 MR. [REDACTED]: But I do believe he
18 arrived at 5:30. So this would have been
19 probably you said - you said there were two
20 different lieutenants you spoke to. So I'm
21 assuming one -

22 MS. NOEL: No I spoke to Lieutenant [REDACTED],
23 asking did he say for me to relive [REDACTED] to
24 get the food. So he said he doesn't know.
25 Maybe Lieutenant [REDACTED] told him. But I

1 didn't speak to her.

2 MR. [REDACTED]: Sure. And what I'm - I
3 think that he started around 5:30. So he
4 probably called around like 5:28, spoke with
5 lieutenant - and then you probably called
6 shortly after 5:30. Does that sound like
7 potentially could have happened?

8 MS. NOEL: Could have. Yes.

9 MR. [REDACTED]: Okay. So does around
10 that 5:30 timeframe right before you know you
11 were going to feed the inmates. Does that
12 sound about right?

13 MS. NOEL: Right.

14 MR. [REDACTED]: Okay. So the 5:00 a.m.
15 count. That (Indiscernible *02:01:18)?

16 MS. NOEL: Right.

17 MR. [REDACTED]: Okay. So he is - and I'm
18 sorry, who was in the 10 South?

19 MS. NOEL: [REDACTED].

20 MR. [REDACTED]: It was [REDACTED] and then who
21 else visited the SHU where Epstein was housed
22 between 12:00 a.m. and 6:30?

23 MS. NOEL: Lieutenant [REDACTED].

24 MR. [REDACTED]: Are they the only two
25 people that visited the SHU aside from you and

1 [REDACTED]?

2 MS. NOEL: Yes.

3 MR. [REDACTED]: Okay. No one else?

4 MS. NOEL: No.

5 MR. [REDACTED]: Okay. When you were in
6 the SHU with [REDACTED], was there a hierarchy
7 then?

8 MS. NOEL: On the paper it says that I was
9 the number one.

10 MR. [REDACTED]: And would that be - I
11 know you said a lot of time it's because you're
12 new, you would ask other people for guidance.
13 Is that because that was your quarterly post?

14 MS. NOEL: Yes. The post.

15 MR. [REDACTED]: And was [REDACTED] in there
16 as an overtime post?

17 MS. NOEL: Yes.

18 MR. [REDACTED]: Not his regular
19 assignment?

20 MS. NOEL: Correct.

21 MR. [REDACTED]: Okay. So on paper, you
22 were in charge. But in practice, you're both
23 the same.

24 MS. NOEL: In practice, I ask because I
25 don't know. So even if I'm in charge, I don't

1 know everything because I'm new. So I ask the
2 senior officer.

3 MR. [REDACTED]: Okay. Do you remember
4 any conversations you had with [REDACTED] that
5 night?

6 MS. NOEL: As far as -?

7 MR. [REDACTED]: Just were you conversing?
8 While you were there? Just the two of you?

9 MS. NOEL: I'm not -.

10 MR. [REDACTED]: I'm not asking for what
11 conversations at this point. I'm just saying
12 were you talking to one another?

13 MS. NOEL: No not really.

14 MR. [REDACTED]: You guys didn't really
15 communicate or talk?

16 MS. NOEL: No.

17 MR. [REDACTED]: Okay. Do you remember
18 any conversations with regard to Epstein at
19 all?

20 MS. NOEL: No.

21 MR. [REDACTED]: No. Alright. So it's
22 just you two, you said [REDACTED], and [REDACTED]-
23 [REDACTED]. The only four people from that - those
24 periods when you started your shift at 12:00
25 a.m. to 6:30?

1 MS. NOEL: Correct.

2 MR. [REDACTED]: What was the purpose of
3 [REDACTED] visit?

4 MS. NOEL: To conduct a round.

5 MR. [REDACTED]: Okay. And what is she
6 required to do during a round?

7 MS. NOEL: I don't know.

8 MR. [REDACTED]: Are you aware if she was
9 supposed to conduct a count with you during her
10 round? Or -?

11 MS. NOEL: She's not supposed to conduct
12 the count. But I don't know how she's supposed
13 to conduct her rounds.

14 MR. [REDACTED]: So do you understand if
15 her round is at a round of her staff members?
16 Or is it also she's supposed to do anything
17 with inmates when she does rounds?

18 MS. NOEL: I don't know.

19 MR. [REDACTED]: You don't know. And do
20 you remember when she entered and exited the
21 SHU who let her in and out?

22 MS. NOEL: I did.

23 MR. [REDACTED]: Both times? Both in and
24 out?

25 MS. NOEL: Yes.

1 MR. [REDACTED]: Okay. And then what
2 about when [REDACTED] departed the SHU? Who let him
3 in and out?

4 MS. NOEL: That I don't remember.

5 MR. [REDACTED]: Would it be -?

6 MS. NOEL: But it probably would have been
7 me.

8 MR. [REDACTED]: -- you since [REDACTED]
9 relived him --

10 MS. NOEL: Right. Went upstairs.

11 MR. [REDACTED]: -- Correct?

12 MS. NOEL: Yes.

13 MR. [REDACTED]: I would think [REDACTED] went
14 up there, then you probably would have --

15 MS. NOEL: Let them out. Mm-hmm.

16 MR. [REDACTED]: Okay. And both with
17 [REDACTED] and [REDACTED], you verified that that
18 those doors were shut and sealed?

19 MS. NOEL: Yes.

20 MR. [REDACTED]: And no one else got in
21 and out between those times?

22 MS. NOEL: No.

23 MR. [REDACTED]: And were they - those two
24 individuals authorized visitors - and
25 authorized visits - within the SHU?

1 MS. NOEL: Who Lieutenant [REDACTED]?

2 MR. [REDACTED]: Was their presence in the
3 SHU authorized?

4 MS. NOEL: Yes.

5 MR. [REDACTED]: Was it justified. And
6 did you see them the entire time that they were
7 actually in the SHU?

8 MS. NOEL: Yes.

9 MR. [REDACTED]: Was there anything out of
10 the ordinary?

11 MS. NOEL: No.

12 MR. [REDACTED]: No. Any - either of them
13 have any conversations about Epstein?

14 MS. NOEL: No.

15 MR. [REDACTED]: And you say [REDACTED]
16 was the operations lieutenant on August 10th?

17 MS. NOEL: Yes.

18 MR. [REDACTED]: Did you have any
19 conversations with her on the phone?

20 MS. NOEL: No.

21 MR. [REDACTED]: That you recall? No.
22 What about like when you guys would call in
23 counts?

24 MS. NOEL: I don't remember who took the
25 count, but when I got called control to give

1 the count, I don't remember if it was her that
2 took the count. But.

3 MR. [REDACTED]: Okay. So you don't
4 recall any other conversations with [REDACTED]-
5 [REDACTED] aside from when she visited at 4:00 to
6 check in?

7 MS. NOEL: Correct.

8 MR. [REDACTED]: And she never provided
9 any special instructions?

10 MS. NOEL: No.

11 MR. [REDACTED]: About anything during
12 that shift?

13 MS. NOEL: No.

14 MR. [REDACTED]: She never told -
15 [REDACTED] never told you that Epstein was
16 required to have a cellmate?

17 MS. NOEL: No.

18 MR. [REDACTED]: Didn't ask about Reyes or
19 anything?

20 MS. NOEL: No.

21 MR. [REDACTED]: Or about a new cellmate
22 being place in?

23 MS. NOEL: No.

24 MR. [REDACTED]: Alright. And we just
25 briefly mentioned that who was Lieutenant

1 [REDACTED] [REDACTED]?

2 MS. NOEL: The lieutenant that came on in
3 the morning.

4 MR. [REDACTED]: Okay. And he started -
5 we believe around 5:30 based upon what we just
6 talked about.

7 MS. NOEL: Correct.

8 MR. [REDACTED]: Okay, 5:30 a.m. on August
9 10th. And during that conversation, you said
10 that you called Lieutenant [REDACTED]. What all was
11 spoken about during that call?

12 MS. NOEL: If I should relive [REDACTED] to get
13 food. If that's what he said.

14 MR. [REDACTED]: Any discussion about
15 inmates?

16 MS. NOEL: No.

17 MR. [REDACTED]: Any discussion about
18 Epstein?

19 MS. NOEL: No.

20 MR. [REDACTED]: No. He didn't provide
21 any special instructions or ask about anything
22 about your shift?

23 MS. NOEL: No.

24 MR. [REDACTED]: About him coming on?

25 MS. NOEL: No.

1 MR. [REDACTED]: No. Do you remember if
2 the control center, R&D, or anyone else called
3 the SHU on August 9th or 10th during your two
4 shifts? About Epstein's cellmate leaving?

5 MS. NOEL: I don't know. If they did,
6 they didn't speak to me.

7 MR. [REDACTED]: You didn't speak with
8 anybody?

9 MS. NOEL: No.

10 MR. [REDACTED]: R&D or anyone else?>

11 MS. NOEL: No.

12 MR. [REDACTED]: If an inmate is removed
13 from the SHU and is released from the MCC, how
14 does the SHU find out?

15 MS. NOEL: I don't know.

16 MR. [REDACTED]: You don't know?

17 MS. NOEL: No.

18 MR. [REDACTED]: Has that ever happened to
19 you before?

20 MS. NOEL: Where an inmate had gone? No.

21 MR. [REDACTED]: When an inmate goes to
22 court or something and then is released?

23 MS. NOEL: But I don't -. If that
24 happens, like I'll give the phone to the senior
25 officer because I don't know. But that never

1 happened where like an inmate was released when
2 I'm there.

3 MR. [REDACTED]: So from 4:00 p.m. on
4 August 9th, you don't recall that call coming
5 in --

6 MS. NOEL: NO.

7 MR. [REDACTED]: -- or a discussion
8 happening --

9 MS. NOEL: Not to me.

10 MR. [REDACTED]: -- about Reyes not coming
11 back?

12 MS. NOEL: Not to me. No.

13 MR. [REDACTED]: And you didn't have a
14 conversation with anybody at all?

15 MS. NOEL: Nope.

16 MR. [REDACTED]: And you don't know if
17 control or R&D or anybody spoke with anyone
18 else?

19 MS. NOEL: I don't know.

20 MR. [REDACTED]: Even if they didn't
21 discuss the details of it. You didn't overhear
22 that conversation?

23 MS. NOEL: No.

24 MR. [REDACTED]: So what is your
25 understanding? If Reyes is released on August

1 9th from the SHU. Epstein is required to have
2 a cellmate. What should have happened?

3 MS. NOEL: I don't know what should have
4 happened because when I came in at 4:00, the
5 cell was empty. So I don't know what should
6 have happened. Epstein came back and went to
7 his cell. I don't know where Reyes is or if
8 he's coming back. So I don't know what should
9 have happened.

10 MR. [REDACTED]: Okay. So if an inmate is
11 required to have a cellmate, such as Epstein,
12 when the cellmate -. Sorry, I don't know if I
13 just misspoke. If Epstein was required to have
14 a cellmate, as Epstein was, after his cellmate
15 departs, which was Reyes, do you know if
16 there's a - how long it should take for him to
17 get replaced?

18 MS. NOEL: Oh. I don't know.

19 MR. [REDACTED]: You don't know that?

20 MS. NOEL: No.

21 MR. [REDACTED]: Do you know who the
22 decision-makers would be on that?

23 MS. NOEL: I don't know.

24 MR. [REDACTED]: Do you know if you were
25 authorized to assign Epstein a cellmate?

1 MS. NOEL: I don't know.

2 MR. [REDACTED]: Again, no conversations
3 at all with -?

4 MS. NOEL: None.

5 MR. [REDACTED]: He's gone. No? Um and
6 you don't remember him being removed from the
7 roster list so when you're doing your rounds
8 and your counts.

9 MS. NOEL: No.

10 MR. [REDACTED]: You know how many are
11 supposed to be counting.

12 MS. NOEL: No.

13 MR. [REDACTED]: Alright. We're just
14 going to talk a little bit about counts and
15 rounds. According to you, what is a cell count
16 and you have it in front of you if you need to
17 refer to the policy. But what is your
18 understanding of a cell count? Or sorry, an
19 inmate count.

20 MS. NOEL: You count every inmate to make
21 sure that they're alive.

22 MR. [REDACTED]: To make sure that they're
23 alive? And accounted for?

24 MS. NOEL: Yes.

25 MR. [REDACTED]: Alright. And can you

1 just explain the process?

2 MS. NOEL: The first officer goes down and
3 counts. And then the second officer goes down
4 and counts. And we confirm the numbers.

5 MR. [REDACTED]: Okay. And prior to
6 confirming the numbers, do you tell the other
7 officer how many you counted?

8 MS. NOEL: No.

9 MR. [REDACTED]: Alright. So you get your
10 number, then another officer goes down, gets
11 their number.

12 MS. NOEL: And when they come back.

13 MR. [REDACTED]: And is that tier by tier
14 or do you -?

15 MS. NOEL: Yes. Tier by tier.

16 MR. [REDACTED]: Tier by tier. Just one
17 person stands outside while the other person --

18 MS. NOEL: Yes.

19 MR. [REDACTED]: -- goes down range and
20 counts the inmates?

21 MS. NOEL: Yes.

22 MR. [REDACTED]: So do you have to like
23 see the person moving, see - what do you need
24 to do when you're doing that count?

25 MS. NOEL: You need to see the prisoner

1 move.

2 MR. [REDACTED]: Do you have to like talk
3 to them? Make sure they're responsive or
4 anything?

5 MS. NOEL: Or you could see them
6 breathing.

7 MR. [REDACTED]: Just as long as you see
8 some life. Okay. So what are the requirements
9 in the SHU on how often is a count conducted
10 for counts?

11 MS. NOEL: Counts is at 4:00. I mean it's
12 been a long time. I really don't remember.
13 But I think 4:00, 10:00, 12:00, 3:00, and 5:00.

14 MR. [REDACTED]: Okay. So 4:00 p.m.,
15 10:00 p.m., 12:00 a.m., 3:00 a.m., and 5:00
16 a.m.?

17 MS. NOEL: Yes.

18 MR. [REDACTED]: And is that every day or
19 is it Monday through Friday? Do you know?

20 MS. NOEL: Every day.

21 MR. [REDACTED]: Every day. And you're
22 just making sure they're alive. You don't
23 actually have to speak with them?

24 MS. NOEL: No you don't.

25 MR. [REDACTED]: Okay. And what's the

1 difference? What's a round?

2 MS. NOEL: I mean the round you're walking
3 down the tier basically checking to see if
4 they're okay. But you're not counting. You're
5 just checking to make sure.

6 MR. [REDACTED]: So you're doing the same
7 thing you're just not counting --

8 MS. NOEL: Counting.

9 MR. [REDACTED]: -- the inmates? Alright.
10 So you're making sure that they're okay and
11 they're alive. But you're not just --

12 MS. NOEL: Counting.

13 MR. [REDACTED]: -- actually making sure
14 they're -.

15 MS. NOEL: Yeah like you don't need a
16 number.

17 MR. [REDACTED]: But one CO goes down,
18 checks, and then does the other one? Or does
19 there only need to be one?

20 MS. NOEL: Well it's one.

21 MR. [REDACTED]: So both don't need to
22 actually do that?

23 MS. NOEL: No.

24 MR. [REDACTED]: Alright. So just one CO
25 goes down. Does the other CO have to remain at

1 the door to make sure that CO is okay?

2 MS. NOEL: Yes.

3 MR. [REDACTED]: Okay. So is that the
4 difference then?

5 MS. NOEL: Between the counts and the
6 rounds. Yes.

7 MR. [REDACTED]: Only one CO is required
8 and that's per your understanding of policy.

9 MS. NOEL: Yes.

10 MR. [REDACTED]: Okay. And during a
11 round, do you have to speak with the inmates?

12 MS. NOEL: You don't have to.

13 MR. [REDACTED]: No? But on both
14 instances both COs have to be present. You're
15 just saying with rounds, only one CO actually
16 needs to go down.

17 MS. NOEL: Go down range. Yeah.

18 MR. [REDACTED]: You said the purpose is
19 to make sure they're okay and they're alive?

20 MS. NOEL: Yes.

21 MR. [REDACTED]: And are they - are the
22 counts and the rounds both documented?

23 MS. NOEL: Yes.

24 MR. [REDACTED]: And do you have to sign
25 documents when you conduct counts and rounds?

1 MS. NOEL: Yes.

2 MR. [REDACTED]: Okay. Now if you and
3 another officer like on the case of when you
4 work 12:00 a.m. to 8:00 a.m. If you and
5 another officer are the only ones assigned to
6 the SHU, are you both just as responsible for
7 documenting the round sheets and the count
8 slips? So if you're the one documenting all
9 the rounds for the 30-minute rounds, is your
10 documentation - does that also carry weight for
11 the other person that's with you? Are you
12 signing for both of you?

13 MS. NOEL: I don't think so because it's
14 just my signature.

15 MR. [REDACTED]: So you would take
16 responsibility for the cell count rather than
17 saying that you're both responsible? Or the
18 round -?

19 MS. NOEL: Well the rounds and the counts
20 have to be done with two people.

21 MR. [REDACTED]: But -.

22 MS. NOEL: But on the -.

23 MR. [REDACTED]: Let me just show you so
24 you know what I'm talking about. I'm just
25 going to show you for August 9th and 10th the

1 cell counts and the rounds so that there's no
2 misunderstanding. So this first one is going
3 to be the 8/9/2019 for the 30-minute check
4 sheet. And the other one is going to be
5 8/10/2019. Can you just let me know if you see
6 your handwriting and initials on these two
7 documents?

8 MS. NOEL: Yes.

9 MR. [REDACTED]: Okay. Do you see it on
10 both?

11 MS. NOEL: Yes.

12 MR. [REDACTED]: Okay. And I guess we'll
13 first discuss August 9th. Where do you see it
14 and from what time to what time?

15 MS. NOEL: From 4:00 to 11:30.

16 MR. [REDACTED]: And are you ever one of
17 them?

18 MS. NOEL: Yes.

19 MR. [REDACTED]: Okay. So every 30
20 minutes, you have your initials. And you wrote
21 those. That's actually your initials on that
22 one?

23 MS. NOEL: Yes.

24 MR. [REDACTED]: And what about on August
25 10, 2019?

1 MS. NOEL: Yes.

2 MR. [REDACTED]: Okay. So what I'm asking
3 here is by you placing those initials is that
4 now fall on you? Or if you're only two people
5 in there like on August 10th --

6 MS. NOEL: Mm-hmm.

7 MR. [REDACTED]: -- are you basically
8 signing for both people? Or do you think
9 you're only signing for yourself there avowing
10 that the round was conducted.

11 MS. NOEL: I don't know.

12 MR. [REDACTED]: Okay.

13 MS. NOEL: I guess because like you're
14 trying to say if the rounds have to be
15 conducted with two people, when I sign it would
16 be -. I don't know.

17 MR. [REDACTED]: Okay. But you did sign
18 and certify that they were conducted?

19 MS. NOEL: Yes.

20 MR. [REDACTED]: Okay. And what do you do
21 with the rounds - the sheets - how are they
22 maintained?

23 MS. NOEL: Well I usually fill it out like
24 prior in hopes to conduct the round. Like when
25 I work in the SHU, I've never actually done the

1 round every 30 minutes. Like when you go down
2 to give out toilet paper, that's counted as a
3 round. To pick up trays, it's counted as a
4 round. To give out food, that's counted as a
5 round. But and then you fill it out either
6 after or before. You're not sitting like every
7 30 minutes like filling it out.

8 MR. [REDACTED]: Okay. And you're - you
9 said you do it a lot of times prior to actually
10 conducting the round?

11 MS. NOEL: Yes.

12 MR. [REDACTED]: Alright. And with
13 rounds, do you call anybody with that
14 information?

15 MS. NOEL: No.

16 MR. [REDACTED]: What's done with the
17 sheet? Is it at the end of the shift something
18 done with it? Are they logged into the BOP
19 database at all? What happens with those
20 sheets?

21 MS. NOEL: I don't know. Because it's
22 left on the table. I don't know what they do
23 with them.

24 MR. [REDACTED]: So as far as you know,
25 you just fill it out and you leave it there?

1 MS. NOEL: Yes.

2 MR. [REDACTED]: Okay. You don't ever
3 provide it to anyone.

4 MS. NOEL: No.

5 MR. [REDACTED]: And you don't ever go
6 into any BOP database and enter those rounds.

7 MS. NOEL: No.

8 MR. [REDACTED]: Do you know if someone
9 else does?

10 MS. NOEL: I don't know.

11 MR. [REDACTED]: You don't know. Okay.
12 What about with counts? Do you call people
13 after you do the counts?

14 MS. NOEL: Yes. Control.

15 MR. [REDACTED]: You call control?

16 MS. NOEL: Yes.

17 MR. [REDACTED]: And do you recall on
18 August 9th or August 10th you called - did you
19 call anyone with those numbers?

20 MS. NOEL: Yes.

21 MR. [REDACTED]: Okay. And do you
22 remember which counts you called?

23 MS. NOEL: I don't remember which.

24 MR. [REDACTED]: You know you did some of
25 them you just don't remember specifically which

1 ones?

2 MS. NOEL: Which ones.

3 MR. [REDACTED]: Okay. And do you
4 remember speaking with lieutenants when you're
5 there or with regular officers assigned to the
6 control center?

7 MS. NOEL: I don't remember who I spoke
8 to.

9 MR. [REDACTED]: You don't remember. Well
10 with the count slips, you said you just leave
11 those round slips on the table. When you're
12 done - when you do the count slips, what do you
13 do with those slips?

14 MS. NOEL: We did the same thing. We
15 filled them out before.

16 MR. [REDACTED]: Before you actually
17 conduct the count before you filled them out.

18 MS. NOEL: Yes.

19 MR. [REDACTED]: So before actually even
20 getting the number, you fill out the number?

21 MS. NOEL: Because we know the number.

22 MR. [REDACTED]: Okay. So do you then
23 call somebody with the number?

24 MS. NOEL: Yes.

25 MR. [REDACTED]: Who do you call?

1 MS. NOEL: Control.

2 MR. [REDACTED]: Control? Okay. And you
3 provide them the number that you wrote on that
4 document?

5 MS. NOEL: Yes.

6 MR. [REDACTED]: Sorry, we did this. My
7 question was supposed to be what do you do with
8 the physical pieces of paper?

9 MS. NOEL: Stick it in the door and then
10 internal takes it.

11 MR. [REDACTED]: So no one actually comes
12 in --

13 MS. NOEL: No.

14 MR. [REDACTED]: -- to the SHU? You stick
15 it in what door?

16 MS. NOEL: The outer door.

17 MR. [REDACTED]: So you open up the
18 interior - the inner door and then you go to
19 the outer door and you --

20 MS. NOEL: Stick it in there.

21 MR. [REDACTED]: -- there's like a special
22 slot for it?

23 MS. NOEL: Not a slot. It's just between
24 the door.

25 MR. [REDACTED]: Okay. Internal never

1 comes in though?

2 MS. NOEL: They didn't that day. I don't
3 know if they ever come in, but they didn't
4 (Indiscernible *02:17:51).

5 MR. [REDACTED]: Okay. On August 9, 2019,
6 you said you filled all that out. What rounds
7 did you conduct during your shift on August 9,
8 2019?

9 MS. NOEL: That's hard for me to tell
10 because I didn't conduct it every 30 minutes.
11 It was give out food, pick up the trays, give
12 out toilet paper, go down. So those were the
13 rounds that I conducted. Bu it don't.

14 MR. [REDACTED]: So you were counting a
15 round as just doing something with an inmate?

16 MS. NOEL: Yes because I actually
17 physically walked.

18 MR. [REDACTED]: Every tier all six?

19 MS. NOEL: Yes.

20 MR. [REDACTED]: Is there six tiers in the
21 SHU?

22 MS. NOEL: Yes.

23 MR. [REDACTED]: Okay.

24 MR. [REDACTED]: Two floors - two levels.

25 MS. NOEL: Yes. Yes.

1 MR. [REDACTED]: So when you do these
2 rounds, when you would go down range and handle
3 an inmate or give something to an inmate, you
4 would then also do all six?

5 MS. NOEL: Yes.

6 MR. [REDACTED]: Alright. So about how
7 often -. Let's ask it a different way. About
8 how many of those didn't you do on August 9th?

9 MS. NOEL: I don't know. I can't give a
10 number of how much I didn't do. But.

11 MR. [REDACTED]: Are some of those that
12 were documented, were they not done?

13 MS. NOEL: Yes.

14 MR. [REDACTED]: Alright. So you didn't
15 do some of them. You just don't know which --

16 MS. NOEL: Ones.

17 MR. [REDACTED]: -- ones?

18 MS. NOEL: Right.

19 MR. [REDACTED]: Alright. And -. Okay.

20 MR. FOY: Let me just say to help clarify.

21 MR. [REDACTED]: Absolutely.

22 MR. FOY: The times that you wrote down.

23 MS. NOEL: Okay.

24 MR. FOY: Right?

25 MS. NOEL: Mm-hmm.

1 MR. FOY: When did you write the times
2 down?

3 MS. NOEL: Before.

4 MR. FOY: Alright. So when you did a
5 round to take toilet paper, did you change the
6 time to reflect that particular round? Did you
7 do anything with the paperwork to change --

8 MS. NOEL: No.

9 MR. FOY: -- the actual time?

10 MS. NOEL: No.

11 MR. [REDACTED]: And why did you do that?
12 Is it because of the requirement?

13 MS. NOEL: Why did I fill -?

14 MR. [REDACTED]: Why did you fill these
15 ahead of time? Were you just trying to stay on
16 top of what the actual requirement was to
17 conduct a 30-minute round was?

18 MS. NOEL: I mean I don't know why I did
19 it. I just always did it that way.

20 MR. [REDACTED]: Did someone train you to
21 do it that way?

22 MS. NOEL: I mean I've seen it done that
23 way before - after. And three's people that
24 actually do it as they do it. It's been done
25 all three different ways.

1 MR. [REDACTED]: Some do it before, some
2 do it during, some do it after?

3 MS. NOEL: Yes.

4 MR. [REDACTED]: And just this instance
5 you did it all before?

6 MS. NOEL: Yes.

7 MR. [REDACTED]: Alright. And some - at
8 least some of them. Would you say the majority
9 were not done or were done?

10 MS. NOEL: On the 9th? Majority was done.

11 MR. [REDACTED]: You believe the majority.
12 Now I know we're doing estimates because you
13 don't know exactly. You think like 51% or do
14 you think -?

15 MS. NOEL: I don't know.

16 MR. [REDACTED]: You don't know.

17 MS. NOEL: No.

18 MR. [REDACTED]: Alright. But again, for
19 the ones that you did do, you're not just going
20 down one tier.

21 MS. NOEL: No

22 MR. [REDACTED]: You're going down all six
23 tiers?

24 MS. NOEL: I'm doing all.

25 MR. [REDACTED]: You are?

1 MS. NOEL: Yes.

2 MR. [REDACTED]: And that's - this is the
3 under-oath thing. We've got to make sure
4 because the video is and all that kind of
5 stuff.

6 MS. NOEL: Yes.

7 MR. [REDACTED]: That's your
8 understanding?

9 MS. NOEL: Yes.

10 MR. [REDACTED]: Alright. That you're
11 actually checking every door.

12 MS. NOEL: Yes.

13 MR. [REDACTED]: And when you go give that
14 one-person toilet paper or whatever, you're
15 actually looking at all the different doors?

16 MR. FOY: Can we take a break real quick?
17 Because I need to take a break.

18 MR. [REDACTED]: Absolutely.

19 MR. FOY: (Indiscernible *02:20:53)

20 MR. [REDACTED]: Yeah-yeah. Absolutely.
21 Alright. So it is currently 12:35 p.m. We are
22 going to take a quick break. [Whereupon, the
23 above-entitled matter went off the record and
24 went back on the record.] The recorder is back
25 on. This is Senior Special Agent [REDACTED]

1 [REDACTED]. It is 12:49 p.m. Ms. Noel, I
2 remind you this is a voluntary interview and
3 you are under oath.

4 MS. NOEL: Mm-hmm.

5 MR. [REDACTED]: Alright. Is there
6 anything that we wanted to revise before we
7 continue?

8 MR. FOY: Yeah. I want her to go back.
9 This was from earlier about the double door.
10 How they operate.

11 MR. [REDACTED]: Okay.

12 MR. FOY: I think there were some
13 unintentional inaccuracies on that.

14 MR. [REDACTED]: Sure.

15 MR. FOY: That we clarified. So let's
16 start with that first.

17 MS. NOEL: The outer door control pops the
18 outer door. I control the inner door. So the
19 outer door can only be opened by control.

20 MR. [REDACTED]: Okay. So we were talking
21 about like popping the -. It was just your
22 memory was foggy?

23 MS. NOEL: I don't remember a lot of
24 stuff. But yeah. The outer door, you have to
25 call control to pop the 27 door. And we

1 control the inner door.

2 MR. [REDACTED]: Okay. And then just
3 while we're going back. It's something I was
4 probably going to follow-up on later. But
5 there's been a ton of questions of like you
6 don't know.

7 MS. NOEL: Yes.

8 MR. [REDACTED]: I just want to remind you
9 - you did go to the Federal Law Enforcement
10 Training Center --

11 MS. NOEL: Yes.

12 MR. [REDACTED]: -- where you were trained
13 as a correctional officer. And you also
14 received this IF training which I think you
15 said was like a two-week in-house training.

16 MS. NOEL: Yes.

17 MR. [REDACTED]: Is that what that was?
18 As well as you received the annual training.
19 And all this stuff that we're talking about
20 isn't like the real detailed stuff. This is
21 like you know conducting counts and rounds.
22 And the essential duties as a correctional
23 officer. So I'm assuming you -. Is it safe to
24 assume that you received this training you know
25 during those trainings? I know you didn't go

1 to the SHU trainings. But not too far from
2 when this happened, you were only on for a
3 little over a year. And you conducted all
4 three of those trainings. Correct?

5 MS. NOEL: I was only on for a little
6 under a year. The training that I received in
7 Georgia is specific to camps and not
8 necessarily high rises. And the in-house
9 training, the roster reflects all these
10 trainings but we didn't actually receive all
11 the training because sometimes there was nobody
12 to train us.

13 MR. [REDACTED]: Okay.

14 MS. NOEL: So when I say I don't know, I
15 don't know.

16 MR. [REDACTED]: Yeah, no. It's just
17 almost every question. I feel like we've gone
18 through 18 pages so far and so many of them are
19 --

20 MS. NOEL: Because I really --

21 MR. [REDACTED]: -- like I don't know.
22 So.

23 MS. NOEL: I really don't know.

24 MR. [REDACTED]: Alright. It's just
25 because you know people are going to say like

1 well you went to all these trainings. You
2 should know at least some of this stuff. So I
3 just wanted to try to get you to like think
4 back on your training.

5 MS. NOEL: Mm-hmm.

6 MR. [REDACTED]: And your duties and your
7 responsibilities when I'm asking these
8 questions just so you can really like think.
9 Do I really now know or is that you know, did I
10 know that these things should be done. Does
11 that make sense?

12 MS. NOEL: Correct.

13 MR. [REDACTED]: And then um -.

14 MR. [REDACTED]: Can I say -?

15 MR. [REDACTED]: Yes, please.

16 MR. [REDACTED]: Just to clarify. I know you
17 might not have received some of the official
18 trainings. Some of this stuff you might learn
19 along the way.

20 MS. NOEL: Mm-hmm.

21 MR. [REDACTED]: From your daily duties.

22 MS. NOEL: Right.

23 MR. [REDACTED]: Like it's repetitive. Some
24 of the stuff that you do. So you might have
25 known this based on the fact that you've done

1 it on a daily basis. So if you say I don't
2 know and you actually done it as part of your
3 daily duties, it kind of contradicts each
4 other.

5 MS. NOEL: I understand.

6 MR. [REDACTED]: And I just had a question.
7 You mentioned the door. Was at any point in
8 time - on the 9th, 10th or - was there a
9 practice to ever leave the doors propped open
10 in the SHU?

11 MS. NOEL: No.

12 MR. [REDACTED]: Alright. I think my last
13 question, I just want to revisit it just to
14 make sure that we're of the same understanding.
15 So again when you're pre-populating all of
16 these rounds. Correct?

17 MS. NOEL: Correct.

18 MR. [REDACTED]: But you're saying you
19 believe you did more than 50% of the rounds
20 that were listed.

21 MS. NOEL: I can't give you a percentage -
22 -

23 MR. [REDACTED]: Sure.

24 MS. NOEL: -- because I don't know how to
25 put a percentage to a round. But I can only

1 tell you that I conducted rounds as I went to
2 go do something. But I can't give you a
3 number.

4 MR. [REDACTED]: And I want to make sure
5 we understand too, if you're going down range
6 to give some inmate like toilet paper or
7 something, that you're also at that time where
8 you're saying you did a round, not just talking
9 about that tier, but all six tiers.

10 MS. NOEL: Yes.

11 MR. [REDACTED]: Alright. So you're going
12 down to give somebody a toilet paper. At that
13 point --

14 MS. NOEL: Because I'm giving toilet paper
15 to everybody.

16 MR. [REDACTED]: Alright. So you're not
17 just addressing one inmate.

18 MS. NOEL: No.

19 MR. [REDACTED]: You're saying when you're
20 giving everybody toilet paper.

21 MS. NOEL: Yes.

22 MR. [REDACTED]: So on August 9th -.

23 MS. NOEL: When I'm giving food, I give
24 everybody food. When I'm collecting trays, I'm
25 collecting all the trays. I'm giving toilet

1 paper.

2 MR. [REDACTED]: So aside from eh times
3 you're now giving toilet paper and giving food
4 and collecting trays, which are a handful of
5 those times, granted.

6 MS. NOEL: Mm-hmm.

7 MR. [REDACTED]: Are you doing any other
8 rounds?

9 MS. NOEL: Yes. And if somebody calls -.

10 MR. [REDACTED]: On August 9th --

11 MS. NOEL: Yes.

12 MR. [REDACTED]: -- we're talking about.

13 MS. NOEL: On the 9th. If somebody calls
14 and asks for something, yes, I conduct a round.

15 MR. [REDACTED]: And that's kind of what
16 I'm getting at. You're - if you're handling
17 one specific inmate, because they called and
18 asked for something. You're then also
19 addressing the other five tiers?

20 MS. NOEL: Yes.

21 MR. [REDACTED]: Okay.

22 MS. NOEL: Because usually when one calls,
23 everybody else hears and everybody wants
24 something. So I just do it.

25 MR. [REDACTED]: Alright. So on August

1 9th, you didn't conduct all the documented
2 rounds.

3 MS. NOEL: No.

4 MR. [REDACTED]: But you did do some of
5 them?

6 MS. NOEL: Yes.

7 MR. [REDACTED]: And you don't have a --

8 MS. NOEL: A number.

9 MR. [REDACTED]: -- half or anything --

10 MS. NOEL: No.

11 MR. [REDACTED]: -- like that. Okay.

12 MR. FOY: But I think the clear point is
13 when she did it, it's not based on the times on
14 the paper.

15 MR. [REDACTED]: Okay.

16 MR. FOY: Right? So that doesn't match.

17 MR. [REDACTED]: Alright. So -.

18 MR. FOY: The times she did it versus the
19 time on the paper. Because that paper is done
20 at the beginning of the shift. With the time
21 already selected.

22 MR. [REDACTED]: Oh, are you filling out
23 the entire paper at the beginning of the shift?

24 MS. NOEL: Yes.

25 MR. [REDACTED]: Oh! So you're not doing

1 it every 30 minutes just prepopulating before
2 you do the round.

3 MR. FOY: Right.

4 MS. NOEL: No.

5 MR. [REDACTED]: You're going at the very
6 beginning of the shift, filling everything out
7 the -.

8 MS. NOEL: Yes, sir.

9 MR. [REDACTED]: So that -. When did you
10 fill out the August 9th round sheet?

11 MS. NOEL: Like how the numbers are like
12 the round sheets before, like the times. So I
13 just fill it out because that's what I've seen
14 being done. Like it's filled out before or
15 sometimes at the end after. So I fill it out
16 all before.

17 MR. [REDACTED]: Okay. So you
18 prepopulated that entire thing at the very
19 beginning of your shift?

20 MS. NOEL: Yes.

21 MR. [REDACTED]: And then you just
22 conducted rounds as needed?

23 MS. NOEL: Yes.

24 MR. [REDACTED]: Alright. And you've seen
25 people do that?

1 MS. NOEL: Yes.

2 MR. [REDACTED]: Who else have you seen do
3 that?

4 MS. NOEL: I mean I don't have a specific
5 name, but I've seen it done.

6 MR. [REDACTED]: Did anyone ever tell you
7 to do that?

8 MS. NOEL: This is actually I think the
9 first time I've ever done the round sheets
10 because I've never actually done the round
11 sheets in the SHU. But those two days were the
12 days that I've done the round sheets in the
13 SHU.

14 MR. [REDACTED]: So if this was your first
15 time doing a round sheet, did someone instruct
16 you on how to do it?

17 MS. NOEL: No because I just followed what
18 I seen. But I've worked with people before
19 that was filling it out and that's how it's
20 been done.

21 MR. [REDACTED]: And did you have
22 discussions with them when you were -?

23 MS. NOEL: No. I never had a discussion
24 about it.

25 MR. [REDACTED]: So you just observed

1 people doing this?

2 MS. NOEL: Yes.

3 MR. [REDACTED]: But no one ever told you
4 to do that?

5 MS. NOEL: No.

6 MR. [REDACTED]: And did you know that it
7 was wrong to do that?

8 MS. NOEL: No.

9 MR. [REDACTED]: You didn't know that it
10 was wrong to prepopulate the rounds you
11 conducted when you weren't conducting those
12 rounds?

13 MS. NOEL: No. I mean if I'm putting the
14 time on there saying that I conducted the round
15 at this time, and I didn't conduct the round at
16 this time, that's wrong. But I didn't think it
17 was wrong to fill it out all before or after
18 because that's how they do it.

19 MR. [REDACTED]: So that's a contradicting
20 statement. You know that it's not right to
21 conduct a round at the time that you conducted
22 it, but you didn't know that it was wrong to
23 (Indiscernible *02:28:16).

24 MR. FOY: She knows that now. But this is
25 the way it was done.

1 MR. [REDACTED]: Yeah.

2 MR. FOY: She followed. But like when you
3 look at the policy and now that we're here and
4 we've had discussions. Okay. That's not how
5 it's supposed to work.

6 MR. [REDACTED]: But at the time that
7 you're filling this out on August 9th at the
8 beginning of your shift saying that you
9 conducted these rounds at a time that they
10 weren't conducted yet. You had to have known
11 that that wasn't -. Maybe you saw people doing
12 the wrong thing, but you couldn't have possibly
13 thought that that was correct.

14 MS. NOEL: Well I -.

15 MR. [REDACTED]: Because you're falsely
16 certifying that rounds are completed when you
17 didn't. There's times even that they're events
18 in the future.

19 MS. NOEL: I understand but I didn't know
20 that. I just followed whatever I saw that was
21 being done.

22 MR. [REDACTED]: I absolutely understand
23 the defense that you said other people have
24 done this and you're following their guidance.
25 But you can't possibly think that it's okay to

1 fill out certifications saying that you
2 conducted rounds in the future that haven't
3 taken place and that you actually didn't do at
4 the same time. Is that something being lost in
5 translation? Do you follow what I'm asking
6 you? Do you think it's okay to sign on the
7 round sheet that you conducted a time -?
8 Conducted a round -?

9 MS. NOEL: But it's the same thing as the
10 end. Like if I do it all at the end at the
11 times that I'm putting, I'm not going to
12 remember all those times specifically.

13 MR. [REDACTED]: Absolutely. I would also
14 argue that anytime you're falsifying a record,
15 you always know that that's wrong.

16 MS. NOEL: So. But. I mean.

17 MR. [REDACTED]: So I do understand that
18 you're saying other people do it. And that's
19 why I want to get into who else is doing this?
20 Who trained you on that? How do you know that
21 was the way that things were done? So that's
22 where my question of who talked to you about
23 it. You said no one actually spoke to you
24 about it. But you --

25 MS. NOEL: No. I just seen people do

1 that.

2 MR. [REDACTED]: -- observed people. So
3 who did you --

4 MS. NOEL: Because I never had -.

5 MR. [REDACTED]: -- observe do that?

6 MS. NOEL: I never had a conversation with
7 about filling out round sheets.

8 MR. [REDACTED]: Right. So if that's
9 going to be the argument that you're doing it
10 based upon your training and experience, I need
11 to know more about this training and
12 experience. Who is it that you experienced do
13 this in the past?

14 MS. NOEL: People that I've worked with.

15 MR. [REDACTED]: So I'd like you to think
16 about alright, I know this because I saw that
17 person do it. Who?

18 MS. NOEL: Um. [REDACTED].

19 MR. [REDACTED]: So you've witnessed [REDACTED]
20 prepopulate or at the end of the shift?

21 MS. NOEL: I don't remember exactly. But
22 it's done either or the way.

23 MR. [REDACTED]: Alright so you saw [REDACTED]
24 and who else?

25 MS. NOEL: [REDACTED].

1 MR. [REDACTED]: [REDACTED], is that the SOS
2 [REDACTED] [REDACTED] ?
3 MS. NOEL: No.
4 MR. [REDACTED]: No. A different [REDACTED].
5 What's - is [REDACTED] a gentleman's name?
6 MS. NOEL: Yes.
7 MR. [REDACTED]: What's that person's name
8 - first name?
9 MS. NOEL: I don't know the first name.
10 MR. [REDACTED]: [REDACTED] who worked in the
11 SHU?
12 MS. NOEL: Yes.
13 MR. [REDACTED]: You mentioned [REDACTED] before.
14 Is it [REDACTED] [REDACTED] ?
15 MS. NOEL: Yes.
16 MR. [REDACTED]: Okay.
17 MS. NOEL: Um. [REDACTED].
18 MR. [REDACTED]: Say that again?
19 MS. NOEL: [REDACTED] ?
20 MR. [REDACTED]: It's like (Indiscernible
21 *02:32:40).
22 MR. FOY: It's a first or last name?
23 MR. [REDACTED]: [REDACTED] ? Is the first name
24 [REDACTED] ?
25 MS. NOEL: [REDACTED].

1 MR. FOY: Oh. [REDACTED] [REDACTED].

2 MS. NOEL: Yes.

3 MR. FOY: [REDACTED]?

4 MS. NOEL: Mm-hmm.

5 MR. [REDACTED]: Anyone else aside from
6 those three people? [REDACTED]?

7 MS. NOEL: I never seen [REDACTED].

8 MR. [REDACTED]: [REDACTED]?

9 MR. [REDACTED]: [REDACTED].

10 MR. [REDACTED]: [REDACTED]? Alright. So
11 in the recollections of the three people that
12 you named, what did you observe them do?

13 MS. NOEL: Fill it out after or fill it
14 out before.

15 MR. [REDACTED]: And was that on numerous
16 occasions?

17 MS. NOEL: Yes.

18 MR. [REDACTED]: Alright. So during your
19 time in the SHU, which I think was from around
20 June 24, 2019 through August 10th, was it on
21 many of those days that you were working in the
22 SHU - this is how it was done?

23 MS. NOEL: Yes.

24 MR. [REDACTED]: Where the rounds weren't
25 conducted and they were prepopulated or

1 populated at the end?

2 MS. NOEL: Yes.

3 MR. [REDACTED]: And it was never spoken
4 of?

5 MS. NOEL: No.

6 MR. [REDACTED]: And you never asked? Hey
7 why are we you know certifying that we're
8 conducting rounds that we're not actually
9 conducting?

10 MS. NOEL: I never asked.

11 MR. [REDACTED]: Never asked?

12 MS. NOEL: No.

13 MR. [REDACTED]: And they never told you
14 to do that though?

15 MS. NOEL: Who?

16 MR. [REDACTED]: No one ever told you that
17 this is the way that it's done?

18 MS. NOEL: I mean that's the way that I've
19 seen them do it. But no one ever -.

20 MR. [REDACTED]: You observed it. You saw
21 that people did that.

22 MS. NOEL: Because I never asked so nobody
23 ever told me. But that's just what I saw.

24 MR. [REDACTED]: So on August 9th, you
25 believe that's the first time you filled the

1 sheet out. No one actually directed you or
2 instructed you that's how we do it, you just
3 saw people do it that way?

4 MS. NOEL: Right.

5 MR. [REDACTED]: Alright. And this goes
6 back to -. I understand - your attorney did
7 say that you know now that it was wrong.

8 MS. NOEL: Yeah.

9 MR. [REDACTED]: But at the time, you
10 thought it was okay to certify times that you
11 know you conducted rounds when they weren't
12 conducted?

13 MS. NOEL: Because that's the culture of
14 it there. I didn't consider it as being like
15 I'm falsifying a time or a document. No I
16 didn't.

17 MR. [REDACTED]: Is this something that's
18 addressed in training and policy? Hey when you
19 conduct a round, it's documented? At the time
20 you conducted it.

21 MS. NOEL: No.

22 MR. [REDACTED]: So it's not in the policy
23 that I provided for you?

24 MS. NOEL: I don't know if it's in the
25 policy. But in training, you're just told to

1 conduct rounds and counts. But if -.

2 MR. [REDACTED]: And document it at the
3 time it's been conducted.

4 MS. NOEL: And document it.

5 MR. [REDACTED]: Right. So it's a
6 cultural - it's a culture of falsification of
7 records?

8 MS. NOEL: In MCC? Yes. Like the
9 lieutenant told me to sign I did SHU training
10 and I didn't.

11 MR. [REDACTED]: Absolutely. There's a
12 lot of it yeah.

13 MS. NOEL: Yeah.

14 MR. [REDACTED]: So my point being is it
15 sounds like this is a cultural problem.

16 MS. NOEL: Yes.

17 MR. [REDACTED]: But you have to - as a
18 person who received a college degree. A person
19 that went to you know standard - conducted
20 ethics training. You have to know that -. I
21 understand other people are doing it. And
22 you're saying I'm going to do what they're
23 doing. But you have to know - you have to
24 question like hey. I didn't conduct this
25 training. I didn't conduct those rounds. So

1 you had to know that you shouldn't have done
2 it.

3 MS. NOEL: But -.

4 MR. [REDACTED]: You're saying that you're
5 doing it because that's how other people are
6 doing it. But you're all doing it wrong.
7 Correct?

8 MS. NOEL: But -. But in a case like
9 this, who am I telling because like -.

10 MR. [REDACTED]: I'm not asking you to
11 tell anybody.

12 MS. NOEL: No-no-no. When I say telling,
13 I'm like okay. If it's -. Okay. I understand
14 you're saying that I know that it's wrong. But
15 I'm saying like okay, like how the lieutenant.
16 Like when you said to me, does she know that I
17 didn't do the training? And I said yes she
18 knows that but she still told me to sign that.

19 MR. [REDACTED]: Absolutely.

20 MS. NOEL: So again, I'm not going to
21 think. Like I said, I'm not thinking of this
22 as like I'm falsifying a document. It's just
23 the culture of MCC and I just followed. I'm
24 new. I don't know. I just lean on the senior
25 officer or the people that I'm working with for

1 - to do what they do.

2 MR. [REDACTED]: Okay.

3 MS. NOEL: Or to guide me so to speak.

4 MR. [REDACTED]: Let's ask it this way.

5 Did you know that you were supposed to conduct
6 rounds every 30 minutes?

7 MS. NOEL: Yes.

8 MR. [REDACTED]: Yes. Did you know that
9 those rounds that are supposed to be conducted
10 every 30 minutes are supposed to be documented
11 on that sheet?

12 MS. NOEL: Yes.

13 MR. [REDACTED]: And they're supposed to
14 be documented on the time that you conducted
15 those rounds?

16 MS. NOEL: No. Because nobody documents
17 it on the time.

18 MR. [REDACTED]: I understand that that's
19 why you did it. But do you understand that in
20 training, every 30 minutes and they're supposed
21 to be not as it's corrected, they're not
22 supposed to be on the exact dot 30 minutes.
23 You're supposed to do it within like a 30- to
24 40-minute window. Correct? So that's not a
25 regular occurrence?

1 MS. NOEL: Yes. Irregular rounds.

2 MR. [REDACTED]: Irregular rounds.

3 Correct. So you know that you're supposed to
4 do them every 30 to 40 minutes.

5 MS. NOEL: Yes.

6 MR. [REDACTED]: Two rounds and hour. And
7 those rounds are supposed to be documented.

8 MS. NOEL: Yes.

9 MR. [REDACTED]: On that sheet.

10 MS. NOEL: On the sheet.

11 MR. [REDACTED]: So obviously that leads
12 to the training of they're supposed to be
13 documented when you conduct the rounds.

14 Correct?

15 MS. NOEL: Okay.

16 MR. [REDACTED]: So I'm - I do understand
17 that you're doing it because other people that
18 you just mentioned did it that way as well.
19 You have to know that you were supposed to do
20 it the way I just explained. Correct?

21 MS. NOEL: I know now.

22 MR. [REDACTED]: Well you had to know then
23 too because it's like you're supposed to do a
24 30-minute round and you've got to document when
25 you did the 30-minute round. Correct?

1 MS. NOEL: I never seen nobody do that
2 that I've worked with.

3 MR. [REDACTED]: So you never saw [REDACTED]
4 or [REDACTED] do it that way?

5 MS. NOEL: See like when -.

6 MR. [REDACTED]: And hey -. If
7 everybody's doing it wrong, obviously that's a
8 huge problem.

9 MS. NOEL: No, but what I'm saying is like
10 I'm not next to them. Like okay, let's say if
11 they're doing the sign-in sheet, I'm not -
12 that's why. Like how you're saying [REDACTED]
13 like if [REDACTED] is turning a sign-in sheet, I
14 don't necessarily have to be next to him. I
15 could only tell you the people that I've seen.
16 Do I don't know like I can't speak for
17 everybody on this -. On there that I see.

18 MR. [REDACTED]: Right. But what I'm
19 saying is you know that you need to conduct 30-
20 minute rounds. You know those rounds need to
21 be documented. You know those rounds need to
22 be documented on that sheet.

23 MS. NOEL: Mm-hmm.

24 MR. [REDACTED]: Correct?

25 MS. NOEL: Correct.

1 MR. [REDACTED]: Therefore, you knew that
2 what you were doing was false. Correct?

3 MS. NOEL: As in putting the time and the
4 time that I conducted the round. And I didn't
5 do that at that time. See again --

6 MR. [REDACTED]: So you knew it --

7 MS. NOEL: -- with the time.

8 MR. [REDACTED]: -- that what you were
9 writing in there wasn't true and accurate as
10 you wrote it. Correct?

11 MS. NOEL: Correct.

12 MR. [REDACTED]: And the reason you did it
13 was because the people that you observed in
14 there before did it that way.

15 MS. NOEL: Correct.

16 MR. [REDACTED]: Is that correct? I think
17 that's how satisfies us. Any -?> So you knew
18 it was wrong, you knew what you were --

19 MS. NOEL: But -.

20 MR. [REDACTED]: -- writing was wrong, but
21 you did it because it's how they did it.

22 MS. NOEL: Right. But didn't -. I'm not
23 thinking it's wrong. Like specific to the
24 times because I've never seen it done every 30
25 minutes - every 30 minutes - every 30 minutes.

1 MR. [REDACTED]: Right.

2 MS. NOEL: I've never worked -.

3 MR. [REDACTED]: So it's always been
4 falsified. Ever since you've been there, it's
5 always been falsified record is what you're
6 saying.

7 MS. NOEL: That - at the times that I've
8 worked and the people that I've worked with,
9 I've never seen it done every 30 minutes like
10 that. No.

11 MR. [REDACTED]: Correct.

12 MS. NOEL: I've never seen it.

13 MR. [REDACTED]: So you're trained on
14 conducting 30-minute rounds and documenting
15 when the 30-minutes -. Your experience has
16 taught you that that's not how they do it
17 there. They always falsify those records and
18 just put in whatever in order to satisfy the
19 30-minute requirement.

20 MS. NOEL: Correct.

21 MR. [REDACTED]: Okay.

22 MR. [REDACTED]: Just one follow-up question.

23 MR. [REDACTED]: Yep.

24 MR. [REDACTED]: You mentioned that was the
25 first time. Those two days were the first time

1 you filled out a round sheet in the SHU. Prior
2 to the SHU, before you got to the SHU, did you
3 fill out those round sheets?

4 MS. NOEL: Prior to working in the SHU?

5 MR. [REDACTED]: in the SHU. Did you fill out
6 -.

7 MS. NOEL: On other units, we don't have
8 um round sheets like this.

9 MR. [REDACTED]: DO you have to conduct rounds
10 in the other units?

11 MS. NOEL: Yes. But it's not documented
12 on a round sheet.

13 MR. [REDACTED]: But this was the first time
14 you would have to?

15 MS. NOEL: In the SHU it's documented on
16 the sheet.

17 MR. [REDACTED]: Alright. So is it the
18 first two times that you can recall
19 documenting? Are we going to find other round
20 sheets that you -?

21 MS. NOEL: The first two times that I can
22 recall --

23 MR. [REDACTED]: These were the first two
24 times these two times?

25 MS. NOEL: -- that I recall documenting.

1 MR. [REDACTED]: Alright. And did you -?

2 MR. FOY: You haven't gotten to this yet.

3 You know, I'm trying to lay back --

4 MR. [REDACTED]: Absolutely.

5 MR. FOY: -- and let you do your thing.

6 MR. [REDACTED]: Absolutely.

7 MR. FOY: But at some point you'll learn,

8 she never worked midnight to 8:00 --

9 MR. [REDACTED]: Yep.

10 MR. FOY: -- a.m. before. Right?

11 MR. [REDACTED]: And we never -.

12 MR. FOY: And there's a reason.

13 MR. [REDACTED]: And we have that. Do you

14 want to give her a duty roster - her daily

15 assignment --

16 MR. FOY: Right.

17 MR. [REDACTED]: -- roster so that she can

18 see --

19 MR. FOY: Right.

20 MR. [REDACTED]: -- where she -?

21 MR. FOY: So there were events in her

22 personal life. Because she used to do that I

23 come in early to avoid being mandated.

24 MR. [REDACTED]: Sure.

25 MR. FOY: But she couldn't do it that day

1 and got mandated. So now she's the officer in
2 charge for the first time at midnight with a
3 senior officer, even though he's really worked
4 there regularly. And he's not there for
5 guidance so to speak.

6 MR. [REDACTED]: Sure.

7 MS. [REDACTED]: And you know.

8 MR. [REDACTED]: So this one -. This was
9 your daily assignments and I see where it says
10 you're relieved without pay for a great amount
11 of time up until -. It looks like 6/26/2019
12 you were assigned SHU number three. And then
13 through - what we're looking at is 8/10, SHU
14 number one. So if you want to reference this
15 on days that you worked or --

16 MS. NOEL: Mm-hmm.

17 MR. [REDACTED]: -- assignments you were
18 on.

19 MR. FOY: Where?

20 MR. [REDACTED]: That's that thing. So I
21 understand what you're saying is that this is
22 your first time and she was the one in charge
23 and she wasn't having an officer in charge to
24 confer with I guess.

25 MR. FOY: Right.

1 MR. [REDACTED]: And that's why I'm
2 getting back to --

3 MR. FOY: Right.

4 MR. [REDACTED]: -- the fact that she
5 observed, you know, she knew that what she was
6 writing was false. But she did it because she
7 saw everybody else doing --

8 MR. FOY: Right.

9 MR. [REDACTED]: -- falsifying records.

10 MR. FOY: So part of it is, right, and
11 you're not wrong when you say, "Well that's
12 falsification of documents." And all that.
13 Right. And I can understand and can appreciate
14 how it looks that way.

15 MR. [REDACTED]: Sure.

16 MR. FOY: Right. And I'm not - we're not
17 disputing that. Okay. But I think there's
18 also another way. It's like well it's
19 inaccurate. Right.

20 MR. [REDACTED]: Mm-hmm.

21 MR. FOY: But that's not committing a
22 fraud to try to deceive the institution because
23 I just want to collect a paycheck and not do my
24 job. It's not for those reasons. It's just
25 because there's a BOP formal way and there's an

1 MCC way of doing things that she's assimilating
2 to that's not the proper way. That what should
3 happen - a person needs to have the strength to
4 step up and say no and be the --

5 MR. [REDACTED]: Mm-hmm.

6 MR. FOY: -- whistleblower or whatever.

7 No. She didn't do that. Right?

8 MR. [REDACTED]: And I can so appreciate
9 that.

10 MR. FOY: Right.

11 MR. [REDACTED]: And that's why I say this
12 is a cultural, institution problem

13 MR. FOY: Right.

14 MS. NOEL: Mm-hmm.

15 MR. [REDACTED]: And I agree with that.

16 MR. FOY: Right.

17 MR. [REDACTED]: And I'm saying this was
18 wrong that she observed this. And those people
19 that were doing that were absolutely wrong.

20 MR. FOY: Right.

21 MR. [REDACTED]: All I was trying to get
22 to is that we can all agree that that - you
23 know every 30 minutes is when the round is
24 supposed to be entered in there.

25 MR. FOY: So -.

1 MR. [REDACTED]: you know and she knew
2 that she was entering the wrong information
3 when she did it.

4 MR. FOY: We don't disagree.

5 MR. [REDACTED]: Sure.

6 MR. FOY: She understood I didn't really
7 do a 6:03 round or whatever. Right?

8 MR. [REDACTED]: Absolutely.

9 MR. FOY: But I don't know if she
10 experienced that as I'm falsifying records to
11 my job.

12 MS. NOEL: Mm-hmm.

13 MR. FOY: Right?

14 MR. [REDACTED]: Right.

15 MR. FOY: Which she is in her mind doing
16 is well we're supposed to do rounds. But no
17 one ever really does them every 30 to 40
18 minutes. But you've got to fill out certain
19 paperwork that's required. So you fill out the
20 paperwork. Now I know from looking at the
21 discovery not every single officer did that.
22 Right?

23 MR. [REDACTED]: Sure.

24 MR. FOY: I saw in the discovery that
25 there were people who - there would be blanks

1 where the rounds should have been. So they
2 accurately reflected I suppose when they did.
3 But I think a lot more common is it's not that.

4 MR. [REDACTED]: Absolutely.

5 MR. FOY: Right? So she followed the
6 strain.

7 MR. [REDACTED]: Absolutely.

8 MR. FOY: She did not chart her own path
9 which is with - you know, why she's got to take
10 responsibility for that part.

11 MR. [REDACTED]: And that's also why we
12 discuss this isn't all about you. It's about
13 the institution.

14 MR. FOY: Yeah. Understood.

15 MS. NOEL: Mm-hmm.

16 MR. [REDACTED]: And this seems like this
17 is an institutional problem. And that's awful
18 that you're one year on and this is what you've
19 observed --

20 MR. FOY: Right.

21 MR. [REDACTED]: -- this entire time.

22 MR. FOY: And I only say that because I
23 feel like - in watching your interaction,
24 you're kind of talking past each other on your
25 focus on if it's the falsification knowing it's

1 wrong. And she's like, well yeah, but I'm just
2 kind of doing. I'm not trying to commit a
3 crime. Like it wasn't like - and that's kind
4 of been my pitch the whole time. She wasn't
5 out to commit a crime. This isn't about hiding
6 my behavior because Jeff Epstein died.

7 MR. [REDACTED]: Mm-hmm.

8 MR. FOY: Right? It's all there. Right?
9 Even the theory of the case is when asked what
10 happened. We messed up. Right? That's the
11 like they tell the truth. There's no deceit -
12 deception --

13 MR. [REDACTED]: Mm-hmm.

14 MR. FOY: -- in frustrating the
15 investigation or the response. Now we're here,
16 we're trying to clear it up. We understand the
17 job that you have. You know address some of
18 the specifics here, but it's a much broader
19 vision. So we're trying to bring light to that
20 and she's doing the best she can to do it. I
21 think the issue is we're doing this almost two
22 years later. Right?

23 MR. [REDACTED]: Sure.

24 MR. FOY: That's the problem. And -.

25 MR. [REDACTED]: And the next day might be

1 a little easier to address.

2 MR. FOY: Right.

3 MR. [REDACTED]: So -. And we can jump
4 right into that.

5 MR. FOY: Okay.

6 MR. [REDACTED]: So on August 10th, is
7 that also in front of you? I can't remember at
8 this point what I provided you. The round
9 sheet for August 10th.

10 MR. FOY: The round sheet.

11 MS. NOEL: Yeah.

12 MR. [REDACTED]: Did you conduct any
13 rounds on August 10th that are --

14 MS. NOEL: No I did not.

15 MR. [REDACTED]: -- not -. And did you
16 also prepopulate that?

17 MS. NOEL: Yes.

18 MR. [REDACTED]: Alright. So you knew
19 everything you wrote in there - again, I
20 understand that you said this is what you
21 observed. No one told you to do it this way
22 because you saw other people doing it this way.
23 But you knew that you didn't conduct any rounds
24 that you listed on that sheet.

25 MS. NOEL: Yes.

1 MR. [REDACTED]: Correct. And what about
2 cell counts? And I'm only trying to move past
3 because we have a lot more to get through.

4 MR. FOY: Mm-hmm.

5 MR. [REDACTED]: But if there's something
6 else we want to address on there.

7 MR. FOY: Yeah. No. We're good.

8 MR. [REDACTED]: So the cell counts. When
9 did you conduct cell counts - sorry, inmate
10 counts during your shift in the SHU on August
11 9, 2019?

12 MS. NOEL: Oh, that's 9th?

13 MR. [REDACTED]: August 9th. So we're
14 talking now the 4:00 p.m. and a 10:00 p.m.

15 MS. NOEL: 10:00.

16 MR. [REDACTED]: Did you conduct those
17 counts?

18 MS. NOEL: 10:00.

19 MR. [REDACTED]: Just 10:00? Not he 4:00
20 p.m.?

21 MS. NOEL: Not at 4:00.

22 MR. [REDACTED]: Now you do recall
23 actually conducting the 10:00 as you're
24 supposed to do it?

25 MS. NOEL: No because my partner was on a

1 triple.

2 MR. [REDACTED]: Okay. So he was doing a
3 triple shift?

4 MS. NOEL: Yes. He worked three
5 consecutive shifts.

6 MR. [REDACTED]: Okay.

7 MS. NOEL: So I conducted the 10:00 by
8 myself.

9 MR. [REDACTED]: And you actually went
10 around and counted every inmate?

11 MS. NOEL: Yes.

12 MR. [REDACTED]: And we want to show the
13 count slips.

14 MR. [REDACTED]: All of it?

15 MR. [REDACTED]: We'll start I guess with
16 just the August 9th because we don't want to
17 give her too many stuff. Alright. So what I'm
18 going to show you here is this first page is
19 going to be like the institutional count. And
20 it's going to show you like ZA. Is ZA correct
21 for the SHU? Do you know that that is what ZA
22 stands for?

23 MS. NOEL: I don't remember.

24 MR. [REDACTED]: Alright. So ZA is going
25 to be the number that's going to reflect for

1 the SHU. And then I'll tell you what the total
2 number is in this count. On this page it'll
3 say 75. And it looks like this was beforehand.
4 And then at the end, you're going to see that
5 actual count slips and I'm going to ask you -
6 you know who was on the count slip that you
7 filled out and who else was on there with you.

8 MS. NOEL: Okay.

9 MR. [REDACTED]: In this instance I
10 believe it's on the second-to-last page. So
11 that you don't have to flip through all this.
12 But you can let me know if that's accurate. So
13 sorry. It looks like that one was the 4:00
14 p.m. and I believe this one is the 10:00 p.m.

15 MS. NOEL: So let me (Indiscernible
16 *02:47:46).

17 MS. [REDACTED]: You went (Indiscernible
18 *02:47:49) sheet.

19 MR. [REDACTED]: This the 10:00 p.m.

20 MS. [REDACTED]: Right?

21 MS. NOEL: Mm-hmm.

22 MS. [REDACTED]: When you call into the
23 control, this is how they determine that your
24 count matches their learning base count.
25 Right? So ZA is 9 South, ZB is 10 South.

1 MS. NOEL: Okay.

2 MS. [REDACTED]: They match. This is all of
3 our counts. Right. And then what they do is -
4 this is at the handwritten outcount from
5 employee. This is what they (Indiscernible
6 *02:48:16) entry.

7 MS. NOEL: Mm-hmm.

8 MS. [REDACTED]: This is what's keeping this
9 entry and it reflects on here. These are the
10 outcount areas an inmate could be. Right? So
11 5 South's count was 75. Their unit count is
12 78, three people were in food service.

13 MS. NOEL: Okay.

14 MS. [REDACTED]: So when they actually counted
15 living, breathing bodies, they only had 75.

16 MS. NOEL: Right.

17 MS. [REDACTED]: So now just apply that to SHU.
18 This is your SHU count. You had a one inmate
19 outcounted to attorney conference.

20 MS. NOEL: Okay.

21 MS. [REDACTED]: Right? So you come down
22 here's one. So the actual count - the total
23 count that's supposed to be there is this
24 number. This is the inmate outcounted. And
25 this is what whoever counted called in.

1 MS. NOEL: Mm-hmm.

2 MS. [REDACTED]: Or should have called in.

3 MS. NOEL: Mm-hmm.

4 MS. [REDACTED]: That number is supposed to
5 match ... these are all outcounts. That number
6 is supposed to correspond with these count
7 slips for your respective housing unit.

8 MS. NOEL: Okay.

9 MS. [REDACTED]: Right? And then I guess she's
10 asking you to review your respective -. Tell
11 me if I'm wrong.

12 MR. [REDACTED]: Yep.

13 MS. [REDACTED]: Review your respective count
14 slip for your unit on your shift. And then I
15 guess you wanted to confirm signature on the -?

16 MR. [REDACTED]: Sure. I just wanted to
17 see the second. So one page back, that second-
18 to-last page, can you just find if there's a
19 count slip that you created or you signed in
20 there?

21 MS. NOEL: I see here it says -. It has
22 my name on it. And it says 4:00 p.m. count. I
23 don't recall at 4:00.

24 MR. [REDACTED]: Does that look like your
25 signature or your handwriting?

1 MS. NOEL: Where the Noel is - no.

2 MR. [REDACTED]: How about your signature?

3 MS. NOEL: The signature looks like my
4 signature. But where the Noel is - no. But I
5 don't recall doing. I may have done the 4:00.
6 I don't recall. But I know I did 10:00.

7 MR. [REDACTED]: Alright. So you don't
8 recall if you did the 4:00 p.m. or not?

9 MS. NOEL: I don't recall.

10 MR. [REDACTED]: You can only recall doing
11 the 10:00. And is that because you said you
12 did it by yourself?

13 MS. NOEL: Self. Yes.

14 MR. [REDACTED]: Do you believe you did
15 the 4:00 p.m.?

16 MS. NOEL: I don't remember.

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

18 MS. NOEL: I don't remember.

19 MR. [REDACTED]: Alright. What is the
20 number that's listed on there? On that count?

21 MS. NOEL: 75.

22 MR. [REDACTED]: And that is your actual
23 signature?

24 MS. NOEL: Yes.

25 MR. [REDACTED]: Alright. And it says 75?

1 MS. NOEL: Yes.

2 MR. [REDACTED]: Okay. What is there on
3 the first page. what does it say that the
4 number is? And that's the count for the SHU.

5 MS. NOEL: 75.

6 MR. [REDACTED]: 75. Okay. So your
7 signature. You're claiming you can't recall
8 4:00 p.m.

9 MS. NOEL: I don't recall.

10 MR. [REDACTED]: Alright. And I'm sure
11 that in preparation for this did you discuss at
12 all or review or kind of - you know at two
13 years now, did I do that 4:00 p.m. count or
14 not? No?

15 MS. NOEL: No.

16 MR. [REDACTED]: Okay. Do you remember
17 who called in that number?

18 MS. NOEL: No.

19 MR. [REDACTED]: No. Alright. That's
20 fine. Now the 10:00 p.m. count is next to you.

21 MR. FOY: Right here.

22 MR. [REDACTED]: Can you do the same
23 thing? Go to that last page. it could
24 potentially be on the last page or potentially
25 the second-to-last. You're going to look for

1 anything you recall, you signed, or you
2 documented.

3 MR. FOY: Look at (Indiscernible
4 *02:51:16).

5 MS. NOEL: Here.

6 MR. [REDACTED]: Okay. Is there somewhere
7 that you signed you signed on that?

8 MS. NOEL: Yes. On the bottom.

9 MR. [REDACTED]: And who was - and I do
10 apologize. Let me before I even go to that.
11 Who else was on the count slip with you on the
12 4:00 p.m.?

13 MS. NOEL: [REDACTED].

14 MR. [REDACTED]: [REDACTED]? Alright. So he
15 signed that one? Or you?

16 MS. NOEL: According to the sheet.

17 MR. [REDACTED]: Do you know if they were
18 prepopulated? The 4:00 p.m. is that also how
19 you did the rounds? Did you also prepopulate
20 the count slips?

21 MS. NOEL: On the midnight to 8:00. But
22 not on -.

23 MR. [REDACTED]: Not that one?

24 MS. NOEL: No, not on this one.

25 MR. [REDACTED]: Do you know who filled it

1 out? I know it's your signature. But you said
2 it didn't look like your handwriting. But for
3 the 4:00 p.m. now we're talking about. I'm
4 just reverting back. Do you know who actually
5 completed that count slip?

6 MS. NOEL: The count slip? Who filled it
7 out? I don't recall.

8 MR. [REDACTED]: No? But it was you and
9 [REDACTED] that were on it?

10 MS. NOEL: Just me and [REDACTED] that's on
11 there.

12 MR. [REDACTED]: And this didn't look like
13 your handwriting?

14 MS. NOEL: For the Noel - no. For the
15 signature.

16 MR. [REDACTED]: Right. For the - and I
17 think you're looking at the 10:00 right now.
18 I'm just reverting back to the 4:00. That
19 doesn't look like your handwriting as far as
20 counting out? It just looks like your
21 signature on it?

22 MS. NOEL: Yes.

23 MR. [REDACTED]: And you simply just don't
24 recall if you did or did not do that count?

25 MS. NOEL: I don't remember.

1 MR. [REDACTED]: Alright. The 10:00 p.m.
2 now we're looking at. Who was on that with
3 you?

4 MS. NOEL: Me and [REDACTED].

5 MR. [REDACTED]: And who - can you tell by
6 looking at the handwriting who filled that out?

7 MS. NOEL: I don't remember. But I
8 signed. And I know -.

9 MR. [REDACTED]: Does that look like your
10 handwriting that filled it out? Can you tell?

11 MS. NOEL: No.

12 MR. [REDACTED]: You're not able to
13 identify your handwriting?

14 MS. NOEL: No. I'm saying this doesn't
15 look like my handwriting. But that's my
16 signature.

17 MR. [REDACTED]: Oh that's your signature.
18 But it doesn't look like you actually completed
19 the slip. I'm asking did you complete that
20 slip?

21 MS. NOEL: Yeah. I don't -. And this is
22 right here. The 73, I wrote that. But 10:00,
23 I don't write my numbers like this.

24 MR. [REDACTED]: Okay.

25 MS. NOEL: So. Yeah. I don't put the

1 zero-zero in a cross. So I don't.

2 MR. [REDACTED]: Is that the (Indiscernible
3 *02:53:11)?

4 MR. [REDACTED]: Is there anything next to
5 73 on that?

6 MS. NOEL: I put plus one.

7 MR. [REDACTED]: What is that for?

8 MS. NOEL: I don't remember.

9 MR. [REDACTED]: You don't know why you
10 put 73 plus one?

11 MS. NOEL: I don't remember.

12 MR. [REDACTED]: Is that abnormal to write
13 73 plus one?

14 MS. NOEL: I don't even know they there's
15 a plus one on there.

16 MR. [REDACTED]: But you wrote 73 and
17 somebody else may have put the plus one?

18 MS. NOEL: I don't remember. But the 73
19 is mine.

20 MR. [REDACTED]: Okay. And you don't know
21 what plus one would mean?

22 MS. NOEL: No.

23 MR. [REDACTED]: Alright. And then what
24 is the first page say - that the institution
25 counts were then for ZA?

1 MS. NOEL: 73.

2 MR. [REDACTED]: 73? Alright. So again,
3 that plus one you're not sure.

4 MS. NOEL: No.

5 MR. [REDACTED]: And now can you just
6 explain to me -. You said you do specifically
7 recall conducting that count?

8 MS. NOEL: 10:00 yes.

9 MR. [REDACTED]: And you actually went
10 through and counted all of the inmates?

11 MS. NOEL: Every inmate.

12 MR. [REDACTED]: On ever tier?

13 MS. NOEL: Yes.

14 MR. [REDACTED]: But it was a prepopulated
15 count slip?

16 MS. NOEL: No. That was for the midnight
17 to 8:00 in the morning.

18 MR. [REDACTED]: Alright.

19 MS. NOEL: We filled it out before.

20 MR. [REDACTED]: So 10:00 p.m. wasn't
21 prepopulated?

22 MS. NOEL: No.

23 MR. [REDACTED]: You did that after you
24 conducted the count?

25 MS. NOEL: Yes.

1 MR. [REDACTED]: Alright. But not with
2 another CO.

3 MS. NOEL: No.

4 MR. [REDACTED]: And who was the CO that
5 was supposed to have done it with you?

6 MS. NOEL: [REDACTED].

7 MR. [REDACTED]: And [REDACTED] did sign it
8 even though he didn't?

9 MS. NOEL: Yes.

10 MR. [REDACTED]: And did you have any
11 discussions with him at that time?

12 MS. NOEL: He was tired. He was on a
13 triple.

14 MR. [REDACTED]: Okay. And what did he
15 say to you?

16 MS. NOEL: He was tired.

17 MR. [REDACTED]: Did he leave then?

18 MS. NOEL: No.

19 MR. [REDACTED]: Or did he just stand
20 there and watch you do it?

21 MS. NOEL: No. He was asleep.

22 MR. [REDACTED]: He slept? Alright. So
23 he was sleeping when that was conducted?

24 MS. NOEL: Yes.

25 MR. [REDACTED]: Okay. Do you know how

1 long he slept for?

2 MS. NOEL: Until it was time for him to go
3 home.

4 MR. [REDACTED]: So like 10:00 to 12:00?

5 MS. NOEL: Approximately.

6 MR. [REDACTED]: Okay. But you're certain
7 you conducted that count?

8 MS. NOEL: Absolutely.

9 MR. [REDACTED]: Okay. And are you
10 confident that that number is correct?

11 MS. NOEL: What the 73?

12 MR. [REDACTED]: Yep.

13 MS. NOEL: Yes.

14 MR. [REDACTED]: Alright. Now let's show
15 the 12:00 a.m. Does this go there?

16 MR. [REDACTED]: It's (Indiscernible
17 *02:55:07)

18 MR. [REDACTED]: Alright. So before we -.
19 I guess first, can you go to the back of the
20 thing and see the counts? Find the count slip?
21 Can you find if -. Are you on there?

22 MR. [REDACTED]: Check the last page.

23 MS. NOEL: Yes.

24 MR. [REDACTED]: And is this the one you
25 said you prepopulated?

1 MS. NOEL: We -. Yes.

2 MR. [REDACTED]: Okay. And did you fill

3 that count slip out?

4 MS. NOEL: [REDACTED].

5 MR. [REDACTED]: [REDACTED] did?

6 MS. NOEL: Yes.

7 MR. [REDACTED]: And you signed it?

8 MS. NOEL: Yes.

9 MR. [REDACTED]: So [REDACTED] is the one that

10 prepopulated it?

11 MS. NOEL: Yeah. We filled all of them

12 out.

13 MR. [REDACTED]: Oh you filled out all but

14 three?

15 MS. NOEL: Yeah. He wrote and I signed.

16 All.

17 MR. [REDACTED]: Alright. So the 12 and

18 the 3 and the 5, you did it all at once?

19 MS. NOEL: Yes.

20 MR. [REDACTED]: Alright. And then what

21 number is written on there?

22 MS. NOEL: 73.

23 MR. [REDACTED]: Now look at that first

24 page. What number is written on there?

25 MS. NOEL: 72.

1 MR. [REDACTED]: Alright. So what
2 happened with that?

3 MS. NOEL: I don't remember.

4 MR. [REDACTED]: At what point did an
5 inmate disappear?

6 MS. NOEL: I don't remember. I called in
7 73.

8 MR. [REDACTED]: If you called in 73, did
9 you actually count 73 people?

10 MS. NOEL: Well we didn't count at 12:00.

11 MR. [REDACTED]: I know but at 10:00 you
12 did you said.

13 MS. NOEL: Did. Yes.

14 MR. [REDACTED]: So at 10:00 you did. But
15 there's only 72 people there at 10:00. So did
16 you actually do the count at 10:00? Did you
17 call - did you actually count the inmates?

18 MS. NOEL: I actually counted all the
19 inmates at 10:00. Absolutely counted all.

20 MR. [REDACTED]: And you counted at 73 of
21 them.

22 MS. NOEL: I actually counted all the
23 inmates at 10:00.

24 MR. [REDACTED]: So where did the one
25 inmate go?

1 MS. NOEL: I don't know.

2 MR. [REDACTED]: Do you remember any
3 inmate being removed from the SHU after 10:00
4 p.m.?

5 MS. NOEL: No.

6 MR. [REDACTED]: Alright. Can you show
7 her this count? Here's the 3:00 a.m. count.
8 Can you see that top sheet right there? Can
9 you find ZA? How many - what number is it on
10 that?

11 MS. NOEL: 72.

12 MR. [REDACTED]: Alright. So 72 again on
13 that. That's the institution count. That's
14 how many people are actually in the SHU. What
15 does it say on the count slip?

16 MS. NOEL: 72.

17 MR. [REDACTED]: 72. So what happened
18 between 10:00 and 3:00?

19 MS. NOEL: Why the numbers are -? I don't
20 know.

21 MR. [REDACTED]: Why are the number
22 different?

23 MS. NOEL: I don't remember.

24 MS. [REDACTED]: Let me see this again?

25 MS. NOEL: Yeah.

1 MS. [REDACTED]: It's in the (Indiscernible
2 *02:57:40).

3 MR. [REDACTED]: And I don't dispute that
4 maybe you did a round at 10:00. Are you sure
5 you did a count at -?

6 MS. NOEL: No. I did a count at 10:00.

7 MR. [REDACTED]: You counted all the
8 inmates and it added up to 73.

9 MS. NOEL: Because that's what on the -.
10 I wrote 73.

11 MR. [REDACTED]: Right. And then if you
12 notice you wrote 73 again at 12:00.

13 MS. NOEL: That [REDACTED] wrote it at --

14 MR. [REDACTED]: But there's actually 72.

15 MS. NOEL: -- 12:00 and then on the front
16 it says 72. But then the count -. But then if
17 the numbers didn't match, the count wouldn't
18 have cleared.

19 MR. [REDACTED]: And that's what I'm going
20 to ask you. Did you have any conversations?

21 MS. NOEL: I -.

22 MR. [REDACTED]: So here's the 5:00 a.m.
23 and this one also says 72 for the official
24 count. And I believe you guys wrote 72. So
25 did you discuss this with anybody that the

1 counts were off?

2 MS. NOEL: Uh, no. I think [REDACTED]
3 discussed. [REDACTED] was on the phone with -.
4 Because the count wouldn't have cleared if it
5 said 72 and 73. So I think [REDACTED] had a
6 conversation. But I didn't have a conversation
7 with anybody.

8 MR. [REDACTED]: Did you have a
9 conversation with [REDACTED] with regard to the
10 count being off?

11 MS. NOEL: No.

12 MR. [REDACTED]: So if you did all the
13 prepopulating at 12:00, why does the 12:00 say
14 73 and the other two say 72 and 72?

15 MS. NOEL: Because on the -. I remember
16 at the other one, [REDACTED] had the count slips
17 all and I couldn't find - I couldn't find the
18 count slip. And I remember I rewrote it. But
19 as far as why the count changed to 72, I don't
20 remember why.

21 MR. [REDACTED]: Well I can tell you why.
22 Because the count was off.

23 MS. NOEL: Mm.

24 MR. [REDACTED]: So that's what I'm
25 asking. If you actually did that 10:00 p.m.

1 count, how did you get 73?

2 MS. NOEL: I don't know.

3 MR. [REDACTED]: But you're sure you
4 counted 73?

5 MS. NOEL: I absolutely counted at 10:00.

6 MR. [REDACTED]: But no inmates left after
7 10:00.

8 MS. NOEL: No. I mean, I remember I
9 counted by myself. And I (Indiscernible
10 *02:59:23) counted with somebody and we
11 compared the numbers. But I counted at 10:00.

12 MR. [REDACTED]: Could have you been
13 mistaken during your count?

14 MS. NOEL: Probably.

15 MR. [REDACTED]: Do you believe that you
16 were probably mistaken?

17 MS. NOEL: Probably.

18 MR. [REDACTED]: Okay. So you're certain
19 you conducted the count.

20 MS. NOEL: Yes.

21 MR. [REDACTED]: But you think you
22 probably just counted wrong?

23 MS. NOEL: Wrong. Maybe. Because it's 72
24 after.

25 MR. [REDACTED]: Okay. And you went

1 through and you -. Tell me how a count works.

2 Do you add them up?

3 MS. NOEL: Yes. Like I write it. Like K
4 Tier. And then I write it. L Tier and then I
5 write it. And then we add it up.

6 MR. [REDACTED]: Alright. Do you want to
7 follow-up with that at all?

8 MR. [REDACTED]: Do you recall that night that
9 during your evening shift?

10 MS. NOEL: Mm-hmm.

11 MR. [REDACTED]: So let's say from when you
12 came on from 4:00 p.m. Or did you come on at
13 2:00 p.m.? What you said.

14 MS. NOEL: 4:00.

15 MR. [REDACTED]: 4:00 to midnight. Were there
16 any inmates removed from the SHU?

17 MS. NOEL: When I came on?

18 MR. [REDACTED]: Yeah.

19 MS. NOEL: Not that I know of.

20 MR. [REDACTED]: If there were inmates removed
21 from the SHU, would you have been aware of it?

22 MS. NOEL: I mean if I was there. Yes.

23 MR. [REDACTED]: Do you recall -? And so you
24 don't -. Do you recall two inmates -?

25 MS. NOEL: Going to suicide watch. Yes.

1 MR. [REDACTED]: Do you recall about that?

2 MS. NOEL: Yes.

3 MR. [REDACTED]: What happened with that?

4 MS. NOEL: Um.... I'm not really sure
5 because I remember [REDACTED] told me. But I
6 remember the two inmates didn't go to suicide
7 watch but I don't recall as far as
8 (Indiscernible *03:00:58).

9 MR. [REDACTED]: Did that happen during your
10 shift? Or did it happen before your shift?

11 MS. NOEL: During.

12 MR. [REDACTED]: During your shift. Was that
13 after the 4:00 p.m. count?

14 MS. NOEL: I don't -. I think if I would
15 have been after 4:00 p.m. because I came in at
16 4:00.

17 MR. [REDACTED]: Okay.

18 MR. [REDACTED]: If you look at the numbers
19 on the 4:00 p.m. count, does it - is it
20 correct?

21 MS. NOEL: (Indiscernible *03:01:12)

22 MR. [REDACTED]: It says 75.

23 MR. FOY: I don't think that's 4:00 p.m.

24 MS. NOEL: No.

25 MR. [REDACTED]: It's at the bottom of page

1 five.

2 MR. [REDACTED]: It's just -.

3 MS. NOEL: Yes.

4 MR. [REDACTED]: Look at the time on the
5 bottom.

6 MS. NOEL: Yeah.

7 MR. [REDACTED]: You'll be able to figure
8 it out.

9 MS. NOEL: It says 75.

10 MR. [REDACTED]: And then two people went
11 to suicide watch. Correct?

12 MS. NOEL: Correct.

13 MR. [REDACTED]: Alright. But no one else
14 left the SHU. Correct?

15 MS. NOEL: No.

16 MR. [REDACTED]: So that's what we're
17 saying. Somewhere between 4:00 p.m. and 3:00
18 a.m., either an inmate went missing or the
19 counts weren't conducted or they were off.

20 MS. NOEL: The counts was off.

21 MR. [REDACTED]: They were off. But if
22 your job was actually to count the inmates, how
23 were they off? Usually what you're saying is
24 you're just taking the number. You're
25 prepopulating this a lot of times saying what

1 number you believe it's supposed to be in
2 there. But if you actually conducted the
3 counts, you would actually know that there was
4 only 72. Correct?

5 MS. NOEL: I counted.

6 MR. [REDACTED]: But you couldn't have
7 counted 73 because -

8 MS. NOEL: Well I maybe -. That's what
9 I'm saying. Maybe there's where the error is.
10 But I counted.

11 MS. [REDACTED]: No. See at 4:00 count.

12 MR. [REDACTED]: You counted but you
13 counted wrong. Is -.

14 MS. NOEL: Yes, that's what I'm saying.
15 Because I absolutely counted. Because I
16 remember [REDACTED] was tired. He was on a
17 triple and he was falling asleep.

18 MR. [REDACTED]: Again, and I'm not saying
19 you didn't conduct a round --

20 MS. NOEL: And then I went.

21 MR. [REDACTED]: -- I'm asking if you
22 conducted a count.

23 MS. NOEL: And I went and I counted.

24 MR. [REDACTED]: Okay. And you're
25 positive of that?

1 MS. NOEL: That I counted?

2 MR. [REDACTED]: Yep.

3 MS. NOEL: Yes.

4 MR. [REDACTED]: Okay.

5 MS. NOEL: But the number could have been
6 off. But I counted.

7 MR. [REDACTED]: Okay. And that's why -.

8 MS. NOEL: Because if I was counting with
9 somebody. If I would have said 73, he would
10 have counted and he would have got 72. That's
11 why you've got to count with two people.

12 MR. [REDACTED]: Sure. And at the 12:00
13 a.m. you said you remember [REDACTED] speaking to
14 someone --

15 MS. NOEL: On the phone.

16 MR. [REDACTED]: -- but you don't know
17 who?

18 MS. NOEL: No.

19 MR. [REDACTED]: And did you have any
20 conversations with [REDACTED] at that time?

21 MS. NOEL: No. Except for he changed the
22 count slip and I signed.

23 MR. [REDACTED]: He changed which count
24 slip?

25 MS. NOEL: The one that has 72 on there.

1 MR. [REDACTED]: So he changed the 3:00
2 a.m. and the 5:00 a.m. at that time?

3 MS. NOEL: He changed one of the count
4 slips and then I was looking of for the other
5 one and I couldn't find it. And then I did -.
6 I remember. I filled out one.

7 MR. [REDACTED]: But if you -. So you're
8 saying -. I thought you said at 12:00 a.m. you
9 prepopulated all the count slips.

10 MS. NOEL: We did.

11 MR. [REDACTED]: So - but the 12:00 a.m.
12 says 73.

13 MS. NOEL: Yes.

14 MR. [REDACTED]: And the 3:00 and the 5:00
15 say 72.

16 MS. NOEL: Right.

17 MR. [REDACTED]: So is the 72 that was
18 submitted and then he talked to you and then -?

19 MS. NOEL: Well I believe that because
20 then it would have been - when it got submitted
21 it would have been that the count wouldn't have
22 cleared. It would have been off. So then it
23 would have been (Indiscernible *03:03:45). It
24 would have been had to have been changed.

25 MR. [REDACTED]: Okay. The count slip

1 would have had to have changed is what you're
2 saying.

3 MS. NOEL: Yes.

4 MR. [REDACTED]: Is that the time -?

5 MS. NOEL: If the count doesn't match
6 what's on here, then it would have had to have
7 been changed.

8 MR. [REDACTED]: If a count is off, like
9 it was -.

10 MS. NOEL: Mm-hmm.

11 MR. [REDACTED]: What happens?

12 MS. NOEL: You redo the count slip. And
13 redo the count.

14 MR. [REDACTED]: In this case do you
15 recall them telling you to redo the count?

16 MS. NOEL: No.

17 MR. [REDACTED]: No. And did [REDACTED] say
18 that hey I just spoke to the lieutenant and
19 they said to redo the count?

20 MS. NOEL: No.

21 MR. [REDACTED]: No?

22 MS. NOEL: Hm-mm.

23 MR. [REDACTED]: Do you remember redoing
24 that slip that says 73 whereas the institution
25 count says 72?

1 MS. NOEL: Let me see.

2 MR. [REDACTED]: Because I just want to
3 make sure because the video shows that no
4 counts were done at 10:00. I mean unless
5 you're just -.

6 MS. NOEL: I saw that also in the
7 indictment. But I did count at 10:00.

8 MR. [REDACTED]: And this is again part of
9 that whole under oath thing because there was
10 only 72 people on there. So if you're saying
11 you did the count, I just want to reconcile
12 that now before we have a potential problem in
13 the future.

14 MR. [REDACTED]: So [REDACTED] never assisted
15 you with the 10:00 p.m. count right?

16 MS. NOEL: No.

17 MR. [REDACTED]: So you wrote 73 plus one.

18 MS. NOEL: I wrote 73.

19 MR. [REDACTED]: So you don't recall the plus
20 one?

21 MS. NOEL: The plus one, no I don't recall
22 that.

23 MR. [REDACTED]: Does that look like your
24 handwriting? The plus one?

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

1 MR. [REDACTED]: You don't know. And when
2 did [REDACTED] sign that? Would it have been
3 before he went to sleep?

4 MS. NOEL: Yes.

5 MR. [REDACTED]: Would it have been much
6 before 10:00?

7 MS. NOEL: I don't remember the exact
8 timeframe.

9 MR. [REDACTED]: When you wrote that count
10 slip, was the time accurate to when you
11 conducted the count?

12 MS. NOEL: Yeah because you count at
13 10:00.

14 MR. [REDACTED]: Okay. So the time that -
15 is there a time reflected on --

16 MS. NOEL: But -.

17 MR. [REDACTED]: -- the actual count slip?

18 MS. NOEL: Yes. It says 10:00.

19 MR. [REDACTED]: Alright. So if around
20 that time, he would have just signed it and you
21 went up.

22 MS. NOEL: And I went up.

23 MR. [REDACTED]: And you actually did the
24 count. Not a round. But you did a count.

25 MS. NOEL: I counted.

1 MR. [REDACTED]: Okay. And you just have
2 no explanation for why the count is off?

3 MS. NOEL: You can miscount. So I'm not
4 saying that the number couldn't have been off.
5 But as far as the count, like I counted. It
6 could have been a miscount but I counted.

7 MR. [REDACTED]: Alright. I've got a follow-
8 up. Do you recall an inmate being moved to dry
9 cell that night?

10 MS. NOEL: Dry cell. No.

11 MR. FOY: Do you know what that is?

12 MS. NOEL: Yes.

13 MR. FOY: Okay.

14 MR. [REDACTED]: Do you remember an inmate
15 named Fernandez?

16 MS. NOEL: No.

17 MR. [REDACTED]: You don't recall. During
18 your shift. The inmate wasn't moved?

19 MS. NOEL: No. I don't -.

20 MR. [REDACTED]: If an inmate was moved to
21 another cell. Let's just say dry cell. Where
22 is dry cell located?

23 MS. NOEL: I don't know.

24 MR. [REDACTED]: Is it in - you know where R&D
25 is ?

1 MS. NOEL: Yes.

2 MR. [REDACTED]: Is it in R&D?

3 MS. NOEL: I don't know.

4 MR. [REDACTED]: Have you -? Okay. If an
5 inmate was moved to R&D, would you still
6 include the inmate as part of your count?

7 MS. NOEL: If the inmate was moved, I
8 would think they'd be on the outcount. I'm not
9 sure.

10 MR. [REDACTED]: But you wouldn't include
11 because you can't see the inmate.

12 MS. NOEL: Right. They'd be on the
13 outcount.

14 MR. [REDACTED]: Yeah. You only count the
15 people that are physically present.

16 MR. [REDACTED]: Present.

17 MR. [REDACTED]: Right. And that's what
18 number goes on that count slip.

19 MS. NOEL: Count slip.

20 MR. [REDACTED]: Right.

21 MR. [REDACTED]: Do you recall any instances
22 of why anyone would write plus one? What was
23 that plus one? We've been trying to figure out
24 what the plus one is.

25 MS. NOEL: Plus one. I don't know.

1 MR. [REDACTED]: Yeah. I'm more concerned
2 with the 73 when there was only 72 people. Now
3 I'm not going to doubt that you counted at
4 least one tier. You counted all six tiers?

5 MS. NOEL: Yes.

6 MR. [REDACTED]: And you added those up
7 and it equaled 73?

8 MS. NOEL: That's what I have on here.

9 MR. [REDACTED]: Do you remember? I mean
10 I know you have that on there. But that's what
11 I'm saying. That's inaccurate. So I'm trying
12 to -

13 MS. NOEL: But I don't -.

14 MR. [REDACTED]: I'm trying to reconcile
15 that.

16 MS. NOEL: But see I don't remember that
17 at this point. Like I mean I wrote 73. I
18 counted. I remember [REDACTED] having a
19 conversation. the number was switched to 72
20 but I don't remember like physically like
21 adding it up like I don't remember that. And
22 again, maybe I miscounted because I counted by
23 myself. This was before. But at 12:00 -.

24 MR. [REDACTED]: And being that [REDACTED]
25 signed before you did the count, do you think

1 you prepopulated that? And then counted?

2 MS. NOEL: I could have been. I don't
3 remember.

4 MR. [REDACTED]: So you may have written
5 the slip first and then counted?

6 MS. NOEL: I don't remember at this point.

7 MR. [REDACTED]: Okay. But at the 12:00
8 a.m. count when you guys were told this count
9 is off, you didn't then go as you should have
10 recount.

11 MS. NOEL: No.

12 MR. [REDACTED]: And you do understand
13 that if a count's off you're supposed to do a
14 recount? Correct?

15 MS. NOEL: Recount.

16 MR. [REDACTED]: Alright. So the 12:00
17 a.m. there's not dispute. The 12:00 a.m., the
18 3:00 a.m., and the 5:00 a.m. you guys didn't do
19 it.

20 MS. NOEL: Correct.

21 MR. [REDACTED]: And you both signed those
22 slips knowing that the counts weren't done.
23 10:00 you're claiming that you did. You don't
24 know when you filled out the slip and you don't
25 know why it's inaccurate.

1 MS. NOEL: Right.

2 MR. [REDACTED]: And the 4:00 p.m. you're
3 just saying you don't remember.

4 MS. NOEL: The 4:00 yes.

5 MS. [REDACTED]: Can I see the 10:00?

6 MR. [REDACTED]: So you don't remember if
7 it was conducted or if it wasn't conducted.

8 MS. NOEL: Well the 4:00 would have been
9 conducted because we feed at that time.

10 MR. [REDACTED]: Well that's not a count
11 though. Again, I'm talking -. I don't want to
12 say -

13 MS. NOEL: Like a -.

14 MR. [REDACTED]: I want to make sure that
15 we're -

16 MR. [REDACTED]: Right but I don't
17 remember physically at 4:00 counting. I don't
18 remember.

19 MR. [REDACTED]: Okay. So you don't
20 recall counting. You know that you did people
21 at 4:00.

22 MS. NOEL: Right.

23 MR. [REDACTED]: So that would be what you
24 call a round.

25 MS. NOEL: Right

1 MR. [REDACTED]: What you classify your
2 understanding of a round. But the count.

3 MS. NOEL: Right. I don't recall.

4 MR. [REDACTED]: You don't recall
5 conducting the 4:00 p.m.?

6 MS. NOEL: No. I counted -.

7 MR. [REDACTED]: Do you believe that you
8 did conduct a count at 4:00 p.m.?

9 MS. NOEL: I don't know.

10 MR. [REDACTED]: So you just can't recall.

11 MS. NOEL: I don't remember.

12 MR. [REDACTED]: Okay.

13 MS. NOEL: I counted at 3:00 and 5:00
14 upstairs.

15 MS. [REDACTED]: That's incorrect at 10:00.

16 MR. [REDACTED]: In 10 South?

17 MS. NOEL: Yes.

18 MR. [REDACTED]: Alright.

19 MS. [REDACTED]: Right? So this -.

20 MR. [REDACTED]: So you - is it safe to
21 say that you did the feed, which you classified
22 as a round but you didn't count at 4:00 p.m.?

23 MS. NOEL: I don't know.

24 MR. [REDACTED]: You don't know. Okay.
25 We're going to just move on.

1 MR. FOY: Let me do this real quick. I
2 just want to try to clarify this. Let me
3 because this is something we haven't discussed
4 in advance.

5 MR. [REDACTED]: Of course.

6 MR. FOY: Because I didn't know there was
7 an off on the number.

8 MS. NOEL: I didn't even remember that.

9 MR. FOY: Alright. So we can take this
10 out with us and speak on it real quick?

11 MR. [REDACTED]: Ah...

12 MR. FOY: Or you want to keep it in here?

13 MR. [REDACTED]: How about we leave and
14 let you discuss it in here?

15 MR. FOY: Okay. That's fine.

16 MR. [REDACTED]: Does that work?

17 MR. FOY: Yeah. That's fine.

18 MR. [REDACTED]: Just because I don't
19 really want to have documents removed.

20 MR. FOY: Yeah-yeah, okay.

21 MR. [REDACTED]: Alright. So it's 1:38
22 p.m. This is Senior Special Agent [REDACTED]
23 [REDACTED] and I am pausing the recording.

24 [Whereupon, the above-entitled matter went off
25 the record and went back on the record.] The

1 recorder is back on. It is currently 1:46 p.m.
2 This is Senior Special Agent [REDACTED].
3 I'm just reminding you Ms. Noel you are under
4 oath and this is a voluntary interview. Thank
5 you again for your cooperation. So when we
6 took a break, is there anything that you wanted
7 to add from the last thing we were talking
8 about? The difference between the 4:00, the
9 10:00, and the 12:00, and the different
10 numbers.

11 MS. NOEL: On the plus one. I don't know
12 where the plus one came from. I absolutely
13 counted at 10:00. I don't know why is there a
14 plus one. And then when the number changed,
15 like there's something that's sometimes it's
16 called like a ghost count. I don't know. I
17 don't remember if that's what happened. So
18 whereas, control will call you and say, put it
19 as a ghost count. So the inmate is not
20 physically there but they know there the inmate
21 is. Because they didn't redo the count sheet.
22 So that's the only thing I can think of - the
23 ghost count.

24 MR. [REDACTED]: I could think it may be a
25 ghost count for the plus one. But if you're

1 writing the numbers and it's supposed to be -.

2 I mean when you're -.

3 MS. NOEL: No. I'm talking about for the
4 73 and then how it changed to 72. As far as
5 the plus one, I don't know about the plus one.
6 I'm talking about the 73.

7 MR. [REDACTED]: But when you do a count,
8 that you list on it, isn't it the physical
9 inmates that are there?

10 MS. NOEL: Yes.

11 MR. [REDACTED]: You can't ever say that -
12 you can't list somebody that is not there on
13 that count. Correct?

14 MS. NOEL: Correct.

15 MR. [REDACTED]: Right. So you see?

16 MS. NOEL: No but what I'm saying. Okay.
17 Like I'm like I said, I really don't remember,
18 but let's say if I counted 72. And they said
19 ghost count John. And I put 73. As far as the
20 plus one, I don't know. And I put 73 because
21 they know where the inmate is. And then after
22 for the next count they fixed the roster.
23 Because that's why it's called a ghost count
24 because they didn't move to where the person is
25 supposed to be. And then they fix it on the

1 next one. That could have been how the count
2 went down in 72. But as far as the plus one, I
3 don't know where the plus one went.

4 MR. [REDACTED]: Alright. So who was in
5 the SHU at 10:00 p.m. when you conduct this
6 count?

7 MS. NOEL: Me and [REDACTED].

8 MR. [REDACTED]: Just the two of you?

9 MS. NOEL: Yes.

10 MR. [REDACTED]: He's sleeping.

11 MS. NOEL: Yes.

12 MR. [REDACTED]: What conversations did
13 you have with anybody about that count?

14 MS. NOEL: That's what I'm saying. I
15 don't recall. That's the only thing that could
16 have happened. But I don't recall.

17 MR. [REDACTED]: But if they told you to
18 do that at 10:00 p.m. as you just noticed, at
19 12:00 a.m., the count - that's when they catch
20 that the counts are wrong.

21 MS. NOEL: Right.

22 MR. [REDACTED]: So if I told you that -.

23 MS. NOEL: Well not at that time at the 12
24 time. I'm saying like when it changed from -
25 I'm not looking at the time but when it changed

1 from the 72 to the 72 at that time.

2 MR. [REDACTED]: Right. So no inmate was
3 removed from the SHU after 10:00 p.m.?

4 MS. NOEL: No.

5 MR. [REDACTED]: There's only 72 inmates
6 in the SHU at 10:00 p.m.

7 MS. NOEL: I don't - as far as the numbers
8 go, I don't remember accurately the numbers,
9 but no inmate moved.

10 MR. [REDACTED]: Right.

11 MS. NOEL: There was no movement.

12 MR. [REDACTED]: And that's just where
13 we're just trying to get to this. If you're
14 swearing up and down, you know under oath, I
15 conducted this count.

16 MS. NOEL: I did.

17 MR. [REDACTED]: But there's only 72
18 people there. At 12:00 a.m., that's when the
19 lieutenant catches. Hey guys, there's only 72
20 people in there. You've got to redo this count
21 and give me a new count slip. When did - when
22 did this happen?

23 MR. FOY: Let me just say something on
24 here it says that at 10:00. I'm looking at the
25 10:00 that it was 73 on the outside.

1 MR. [REDACTED]: Correct.

2 MR. FOY: Right, so the control and her
3 slip matches.

4 MR. [REDACTED]: Right. So she calls in
5 the number --

6 MR. FOY: Right.

7 MR. [REDACTED]: -- and right. So she's
8 calling in because somewhere before 10:00 p.m.,
9 an inmate wasn't removed from the list.

10 MR. FOY: Right.

11 MR. [REDACTED]: Although they were not
12 present in the SHU. So if they're doing a
13 count --

14 MR. FOY: Mm-hmm.

15 MR. [REDACTED]: -- that's where it's
16 supposed to say that's the actual number that's
17 in here.

18 MR. FOY: Right.

19 MR. [REDACTED]: And at that point,
20 control would say we have 73. Where is the
21 problem here? But she called in 73 -.

22 MR. FOY: Right.

23 MR. [REDACTED]: Or yeah instead of the
24 72.

25 MR. FOY: Right.

1 MR. [REDACTED]: So you're right. The
2 master list is off but so is the count slip.
3 The count slip is provided first.

4 MS. [REDACTED]: But they're not off, right?
5 Technically, at 10:00, the master list is that
6 front page.

7 MR. [REDACTED]: The master list is wrong.

8 MS. [REDACTED]: It said 73.

9 MR. [REDACTED]: Correct.

10 MS. [REDACTED]: So there may be something you
11 know that we don't.

12 MR. [REDACTED]: Oh we've already talked
13 to hundreds of people about this.

14 MS. [REDACTED]: I'm sure.

15 MR. [REDACTED]: So that's where - I mean
16 not hundreds - by you know what I mean.

17 MS. [REDACTED]: A few people.

18 MR. [REDACTED]: A lot of people. So this
19 is where we're just asking the only person that
20 was there that was actually. You know the
21 other guy was sleeping. There's only one
22 person physically present in there.

23 MS. [REDACTED]: Mm-hmm.

24 MR. [REDACTED]: And that was you Ms.
25 Noel.

1 MS. NOEL: Yes.

2 MR. [REDACTED]: So that's why we're
3 asking you. Everyone else clear as day says
4 well it just shows - it's just proof that the
5 count wasn't conducted. That's what everybody
6 else says all the way up to the highest of
7 levels. So that's why if you're saying that
8 the count was conducted, you're just saying --

9 MS. NOEL: I did do the count.

10 MR. [REDACTED]: -- you just counted
11 wrong.

12 MS. NOEL: I did do the count.

13 MS. [REDACTED]: So I get -. And I'm asking
14 this because I think if we're confused, Ms.
15 Noel is - might be confused. Correct me if I'm
16 wrong.

17 MS. NOEL: Right. Like because I didn't
18 even -.

19 MS. [REDACTED]: If she - if the employee -
20 let's use a simple number for the sake of it.
21 Right. I'm an employee. I count 4 living
22 breathing bodies on Unit A.

23 MR. [REDACTED]: Mm-hmm.

24 MS. [REDACTED]: And then I call you who is
25 located eight floors downstairs and I say I

1 have four bodies on Unit A and you say to me,
2 Ms. [REDACTED], that's a good count. Right?

3 MR. [REDACTED]: Mm-hmm.

4 MS. [REDACTED]: That's what these documents
5 imply took place. Because the front page is
6 prepared by a completely different person in a
7 completely different area.

8 MR. [REDACTED]: Exactly. So what these
9 documents actually imply is that the
10 institution count showed that there were 73
11 people in there.

12 MS. [REDACTED]: Yes.

13 MR. [REDACTED]: There were only 72 people
14 in there. So what they imply is that the count
15 wasn't conducted. Because there were only 72
16 people in there and it was just based on the
17 number that should have been based upon the
18 system. The system showed there were 73, so
19 they wrote 73 on the slip. That's what the
20 documentation implies.

21 MS. [REDACTED]: I get that (Indiscernible
22 *03:16:28) wrong.

23 MR. [REDACTED]: However, there were only
24 72 people in there.

25 MS. [REDACTED]: Now I understand what you're

1 saying.

2 MR. [REDACTED]: So that's why I'm asking.
3 It's hard for me to get past this question if
4 you're saying yes I counted 73 --

5 MS. NOEL: I did.

6 MR. [REDACTED]: -- bodies when there were
7 only 72 bodies in there.

8 MS. NOEL: No. I absolutely counted. As
9 far as the number, like I said, in remembering
10 how much bodies I counted, but I counted.

11 MR. [REDACTED]: So you counted, you just
12 didn't -.

13 MS. NOEL: The count may have been off.

14 MR. [REDACTED]: You didn't maybe have the
15 numbers up?

16 MS. NOEL: Right or it was -.

17 MR. [REDACTED]: And that's why I wanted
18 to make sure the difference between a round and
19 a count.

20 MS. NOEL: No. I counted.

21 MR. [REDACTED]: You counted but -?

22 MS. NOEL: And the reason why that always
23 stood out to me because I remember he was on a
24 triple and he said he was tired. And I
25 counted.

1 MR. [REDACTED]: So just give me a little
2 more information on what you're just saying.
3 You know you counted but what?

4 MS. NOEL: No. I'm saying I know I
5 absolutely counted. And that always stood out
6 to me because I remember he was on a triple and
7 he was tired.

8 MR. [REDACTED]: Sure.

9 MS. NOEL: And I counted by myself which
10 I'm not supposed to. So I remember that. But
11 as far as the numbers go, I don't remember this
12 because I didn't even remember something about
13 a plus one until I seen the count slip. Like I
14 don't recall nothing about a plus one.

15 MR. [REDACTED]: Right.

16 MS. NOEL: So as far as the numbers, I'm
17 not sure. But as far as counting, I absolutely
18 counted.

19 MR. [REDACTED]: Are you sure you counted
20 73?

21 MS. NOEL: That's what I'm saying. As far
22 as the numbers go, I don't remember. But I
23 counted.

24 MR. [REDACTED]: Let's see. You counted
25 what? So I mean what did you do with the

1 numbers that you counted?

2 MS. NOEL: What I'm saying is, the count
3 could have been off. But I'm just letting you
4 know that I actually did count. As far as the
5 actual number, that's where the discrepancy --

6 MR. [REDACTED]: So --

7 MS. NOEL: -- comes in.

8 MR. [REDACTED]: So did you count and then
9 look at the - what the system showed was in
10 there. And you just decided --

11 MS. NOEL: I didn't -.

12 MR. [REDACTED]: -- to put what the system
13 showed?

14 MS. NOEL: Because I don't know how to
15 look for that.

16 MR. [REDACTED]: You don't even know how
17 to find -?

18 MS. NOEL: Look for the count in the
19 system. No.

20 MR. [REDACTED]: So where would you -? If
21 you're prepopulating things, where do you get
22 the numbers from in order to -?

23 MS. NOEL: When you come in, the person
24 that you're relieving will be like I got 72 or
25 I got 75.

1 MR. [REDACTED]: So someone who you
2 relieved would have told you that there were
3 73?

4 MS. NOEL: Correct.

5 MR. [REDACTED]: Alright. And do you know
6 who would have told you that there were 73?

7 MS. NOEL: I don't know.

8 MR. [REDACTED]: Would it have been
9 [REDACTED] before he fell asleep?

10 MS. NOEL: I don't remember.

11 MR. [REDACTED]: Alright. So again, just
12 help me try to understand if there's only 72
13 people in there, how you wrote 73 if you
14 counted?

15 MS. NOEL: Again, that's what I'm saying.
16 I could have miscounted. I don't remember what
17 happened. As far as the actual number of the
18 count. I can only just tell you that I
19 counted. As far as the numbers go, I don't
20 remember.

21 MR. [REDACTED]: Right. So you counted
22 each tier.

23 MS. NOEL: Yes.

24 MR. [REDACTED]: And then you added each
25 of those counts up?

1 MS. NOEL: Yes. I counted each tier. I
2 don't know if I added them up. But usually
3 when I'm counting, that's what I do. I write
4 it down, K Tier with the number, L Tier I put
5 the number, and I add them up.

6 MR. [REDACTED]: Okay.

7 MS. NOEL: But if I miscounted, remember I
8 counted by myself. So if I miscounted, I would
9 have called control and I would have said 73.
10 They would have been like no, your count is
11 wrong.

12 MR. [REDACTED]: Well that's the -.

13 MS. NOEL: But on -.

14 MR. [REDACTED]: It's weird that your
15 miscount just happened to show what the system
16 said that was what the system thought was in
17 there.

18 MS. NOEL: But at -.

19 MR. [REDACTED]: That's where I'm having
20 difficulty because it's like the system says
21 73. So if you miscounted 73, and the system
22 said 73, but there's only 72, how are you
23 saying you actually counted?

24 MS. NOEL: Bu there at 10:00, it's 73 on
25 here and it's 73 on here.

1 MR. [REDACTED]: Correct. Because that's
2 the - the institution count it off.

3 MS. NOEL: Right but at -.

4 MR. [REDACTED]: So -.

5 MS. NOEL: So - but I'm confused because
6 at 10 it says it's 73.

7 MR. FOY: But they're saying this is
8 wrong. This paper is wrong.

9 MR. [REDACTED]: And it was caught at
10 midnight.

11 MS. NOEL: Okay. But this is -. Well
12 then I don't know. I don't know.

13 MR. [REDACTED]: Do we want to continue on
14 this or keep going?

15 MR. [REDACTED]: Oh keep going.

16 MR. [REDACTED]: Alright. So prior to
17 6:33 a.m. on August 10, 2019, when was the last
18 time that you conducted a round within the SHU?
19 Now we're talking about a round.

20 MS. NOEL: I don't remember the time, but
21 I didn't conduct no round between 12:00 and the
22 12:00 to 8:00 shift.

23 MR. [REDACTED]: So this - what we're
24 talking about - what you're calling a count
25 that you're saying would then that the last

1 time be that you conducted either a round or a
2 count?

3 MS. NOEL: After 10:00.

4 MR. [REDACTED]: Would that -? When we're
5 discussing at the 10:00 p.m.? Would have you
6 done something between then and 12:00?

7 MS. NOEL: I don't remember. This is the
8 last that I remember with the count at 10:00.

9 MR. [REDACTED]: So the last one that you
10 can recall is the one that we're discussing --

11 MS. NOEL: Yes.

12 MR. [REDACTED]: -- on the 10:00 p.m.
13 count?

14 MS. NOEL: Yes.

15 MR. [REDACTED]: Okay. So probably around
16 10:00 p.m. would have been the last.

17 MS. NOEL: You can say that.

18 MR. [REDACTED]: What time does that count
19 slip show?

20 MS. NOEL: The count slips shows 10:00. On
21 here is says 10:30 p.m.

22 MR. [REDACTED]: 10:30 p.m.?

23 MS. NOEL: Mm-hmm.

24 MR. [REDACTED]: Do you - no-no-no.
25 That's the institutional count.

1 MS. NOEL: On the count slip, it says
2 10:00. It's always going to say that. Like
3 even if -. Like on the count slip, let's say
4 if I counted at 10:15, it's still going to say
5 10:00 because --

6 MR. [REDACTED]: Alright.

7 MS. NOEL: -- it's the 10:00 count.

8 MR. [REDACTED]: So -.

9 MS. NOEL: So that's what I'm saying. A
10 round.

11 MR. [REDACTED]: So this one -. I just
12 want you to try to kind of -. Because this
13 would have been if you actually conducted the
14 count and you actually looked at the people,
15 this would have been the last time you saw
16 Epstein. Correct?

17 MS. NOEL: Correct.

18 MR. [REDACTED]: Alright. So I just want
19 you to consider that with all that's
20 surrounding this, you've got to kind of in your
21 mind think, "When is the last time that I saw
22 him?"

23 MS. NOEL: Mm-hmm.

24 MR. [REDACTED]: Is this the last time you
25 can remember seeing him?

1 MS. NOEL: Yes.

2 MR. [REDACTED]: Alright. So do you
3 remember -?

4 MS. NOEL: Until the incident.

5 MR. [REDACTED]: Right.

6 MS. NOEL: Mm-hmm.

7 MR. [REDACTED]: So would that - do you
8 remember if that would have been at 10:00? A
9 little after? A little bit before? And again,
10 this is the last time you saw this big guy
11 whose caused your life to flip upside down.

12 MS. NOEL: But I can't -. That's what I'm
13 saying.

14 MR. [REDACTED]: But would he -.

15 MR. [REDACTED]: You just got to ballpark
16 it.

17 MR. [REDACTED]: Okay.

18 MS. NOEL: It's somewhere around after
19 10:00.

20 MR. [REDACTED]: So you just always write
21 the time of the count.

22 MS. NOEL: Yeah. With the counts, even if
23 -. Because remember, on the unit, you're
24 waiting to count. So let's say you fill out
25 the 10:00 slip. But let's say we didn't

1 actually go down range until 10:30. You don't
2 actually put 10:30. It's a 10:00 count. So
3 it's always going to say 10:00.

4 MR. [REDACTED]: Okay.

5 MS. NOEL: So that's what I'm saying.
6 Just ballpark it.

7 MR. [REDACTED]: So approximately 10:00
8 p.m.

9 MS. NOEL: Yes. Or after 10:00.

10 MR. [REDACTED]: Okay. So on the round
11 sheet. Does that also say 10:00 p.m.? I mean
12 I know you said you prepopulated that one. But
13 what does that one say? And that's for August
14 9th. You already said August 10th, none of the
15 rounds were conducted. On August 9th, I guess
16 around the 10:00, you know that nothing after
17 10:00 was actually conducted on the round
18 sheet?

19 MS. NOEL: It has after 10:00 on here.

20 MR. [REDACTED]: Okay. So those ones.
21 Those ones from then on you know those weren't
22 conducted.

23 MS. NOEL: Right. Remember I didn't fill
24 this out.

25 MR. [REDACTED]: You prepopulated it.

1 Right. So I'm just - want to make sure we know
2 that --

3 MS. NOEL: Yeah.

4 MR. [REDACTED]: -- you said some of them
5 you conducted.

6 MS. NOEL: Right.

7 MR. [REDACTED]: You don't remember which
8 ones you did.

9 MS. NOEL: Right.

10 MR. [REDACTED]: But I just know that
11 those ones weren't conducted.

12 MR. [REDACTED]: Right.

13 MR. [REDACTED]: After 10:00 p.m.

14 MS. NOEL: Right.

15 MR. [REDACTED]: Okay. Alright. So that
16 last -. You're saying the last round and the
17 count were one and the same. And was that an
18 authorized practice? Is a round and a count if
19 you're doing a 10:00 p.m. count, does that also
20 what you can document on the round sheet as
21 something you did at 10:00 p.m.?

22 MS. NOEL: Yes.

23 MR. [REDACTED]: Okay. So they can
24 overlap for that.

25 MS. NOEL: Yes.

1 MR. [REDACTED]: Were any supervisors
2 present for any cell counts or rounds in the
3 SHU on either August 9th or August 10, 2019?

4 MS. NOEL: No.

5 MR. [REDACTED]: No? Should any
6 supervisors have been present for any cell
7 counts or rounds in the SHU on August 9th or
8 August 10, 2019?

9 MS. NOEL: No.

10 MR. [REDACTED]: Is there a requirement -?
11 Or was there at that time that a supervisor -
12 every supervisor at least one per shift should
13 have conducted a round or a count with you guys
14 in the SHU? Not of you staff members, but of
15 the inmates?

16 MS. NOEL: You're saying if the supervisor
17 should have did -?

18 MR. [REDACTED]: Should a supervisor, you
19 know like a lieutenant --

20 MS. NOEL: Mm-hmm.

21 MR. [REDACTED]: -- observed or
22 participated in a round or a count of the
23 inmates during their shift? At least once? Do
24 you know of that?

25 MS. NOEL: I think so.

1 MR. [REDACTED]: You think that they're
2 supposed to do that?

3 MS. NOEL: Yes.

4 MR. [REDACTED]: And during your time in
5 the SHU, did a lieutenant ever participate or
6 observe a count or round while you were in the
7 SHU?

8 MS. NOEL: [REDACTED] did.

9 MR. [REDACTED]: [REDACTED] did.

10 MS. NOEL: [REDACTED] did because she went
11 down on the tiers. But on the midnight to
12 8:00, Lieutenant [REDACTED] didn't walk the
13 tiers.

14 MR. [REDACTED]: Okay. So when [REDACTED] did
15 on August 9th, she actually walked the tiers
16 and checked --

17 MS. NOEL: Yes she did.

18 MR. [REDACTED]: -- out the inmates?

19 MS. NOEL: She did.

20 MR. [REDACTED]: She did? Okay. And
21 around would have that been? Do you remember?

22 MS. NOEL: I don't remember the time.

23 MR. [REDACTED]: Did she do it by herself?
24 Or did she go with you guys while you were
25 conducting a round or a count?

1 MS. NOEL: No. She didn't do anything
2 with us.

3 MR. [REDACTED]: So she did it by herself?

4 MS. NOEL: Correct.

5 MR. [REDACTED]: She walked up and down
6 each of the six tiers?

7 MS. NOEL: She went down the tiers.

8 MR. [REDACTED]: Do you know if that is a
9 requirement that a lieutenant does that in the
10 SHU?

11 MS. NOEL: I don't know.

12 MR. [REDACTED]: Had you ever observed
13 anyone prior to August 9th - [REDACTED] doing that?

14 MS. NOEL: Observe a lieutenant going down
15 the tier?

16 MR. [REDACTED]: Either do it themselves -
17 the lieutenant do the round themselves - or
18 watch the staff members do it?

19 MS. NOEL: Oh no, they never -. No they
20 never watch us do -.

21 MR. [REDACTED]: Never watched? Never
22 observed?

23 MS. NOEL: No.

24 MR. [REDACTED]: Did they ever conduct it
25 with you?

1 MS. NOEL: No.

2 MR. [REDACTED]: But they would
3 occasionally do it themselves?

4 MS. NOEL: They'll make -. The
5 lieutenants will make a round. Yes.

6 MR. [REDACTED]: So not just pop into the
7 SHU, but they'll actually go up and down the -?

8 MS. NOEL: Yes. Some. Not all.

9 MR. [REDACTED]: Some? Alright. And
10 that's what I'm asking. Do you know if it's a
11 requirement that -?

12 MS. NOEL: That I don't know if it's
13 required.

14 MR. [REDACTED]: So you don't know what
15 policy or --

16 MS. NOEL: I don't know what the
17 lieutenant -.

18 MR. [REDACTED]: -- rule or what they're
19 supposed to or not do?

20 MS. NOEL: What's supposed to do.

21 MR. [REDACTED]: Alright. But that didn't
22 happen. Did that happen more often than not?
23 Or -? When they were actually doing a round
24 with the inmates. Lieutenants.

25 MS. NOEL: If it happened that they walked

1 the tiers?

2 MR. [REDACTED]: Correct.

3 MS. NOEL: Some of them do. Not all.

4 MR. [REDACTED]: Which ones would do it?

5 MS. NOEL: [REDACTED] was the SHU
6 lieutenant so he walks the tiers all the time.

7 MR. [REDACTED]: Okay.

8 MS. NOEL: And then the other lieutenants
9 that's on, when they come, they sign the round
10 sheets.

11 MR. [REDACTED]: But do they actually do
12 rounds themselves? Or they just sign your
13 sheet and check in with you?

14 MS. NOEL: They don't do it all the time.
15 They sign the sheet. And they check in with
16 me. And they'll say like is there anything
17 going on. But they don't physically actually
18 walk it all the time.

19 MR. [REDACTED]: Okay. So it's
20 occasionally.

21 MS. NOEL: Mm-hmm.

22 MR. [REDACTED]: Alright. But you don't -
23 . Okay.

24 MS. NOEL: I don't know if it's a
25 requirement.

1 MR. [REDACTED]: Alright. You're saying
2 you don't recall the 4:00 p.m. You may have.
3 You might not have.

4 MS. NOEL: I don't recall.

5 MR. [REDACTED]: You just don't recall.
6 Alright. So 12:00 a.m., 3:00 a.m., 5:00 a.m.
7 We don't need to go into these specific things.
8 You said none of them were conducted. They
9 were false. You both signed them and submitted
10 them. Correct?

11 MS. NOEL: Correct. For the -.

12 MR. [REDACTED]: And you knew that you -
13 and you knew that you had to do the count. You
14 just -.

15 MS. NOEL: Yes.

16 MR. [REDACTED]: What conversations did
17 you have with [REDACTED] about doing that?

18 MS. NOEL: We didn't have a conversation.
19 He was exhausted and he was sleeping.

20 MR. [REDACTED]: [REDACTED]?

21 MS. NOEL: Yes.

22 MR. [REDACTED]: So at 12:00 a.m. until -.
23 Because you said you filled them all out at
24 about 12:00?

25 MS. NOEL: Yes.

1 MR. [REDACTED]: And you didn't have a
2 conversation about filling them out at 12:00?

3 MS. NOEL: No because we do that all the
4 time. Like when he came in, we filled them
5 out. And then, I think when the phone rang, he
6 had the conversation. And then there was
7 another time when I was looking of for the
8 counts slip, he had it and I couldn't find it.
9 So I had to like wake him up to resign the
10 count slip.

11 MR. [REDACTED]: Now give me - can you
12 walk me through that? So he gets a call. You
13 already filled out the count slips. Was one
14 submitted? You put it through the door and
15 internal came and got it?

16 MS. NOEL: Yes.

17 MR. [REDACTED]: And that's when they
18 called him back?

19 MS. NOEL: And he spoke to whoever. And
20 then he wrote on the count slip. And we filled
21 it out. And I put it back through the door.

22 MR. [REDACTED]: For the corrected one
23 that said 73? Then you made it 72?

24 MS. NOEL: I don't remember. But I know I
25 filled out a new one.

1 MR. [REDACTED]: At 12:00 a.m.?

2 MS. NOEL: Yes.

3 MR. [REDACTED]: And did you have to at
4 that time fill out a new 3:00 a.m. and 5:00
5 a.m.?

6 MS. NOEL: Yeah. Because I couldn't find
7 the count slips that he had and I filled it
8 out. And I woke him up and he filled it. I
9 remember that.

10 MR. [REDACTED]: So this was later? So he
11 gets a call. He falls asleep. And then later
12 you have to wake him up to resign?

13 MS. NOEL: No. He gets the call, he does
14 it. And then he falls asleep. When he gets
15 the call to change whatever, we change it. And
16 then he falls asleep.

17 MR. [REDACTED]: So you only changed the
18 12:00 a.m. He falls asleep and then you have
19 to wake him up to change the 3:00 a.m. and the
20 5:00 a.m.?

21 MS. NOEL: Yes.

22 MR. [REDACTED]: Okay. And you just never
23 talked about what you were doing?

24 MS. NOEL: No we didn't talk about it. As
25 far as like -.

1 MR. [REDACTED]: Because that's just
2 common practice there?

3 MS. NOEL: What? To fill out the count
4 slips before?

5 MR. [REDACTED]: To prepopulated count
6 slips. You're supposed to count inmates to
7 make sure that they're there. And write the
8 number of what you counted.

9 MS. NOEL: Yes.

10 MR. [REDACTED]: You just -. Common
11 practice is you just fill that out first. And
12 you said that you don't have access to what the
13 count number is supposed to be. It's just --

14 MS. NOEL: I never said I don't have
15 access. I don't know how to. I don't know if
16 I have access. I don't know how to find what
17 it's supposed to be.

18 MR. [REDACTED]: So how do you get the
19 number that you write on the slip?

20 MS. NOEL: We're not -. The number that I
21 wrote on the slip the officer gave it to me.

22 MR. [REDACTED]: So whoever you replace,
23 they tell you what number to write?

24 MS. NOEL: They -.

25 MR. [REDACTED]: You prepopulated that

1 number. Is that correct?

2 MS. NOEL: Correct. And you fill it out.
3 Even on a regular housing unit, I fill it all
4 out. And then I count. Because even if it's
5 wrong, you can just rewrite it.

6 MR. [REDACTED]: Right.

7 MS. NOEL: Because even if I come in and
8 you say it's 72. And I fill it out and I put
9 72 on all of them. I know nobody there's no
10 movement between 12 and 8. So even if I did
11 that and I put 72, and I counted and it's
12 wrong, I could just change it. So that's the
13 way I've always done it.

14 MR. [REDACTED]: Does that sound weird to
15 you? Or just me?

16 MS. NOEL: What?

17 MR. [REDACTED]: That that's the way it's
18 done. That you prepopulated all these numbers
19 and then you just change them later if they end
20 up being off?

21 MS. NOEL: No. Because they're usually
22 not off.

23 MR. [REDACTED]: Um.

24 MS. NOEL: And then like if I'm working a
25 unit -. If I work that unit and I did a double

1 there, I counted, so I know that's what it is.

2 So it doesn't sound crazy that I fill it out.

3 MR. [REDACTED]: Well in this instance it
4 does because your count was wrong - the one you
5 said that you counted.

6 MS. NOEL: Okay. But that's that case.
7 But I'm saying like it's not -. If I worked a
8 double on 11 North and I've been there the
9 shift before and the shift after, and I filled
10 it out. I know there's no movement. So no,
11 it's not crazy that I filled it out.

12 MR. [REDACTED]: Right. So. Had you
13 worked with [REDACTED] prior to this instance?

14 MS. NOEL: Never.

15 MR. [REDACTED]: You never did?

16 MS. NOEL: No.

17 MR. [REDACTED]: And there was no
18 conversation with him about these not doing the
19 counts or prepopulating these count slips?

20 MS. NOEL: No. About prepopulating the
21 count slips, he came in, he filled it out and I
22 signed it. It wasn't a conversation about
23 that. When it was time to do the - when it was
24 time to conduct the count, I tried to wake him
25 up and he was really tired. He was like I'm

1 tired. And I didn't - we didn't conduct the
2 count.

3 MR. [REDACTED]: Alright. And that was at
4 - what time was that? At 12:00?

5 MS. NOEL: I don't remember what time.

6 MR. [REDACTED]: What count would have
7 that been for that you tried to wake him up he
8 said he was tired?

9 MS. NOEL: I don't know.

10 MR. [REDACTED]: You don't know?

11 MS. NOEL: No.

12 MR. [REDACTED]: Would have it been the
13 12:00? Because you're already --

14 MS. NOEL: It could have been the 12:00,
15 it could have been the 3:00, I don't know.

16 MR. [REDACTED]: Alright.

17 MS. NOEL: He was tired.

18 MR. [REDACTED]: So that was the one
19 conversation --

20 MS. NOEL: Because I counted upstairs.
21 Like why would I go upstairs and count a unit
22 and leave my unit? So I woke him up. He was
23 tired. So I went upstairs and I counted with
24 [REDACTED].

25 MR. [REDACTED]: And what time was that?

1 MS. NOEL: 3:00 and 5:00.

2 MR. [REDACTED]: You did the 3:00 and the
3 5:00 with [REDACTED]?

4 MS. NOEL: Yes.

5 MR. [REDACTED]: You just didn't do the
6 1:00 in your unit?

7 MS. NOEL: Right.

8 MR. [REDACTED]: Okay. Um. Um. I'm just
9 -. The only problem I -. I'm trying to
10 reconcile the fact that you've never worked
11 with [REDACTED] before. You didn't have any
12 conversation with him about it.

13 MS. NOEL: No.

14 MR. [REDACTED]: He didn't -. That's why
15 I'm saying it sounds like it must be just
16 common practice.

17 MS. NOEL: Yes.

18 MR. [REDACTED]: You just don't conduct
19 counts. You just fill out eh forms.

20 MS. NOEL: We didn't have a conversation
21 about filling it out. No because that's common
22 in there.

23 MR. [REDACTED]: Alright. So it's very
24 common. Is it very common from like 12:00 a.m.
25 to the 5:00 a.m. count? Those three? Not to

1 conduct the counts and just write them?

2 MS. NOEL: No.

3 MR. [REDACTED]: No it's not common or is
4 it common?

5 MS. NOEL: You're saying if it's not
6 common to conduct the count or if it's common
7 to (Indiscernible *03:33:51) it?

8 MR. [REDACTED]: Is it common not to
9 conduct the counts at night or the early
10 morning hours?

11 MS. NOEL: I don't know because that's my
12 first time ever not doing it. So I don't know
13 if it's common not to conduct the count. But
14 it is common to fill it out before.

15 MR. FOY: You need to make that more
16 clear. Did you ever work midnight to 8:00 a.m.
17 to have an experience to say what happens?

18 MS. NOEL: No. Not in the SHU.

19 MR. [REDACTED]: So you've never worked
20 midnight to 8:00 a.m. prior to this instance?

21 MS. NOEL: In the SHU? No.

22 MR. [REDACTED]: Okay. On the other times
23 you were in the SHU, was it common to fill out
24 count slips that weren't conducted?

25 MS. NOEL: In the other times that I've

1 worked in the SHU we fill -.

2 MR. [REDACTED]: So you're saying you've
3 never worked in the SHU and we got the schedule
4 in front of you if you want to take a look to
5 just help refresh your memory. Um. When you
6 were in the SHU, was it common to fill out
7 count slips that weren't conducted?

8 MS. NOEL: Count slips, we fill them out
9 and the counts were done. The rounds, it was
10 common to fill them out and the rounds weren't
11 all conducted.

12 MR. [REDACTED]: So you're saying it's
13 common to fill them out ahead of time, but it's
14 not common not to conduct the counts?

15 MS. NOEL: The counts. Correct.

16 MR. [REDACTED]: Okay. How often were
17 they - when you worked in the SHU, how often
18 were the counts not conducted?

19 MS. NOEL: They were done.

20 MR. [REDACTED]: They were always done
21 when you were in there before?

22 MS. NOEL: Yes.

23 MR. [REDACTED]: And this is again one of
24 those things if we go back to video from the
25 days prior, because we had to get video from

1 these days. If we review that, are we going to
2 - it's going to show you conducting the counts?

3 MS. NOEL: Yeah. I don't have to conduct
4 the count because if I'm working with two more
5 people, they could have did the count. So it
6 doesn't necessarily have to be you're going to
7 see me on the video, but you will see the
8 counts being done. If you get what I'm saying.

9 MR. [REDACTED]: No I understand what
10 you're saying.

11 MS. NOEL: If three of us are working,
12 those two could have did it. It doesn't have
13 to be me.

14 MR. [REDACTED]: So when you were in the
15 SHU, did -. If you didn't do it, did the two
16 other people always do it?

17 MS. NOEL: Yes.

18 MR. [REDACTED]: Alright. Were you ever
19 on count slips - your assigned count slips -
20 that you personally didn't conduct?

21 MS. NOEL: The - no.

22 MR. [REDACTED]: So you never signed --

23 MS. NOEL: But they're -. If I ever
24 signed the count slips but that the night
25 before the round sheet, I did.

1 MR. [REDACTED]: I'm sorry, what was that?

2 MS. NOEL: The rounds sheets I did. The
3 count slips no.

4 MR. [REDACTED]: The rounds sheets you did
5 what?

6 MS. NOEL: On the 9th, when I filled out
7 the entire count slips, I didn't conduct every
8 single round.

9 MR. [REDACTED]: You didn't conduct every
10 single round.

11 MS. NOEL: No.

12 MR. [REDACTED]: So what about on previous
13 incidents? We can switch over to rounds,
14 that's fine. In previous instances when you
15 worked in the SHU, were the rounds conducted as
16 displayed on the count sheets?

17 MS. NOEL: No.

18 MR. [REDACTED]: But the counts you're
19 saying they were always conducted when you
20 worked in the SHU?

21 MS. NOEL: Yes.

22 MR. [REDACTED]: So this was just a rare
23 instance.

24 MS. NOEL: It wasn't a rare. It was
25 because he was exhausted. And he was tired and

1 he didn't want to count. So we didn't count.

2 MR. [REDACTED]: But then you also say
3 [REDACTED] at 10:00 p.m. also was exhausted?

4 MS. NOEL: Yes.

5 MR. [REDACTED]: So --

6 MS. NOEL: And --.

7 MR. [REDACTED]: -- that's --

8 MS. NOEL: And --.

9 MR. [REDACTED]: -- not a --.

10 MS. NOEL: And --. Yes and I know because
11 I did it and I wasn't supposed to do it.
12 That's why I didn't continue to do it. Because
13 I'm really not supposed to count - to go down
14 range by myself. So I didn't continue to do
15 it.

16 MR. [REDACTED]: You didn't continue to do
17 what?

18 MS. NOEL: The count by myself.

19 MR. [REDACTED]: Alright. But you did the
20 entire count at 10:00 p.m.?

21 MS. NOEL: Yes.

22 MR. [REDACTED]: Were there other
23 instances that you worked in the SHU where
24 other people were too tired to conduct their
25 rounds?

1 MS. NOEL: No because I usually -.

2 MR. [REDACTED]: Or the counts - not
3 rounds. Counts.

4 MS. NOEL: Because I usually come in on
5 the shift prior. I don't work that so I don't
6 know what goes one. Because that's the tired
7 time.

8 MR. [REDACTED]: Right.

9 MS. NOEL: So I usually come in before so
10 I don't have to deal with that.

11 MR. [REDACTED]: Alright. But it was just
12 -.

13 MS. NOEL: It was just that one day.

14 MR. [REDACTED]: It's the one day. No
15 conversations were had. You try to wake him
16 up. He didn't wake up. So you just didn't do
17 them. And then you didn't even have to say
18 like hey man, we need to do these things. Or
19 like there was just an unspoken thing that he
20 was tired. So you weren't just going to do
21 them?

22 MS. NOEL: Say that again.

23 MR. [REDACTED]: I'm just trying to like
24 it sounds like it would be common practice to
25 do this if there's no conversations that were

1 had. Usually, it would be like hey if this is
2 the first time I'm not going to do something.
3 I would say like, hey is it cool that we're not
4 going to do this? Or some kind of a
5 conversation. Unless it was something that you
6 had learned or experienced in the past. That
7 like we don't do counts at this time.

8 MS. NOEL: But I never worked the SHU at
9 that time.

10 MR. FOY: This is calling for you to
11 explain your interaction with [REDACTED].

12 MS. NOEL: Mm-hmm.

13 MR. FOY: As it relates to the count in
14 particular. Right?

15 MR. [REDACTED]: Correct.

16 MR. FOY: He asleep. What's the
17 interaction? What did you say? What did he
18 say? Did you ask one time? Did you ask
19 multiple times? Did he affirmatively say no?
20 Or did he just continue to sleep? That's the
21 level of detail they're asking for.

22 MR. [REDACTED]: Yeah. We're asking you
23 to explain all of your interactions with [REDACTED]
24 with regard to these counts.

25 MS. NOEL: Well when it was time to count,

1 because remember I'm going upstairs to count.
2 So I wake him up to count. And he was like I'm
3 tired. He was like we have the count slip.
4 I'm tired. He went back to sleep. When the
5 lieutenant came, I woke him up because the
6 lieutenant was coming. He fell back to sleep
7 in front of the lieutenant. She said hey, you
8 need to stay awake. He couldn't' stay awake.
9 I went upstairs and I counted again.

10 MR. FOY: Go back to the lieutenant.
11 Explain that in more detail. There's details
12 you're leaving out of the interaction between
13 [REDACTED] and the lieutenant with respect to him
14 sleeping.

15 MS. NOEL: Oh. I woke him up. The
16 lieutenant came. She came, she found the round
17 sheet. He fell back asleep in front of her.
18 She said, hey you need to wake up. She had
19 papers and she hit him. She says, hey you need
20 to wake up.

21 MR. FOY: That's what I'm talking about.

22 MS. NOEL: She hit him with a stack of
23 papers. So saying that to say like everybody
24 knows like because we're understaffed and
25 overworked. So let's say if I was to tell on

1 [REDACTED], that's who I would have told it to.

2 She was there. And she saw it.

3 MR. [REDACTED]: So she knew. So you
4 didn't as far as like if you were going to
5 report someone sleeping on duty, she's -. You
6 didn't need to report it because she saw it
7 with her own eyes.

8 MS. NOEL: Exactly.

9 MR. [REDACTED]: And he was literally -
10 fell asleep in front of her?

11 MS. NOEL: In front of her. Yes.

12 MR. [REDACTED]: How long was she there?

13 MS. NOEL: Maybe like five, then minutes.

14 MR. [REDACTED]: And that little brief
15 interaction he actually went to sleep in front
16 of her?

17 MS. NOEL: Yes.

18 MR. [REDACTED]: Okay. So no discussions
19 with [REDACTED]. Just when you would wake him up
20 he just said he was tired.

21 MS. NOEL: Yes.

22 MR. [REDACTED]: Did you try to wake him
23 up for each count?

24 MS. NOEL: I tried to wake him up for the
25 12:00 and the 3:00. I don't remember if I

1 tried to wake him up for the 5:00. Because by
2 that time he went upstairs. I remember he went
3 upstairs to relive [REDACTED]. And I don't remember
4 what happened between there as far as waking
5 him up.

6 MR. [REDACTED]: Alright. And as far as
7 the inaccuracy of the one count, specifically
8 now we're talking about the 12:00 a.m. that it
9 was actually - it's off. He got a call but he
10 didn't talk to you about what was said on the
11 other line?

12 MS. NOEL: No. He just said we got to
13 change the count slip. And he wrote it. And
14 he changed it. And I signed.

15 MR. [REDACTED]: Alright.

16 MS. NOEL: But he didn't say like oh the
17 lieutenant this happened or that happened. No.

18 MR. [REDACTED]: Alright. And have you
19 ever experienced previous instances where the
20 count was off from when it was called in? Like
21 if you give the number and they say no that's
22 not right?

23 MS. NOEL: Yes.

24 MR. [REDACTED]: And what happened in
25 those instances?

1 MS. NOEL: You recount.

2 MR. [REDACTED]: You actually did a
3 recount?

4 MS. NOEL: On - not in the SHU. In other
5 units.

6 MR. [REDACTED]: In other units though.
7 But do you know that that's what is supposed to
8 be done? You need to do - if you call in a
9 wrong number, you're supposed to do a recount?

10 MS. NOEL: Right. But I don't think that
11 was the case with that. Like they called in
12 and gave -. Okay. That was a case where like
13 if I counted wrong, and then they'll say no
14 it's wrong. And then I recount and I get the
15 right number. But in this case, they gave him
16 the number because of whatever I guess they
17 knew where the inmate was or was supposed to be
18 or wasn't moved. That's what I'm saying. I
19 don't know what happened between the 73 and the
20 72. But when he changed the number, he said
21 the lieutenant said so I just signed it.

22 MR. [REDACTED]: But he didn't tell you
23 the lieutenant said do a new count?

24 MS. NOEL: No.

25 MR. [REDACTED]: He never informed you of

1 that?

2 MS. NOEL: No.

3 MR. [REDACTED]: Okay. So you didn't
4 really get into detail about what he said.

5 MS. NOEL: No.

6 MR. [REDACTED]: Okay. But you do believe
7 at 12:00 a.m. a new slip was created. Just not
8 that one. That's not attached to that. The
9 one that actually says 72.

10 MS. NOEL: (Indiscernible *03:42:12) Is
11 that a 12? At 12 here it says 73.

12 MR. [REDACTED]: Correct. But that was
13 actually - the top page says 72 and I thought
14 that's the one that you said they made you
15 recreate a count slip.

16 MS. NOEL: Right.

17 MR. [REDACTED]: And that's not -. You
18 don't see that --

19 MS. NOEL: That count slip.

20 MR. [REDACTED]: -- new count slip on
21 there. Correct? Alright. And I know you -.
22 Did they have the conversation with [REDACTED]
23 because at 12:00 a.m. he called that count
24 number in and they said he was wrong? Is that
25 when he had that conversation with the

1 lieutenant?

2 MS. NOEL: No the phone rang.

3 MR. [REDACTED]: Alright. So who called
4 the count in at 12:00 a.m.?

5 MS. NOEL: Me.

6 MR. [REDACTED]: And did you call - also
7 call the 3:00 a.m. and the 5:00 a.m. in?

8 MS. NOEL: Yes.

9 MR. [REDACTED]: Alright. And obviously
10 you called it in without actually conducting
11 the counts. Correct?

12 MS. NOEL: Yes.

13 MR. [REDACTED]: Alright. Now it sounds
14 like your attorney has - and you have had this
15 conversation but what was the reason you didn't
16 conduct the counts?

17 MS. NOEL: I didn't conduct the count in
18 my area because he was tired and we're supposed
19 to do them together. So I just didn't do them.

20 MR. [REDACTED]: Okay. So would have you
21 done them if he was awake?

22 MS. NOEL: Yeah. Because I did them
23 upstairs.

24 MR. [REDACTED]: Okay. And you're saying
25 that you never worked that night shift before,

1 but all the other counts you had conducted that
2 you've documented from previous.

3 MS. NOEL: Yes.

4 MR. [REDACTED]: Documented. You're
5 saying you may have worked with three other
6 people and two of them may have done the
7 counts, but there are - when you've been
8 present in the SHU, all the counts have been
9 conducted.

10 MS. NOEL: Yes.

11 MR. [REDACTED]: Okay. And do you know of
12 any other COs or employees that have falsified
13 count slips?

14 MS. NOEL: Count? No.

15 MR. [REDACTED]: No. SO you don't know
16 any other. I know you said you prepopulated
17 them in a sense. But like as far as --

18 MS. NOEL: As far as other units.

19 MR. [REDACTED]: -- not conducting the
20 counts and actually writing a number when a
21 count -. Do you know?

22 MS. NOEL: Oh. No.

23 MR. [REDACTED]: So all counts that have
24 been submitted to this point when you're in the
25 SHU - someone conducted them.

1 MS. NOEL: Yes.

2 MR. [REDACTED]: And you said you've never
3 actually had a conversation with anyone about
4 counts and how they're documented. You just
5 observed as well like on the round sheets?

6 MS. NOEL: As far as having a
7 conversation?

8 MR. [REDACTED]: Did anyone ever train you
9 on how to write count slips?

10 MS. NOEL: No.

11 MR. [REDACTED]: No.

12 MS. NOEL: Hm-mm.

13 MR. [REDACTED]: So you just from watching
14 other people fill them out - that's how you
15 learned?

16 MS. NOEL: Yeah because it's just your
17 name and the number of the count.

18 MR. [REDACTED]: Sure.

19 MS. NOEL: Mm-hmm.

20 MR. [REDACTED]: Okay. You want to take a
21 break now?

22 MR. FOY: Mm-hmm.

23 MR. [REDACTED]: Okay.

24 MR. FOY: We've got to eat.

25 MR. [REDACTED]: It is 2:21 p.m. This is

1 Senior Special Agent [REDACTED] and I am
2 pausing the recording. [Whereupon, the above-
3 entitled matter went off the record and went
4 back on the record.] Okay. The recorder is
5 back on. It is 2:28 p.m. Again Ms. Noel you
6 are under oath and this is a voluntary
7 interview. Thank you for your cooperation.
8 Alright. So if you don't mind, just all the
9 documents I have in front of you, can you just
10 initial and date those just again so that we --
11 MR. FOY: Yeah. Just on the first page.

12 MR. [REDACTED]: -- know what it is that
13 you were looking at during this interview.
14 Thank you very much for initialing and dating
15 all of those.

16 MS. NOEL: Mm-hmm.

17 MR. [REDACTED]: Alright. We're just
18 going to talk briefly about the SHU layout.
19 These are papers that have the SHU layout. Now
20 are the - just for your reference if you need
21 to look at them. Are the COs assigned to the
22 SHU located together on one social - one
23 centralized location? Sorry, so the officers
24 that are working in the SHU. Are you all
25 together? You mentioned there's a desk in the

1 shape of an L.

2 MS. NOEL: Yes.

3 MR. [REDACTED]: Is everybody together at
4 that location when you're not doing rounds and
5 counts?

6 MS. NOEL: I mean no not really. Somebody
7 could go upstairs to the bathroom.

8 MR. [REDACTED]: Okay. During your shift
9 on the 10th.

10 MS. NOEL: Mm-hmm.

11 MR. [REDACTED]: Is that where you and -
12 aside from when you said you helped [REDACTED] out.
13 Is that were the two - you and [REDACTED] were
14 located at that --

15 MS. NOEL: Yes.

16 MR. [REDACTED]: -- one central area?
17 There's not another officer station though,
18 correct?

19 MS. NOEL: No.

20 MR. [REDACTED]: There's just one
21 officer's station?

22 MS. NOEL: There's one.

23 MR. [REDACTED]: Okay. And approximately
24 how many computers are there at that station?

25 MS. NOEL: About three.

1 MR. [REDACTED]: Three? And you said no
2 one had like an assigned computer like the --

3 MS. NOEL: No.

4 MR. [REDACTED]: -- OIC doesn't have one
5 computer?

6 MS. NOEL: You --.

7 MR. [REDACTED]: Everyone just uses one
8 computer?

9 MS. NOEL: Mm-hmm.

10 MR. [REDACTED]: What can you see from
11 that desk in the SHU? Can you just mark on
12 there where is the actual L desk setup located?
13 So it's the two floors - the two layers. I
14 don't know if you're able to look at the L Tier
15 where Epstein was. That might give you like a
16 what's the first and what's the second. Is it
17 correct that he was on the second level?

18 MS. NOEL: Yes.

19 MR. [REDACTED]: And was he in L Tier? So
20 that might help you out to be able to
21 differentiate between - you see where the cells
22 start with like a letter and then the numbers?

23 MS. NOEL: Yes.

24 MR. [REDACTED]: So that will probably
25 help you to be able to decipher what's the

1 first level and what's the second level.

2 MS. [REDACTED]: Do you know what you're
3 looking at?

4 MR. [REDACTED]: So each of the cells have a
5 letter in front of it.

6 MR. [REDACTED]: That's to identify the
7 tier. That will be the letter. And then the
8 numbers will be the cell numbers.

9 MS. NOEL: Uh-huh. Okay.

10 MR. [REDACTED]: So by - can you figure
11 out by looking at that? So if the one that
12 begins with L that would be the second level.
13 Do you follow that?

14 MS. NOEL: Yes.

15 MR. [REDACTED]: And then there's the
16 first level. Is there actually almost like
17 third level where the officers sit? It is like
18 two different - the way it's tiered.

19 MS. NOEL: No. It's on the main level.

20 MR. [REDACTED]: Okay. So where the first
21 set of inmates are.

22 MS. NOEL: See it's stairs. You've got to
23 go down and you've got to go up.

24 MR. [REDACTED]: Right. Okay.

25 MS. NOEL: So it's not where we're

1 sitting. You've got to go down and you've got
2 to go up to get to the cell.

3 MR. [REDACTED]: Okay. So on that looking
4 at like the first level of inmates, can you
5 just kind of identify where it is that that L
6 shape setup is?

7 MS. NOEL: Over here.

8 MR. [REDACTED]: Can you just mark it?
9 Maybe like an X or a circle or something.
10 Okay. Thank you. And from where you're
11 sitting can you see all the cell doors from
12 there?

13 MS. NOEL: Not all.

14 MR. [REDACTED]: Not all.

15 MS. NOEL: Hm-mm.

16 MR. [REDACTED]: Could you see the door to
17 Epstein's cell from there?

18 MS. NOEL: Yes.

19 MR. [REDACTED]: Alright. Can you mark on
20 there where you recall Epstein to have been?
21 Alright. Thank you. And does that have a cell
22 number on it?

23 MR. [REDACTED]: I think those numbers
24 correspond with this.

25 MR. [REDACTED]: That's fine.

1 MS. NOEL: Um.

2 MR. FOY: Because I'm thinking is it?

3 Because you have to be able to see in here.

4 MS. [REDACTED]: This is your unit entrance.

5 This is where you enter. This is L Tier.

6 Right. The - you walk in. L, M, J, K. So if

7 this is J, this is you walking into your

8 housing unit.

9 MS. NOEL: (Indiscernible *03:51:16) by
10 turning left.

11 MS. [REDACTED]: Yes. So.

12 MR. [REDACTED]: And maybe put X and a
13 circle just so I know what it is that you just
14 changed.

15 MR. FOY: Put a circle around that X and
16 that will be the desk.

17 MR. [REDACTED]: Perfect.

18 MR. FOY: Alright?

19 MR. [REDACTED]: Alright. And then you -
20 is it correct where you identify where -?

21 MS. NOEL: Epstein

22 MR. [REDACTED]: Epstein. What number was
23 that?

24 MS. NOEL: 988.

25 MR. [REDACTED]: You believe that he was

1 in - was that L988?

2 MS. NOEL: I don't remember the number
3 that he was in. I just know when you go up the
4 stairs, it's the first one on the right.

5 MR. [REDACTED]: Let me just so that we're
6 not. I just want to make sure that we're not -
7 . Huh. Okay. So they don't actually
8 correspond with the numbers.

9 MS. NOEL: No (Indiscernible *03:52:08).

10 MR. [REDACTED]: We have that.

11 MR. [REDACTED]: Do you remember what room he
12 was in?

13 MS. NOEL: On L Tier?

14 MR. [REDACTED]: Yeah. L Tier.

15 MS. NOEL: The first cell on the right.

16 MR. [REDACTED]: The room number by any
17 chance?

18 MS. NOEL: Oh I don't know the room
19 number.

20 MR. [REDACTED]: Okay.

21 MR. [REDACTED]: Um. Okay. But you could
22 see his actual door from where you were
23 sitting?

24 MS. NOEL: Yes.

25 MR. [REDACTED]: Yes. Okay. And could

1 you see inside his cell from where you were
2 sitting?

3 MS. NOEL: No.

4 MR. [REDACTED]: No. Approximately again
5 we're talking about like that's where the
6 shower was - what you were talking about.
7 Approximately how far was Epstein's cell from
8 where you were seated?

9 MS. NOEL: Mm. To like where that chair
10 is.

11 MR. [REDACTED]: Ten to 15 feet?

12 MS. NOEL: Probably.

13 MR. [REDACTED]: Okay. Alright. So the
14 reason why I'm asking that. Did you or anyone
15 else ever go in or out of Epstein's cell on
16 August 10, 2019?

17 MS. NOEL: No.

18 MR. [REDACTED]: And would have you known
19 if someone did?

20 MS. NOEL: Yes.

21 MR. [REDACTED]: Okay. While you were
22 physically present in the SHU of course.

23 MS. NOEL: Yes.

24 MR. [REDACTED]: And you said the only
25 times you weren't present in the SHU on August

1 -. Or let's talk from you said 10:00 p.m. is
2 the last time - around 10:00 p.m. is the last
3 time you saw him.

4 MS. NOEL: Yes.

5 MR. [REDACTED]: From 10:00 p.m. until
6 approximately 6:33 a.m., what times did you -
7 when did you leave the SHU? I know one time
8 you said you helped with the counts up in 10
9 South. And you may have said you were gone in
10 the bathroom around.

11 MS. NOEL: (Indiscernible *03:53:38)

12 MR. [REDACTED]: When would have those
13 times have occurred?

14 MS. NOEL: Um 3:00 or right after 3:00,
15 5:00 or around after 5:00, going to the
16 bathroom I don't remember the times.

17 MR. [REDACTED]: Okay. So around 3:00
18 a.m., around 5:00 a.m., and then one other time
19 to use the restroom?

20 MS. NOEL: Yeah.

21 MR. [REDACTED]: And where is the restroom
22 located in the SHU?

23 MS. NOEL: Upstairs where I go to count.

24 MR. [REDACTED]: Okay. But [REDACTED] was
25 present any time you were not there?

1 MS. NOEL: Yes.

2 MR. [REDACTED]: Although he may have been
3 sleeping.

4 MS. NOEL: Mm-hmm.

5 MR. [REDACTED]: Okay. And are you - of
6 the people that we've talked about, you said
7 that the lieutenant visited the SHU
8 approximately 4:00 a.m. That was Lieutenant
9 [REDACTED].

10 MS. NOEL: Yes.

11 MR. [REDACTED]: Who else from 10:00 p.m.
12 until 6:33 a.m. were in the SHU?

13 MS. NOEL: (Indiscernible

14 MR. [REDACTED]: Well so -.

15 MS. NOEL: Um [REDACTED].

16 MR. [REDACTED]: [REDACTED] left at around
17 10:00.

18 MS. NOEL: Mm-hmm.

19 MR. [REDACTED]: [REDACTED] left around
20 12:00 a.m. Anyone else?

21 MS. NOEL: No.

22 MR. [REDACTED]: What about when [REDACTED]
23 came thought the SHU? So I just want to make
24 sure you're -. I know we've kind of discussed
25 some of this stuff.

1 MS. NOEL: Oh you're talking about the
2 people that's working there?

3 MR. [REDACTED]: Everybody that's been in
4 the SHU. So there's you, there's [REDACTED]. Who
5 else was actually in the SHU from 10:00 p.m. -
6 the last time you saw Epstein - up until about
7 6:30 when he was discovered?

8 MS. NOEL: [REDACTED], Lieutenant [REDACTED],
9 and [REDACTED].

10 MR. [REDACTED]: And [REDACTED]?

11 MS. NOEL: He left at 10:00.

12 MR. [REDACTED]: At 10:00. So at 10:00 he
13 left. They're the only other people there?

14 MS. NOEL: That's it.

15 MR. [REDACTED]: Okay. No one else?

16 MS. NOEL: No one else.

17 MR. [REDACTED]: And you're confident
18 positive about that?

19 MS. NOEL: Yes.

20 MR. [REDACTED]: Alright. And did any of
21 those individuals that visited the SHU go near
22 Epstein's cell?

23 MS. NOEL: No.

24 MR. [REDACTED]: So no one even went near
25 it?

1 MS. NOEL: No.

2 MR. [REDACTED]: Let alone go in it.

3 MS. NOEL: No.

4 MR. [REDACTED]: No one went in it?

5 MS. NOEL: No.

6 MR. [REDACTED]: Okay. That's all we need
7 to talk about with the SHU. Do you mind just
8 initialing and dating that? And are you aware
9 -? I guess the one other thing I'll ask. I
10 know I asked when you were there. But when you
11 were gone to do the counts in 10 South as well
12 as use the restroom, are you aware of anyone
13 visiting the SHU during those times?

14 MS. NOEL: No.

15 MR. [REDACTED]: No? Okay.

16 MR. [REDACTED]: I have a follow-up question.

17 MR. [REDACTED]: Go ahead.

18 MR. [REDACTED]: When you left to go assist,
19 did you take the keys with you?

20 MS. NOEL: Yes.

21 MR. [REDACTED]: So could Mr. [REDACTED] have let
22 anyone in and out?

23 MS. NOEL: No.

24 MR. [REDACTED]: Oh so he wouldn't have
25 even had the ability to let anyone in based

1 upon you having the keys the whole time?

2 MS. NOEL: Yes.

3 MR. [REDACTED]: And did you have the keys
4 because you were SHU officer number one?

5 MS. NOEL: I guess. I mean I just had
6 them.

7 MR. [REDACTED]: Okay. There wasn't a
8 discussion --

9 MS. NOEL: No.

10 MR. [REDACTED]: -- like I'm SHU one, I
11 get the keys?

12 MS. NOEL: No.

13 MR. [REDACTED]: Do you know that SHU one
14 is supposed to be the one who has the keys? Do
15 you know that (Indiscernible *03:56:05)?

16 MS. NOEL: I think so.

17 MR. [REDACTED]: Okay. Do you know if you
18 have any conversations with [REDACTED] about if you
19 had the keys or he had the keys?

20 MS. NOEL: No.

21 MR. [REDACTED]: Okay. Anyone that
22 entered or exited the SHU that day, are you the
23 one that let them in or out?

24 MS. NOEL: Yes.

25 MR. [REDACTED]: [REDACTED] didn't let anybody

1 in or out?

2 MS. NOEL: No.

3 MR. [REDACTED]: Okay. Are you aware of
4 any cameras were not recording within the SHU
5 on August 9th or 10th 2019?

6 MS. NOEL: No.

7 MR. [REDACTED]: You're not aware? Are
8 you aware at this point? Not just at the time.
9 But are you aware now if any cameras were or
10 were not recording?

11 MS. NOEL: I mean I'm aware now.

12 MR. [REDACTED]: That's what I mean. What
13 is your - what are you aware of now?

14 MS. NOEL: Oh I don't know like what
15 specifically. I just heard that some of the
16 cameras were not working. As far as which ones
17 --

18 MR. [REDACTED]: But you don't know which
19 ones?

20 MS. NOEL: -- or no.

21 MR. [REDACTED]: Okay. And at the time
22 you didn't know?

23 MS. NOEL: No.

24 MR. [REDACTED]: So you don't know if they
25 weren't working when they stopped working?

1 MS. NOEL: No.

2 MR. [REDACTED]: Are there any like - do
3 you have the ability to monitor cameras from
4 the SHU?

5 MS. NOEL: No.

6 MR. [REDACTED]: So if you're sitting in
7 there, there's not like camera down range that
8 you can like - you can see what's going on in
9 each range?

10 MS. NOEL: No.

11 MR. [REDACTED]: No? Do you know if
12 someone is live monitoring either - anywhere in
13 the SHU during operations?

14 MS. NOEL: I don't know.

15 MR. [REDACTED]: You don't know if you're
16 being monitored or the inmates are being
17 monitored?

18 MS. NOEL: I don't know. I know there is
19 cameras on the tiers.

20 MR. [REDACTED]: Right. Do you know if
21 anybody's live monitoring them?

22 MS. NOEL: Oh. I don't know.

23 MR. [REDACTED]: You don't? And do you
24 know if there's any cameras pointed at you in
25 the desk area?

1 MS. NOEL: Oh, I don't know.

2 MR. [REDACTED]: And you don't know if
3 anybody is monitoring those either?

4 MS. NOEL: I don't know.

5 MR. [REDACTED]: (Indiscernible *03:57:54)

6 MR. [REDACTED]: I think it will be fine.
7 So you are not - we can just skip the rest of
8 those questions. You're not aware of any
9 cameras at the time not working?

10 MS. NOEL: No.

11 MR. [REDACTED]: So no one reported that
12 to you and you didn't report it to anyone else?

13 MS. NOEL: No. I didn't know anything
14 about cameras.

15 MR. [REDACTED]: Alright. And we talked a
16 little bit about sleeping on duty. So it
17 sounds like was [REDACTED] asleep pretty much the
18 entire shift then?

19 MS. NOEL: Yes.

20 MR. [REDACTED]: From pretty much 12:00
21 a.m. until he -.

22 MS. NOEL: Until he went upstairs.

23 MR. [REDACTED]: Until he went upstairs?
24 Went upstairs to do what? To feed?

25 MS. NOEL: To relieve [REDACTED].

1 MR. [REDACTED]: To relieve [REDACTED]?

2 Alright. I might be getting confused. I
3 thought you were relieved [REDACTED].

4 MR. [REDACTED]: She went up there to do the
5 count. Then [REDACTED] reached out to her to ask
6 her to relieve him. She called the lieutenant.
7 Verified with the lieutenant and then Mr.
8 [REDACTED] went up to relive him.

9 MR. [REDACTED]: Okay. And around what
10 time was that?

11 MS. NOEL: After 5:00.

12 MR. [REDACTED]: Okay. So basically from
13 12:00 to about 5:00 he was sleeping?

14 MS. NOEL: I mean in intervals. Like I
15 tapped him. He kind of woke up.

16 MR. [REDACTED]: Right.

17 MS. NOEL: But he went back to sleep.

18 MR. [REDACTED]: Okay. But he wasn't
19 doing his duties. He was sleeping.

20 MS. NOEL: Correct.

21 MR. [REDACTED]: Did you sleep during the
22 shift?

23 MS. NOEL: No.

24 MR. [REDACTED]: You didn't sleep at all?

25 MS. NOEL: No.

1 MR. [REDACTED]: For the period that you
2 were sitting at the desk for like two hours
3 without moving were you awake?

4 MS. NOEL: Yeah on my computer.

5 MR. [REDACTED]: You were on the computer?
6 Were you and [REDACTED] seated next to one another?

7 MS. NOEL: No. We were seated next to
8 each other but not facing each other. Like he
9 was faced that way. I was faced the other way.

10 MR. [REDACTED]: Okay. Close proximity to
11 one another?

12 MS. NOEL: Yeah. Like he's there and I'm
13 here.

14 MR. [REDACTED]: So about three or four
15 feet from each other?

16 MS. NOEL: Yeah. But the back is turned
17 because he's that way and I was that way.

18 MR. [REDACTED]: Okay. But you were not
19 sleeping?

20 MS. NOEL: No.

21 MR. [REDACTED]: Now are you guys
22 authorized to sleep in the SHU?

23 MS. NOEL: No.

24 MR. [REDACTED]: No? And have you ever
25 fallen asleep previously while on duty at the

1 MCC?

2 MS. NOEL: Not in the SHU.

3 MR. [REDACTED]: Not in the SHU but other
4 places?

5 MS. NOEL: Yes.

6 MR. [REDACTED]: Where would you - where
7 did you sleep at other places?

8 MS. NOEL: Where did I fall asleep?

9 MR. [REDACTED]: Mm-hmm.

10 MS. NOEL: On a regular housing unit.

11 MR. [REDACTED]: The regular housing unit?

12 MS. NOEL: Yes.

13 MR. [REDACTED]: Can you just give me a
14 little more information on that? What do you
15 mean? Were you allowed to sleep there?

16 MS. NOEL: No.

17 MR. [REDACTED]: And where were
18 (Indiscernible *04:00:15)?

19 MS. NOEL: Like I worked consecutively
20 like five days of overtime. And I would like
21 doze off - caught myself like that. But not
22 sleep.

23 MR. [REDACTED]: Okay. So you've fallen
24 asleep in other housing units.

25 MS. NOEL: Like dozed off.

1 MR. [REDACTED]: Right. Because you were
2 overworked?

3 MS. NOEL: Yeah when I work like three or
4 four days of 16 hours, yes.

5 MR. [REDACTED]: And how often would that
6 happen?

7 MS. NOEL: Every - how often would I fall
8 asleep --

9 MR. [REDACTED]: Yeah.

10 MS. NOEL: -- or the overtime?

11 MR. [REDACTED]: How often would you fall
12 asleep?

13 MS. NOEL: Oh that was like for one or two
14 times. But I don't -.

15 MR. [REDACTED]: I understand. But in the
16 SHU you had never fallen asleep before?

17 MS. NOEL: No because I don't work that
18 graveyard shift.

19 MR. [REDACTED]: Well I just mean even
20 during your regular shifts --

21 MS. NOEL: Right.

22 MR. [REDACTED]: Because it sounds like
23 you guys were working a lot.

24 MS. NOEL: Yes.

25 MR. [REDACTED]: Um so but in the SHU, you

1 didn't fall asleep that night and never before
2 in the SHU?

3 MS. NOEL: In the SHU no because it's
4 daytime I'm on.

5 MR. [REDACTED]: You said that was your
6 first time working with [REDACTED]?

7 MS. NOEL: Yes.

8 MR. [REDACTED]: Was that ever with [REDACTED]
9 or just in the SHU? Did you ever work with
10 [REDACTED] outside of the SHU?

11 MS. NOEL: No.

12 MR. [REDACTED]: Would you ever like - met
13 with him or interacted with him --

14 MS. NOEL: Yes.

15 MR. [REDACTED]: -- prior to this? Just
16 socially or -?

17 MS. NOEL: He brings inmates to the units
18 to give out stuff. So we've spoke and said
19 hello.

20 MR. [REDACTED]: Okay. Do you know if
21 [REDACTED] - have you ever heard of [REDACTED] sleeping
22 on the job previous to this incident?

23 MS. NOEL: I don't know.

24 MR. [REDACTED]: No? And you said you did
25 try to wake him up a couple times?

1 MS. NOEL: Yes.

2 MR. [REDACTED]: But he said he was just
3 tired?

4 MS. NOEL: Yes.

5 MR. [REDACTED]: And you said you didn't
6 report the matter to a lieutenant because he
7 actually fell asleep in front of the
8 lieutenant?

9 MS. NOEL: Yes.

10 MR. [REDACTED]: And at that time, she hit
11 him with a piece of paper and said wake up.

12 MS. NOEL: Yes.

13 MR. [REDACTED]: And how did he respond to
14 that?

15 MS. NOEL: He woke up.

16 MR. [REDACTED]: Was there a conversation
17 at all? Did he say oh I'm just exhausted?

18 MS. NOEL: Well he didn't say that. But
19 she said that. She was like that's the problem
20 in here. The overwork and the understaff.

21 MR. [REDACTED]: So with him falling
22 asleep that's how she responded?

23 MS. NOEL: Lieutenant [REDACTED]?

24 MR. [REDACTED]: Yeah.

25 MS. NOEL: Yeah. But she didn't respond

1 like that to him. She was saying that to me.
2 That's the problem in MCC. Everybody's
3 overworked and understaffed.

4 MR. [REDACTED]: Okay. After she left did
5 he fall back asleep?

6 MS. NOEL: Yes.

7 MR. [REDACTED]: Have you ever witnessed
8 any other staff member fall asleep at the MCC?

9 MS. NOEL: No because you're in a unit by
10 yourself.

11 MR. [REDACTED]: You're in what - the
12 housing units or the SHU?

13 MS. NOEL: Yeah. Like when I'm in the
14 housing unit -. Remember I don't work the SHU
15 that time, so I wouldn't know if people are
16 sleeping at that time. In the housing unit
17 you're by yourself. So I can't witness nobody.

18 MR. [REDACTED]: Okay. And you have your
19 own little office there --

20 MS. NOEL: Yeah.

21 MR. [REDACTED]: -- when you're in the
22 housing unit. And that's where you might be
23 able to doze off?

24 MS. NOEL: Yeah.

25 MR. [REDACTED]: As far as in the SHU did

1 you ever experience anyone else sleeping aside
2 from [REDACTED]?

3 MS. NOEL: [REDACTED] that day before.

4 MR. [REDACTED]: Okay. And I do
5 apologize. It's just been so long now. How
6 long did he sleep for?

7 MS. NOEL: Who [REDACTED]?

8 MR. [REDACTED]: Yeah.

9 MS. NOEL: From about after 10:00 until it
10 was time for him to go.

11 MR. [REDACTED]: So 10:00 to 12:00? Okay.
12 And did you try to wake him up at all?

13 MS. NOEL: No because he was on a triple.

14 MR. [REDACTED]: Okay. Alright. Now
15 we're going to do -. You said you were on the
16 internet. Are you authorized to use the
17 internet when you're in the SHU?

18 MS. NOEL: I don't know if I'm authorized
19 to use the internet in the SHU but I did. I
20 don't know if I'm authorized.

21 MR. [REDACTED]: Alright. And did you
22 conduct internet queries when you were assigned
23 to the SHU on August 10, 2019?

24 MS. NOEL: What do you mean? Like
25 internet searches.

1 MR. [REDACTED]: Did you like Google
2 things or look things up when you were in
3 there?

4 MS. NOEL: Yeah.

5 MR. [REDACTED]: Well just tell me. What
6 did you search for?

7 MS. NOEL: Well yeah that's what - I was
8 looking at um a benefit page for something. I
9 was checking for one of my benefits. And -.

10 MR. FOY: Continue with it. I've just got
11 to - this is a jail call.

12 MR. [REDACTED]: Okay. So attorney Foy is
13 stepping out. However attorney is it Sarraga?

14 MR. SARRAGA: Yep.

15 MR. [REDACTED]: Sarraga is still present.

16 MS. NOEL: Yes. And then I think I looked
17 at I think it's furniture.

18 MR. [REDACTED]: Okay. Did you do any -?
19 Do you remember conducting any internet queries
20 related to Epstein?

21 MS. NOEL: No. I don't remember doing
22 that.

23 MR. [REDACTED]: So you don't remember
24 actually conducting queries on Epstein around
25 4:00 or 5:00 a.m.?

1 MS. NOEL: Hm-mm.

2 MR. [REDACTED]: On August 10th? No?

3 Okay. Does that surprise you for me to ask
4 that question?

5 MS. NOEL: If I don't remember doing that?

6 MR. [REDACTED]: I don't know. Had you
7 queried him before? Had you looked up Epstein
8 previously?

9 MS. NOEL: I don't recall looking him up.

10 MR. [REDACTED]: No?

11 MS. NOEL: No. because when you open the
12 computer, and when you click on it, like he's
13 there in the - in the Google search. Like he's
14 there.

15 MR. [REDACTED]: Epstein is?

16 MS. NOEL: Like when you click on the
17 browser. You know like if you open it Emerson
18 or Google, like how it has that little news
19 piece. Like one time he was there.

20 MR. [REDACTED]: And was that on August
21 10th?

22 MS. NOEL: No. I don't recall that being
23 on August 10th. I don't remember. But I don't
24 recall it being on August 10th.

25 MR. [REDACTED]: So as in like maybe

1 somebody else was looking him up and it just
2 prepopulated when you turned on the computer?

3 MS. NOEL: I don't think it does that.
4 Like on the searches, like the current news
5 will be there. So he's in the current news, so
6 he'll be there.

7 MR. [REDACTED]: Oh. Alright.

8 MS. NOEL: It won't like load the page.
9 Like when you click on like Internet Explorer
10 or you click on like Firefox or whatever. When
11 the page loads, the news is there, weather.

12 MR. [REDACTED]: Okay. So if you
13 prepopulated something and then you searched on
14 that day, Epstein at the MCC, that possibly
15 could have been something that was like on a
16 news feed?

17 MS. NOEL: When you say prepopulated, like
18 that as soon as you click it like it was there.
19 Not like you said a search.

20 MR. [REDACTED]: So you weren't. Yeah.
21 Like a search. Like you were actually looking
22 at it. Or if like a news feed.

23 MS. NOEL: Oh yeah. Like I'm looking at
24 it because it's there. But not like typing it
25 in.

1 MR. [REDACTED]: So you're not like
2 actually going to Google or Yahoo or some kind
3 of a search engine and --

4 MS. NOEL: No.

5 MR. [REDACTED]: -- saying Epstein?

6 MS. NOEL: No.

7 MR. [REDACTED]: Alright. Do you remember
8 reviewing news articles on Epstein --

9 MS. NOEL: Yeah.

10 MR. [REDACTED]: -- on August 10th?

11 MS. NOEL: On August 10th? I don't recall
12 if it was August 10th but I remember when I saw
13 it I like scrolled and read it.

14 MR. [REDACTED]: Okay. And what was the
15 purpose of that?

16 MS. NOEL: What was the purpose of that?

17 MR. [REDACTED]: Yep.

18 MS. NOEL: Because he's in there. I just
19 scrolled and -.

20 MR. [REDACTED]: Sure. So you're trying
21 to learn about the inmate that was -.

22 MS. NOEL: And read it.

23 MR. [REDACTED]: Okay.

24 MS. NOEL: Because remember, I was asked
25 like do I know who that was. And I was like

1 no. and they was like he's always in the news.
2 So when I saw it, I just briefly like skimmed
3 to see like what he was in the news for but -.

4 MR. [REDACTED]: Okay. And do you recall
5 at 5:42 to 5:52 on August 10, 2019 looking at
6 articles related to Epstein?

7 MS. NOEL: No.

8 MR. [REDACTED]: You do not recall that?

9 MS. NOEL: No.

10 MR. [REDACTED]: Do you remember searching
11 for him?

12 MS. NOEL: No.

13 MR. [REDACTED]: Or having anything to do
14 with when you're on the internet?

15 MS. NOEL: No.

16 MR. [REDACTED]: With Epstein in
17 (Indiscernible *04:07:02)?

18 MS. NOEL: No.

19 MR. [REDACTED]: 5:52?

20 MS. NOEL: No.

21 MR. [REDACTED]: No? Does it surprise you
22 to hear that you know internet searches would
23 show that that's what you were doing from 5:42
24 to 5:52 a.m. on August 10, 2019?

25 MS. NOEL: Yeah.

1 MR. [REDACTED]: That does surprise you?

2 MS. NOEL: Mm-hmm.

3 MR. [REDACTED]: So do you think that
4 would not be accurate then?

5 MS. NOEL: Yes.

6 MR. [REDACTED]: You think it would be
7 accurate or not be accurate?

8 MS. NOEL: Oh no. It wouldn't be
9 accurate.

10 MR. [REDACTED]: It wouldn't be accurate?
11 You do not believe that you actually conducted
12 those searches?

13 MS. NOEL: No.

14 MR. [REDACTED]: Okay. And since you had
15 the keys, no one could have visited the SHU
16 without you knowing. Correct?

17 MS. NOEL: Correct.

18 MR. [REDACTED]: And the individual on 10
19 South - [REDACTED] - or anyone else. Are they able
20 to access the SHU without someone in the SHU
21 allowing them in? Can they get out of 10 South
22 and enter the SHU by themselves? Or does
23 someone from the SHU like you and [REDACTED] need
24 to authorize them entry?

25 MS. NOEL: He needs to call like I have to

1 call control to pop that door.

2 MR. [REDACTED]: So he has to call
3 control?

4 MS. NOEL: Because there's a door that
5 lets you into 10. You have to call control.

6 MR. [REDACTED]: And then is it like the
7 entrance? Is there also a second door that you
8 have to use a key for?

9 MS. NOEL: Yeah.

10 MR. [REDACTED]: So there's also two into
11 10 South?

12 MS. NOEL: Yes.

13 MR. [REDACTED]: And that second door is
14 that the one that -?

15 MS. NOEL: [REDACTED] don't have the key for.

16 MR. [REDACTED]: So he would also have a
17 key? Or is it just [REDACTED]?

18 MS. NOEL: No I don't have the key for
19 upstairs.

20 MR. [REDACTED]: Alright. So he needs to
21 open his own?

22 MS. NOEL: Right.

23 MR. [REDACTED]: And then control pops it

24 --

25 MS. NOEL: Pops it.

1 MR. [REDACTED]: -- to then allow him into
2 the SHU?

3 MS. NOEL: Yes.

4 MR. [REDACTED]: So he could theoretically
5 get into the SHU without your knowledge?

6 MS. NOEL: No. I have to call control to
7 pop me into the SHU.

8 MR. [REDACTED]: Yeah-yeah. I'm saying
9 [REDACTED]' ability to get into the SHU where you
10 and [REDACTED] were.

11 MS. NOEL: Be he can't do that because he
12 can't leave unless -. Because remember [REDACTED]
13 has to go up to relive him. So [REDACTED] is
14 getting the door popped. But he can't just
15 come out and get the door popped because he
16 would leave the unit with nobody up there.

17 MR. [REDACTED]: Right. What I'm saying
18 is like could he? Does he have the ability to?
19 Not policy dictates that he can't do it. I'm
20 saying would he be able to if he wanted to?
21 Take policy out of the way.

22 MS. NOEL: Call for them to pop the door?

23 MR. [REDACTED]: Right. So like point
24 being, could have he accessed the SHU
25 theoretically without you and [REDACTED]'

1 knowledge?

2 MS. NOEL: Yes. Because he could go and
3 pop the door.

4 MR. [REDACTED]: Right. But he would have
5 had to call control in order to do so.

6 MS. NOEL: Yes.

7 MR. [REDACTED]: Alright. And does
8 anything allow control to know if that door was
9 never locked or closed or anything behind him?

10 MS. NOEL: I don't know.

11 MR. [REDACTED]: You're not sure? Would
12 an alarm sound if a door wasn't closed or
13 anything?

14 MS. NOEL: I don't know.

15 MR. [REDACTED]: You're not sure. Who was
16 the last person to see Epstein alive prior to
17 August 10, 2019 at 6:33 a.m.?

18 MS. NOEL: The last person to see him
19 alive? I would guess me. Because I got -.

20 MR. [REDACTED]: You were?

21 MS. NOEL: Because I counted at 10:00 - or
22 after 10:00.

23 MR. [REDACTED]: And on that occasion, you
24 didn't actually enter his cell you said?

25 MS. NOEL: No.

1 MR. [REDACTED]: Who was that last person
2 to have physical contact with Epstein?

3 MS. NOEL: [REDACTED].

4 MR. [REDACTED]: [REDACTED] would have? And
5 when would have that been?

6 MS. NOEL: When he was feeding.

7 MR. [REDACTED]: No-no-no.

8 MS. NOEL: You mean like a time?

9 MR. [REDACTED]: [REDACTED] had physical
10 contact with Epstein during his shift on August
11 10th prior to 6:30?

12 MS. NOEL: Oh no. Not prior to the 6:30
13 a.m. I'm talking about at the 6:30.

14 MR. [REDACTED]: Right. So you're the
15 last person to see him.

16 MS. NOEL: Mm-hmm.

17 MR. [REDACTED]: Who was the last person
18 to have physical contact with him?

19 MS. NOEL: Oh! Whoever put him in the
20 cell. When I went to the bathroom.

21 MR. [REDACTED]: Okay. So you're not
22 sure?

23 MS. NOEL: No.

24 MR. [REDACTED]: Alright. When you saw
25 him, please explain in detail like -? Or I

1 guess you already did. You said when you saw
2 him he just put his hand up.

3 MS. NOEL: Mm-hmm.

4 MR. [REDACTED]: And then he - you said he
5 also asked for -.

6 MS. NOEL: CPAP machine to be plugged in.

7 MR. [REDACTED]: And that is something
8 that he has every night?

9 MS. NOEL: Yes.

10 MR. [REDACTED]: Yep? Did he seem - did
11 anything seem unusual with him?

12 MS. NOEL: No. See there's exceptions
13 being made for Epstein because it's Epstein.
14 You're not supposed to have -. A CPAP machine
15 has a long cord. So other inmates don't have a
16 CPAP machine in the SHU. Like you're not
17 supposed to have that. Who authorized it, who
18 gave it to him, I don't know.

19 MR. [REDACTED]: Okay. And that's kind of
20 what I was asking earlier - and this was much
21 earlier - about like where like did Epstein was
22 he treated differently than others?

23 MS. NOEL: I mean -.

24 MR. [REDACTED]: Were there other
25 instances that you can think of like people

1 said pay him special attention because he's
2 different from eh other inmates?

3 MS. NOEL: No. Just the CPAP machine and
4 one time he wanted two mattresses.

5 MR. [REDACTED]: He wanted two mattresses?

6 MS. NOEL: Yes.

7 MR. [REDACTED]: Was he provided two
8 mattresses?

9 MS. NOEL: No.

10 MR. [REDACTED]: So he just had the one
11 mattress?

12 MS. NOEL: Mm-hmm.

13 MR. [REDACTED]: So the only thing you can
14 think of is that?

15 MS. NOEL: Is that.

16 MR. [REDACTED]: Is it like C-P-A-C?

17 MS. NOEL: What the CPAP? C-P-A-P.

18 MR. [REDACTED]: CPAP.

19 MS. NOEL: Yes.

20 MR. [REDACTED]: Okay.

21 MR. [REDACTED]: Is it the one with like a
22 mask that's attached to your face?

23 MS. NOEL: Yeah.

24 MR. [REDACTED]: And there's actually like
25 a cord that goes with that?

1 MS. NOEL: Yeah. The cord has to be
2 plugged in.

3 MR. [REDACTED]: Now do you consider that
4 like a safety issue or anything like that?

5 MS. NOEL: But see that's the thing. I
6 don't authorize those things.

7 MR. [REDACTED]: Sure.

8 MS. NOEL: That's why I said when a person
9 -. You see how the question was asked when
10 somebody comes back from suicide watch. Like
11 is there like something like special being
12 said. Like no because he's cleared. Because
13 if there was then why would he be allowed to
14 have that in his room? So once you're cleared
15 and you come back, you're back.

16 MR. [REDACTED]: Okay. Were there any
17 other issues with any inmates on August 10th
18 from 12:00 a.m. to 6:33 a.m.?

19 MS. NOEL: No.

20 MR. [REDACTED]: No? So there was no
21 disturbances?

22 MS. NOEL: No.

23 MR. [REDACTED]: Were there any inmates
24 complaining about the lights being left on or
25 anything like that? Do you recall?

1 MS. NOEL: Not that I know of.

2 MR. [REDACTED]: No? And do you recall if
3 any other inmates were on - came from suicide
4 watch?

5 MS. NOEL: No.

6 MR. [REDACTED]: So you don't remember any
7 other inmates being handled differently than
8 others?

9 MS. NOEL: No.

10 MR. [REDACTED]: No? Or like special
11 instructions with regard to this inmate or that
12 inmate.

13 MS. NOEL: I don't know.

14 MR. [REDACTED]: And you don't remember
15 inmates complaining about the lights you said.

16 MS. NOEL: No.

17 MR. [REDACTED]: How do the lights work?
18 Do they stay on in the range all times - uh
19 24/7?

20 MS. NOEL: The -.

21 MR. [REDACTED]: In each tier?

22 MS. NOEL: I don't know. But the light is
23 in the hallway for the room.

24 MR. [REDACTED]: So for an interior room.
25 What about the down the hallway to each for

1 each tier?

2 MS. NOEL: Oh yeah. It stays on.

3 MR. [REDACTED]: Were they on 24/7?

4 MS. NOEL: Yeah.

5 MR. [REDACTED]: Do they ever turn those
6 lights off?

7 MS. NOEL: No.

8 MR. [REDACTED]: No? Okay. Now we're
9 going to get into a little into more of the
10 specific stuff. Was there a medical emergency
11 in the SHU in the morning of August 10, 2019?

12 MS. NOEL: Yes.

13 MR. [REDACTED]: Why was the medial
14 emergency called?

15 MS. NOEL: Because when I opened the grill
16 and [REDACTED] went to go feed, he knocked on the
17 door. He got no response. And he opened the
18 door. And then he started saying get the
19 cutter. And I heard -. I was on the grill. I
20 heard when he ripped something and he started
21 CPR.

22 MR. [REDACTED]: Okay. When was the
23 medical emergency called?

24 MS. NOEL: At that time.

25 MR. [REDACTED]: How soon after um [REDACTED]

1 entering --

2 MS. NOEL: When he opened the door, he
3 yelled get the cutter.

4 MR. [REDACTED]: -- the cell?

5 MS. NOEL: I had the audio on.

6 MR. [REDACTED]: Was he already in the
7 cell at that time? Or had he not yet gone in?

8 MS. NOEL: He was in the cell.

9 MR. [REDACTED]: So he walked into the
10 cell and he yelled out? Did he come back out
11 of the cell and yell to you?

12 MS. NOEL: No.

13 MR. [REDACTED]: He yelled from within?

14 MS. NOEL: Yes.

15 MR. [REDACTED]: Could you see him at that
16 time?

17 MS. NOEL: Could I see him? No.

18 MR. [REDACTED]: No? And from eh time
19 that he was discovered to the time of your
20 call, about how much time passed from him
21 saying - entering the cell - and the time that
22 the medical emergency was called by you.

23 MS. NOEL: A -

24 MR. [REDACTED]: Are we talking about like
25 five seconds --

1 MS. NOEL: Yeah.

2 MR. [REDACTED]: -- one minute or -?

3 MS. NOEL: A second. As soon as he said
4 it I did it.

5 MR. [REDACTED]: Oh so like there's just
6 button that you hit?

7 MS. NOEL: Yeah.

8 MR. [REDACTED]: So you -.

9 MS. NOEL: Because the button is on my
10 radio.

11 MR. [REDACTED]: And did you call it in at
12 that time?

13 MS. NOEL: No once you hit it, everybody's
14 coming.

15 MR. [REDACTED]: Alright. So there's
16 nothing that you call in. You just push a
17 button.

18 MS. NOEL: Yes.

19 MR. [REDACTED]: Alright. So at the
20 second he told you get the cutter, you hit the
21 medical emergency?

22 MS. NOEL: Yes.

23 MR. [REDACTED]: Did he say anything about
24 what he saw?

25 MS. NOEL: When he got - when he entered

1 the room, and he said get the cutter, before I
2 got the cutter, I heard him tear something.
3 And then when he lowered him to the floor,
4 that's when I saw him and he started CPR.

5 MR. [REDACTED]: Alright. So he never
6 said like Epstein hung himself or what he saw.
7 He just said get the cutter.

8 MS. NOEL: He said get the cutter. And
9 then he started CPR. And he kept saying,
10 "Breathe, Epstein, breathe!" And he was like,
11 "We're going to be in so much trouble."

12 MR. [REDACTED]: And where were you when
13 he was doing that?

14 MS. NOEL: On the grill.

15 MR. [REDACTED]: Were you in a position to
16 be able to see anything in there?

17 MS. NOEL: No.

18 MR. [REDACTED]: At any time did you see
19 anything in there?

20 MS. NOEL: No.

21 MR. [REDACTED]: Did you ever see Epstein
22 in the cell?

23 MS. NOEL: No.

24 MR. [REDACTED]: So you never even went
25 over to like look in?

1 MS. NOEL: No.

2 MR. [REDACTED]: Okay. So you didn't
3 actually have to call anything over the radio.
4 It was just a simple push of a button.

5 MS. NOEL: A button.

6 MR. [REDACTED]: And around what time did
7 you say Epstein was last fed?

8 MS. NOEL: After 10:00.

9 MR. [REDACTED]: After 10:00 p.m.?

10 MS. NOEL: I mean - not after 10:00. When
11 they fed him in the cell around - I guess after
12 8:00 or 9:00.

13 MR. [REDACTED]: Sometime between 8:00 and
14 9:00 p.m.?

15 MS. NOEL: When I came back from the
16 bathroom.

17 MR. [REDACTED]: And who was it that fed
18 him?

19 MS. NOEL: Me.

20 MR. [REDACTED]: You fed him.

21 MS. NOEL: Yes.

22 MR. [REDACTED]: And did you say at that
23 point did you actually talk with him?

24 MS. NOEL: No.

25 MR. [REDACTED]: Okay. And did you or

1 anyone else recover his food tray?

2 MS. NOEL: I don't know if somebody did.

3 Not me.

4 MR. [REDACTED]: Okay. But you didn't do
5 it?

6 MS. NOEL: No.

7 MR. [REDACTED]: Who else could have done
8 it if it wasn't you?

9 MS. NOEL: I don't know because after the
10 medical emergency, nobody's allowed to go in
11 the room. So.

12 MR. [REDACTED]: So you're just not sure
13 if by the time you fed him, in that medical
14 emergency, if it was ever recovered?

15 MS. NOEL: Right.

16 MR. [REDACTED]: Okay. Alright. So when
17 you fed him - can you just again refresh my
18 memory - what is it that you saw with Epstein
19 when you gave him the food?

20 MS. NOEL: He gets like microwaveable
21 food. So I just handed it to him. Through the
22 slot. And he took it.

23 MR. [REDACTED]: Okay. And any instances
24 where you saw him from the shower to the last
25 time you said you saw him between 10:00 and

1 10:30 or whatever that was. Anything unusual?

2 MS. NOEL: No.

3 MR. [REDACTED]: Nothing that caught -
4 raised suspicion?

5 MS. NOEL: No.

6 MR. [REDACTED]: No like distress or
7 anything like that with him?

8 MS. NOEL: No.

9 MR. [REDACTED]: And you're sure when you
10 saw him at 10:00 - 10:30 he was alive?

11 MS. NOEL: Yes. (Indiscernible *04:17:41)

12 MR. [REDACTED]: I'm sorry what?

13 MS. NOEL: Yes. He put his hand up.

14 MR. [REDACTED]: He put his hand up.

15 MS. NOEL: Mm-hmm.

16 MR. [REDACTED]: And he wasn't like
17 hanging against the bed when he put it up?

18 MS. NOEL: No.

19 MR. [REDACTED]: Where was he located?

20 MS. NOEL: on the floor. On a mattress.

21 MR. [REDACTED]: So he was like sleeping?

22 MS. NOEL: He was laying on the floor on
23 the mattress and he had the machine.

24 MR. [REDACTED]: And he had the machine on
25 him?

1 MS. NOEL: Mm-hmm.

2 MR. [REDACTED]: Okay.

3 MR. [REDACTED]: When you looked through his
4 window.

5 MS. NOEL: Mm-hmm.

6 MR. [REDACTED]: Right. What of his body
7 could you see?

8 MS. NOEL: Um his head, his hand, and like
9 maybe to mid-there.

10 MR. [REDACTED]: The best of the body was -?

11 MS. NOEL: Like under his head. Mm-hmm.

12 MR. [REDACTED]: So he was laying facing the
13 wall?

14 MS. NOEL: Yeah. He was facing like this
15 big (Indiscernible *04:18:24) is this way. The
16 mattress was here on the floor. Like in front
17 of the bunk on the floor.

18 MR. [REDACTED]: And the CPAP machine was it
19 already attached to him?

20 MS. NOEL: Yeah. He had it on.

21 MR. [REDACTED]: I'm not following what
22 you're saying about that. So the mattress was
23 laying like -.

24 MS. NOEL: The mattress was like how you
25 just take it off the bunk and you put it on the

1 floor.

2 MR. [REDACTED]: Yep.

3 MS. NOEL: Well he shoves it to the
4 corner.

5 MR. [REDACTED]: And he was laying on -
6 was he laying on it like the direction of the
7 mattress lines?

8 MS. NOEL: That the mattress is going.
9 Yeah.

10 MR. [REDACTED]: Alright. So he wasn't
11 like L or a T shape --

12 MS. NOEL: No.

13 MR. [REDACTED]: -- with the -.

14 MS. NOEL: No.

15 MR. [REDACTED]: Alright. So he was like
16 -.

17 MS. NOEL: Direction of the mattress.

18 MR. [REDACTED]: Okay. You want to ask
19 more on that?

20 MR. [REDACTED]: No. Just had that quick.

21 MR. [REDACTED]: And you said to your
22 knowledge, no one else saw him between the time
23 you last saw him and when [REDACTED] discovered
24 him.

25 MS. NOEL: Right.

1 MR. [REDACTED]: Did you hear anything
2 from Epstein's cell between 10:30 p.m. and 6:33
3 a.m.?

4 MS. NOEL: No.

5 MR. [REDACTED]: No like movement,
6 talking, or a crash?

7 MS. NOEL: No.

8 MR. [REDACTED]: Anything like that? And
9 about how far were you from Epstein's cell when
10 [REDACTED] went in?

11 MS. NOEL: I don't know. The grill is
12 right here and the door is right here.

13 MR. [REDACTED]: So I mean is it like - so
14 this is a foot, this is two feet, this three
15 feet.

16 MS. NOEL: A foot.

17 MR. [REDACTED]: A foot?

18 MS. NOEL: From the grill to the door
19 right here. But he's inside. So.

20 MR. [REDACTED]: Right.

21 MS. NOEL: I'm not in there. So from the
22 grill to the actual door about a foot.

23 MR. [REDACTED]: Only about a foot?

24 MS. NOEL: Yes.

25 MR. [REDACTED]: Now was the grill door -

1 is that a door that is closed? Was it closed
2 or was it open?

3 MS. NOEL: I opened it. And then [REDACTED]
4 goes in.

5 MR. [REDACTED]: Okay. So was it open
6 when [REDACTED] entered Epstein's cell?

7 MS. NOEL: I opened it. I opened the
8 grill for him to go in.

9 MR. [REDACTED]: Right. And did it remain
10 open?

11 MS. NOEL: Yes but I'm -.

12 MR. [REDACTED]: Or did you close it
13 behind you?

14 MS. NOEL: No. I'm standing there so it's
15 open.

16 MR. [REDACTED]: So you're only a foot
17 away from Epstein's cell door though?

18 MS. NOEL: Yes.

19 MR. [REDACTED]: And you never looked in?

20 MS. NOEL: No.

21 MR. [REDACTED]: Was it because - why
22 didn't you look in?

23 MS. NOEL: Because usually the door is not
24 open. His intentions is to feed. So he would
25 just open the slot and put the food in. When

1 he knocked, he didn't get no answer. So that's
2 when [REDACTED] opened the door and went in. I
3 stood on the grill. And as soon as he opened
4 the door and he went in, he started screaming,
5 "Get the cutter!" So I hit the body alarm
6 because I have to - when everybody's coming, I
7 have to let them in. I never went in.

8 MR. [REDACTED]: Okay. So after he made
9 the call, did you go get the cutter and bring
10 it back to him?

11 MS. NOEL: No. I didn't get the cutter
12 because he didn't need it.

13 MR. [REDACTED]: Because he ripped
14 something?

15 MS. NOEL: Yes.

16 MR. [REDACTED]: And you actually heard it
17 rip?

18 MS. NOEL: I heard the rip.

19 MR. [REDACTED]: Okay. And the reason why
20 - and then you left the grill to go let people
21 in?

22 MS. NOEL: Yes.

23 MR. [REDACTED]: Alright. So how long
24 after Mike [REDACTED] went into the room did you
25 leave the grill station door that was a foot

1 away from Epstein's door?

2 MS. NOEL: Maybe like two three minutes.

3 MR. [REDACTED]: So you were there for two
4 or three minutes while he was conducting CPR?

5 MS. NOEL: Yes.

6 MR. [REDACTED]: And at that time, never
7 once did you actually look in to see what he
8 was doing?

9 MS. NOEL: No.

10 MR. [REDACTED]: Even though it was just a
11 foot away?

12 MS. NOEL: Right.

13 MR. [REDACTED]: And that's what I'm
14 asking you.

15 MS. NOEL: No by that time, when he's
16 conducting CPR, I can see because he lowered
17 him to the floor and I could -.

18 MR. [REDACTED]: And that's what I'm
19 asking. So you could see him lower him to the
20 floor?

21 MS. NOEL: Yeah. I could see when he
22 lowered him to the floor.

23 MR. [REDACTED]: This is where I want to
24 make sure that we're -. I'm asking you what
25 could you see inside?

1 MS. NOEL: Oh no. I can't see inside the
2 cell. I could only just see [REDACTED] doing CPR.

3 MR. [REDACTED]: But you saw him lower him
4 to the floor?

5 MS. NOEL: Yes. He lowered him to the
6 floor and I -.

7 MR. [REDACTED]: So this is what I want to
8 know. What did you see? So what you could see
9 from where you were standing? What could you
10 see? Everything. Because I'm getting confused
11 with what you're telling me. I thought you
12 said you never looked in. You never saw
13 anything. What did you see? From the moment
14 the medical emergency occurred. So he walked
15 to the door -.

16 MS. NOEL: When he --

17 MR. [REDACTED]: -- what do you see?

18 MS. NOEL: -- goes in the door first, I
19 don't see anything. I hear the rip and then he
20 lowers him to the floor --

21 MR. [REDACTED]: Okay. So just back up -.
22 What do you mean by lowering him to the floor?
23 Did you watch him rip or just heard?

24 MS. NOEL: I heard the rip.

25 MR. [REDACTED]: Okay.

1 MS. NOEL: I only see -. It's just like
2 this. He's holding him like this. And he puts
3 him to the floor to start CPR.

4 MR. [REDACTED]: Did he put his arms
5 underneath Epstein's arms?

6 MS. NOEL: I don't remember how he held
7 him directly. But he just lowered him to the
8 floor. I don't remember how he - the details
9 of how he lowered him to the floor.

10 MR. [REDACTED]: So he - somewhere on his
11 upper body then lowered him to his like butt to
12 the floor?

13 MS. NOEL: Yes.

14 MR. [REDACTED]: And then he then allowed
15 him to drop? Or did he place him -?

16 MS. NOEL: No. He didn't allow him to
17 drop. He had him all the way.

18 MR. [REDACTED]: So at all times he
19 maintained control of Epstein's body and brough
20 him to the floor?

21 MS. NOEL: Yes.

22 MR. [REDACTED]: And you witnessed all of
23 this?

24 MS. NOEL: I just only witnessed when the
25 top part of his body went to the floor.

1 MR. [REDACTED]: Okay. And at any time
2 did like - and we have to ask this just because
3 of you know, the autopsy and things like that.
4 Did his head smash against the floor?

5 MS. NOEL: No.

6 MR. [REDACTED]: Alright. So everything
7 was like a gentle like --

8 MS. NOEL: Yes.

9 MR. [REDACTED]: -- fluid movement?

10 MS. NOEL: Yeah.

11 MR. [REDACTED]: From you heard it rip.
12 Did you ever hear like [sound]? Hear him like
13 land on the floor?

14 MS. NOEL: No.

15 MR. [REDACTED]: So you didn't hear like
16 alright, he ripped this thing. So you think he
17 ripped it and then maintained control of him?

18 MS. NOEL: Probably. I didn't see that
19 part. I just only heard the rip.

20 MR. [REDACTED]: Alright. But you did see
21 -. Did you see his body after the rip hit the
22 floor?

23 MS. NOEL: No.

24 MR. [REDACTED]: Alright. So he's on the
25 floor. Maybe like his butt's on the floor and

1 his upper body is up. And that's when you
2 witnessed him now bringing him down to the
3 floor?

4 MS. NOEL: He brought him down to the
5 floor. I can't see that other half of his
6 body. So I don't know. Just -.

7 MR. [REDACTED]: What part of his body do
8 you see?

9 MS. NOEL: Just the top part like torso up
10 and he's bringing him down.

11 MR. [REDACTED]: Alright. And then did
12 you see him -? When you say CPR, what kind of
13 CPR was he giving him?

14 MS. NOEL: Chest compression.

15 MR. [REDACTED]: Any kind of mouth-to-
16 mouth of breath?

17 MS. NOEL: No.

18 MR. [REDACTED]: Did he ever check for his
19 vitals? Did he ever check to see if he was
20 alive first?

21 MS. NOEL: I don't know.

22 MR. [REDACTED]: You don't know. Did you
23 witness him check for breath or check for a
24 pulse?

25 MS. NOEL: I didn't see that.

1 MR. [REDACTED]: You didn't see either?

2 MS. NOEL: No. I just seen him giving
3 compressions.

4 MR. [REDACTED]: Alright. Did you see him
5 like try to wake him up or hit him or anything
6 like that?

7 MS. NOEL: No. Just compressions.

8 MR. [REDACTED]: Did you have any
9 communication with [REDACTED] while he was doing
10 this?

11 MS. NOEL: No.

12 MR. [REDACTED]: What were you saying
13 about we're going to be in so trouble. When
14 was that -?

15 MS. NOEL: [REDACTED] said that.

16 MR. [REDACTED]: That's what I'm asking.
17 Did you have a conversation - did you have any
18 communication with [REDACTED] -?

19 MS. NOEL: Oh no. No.

20 MR. [REDACTED]: Well you did have that
21 right?

22 MS. NOEL: No he said we're going to be in
23 so much trouble. I didn't say anything.

24 MR. [REDACTED]: Okay. So what statements
25 did he make to you?

1 MS. NOEL: Get the cutter. And then I
2 heard the rip. He lowered him to the floor.
3 He was doing CPR. He said, "breathe Epstein
4 breathe" and he said we're going to be in so
5 much trouble. But I never said anything.

6 MR. [REDACTED]: You didn't respond to
7 "we're going to be in so much trouble"?

8 MS. NOEL: No.

9 MR. [REDACTED]: Do you know why he said
10 you're going to be in so much trouble?

11 MS. NOEL: Because we didn't the count.

12 MR. [REDACTED]: Okay.

13 MS. [REDACTED]: I think it's important though
14 that you convey to him like - that you didn't
15 understand the magnitude of what had just taken
16 place. Right? Because that's something that
17 you had expressed. So like not knowing what a
18 cutter was. And maybe that gives insight into
19 why there wasn't a more in-depth conversation.
20 I think it's important that -.

21 MS. NOEL: Yeah. When he said to get the
22 cutter, like I would have to go try to look for
23 where a cutter was. But he didn't need it
24 because I heard the rip. And then when he said
25 we was going to be in so much trouble, like I

1 still wasn't thinking like the trouble that
2 we're in now. I was just probably thinking
3 because I know we didn't do the count. But I
4 never responded because all the inmates by this
5 time are on the door.

6 MR. [REDACTED]: Because they're all
7 watching?

8 MS. NOEL: Yeah.

9 MR. [REDACTED]: This all take place?

10 MR. [REDACTED]: I've got a question.

11 MR. [REDACTED]: Yeah. Go ahead.

12 MR. [REDACTED]: You said you opened the --

13 MS. NOEL: The grill.

14 MR. [REDACTED]: -- the grill. Did he have
15 keys to open Epstein's cell?

16 MS. NOEL: Who [REDACTED]?

17 MR. [REDACTED]: [REDACTED].

18 MS. NOEL: Yeah. He as the door keys. So
19 there's two separate set of keys?

20 MS. NOEL: Yes.

21 MR. [REDACTED]: So he - that's the keys that
22 stayed with him the whole time?

23 MS. NOEL: Yes.

24 MR. [REDACTED]: But those door keys -. So on
25 the keychain that you have. What does that

1 open?

2 MS. NOEL: The grills.

3 MR. [REDACTED]: That's it?

4 MS. NOEL: There's other keys. The grill,
5 the front door, that middle door, but not the
6 inside cell door key.

7 MR. [REDACTED]: That's with [REDACTED]?

8 MS. NOEL: Yes.

9 MR. [REDACTED]: Now when you look inside the
10 cell, you said you could see only Epstein's
11 upper body. Where was he hanging?

12 MS. NOEL: I don't know. I didn't see
13 that part.

14 MR. [REDACTED]: And when you heard the thud,
15 or you know, the rip and then the body landing.
16 Did you look inside to see what he was doing?

17 MS. NOEL: When he - when the body -.
18 Because when he lowered the body, he stepped
19 back like to come like it's almost like he was
20 backing up because you're bringing him down.
21 So that's how come I was able to just see that
22 part. But I didn't like to go look in the
23 cell. I was still on the grill.

24 MR. [REDACTED]: So that's what I was trying
25 to understand. Where exactly was he hanging?

1 MS. NOEL: I don't know that because I
2 don't know where he took him down from. I just
3 only heard the rip and then when he was walking
4 the body like down.

5 MR. [REDACTED]: So he was - basically his
6 arms were behind Epstein?

7 MS. NOEL: Right. And he was bringing
8 him -.

9 MR. [REDACTED]: And he was pulling him up?

10 MS. NOEL: -- bringing him down.

11 MR. [REDACTED]: Was there a mattress on the
12 floor?

13 MS. NOEL: Well I'm assuming because the
14 mattress was on the floor earlier. But I don't
15 know.

16 MR. [REDACTED]: So from where you were
17 standing, you couldn't see the actual mattress?

18 MS. NOEL: Mattress? No.

19 MR. [REDACTED]: SO he wasn't doing CPR
20 like on top of the mattress?

21 MS. NOEL: No. Not that I can remember.

22 MR. [REDACTED]: Do you remember what
23 Epstein was wearing? From what you could see
24 from his -?

25 MS. NOEL: He didn't have a shirt on.

1 MR. [REDACTED]: So not even like a ripped
2 shirt? Nothing was on?

3 MS. NOEL: He didn't have a shirt on.

4 MR. [REDACTED]: Okay. At that time when
5 you saw him, did you see anything around his
6 neck?

7 MS. NOEL: No.

8 MR. [REDACTED]: And when you say no, are
9 you saying there was nothing around his neck?

10 MS. NOEL: No. There was nothing around
11 his neck.

12 MR. [REDACTED]: So there was nothing
13 around his neck? Okay. What did he look like?

14 MS. NOEL: Blue.

15 MR. [REDACTED]: He looked blue? Did he
16 look like bloated or puffy or anything?

17 MS. NOEL: No.

18 MR. [REDACTED]: Did he look like he was
19 deceased?

20 MS. NOEL: His face looked blue. But.

21 MR. [REDACTED]: Any reason for you to
22 believe that he was alive?

23 MS. NOEL: No.

24 MR. [REDACTED]: No? Did you see any kind
25 of breath or anything?

1 MS. NOEL: No.

2 MR. [REDACTED]: No? What did his cell
3 look like from what you could see?

4 MS. NOEL: I wasn't really looking at his
5 cell. By that point I was just looking at
6 [REDACTED] doing CPR. I didn't look in there to
7 see what was going on.

8 MR. [REDACTED]: Okay. So you didn't
9 notice anything like unusual in his cell?

10 MS. NOEL: No.

11 MR. [REDACTED]: When [REDACTED] went to his
12 door, did you notice if he actually had to use
13 his key to open it? Or was it - do you know if
14 it was actually already -?

15 MS. NOEL: He used a key to open it.

16 MR. [REDACTED]: So are you confident that
17 that door was locked?

18 MS. NOEL: Yes. Because he knocked. And
19 then he used the key to open it. He knocked.
20 He knocked. He didn't get a response. And
21 then he used the key to open.

22 MR. [REDACTED]: Was there any indication
23 that any of the other inmates could have gotten
24 out of their cells?

25 MS. NOEL: No.

1 MR. [REDACTED]: And you said you don't
2 know if [REDACTED] actually checked to see if he
3 was alive?

4 MS. NOEL: Yeah. I don't know.

5 MR. [REDACTED]: You just know he went
6 straight into compressions. And did you say
7 you were two or three minutes that you stood
8 there? How long were you actually at the grill
9 when they walked into the door?

10 MS. NOEL: When I went to go get them to
11 come in the door? Between the time -

12 MR. [REDACTED]: So you let -. [REDACTED]
13 goes in. He goes into the room. He's making
14 these - you know you're watching him do some
15 compressions. He makes the statement, "we're
16 going to be in so much trouble." How long are
17 you standing there while you're observing this?

18 MS. NOEL: About one to two minutes.
19 Because I'm waiting for - the radio is going to
20 tell me when everybody's -. Because remember,
21 once I hit that button, everybody's coming. So
22 the radio is going to tell me when everybody's
23 at - when they're at the door. And then when I
24 pop the door and let them in. So I go to the
25 door.

1 MR. [REDACTED]: And you never entered
2 Epstein's cell?

3 MS. NOEL: No.

4 MR. [REDACTED]: Who was the second person
5 to enter Epstein's cell?

6 MS. NOEL: That I don't remember because
7 everybody came right at the time I don't
8 remember.

9 MR. [REDACTED]: Okay. So you don't
10 remember the first person on the scene?

11 MS. NOEL: No.

12 MR. [REDACTED]: Did you assist at all
13 with the medical emergency?

14 MS. NOEL: No.

15 MR. [REDACTED]: No? So what actions did
16 you take after people arrived? What did you
17 do?

18 MS. NOEL: Nothing. They told me to get
19 out the way.

20 MR. [REDACTED]: So did you like leave the
21 tier?

22 MS. NOEL: I was on the bottom of the
23 stairs. Mm-hmm.

24 MR. [REDACTED]: Like observing?

25 MS. NOEL: Mm-hmm. Yes.

1 MR. [REDACTED]: Okay. What did you
2 observe from the bottom of the stairs? When
3 people arrived?

4 MS. NOEL: They got a stretcher. And they
5 put him on the stretcher. And brought him out.

6 MR. [REDACTED]: Did anyone take over for
7 the CPR efforts that [REDACTED] was doing?

8 MS. NOEL: I don't remember.

9 MR. [REDACTED]: You don't remember seeing
10 this? So this isn't something that's vivid in
11 your memory? You know like this whole big
12 occurrence. You're not almost like you're
13 playing it in slow motion?

14 MS. NOEL: No.

15 MR. [REDACTED]: The details of it?

16 MS. NOEL: No because when [REDACTED] was
17 doing CPR. Then when they came, they took the
18 stretcher and put him on the stretcher and
19 left. As far as when they're -. Remember it's
20 a lot of people. So I'm not really seeing like
21 who's two steps - they're coming out with him.

22 MR. [REDACTED]: About how many people
23 responded?

24 MS. NOEL: Mm. I don't know. Maybe 10,
25 15.

1 MR. [REDACTED]: And they didn't know what
2 they were responding to? They just knew it was
3 a medical emergency. It wasn't announced that
4 it was Epstein.

5 MS. NOEL: No. There ain't nobody that
6 (Indiscernible *04:31:48).

7 MR. [REDACTED]: And is that typical for
8 10 to 15 people to respond? To a medical
9 emergency?

10 MS. NOEL: It - there's no number. It's
11 when - whoever is in the building and the body
12 alarm goes off once you're not in a post -
13 because when you're on a post you can't leave
14 your post. But everybody else in the building
15 responds.

16 MR. [REDACTED]: And they just leave
17 wherever they were? To respond?

18 MS. NOEL: Yes.

19 MR. [REDACTED]: Okay.

20 MR. [REDACTED]: I've got a question.

21 MR. [REDACTED]: Go ahead.

22 MR. [REDACTED]: When a body alarm is hit, who
23 gets notified?

24 MS. NOEL: Control.

25 MR. [REDACTED]: And how do they differentiate

1 between an inmate altercation versus a medical
2 emergency?

3 MS. NOEL: I mean the person that's
4 hitting the body alarm can say it. But there's
5 no differentiation. So either way the response
6 is the same.

7 MR. [REDACTED]: So you could have said
8 it. You just didn't say anything.

9 MS. NOEL: Like when I hit the button, I
10 could have said a medical emergency on the
11 radio. Yeah, I could have said that.

12 MR. [REDACTED]: But you didn't.

13 MS. NOEL: No because it's the same
14 response.

15 MR. [REDACTED]: Right.

16 MS. NOEL: Mm-hmm.

17 MR. [REDACTED]: Has anybody ever hit it
18 accidentally?

19 MS. NOEL: Yes. And same thing.

20 MR. [REDACTED]: And people just rush?

21 MS. NOEL: Everybody comes. Yes.

22 MR. [REDACTED]: Okay. Alright. You said
23 you stood there for a little while on the
24 bottom of the steps. You observed some people
25 going in. You don't know who took over CPR.

1 You just saw --

2 MS. NOEL: I don't know.

3 MR. [REDACTED]: -- who put up. Do you
4 remember who put him on a stretcher?

5 MS. NOEL: I don't know.

6 MR. [REDACTED]: Did you see the body like
7 fall or anything going on the stretcher?

8 MS. NOEL: No.

9 MR. [REDACTED]: Did he ever fall off of
10 the stretcher?

11 MS. NOEL: No.

12 MR. [REDACTED]: Did anyone drop the
13 stretcher?

14 MS. NOEL: No.

15 MR. [REDACTED]: When they were moving
16 him, did you see him like get knocked or
17 anything like that?

18 MS. NOEL: No.

19 MR. [REDACTED]: No? Anything then - did
20 you notice anything that could have caused
21 additional injuries to his body aside from what
22 the hanging would have caused?

23 MS. NOEL: No.

24 MR. [REDACTED]: No? What did [REDACTED] do
25 after people responded?

1 MS. NOEL: After they took him out on the
2 stretcher, he left.

3 MR. [REDACTED]: So not after the
4 stretcher. Once at least one person showed up.
5 Do you know what [REDACTED] did?

6 MS. NOEL: No because I'm at the bottom of
7 the stairs. So I don't know. Because they're
8 - remember they're on the top. I'm at the
9 bottom. So I don't know.

10 MR. [REDACTED]: So could you even see in
11 at all at that point?

12 MS. NOEL: No. I could only see when they
13 coming down with him on the stretcher. Because
14 I'm at the bottom. I can't see up there now.

15 MR. [REDACTED]: Okay. So after you were
16 standing there when you let people in, you
17 really couldn't see in the door anymore?

18 MS. NOEL: No.

19 MR. [REDACTED]: Okay. What happened
20 after they came out with the stretcher?

21 MS. NOEL: They left out of SHU with him.

22 MR. [REDACTED]: Did you go with them?

23 MS. NOEL: No. I had to stay.

24 MR. [REDACTED]: You stayed in SHU? Did
25 anyone stay with you?

1 MS. NOEL: No.

2 MR. [REDACTED]: So you were there alone?

3 MS. NOEL: Alone.

4 MR. [REDACTED]: And what did you do at
5 that time?

6 MS. NOEL: I kept calling control. Like
7 what's going on? And they was like somebody's
8 going to come like to help you. Because
9 remember we were supposed to feed.

10 MR. [REDACTED]: Who was it -? How long
11 were you in the SHU by yourself after they
12 left?

13 MS. NOEL: Um... Maybe like 20 - 15 or 20
14 minutes.

15 MR. [REDACTED]: So just -. Do you
16 remember if -? Now I want to say these names
17 to make sure that they were actually there. Do
18 you remember if the first person to arrive in
19 the SHU was Lieutenant [REDACTED] [REDACTED]? Does that
20 help spark a recollection of who arrived first
21 since you were the one that let them in?

22 MS. NOEL: When the medical -. I don't
23 know who arrived first. But he was in there.

24 MR. [REDACTED]: Because you're the one
25 that had to let them in. Right?

1 MS. NOEL: Yeah. But I don't remember who
2 came in first. But he was there. When [REDACTED]
3 was there, I remember [REDACTED].

4 MR. [REDACTED]: [REDACTED]?

5 MS. NOEL: Yes.

6 MR. [REDACTED]: Do you know how to spell
7 that last name?

8 MS. NOEL: L-[REDACTED]-G-R-A-N-D.

9 MR. [REDACTED]: Okay. And did you say
10 anything to the people that arrived?

11 MS. NOEL: No.

12 MR. [REDACTED]: You didn't say like it's
13 Epstein or Epstein hung himself or anything?

14 MS. NOEL: No. The only thing they asked
15 -. Because when they come on, they want to
16 know where the emergency is. So I just pointed
17 up the stairs.

18 MR. [REDACTED]: Okay. Did you make any
19 statements to anybody about saying we didn't do
20 rounds at 3:00 a.m. and 5:00 a.m.?

21 MS. NOEL: No. After Lieutenant [REDACTED]
22 asked me what happened. When I was getting
23 ready to answer him, [REDACTED] came off the
24 elevator and was like, "Oh it's not her fault.
25 We fucked up."

1 MR. [REDACTED]: So at first did you say,
2 "We didn't do rounds at 3:00 a.m. --

3 MS. NOEL: No.

4 MR. [REDACTED]: -- and then he responded
5 it's not your fault we didn't do the rounds we
6 messed up?

7 MS. NOEL: No. I didn't say that.

8 MR. [REDACTED]: So that's not your
9 recollection that you saying we didn't do the
10 3:00 a.m. and 5:00 a.m. rounds?

11 MS. NOEL: No.

12 MR. [REDACTED]: Okay. So they're saying
13 that you said that. Do you think that they're
14 mistaking? That you told them that?

15 MS. NOEL: I don't recall saying that.

16 MR. [REDACTED]: Okay. So you don't
17 recall. But is it possible that you could have
18 said that?

19 MS. NOEL: Probably but I don't recall
20 saying that. I remember Lieutenant [REDACTED] asked
21 me what happened. And I was getting ready to
22 tell him what happened. And [REDACTED] came off
23 the elevator and said that. But I don't recall
24 saying that.

25 MR. [REDACTED]: And this is after [REDACTED]

1 came back from bringing Epstein down?

2 MS. NOEL: Well he went down with them.

3 Yes.

4 MR. [REDACTED]: And then he came back?

5 So when you say by the elevator where was the
6 elevator?

7 MS. NOEL: In the hallway.

8 MR. [REDACTED]: Outside the SHU? In the
9 SHU?

10 MS. NOEL: Like right the door the first
11 door.

12 MR. [REDACTED]: The first door of what?

13 MS. NOEL: The SHU.

14 MR. [REDACTED]: So is that outside of the
15 SHU?

16 MS. NOEL: Like right outside the door.
17 The SHU door.

18 MR. [REDACTED]: Outside of the second
19 outer door?

20 MS. NOEL: Yes.

21 MR. [REDACTED]: So right outside of the
22 outer door? This is where you had a
23 conversation with who?

24 MS. NOEL: Lieutenant [REDACTED].

25 MR. [REDACTED]: Who else was present?

1 MS. NOEL: Nobody else. Just me, him, and
2 [REDACTED].

3 MR. [REDACTED]: Okay. And he asked you
4 what happened?

5 MS. NOEL: He asked me what happened. And
6 the elevator door opened. And [REDACTED] came off
7 the elevator. I was getting ready to answer
8 him. And [REDACTED] said, "It's not her fault. We
9 fucked up."

10 MR. [REDACTED]: And do you know why he
11 made that statement?

12 MS. NOEL: I think because we didn't do
13 the counts. Or he -.

14 MR. [REDACTED]: But why did he say it
15 wasn't your fault?

16 MS. NOEL: Because I kept waking him up.
17 So maybe that's why he said that.

18 MR. [REDACTED]: Was he trying to take
19 more of the responsibility?

20 MS. NOEL: I guess so.

21 MR. [REDACTED]: Would that be? Um.
22 Alright. Is it true that if the count is not
23 done and the round sheet which is filled out
24 after 30 minutes also cannot be completed?

25 MS. NOEL: If the -?

1 MR. [REDACTED]: From 12:00 a.m. to 6:33
2 a.m. That's not actually my question. From
3 12:30 to 6:30 a.m., none of the rounds or
4 counts were completed. Correct?

5 MS. NOEL: Correct.

6 MR. [REDACTED]: Alright. Is it true that
7 end of the shift the supervising lieutenant
8 signs and sends the completed log of the inmate
9 movements from the day? Do you know if that's
10 true?

11 MS. NOEL: I don't know what they sign,
12 but they sign something. I don't know what it
13 is.

14 MR. [REDACTED]: Do they sign like for
15 instance the round sheets? Do the lieutenants
16 sign that?

17 MS. NOEL: Yes. They sign that.

18 MR. [REDACTED]: But they don't sign the
19 count slips do they?

20 MS. NOEL: No.

21 MR. [REDACTED]: Just the round sheets?

22 MS. NOEL: Yes.

23 MR. [REDACTED]: Okay. And what is your
24 belief or understanding of how Epstein died?

25 MS. NOEL: Mm. He hung himself.

1 MR. [REDACTED]: So you believe he was
2 dead upon [REDACTED] entering into the cell?

3 MS. NOEL: I don't know. Because I just
4 assumed he hung himself. Because I read the
5 (Indiscernible *04:38:24).

6 MR. [REDACTED]: So do you believe Epstein
7 took his own life?

8 MS. NOEL: Yes.

9 MR. [REDACTED]: Did someone else take
10 Epstein's life?

11 MS. NOEL: No.

12 MR. [REDACTED]: Did anyone assist Epstein
13 with taking his life?

14 MS. NOEL: No.

15 MR. [REDACTED]: Did [REDACTED] take Epstein's
16 life?

17 MS. NOEL: No.

18 MR. [REDACTED]: Did [REDACTED] assist Epstein
19 with taking his life?

20 MS. NOEL: No.

21 MR. [REDACTED]: Did you assist Epstein
22 with taking his life?

23 MS. NOEL: No.

24 MR. [REDACTED]: Did you take Epstein's
25 life?

1 MS. NOEL: No.

2 MR. [REDACTED]: Did you have any part in
3 Epstein's death?

4 MS. NOEL: No.

5 MR. [REDACTED]: Prior to Epstein dying,
6 did you have any communications - verbal,
7 electronic, handwritten, or otherwise - with
8 anyone - BOP staff members or otherwise, about
9 the safety and wellbeing of Epstein?

10 MS. NOEL: No.

11 MR. [REDACTED]: Alright. Do you need me
12 to -? That was pretty long. Did you catch
13 everything I just asked you there?

14 MS. NOEL: Yes.

15 MR. [REDACTED]: This is going to be
16 another long one. Prior to Epstein dying, did
17 you have any communications - verbal,
18 electronic, handwritten, or otherwise - with
19 anyone - BOP staff members or otherwise -. And
20 when I say otherwise I mean like civilians,
21 inmates, you know anybody on the streets.

22 MS. NOEL: Okay.

23 MR. [REDACTED]: About the death of
24 Epstein or taking Epstein's life?

25 MS. NOEL: No.

1 MR. [REDACTED]: Did anyone ever offer you
2 anything such as something of value or favors
3 with regard to harming Epstein or taking his
4 life?

5 MS. NOEL: No.

6 MR. [REDACTED]: Did anyone ever threaten
7 you in exchange for harming Epstein or taking
8 Epstein's life?

9 MS. NOEL: No.

10 MR. [REDACTED]: Do you know anyone else
11 that those questions would have applied to?

12 MS. NOEL: No.

13 MR. [REDACTED]: Do you know of anyone
14 else being offered anything to hurt Epstein or
15 taking his life?

16 MS. NOEL: No.

17 MR. [REDACTED]: No? Why wasn't Epstein
18 in his assigned cell on August 10, 2019?

19 MS. NOEL: That was his cell.

20 MR. [REDACTED]: It wasn't. This is the
21 first you're hearing of that?

22 MS. NOEL: Yes.

23 MR. [REDACTED]: So he wasn't in his
24 assigned cell.

25 MS. NOEL: What? I never knew that.

1 MR. [REDACTED]: Did you - but it kind of
2 doesn't surprise me because you said that you
3 didn't even know who was in what cell. You
4 just looked to see if people -. So Epstein is
5 assigned to the cell across the hall. He
6 wasn't in the cell that he was actually
7 assigned to. Do you -?

8 MS. NOEL: Wait. You said across the
9 hall? So like not in SHU?

10 MR. [REDACTED]: The same tier. But you
11 know --

12 MS. NOEL: Oh.

13 MR. [REDACTED]: -- they do inmate cell
14 rotations?

15 MS. NOEL: No.

16 MR. [REDACTED]: So you do not know that
17 inmates are moved from different cells?

18 MS. NOEL: Yeah. I know that. They move
19 you said if I know how they do that? I don't
20 know that.

21 MR. [REDACTED]: Do you know how often?

22 MS. NOEL: Often they do that? I'm not
23 sure.

24 MR. [REDACTED]: Are you responsible for
25 reviewing - as your assignment, duties, and

1 responsibilities within the SHU - of verifying
2 that the inmates are in the cells that they're
3 assigned to?

4 MS. NOEL: I don't know if I'm responsible
5 for but there is -. Their ID cards are on the
6 door.

7 MR. [REDACTED]: Was Epstein's ID card on
8 his door?

9 MS. NOEL: No. Not all of them.

10 MR. [REDACTED]: Okay. Was there anything
11 else on the door?

12 MS. NOEL: No.

13 MR. [REDACTED]: Was there anything on the
14 door that said something about him being
15 required to have a cellmate?

16 MS. NOEL: No.

17 MR. [REDACTED]: So you don't know
18 anything about him not being in his assigned
19 cell?

20 MS. NOEL: I never knew that.

21 MR. [REDACTED]: Okay. So this is the
22 first you're even hearing about it even since
23 the incident?

24 MS. NOEL: Right.

25 MR. [REDACTED]: So you -?

1 MS. NOEL: So you said he was assigned to
2 the cell across from him? Because that had
3 people in it.

4 MR. [REDACTED]: He was - yeah. Because
5 of cell rotations. It doesn't mean that --

6 MS. NOEL: Oh, okay.

7 MR. [REDACTED]: -- I think as far as you
8 were concerned, he was in that cell. You
9 didn't move him to a different one. But
10 administratively, he was in a different cell
11 and was moved and the assignment didn't follow
12 him.

13 MS. NOEL: Oh, okay.

14 MR. [REDACTED]: So on paper, he was
15 supposed to be in one cell. In reality he was
16 in another.

17 MS. NOEL: Okay.

18 MR. [REDACTED]: So if you look in the
19 system and find out hey where was Epstein
20 supposed to be? He was supposed to be over
21 here from the paperwork in the book.

22 MS. NOEL: Oh, okay.

23 MR. [REDACTED]: He was physically located
24 over here.

25 MS. NOEL: Okay.

1 MR. [REDACTED]: Did you ever have any
2 dealings with that?

3 MS. NOEL: I never even knew that.

4 MR. [REDACTED]: so is this the one he was
5 s actually in?

6 MR. [REDACTED]: Yeah.

7 MR. [REDACTED]: So he was in cell 220.
8 He was assigned to cell 206.

9 MS. NOEL: Mm.

10 MR. [REDACTED]: But that's not something
11 you dealt with?

12 MS. NOEL: No.

13 MR. [REDACTED]: Did you ever deal with
14 rotating the inmates into different cells?

15 MS. NOEL: No.

16 MR. [REDACTED]: Do you know who deals
17 with that?

18 MS. NOEL: No.

19 MR. [REDACTED]: Do you ever see them get
20 rotated?

21 MS. NOEL: On the 8:00 to 4:00.

22 MR. [REDACTED]: While - yeah. That's
23 what I'm asking. I'm not saying just for
24 Epstein. I'm saying like in general, have you
25 ever witnessed inmates being rotated to

1 different cells?

2 MS. NOEL: One time.

3 MR. [REDACTED]: One time? And how was
4 that - how does that play out?

5 MS. NOEL: I think [REDACTED] - the day when
6 I saw it, [REDACTED] was doing it. Like I don't
7 know. They told them to pack up. They pack up
8 they stuff, two people move them, and they go
9 to the cell that they supposed to go.

10 MR. [REDACTED]: And then do you know what
11 they're supposed to do at that point with - in
12 order to make sure the paperwork follows them -
13 -

14 MS. NOEL: Oh. I don't know --

15 MR. [REDACTED]: -- to that cell?

16 MS. NOEL: -- about the paperwork.

17 MR. [REDACTED]: Do you know who is
18 responsible for that?

19 MS. NOEL: No.

20 MR. [REDACTED]: Would it be the
21 lieutenant in your opinion? Or you just don't
22 know.

23 MS. NOEL: I just don't know.

24 MR. [REDACTED]: Okay. And is that
25 anything you've ever dealt with as far as like

1 training or that you recall?

2 MS. NOEL: The cell rotation? No.

3 MR. [REDACTED]: Do you know if it's
4 supposed to be every certain amount of days?

5 MS. NOEL: I know it's supposed to be
6 every certain amount of days, but I don't know.

7 MR. [REDACTED]: Do you remember Epstein
8 ever being assigned to cell 206?

9 MS. NOEL: I don't know where cell 206 is.
10 That's the one across from where he was at?

11 MR. [REDACTED]: They're both on L Tier,
12 so I'm just assuming.

13 MS. NOEL: Oh.

14 MR. [REDACTED]: Because there's the
15 paperwork that shows that's not even the
16 number.

17 MS. NOEL: Yeah. The number is not on
18 here. I don't know what cell is 206. But -.

19 MR. [REDACTED]: So when you're in the SHU
20 in July and August when he was - when Epstein
21 was assigned to the SHU. Do you recall him
22 ever being in a different cell than the cell
23 you found him in - or [REDACTED] round him in on
24 August 10th?

25 MS. NOEL: Yes. He was downstairs.

1 MR. [REDACTED]: Downstairs?

2 MS. NOEL: On I think M tier with
3 Tartaglione. Because that was his cellmate
4 first.

5 MR. [REDACTED]: Alright. So what about
6 on L Tier? You ever remember him being in a
7 different cell up there?

8 MS. NOEL: No.

9 MR. [REDACTED]: No?

10 MS. NOEL: No.

11 MR. [REDACTED]: Alright. So. So the
12 Tartaglione incident happened on July the 23rd.
13 He comes back on July 30th. From your
14 recollection from eh time that he came back and
15 he was with Reyes, he was always in that same
16 cell?

17 MS. NOEL: And in that (Indiscernible
18 *04:44:20) cell? Yes.

19 MR. [REDACTED]: Alright. So maybe he
20 wasn't rotated but on paper it was rotated?

21 MS. NOEL: Maybe.

22 MR. [REDACTED]: But you don't know
23 anything about it?

24 MS. NOEL: I don't know anything. No.

25 MR. [REDACTED]: Okay. Do you know what

1 BOP database tracks that?

2 MS. NOEL: No.

3 MR. [REDACTED]: Why were there pill
4 bottles found on the top bunk of Epstein's
5 cell?

6 MS. NOEL: I don't know.

7 MR. [REDACTED]: Do you know anything
8 about like medication or what was found in
9 there?

10 MS. NOEL: No.

11 MR. [REDACTED]: Do you have any idea what
12 was even -? Did you ever go in Epstein's cell
13 prior to this incident?

14 MS. NOEL: No.

15 MR. [REDACTED]: Do you know if Epstein
16 was authorized to have pills in his cell on the
17 SHU?

18 MS. NOEL: I don't know.

19 MR. [REDACTED]: Do you know if that's
20 like abnormal or are inmates allowed to have
21 medications in the SHU?

22 MS. NOEL: No.

23 MR. [REDACTED]: They're not allowed to?

24 MS. NOEL: They're not allowed.

25 MR. [REDACTED]: Even if it's prescription

1 medication?

2 MS. NOEL: I don't know.

3 MR. [REDACTED]: Do you ever provide
4 inmates prescription medication when you're
5 working in the SHU?

6 MS. NOEL: No. The nurse does.

7 MR. [REDACTED]: The nurse comes around?

8 MS. NOEL: Yeah.

9 MR. [REDACTED]: So is that surprising to
10 hear that there were medication in his cell?

11 MS. NOEL: Yes.

12 MR. [REDACTED]: And you knew nothing
13 about that being in there?

14 MS. NOEL: No.

15 MR. [REDACTED]: Is it SHU policy for
16 things like medication - is it different than
17 the other housing units?

18 MS. NOEL: Yes because I think on housing
19 units they can have prescription medication in
20 their cell.

21 MR. [REDACTED]: Okay.

22 MS. NOEL: But in SHU they can't.

23 MR. [REDACTED]: And do you know that to
24 be a fact? Or is that just your belief?

25 MS. NOEL: I don't know it to be fact.

1 MR. [REDACTED]: Okay. Do you know if any
2 other inmates in the SHU are allowed to have
3 medications in their cell?

4 MS. NOEL: I don't know.

5 MR. [REDACTED]: How many changes of
6 clothing and linens are inmates allowed to have
7 in the SHU?

8 MS. NOEL: I think one.

9 MR. [REDACTED]: It's supposed to be a
10 one-for-one exchange?

11 MS. NOEL: Yes.

12 MR. [REDACTED]: for both linens and
13 clothing?

14 MS. NOEL: For linen. I'm not sure with
15 clothing.

16 MR. [REDACTED]: Okay. Why did Epstein
17 have extra clothing and extra linens in his
18 cell --

19 MS. NOEL: I don't know.

20 MR. [REDACTED]: -- on August 10th?

21 MS. NOEL: I don't know.

22 MR. [REDACTED]: You don't know. But you
23 said that was something that you did though?
24 As far as your duties? Is to be able to
25 provide people with linens and clothes?

1 MS. NOEL: I never gave out linen. Ever.
2 Because that's done on the shift prior.
3 MR. [REDACTED]: What shift is that?
4 MS. NOEL: 8:00 to 4:00.
5 MR. [REDACTED]: And did you ever work the
6 8:00 to 4:00 shift?
7 MS. NOEL: Yes. But I worked the 8:00 to
8 4:00. When I come in to do overtime before.
9 But it's not always in SHU.
10 MR. [REDACTED]: Okay. So have you ever
11 worked 8:00 to 4:00 in the SHU?
12 MS. NOEL: I think I have.
13 MR. [REDACTED]: And do you remember doing
14 giving - doing the linens?
15 MS. NOEL: I never gave linen.
16 MR. [REDACTED]: You never gave linens.
17 MS. NOEL: Never.
18 MR. [REDACTED]: What about the clothing?
19 MS. NOEL: Nope. Never.
20 MR. [REDACTED]: When is that done?
21 MS. NOEL: I give toilet paper. Say that
22 again?
23 MR. [REDACTED]: When is the clothing
24 done?
25 MS. NOEL: I don't know.

1 MR. [REDACTED]: No? And did you ever
2 provide Epstein with additional clothing or
3 linens?

4 MS. NOEL: Never.

5 MR. [REDACTED]: Do you know of anyone
6 that has?

7 MS. NOEL: No.

8 MR. [REDACTED]: You never witnessed
9 anyone provide him anything extra?

10 MS. NOEL: No.

11 MR. [REDACTED]: Do you know if providing
12 inmates with extra clothing and linens is a
13 security risk?

14 MS. NOEL: I don't know.

15 MR. [REDACTED]: No? If you saw that an
16 inmate had extra clothing or linens, would you
17 do anything about it?

18 MS. NOEL: I mean I'd ask.

19 MR. [REDACTED]: Who would you ask?

20 MS. NOEL: The officer I'm working with.

21 MR. [REDACTED]: And did you ever have to
22 do that?

23 MS. NOEL: No.

24 MR. [REDACTED]: So you never witnessed
25 anybody?

1 MS. NOEL: Because I never saw it. No.

2 MR. [REDACTED]: Okay. And when you're
3 looking in doing your counts and your rounds,
4 are you looking for things like that? Of like
5 -?

6 MS. NOEL: Not really.

7 MR. [REDACTED]: You're just looking for
8 the person? You're not looking to see what's
9 going on in their cell?

10 MS. NOEL: Correct. Sometimes they don't
11 even let you see their cell. They're like
12 standing in the window blocking the window.

13 MR. [REDACTED]: But it's your
14 understanding though it's supposed to be a one-
15 for-one exchange?

16 MS. NOEL: Yes.

17 MR. [REDACTED]: Do you know what material
18 was used to take Epstein's life in August of
19 2019?

20 MS. NOEL: I don't know.

21 MR. [REDACTED]: Do you know if Epstein
22 was given any special privileges to have extra
23 clothing?

24 MS. NOEL: I don't know.

25 MR. [REDACTED]: If he was, do you know

1 who would provide that?

2 MS. NOEL: I don't know.

3 MR. [REDACTED]: Do you know if there was
4 anything else that was in Epstein's cell that
5 should not have been here?

6 MS. NOEL: Only the CPAP machine.

7 MR. [REDACTED]: Okay. Tell me about cell
8 searches. What are the requirements for when -
9 you said your typical shift is I guess the
10 afternoon shift? Right? Or do you call it
11 evening shift I guess?

12 MS. NOEL: Yes.

13 MR. [REDACTED]: Is that the 4:00 to
14 10:00?

15 MS. NOEL: 4:00 to midnight.

16 MR. [REDACTED]: 4:00 to midnight. Sorry.
17 What are the cell search requirements during
18 that shift?

19 MS. NOEL: I don't know.

20 MR. [REDACTED]: Did you ever read the
21 post orders with regard to that?

22 MS. NOEL: No.

23 MR. [REDACTED]: But they're in the SHU?
24 You just didn't read them?

25 MS. NOEL: Right.

1 MR. [REDACTED]: Do you want to - have
2 any? We're almost there. Well while I'm going
3 thought the questions can you just find that?

4 MR. [REDACTED]: Yeah.

5 MR. [REDACTED]: Have you ever heard that
6 during your shift you're supposed to conduct
7 five cell searches?

8 MS. NOEL: No.

9 MR. [REDACTED]: Random cell searches?

10 MS. NOEL: No.

11 MR. [REDACTED]: Did you ever witness
12 anybody conducting cell searches when you --

13 MS. NOEL: No.

14 MR. [REDACTED]: -- were working the SHU?

15 MS. NOEL: No.

16 MR. [REDACTED]: No. Do you know if any
17 cell searches were conducted on August 9th or
18 August 10th?

19 MS. NOEL: No.

20 MR. [REDACTED]: Do you know what a cell
21 search is?

22 MS. NOEL: When you go in there and search
23 their cell.

24 MR. [REDACTED]: Right. Of an inmate.
25 And you never observed that in the SHU?

1 MS. NOEL: No.

2 MR. [REDACTED]: Did they ever teach you
3 that during training that you're supposed to do
4 that?

5 MS. NOEL: Mm. I don't recall.

6 MR. [REDACTED]: You don't recall? It's
7 just something that you never-ever witnessed?

8 MS. NOEL: Never. Never saw it.

9 MR. [REDACTED]: Even when you were
10 working that like earlier shift? You know when
11 you're doing your OT or your regular shift?
12 Never once witnessed a cell search.

13 MS. NOEL: Never.

14 MR. [REDACTED]: And do you know - of
15 things that you do know in there, would any of
16 that be considered contraband? That was in
17 there? Now that you know that medication was
18 in there. The CPAP machine. Or the extra
19 linens. Or the extra clothing.

20 MS. NOEL: In his cell?

21 MR. [REDACTED]: Mm-hmm.

22 MS. NOEL: No.

23 MR. [REDACTED]: Do you want to show her
24 some of these pictures just so she can get a -
25 know what we're talking about here? So is this

1 L Tier as we're referring to? And is the outer
2 gate that you were standing at that you were
3 talking about?

4 MS. NOEL: Yes.

5 MR. [REDACTED]: Alright. And then when
6 you say you're staying at the lower part of the
7 steps, is it about right there that you were
8 standing?

9 MS. NOEL: I was standing over here.

10 MR. [REDACTED]: Over there? Do you have
11 a pen? Do you just mind marking it? So that's
12 where you were standing? Alright. And in that
13 picture, can you see where Epstein was?

14 MS. NOEL: From down here?

15 MR. [REDACTED]: No-no-no. I'm sorry. Is
16 his -? I'm assuming -.

17 MS. NOEL: Oh! No-no-no. Because he's on
18 this side.

19 MR. [REDACTED]: Right. So we can see
20 part of the two when it's crossed. But does
21 this look like Epstein's door?

22 MS. NOEL: This is the first door on the
23 right. Yeah.

24 MR. [REDACTED]: And from what you can see
25 from where you were standing, did that look

1 like what you saw?

2 MS. NOEL: I didn't see all of this. I
3 saw like here. Because I'm on the door. So
4 he's doing CPR like here. So I didn't see all
5 that.

6 MR. [REDACTED]: Alright. So you couldn't
7 see all that extra clothing and linens right
8 there?

9 MS. NOEL: No.

10 MR. [REDACTED]: Does that look like a lot
11 of clothing and linen to you?

12 MS. NOEL: Yes.

13 MR. [REDACTED]: Here's a couple extra
14 pictures of some different like advantage
15 point. Does that all look like extra clothing
16 to you?

17 MS. NOEL: Yes. And there's the machine
18 right here.

19 MR. [REDACTED]: That's the CPAC machine?
20 CPAP?

21 MS. NOEL: Yes.

22 MR. [REDACTED]: Okay. Again though, you
23 don't know what he actually hung himself with?

24 MS. NOEL: I don't know.

25 MR. [REDACTED]: Is this the way that he

1 would usually lay on his bed?

2 MS. NOEL: Yes.

3 MR. [REDACTED]: Was he the top bunk guy
4 then? And do you know where Reyes would
5 usually sleep?

6 MS. NOEL: I don't know.

7 MR. [REDACTED]: Is it only like -?

8 MS. NOEL: Because he's always on the
9 floor.

10 MR. [REDACTED]: Okay. But I see that the
11 top one doesn't actually have it. It doesn't
12 look like it has a --

13 MS. NOEL: Right. A mattress.

14 MR. [REDACTED]: -- mattress. So do you
15 know if Reyes would sleep like right next to
16 him?

17 MS. NOEL: I don't know.

18 MR. [REDACTED]: You don't? Did you ever
19 check in on them when you were - or that was
20 the first night you said you -?

21 MS. NOEL: That was it.

22 MR. [REDACTED]: So did you ever observe
23 him in a sleep state before?

24 MS. NOEL: Because he's never really
25 there. Epstein

1 MR. [REDACTED]: Yeah-yeah-yeah. I'm
2 saying during sleeping hours. Did you ever see
3 Epstein prior to this instance? Prior to
4 August 9th have you ever seen Epstein sleeping
5 in his cell?

6 MS. NOEL: When he comes back he lays
7 there on the floor. On the mattress on the
8 floor.

9 MR. [REDACTED]: SO when you would observe
10 that, would you see where Reyes was? Prior to
11 this incident?

12 MS. NOEL: Oh Reyes be up. So I never
13 seen like where Reyes is. Like Reyes is always
14 up.

15 MR. [REDACTED]: Is there only one bunk in
16 that room?

17 MS. NOEL: It was these two.

18 MR. [REDACTED]: Yeah. So the one
19 bunkbed?

20 MS. NOEL: Yeah. One.

21 MR. [REDACTED]: So if I'm assuming if
22 he's sleeping on the floor then Reyes would be
23 sleeping next to him.

24 MS. NOEL: There. But I don't know if
25 this was because Reyes wasn't there. Or he

1 could have been on top. I don't know.

2 MR. [REDACTED]: Okay. So if this is
3 where [REDACTED] took him off of, is that what you
4 couldn't see that from the door form that
5 vantage point?

6 MS. NOEL: Yeah. I can't see that.

7 MR. [REDACTED]: You couldn't see that.
8 Okay. So did you ever notice that type of
9 medication in there before?

10 MS. NOEL: No.

11 MR. [REDACTED]: And that's something you
12 believe that shouldn't have been in there
13 though?

14 MS. NOEL: Yes.

15 MR. [REDACTED]: Does anything here look
16 out of the ordinary to you? With what -?

17 MS. NOEL: What's in the (Indiscernible
18 *04:54:17) right here?

19 MR. [REDACTED]: I don't know. I'm asking
20 you. Does any of that look out of the ordinary
21 to you?

22 MS. NOEL: Yeah. There's couple.
23 Whatever's in the bag.

24 MR. [REDACTED]: Okay. But you never went
25 in there. You never saw any of this?

1 MS. NOEL: No.

2 MR. [REDACTED]: And cell searches were
3 never conducted. So no one even went in to
4 ever check to see what was in these cells.

5 MS. NOEL: Correct.

6 MR. [REDACTED]: Here's three additional
7 pictures if you want to look. Does any of this
8 stuff look abnormal to you?

9 MS. NOEL: All these.

10 MR. [REDACTED]: Everything? Looks
11 abnormal?

12 MS. NOEL: The medication.

13 MR. [REDACTED]: the medication? And it
14 was never discussed with anyone about cell
15 searches? Ever. In the three - you know two
16 and a half months that you were in there?

17 MS. NOEL: That (Indiscernible *04:55:35)
18 in there.

19 MR. [REDACTED]: Okay. And did you ever
20 get to see what it was that Epstein used to
21 hang himself?

22 MS. NOEL: No.

23 MR. [REDACTED]: No. Alright. Rather
24 than have you do all those individual, I'm
25 going to just separate this. If it's okay with

1 your attorneys. Just have her do the top one.
2 Unless you prefer to -.

3 MR. FOY: No. That's fine. Initial that
4 one.

5 MR. [REDACTED]: Here. Keep these away
6 from that. I'll just keep everything next to
7 her anyway.

8 MR. [REDACTED]: And the -.

9 MR. [REDACTED]: That's fine.

10 (Indiscernible *04:56:07) she didn't know about
11 it anyway. How were Epstein's interactions
12 with other inmates?

13 MS. NOEL: I don't know.

14 MR. [REDACTED]: Did you ever see him
15 interact with other inmates?

16 MS. NOEL: He's never there. No.

17 MR. [REDACTED]: Did you ever see him
18 interact with his cellmates?

19 MS. NOEL: No.

20 MR. [REDACTED]: No. You said -. But the
21 last time you interacted with him was just that
22 one raising of the hand.

23 MS. NOEL: Yeah.

24 MR. [REDACTED]: Was it surprising you to
25 notice that there was no cellmate in there with

1 him?

2 MS. NOEL: No.

3 MR. [REDACTED]: So did it even cross your
4 mind that there was always a cellmate with him
5 prior to that time?

6 MS. NOEL: No.

7 MR. [REDACTED]: Did you ever -? Were you
8 ever told that Reyes was removed from the
9 institution?

10 MS. NOEL: No.

11 MR. [REDACTED]: And is that something -
12 being that's the high-profile nature that he is
13 that like -? Is that something that you would
14 notice though? That like hey this guy usually
15 has a cellmate. He's not in there right now.
16 Where is he?

17 MS. NOEL: No.

18 MR. [REDACTED]: Did even cross -?

19 MS. NOEL: Cross my mind? No.

20 MR. [REDACTED]: Didn't cross your mind.
21 You're just looking at the people in there and
22 you're not worried about who is in there. The
23 people in there are alive. That's all you're
24 worried about?

25 MS. NOEL: Yes.

1 MR. [REDACTED]: Did Epstein ever complain
2 about anything?

3 MS. NOEL: Not to me.

4 MR. [REDACTED]: Do you know if he
5 complained about anything to anyone else?

6 MS. NOEL: Just the time when he asked for
7 the mattress. The extra mattress.

8 MR. [REDACTED]: That was a request
9 though.

10 MS. NOEL: Yeah.

11 MR. [REDACTED]: Was it a complaint? Did
12 he say anything along with asking for an extra
13 one?

14 MS. NOEL: Well how it was relayed that he
15 was complaining that he needed another
16 mattress.

17 MR. [REDACTED]: Okay.

18 MS. NOEL: I don't know if you want to
19 take that as a complaint.

20 MR. [REDACTED]: Did you ever hear him
21 complaining about other inmates?

22 MS. NOEL: No.

23 MR. [REDACTED]: No. Never complained
24 about being in the SHU versus somewhere else?

25 MS. NOEL: No.

1 MR. [REDACTED]: So no complaints other
2 than that mattress.

3 MS. NOEL: No.

4 MR. [REDACTED]: Do you know if there were
5 any threats made to Epstein?

6 MS. NOEL: I don't know.

7 MR. [REDACTED]: Do you know at the time
8 did you know why Epstein was in prison?

9 MS. NOEL: Well he -.

10 MR. [REDACTED]: You said you did some
11 internet searches or you saw some things but -.

12 MS. NOEL: Right. After the fact. But
13 initially no.

14 MR. [REDACTED]: Didn't you say there were
15 things that would populate on the computer?

16 MS. NOEL: Yeah. That's why I said after.
17 When he initially first came in there, no. I
18 didn't know.

19 MR. [REDACTED]: I mean prior to August
20 9th or August 10th.

21 MS. NOEL: Oh. Yeah.

22 MR. [REDACTED]: Yeah?

23 MS. NOEL: Mm-hmm.

24 MR. [REDACTED]: And did you have any
25 specific feelings with regard to why he was in

1 prison?

2 MS. NOEL: No.

3 MR. [REDACTED]: Did you ever speak about
4 Epstein with other inmates?

5 MS. NOEL: No.

6 MR. [REDACTED]: In your opinion when the
7 medical emergency was discovered, did you and
8 [REDACTED] act appropriately, per BOP policy? Now
9 that you've had time to reflect on it.

10 MS. NOEL: Um I know now that when there's
11 a medical emergency, you're not supposed to
12 enter the cell until everybody gets there. So
13 that would be the only thing that I would say
14 like that wasn't done correctly. But as far as
15 everything else -.

16 MR. [REDACTED]: Now was that per [REDACTED]?

17 MS. NOEL: What I'm saying or -?

18 MR. [REDACTED]: Yeah. So the one thing
19 that you know that was incorrect. What about
20 what you did? Was there anything that you did
21 that wasn't correct?

22 MS. NOEL: If it was I don't know.

23 MR. [REDACTED]: No-no-no. I'm asking.

24 MS. NOEL: Oh now.

25 MR. [REDACTED]: It's a genuine question.

1 It's not a trick.

2 MS. NOEL: Hm-mm.

3 MR. [REDACTED]: So you're not aware of
4 you doing anything?

5 MS. NOEL: No.

6 MR. [REDACTED]: Alright. But you know
7 that [REDACTED] went into the cell before he was
8 supposed to.

9 MS. NOEL: Yes.

10 MR. [REDACTED]: He was supposed to
11 actually wait for someone to come and respond?

12 MS. NOEL: Yes.

13 MR. [REDACTED]: And why is that?

14 MS. NOEL: Why did he go in?

15 MR. [REDACTED]: No. Why does he need to
16 wait for them to respond?

17 MS. NOEL: Oh I don't know. That's the
18 rule. I guess.

19 MR. [REDACTED]: Okay. And by you
20 standing outside at that gate, he still
21 wouldn't be allowed to go into the room?

22 MS. NOEL: Who me?

23 MR. [REDACTED]: So even the way you did.

24 MS. NOEL: Oh because I was there. No.

25 From what I understand, you're supposed to wait

1 until people come. And then go in.

2 MR. [REDACTED]: Okay. And how did you
3 learn that?

4 MS. NOEL: After. That's what I heard
5 them saying.

6 MR. [REDACTED]: That's what people were
7 telling you on August 10th?

8 MS. NOEL: Yes.

9 MR. [REDACTED]: That you -.

10 MS. NOEL: Not telling me but just in
11 conversation. Like after.

12 MR. [REDACTED]: What conversations did
13 you have with people after?

14 MS. NOEL: I didn't have no conversations.
15 I just heard them saying [REDACTED] should have
16 never went in there by himself. I don't even
17 remember who said it. But somebody that was in
18 the SHU.

19 MR. [REDACTED]: Did anybody say anything
20 about your reactions?

21 MS. NOEL: No.

22 MR. [REDACTED]: No. Do you know if he
23 needed to just wait for one person or a bunch
24 of people? How does that - what did you hear
25 with regard to that?

1 MS. NOEL: I didn't hear nothing else.

2 MR. [REDACTED]: When I said you I mean
3 [REDACTED].

4 MS. NOEL: Oh. I don't know.

5 MR. [REDACTED]: Do you believe that
6 [REDACTED] acted appropriately? Being that you
7 were there and you observed it.

8 MS. NOEL: What the stuff that he did?
9 Yes.

10 MR. [REDACTED]: Yeah. Do you think he
11 should have waited for someone or you think
12 it's like - there was a medical emergency and -
13 ?

14 MS. NOEL: I think it was a medical
15 emergency and he was just trying to get to try
16 to help him.

17 MR. [REDACTED]: Alright. And did you and
18 [REDACTED] know that Epstein was the only person in
19 the cell then? Or did you not know if Reyes
20 was in there or not?

21 MS. NOEL: When I counted, I knew that he
22 was in there by himself.

23 MR. [REDACTED]: Okay. Just for
24 background, I believe the reason why you're
25 supposed to wait is in case it's a ruse and

1 someone wants to trick you to get in and then
2 you - the other person overpowers him. And now
3 has a -.

4 MS. NOEL: Right.

5 MR. [REDACTED]: So that's my point. Do
6 you know if [REDACTED] was aware if anyone else was
7 in there?

8 MS. NOEL: I don't know.

9 MR. [REDACTED]: You don't know. Not
10 something you discussed with [REDACTED] though?

11 MS. NOEL: No.

12 MR. [REDACTED]: Did any supervisors or
13 staff talk with you about the incident?

14 MS. NOEL: No.

15 MR. [REDACTED]: Aside from that one when
16 Lieutenant [REDACTED]?

17 MS. NOEL: Lieutenant asked me.

18 MR. [REDACTED]: Okay. So I just want to
19 - again, when I ask you these questions just
20 make sure we say like aside from this or that.
21 So any other things aside from that instance
22 where they asked you what happened. And you
23 said you don't recall saying we didn't do the
24 3:00 a.m. and 5:00 a.m. rounds. But you do
25 recall [REDACTED] saying it wasn't her fault.

1 MS. NOEL: Yeah.

2 MR. [REDACTED]: We didn't do the rounds.

3 MS. NOEL: Yeah.

4 MR. [REDACTED]: Any other questions other
5 than that?

6 MS. NOEL: Um they asked me to go
7 downstairs to the lieutenant's office. And
8 then I was just standing down there.

9 MR. [REDACTED]: But no one spoke with
10 you?

11 MS. NOEL: No.

12 MR. [REDACTED]: Did anyone even ask you
13 how you were?

14 MS. NOEL: Oh the psychologist asked me
15 how I was.

16 MR. [REDACTED]: Okay. So but did she ask
17 you about the information -?

18 MS. NOEL: No. They didn't ask me
19 anything about that.

20 MR. [REDACTED]: It was just about your
21 mental wellbeing?

22 MS. NOEL: Yeah.

23 MR. [REDACTED]: And what time did you
24 stay at the institution until on August 10th?

25 MS. NOEL: I left like around after 8:00.

1 MR. [REDACTED]: A little bit after your
2 shift?

3 MS. NOEL: Yes.

4 MR. [REDACTED]: You didn't have to stick
5 around for anything else?

6 MS. NOEL: No.

7 MR. [REDACTED]: Did you have to sign any
8 paperwork?

9 MS. NOEL: No.

10 MR. [REDACTED]: You were left right
11 around the end of your shift. Did they tell
12 you to leave?

13 MS. NOEL: My shift was over. They said I
14 could go.

15 MR. [REDACTED]: I just mean like did they
16 instruct you to go home. You just had a
17 traumatic experience. Or it's just your shift
18 was ended. And you left.

19 MS. NOEL: My shift was ended and I asked
20 can I go now. And they said go.

21 MR. [REDACTED]: Okay. And who was that
22 who said go?

23 MS. NOEL: The lieutenant.

24 MR. [REDACTED]: Do you remember which
25 lieutenant?

1 MS. NOEL: [REDACTED].

2 MR. [REDACTED]: [REDACTED] not [REDACTED]?

3 MS. NOEL: Not [REDACTED].

4 MR. [REDACTED]: Okay. [REDACTED]. But you
5 didn't have any other conversations with
6 [REDACTED]?

7 MS. NOEL: No.

8 MR. [REDACTED]: Okay. Did you ever
9 handle or touch Epstein's paperwork? Epstein's
10 file or paperwork? Prior to your departure
11 from the MCC on August 10th?

12 MS. NOEL: No.

13 MR. [REDACTED]: So in that time from -
14 you said you were there by yourself for 20
15 minutes. Did you ever go near his file?

16 MS. NOEL: I don't even know where his
17 file is. No.

18 MR. [REDACTED]: Alright. Do you know if
19 they keep files on inmates? I think they're
20 called like - what is it a 292 or something
21 like that?

22 MR. [REDACTED]: Yeah.

23 MS. NOEL: Eh no.

24 MR. [REDACTED]: Do you know what's kept
25 in a 292?

1 MS. NOEL: No.

2 MR. [REDACTED]: Like when you feed an
3 inmate or when you give them -.

4 MS. NOEL: Oh that's like when you log
5 into and you're - okay.

6 MR. [REDACTED]: Is there also paperwork
7 that follows that or is it just logging into
8 the BOP system?

9 MS. NOEL: That's logging in to the
10 system.

11 MR. [REDACTED]: Okay. When you - during
12 the time that you were on your shift at all on
13 August 10th did you ever log into that system?

14 MS. NOEL: No.

15 MR. [REDACTED]: So you never had to enter
16 than you fed him or you went into -?

17 MS. NOEL: No.

18 MR. [REDACTED]: And you checked on him or
19 anything like that?

20 MS. NOEL: No.

21 MR. [REDACTED]: When would that be done?

22 MS. NOEL: At the earlier part of the day
23 or when you feed.

24 MR. [REDACTED]: So around what time?

25 MS. NOEL: After 4:00.

1 MR. [REDACTED]: After 4:00 a.m.?

2 MS. NOEL: No 4:00 p.m.

3 MR. [REDACTED]: 4:00 p.m. So when you
4 say the earlier part of the day, you mean the
5 later part of the day?

6 MS. NOEL: No like when the shift starts
7 at 4:00 after you feed. That's the time I see
8 them like log in to say okay they've been fed.
9 But I've never really -. One day, I actually
10 like was in there because [REDACTED] was showing me
11 how to do it. But I don't necessarily do that.
12 Somebody else will do it.

13 MR. [REDACTED]: And what was he showing
14 you how to do?

15 MS. NOEL: How to log it.

16 MR. [REDACTED]: So what is it that you're
17 supposed to log? You know in the system?

18 MS. NOEL: I vaguely remember because I
19 don't did it - he only showed me that one time.
20 I think you're supposed to like log if they
21 showered, log if they were feeding, and I don't
22 know, if you gave out stuff. I guess. I don't
23 know.

24 MR. [REDACTED]: But you don't - you're
25 not aware of an actual paper file?

1 MS. NOEL: No.

2 MR. [REDACTED]: Where those things are
3 monitored or tracked?

4 MS. NOEL: No.

5 MR. [REDACTED]: And you never did that
6 for any inmates?

7 MS. NOEL: No.

8 MR. [REDACTED]: You never filled out
9 paperwork or kept files for inmates?

10 MS. NOEL: No. Never.

11 MR. [REDACTED]: So obviously you never
12 handled or touched Epstein's paperwork?

13 MS. NOEL: Never.

14 MR. [REDACTED]: Or his file? Did you
15 ever remove any of Epstein's paperwork from his
16 file?

17 MS. NOEL: No.

18 MR. [REDACTED]: Did you ever remove or
19 destroy any of Epstein's paperwork?

20 MS. NOEL: No.

21 MR. [REDACTED]: Did you ever remove or
22 destroy - that's a repetitive question. Did
23 you ever remove or destroy any signs related to
24 Epstein to include signs that said he was
25 required to have a cellmate?

1 MS. NOEL: No.

2 MR. [REDACTED]: Did you access any BOP
3 databases such as BOPWARE, SENTRY, TRUVIEW,
4 after Epstein was discovered on August --

5 MS. NOEL: No.

6 MR. [REDACTED]: -- 10, 2019? That was
7 no?

8 MS. NOEL: No.

9 MR. [REDACTED]: Did you report - was that
10 the last time you reported to work? On August
11 10th?

12 MS. NOEL: Yes.

13 MR. [REDACTED]: Were you placed on
14 administrative leave?

15 MS. NOEL: Yes.

16 MR. [REDACTED]: By whom?

17 MS. NOEL: Mm. I don't know. I got a
18 phone call saying that I was placed on
19 administrative leave, but I don't remember by
20 who. And then I got the letter.

21 MR. [REDACTED]: Did you ever receive an
22 explanation verbally?

23 MS. NOEL: No.

24 MR. [REDACTED]: No? So the person told
25 you that you were on administrative leave -?

1 MS. NOEL: Yes.

2 MR. [REDACTED]: That was the extent of
3 the conversation?

4 MS. NOEL: And then I said so when do I
5 come back? And they was like you'll get a call
6 like when or if you're supposed to come back.

7 MR. [REDACTED]: Okay. And what did that
8 administrative leave change to a different type
9 of leave?

10 MS. NOEL: Suspended without pay.

11 MR. [REDACTED]: Indefinite suspension?
12 Was that it? Is that what you're on right now?

13 MS. NOEL: Yes.

14 MR. [REDACTED]: Okay. Did you
15 communicate with [REDACTED] [REDACTED] after Epstein's
16 body was discovered?

17 MS. NOEL: No.

18 MR. [REDACTED]: Did you communicate -?

19 MS. NOEL: We communicated never because
20 we was not allowed to communicate. Even - well
21 before -.

22 MR. [REDACTED]: What about -? I'm
23 talking about right after the body was
24 discovered. People respond. And then did you
25 communicate? You talked about the one instance

1 outside of the elevator.

2 MS. NOEL: Yeah-yeah-yeah. No.

3 MR. [REDACTED]: But you guys didn't
4 actually converse? You were just both talking
5 to the lieutenant?

6 MS. NOEL: Right.

7 MR. [REDACTED]: And at no point also did
8 you ever converse?

9 MS. NOEL: No.

10 MR. [REDACTED]: Didn't you guys talk
11 somewhere else?

12 MS. NOEL: No.

13 MR. [REDACTED]: Since then? Like outside
14 of work?

15 MS. NOEL: No.

16 MR. [REDACTED]: You don't recall anytime?
17 So if he says that you guys talked it up, you
18 don't remember that?

19 MS. NOEL: We never spoke until we had a
20 union meeting.

21 MR. [REDACTED]: That's what I'm asking.
22 Ever.

23 MR. [REDACTED]: Oh never spoke until that
24 union meeting. That was just like two weeks
25 ago. But we never ever spoke.

1 MR. [REDACTED]: That's kind of like -
2 when I say EVER, that means ever. Any time
3 from then until this moment?

4 MS. NOEL: From then until the union
5 meeting, we never spoke.

6 MR. [REDACTED]: Alright. So what was
7 discussed at the union meeting?

8 MS. NOEL: That we're going to have an
9 investigation and the union is there for us.
10 They're supporting us. Stuff like that.

11 MR. [REDACTED]: But did you discuss this
12 with [REDACTED]?

13 MS. NOEL: What?

14 MR. [REDACTED]: The investigation?

15 MS. NOEL: No.

16 MR. [REDACTED]: Did you ever discuss like
17 what you were going to tell us?

18 MS. NOEL: No.

19 MR. [REDACTED]: Or what you were going to
20 say during an interview?

21 MS. NOEL: No.

22 MR. [REDACTED]: So what did your
23 communication entail?

24 MS. NOEL: With [REDACTED]? It wasn't with
25 [REDACTED]. But he was present. So basically the

1 union was saying you know they're fighting for
2 us. They're there for us. They're supporting
3 us. You know that was along the line. We're
4 going to have to meet with you guys to be
5 investigated. Just tell the truth. That was
6 along the line.

7 MR. [REDACTED]: Okay.

8 MS. NOEL: But my conversation wasn't
9 directly with [REDACTED]. It was - we were both
10 being told.

11 MR. [REDACTED]: So aside from the union
12 and with that interaction with [REDACTED], was
13 anybody else that you discussed the Epstein
14 incident with since August 10th?

15 MS. NOEL: No.

16 MR. [REDACTED]: No. Aside from your
17 attorneys?

18 MS. NOEL: More or less. Mm-hmm.

19 MR. [REDACTED]: Is there anything else
20 that you want to add to anything we've talked
21 about? Being and just keep in mind the - under
22 oath. What you just said. The union said just
23 tell the truth. The way that you get in
24 trouble from this point forward is basically if
25 you don't tell the truth. You know, anything

1 that we need to clarify. Anything that you can
2 think about. Like maybe I should provide some
3 additional background information regarding
4 that.

5 MR. FOY: No. I don't of know anything.

6 MR. [REDACTED]: Okay. So everything good
7 for - because I just want to pass it over to
8 see if there's anything that Agent [REDACTED] wants
9 to ask.

10 MR. [REDACTED]: You mentioned there was an
11 office in the SHU for the lieutenant.

12 MS. NOEL: Yes.

13 MR. [REDACTED]: Where is that located?

14 MS. NOEL: Upstairs outside of the door
15 for 10 South.

16 MR. [REDACTED]: Who normally sits there?

17 MS. NOEL: The lieutenant.

18 MR. [REDACTED]: Who would that be?

19 MS. NOEL: [REDACTED].

20 MR. [REDACTED]: Have you ever been in that
21 office?

22 MS. NOEL: No.

23 MR. [REDACTED]: Do you know anyone else that
24 utilizes that office?

25 MS. NOEL: No.

1 MR. [REDACTED]: After the incident happened,
2 did you -? After Epstein was removed, did you
3 see any lieutenants at the MCC?

4 MS. NOEL: Did I see any lieutenants?

5 MR. [REDACTED]: Yeah. Which lieutenants did
6 you see at the MCC?

7 MS. NOEL: Lieutenant [REDACTED], but who was
8 there?

9 MR. [REDACTED]: Yeah whoever's present. Did
10 you actually see.

11 MS. NOEL: Lieutenant [REDACTED], Lieutenant
12 [REDACTED], Lieutenant [REDACTED] was getting off
13 but she came like to help feed.

14 MR. [REDACTED]: She came back to help feed?

15 MS. NOEL: Yes.

16 MR. [REDACTED]: Did you have a conversation
17 with her?

18 MS. NOEL: Lieutenant [REDACTED]?

19 MR. [REDACTED]: Yeah.

20 MS. NOEL: No.

21 MR. [REDACTED]: How did you know she came
22 back to help feed?

23 MS. NOEL: I was there.

24 MR. [REDACTED]: And where was she when -?

25 MS. NOEL: Where was she when?

1 MR. [REDACTED]: Yeah. When you were leaving.
2 Where was she?
3 MS. NOEL: In the SHU.
4 MR. [REDACTED]: Okay. She was in the SHU
5 physically in the SHU?
6 MS. NOEL: Helping feed.
7 MR. [REDACTED]: Okay.
8 MR. [REDACTED]: What time are we talking
9 about?
10 MR. [REDACTED]: This is after the incident.
11 MR. [REDACTED]: Oh, okay.
12 MR. [REDACTED]: This is just for
13 clarification purposes.
14 MS. NOEL: Okay.
15 MR. [REDACTED]: I know you mentioned this
16 before, I'm just going to clarify it. A couple
17 of questions. Did you ever assist any inmates
18 with making phone calls?
19 MS. NOEL: No.
20 MR. [REDACTED]: Do you know that if an inmate
21 wanted to make a phone call, how would they go
22 about it?
23 MS. NOEL: They use their PIN number.
24 MR. [REDACTED]: Is every inmate assigned one?
25 MS. NOEL: Yes.

1 MR. [REDACTED]: Can they call anybody they
2 wanted to?

3 MS. NOEL: I don't know.

4 MR. [REDACTED]: Is there a restriction on
5 certain people that they are allowed to call?

6 MS. NOEL: I don't know.

7 MR. [REDACTED]: Okay. Did you know that
8 inmate calls are monitored?

9 MS. NOEL: Yes.

10 MR. [REDACTED]: Do you know the difference
11 between a monitored line and the legal line?

12 MS. NOEL: Meaning....

13 MR. [REDACTED]: So there was one line that's
14 used to make legal phone calls that's just for
15 attorneys.

16 MS. NOEL: Okay.

17 MR. [REDACTED]: So those - that line is not
18 monitored.

19 MS. NOEL: Oh.

20 MR. [REDACTED]: But the other line is any
21 calls that they make is recorded.

22 MS. NOEL: Okay. But I don't know where
23 like which line is which. But I am aware that
24 there's the recorded line and the other line.
25 But I don't know which one is which. Or where

1 the legal line is.

2 MR. [REDACTED]: Okay. You said it was not
3 weird Epstein was left alone with the phone.
4 Has this happened before?

5 MS. NOEL: Where an inmate is in the tier
6 using the phone? Yeah.

7 MR. [REDACTED]: Who - to your recollection -
8 which other inmates were allowed to make phone
9 calls like that?

10 MS. NOEL: I don't have a name, but it's
11 not because they're allowed to make a phone
12 call like that. It's only if where their cell
13 is located, the [REDACTED] not working. So it's
14 not like they put inmates in the shower to have
15 private phone calls. It's just that if where
16 your cell is that, the [REDACTED] not working, they
17 put you -. Because they can't put you with
18 another - in another inmate's room. And they
19 can't leave you out in the open. So they place
20 you over there because the [REDACTED] is closest to
21 it to make the phone call.

22 MR. [REDACTED]: So you know who could set up
23 a call like that? Can anyone - any CO just
24 plug it in? Or does it have to be a specific
25 person who plugs it in?

1 MS. NOEL: That I don't know. If any CO
2 could just plug it in. I don't know.

3 MR. [REDACTED]: You don't know. Would you
4 happen to know if Epstein had a PAC and PIN
5 assigned to him?

6 MS. NOEL: I would think he would. But I
7 don't know for sure.

8 MR. [REDACTED]: Do you recall that night when
9 [REDACTED] set up the phone call. Did he tell you
10 who Epstein was supposed to be speaking to?

11 MS. NOEL: No.

12 MR. [REDACTED]: That's all I have.

13 MR. [REDACTED]: And then the two final
14 follow-ups. Just because we discussed it and I
15 kind of gave it to you from memory. But this
16 is the special housing unit post orders
17 regarding cell rotations and cell searches. It
18 just quickly says, "All SHU staff are expected
19 to conduct searches of the special housing
20 unit. The morning watch officers will conduct
21 searches of the common areas and document their
22 findings in the search section of the True
23 Scrub Program. (Phonetic Sp. *05:14:00) The
24 day watch officers will conduct a search of
25 every inmate's cell who attends recreation.

1 The evening watch officers will conduct a
2 minimum of five cell searches during their
3 shift." And that's what I was just trying to
4 get (Indiscernible *05:14:13). Just to make
5 sure and that's just to -. If you want to just
6 initial it and date. And also when I do need
7 to clarify when I said the getting in trouble
8 thing. I was talking about legally. When I
9 said about that being truthful.

10 MR. [REDACTED]: So these things that you
11 initialed. Can you date them also? Because
12 this first set doesn't have a date on them.

13 MR. [REDACTED]: What is that you want her
14 -?

15 MR. [REDACTED]: There's no dates. Next to
16 her initials. On there.

17 MR. [REDACTED]: Do you care if it has a
18 date? I don't want her to have to go through
19 everything again. She just wrote her initials.

20 MR. FOY: Yeah. It doesn't matter.
21 Especially if we're only meeting one time.

22 MR. [REDACTED]: Okay. Sure. So just
23 next to where you wrote your initials, do you
24 mind just dating? I don't know if there's a
25 reason to provide this here. I would just -.

1 You might not -. You don't have to provide it
2 to her.

3 MR. [REDACTED]: Yeah.

4 MR. [REDACTED]: Just read it after she's
5 done that.

6 MR. [REDACTED]: Were you aware -? Maybe
7 subsequently that [REDACTED] wrote a memo pretty
8 much stating that he was notified -. He was
9 notified 1:50 p.m. that inmate Reyes was not
10 coming back to MCC. And he actually notified
11 Officer [REDACTED], SOS [REDACTED], and Officer [REDACTED]
12 that inmate needed - that a cellmate needed to
13 be assigned to Epstein.

14 MS. NOEL: I'm not aware of that.

15 MR. [REDACTED]: Did you ever get instructions
16 like that?

17 MS. NOEL: No.

18 MR. [REDACTED]: When you came on shift, were
19 there any instructions that came down about
20 going in and removing Inmate Reyes' belongings
21 from the cell?

22 MS. NOEL: No.

23 MR. [REDACTED]: If an inmate was removed.
24 Let's say someone was going WAB. Do you know
25 what that is?

1 MS. NOEL: Um yeah.

2 MR. [REDACTED]: With All Belongings.

3 MS. NOEL: Belongings.

4 MR. [REDACTED]: If an inmate let's say had to
5 go to court and it was notified that the inmate
6 is not coming back and was being removed by
7 WAB. Does an officer in the SHU have to go in
8 and remove all the belongings?

9 MS. NOEL: Um I don't know. Because I
10 only know in the regular unit when they're
11 going WAB, they bring their stuff.

12 MR. [REDACTED]: They don't bring their stuff?

13 MS. NOEL: No they do.

14 MR. [REDACTED]: If they were. But what if
15 that person - let's say that inmate wasn't
16 notified that they're not coming back until -.

17 MS. NOEL: Oh if it wasn't. Then yeah.
18 The officer would have to go in and take it
19 out.

20 MR. [REDACTED]: And there was no instructions
21 for you guys to go remove it?

22 MS. NOEL: No.

23 MR. [REDACTED]: And I may have just
24 missed this, but you do not recall anyone
25 coming in and retrieving Reyes' belongings?

1 MS. NOEL: No.

2 MR. [REDACTED]: No? And would have that
3 happened during your shift? Before the 12:00?

4 MS. NOEL: I don't know.

5 MR. [REDACTED]: If it was?

6 MR. [REDACTED]: You just don't know
7 anything about Reyes leaving or -?

8 MS. NOEL: I don't know.

9 MR. [REDACTED]: Anything? Okay.

10 MR. [REDACTED]: Get all this signed we'll go
11 to initial documents.

12 MR. [REDACTED]: Yeah. They're all - I
13 just gave them to her. Anything else before we
14 end this so that hopefully this will be a one-
15 and-done?

16 MR. [REDACTED]: Nothing else.

17 MR. [REDACTED]: Nothing else that we
18 should talk about that we missed? That we can
19 handle now rather than having to circle back?

20 MR. FOY: Uh nothing. I can't think off
21 of the top of my head.

22 MR. [REDACTED]: We're trying to cover a
23 lot so.

24 MR. FOY: I am at the end.

25 MR. [REDACTED]: Yep. From the union is

1 there anything that you can think of that we
2 should be discussing? Or 0?

3 MS. [REDACTED]: I mean I -. If OIG really
4 wants to know what led up to the death of Mr.
5 Epstein. I think that there needs to be a
6 thorough investigation of the Metropolitan
7 Correctional Center and it's pitfalls. I'll
8 just you know kind of leave it at that. And
9 I'm sure you're getting a little bit of insight
10 into what the MCC is. Not just staffing but
11 conditions for inmates as well. It failed a
12 new employee. Yes there are some things that
13 she absolutely should be taking responsibly
14 for. But what led up to the unfortunate death
15 of Mr. Epstein wasn't just August 9th and
16 August 10th.

17 MR. [REDACTED]: Referring to the fact
18 that she was trained on people not conducting
19 rounds and counts?

20 MS. [REDACTED]: It's a cultural issue at MCC
21 New York. Falsifying of documents to pass
22 program reviews. Inadequate training of
23 employees. Um an employee may go through an IF
24 training but most of that training is three
25 weeks or so. Most of the time, you'll find

1 yourself sitting down in the training center I
2 believe because they don't have someone to
3 actually train you. But they'll tell you sign
4 the training sheets. So if something like this
5 comes up, it implies that the employee received
6 the training. When actually I was present to
7 receive the training but nobody taught me. The
8 same thing is you know for annual refresher
9 training. There's a cultural issue at the
10 Metropolitan Correctional Center. Is it
11 agency-wide? I don't know. I've only been at
12 MCC New York. But there are some pitfalls.
13 There have been inmates that's prior to Mr.
14 Epstein and since Mr. Epstein and I believe the
15 inadequate managing of the building plays a big
16 role in those deaths. Assaults of staff and
17 inmates. And you guys, I guarantee you've seen
18 it. I'm sure there's something you've seen
19 that you're like, wow that's a little bit crazy
20 what just seems very egregious it's because
21 it's not being run the correct way. It's
22 failing staff and inmates every day.

23 MR. [REDACTED]: Well thank you for that.
24 On that note, I know we talked about you know
25 how you observed other staff members like

1 pretty much not conducting the round sheets the
2 way they did it, as well as the supervisor that
3 told you to sign the training that you never
4 actually attended. Can you think of anything
5 else that you were asked to do like that from
6 anyone? Or observed anyone else? As like a
7 training or an experience that was - now that
8 you're thinking back on it - wrong?

9 MS. NOEL: Um.... I mean I haven't really
10 been there that long. So the only thing I
11 could recall was Lieutenant [REDACTED]. I
12 think when I had my probationary year, like I'm
13 supposed to get reviewed like every quarter.
14 Like to get before I get off probation. I've
15 only got it one time. I think it's supposed to
16 be done three times. I've only got it one
17 time.

18 MR. [REDACTED]: And were you asked to
19 sign on a quarterly basis that you received
20 that evaluation?

21 MS. NOEL: I know I signed it one time
22 that I got it. But I never got the other two.
23 So just basically just showing how -.

24 MR. [REDACTED]: But they didn't actually
25 ask you to sign something?

1 MS. NOEL: No. Ask me to sign for that.

2 No.

3 MR. [REDACTED]: Is there any instances
4 you can think of that you like needed to sign
5 for something that you thought oh I shouldn't
6 sign for that. I didn't take this training. I
7 didn't conduct these rounds. Is there anything
8 else like that that you can think of that's
9 happened while you were at the MCC?

10 MS. NOEL: I mean, like for example, like
11 she said in IF training, there's a roster with
12 a whole bunch of stuff that we're signing next
13 to. But like let's say, lieutenant so-and-so
14 is supposed to teach that class and they didn't
15 show up. But I already signed that I received
16 it. But I didn't get the actual training. So
17 I'm signing that I'm present and I'm here for
18 the training, but I didn't actually get it.

19 MR. [REDACTED]: So you're showing up at
20 training --

21 MS. NOEL: But I can't remember -.

22 MR. [REDACTED]: -- and they're actually
23 not conducting it and they're certifying
24 they're --

25 MS. NOEL: Right. Yeah.

1 MR. [REDACTED]: -- conducting the
2 training?

3 MS. NOEL: Yeah. There were a couple of
4 training that we didn't get because there was
5 nobody there to teach the class.

6 MR. [REDACTED]: And they certified that
7 they actually -

8 MS. NOEL: Yeah. I remember when I was in
9 IF, they would tell me stuff. But I never
10 walked. You're supposed to get a tour of the
11 building for when you sit in training and in
12 the SHU blah-blah-blah - you have a visual.
13 They never even did that. Like they would
14 explain like when they say down range, you have
15 to just imagine what's down range because I
16 never been in that jail and I didn't know.
17 I'm saying that to say like the training is not
18 -. You guys probably look at oh I signed or
19 you're saying this training or that she should
20 know this. But I don't actually necessarily
21 have to know it because it wasn't like taught.
22 And if I kind of learn as you go along, that's
23 why I said like it's wrong, but I tried to
24 mimic or follow what I see. Other people do.
25 And yes I've exercised poor judgment on things,

1 but even sometimes you ask people and they tell
2 you the wrong thing. That's MCC. So even if I
3 don't know and I call and I say hey how do you
4 do this? They'd be like oh just do this.

5 MR. [REDACTED]: And what do you - now
6 that you've experienced this, what do you blame
7 that on? Do you also blame it on like poor
8 management or like a lack of manpower? What is
9 your thoughts on that?

10 MS. NOEL: It's both but every time
11 something happens, the officers get in trouble.
12 And the problem is it starts from the top.
13 Because if my supervisor is telling me to
14 falsify documents, and I do it, I'm in trouble.
15 But [REDACTED] got promoted. You
16 understand? Like the problem starts from eh
17 top. And it comes all the way down. It's not
18 being managed correctly and the manpower is
19 also not there. Like you can't take somebody
20 and tell them to work 16 hours. And remember,
21 it's a thing where I'm on probation, so I can't
22 say, no I'm not working it. So you asked me to
23 work 16 hours every day. I'm a human being.
24 I'm not a robot. I fell asleep plenty of times
25 going home. I come to work. I remember one

1 time I called the lieutenant's office. Like I
2 can't keep my eyes open because that's just the
3 reality of it. By the time you go home, it's
4 time for you to -. Some people don't even go
5 home. They try to sleep in the locker room
6 because the manpower is not there. And it's
7 absolutely ridiculous. For me, **I started in**
8 **June of 2018.** The indictment said 2016.
9 That's not true. To December. That's only 6
10 months. And I made my base pay because of all
11 that overtime.

12 MR. [REDACTED]: Okay. Thank you. That's
13 all great insight. Anything else we want to
14 add?

15 MS. NOEL: Mm. Nothing else.

16 MR. FOY: The only thing I can think of,
17 which you've kind of alluded to, is what it
18 feels like as a new employee. The culture.
19 The friendliness or lack thereof. The fact
20 that in a way, your trust in your colleagues is
21 undermined through your colleagues. Right? I
22 mean which makes it a difficult thing. I mean
23 if you want to talk about that part of it.
24 Right. Because it's all related. It's not
25 just one thing. So I mean if you want to speak

1 on it, this would be the time to say it.

2 MS. NOEL: I don't know what -.

3 MR. FOY: Hm?

4 MS. NOEL: (Indiscernible *05:25:37)

5 MR. FOY: Your experience of was it a
6 friendly experience? Did you feel supported by
7 your colleagues? Like -.

8 MS. NOEL: Oh. No.

9 MR. FOY: Right? Did you like it there?
10 Did it feel safe? Like -.

11 MS. NOEL: Oh. No. Absolutely not.
12 Absolutely not.

13 MR. FOY: But you've got -.

14 MS. NOEL: I was actually trying to - like
15 from the moment I started there, I didn't like
16 it there and I was trying to get out of there.
17 But I'm not going to quit a job and go sit at
18 home. So. The atmosphere was - like to me, I
19 didn't feel safe because if you don't have
20 enough people to work the units and something
21 happens and you hit a body alarm, who's
22 responding? If there's no nobody there. So
23 that's a problem in itself. There's been times
24 where you got one officer working two units.
25 So what if somebody died on the other unit and

1 the officer is on the other unit? But there's
2 been - and that's all not supposed to happen.
3 But like I said, when nothing happens it's okay
4 because nobody died. Nothing happened. But
5 when something happens, then that officer
6 working the two units gets in trouble not the
7 lieutenant that said hey I'm assigning you to
8 work these two units. And yes, we know we're
9 not supposed to work the two units. But again,
10 I don't feel like I can override my lieutenant
11 or I can override the senior officer because
12 the instruction that's being passed on from the
13 top is not correct. But who am I going to
14 tell? Because everybody in that building knows
15 from the warden all the way down knows we don't
16 have enough people. We don't have enough.
17 From day one I entered that building, that's
18 all I've been hearing. We don't have enough
19 people. We don't have enough people. People
20 get hurt because there's not enough staff to
21 respond to certain. Like when I'm on a unit
22 and inmates are fighting -. Like if the
23 inmates really wanted to take over and harm
24 you, they could have. And then who's
25 responding fast enough because maybe you hit

1 the body alarm sometimes only three people
2 come.

3 MR. [REDACTED]: So with all this in mind,
4 is there anything that you can think of as a
5 way to rectify these issues?

6 MS. NOEL: They need staffing. And I
7 don't know if people don't stay there because
8 like the culture of MCC is just -. It needs to
9 start over. Like it needs to be cleaned out
10 and start over. And people need to follow the
11 rules and reinforce and show people the correct
12 things. Then maybe - maybe it could get
13 somewhere. But when you have new people coming
14 in and we're taught bad - and again, I'm not
15 blaming everything on me being taught bad.
16 It's what I see. What I know. And again, yes
17 I could sit and read an employee handbook.
18 Sometimes you ready stuff in the context of -.
19 Like I'm not in a camp. I'm in a high rise.
20 So the context of what you're reading in an
21 employee book refers to like you know those
22 types of institutions and not MCC. So
23 sometimes when you try to put it into
24 perspective -.

25 MR. [REDACTED]: You keep on saying camp.

1 Do you mean like an FCI or a penitentiary? Or
2 -?

3 MS. NOEL: Yes.

4 MR. [REDACTED]: Or are you talking about?

5 MS. NOEL: Yes.

6 MR. [REDACTED]: Okay.

7 MS. NOEL: Yes. Versus a high-rise
8 building. So it's - the procedures are a
9 little bit different. So that's why I rely on
10 the people inside to teach me. And you'll
11 always hear this being said. There's the BOP
12 way and there's the MCC way because at MCC,
13 they do it their way.

14 MR. [REDACTED]: Okay. Good to know.

15 MS. NOEL: There's been -. And again
16 because I don't know because they probably
17 don't give you the roster. Every single time
18 that I've came to work, I've called to switch
19 with somebody else because I don't want to work
20 SHU. Because I don't know how to work SHU.
21 And it's very annoying that you have to keep
22 having to ask somebody. There's plenty of
23 times that I called across like somebody
24 working 9 North, like hey you want to switch
25 with me? And I switch. Because on a regular

1 housing unit, I know what I'm doing. In the
2 SHU, I don't know what I'm doing. And I was
3 even told usually they don't put probationary
4 staff to work SHU. But again, because of
5 seniority, that's all that's available. So
6 that's what I have to get.

7 MR. [REDACTED]: Okay. Anything on that?

8 MR. [REDACTED]: Do you recall any specific
9 instances of policy violations by staff or any
10 actions that you could bring into questions
11 about other staff members at MCC? Any specific
12 instances.

13 MS. NOEL: Um no.

14 MR. FOY: You're talking about like
15 contraband, stuff like that?

16 MR. [REDACTED]: Anything. Overall.

17 MR. FOY: (Indiscernible *05:29:50)

18 MS. NOEL: I mean it comes in some -.

19 MR. [REDACTED]: I think what he means
20 more along the lines though of like a
21 supervisor directing you to falsify a record.
22 Like that's pretty big. If they're telling you
23 sign this because you needed to take quarterly
24 SHU training. Anything else like that.

25 MS. NOEL: I mean one time I got a drop

1 note that said an inmate wanted to rape me.
2 And I forward the email to the lieutenant and I
3 never got a call back. And I called and I said
4 -. Because that inmate is still on the unit.
5 So if the inmate really wanted to rape me, then
6 I guess he would have. So I called and I'm
7 like did you get my email? And she was like
8 yeah I got it, but that inmate ain't going to
9 do nothing to you. These are the type of
10 things that happen at MCC. How do you know
11 that inmate's not going to do anything to me?
12 What you should have did was remove me from
13 that unit or remove that inmate, but that
14 wasn't done. Inmates have threatened me. And
15 they're supposed to remove them out of the
16 building but they don't. Inmates have
17 threatened me and I have sent them to SHU. And
18 then they'll release them and then they came
19 right back to my unit. So again, it's like who
20 are you telling or complaining to at MCC?
21 Because from the top there's no help. And I'm
22 literally at the bottom. I was the last
23 officer at the time.

24 MR. [REDACTED]: Now do you know of
25 (Indiscernible *05:31:04) corrupt officers like

1 bringing in contraband? Is that like a problem
2 at the MCC?

3 MS. NOEL: It is a problem. But I don't
4 know who brings it in. I just always wonder
5 like how did -? As far as smoking. Like
6 there's smoking all in the building. I get
7 headaches daily because of the smoking. So it
8 comes in some way. But as far as who or how it
9 comes in, I don't know.

10 MR. [REDACTED]: And I would think it's
11 kind of easy to identify who is smoking.
12 Correct?

13 MS. NOEL: Oh - the - you'll be sitting in
14 your officer's station, and you smell smoke.
15 But remember they're inmates. So by the time I
16 get out, they always have a watch person. So
17 by the time I feel like okay I smell it, it's
18 coming from here. Let me go walk the tier this
19 way, they'll be like, she coming. So they
20 already done -.

21 MR. [REDACTED]: Now what are you
22 smelling? What kind of smoke? Is it marijuana
23 or is it -?

24 MS. NOEL: K2.

25 MR. [REDACTED]: -- K2?

1 MS. NOEL: K2.

2 MR. [REDACTED]: And you can - you know
3 the distinct smell of K2?

4 MS. NOEL: Yes.

5 MR. [REDACTED]: Um.

6 MR. [REDACTED]: Was this on the SHU also?

7 MS. NOEL: Yes.

8 MS. [REDACTED]: It's the entire building and
9 you know, I would welcome, right, if OIG said
10 we want to tour the institution.

11 (Indiscernible *05:32:11) and judges do.

12 Attorneys do. Law clerks do. Right. Because
13 it gives you a little bit of - you can actually
14 put a visual besides seeing the photos. You
15 can get a visual. You actually get to see what
16 it is to be an employee there or even an inmate
17 there. And the drug problem is absolutely
18 rampant. The institution has no control over
19 it. Right. So it boils down to that employee
20 saying okay if you guys don't stop smoking, I'm
21 locking everybody behind a door because it's
22 making me sick. Or it's making me -. It's
23 that kind of thing. Like they're not holding
24 inmates responsible for incident reports. None
25 of that stuff is happening. And it just makes

1 it a very bad place to work. And it makes it a
2 poor place for a new employee to work. Right?
3 And I say that wholeheartedly understanding
4 that there is some onus on Ms. Noel. There's
5 just some things as an adult you have to say, I
6 take responsibly for it. I don't think she's
7 ever come out of taking that responsibly. But
8 that MCC New York failed Ms. Noel, Mr. [REDACTED],
9 and Mr. Epstein regardless of what he was in
10 jail for, I don't believe anybody deserves loss
11 of life behind the walls of a jail especially
12 in that manner. Right? And there's just so
13 many things so when you ask questions to Ms.
14 Noel such as, "Are there any instances of
15 falsifying documents," you're not going to say
16 to me, but I guarantee you that in reviewing
17 rosters and training records, I'm sure you guys
18 have questionable discrepancies. I'm sure
19 you've caught rosters not reflecting what
20 videos show. I'm sure you've caught employees
21 on rosters - not on rosters but attending a
22 training, but the roster says they're on sick
23 leave or annual leave. I would bet my next low
24 paycheck that that's absolute to what you guys
25 have probably seen or experienced in

1 investigating this whole thing. Is this
2 falling on deaf ears? I don't know. I would
3 like to hope that the death of an inmate leads
4 to some change. But we're two years out and -.

5 MR. [REDACTED]: Sure. Well part of that
6 has to do with we had to wait to interview.
7 But yeah.

8 MS. [REDACTED]: Yeah.

9 MR. [REDACTED]: Do you have ...?

10 MR. [REDACTED]: Yes.

11 MR. [REDACTED]: It just made me think of
12 something. I just want to make sure just going
13 back like we were talking about to make sure
14 that we've got the like - as truthful a
15 statement as we possibly can with regard to the
16 August 9th 10:00 p.m. count. Talking about
17 video and things like that. When you remember
18 doing that count --

19 MS. NOEL: Mm-hmm.

20 MR. [REDACTED]: -- although the count
21 number was wrong, did you do the count from the
22 outside grill or did you actually walk down the
23 range?

24 MS. NOEL: No. I walked down the range.

25 MR. [REDACTED]: And you're -?

1 MS. NOEL: And I know like for example,
2 like in [REDACTED] statement, he probably was
3 like, I don't know if she did the count. Or
4 I'm going to say she didn't do the count
5 because it needed to be done with me and I was
6 sleeping. He was sleeping, so he don't' know
7 if I did the count or not.

8 MR. [REDACTED]: Yeah. I'm just trying to
9 reconcile the review of --

10 MS. NOEL: He signed, but -.

11 MR. [REDACTED]: -- of the video.

12 MS. NOEL: But no because I saw a lot of
13 stuff. Even in the indictment. There's a lot
14 of things in there that's not true. Like the
15 one thing I know I did do was that 10:00 count.
16 For a fact.

17 MR. [REDACTED]: But you just don't know
18 how they reconcile the fact that --

19 MS. NOEL: The numbers no.

20 MR. [REDACTED]: -- the numbers are off.

21 MS. NOEL: But the count. I did do that.

22 MR. [REDACTED]: Was that just - and
23 again, that's going to be one of those big
24 things that's like well how do we -? If you're
25 saying you did the count, and the numbers are

1 wrong, that's the -. We're going to have to -

2 MS. NOEL: Yeah. Like I don't remember -.

3 MR. [REDACTED]: -- review that video and
4 -.

5 MS. NOEL: -- what happened between like
6 the 73 and the 72 and the phone call and what
7 was said again. But I did do that count.

8 MR. [REDACTED]: And again, we're not
9 confusing a count with a round.

10 MS. NOEL: Rounds. No.

11 MR. [REDACTED]: Okay. Anything else?
12 Well I just want to thank you all so very much
13 for the cooperation. And to the union, I want
14 to kind of apologize for the initial
15 interaction.

16 MS. [REDACTED]: Mm-hmm.

17 MR. [REDACTED]: I think that now talking
18 with you, I think that you're actually - I was
19 maybe misunderstanding maybe what you were
20 doing. I just wanted to make sure that we
21 weren't going to be stopping this interview
22 every time there was a question. But you were
23 extremely helpful. So thank you for your
24 participation.

25 MS. [REDACTED]: No problem.

1 MR. [REDACTED]: And yeah. It is -.

2 MS. [REDACTED]: I've got something. Can I
3 just get a copy of the document that I signed?

4 MR. [REDACTED]: Absolutely.

5 MS. [REDACTED]: Or unless you just want me to
6 take a picture of it. Whatever's easier.

7 MR. [REDACTED]: Um yeah. I'll get you a
8 copy. Either a photocopy or a picture. That's
9 fine. Okay. It is 4:20 p.m. on Tuesday, June
10 22, 2021. This is Senior Special Agent [REDACTED]
11 [REDACTED] and I am turning off the recorder.

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CERTIFICATE

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

Interview of TOVA NOEL

A handwritten signature in black ink, appearing to read "Marci Bratton", written over a horizontal line.

Marci Bratton, Transcriber

A

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