

A0298  
N 17

### INCIDENT REPORT

J.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

#### Part I - Incident Report

1. Institution: MCC New York		Incident Report Number: 3282555	
2. Inmate's Name: Epstein, Jeffery	3. Register Number: 76318-054	4. Date of Incident: 07/23/2019	5. Time: 1:27am
6. Place of Incident: SHU M-Tier Cell 124	7. Assignment: Unassigned		8. Unit: ZA
9. Incident: Self-Mutilation		10. Prohibited Act Code (s): 228	

(b)(7)(A)

(b)(6)

12. Typed Name/Signature: (b)(6); (b)(7)(C)	Employee:	13. Date And Time: 07/23/2019 3:30am
14. Incident Report (Type Name/Signature):	By:	15. Date Incident Report Delivered:
		16. Time Incident Report Delivered:

#### Part II - Committee Action

17. Comments of Inmate to Committee Regarding Above Incident:

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18. A. It is the finding of the committee that you:

Committed the Prohibited Act as charged:  
 Did not Commit a Prohibited Act.  
 Committed Prohibited Act Code (s) \_\_\_\_\_

B.  The Committee is referring the Charge(s) to the DHO for further Hearing  
C.  The Committee advised the inmate of its finding and of the right to file an appeal within 20 calendar days.

19. Committee Decision is Based on Specific Evidence as Follows:

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20. Committee action and/or recommendation if referred to DHO (Contingent upon DHO finding inmate committed prohibited act):

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21. Date and Time of Action: \_\_\_\_\_ (The UDC Chairman's signature certifies who sat on the UDC and that the completed report accurately reflects the UDC proceedings).

Chairman (Typed Name/Signature): \_\_\_\_\_ Member (Typed Name): \_\_\_\_\_ Member (Typed Name): \_\_\_\_\_

INSTRUCTIONS: All items outside of heavy rule are for staff use only. Begin entries with the number 1 and work up. Entries not completed will be voided by staff.

**COPY**  
7/23/19  
(b)(6); (b)(7)(C)

Distribute: Original-Central File Record; COPY-1-DHO: COPY-2-Inmate after UDC Action; COPY 3-Inmate within 24 hours of Part I Preparation

Part III - Investigation

22. Date And Time Investigation Began

23. Inmate Advised Of Right To Remain Silent: You are advised of your right to remain silent at all stages of the discipline process. Your silence may be used to draw an adverse inference against you at any stage of the discipline process. Your silence alone may not be used to support a finding that you have committed a prohibited act.

The Inmate Was Advised Of The Above Right By \_\_\_\_\_ At (Date/time) \_\_\_\_\_

24. Inmate statement and attitude

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25. Other facts about the incident, statements of those persons present at scene, disposition of evidence, etc.

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26. Investigator's comments and conclusions

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27. Action taken

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date and Time Investigation Completed \_\_\_\_\_

Printed Name/Signature Of Investigator \_\_\_\_\_

Title \_\_\_\_\_

**COPY**  
27319  
b(6):  
b(7)(C)

**Bureau of Prisons  
Psychology Services  
Suicide Risk Assessment**

\*\*SENSITIVE BUT UNCLASSIFIED\*\*

Inmate Name:	EPSTEIN, JEFFREY EDWARD	Reg #:	76318-054
Date of Birth:	01/20/1953	Sex:	M
		Facility:	NYM
Date:	08/01/2019 13:29	Provider:	(b)(6); (b)(7)(C) PsyD
		Unit Team:	5

**Type of Housing:** SHU- Administrative Segregation  
**Cell Accommodation:** Double-Cell

**FINDINGS**

This assessment and the resulting recommendations are based on the following sources of information:  
Clinical Interview, Medical Record, Psychology Data System, Sentry

**Reason for Referral**

R & D staff reported to this writer this morning at about 8:30 AM on 8/01/19 that yesterday when Mr. Epstein was brought back from court the US Marshals asked him to sign a form that noted Mr. Epstein has "suicidal tendencies." Mr. Epstein was seen for a Suicide Risk Assessment at about 1:00 PM on 8/01/19 in Attorney Conference.

This note is being entered at about 4:20 PM on 8/01/19.

**Mental Health History**

According to a Suicide Risk Assessment dated 7/09/19 by (b)(6); (b)(7)(C), "Inmate Epstein denied any history of mental health treatment, either on an inpatient or outpatient basis. Inmate Epstein denied any treatment in the past or present with psychotropic medication. He also denied any acute mental health symptoms at this time."

**Self-Harm History**

According to a Suicide Risk Assessment dated 7/09/19 by (b)(6); (b)(7)(C) "Inmate Epstein denied any past or present suicidal ideation, intention or plan. He denied ever engaging in any suicide attempts or self-injurious behavior in the past."

(b)(7)(A)

**Current Problem**

R & D staff reported to this writer this morning at about 8:30 AM on 8/01/19 that yesterday when Mr. Epstein was brought back from court the US Marshals asked him to sign a form that noted Mr. Epstein has "suicidal tendencies." This is likely due to the incident on 7/23/19, but as a precaution another Suicide Risk Assessment was conducted.

Mr. Epstein seemed surprised that there was a form noting suicidal tendencies. He denied stating he was suicidal.

He said he saw the DHO today and he said his incident report for the marks on his neck was expunged. He stated even though he has his cpap machine now, he said his cellmate talks at night and he stated this keeps him up. This writer offered to talk to the SHU Lt. to have him housed with a different cellmate, but he stated he wants to give it 3 to 4 days to see if he wants a different cellmate. He complained about the noise in SHU.

**Current Mental Status**

Level of Consciousness: Alert and Oriented

Psychomotor Activity: Normal

General Appearance: Normal

Behavior: Cooperative

Mood: Appropriate to Content

Thought Process: Goal Directed

Thought Content: Normal

Current Mental Status: He exhibited a neutral mood with a mildly restricted range of affect. His speech was logical and

Inmate Name: EPSTEIN, JEFFREY EDWARD Reg #: 76318-054  
 Date of Birth: 01/20/1953 Sex: M Facility: NYM Unit Team: 5  
 Date: 08/01/2019 13:29 Provider: (b)(6); (b)(7)(C)

coherent, with no loosening of associations or tangential, circumstantial or irrelevant speech. Auditory and visual hallucinations were denied, and delusions were not elicited. He did not engage in any bizarre or inappropriate behavior. He denied current suicidal or self harm ideation and he agreed to immediately tell staff if he starts to have suicidal or self harm thoughts. He was future oriented. He does not appear to be an immediate danger to self. He denied thoughts of hurting others and he agreed to tell staff if he has these thoughts.

#### **RISK AND PROTECTIVE FACTORS ASSESSED:**

This writer screened the inmate for a variety of empirically validated factors commonly associated with risk for self-harm and suicide.

The following **STATIC** risk factors were assessed to be present and increase the inmate's risk for engaging in suicide related behaviors: High Profile Crime, Lack of family connections, Sex offender status

The following **DYNAMIC** risk factors were assessed to be present and increase the inmate's risk for engaging in suicide related behaviors: Current physical pain, Sleep problems

The following **PROTECTIVE** factors were assessed to be present and may decrease the inmate's risk of suicide: Able to identify reasons to live, Denial of suicidal ideation/intention/plans, Future orientation, Religious beliefs against suicide, Supportive family relationships, View of death as negative, Willingness to engage in treatment

Risk Factors (b)(7)(A)

(b)(7)(A)

(b)(7)(A)

He has a high profile sex offense case. He stated his lower back hurts and he stated Medical is aware of this. He stated he has difficulty sleeping even with his cpap machine because he stated his cellmate talks at night.

Protective Factors: He denied current suicidal or self harm thoughts and agreed to tell staff if he starts to have these thoughts. He had denied a history of self harm and suicide attempts. He had denied a family history of suicidal and self harm attempts. He had denied having any chronic medical conditions. He denied feeling hopeless. He had denied a history of childhood abuse. He denied fearing for his safety at this time. He denied feeling like a burden to anyone. He stated he lives for and plans to finish this case and to go back to his normal life. He said his friends and Lawyers are emotionally supportive. He said he is Jewish and he said in his religion suicide is against the religion.

Overall, his current protective factors override his risk factors for suicidality. He is currently psychologically stable. He denied feeling hopeless. He is reporting positive future plans and reasons to live for. He said he has social supports in the community and his Lawyers visit him often. He denied any current suicidal or self harm ideation, intention or plan. Suicide Watch is not indicated at this time.

#### **DIAGNOSIS:**

No Diagnosis, No Dx - Current

#### **CONCLUSIONS**

The Overall Acute Suicide Risk for this Inmate is: Low  
 Overall Chronic Suicide Risk for this Inmate is: Absent

#### **RECOMMENDATIONS**

1. Suicide Watch is not indicated at this time.
2. Supportive and educative interventions were provided.
3. He was educated about both routine and emergency procedures for contacting Psychology staff.
4. He will be seen in follow up by Psychology next week to monitor his mental status and to provide further intervention if needed.
5. In the meantime, he was encouraged to self-refer to Psychology if needed to which he agreed and seems capable of doing.
6. If he remains in SHU, he will be seen by Psychology in SHU Rounds and in SHU Reviews.

**Suicide Watch: A suicide watch is not warranted at this time**

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Inmate Name: EPSTEIN, JEFFREY EDWARD Reg #: 76318-054  
Date of Birth: 01/20/1953 Sex: M Facility: NYM Unit Team: 5  
Date: 08/01/2019 13:29 Provider: (b)(6); (b)(7)(C) PsyD

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Completed by (b)(6); (b)(7)(C) PsyD on 08/01/2019 16:21

# Bureau of Prisons Psychology Services Post Suicide Watch Report

Inmate Name:	EPSTEIN, JEFFREY EDWARD			Reg #:	76318-054
Date of Birth:	01/20/1953	Sex:	M	Facility:	NYM
Date:	07/24/2019 09:23	Provider:	(b)(6); (b)(7)(C)	Ph.D.	Unit Team: 5

<b>Watch Start Date:</b>	07/23/2019 01:40	<b>Watch Stop Date:</b>	07/24/2019 08:45
<b>Total Time on Watch:</b>	31 hrs 5 minutes		
<b>Watch Conducted By:</b>	Both inmates and staff	<b>Transferred to Medical Center:</b>	No

**Current Mental Status**

Level of Consciousness: Alert and Oriented  
 Psychomotor Activity: Normal  
 General Appearance: Normal  
 Behavior: Cooperative  
 Mood: Appropriate to Content  
 Thought Process: Goal Directed  
 Thought Content: Normal

Current Mental Status: Mr. EPSTEIN was alert and oriented. He was polite, calm, and cooperative in demeanor. He exhibited a neutral affect with appropriate range. Eye contact and hygiene were appropriate. The inmate spoke with normal rate, tone, and volume. His thoughts were organized and coherent, with no loosening of associations or tangential, circumstantial, or irrelevant content. There was no evidence of perceptual disturbance, delusional ideation, or a formal thought disorder. He did not engage in any bizarre or inappropriate behavior. He noted having normal sleeping and eating habits. Mr. EPSTEIN explicitly denied recent and current suicidal ideation, planning, and intent. He was future-oriented and expressed a commitment to life and safety, agreeing to contact staff immediately should he experience suicidal ideation or psychological distress. He also denied thoughts of harming others.

**Risk Factors Assessed:**

This writer screened the inmate for a variety of empirically validated factors commonly associated with risk for self harm.

The following **STATIC** risk factors were assessed to be present and increase the inmate's risk for engaging in suicide related behaviors: High Profile Crime, Lack of family connections, Sex offender status

The following **DYNAMIC** risk factors were assessed to be present and increase the inmate's risk for engaging in suicide related behaviors: Current physical pain, Fear for own safety

The following **PROTECTIVE** factors were assessed to be present and may decrease the inmate's risk of suicide: Able to identify reasons to live, Adequate problem solving skills, Denial of suicidal ideation/intention/plans, Future orientation, View of death as negative, Willingness to engage in treatment

Risk Factors: (b)(7)(A)

(b)(7)(A)

Protective Factors: Mr. EPSTEIN adamantly denied current suicidal ideation or intent or a history of suicide attempts. He stated, "I have no interest in killing myself." He explained, although his situation is "not perfect" due to his being incarcerated, he noted he has "lots to do for [his] legal case." He described having a "wonderful life," to include interactions with "interesting people and projects." He said "it would be crazy" to take his life. He furthered, "I would not do that to myself." He denied feelings of hopelessness, although did report being "depressed" and "unhappy" about his current legal situation. He previously denied a history of childhood abuse. He reported he is sleeping adequately now that he is no longer in the SHU. He appear future-oriented as he endorsed an interest in being housed in general population.

Weighing of Risk and Protective Factors: Mr. EPSTEIN adamantly denied suicidality. However, (b)(7)(A)

(b)(7)(A)

Inmate Name:	EPSTEIN, JEFFREY EDWARD	Sex:	M	Facility:	NYM	Reg #:	76318-054
Date of Birth:	01/20/1953	Provider:	(b)(6); (b)(7)(C)	Unit Team:	5		
Date:	07/24/2019 09:23						

(b)(7)(A) and the high profile nature of his alleged offense, Mr. EPSTEIN will be stepped down from Suicide Watch to Psychological Observation.

### **Changes in Risk Factors Assessed**

Upon a review of the log book, it was indicated Mr. EPSTEIN has been speaking to the inmate companions about having previously taught mathematics and physics. He has been observed pacing the cell as well as sleeping, eating, and drinking within normal limits.

Upon interview today, Mr. EPSTEIN requested he be provided a toothbrush as well as a shower. His requests were made known to the lieutenants and he was provided a shower prior to attending his legal visit. This writer also provided him a toothbrush, toothpaste, and hygiene products.

(b)(7)(A)

(b)(7)(A)

### **Reason for Removal from Watch**

Mr. EPSTEIN stated, "I have no interest in killing myself." He explained although his situation is "not perfect" due to his being incarcerated, he noted he has "lots to do for [his] legal case." He described having a "wonderful life," to include interactions with "interesting people and projects." He said "it would be crazy" to take his life. He furthered, "I would not do that to myself." Mr. EPSTEIN did express a feeling of safety being housed on Psychological Observation rather than in the SHU. He asked if he could remain on this status for a couple of days, he was advised his housing situation will be re-evaluated on a day-to-day basis. He expressed a desire to be housed in general population rather than in the SHU and asked if there were a "safer" unit for him to be housed in comparison to the one where he was initially placed. Mr. EPSTEIN claimed there were many MS-13 gang members on the initial unit. He was advised he will be maintained on Psychological Observation in the near future, but his long-term housing situation will be revisited, as it is not ideal for one to remain in isolation on Psychological Observation for extended periods of time. Mr. EPSTEIN acknowledged this information and thanked this writer for her explanation and time.

### **Diagnosis:**

No Diagnosis, No Dx - Current

### **Conclusions**

The Overall Acute Suicide Risk for this Inmate is: Low  
 Overall Chronic Suicide Risk for this Inmate is: Absent

### **Recommendations**

1. Mr. EPSTEIN will be removed from Suicide Watch and stepped down to Psychological Observation.
2. While on Psychological Observation, he will be continuously observed by Inmate Companions.
3. While on Psychological Observation, he will be seen daily by Psychology.
4. Supportive and educative interventions were provided.
5. Mr. EPSTEIN was provided novels and a request was made for his legal paperwork to be provided to him on Psychological

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Inmate Name:	EPSTEIN, JEFFREY EDWARD	Sex:	M	Facility:	NYM	Reg #:	76318-054
Date of Birth:	01/20/1953	Provider:	(b)(6); (b)(7)(C)	Unit Team:	5		
Date:	07/24/2019 09:23						

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Observation.

- 6. This writer contacted the Pharmacy to indicate Mr. EPSTEIN has not been receiving his medication used to alleviate his constipation.
- 7. Mr. EPSTEIN attended a legal visit today, after having been provided a shower.
- 8. Mr. EPSTEIN was educated about both routine and emergency procedures for contacting psychology.
- 9. The inmate was encouraged to reach out for PRN services should he experience any psychological distress.

Completed by (b)(6); (b)(7)(C) Ph.D. on 07/24/2019 12:09

**Bureau of Prisons  
Psychology Services  
Intake Screening**

\*\*SENSITIVE BUT UNCLASSIFIED\*\*

Inmate Name:	EPSTEIN, JEFFREY EDWARD	Reg #:	76318-054
Date of Birth:	01/20/1953	Sex:	M
Date:	07/08/2019 09:24	Facility:	NYM
		Provider:	(b)(6); (b)(7)(C) PsyD/PhD
			Unit Team: A&O

**Limits of Confidentiality**

Limits of confidentiality were reviewed with inmate EPSTEIN. He expressed an understanding of the limits of confidentiality and consented to be interviewed accordingly.

**Data Source(s)**

The following data sources were reviewed in conjunction with this Initial Intake Evaluation: Self-Report, SENTRY, Staff Observation.

Inmate Epstein is a 66-year-old, Black male who was seen by Psychology Services due to newly arriving at MCC-NY. He denied a history of mental health treatment on his Psychology Services Intake Questionnaire.

**Mental Health History and Current Symptoms**

- No history of mental health issues was noted.
- No history of prior mental health treatment was noted.
- No current mental health symptoms were noted.
- No suicidal ideation, attempts, or self-harm were noted.

**Substance Abuse**

- No history of substance abuse was noted.
- No history of substance abuse treatment was noted.

**Sex Offenses**

- No sexual offense convictions were noted.
- No history of sexual predation in a correctional setting was noted.

**Relevant Psychosocial History**

Noteworthy psychosocial issues: Other.

Inmate Epstein is currently incarcerated for a Sex Trafficking. He stated he was previously incarcerated three months for prostitution. Inmate Epstein stated he is single and does not have any children. He revealed he was living in New York. He stated he completed high school. He stated he was employed in banking work prior to his incarceration.

**Adjustment to Incarceration**

Adjustment to incarceration concerns were identified: Other.

**SEXUAL ABUSE HISTORY**

Inmate Epstein denied being the victim of physical or sexual abuse. He is currently charged with sex trafficking and has previously been charged with prostitution. He was informed of the programs offered by MCC-NY as well as the Bureau of Prisons. Additionally, he was informed of this institutions self-help program. Inmate Epstein reported he was not currently interested in any treatment programs.

**MENTAL STATUS:**

Inmate Epstein appeared calm, controlled, without signs of psychomotor agitation or retardation. He was fully cooperative, maintained good eye-contact, and related in an interpersonally appropriate manner with interviewer. Speech and thought processes were organized, coherent, logical, and goal-directed.

Based on informal assessment during this interview, this inmate's cognitive functioning appeared within normal limits, as reflected by adequate long and short-term memory, good attention, and appropriate concentration during interview, as well as adequate receptive and expressive language skills. Inmate denied any current sleep disturbances and described his appetite as adequate.

This inmate denied recent or present morbid thoughts, passive or active suicidal ideation, intent or plan and contracted for safety. This inmate's verbalizations were optimistic, future oriented, and without indications of helpless or hopeless thinking. Inmate Brown denied any familial history of suicide behaviors or attempts.

This inmate was provided with supportive psychotherapy, and psycho-education to strengthen coping skills and facilitate adjustment to incarceration.

**Findings**

Care Level: CARE1-MH

Generated 07/08/2019 09:30 by (b)(6); (b)(7)(C) PsyD/PhD

Bureau of Prisons - NYM

Page 1 of 2

Inmate Name:	EPSTEIN, JEFFREY EDWARD	Reg #:	76318-054				
Date of Birth:	01/20/1953	Sex:	M	Facility:	NYM	Unit Team:	A&O
Date:	07/08/2019 09:24	Provider:	(b)(6); (b)(7)(C)		PsyD/PhD		

Inmate EPSTEIN denied any history of mental health symptoms or treatment. He denied any current mental health symptoms. He does not meet criteria for any current psychological diagnosis. He meets criteria for Mental Health Care Code 1.

CARE1-MH is indicative of an inmate who shows no significant level of functional impairment associated with a mental illness and demonstrates no need for regular mental health intervention.

### Recommendations

The following psychological services are recommended: Other.

Inmate EPSTEIN was educated about both routine and emergency procedures for contacting Psychology staff. He does not appear to be in distress at this time. He agreed to contact psychology if he feels he needs psychology services in the future. He meets criteria for CC1 and does not require scheduled follow up at this time.

Completed by (b)(6); (b)(7)(C) PsyD/PhD on 07/08/2019 09:30

# Form 583 Report of Incident

Incident #: NYM-19-0076

Submitted By: Skipper-Sott, S.

Date/Time Of Incident: 7/23/2019 1:27 AM

## Section 1: General Information

Staff Aware Date: 7/23/2019 1:27 AM

FBI Notified: No USMS Notified: No Indicate Where Incident Occurred: Main Facility

Location Level 1: SHU

Level 2: Housing Unit, Special (SHU)

Level 3: 9 SOUTH SHU

### Type Of Incident

- Assault On Inmate
- Assault On Staff
- Assault, Attempted On Inmate
- Assault, Attempted On Staff
- Disruptive Behavior
- Escape From Non-secure Facility
- Escape From Secure Facility
- Escape, Attempted From Non-secure Facility
- Escape, Attempted From Secure Facility
- Fight
- Inmate Death
- Institution Disturbance
- Introduction Of Contraband
- Lethal Weapons Discharge
- Self Mutilation Method: Laceration
- Setting A Fire
- Sexual Act, Non-consensual On Inmate
- Sexual Assault On Staff
- Sexual Contact, Abusive On Inmate
- Sexual Harassment, Repetitive
- Staff Homicide
- Strike, Food
- Strike, Work
- Suicide Attempt Method: Hanging/Asphyxiation
- Use Of Force
- Use Of Force/Applications Of Restraints
- Use of Restraints, Pregnant/Postpartum

Institution Locked Down: No

Modified Operations: No

Cause Of Incident Known? No

### Cause Of Incident

- Alcohol
- Commissary
- Debts
- Disrespect Issue
- Drugs
- Ethnic Conflict
- Food Issue
- Geographical Conflict
- Interfering with Staff duties
- Property Issue
- Racial Conflict
- Recreation Equipment
- Religious Issue
- Security Threat Group Conflict
- Sexual Pressure
- Sporting Events
- Telephone
- Theft
- Visiting
- Work Issue

(b)(7)(A)

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# Form 583 Report of Incident

Incident #: NYM-19-0076

Submitted By: Skipper-Sott, S.

Date/Time Of Incident: 7/23/2019 1:27 AM

(b)(7)(A)

## Section 3: Others Involved

Name: (b)(6); (b)(7)(C)	Person Type: Staff
Medical Attention Required: No	Death: No
Injury Category: No Injury	Staff Injury by Inmate: No
Sexual Assault: No	

Name: (b)(6); (b)(7)(C)	Person Type: Staff
Medical Attention Required: No	Death: No
Injury Category: No Injury	Staff Injury by Inmate: No
Sexual Assault: No	

Name: (b)(6); (b)(7)(C)	Person Type: Staff
Medical Attention Required: No	Death: No
Injury Category: No Injury	Staff Injury by Inmate: No
Sexual Assault: No	

Name: (b)(6); (b)(7)(C)	Person Type: Staff
Medical Attention Required: No	Death: No
Injury Category: No Injury	Staff Injury by Inmate: No
Sexual Assault: No	

Name: (b)(6); (b)(7)(C)	Person Type: Staff
Medical Attention Required: No	Death: No
Injury Category: No Injury	Staff Injury by Inmate: No
Sexual Assault: No	

Name: (b)(6); (b)(7)(C)	Person Type: Staff
Medical Attention Required: No	Death: No

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# Form 583 Report of Incident

Incident #: NYM-19-0076

Submitted By: Skipper-Sott, S.

Date/Time Of Incident: 7/23/2019 1:27 AM

Injury Category: No Injury  
Sexual Assault: No

Staff Injury by Inmate: No

## Section 4: Lethal Weapon Discharge

No data found.

## Section 5: Use of Force

No data found.

## Section 6: Description of Incident

DESCRIPTION OF INCIDENT (If Use Of Force, include details such as name of supervisor applying the chemical agent and/or restraints, reasons for use of hard restraints instead of soft restraints, etc.) Please be clear about cause(s) of the incident in your description.

(b)(7)(A)

## Section 7: Attachments

File Date	File Name	Original Entered By	Original Loc. Code
7/24/2019	STAFF ROSTER.pdf	(b)(6); (b)(7)(C)	NYM
7/24/2019	SOS (b)(6); (b)(7)(C) STAFF MEMO.pdf	(b)(6); (b)(7)(C)	NYM
7/24/2019	SOS (b)(6); (b)(7)(C) STAFF MEMO.pdf	(b)(6); (b)(7)(C)	NYM
7/24/2019	SO (b)(6); (b)(7)(C) STAFF MEMO.pdf	(b)(6); (b)(7)(C)	NYM
7/24/2019	SC (b)(6); (b)(7)(C) STAFF MEMO.pdf	(b)(6); (b)(7)(C)	NYM
7/24/2019	OPS LT MEMO.pdf		NYM
7/24/2019	MEDICAL ASSESSMENT.pdf		NYM
7/24/2019	MATERIAL HANDLER (b)(6); (b)(7)(C) STAFF MEMO.pdf	(b)(6); (b)(7)(C)	NYM
7/24/2019	(b)(6); (b)(7)(A); (b)(7)(C)		NYM
7/24/2019	INMATE EPSTEIN PHOTOS.pdf		NYM
7/24/2019	INMATE EPSTEIN IR.pdf		NYM
7/24/2019	ADO.pdf		NYM

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# Form 583 Report of Incident

Incident #: NYM-19-0076

Submitted By: Skipper-Sott, S.

Date/Time Of Incident: 7/23/2019 1:27 AM

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Approved By: SUBMITTED

\_\_\_\_\_  
Skipper-Sott, S.

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# UNITED STATES GOVERNMENT MEMORANDUM

Metropolitan Correctional Center, New York, New York

**DATE:** 7/30/19

**TO:** DHO

**FROM:**

(b)(6); (b)(7)(C)

**SUBJECT:** DHO Checklist/ EPSTEIN, JEFFREY EDWARD Reg. No.: 76318-054

The UDC refers this case to the DHO, all of the following is attached:

- \_\_\_\_\_ PP44 - To determine if the inmate is GED "Sat or Unsat"
- \_\_\_\_\_ PSDC - To determine the number and types of comps.
- \_\_\_\_\_ PSDG- To determine the amount of available GCT for each Comp.
- \_\_\_\_\_ PSSD- To determine the amount of SGT (if old law)
- \_\_\_\_\_ PD15 - To determine frequency/ repetitive misconduct.
- \_\_\_\_\_ PD16 - To determine if any suspended sanctions available to execute.
- \_\_\_\_\_ BP 293
- \_\_\_\_\_ BP 294
- \_\_\_\_\_ Translator needed:
- \_\_\_\_\_ No
- \_\_\_\_\_ Yes, Language \_\_\_\_\_

NYMBN \* INMATE DISCIPLINE \* 07-30-2019  
 PAGE 001 OF 001 \* UPDATE CHARGES \* 12:58:08

REGISTER NUMBER...: 76318-054 NAME.....: EPSTEIN  
 REPORT NUMBER.....: 3282555 FUNCTION.....: REP  
 INCIDENT DATE/TIME: 07-23-2019 0127 INCIDENT FACL.: NYM  
 REPORT DATE/TIME...: 07-30-2019 1240 INVESTIGATOR...: b(6);(b)(7)(C)  
 STATUS.....: PEND UDC STATUS UPDT BY:  
 STATUS DATE/TIME...: 07-30-2019 1256 STATUS FACL....: NYM  
 REPORT REMARKS.... ( I/R UNSUSPENDED TO GO FOWARD WITH UDC PROCESS. )  
 ( )

CHARGE: 228 TATTOOING OR SELF-MUTILATION  
 CHARGE:   
 CHARGE:   
 CHARGE:   
 CHARGE:   
 CHARGE:   
 CHARGE:   
 CHARGE:   
 CHARGE:

G0005 TRANSACTION SUCCESSFULLY COMPLETED - CONTINUE PROCESSING IF DESIRED

NYMA7 \* INMATE DISCIPLINE \* 07-23-2019  
 PAGE 001 OF 001 \* UPDATE CHARGES \* 22:14:24

REGISTER NUMBER...: 76318-054 NAME.....: EPSTEIN  
 REPORT NUMBER.....: 3282555 FUNCTION.....: REP  
 INCIDENT DATE/TIME: 07-23-2019 0127 INCIDENT FACL.: NYM  
 REPORT DATE/TIME...: 07-23-2019 0330 INVESTIGATOR...: UNKNOWN  
 STATUS.....: SUSPENDED STATUS UPDT BY: (b)(6); (b)(7)(C)  
 STATUS DATE/TIME...: 07-23-2019 2213 STATUS FACL....: NYM  
 REPORT REMARKS.... ( I/R SUSPENDED PEND MENTAL HEALTH EVAL. )  
 ( )

CHARGE: 228 TATTOOING OR SELF-MUTILATION  
 CHARGE:   
 CHARGE:   
 CHARGE:   
 CHARGE:   
 CHARGE:   
 CHARGE:   
 CHARGE:   
 CHARGE:

G0005 TRANSACTION SUCCESSFULLY COMPLETED - CONTINUE PROCESSING IF DESIRED

Institution:

As an inmate charged with a violation of Bureau of Prisons rules or regulations referred to the Discipline Hearing Officer (DHO) for disposition, you have the following rights:

1. The right to have a written copy of the charge(s) against you at least 24 hours prior to appearing before the Discipline Hearing Officer;
2. The right to have a full-time member of the staff who is reasonably available to represent you before the Discipline Hearing Officer;
3. The right to call witnesses (or present written statements of unavailable witnesses) and to present documentary evidence in your behalf, provided institutional safety would not be jeopardized;
4. The right to present a statement or to remain silent. Your silence may be used to draw an adverse inference against you. However, your silence alone may not be used to support a finding that you committed a prohibited act;
5. The right to be present throughout the discipline hearing except during a period of deliberation or when institutional safety would be jeopardized. If you elect not to appear before the DHO, you may still have witnesses and a staff representative appear on your behalf;
6. The right to be advised of the DHO's decision, the facts supporting that decision, except where institutional safety would be jeopardized, and the DHO's disposition in writing; and,
7. The right to appeal the decision of the DHO by means of the Administrative Remedy Procedure to the Regional Director within 20 calendar days of notice of the DHO's decision and disposition.

I hereby acknowledge that I have been advised of the above rights afforded me at a hearing before the Discipline Hearing Officer. I have further been advised that if I have previously received either a presumptive or effective parole date from the Parole Commission, a finding by the DHO that I committed the prohibited act(s) may result in a rescission or retardation by the Parole Commission of the presumptive or effective parole date.

Inmate's Name: EPSTEIN, JEFFREY EDWARD Reg. No.: 76318-054

Inmate Signature: x [Signature] Date: 7/30/19

Notice of rights given to inmate (Date/time): 7/30/19 5:17pm

by: [Redacted Signature]

BP-A294.052  
MAY 1994

**NOTICE OF DISCIPLINE HEARING BEFORE THE (DHO)**

**U.S. DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF PRISONS**

MCC NY  
Institution

DATE: 07/30/2019

TO: EPSTEIN, JEFFREY EDWARD Reg. No.: 76318-054

ALLEGED VIOLATION(S): Tattooing or Self-Mutilation

DATE OF OFFENSE: 07/23/2019 Code No.: 228

You are being referred to the DHO for the above charge(s).

The hearing will be held on: TBA, at \_\_\_\_\_ (A.M./P.M.) at the following location:

You are entitled to have a full-time staff member represent you at the hearing. Please indicate below whether you desire to have a staff representative, and if so, his or her name.

I (do)  (do not)  wish to have a staff representative.

If so, the staff representative's name is: \_\_\_\_\_

You will also have the right to call witnesses at the hearing and to present documentary evidence in your behalf; provided, calling your witnesses will not jeopardize institutional safety. Names of witnesses you wish to call should be listed below. Briefly state to what each proposed witness would be able to testify.

I (do)  (do not)  wish to have witnesses.

NAME: \_\_\_\_\_, Can Testify to: \_\_\_\_\_

NAME: \_\_\_\_\_, Can Testify to: \_\_\_\_\_

NAME: \_\_\_\_\_, Can Testify to: \_\_\_\_\_

The Discipline Hearing Officer will call those witnesses (Staff or Inmate) who are reasonable available, and who are determined by the DHO to have information relevant to the charge(s). Repetitive witnesses and repetitive character references need not be called. Unavailable witnesses may be asked to submit written statements.

If additional space is needed, use the reverse side of this form. Date, sign, and return this form to the DHO.

DATE: 7/30/19 SIGNATURE: X

Notice of hearing before DHO given inmate 7/30/19 5:17 PM by \_\_\_\_\_  
Date/Time

(b)(6); (b)(7)(C)

**Bureau of Prisons  
Psychology Services  
Institution Disciplinary Process Report**

\*\*SENSITIVE BUT UNCLASSIFIED\*\*

Inmate Name:	EPSTEIN, JEFFREY EDWARD	Reg #:	76318-054
Date of Birth:	01/20/1953	Sex:	M
Date:	07/30/2019 12:01	Facility:	NYM
	Provider:		PsyD

**Reason for Referral and Identifying Information**

Inmate Epstein was referred by Unit Manager [REDACTED] for an evaluation of competency to proceed with the disciplinary process for actions resulting in an incident report. On 7/23/19, inmate Epstein was charged with code 228 (Tattooing or Self-Mutilation). These infractions were assigned incident report number 3282555.

**Background Information**

According to a Suicide Risk Assessment dated 7/09/19 by [REDACTED] "Inmate Epstein denied any history of mental health treatment, either on an inpatient or outpatient basis. Inmate Epstein denied any treatment in the past or present with psychotropic medication. He also denied any acute mental health symptoms at this time."

According to a Suicide Risk Assessment dated 7/09/19 by [REDACTED] "Inmate Epstein denied any past or present suicidal ideation, intention or plan. He denied ever engaging in any suicide attempts or self-injurious behavior in the past."

[REDACTED]

**Clinical Interview and Mental Status Exam**

[REDACTED]

Current Mental Status: He exhibited a neutral mood with a full range of affect. His speech was logical and coherent, with no loosening of associations or tangential, circumstantial or irrelevant speech. Auditory and visual hallucinations were denied, and delusions were not elicited. He did not engage in any bizarre or inappropriate behavior. There was no indication of disturbed thought process or content. Intellectual ability appeared to be above average. Personal hygiene was adequate. He denied current suicidal or self harm ideation and he agreed to immediately tell staff if he starts to have suicidal or self harm thoughts. He was future oriented. He does not appear to be an immediate danger to self. He denied thoughts of hurting others and he agreed to tell staff if he has these thoughts.

**Clinical Impression**

According to his last Diagnostic and Care Level Formulation Note dated 7/09/19 by [REDACTED] "No Diagnosis, No Dx - Current."

**Findings**

The determination of whether an inmate is competent to proceed with the disciplinary process is based on a clinical assessment of the inmate's (1) ability to understand the nature of the proceedings, and (2) their ability to assist in their own defense. Depending on the outcome of the assessment, one of three findings can be made: (1) the inmate is COMPETENT to proceed with the disciplinary process; (2) the inmate is NOT PRESENTLY COMPETENT but could be restored to competence with treatment; or (3) the inmate is NOT COMPETENT and is unlikely to become competent.

**Recommendations Regarding Sanctions**

In the case of inmate Epstein, after a review of available psychological and psychiatric records as well as information pertaining to the offense conduct, it is determined that this inmate is:

- (X) COMPETENT to proceed with the disciplinary process.
- ( ) NOT PRESENTLY COMPETENT, but could become competent with treatment; it is recommended that the inmate for an updated competency assessment in 30 days.
- ( ) NOT COMPETENT and not likely to become competent.

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Inmate Name:	EPSTEIN, JEFFREY EDWARD	Sex:	M	Facility:	NYM	Reg #:	76318-054
Date of Birth:	01/20/1953	Provider:	(b)(6); (b)(7)(C)			Unit Team:	5
Date:	07/30/2019 12:01						

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Completed by (b)(6); (b)(7)(C) PsyD on 07/30/2019 12:33

BP-A0288  
JAN-17

### INCIDENT REPORT

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

#### Part I - Incident Report

1. Institution: MCC New York		Incident Report Number:	
2. Inmate's Name: Epstein, Jeffery	3. Register Number: 76318-054	4. Date of Incident: 07/23/2019	5. Time: 1:27am
6. Place of Incident: SHU M-Tier Cell 124	7. Assignment: Unassigned	8. Unit: ZA	
9. Incident: Self-Mutilation		10. Prohibited Act Code (s): 228	
11. Description of Incident (Date: 07/23/2019 Time: 1:27AM Staff became aware of incident):			

(b)(7)(A) [Redacted]

(b)(6); (b)(7)(C) [Redacted]

(b)(6); (b)(7)(C) [Redacted]

12. Typed Name: (b)(6); (b)(7)(C)	Reporting Employee:	13. Date And Time: 07/23/2019 3:30am
14. Incident Report (Type Name/Signature): (b)(6); (b)(7)(C)	15. Date Incident Report Delivered: 7-30-19	16. Time Incident Report Delivered: 12:40pm

#### Part II - Committee Action

17. Comments of Inmate to Committee Regarding Above Incident:

Jim was read his rights and stated, (b)(7)(A) [Redacted]

(b)(7)(A) [Redacted]

18. A. It is the finding of the committee that you:

Committed the Prohibited Act as charged:  
 Did not Commit a Prohibited Act.  
 Committed Prohibited Act Code (s). \_\_\_\_\_

B.  The Committee is referring the Charge(s) to the DHO for further Hearing.  
 C.  The Committee advised the inmate of its finding and of the right to file an appeal within 20 calendar days.

19. Committee Decision is Based on Specific Evidence as Follows:

UDC refers I/12 to the Otto based on the severity of the offense.

20. Committee action and/or recommendation if referred to DHO (Contingent upon DHO finding inmate committed prohibited act):

It found to have committed prohibited act of code 228, UDC recommends 1/5 time, loss of GCT and privileges.

21. Date and Time of Action: 7/30/19 5:11 (The UDC Chairman's signature certifies who sat on the UDC and that the completed report accurately reflects the UDC proceedings)

(b)(6); (b)(7)(C) [Redacted]

Member (Typed Name): \_\_\_\_\_ Member (Typed Name): \_\_\_\_\_

INSTRUCTIONS: All items outside of heavy rule are for staff use only. Begin entries with the number 1 and work up. Entries not completed will be voided by staff.

Distribute: Original-Central File Record; COPY-1-DHO; COPY-2-Inmate after UDC Action; COPY 3-Inmate within 24 hours of Part I Preparation

Part III - Investigation	22. Date And Time Investigation Began 7/30/2019 12:40PM

23. Inmate Advised Of Right To Remain Silent: You Are Advised Of Your Right To Remain Silent At All Stages Of The Disciplinary Process But Are Informed That Your Silence May Be Used To Draw An Adverse Inference Against You At Any Stage Of The Institutional Disciplinary Process. You Are Also Informed That Your Silence Alone May Not Be Used To Support A Finding That You Have Committed A Prohibited Act.

The Inmate Was Advised Of The Above Right By (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) enant (Date/time) 7/30/2019 12:40PM

24. Inmate Statement And Attitude: Inmate Epstein, Jeffery #76318-054 was advised of his rights and understood his rights as read. Inmate Epstein stated "I no comment at this time". Inmate Epstein had a poor attitude. Inmate Epstein was furnished a copy of this report.

25. Other Facts About The Incident, Statements Of Those Persons Present At Scene, Disposition Of Evidence, Etc. No witnesses requested. Please see attached staff memorandum, photograph and medical assessment. This incident report was served late due to inmate on suicide watch.

26. Investigator's Comments And Conclusions: Based on the writer's description of the incident in block #11, of the incident report, This investigator concludes the report to be accurate as written and the charge warranted.

27. Action Taken: Inmate Epstein is in his special housing unit status, this report referred to UDC for further disposition.

Date and Time Investigation Completed 7/30/2019 12:45PM  
 Printed Name/signature Of Investigator (b)(6); (b)(7)(C)  
 Signature (b)(6); (b)(7)(C) Title Lieutenant

BP-A0288  
JAN-17

### INCIDENT REPORT

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

#### Part I - Incident Report

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2. Inmate's Name: Epstein, Jeffery	3. Register Number: 76318-054	4. Date of Incident: 07/23/2019	5. Time: 1:27am
6. Place of Incident: SHU M-Tier Cell 124	7. Assignment: Unassigned		8. Unit: ZA
9. Incident: Self-Mutilation		10. Prohibited Act Code (s): 228	

(b)(7)(A)

12. Typed Name (b)(6); (b)(7)(C)	12. Reporting Employee:	13. Date And Time: 07/23/2019 3:30am
14. Incident Report Delivered to Above Inmate/By (Type Name/Signature): (b)(6); (b)(7)(C)		16. Time Incident Report Delivered: 12:40pm

#### Part II - Committee Action

17. Comments of Inmate to Committee Regarding Above Incident:

Tim was read his rights and stated (b)(7)(A)

(b)(7)(A)

18. A. It is the finding of the committee that you:

Committed the Prohibited Act as charged:  
 Did not Commit a Prohibited Act.  
 Committed Prohibited Act Code (s). \_\_\_\_\_

B.  The Committee is referring the Charge(s) to the DHO for further Hearing.  
 C.  The Committee advised the inmate of its finding and of the right to file an appeal within 20 calendar days.

19. Committee Decision is Based on Specific Evidence as Follows:

UDC refers I/12 to the DHO based on the severity of the offense.

20. Committee action and/or recommendation if referred to DHO (Contingent upon DHO finding inmate committed prohibited act):

It found to have committed prohibited act of code 228, UDC recommends 1/5 time, loss of GCT and privileges.

21. Date and Time of Action: 7/30/18 5:17 (The UDC Chairman's signature certifies who sat on the UDC and that the completed report is true and correct.)

(b)(6); (b)(7)(C)

Chairman (Typed Name/Signature): \_\_\_\_\_ Member (Typed Name): \_\_\_\_\_ Member (Typed Name): \_\_\_\_\_

INSTRUCTIONS: All items outside of heavy rule are for staff use only. Begin entries with the number 1 and work up. Entries not completed will be voided by staff.

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27. Action Taken: Inmate Epstein is in his special housing unit status, this report referred to UDC for further disposition.

Date and Time Investigation Completed 7/30/2019 12:45PM

Printed Name/signature Of Investigator (b)(6); (b)(7)(C)

Signature (b)(6); (b)(7)(C)

Title Lieutenant