

From: BOP OFFICE OF INTERNAL AFFAIRS [REDACTED]
Sent: Monday, August 12, 2019 8:58 AM
To: NewYorkComplaints, DOJOIG (OIG)
Subject: OIG Referral - OIA-2019-05324
Attachments: OIA-2019-05324.zip

Importance: High

NOTE: PLEASE DO NOT REPLY TO THIS EMAIL DIRECTLY. THIS IS A SERVICE MACHINE FOR OUTBOUND MESSAGES ONLY.

Please send any and all queries related to this case to the following email address: [REDACTED]

PLEASE CLICK ON THE FOLLOWING LINK TO ACKNOWLEDGE YOU HAVE RECEIVED THIS EMAIL NOTICE. (** FOR BOP STAFF ONLY **)

<https://bop-cms.bop.gov:9443/OGC-OIA/RespToEmailNotice?email=DOJOIG.NewYorkComplaints@usdoj.gov&caseID=OIA-2019-05324&PID=93+3+ICM8+ICMNLSD13+oiaCaseFolder59+26+A1001001A19H12A83027B5664518+A19H12A83027B566451+14+1007&CPID=94+3+ICM8+ICMNLSD14+oiaCaseRouting59+26+A1001001A19H12A83027B5664518+A19H12A85732F863011+14+1008>

From: [REDACTED]
To: NEW YORK FIELD OFFICE ([REDACTED])
Subject: OIG Referral - OIA-2019-05324

Michael Albert Thomas
Materials Handler Supervisor, WS-04

Tova A. Noel
Correctional Officer, GL-05
MCC New York

Endangering the Safety of an Inmate (111/062A) Inattention to Duty (111/054) Failure to Follow Policy (111/060)

Please reference OIA Case No. 2019-05324 when providing the OIG IDMS to our office.

Please see attachment.

Thank you,

[REDACTED]
Investigative Support Specialist
Federal Bureau of Prisons
Office of Internal Affairs

[REDACTED]
Phone: [REDACTED]

Fax: [REDACTED]

Attached Doc:

Matter Zipped folder - OIA-2019-05324.zip

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Please send any and all queries related to this case to the following email address: [REDACTED]
[REDACTED]

Date of Incident August 10, 2019		Time of Incident 6:33 a.m.	
Place Incident Occurred MCC New York			
Allegation(s) Inattentive to Duty Failure to Follow Policy			
Source of Allegation(s) [REDACTED], Lieutenant			
Subject of Incident's Information:			
Full Name Michael Thomas Tovia Noel		Title and Grade Material Handler Foreman Correctional Officer GS-5	
Victim (Inmate) Information (If applicable)			
Full Name):		Title/Reg. No.	
<p>SUMMARY OF INCIDENT: (Provide a brief, but complete summation of incident including names of any witnesses)</p> <p>On August 10, 2019, at approximately 6:33 a.m. inmate Epstein, Jeffrey 73618-054 was found unresponsive in his assigned cell in the Special Housing Unit. Inmate Epstein was pronounced dead at 7:36 a.m. by the Emergency room physician at the local hospital. During a conversation with the Operations Lieutenant, Officer Noel stated that she and Officer Thomas did not conduct the 3 a.m. and 5 a.m. count. The Operations Lieutenant also had a conversation with Mr. Thomas and he stated "we messed up". Ms. Noel and Mr. Thomas were both asked to provide memorandums for the incident, they both stated they were traumatized and needed to go home. They also stated that they wanted to contact the Union President to review any memorandum they would have to write.</p>			
Describe any action taken locally prior to OIA referral: Are local, state or federal authorities involved?			
Classification 3 Case <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Printed Name and Signature of Person Preparing Referral of Incident [REDACTED], Warden			
CEO's Printed Name and Signature [REDACTED] Warden		Location MCC New York	Date 8/10/19
NOTE: Please fax all pertinent information as soon as possible after completion of the telephonic referral. Include all statements, memos, affidavits, medical reports, personnel actions as may apply.			



U.S. Department of Justice

Federal Bureau of Prisons

Memorandum

Federal Correctional Institution

DATE: August 10, 2019

TO: Captain [REDACTED]

REPLY TO: [REDACTED]
ATTN: [REDACTED] Operations Lieutenant

SUBJECT: Inmate Epstein, Jeffrey (#76318-054)

On August 10, 2019 at approximately 6:33 A.M. The Special housing unit Shu#1 Officer T. Noel announced by via radio medical emergency on 9 South upon arrival, officer Noel stated to me that inmate Epstein had hung himself. As I entered cell Z06-220 on L-tier, I witnessed inmate Epstein on the floor of his cell unresponsive with Shu#2 officer M. Thomas performing life- saving CPR on him. I immediately relieved him and begin administering CPR continuously until relieved by clinical nurse [REDACTED] who continued to perform CPR. I then notified the control center to call 911 emergency services at 6:35 a.m.; CPR was being continuously administered as inmate Epstein was escorted to the 2nd FL. Health Service Area, while in the medical area I witnessed nurse [REDACTED] continuously performing CPR on inmate Epstein until relieved by EMT staff at 6:43 am. Inmate Epstein #76318-054 was escorted from the medical area to the Rear-gate area where he was transferred into EMS ambulance 04D at 7:10 am with #1 Escort officer [REDACTED] and followed in the Bop chase vehicle by escort by #2 Escort officer [REDACTED] to downtown Beekman Hospital. During the emergency situation s/o T. Noel stated to me "we did not complete the 3am, 5am rounds. Officer M. Thomas was appearing very distraught when ask what happened he stated "we messed up, followed by" I messed up" she's not to blame we didn't do any rounds. .

Case Participants

Case Participant 1

Type Complainant
Additional Role Witness
Name ██████████
Address ████████████████████
City ██████████
State ████
Zip ██████████
Soc. Sec. No. ██████████
Date of Birth ██████████
Race BLACK, NOT OF HISPANIC ORIGIN
Sex M
Title CORRECTNL OFFCR
Working Title 6237
Pay Plan GS
Series 0007
Grade 11
Step 06
Region NORTHEAST REGION - NER
Institution New York (MCC) - NYM
Bargaining Unit 8888
Discipline 2
Hazardous Duty Date 2002-03-24
Entered On Duty 2002-03-24
Separated Date N/A

Case Participant 2

Type Subject
Additional Role
Name MICHAEL THOMAS
Address ████████████████████
City ██████████
State ████
Zip ██████████
Soc. Sec. No. ██████████
Date of Birth ██████████
Race BLACK, NOT OF HISPANIC ORIGIN
Sex M
Title MTRLS HNDLR SUPVR
Working Title 7018
Pay Plan WS

Series 6907
Grade 04
Step 05
Region NORTHEAST REGION - NER
Institution New York (MCC) - NYM
Bargaining Unit 1018
Discipline 9
Hazardous Duty Date 2007-04-01
Entered On Duty 2007-04-01
Separated Date N/A

Case Participant 3

Type Subject
Additional Role
Name TOVA NOEL
Address [REDACTED]
City [REDACTED]
State [REDACTED]
Zip [REDACTED]
Soc. Sec. No. [REDACTED]
Date of Birth [REDACTED]
Race BLACK, NOT OF HISPANIC ORIGIN
Sex F
Title CORRECTNL OFFCR
Working Title 4585
Pay Plan GL
Series 0007
Grade 05
Step 01
Region NORTHEAST REGION - NER
Institution New York (MCC) - NYM
Bargaining Unit 1018
Discipline 2
Hazardous Duty Date 2018-06-24
Entered On Duty 2018-06-24
Separated Date N/A

Case Participant 4

Type Victim
Additional Role Other
Name JEFFREY EPSTEIN
Race WHITE

Sex	M
Ethnicity	OTHER THAN HISP
Reg. No	76318-054
Region	
Institution	
Address	
City	
State	
Zip	

Matter ID: OIA-2019-05324

Short Description: MICHAEL THOMAS - 062A - ENDANGERING THE SAFETY OF AN INMATE

Matter Details

Login Information

Short Name MICHAEL THOMAS - 062A - ENDANGERING THE SAFETY OF AN INMATE
 Classification Category 2 - Administrative
 Region NORTHEAST REGION - NER
 Institution/Facility New York (MCC) - NYM
 Field Office DC HEADQUARTERS
 Non BOP Site
 Investigated By OIA
 Patriot Act Violation? No
 Staff Search Procedure? No
 Insider Threat? No
 Office of Special Counsel? No
 Self Reporting? No

OIG Information

Referral Date 08/12/2019
 Field Office NEW YORK FIELD OFFICE
 Disposition
 Deferral Date
 Case Number
 Date Rpt Sent to OIG

Progress

Incident Date 08/10/2019
 Reported Date 08/12/2019
 Open Date 08/12/2019
 Last Event Pending Deferral by OIG
 Inv Rpt Status
 Inv Rpt Status Date

State Information

Current Owner [REDACTED]
 Matter Access Public
 Matter Status Open
 Close Date

Other Information

Disposition
Comments

Individual List

View Person Detail

Type	Additional Role	Name	ID	Empl/Inmt/Other
Complainant	Witness	[REDACTED]		Employee
OIG Staff		NEW YORK FIELD OFFICE		Other
Subject		MICHAEL THOMAS	06085	Employee
Subject		TOVA NOEL	06087	Employee
Victim	Other	JEFFREY EPSTEIN	06089	Inmate

Event List

Event Type	Due Date	Completion Date
Pending Deferral by OIG	10/11/2019	

Allegations

Allegation 1

Allegation Category 111 - Inmate - Other On-Duty Misconduct
 Allegation SubCategory 062A - Endangering the Safety of an Inmate

Status

Associated Person MICHAEL THOMAS
 Arrested? No
 Charged Offense
 Convicted? No
 Incarcerated? No

Other (Legal Action)

Allegation 2

Allegation Category 111 - Inmate - Other On-Duty Misconduct
Allegation SubCategory 062A - Endangering the Safety of an Inmate
Status

Associated Person TOVA NOEL

Arrested? No

Charged Offense

Convicted? No

Incarcerated? No

Other (Legal Action)

Allegation 3

Allegation Category 111 - Inmate - Other On-Duty Misconduct
Allegation SubCategory 054 - Inattention to Duty
Status

Associated Person MICHAEL THOMAS

Arrested? No

Charged Offense

Convicted? No

Incarcerated? No

Other (Legal Action)

Allegation 4

Allegation Category 111 - Inmate - Other On-Duty Misconduct
Allegation SubCategory 054 - Inattention to Duty
Status

Associated Person TOVA NOEL

Arrested? No

Charged Offense

Convicted? No

Incarcerated? No

Other (Legal Action)

Allegation 5

Allegation Category 111 - Inmate - Other On-Duty Misconduct
Allegation SubCategory 060 - Failure to Follow Policy
Status

Associated Person MICHAEL THOMAS

Arrested? No

Charged Offense

Convicted? No

Incarcerated? No

Other (Legal Action)

Allegation 6

Allegation Category 111 - Inmate - Other On-Duty Misconduct
 Allegation SubCategory 060 - Failure to Follow Policy
 Status
 Associated Person TOVA NOEL
 Arrested? No
 Charged Offense
 Convicted? No
 Incarcerated? No
 Other (Legal Action)

Narratives

Narrative 1

Type CASE SUMMARY
 Narrative
 Reportedly, on August 10, 2019, at approximately 6:33 a.m., inmate Jeffery Epstein, #76218-054, was found unresponsive in his assigned cell in the Special Housing Unit. Epstein was pronounced dead at 7:36 a.m., by an emergency room physician at the local hospital. In a memorandum dated August 10, 2019, Lieutenant [REDACTED] claims that while speaking to Correctional Officer Tova Noel she stated that she and Material Handler Michael Thomas did not conduct the 3:00 a.m., and 5:00 a.m., rounds. It is also alleged Thomas stated We messed up, and I messed up, shes not to blame we didnt do any rounds. Note: Additional staff memorandums have not yet been collected due to Noel and Thomas being authorized leave, claiming they were traumatized over event. Allegedly the staff also requested that the local Union President review any memorandums written.

Matter Documents

Document Type	Name	Description	Create Date	Created By	View
Predicating Information	2019-05234 PRED.pdf		08/12/2019	[REDACTED]	View