

Pg 15: [REDACTED] was the number three CO in the SHU on 8/9. [REDACTED] was number one that evening. [REDACTED] was non-custody, however, he had more time than [REDACTED], so he got assigned as OIC.

Pg 17: He received the SHU and suicide prevention training in 2019.

Pg 19: He started at 2pm, [REDACTED], [REDACTED] and [REDACTED] were still working. Then [REDACTED] and Noel started their shift in the SHU.

Pg 21: When Epstein was being returned to SHU from Attorney conference, [REDACTED] informed [REDACTED] that Epstein needed to make a phone call. [REDACTED] returned Epstein.

Pg 23: Epstein normally stayed with his lawyers all day until the end of the day when he could not anymore. Epstein was brought back at approximately 8pm.

Pg 24: He placed Epstein in the shower, because he could not place him in cell by himself with the phone.

Pg 25: [REDACTED] instructed [REDACTED] to give Epstein a social call. Does not remember who plugged the phone in. [REDACTED] dialed the phone and handed it to Epstein. No further instructions from [REDACTED].

Pg 29: [REDACTED] would have needed permission to allow Epstein to make a social call on the legal line. Sometimes the Judge calls and states this inmate needs a legal call.

Pg 30: If Epstein stated that he wanted to call his mother, that should have been on a recorded line. [REDACTED] stayed with Epstein for a little but he doesn't recall for how long.

Pg 31: [REDACTED] brought Epstein back to his cell from the shower around 9:30pm. Epstein was in the shower area from approximately between 8pm and 9:30pm.

Pg 36: Not sure how long [REDACTED] stayed for the call. He is sure that [REDACTED] wasn't there for the whole phone call. Does not recall if [REDACTED] gave instructions to [REDACTED], Noel or [REDACTED] about monitoring the call.

Pg 39: When asked if Noel pre-filled the 30 minute paperwork, [REDACTED] responded he does not know.

Pg 40: Evening watch was done by Noel. [REDACTED] relieved [REDACTED] at 2pm. [REDACTED] stopped filling out the rounds sheets at 2pm because [REDACTED] was relieved by [REDACTED].

Pg 43: Did not see Noel pre-populate the rounds sheets

Pg 44: [REDACTED] was doing work on computer: 583, SHU log, inmate showers, so as OIC three he had to fill out the paperwork.

Pg 45: [REDACTED] in his previous statement said that he conducted a round and spoke to Epstein. When asked if he conducted a round in the SHU, he clarified that he specifically went to Epstein. Asked "Yo you good," Epstein gave him thumbs up. [REDACTED] did not do a round through the SHU.

Pg 47-51: He told [REDACTED] and Noel that Epstein was their priority. He didn't like the way Epstein was looking, he just had a look on his face. Epstein just looked different, can't explain it. Epstein did not say anything to him.

Pg 55: When asked if he saw Noel and [REDACTED] do the rounds. [REDACTED] responded that he was doing his paperwork, and [REDACTED] and Noel were moving around the whole time. He barely saw them sit down.

Pg 57: There are blank spots on the round sheets for 11pm and 12. J, K, H, & G tier weren't finished off.

Pg 58: Round sheets were kept on the desk. When he was initially trained it was kept on the desk and as time went on they said they wanted it on the tiers. Instruction on that has changed over time. The sheets were kept on the ranges to ensure that the rounds are actually completed.

Pg 62: [REDACTED]' understanding is that only one person is needed to conduct a round.

Pg. 63: Noel was filling out the round sheet on behalf off everyone that was working in SHU

Pg 65: Based on [REDACTED]' review of the round sheets and how the times were filled out, [REDACTED] now believes that it is a possibility that the evening watch round sheets were prefilled.

Pg 66: "Have you ever pre-filled out round sheets?" "Not to my knowledge"

Pg 67: In the past, there was a problem with people prefilling the round sheets and nobody wanting to sign the sheets. [REDACTED] learned from that issue and decided that he if he did the rounds then he will sign it and if he didn't do it then he wouldn't sign it for anybody else. He didn't touch the round sheet paperwork on the night of August 9<sup>th</sup>.

Pg 68: He clarified that he had pre-prepped the count sheet but never the round sheet. He verified that he pre-prepped the 4pm count sheet on august 9<sup>th</sup>.

"There was so much going on, everybody's leaving, some people coming in, and stuff like that. I'm, like, okay, count time or whatever you -. I wrote it out. I don't remember if I put a number in there or not yet, or whatever. And then, the count was supposed to take place. So, I pre-wrote it or whatever. And then, we just kept working. But there was a lot going on that day."

Pg 71: They are expected to do the job of four COs with sometimes only three or two COs. There is pressure from supervisors to hurry up and do their jobs. "So, if you don't have a way, you're going to find a way."

Pg 72: He doesn't have access to E1. They had access to the SHU locator that would have been updated when an inmate is moved. He believes he used the locator to fill out the count slip.

Pg 74: Verified that it was his handwriting and signature on the 4pm count. He did not do the 4pm count.

Pg 82: [REDACTED] reviewed Inmate [REDACTED] movement and verified that the count number was wrong for 4pm and he again verified they did not do the 4pm count.

Pg 85: Does not recall having a conversation with [REDACTED] about Epstein needing a cellmate. [REDACTED] stated, "He was supposed to have a cellmate." He heard by word of mouth that [REDACTED] was released that day. He recalls putting Epstein back in his cell from the shower area and asking Epstein "where the hell is your fucking cellmate at?"

Pg 86: He recalls telling someone that there is no cellmate in with Epstein. He does not recall who he spoke with. They did not have anyone to put in the cell with Epstein. They couldn't just put anyone in the cell with Epstein. He recalls calling someone but does not recall who.

Pg 92-95: He recalls he called the Lieutenant's office and spoke with a man, but does not recall who he spoke with. Once he moved Epstein back, it was lock down time and there could not be inmate movement after that time. He would have said "this dude aint got no cellie".

Pg 96: He checked on Epstein after this call and left after telling the other COs to "watch this guy"

Pg 97: Noel and [REDACTED] knew Epstein needed a cellmate because they were in the SHU also. His conversation with Noel and [REDACTED] about Epstein needing a cellmate took place after the Epstein was brought back to his cell. During this conversation is when they realized that [REDACTED] must have been released. If they asked him this earlier on he would have remembered who she spoke to. SA inquired if under penalty of law does he recall informing supervisor about Epstein needing a cellmate and [REDACTED] swore that he notified someone that Epstein needed a cellmate that night.

Pg 103: He clarified again that he learned about [REDACTED] being gone when he returned Epstein to his cell that night.

Pg 106: The court call out list is distributed by internal the morning off and the list is maintained on the SHU desk with the rest of the paperwork.

Pg 109: Does not recall seeing the call out list for August 9<sup>th</sup>.

Pg 110: The [REDACTED] memo was read to [REDACTED] and he does not recall having that conversation with [REDACTED]. "I don't necessarily want to call anyone a liar, per se, but I don't remember him speaking to me about this. So, maybe he spoke to Shak, and maybe I was standing there, and he thought I heard him.

Pg 114: If [REDACTED] left WAB, then someone should have replaced [REDACTED].

Pg 115: Didn't know that Epstein's cellmates were vetted by the higher ups. [REDACTED] did not think he had the authority out of worry that something might happen to Epstein. [REDACTED] believes one of the SHU COs would have put another inmate with Epstein, however, the decision would have been made by Ops Lt, SHU Lt, or Captain.

Pg 118: If [REDACTED] had left the SHU by 8am then by the afternoon it was understood that he wasn't coming back.

Pg 119: [REDACTED] stated that Epstein was a priority and it should have dawned on him when he did the rounds that Epstein's cellmate was missing. However, two other inmates in the SHU that night threatened suicide and his mind was on those two inmates.

Pg 120: he recalls the orange sign in the SHU about doing rounds on Epstein. He also recalls there was possibly another sign on the wall at some point stating "make sure your watch this guy" but he does not recall exactly what it was. He thinks there was possibly more than one copy of the orange sign posted. There is no other signs like this in the SHU for any other inmates.

Pg 124: SA asked if Epstein was a priority then how is it that no one during daywatch and evening watch caught onto the fact that Epstein's cellmate was missing. Is it possible that they didn't do the rounds.

█████ responded "I'm not going to say that because I know those people went down, down range." He believes that it would have been caught during the counts and not the rounds.

Pg 127: █████ swore again that he caught the fact that █████ was missing around 9:30pm and notified █████ and Noel regarding that fact. He clarified that he made a phone call but he is not sure if it was to a LT, Unit Manager or someone else.

Pg 130: The instructions regarding Epstein needing a cellmate came down from SHU Lt █████ after Epstein's first suicide attempt. He recalls Lt. █████ also instructing them to "keep an eye on this guy. This is why we put him in this cell." The cellmate requirement information was shared between the SHU crew members during the shifts. Doesn't recall which SHU staff he had this conversation with.

Pg 140-145: he never prefilled round sheets, however, when he was a rookie on the job he was taught to prefill the round sheets by FNU █████ (former employee). So █████ was aware that was something that the COs did do. He has heard about SHU COs prefilling the round sheets, but they do not work at the MCC anymore. SA inquired about who he could have learned it from, and █████ responded that when he started █████, █████ (former CO), and █████ (former CO) used to work in the SHU. He has heard of them prefilling round/count sheets, but he has not seen them do it. Based on how they taught him how to prefill the sheets is why when he reviewed the count sheets for August 9<sup>th</sup>. he knew the round sheets were prefilled. He has never prefilled round sheets. The count sheets he would prefill them, but he would execute the count. He claims August 9<sup>th</sup> is the only time he prefilled a count sheet and did not conduct the count.

Pg 147: he recalls an incident in the past where they had two good counts and the next shift they figured out it was a bad count. One of the COs had worked control and had access to E1. This action had gone on for a while. He does not recall when this happened.

Pg 149: █████ and Noel were there for 4pm count, they would have known who was removed from the SHU after that time and they would have used that figure for the 10pm and 12am count.

Pg 152: He has dozed off at work but not on August 9<sup>th</sup>. He has heard rumors of employees sleeping on the job. █████ and Noel did not sleep on the night of August 9<sup>th</sup>. "I don't know how they would because we was running the whole time."

Pg 156: If the COs had done the rounds and count it would have deterred him but if Epstein was determined then he would have done it anyway. If there was a cellmate in his cell along with the rounds and counts being conducted then the suicide could have been deterred. There should have been a backup inmate chosen by management already.

Pg 158: He thinks Epstein should have been assigned to 10S. Inmates on 10S could have still had attorney visits but they would be sitting behind glass and nothing could be passed between them.

Pg 161: He thinks there is a possibility he would have called the control center and spoken to █████, █████ or █████ about Epstein missing his cellmate.

Pg 166: The SHU OIC and the C&A would be responsible to make sure that the inmate was keyed into the correct cell they were assigned to. In this case the Lt █████ should have been responsible to make sure of the cell assignments were correct in Sentry.

Pg 170: Cell searches are done during day shift. He wasn't aware the policy was that 5 cell searches were supposed to be conducted during each shift. During evening watch due to low manpower, they would search only the common area and bathrooms.