



## FEDERAL BUREAU OF INVESTIGATION

Date of entry 09/18/2019

**EMPLOYEE 4**, Material Handler, at Bureau of Prison's (BOP) METROPOLITAN CORRECTIONAL CENTER (MCC), 150 Park Row, New York, New York, date of birth (DOB) 12/04/1989, was interviewed at the United States Attorneys Office (USAO), Southern District of New York (SDNY), 1 St. Andrews Plaza, New York, New York. Present for the interview were FBI Special Agent (SA) Amanda Moore, Office of the Inspector General (OIG) SA Omar Daza, Assistant United States Attorney (AUSA) Rebekah Donaleski, AUSA Nicolas Roos, and **EMPLOYEE 4** attorney. AUSA Donaleski advised **EMPLOYEE 4** that the interview was in lieu of an appearance before the Federal Grand Jury and is voluntary. AUSA Donaleski also went over a standard proffer agreement. After being advised of the identity of the interviewing investigators and the nature of the interview, **EMPLOYEE 4** provided the following information:

**EMPLOYEE 4** has worked for BOP since 2016. All of his time with BOP has been at MCC. Prior to working at BOP, **EMPLOYEE 4** was in the US ARMY, starting in November 2009 and got an honorable discharge in July 2013. **EMPLOYEE 4** then worked for BRINKS from 2014-2016. He graduated with a business degree from MEDGAR EVERS COLLEGE in 2016.

**EMPLOYEE 4** attended five (5) weeks total training for BOP, the first part being IF Training, which consisted of classroom instruction. The second part was in Glynco, GA at the Federal Law Enforcement Training Center (FLETC). **EMPLOYEE 4** started at MCC as a Corrections Officer (CO) with a regular shift of 4pm-12am, with his regular days off being Thursdays and Fridays. He worked his regular shifts in Unit 11 South. On August 5, 2019, **EMPLOYEE 4** was promoted to Material Handler. Presently, **EMPLOYEE 4** regular shift is 8am-4pm, with regular days off being Saturdays and Sundays. During his time at MCC, **EMPLOYEE 4** has been mandated to work overtime 3-4 times a week. **EMPLOYEE 4** at times has volunteered to work overtime in order to not be put at a post he didn't want to work.

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Investigation on 09/11/2019 at New York, New York, United States (In Person)

File # [REDACTED] Date drafted 09/13/2019

by AMANDA G. MOORE

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[REDACTED] EMPLOYEE 4 has never had the Special Housing Unit (SHU) as a post during a quarter, but has worked there a handful of times, possibly between 10-20 times. He has never went to SHU training but would have been given information regarding the SHU at Annual Refresher Training (ART). [REDACTED] EMPLOYEE 4 didn't recall if he read the post orders for the SHU.

[REDACTED] EMPLOYEE 4 stated he was aware that the Institutional Counts, taken at 4pm, 10pm, 12am, 3am, 5am, and 10am on the weekends, needed to be done and were an important part of policy. The counts involved two (2) officers. One officer did the count and then switched with the second officer who would do the count again. The two compared numbers after counting each tier and then called in the count if both agreed on the final numbers. Both officers signed the count slips. The counts were done the same way in the SHU as the General Housing Units. In the SHU, the count slips were put at Door 27, which was located on the lower level of the SHU near the laundry room.

The 30 Minute Rounds were not enforced as much until around the time that El Chapo was housed at MCC and when some officers in 2017, who [REDACTED] EMPLOYEE 4 believed to be Isaboro and Ortiz, had gotten in trouble for not doing rounds. It used to be that officers were just told to do rounds and weren't told to write down when they did them. Then around 2017-2018, officers were told to write down when they did rounds.

[REDACTED] EMPLOYEE 4 filled in the 30 Minute Round sheets during his shifts. He may not write down the exact time that he conducted a round because he usually tried to make the round times consistent, for example, 5:01pm, 5:31pm, and 6:01pm. This was done to make sure that there was a consistent flow to the times. It was possible that [REDACTED] EMPLOYEE 4 may have written down that he conducted four (4) 30 Minute Rounds, but really only did two (2) rounds. This was because if he went into a tier to deal with an inmate, he counted that as a round. And sometimes there were issues with inmates that arose, like suicide situations, that prohibited an officer from doing a round. If one were to review the video of MCC, it would show [REDACTED] EMPLOYEE 4 going to tiers in the normal course of his duties, not necessarily a consistent round every 30 minutes.

Since JEFFREY EPSTEIN died, officers make more rounds. Before EPSTEIN, officers didn't conduct as many rounds because of burn out, stressful conditions, and lack of sleep due to the amount of hours that officers were having to work at MCC. Officers were often exhausted and "zombie-like".

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Officers, to include [REDACTED] EMPLOYEE 4 would sometimes cut corners, like writing down that an 30 Minute Round was conducted when it wasn't. The 30 Minute Rounds would vary day to day, with some days having more rounds conducted than others. As far as the Institutional Count, [REDACTED] EMPLOYEE 4 didn't believe that he missed a count prior to August 9, 2019, when he did not do the 10pm count in the SHU.

On August 9, 2019, [REDACTED] EMPLOYEE 4 reported for voluntary overtime for the 12am-8am shift. He believed that this was in 11 South. He did the 12am count, but he didn't remember with whom. [REDACTED] EMPLOYEE 4 then worked his regular shift, 8am-4pm, in the warehouse. At some point during the day, Lieutenant (LT) PEREZ called him and asked him if he could work overtime in the SHU. [REDACTED] EMPLOYEE 4 feeling pressured, told LT PEREZ that he could work. He then worked the 4pm-12am shift in the SHU with Officers DAVIS and NOEL. DAVIS left work at 10pm, so, from 10pm to 12am, it was just [REDACTED] EMPLOYEE 4 and NOEL.

During the 4pm-12am shift in the SHU on August 9, 2019, at approximately 7:30pm, there were two (2) inmates, same cell, last cell to the left in L-Tier, that said they were going to hang themselves. Acting LT SILVIA was called and the inmates were put in Suicide Watch. After this incident, [REDACTED] EMPLOYEE 4 started crashing. His feet started to hurt and he was really tired.

[REDACTED] EMPLOYEE 4 recalled that EPSTEIN came back to SHU around 8pm and he was put back into his cell on L Tier. [REDACTED] EMPLOYEE 4 possibly assisted DAVIS with EPSTEIN. [REDACTED] EMPLOYEE 4 didn't remember seeing BULLOCK and didn't see EPSTEIN in the shower area that night. He also didn't remember anything regarding a phone call made by EPSTEIN that night. He did help NOEL feed EPSTEIN, who was fed later than the rest of the inmates in the SHU because he came back late. EPSTEIN was fed about 15-20 minutes after he was put back in his cell. He seemed "normal". EPSTEIN took his food, which was designated as "commonfare" or kosher due to EPSTEIN being Jewish. Commonfare food is served on a black paper-like tray that can be thrown away. [REDACTED] EMPLOYEE 4 didn't know if the tray was removed from EPSTEIN's cell. After EPSTEIN received his food, [REDACTED] EMPLOYEE 4 and NOEL left the L-Tier area. [REDACTED] EMPLOYEE 4 then went back to the desk area in the SHU and talked to NOEL and DAVIS. He did a couple of things around the SHU and may have eaten. He recalled using the bathroom located near the laundry area.

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EPSTEIN was alone in his cell. At that time, **EMPLOYEE 4** wasn't aware that EPSTEIN needed a cellmate. He didn't know that EPSTEIN should have a cellmate since he previously attempted to commit suicide. **EMPLOYEE 4** was told that EPSTEIN's cellmate had went home. He believed that he found that out from other inmates working in the commissary earlier that day. When an inmate is leaving MCC and not coming back, Control Center calls the unit and advises that the inmate should be taken off of the count because he is not coming back. **EMPLOYEE 4** was pretty sure that this would have happened in the SHU, because that's what usually happened and he thought he may have also heard from NOEL or DAVIS that EPSTEIN's cellmate went home. **EMPLOYEE 4** thought Control called the SHU about the cellmate, but didn't talk to Control himself. If Control had called the SHU, the officers would have known by 4pm that EPSTEIN's cellmate was gone.

On August 9, 2019, **EMPLOYEE 4** did not do the 10pm count in the SHU. No one said that they were not going to do the count, it was just mentioned that everyone was tired. **EMPLOYEE 4** thought he signed the count slip, but couldn't say for sure. The counts slips have to have two (2) signatures, so, NOEL would have had to sign it. To the best of **EMPLOYEE 4**'s memory, NOEL called in the count.

**EMPLOYEE 4** was shown a copy of the MCC Official Count Slip for Unit ZA, also known as the SHU, for August 9, 2019 at 10pm. The copy shown to **EMPLOYEE 4** is attached in the 1A section of this report. **EMPLOYEE 4** verified that his signature was on the count slip and that the other signature should be NOEL's. Being that two (2) officers are needed to do the count, the 10pm count for August 9, 2019 was not conducted. DAVIS went home at 10pm and **EMPLOYEE 4** did not assist with the 10pm count, so, NOEL could not have done it by herself. **EMPLOYEE 4** was not sure what the "73 + 1" meant that was written on the count section of the count slip.

**EMPLOYEE 4** was not in the SHU for the 4pm count on August 9, 2019. That count had already been done before he reported to the SHU. **EMPLOYEE 4** stated that during the 4pm-12am shift that night, a good amount of rounds were probably conducted, but couldn't remember how many. He also stated that in order to turn off an inmate's light, it required two (2) officers.

**EMPLOYEE 4** was shown a copy of the 30 Minute Check Sheet for L-Tier for August 9, 2019. The copy shown to **EMPLOYEE 4** is attached in the 1A section of

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this report. [REDACTED] EMPLOYEE 4 stated that the signature on this sheet was not his and that he didn't see NOEL fill it out. He also stated that the 4:01pm-7:36pm timeframe on the round sheet was accurate as far as the officers going around to different tiers. The officers usually communicated as to which tiers the officers were going down. It didn't matter which officer went down the tiers, just as long as it got done. [REDACTED] EMPLOYEE 4 stated that he was pretty sure that NOEL would have filled out the round sheet because she was the SHU officer. From 10pm-12am, [REDACTED] EMPLOYEE 4 didn't really remember what happened or what he did. He just remembered that THOMAS came in to relieve him.

[REDACTED] EMPLOYEE 4 talked to NOEL on August 10, 2019, at approximately 4pm. He had called her after he found out that EPSTEIN was dead. NOEL called him back and told him that she was OK but was scared to talk over the phone. [REDACTED] EMPLOYEE 4 said that he and NOEL were friends. [REDACTED] EMPLOYEE 4 and NOEL had a second conversation about a week and a half ago. NOEL didn't want to talk about what happened and she still seemed scared. He told her about him having a lawyer. [REDACTED] EMPLOYEE 4 also talked to DAVIS after EPSTEIN died. DAVIS kept telling him that he had nothing to worry about, that EPSTEIN didn't die on his watch and that [REDACTED] EMPLOYEE 4 had worked for 24 straight hours that day.

According to [REDACTED] EMPLOYEE 4 in regards to counts and rounds not being done, he said it was an overall problem at MCC. That officers are tired due to all the mandated OT and lack of sleep. Based on his experience in the SHU, the Institutional Count was actually done, just not that one time at 10pm on August 9, 2019. He had heard rumors about SHU counts and rounds not being conducted but was never specifically told by an officer that he or she hadn't done a count or round. [REDACTED] EMPLOYEE 4 stated that he had seen officers blow off the 30 Minute Rounds, but that the counts were done, except for the one previously mentioned.