

FEDERAL BUREAU OF INVESTIGATION

Date of entry 11/17/2021

On 11/8/2021, [REDACTED], date of birth(DOB): [REDACTED]

[REDACTED], Email: [REDACTED] was interviewed at the United States Attorney's Office (USAO), 1 Saint Andrews Plaza, New York, NY 10007. Present for the interview was, Assistant United States Attorney (AUSA) for the Southern District of New York (SDNY) [REDACTED], AUSA [REDACTED], Federal Bureau of Investigation (FBI) Special Agent (SA) [REDACTED], Defense Attorney [REDACTED]. After being advised of the identities of the interviewers and the nature of the interview, AUSA [REDACTED] briefed [REDACTED] on the terms of the proffer agreement. [REDACTED] then provided the following information:

[REDACTED] attended [REDACTED] High School up to the 11th grade and then went on to receive his General Educational Development (GED) certificate from [REDACTED] GED prep in 2001. [REDACTED] grew up in the Bedstuy and Bushwick areas of Brooklyn. Previous jobs that [REDACTED] had held included working at Summit Security for 6 months, the New York Police Department (NYPD) Traffic Enforcement in 2002-2003 for 3 years and Sanitation Enforcement in 2005 for a few months. In 2006, [REDACTED] began working for the Bureau of Prisons (BOP) as a General Schedule 5 (GS-5) Corrections Officer (CO) at the Metropolitan Correctional Center (MCC). [REDACTED] worked at the MCC his entire career as a CO. [REDACTED] started working on the Disturbance Control Team (DCT) in 2007. Other members of the DCT included Officers, [REDACTED] operated as the Lead Instructor. Lieutenants ([REDACTED]) [REDACTED] have all lead the DCT teams at one point.

The responsibility of the DCT was to respond to and deal with disturbances, riots and hostage situations. [REDACTED] recalled one time when the DCT was activated when all of the inmates were switched between

Investigation on 11/08/2021 at New York, New York, United States (In Person)

File # [REDACTED] Date drafted 11/16/2021

by [REDACTED].

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units 5 South and 11 South. The DCT received tactical, munitions, less than lethal, crowd control and firearms training. Officers received training on and were required to qualify with the 9mm, AR-15, shotgun and sub-machine gun (SMG). The DCT also received annual update training on the code of conduct. [REDACTED] stated that Officers were able to carry firearms outside of the facility and [REDACTED] carried a Glock-19 that was his personally owned weapon. All facility weapons were kept in the armory at the MCC. The Law Enforcement Officer Safety Act (LEOSA) allowed [REDACTED] to carry his firearm outside of work.

The highest grade that [REDACTED] reached was GS-8, Senior Officer Specialist and his highest position was Acting [REDACTED]. [REDACTED] worked off and on as the acting [REDACTED] for about a year. As Acting [REDACTED], if [REDACTED] worked the night shift (4pm-12am), he would be 3rd in command of the entire facility. As a CO, [REDACTED] normal duties was as internal security. Internal Security runs the elevators in the facility. [REDACTED] worked as internal security for 8 years. On the schedule, [REDACTED] worked as internal security #2 for 2 years prior to 2020.

[REDACTED] recalled working in the Special Housing Unit (SHU) in 2006. [REDACTED] stated that he eventually stayed away from the SHU as much as possible due to there being too many regulations. [REDACTED] stated that all of the regulations made it easy to get into trouble. All officers that worked in the SHU received annual training on the regulations of the SHU. Topics such as maintaining key control and transporting inmates were some of the topics covered. Examples of key control would be ensuring that the grill key does not enter the tier. [Agent Note: The grill key pertains to the key that opens the main door of the tier. Grill relates to the vertical bars on the entrance resembling a cooking grill].

Inmates that were placed in the SHU on Disciplinary Segregation (DS) had limitations on the items that they could have but were able to keep items such as radios and hygiene items. Inmates were allowed to put in formal requests for items to be brought to them in the SHU. [REDACTED] stated that inmates in the SHU were allowed to give items to other inmates. [REDACTED] stated that an inspection of the items must happen before the item is passed between inmates. Items are inspected because contraband such as cigarettes, K2, pills, razors or anything can be found in the items. [REDACTED] stated that he had not witnessed any items get passed that had not been inspected

[REDACTED] first. [REDACTED] stated that he had not passed items that were not inspected first. [REDACTED] explained that an inspection consisted of ensuring that the items were not tampered with in any way. Another way of inspecting would be if the item being passed was a book, [REDACTED] would open it and shake the pages to ensure that nothing is in it. [REDACTED] explained that even inside of a book you could find drugs.

It is an unwritten rule that you can pass items from one inmate to another in the SHU. [REDACTED] stated that there are no regulations that state that you can or cannot pass items only that you cannot pass contraband. Any contraband that is found is taken to the bubble. A [REDACTED] is then called and the item is taken to the Special Investigative Section (SIS). As internal security, [REDACTED] would go and retrieve contraband and deliver it to the [REDACTED]. As Acting [REDACTED], [REDACTED] would go and get the contraband items himself. SIS has a drop box on the 3rd floor for contraband to be placed into. Internal's duty would include getting the inmate from their cell, pat searching them and transport them to the SHU.

In 2018, a female CO wanted an inmate to go to the SHU and [REDACTED] decided to not take the inmate to the SHU. [REDACTED] recalled some of the contraband he has seen which included cigarettes, weed, K2, shanks, and razors made into weapons. [REDACTED] recalled finding a lot of scalpels. [REDACTED] stated that he did not know where the scalpels were coming from but assumed they came from medical or visitors because the scalpels were thin enough not to set off the metal detectors.

[REDACTED] stated that he was off on the day of Jeffrey Epstein's death. [REDACTED] does not remember working overtime in the SHU after Epstein's death and does not have knowledge of any restrictions put in place in the SHU. The focus of the facility was on the SHU because of the spotlight after Epstein's death. [REDACTED] stated that he would help move inmates from the SHU but would not be posted there. [REDACTED] was not asked to work the SHU because everyone including the Captain and [REDACTED] knew [REDACTED] would not work in the SHU. Darden was the [REDACTED] at that time.

[REDACTED] stated that his whole family worked in corrections at different levels. [REDACTED] older sister, [REDACTED] works as a CO at the Metropolitan Detention Center (MDC) and his brother (non-biological), [REDACTED] worked at the MCC as a CO. [REDACTED] calls [REDACTED] his

brother because [REDACTED] was raised by [REDACTED] father.

[REDACTED] stated that him being placed on administrative leave was due to the Associate Warden's (AW) personal vendetta against [REDACTED]. The MCC DCT was activated last minute at the end of February 2020. Other DCT from other facilities were activated first. [REDACTED] [REDACTED] was told first that they were being activated but they did not know why. [REDACTED] had been working at the MCC all day due to working a double shift. The [REDACTED] said that the building needed to be locked down. [REDACTED] and the other officers were told that they could not go home. [REDACTED] stated that he argued with [REDACTED] about them not telling the Officers what was going while DCT were dealing with and fighting inmates while one of them could potentially have a gun. [REDACTED] stated that he found out about the gun through the media. DCT from Fort Dix, Canaan and Danbury were activated and briefed on the situation. [REDACTED] recalled sitting with [REDACTED] Doctor and other MCC staff in the Attorney conference room on the 3rd floor. [REDACTED] was at home at that time.

At 8pm, the MCC DCT was activated. [REDACTED] had found out everything through the media. [REDACTED] stated that he ran into [REDACTED] and confronted him. [REDACTED] said to [REDACTED] that he did not have to tell [REDACTED] anything. [REDACTED] told [REDACTED] that DCT was activated. [REDACTED] had been forced to come in. [REDACTED] stated "Im not doing shit". [REDACTED] stated that he eventually changed his mind because [REDACTED] was loyal to [REDACTED]. [REDACTED] stated that he kept his cellphone in a locker at the MCC and would communicate via radio or sallyport phones. [REDACTED] had come to [REDACTED] in-person to ask for help. MCC DCT were told to help with the shakedown on the units by [REDACTED]. The first unit that the MCC DCT went to was 5 South. [REDACTED] recalled himself, [REDACTED], [REDACTED], [REDACTED] and maybe [REDACTED] being present. They were instructed to shakedown the unit and look for contraband. 1 team would conduct the strip search and the other team would help strip the cells. [REDACTED] stated that he conducted the pat searches and did not search the cells.

[REDACTED] remembered an inmate named [REDACTED] on unit 7 North. [REDACTED] believed that [REDACTED] was taken to Receiving and Dispatch (R&D) and [REDACTED] was told to sit with [REDACTED] while the others retrieved a body scanner. [REDACTED] stated that the inmate asked [REDACTED] what was going on and [REDACTED] replied that he did not know. All of the MCC DCT was in

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R&D. The Special Investigative Agent (SIA) was there too. _____ believes that the SIA had called for the DCT team to come to R&D but they were not in R&D long. The inmate was taken to the SHU by the entire team and was left in a holding cell. From there, the DCT resumed shakedowns. _____ worked from 8am-7am the next morning. _____ was instructed to return at 4pm that same day. The same officers from before came back to do shakedowns. Every unit was searched except unit 7 North.

_____ recalled an Officer on 5 South calling _____ over from 5 North. _____ does not remember the officers name but the Officer needed help with an inmate. _____ stated that he told _____ that _____ would go over to 5 South to assist. _____ took all 5 people from the MCC DCT with him. _____ stated that he pulled the inmate out of his cell and spoke to him. _____ does not remember the inmates name but asked the inmate what his problem was. _____ had told the inmate to calm down. _____ was there along with the other DCT members during this exchange. _____ stated that the DCT had left their non-legal weapons on 5 North. _____ stated that he took the inmate to an area by the gym. After the exchange, _____ took the inmate back to the cell. The cell was searched and an item was found on the bunkmate. Both inmates were taken to the SHU. _____ thinks that the item that was found was a cellphone because that is what _____ was told by other officers. All 5 officers went to the SHU to put the inmates in a cell. _____ believed that both of the inmates were going to the SHU because of the circumstances at that time.

_____ stated that he was called to assist with the inmate because he is not an asshole to them. _____ talks to the inmates, build rapport with them and is treated with respect because of his time on. _____ stated that he is well known at the MCC. MCC staff and inmates at the facility called him _____ even before he was acting _____ because _____ was always looked at as an authority figure.

The SIA had went to _____ and told MCC DCT to escort the inmates to the SHU. _____ believes that they were put in cells. Afterwards, the DCT was told by _____ that they had be deactivated. _____ stated that the DCT was deactivated for no real reason. _____ stated that himself and the other MCC DCT members had went to _____ office and quit by throwing their t-shirts on the chair. _____ stated that once he

quit, the other members followed suit. [REDACTED] stated that after that, he had went home.

[REDACTED] stated that he received a phone call from [REDACTED] stating that as of March 1st 2020, [REDACTED] was placed on administrative leave. [REDACTED] assumed that he would only be on administrative leave for a couple weeks and that he would return to work. [REDACTED] had spoken to [REDACTED] about the incident and no one else had been put on administrative leave. A week later, [REDACTED] was also placed on administrative leave. [REDACTED] stated that he tried to call the United States Attorney's Office at 1 Saint Andrews Plaza. [REDACTED] stated that he spoke to a Marshal. Both [REDACTED] and [REDACTED] had considered coming to 1 Saint Andrew personally. [REDACTED] believes he was put on administrative leave as a form of retaliation for his argument with [REDACTED]. [REDACTED] believes that [REDACTED] was also put on administrative leave because they are close. [REDACTED] stated that he last saw [REDACTED] on Saturday (11/6/2021) in the Bronx and they spoke about [REDACTED] coming to speak to the government. [REDACTED] knew how to get in touch with the government because of [REDACTED] who also had gotten [REDACTED] in touch with an attorney. [REDACTED] had told [REDACTED] good luck. [REDACTED] stated that he also hangs out with officer [REDACTED] from the MCC.

[Interviewers asks [REDACTED] about past disciplinary actions] [REDACTED] provided the following:

[REDACTED] recalled a time four years on the job that he had gotten in trouble for opening the cell door of an inmate in the SHU. The infraction was caught on camera and [REDACTED] was suspended for 5 days. The rule for opening a door in the SHU is that the ratio must be 2-1 (2 COs for 1 inmate). The COs should outnumber the inmates. During this time, [REDACTED] was working in the SHU. Another incident was also in the SHU when [REDACTED] gave an inmate their property and [REDACTED] was reported by [REDACTED]. [REDACTED] stated that the property was books and food that were left over. [REDACTED] was cleared of any wrongdoing after the SIA investigated.

[Interviewers asks [REDACTED] about the whereabouts of his personal Glock-19] [REDACTED] provided the following:

The NYPD is in possession of the Glock 19. Following his shooting, [REDACTED] had given it to the NYPD to test it. [REDACTED] stated that he did not use the gun during the shooting. [REDACTED] stated that he is allowed to carry concealed. [REDACTED] stated that he went to Connecticut to qualify but has not qualified since being on administrative leave. [REDACTED] stated that even while suspended, he was allowed to have his BOP credentials.

[REDACTED] stated that he read about the recent arrests. [REDACTED] stated that he did not know [REDACTED] and only knew [REDACTED] through work. [REDACTED] and [REDACTED] worked different shifts. [REDACTED] mother had worked at the MCC during [REDACTED] whole career. [REDACTED] stated the [REDACTED] and [REDACTED] were rookies so he did not have much interaction with them. [REDACTED], (started as a CO around the same time as [REDACTED] and [REDACTED]) and [REDACTED] did not talk to each other over a female CO named [REDACTED]. [REDACTED] does not remember her first name but she is [REDACTED] girlfriend. [REDACTED] had dated [REDACTED] first when they were working as Shelter police with the NYC Department of Homeless Services (DHS). [REDACTED] knows of [REDACTED] because they had interacted a few times. [REDACTED] stated that most of those interactions occurred because [REDACTED] was fighting. [REDACTED] stated that he knew [REDACTED]. [REDACTED]'s nickname is Kongo and not Kingo. [REDACTED] knows Kongo because Kongo had been at the MCC for a while. [REDACTED] stated that he does not know [REDACTED]. Inmates that are higher-ups in gangs will run the unit. It could help make the COs jobs easier depending on if the inmate would listen. [REDACTED] is a member of 9 Trey gangs. Other leaders of units included Trinitario, MS-13 and Blood gang members. [REDACTED] recalled some of the young kids from the Bronx being affiliated with the Bloods.

[Interviewers show [REDACTED] video from 3/1/2020 J tier SHU] [REDACTED] provides the following:

[REDACTED] recognized the SHU and recognized himself and [REDACTED] as the individuals in the video.

Video 3:21 mark- [REDACTED] does not remember if he was working the SHU. [REDACTED] stated that he might be there to clean out the cell and put inmates in.

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[REDACTED] acknowledged passing an item in the SHU but it was not an item that the inmate was not allowed to have. [REDACTED] stated that he inspected the item by only looking at it. [REDACTED] stated that he might have been asked by an inmate to pass the item for them. [REDACTED] does not remember what the item was but it was something the inmate was allowed to have. [REDACTED] believes he would not have passed it unless the inmate was allowed to have it. [REDACTED] stated that it might have been soap or other toiletries. [REDACTED] stated that he did not report that he had passed the item from one cell to another. [REDACTED] believes that he would not do anything such as pass contraband because of the amount of people in the building and everyone watching.