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COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,  
U.S. HOUSE OF REPRESENTATIVES,  
WASHINGTON, D.C.

DEPOSITION OF: WILLIAM P. BARR

Monday, August 18, 2025

Washington, D.C.

The interview in the above matter was held in room 2335, Rayburn House Office Building,  
commencing at 10:03 a.m.

Present: Representatives Comer, Subramanyam, and Crockett.

1     Appearances:

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4  
5     For the COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM:

6  
7     [REDACTED], DEPUTY DIRECTOR OF INFORMATION TECHNOLOGY

8     [REDACTED], GENERAL COUNSEL

9     [REDACTED], COUNSEL, OVERSIGHT

10    [REDACTED], SENIOR ADVISOR

11    [REDACTED], RESEARCH ASSISTANT

12    [REDACTED], DIGITAL DIRECTOR

13    [REDACTED], PROFESSIONAL STAFF MEMBER

14    [REDACTED], MINORITY STAFF DIRECTOR

15    [REDACTED], MINORITY FELLOW

16    [REDACTED], MINORITY COUNSEL

17    [REDACTED], MINORITY SENIOR COUNSEL

18    [REDACTED], MINORITY COUNSEL

19    [REDACTED], MINORITY FELLOW

20    [REDACTED], MINORITY DEPUTY CHIEF OVERSIGHT COUNSEL

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22

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1 For THE WITNESS:

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3 ED O'CALLAGHAN

4 Cahill Gordon & Reindel LLC

5 900 16th Street NW #500

6 Washington, D.C. 20006

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1 [REDACTED] We can go on the record.

2 This is a deposition of Mr. William Barr conducted by the House Committee on Oversight and  
3 Government Reform under the authority granted to it pursuant to House rule X. Accordingly,  
4 House rule X grants the Committee broad jurisdiction for the Committee to conduct investigations of  
5 any matter at any time.

6 On July 23, 2025, the Subcommittee on Federal Law Enforcement of the Committee on  
7 Oversight and Government Reform voted by voice to approve a motion directing the Chairman to  
8 authorize and issue a subpoena to Mr. Barr for deposition.

9 On August 5, 2025, Chairman Comer issued a subpoena for Mr. Barr to appear today for a  
10 deposition in furtherance of the Committee's investigation into the actions and investigations of  
11 Mr. Jeffrey Epstein and Ms. Ghislaine Maxwell. I will enter the subpoena and corresponding cover  
12 letter as exhibit 1.

13 [Barr Majority Exhibit No. 1  
14 was marked for identification.]

15 [REDACTED] The Committee then noticed today's deposition on August 13, 2025. I will  
16 enter the notice for this deposition as exhibit 2.

17 [Barr Majority Exhibit No. 2  
18 was marked for identification.]

19 [REDACTED] While exhibit 2 is being passed around, I'll note for the record that Mr. Barr  
20 said that he would comply voluntarily and is here to testify today.

21 Can the witness please state his name and spell his last name for the record.

22 The Witness. William P. Barr, B-a-r-r.

23 [REDACTED] Thank you. My name is [REDACTED], and I am the general counsel for  
24 Chairman James Comer.

25 Under the Committee on Oversight and Government Reform's rules, you are allowed to have

1 a counsel present to advise you during this deposition. Do you have counsel representing you in a  
2 personal capacity with you today?

3 The Witness. Yes.

4 [REDACTED] Will counsel please identify themselves.

5 Mr. O'Callaghan. Yes. Edward O'Callaghan, Cahill Gordon & Reindel, for Mr. William P.  
6 Barr.

7 [REDACTED] Thank you.

8 For the record, starting with the rest of the majority staff, can the additional staff members  
9 please introduce themselves with their name, title, and affiliation.

10 [REDACTED] [REDACTED], counsel for the majority.

11 [REDACTED] [REDACTED], professional staff member for the majority.

12 [REDACTED] [REDACTED], staff assistant for the majority.

13 [REDACTED] [REDACTED], senior adviser for the majority.

14 [REDACTED] [REDACTED], digital director for the majority.

15 [REDACTED] [REDACTED], systems administrator for the majority.

16 [REDACTED] [REDACTED], fellow for the minority.

17 [REDACTED] [REDACTED], fellow for the minority.

18 [REDACTED] [REDACTED], counsel, minority.

19 [REDACTED] [REDACTED], senior counsel, minority.

20 [REDACTED] [REDACTED], counsel, minority.

21 [REDACTED] [REDACTED], counsel, minority.

22 [REDACTED] [REDACTED], deputy staff director, minority.

23 [REDACTED] And the Members in the room?

24 Chairman Comer. James Comer, Chairman House Oversight Committee.

25 Mr. Subramanyam. Suhas Subramanyam, Oversight Committee, minority.

1 [REDACTED] Thank you, all.

2 Mr. O'Callaghan. Good morning.

3 [REDACTED] Mr. Barr, before we begin, I would like to go over the ground rules for the  
4 deposition. The questioning will proceed in rounds. The majority will ask questions for an hour,  
5 and then the minority will have an opportunity to ask questions for an hour if they choose. To the  
6 extent Members have questions for the witness, they will be propounded during their side's  
7 respective rounds.

8 The clock will stop if you need to confer with counsel, your counsel is speaking, and when  
9 Members or staff are speaking during the opposing side's round of questions. We will alternate  
10 back and forth until there are no more questions. Do you understand?

11 The Witness. Yes.

12 [REDACTED] There is a court reporter taking down everything I say and everything you say  
13 to make a written record of the interview. For the record to be clear, please wait until the staffer  
14 questioning you finishes each question before you begin your answer, and the staffer will wait until  
15 you finish your response before proceeding to the next question. To ensure the court reporter can  
16 properly record this deposition, please speak clearly, concisely, and slowly. The court reporter  
17 cannot record nonverbal answers, such as nodding or shaking your head. So it is important that you  
18 answer each question with an audible, verbal answer. Do you understand?

19 The Witness. Yes.

20 [REDACTED] Exhibits may be entered into the record. Majority exhibits will be identified  
21 numerically; minority exhibits will be identified alphabetically. Do you understand?

22 The Witness. Yes.

23 [REDACTED] We want you to answer our questions in the most complete and truthful  
24 manner possible. So we will take our time. If you have any questions or do not fully understand  
25 the question, please let us know and we will attempt to clarify, add context to, or rephrase our

1 questions.

2 If we ask about specific conversations or events in the past and you are unable to recall the  
3 exact words or details, you should testify to the substance of those conversations or events to the  
4 best of your recollection. If you recall only a part of a conversation or event, you should give us  
5 your best recollection of those events or parts of conversations that you do recall. Do you  
6 understand?

7 The Witness. Yes.

8 [REDACTED] You are required by law to answer questions from Congress truthfully. This  
9 also applies to questions posed by congressional staff in this deposition. Do you understand?

10 The Witness. Yes.

11 [REDACTED] If at any time you knowingly make false statements, you could be subject to  
12 criminal prosecution, including but not limited to perjury. Do you understand?

13 The Witness. Yes.

14 [REDACTED] This includes both knowingly providing false testimony but also stating that  
15 you do not recall or remember something when, in fact, you do. Do you understand?

16 The Witness. Yes.

17 [REDACTED] Furthermore, you cannot tell half-truths or exclude information necessary to  
18 make statements accurate. You are required to provide all information that would make your  
19 response truthful. A deliberate failure to disclose information can constitute a false statement.  
20 Do you understand?

21 The Witness. Yes.

22 [REDACTED] Is there any reason you are unable to provide truthful testimony in today's  
23 deposition?

24 The Witness. No.

25 [REDACTED] Please note that, if you wish to assert a privilege over any statement today,

1 that assertion must comply with the rules of the Committee on Oversight and Government Reform.  
2 Pursuant to that, Committee rule 16(c)(1) states, "For the chair to consider assertions of privilege  
3 over testimony or statements, witnesses or entities must clearly state the specific privilege being  
4 asserted and the reason for the assertion on or before the scheduled date of testimony or  
5 appearance."

6 For the purposes of the deposition, objections must be stated concisely and in a  
7 non-argumentive and nonsuggestive manner. If the witness refuses to answer a question to  
8 preserve a privilege, the Committee may seek a ruling from the chair. If the chair overrules any  
9 such objection, the witness shall be ordered to answer. If the witness continues to refuse to answer  
10 a question despite being ordered to do so, the witness may be subject to sanction. Do you  
11 understand?

12 The Witness. Yes.

13 [REDACTED] Ordinarily, we take a 5-minute break at the end of each hour of questioning,  
14 but if you need a longer break or a break before that, please let us know and we will be happy to  
15 accommodate. However, to the extent that there is a pending question, we would ask that you  
16 finish answering the question before we take the break. Do you understand?

17 The Witness. Yes.

18 [REDACTED] Finally, I will note for everyone here today that the contents of what we  
19 discuss in the deposition are confidential under the House deposition regulation. Under the rules,  
20 the Chairman and Ranking Minority Member shall consult before any release of testimony or  
21 transcripts, including portions thereof. This means it is a violation of House and Committee rules to  
22 disclose content of the deposition prior to its official release. For this reason, the marked exhibits  
23 you that we will use today will remain with the court reporter so they can go into the official  
24 transcript, and any copies of those exhibits will be kept at the table or returned to us when we wrap  
25 up.



1 Can the reporter please swear in the witness.

2 The Reporter. Will you raise your right hand for me.

3 Do you solemnly declare and affirm under penalty of perjury that the testimony you are about  
4 to give will be the truth, the whole truth, and nothing but the truth?

5 The Witness. Yes.

6 [REDACTED] Mr. Barr, do you have any more questions before we begin?

7 The Witness. No.

8 [REDACTED] Thank you. My clock says 10:10. The majority hour will begin now.

9 EXAMINATION

10 BY [REDACTED]:

11 Q Very, very briefly, we want to go through your background and the only two experiences  
12 that I think are relevant today. Where did you attend undergrad, and what year did you graduate?

13 A Graduated Columbia College in 1971. I grad -- I got a master's from Columbia in 1973.  
14 I went to law school at GW here in Washington at night and graduated in 1977.

15 Q Thank you.

16 A During that time, I worked at CIA.

17 Q And then President H.W. Bush appointed you to be United States Attorney General from  
18 1991 to 1993. Is that correct?

19 A Yes. I was in the Department at the start of his administration, and he ultimately  
20 appointed me Attorney General.

21 Q And then President Trump appointed you Attorney General February 2019  
22 through -- and then you left December 2020, correct?

23 A Right. I was confirmed in February 2019.

24 Q Were you acting prior to your confirmation?

25 A No.

1 Q Moving on to the topic at hand, just some preliminary questions, have you ever met  
2 Mr. Epstein?

3 A Have I what?

4 Q Have you ever met Jeffrey Epstein?

5 A Not to my knowledge.

6 Q I'll pause for a minute.

7 Ms. Crockett, do you mind identifying yourself for the record?

8 Ms. Crockett. Yes. Jasmine Crockett, Texas-30.

9 BY [REDACTED]:

10 Q And, then, have you ever met Ms. Ghislaine Maxwell?

11 A Not to my knowledge.

12 Q In general, is the Attorney General aware of every Federal criminal investigation that's  
13 happening at any given point?

14 A No.

15 Q What sort of cases would the Attorney General be made aware of?

16 A Well, generally, things would percolate -- generally, people report into the Deputy  
17 Attorney General. Every morning I would have a staff meeting where the Deputy participated and  
18 his principal staff and my own staff, and matters that had come -- that required my attention would  
19 come up through that system. Sometimes offices would directly communicate with me, especially  
20 when there was a conflict, but matters would either come to my attention if there was a  
21 disagreement within the Department or if it was a matter of national importance.

22 Q Did you or your staff closely monitor high-profile cases within the United States?

23 A I think my staff monitored high-profile cases and brought things to my attention that  
24 they felt I should be aware of.

25 Q And then, for the -- pretty much the remainder of the deposition, we'll focus on your

1 time as Attorney General in the first Trump administration.

2 A Sure.

3 Q Did you have any conversations about the Epstein case while you were Attorney  
4 General?

5 A Any conversations?

6 Q Yeah, just broadly.

7 A Yes.

8 Q Do you recall when the first one was?

9 A I became -- at some point, and this was 6 years ago, but I became aware that the  
10 Southern District was conducting an investigation. I think it was a little bit before his arrest, but I  
11 can't be sure of that. It could've been around the time of his arrest, but I was aware that they were  
12 conducting an investigation. I don't recall specific discussions surrounding that. I could tell you  
13 what my understanding of what they were investigating, but I don't remember particular  
14 conversations. It's just my impression of what came up to me at that time.

15 Q Can you describe your general understanding of what they were investigating?

16 A So my understanding was that they were investigating whether he committed trafficking  
17 offenses, particularly focusing on his exploitation of young women, and they were trying to make  
18 that case against him. And, in that context, they were also looking as to whether any individuals  
19 were accomplices or complicit in that activity, either as facilitators -- as, you know, they ultimately  
20 went after and convicted Ghislaine Maxwell. And I think they were -- and I know they were also  
21 looking at whether there was evidence to charge anyone with participating in trafficking by having  
22 involvement with the trafficked victims.

23 Q To the best that you can, can you describe the difference between what participating in  
24 the trafficking would be and what facilitating the trafficking would be?

25 A Having -- well, the latter -- I mean, I'm sorry, participation as a -- would be having illicit

1 sex with a minor, a trafficked minor.

2 Q And facilitating --

3 A Or anyone who was trafficking.

4 Q Yeah.

5 A But certainly what the focus was on was illicit sexual activity with a minor.

6 Q And then what would facilitating be of, I believe, Ms. Maxwell was --

7 A Helping -- helping conscript young girls into Epstein's network of young girls who  
8 primarily were involved in giving him massages and engaged in sexual activity with him.

9 Q And then you said you don't -- correct me if I'm wrong -- don't really recall more than  
10 the general conversations at that point in time?

11 A Right.

12 Q Do you recall who those conversations were with in -- or kind of surrounding the arrest  
13 of Epstein in 2019?

14 A Yeah. It was either before -- it could've been before the arrest, but certainly, by the  
15 time of the arrest, I was aware of it, and it would've been -- it would've been the people who  
16 normally attend my meeting. It could've been a conversation with the U.S. attorney, but I don't  
17 remember if it was.

18 Q Do you recall who normally attended those meetings? You might've said earlier, but --

19 A It would've been the Deputy and the Deputy's principal associate, as well as my chief of  
20 staff, and sometimes additional members of the staff. And it would also include, from time to time,  
21 you know, other people -- other members of the staff who were directly concerned with the matter.

22 Q Do you recall any conversations with the FBI at that point in time -- still sticking to  
23 surrounding his arrest?

24 A No.

25 Q And then, you said might've included the U.S. attorney. Are you referring to the U.S.

1 attorney for the Southern District of New York?

2 A Geoff Berman, yeah.

3 Q Do you recall any conversations with anyone with the Southern District of Florida at that  
4 time?

5 A I don't recall.

6 Q And, then, do you recall any conversations with Mr. Alex Acosta at that time?

7 A Not about -- not about this case.

8 Q Not about Epstein?

9 A Not about Epstein.

10 Q Okay. He obviously served in the administration --

11 A Yes.

12 Q -- with you, so in other cases.

13 A Yes.

14 Q I'm going to -- similar questions, different timeframe and different subject for  
15 Ms. Maxwell. Do you recall any conversations about Ms. -- the Maxwell case while you were  
16 Attorney General?

17 A Yes. I can't pinpoint particular discussions. I think, once he committed suicide, you  
18 know, the office -- I remember being told and agreeing that the office had to go full bore ahead on  
19 finding other crimes that may have been committed, including looking for people who were  
20 accomplices in some way or complicit in some way. And her name came up in that context,  
21 obviously, as the prime person they were --

22 Q And don't recall -- just to avoid the same list of people, but don't recall specific  
23 conversations with anybody regarding that case?

24 A I may have had a conversation with Berman where he said in the wake of the suicide  
25 that he -- you know, that the office was very much committed to continuing the case, getting to the

1 bottom of everything.

2 Q Thank you.

3 I'm going to --

4 A I would say, she went -- she disappeared, and there was this embarrassing period where  
5 they couldn't locate her. And, you know, at some point, I became aware that they were prepared  
6 to indict her and that they couldn't find her. So -- but, aside from that general information, I don't  
7 recall anything specific about that.

8 Q I believe they eventually found her in like a cabin in Vermont or something?

9 A New Hampshire.

10 Q New Hampshire. Do you recall how they ended up finding her?

11 A No, I don't.

12 Q I'm going to shift ahead in the timeline a little bit to Mr. Epstein's death while at MCC in  
13 Manhattan. So you previously stated that you personally reviewed the security footage from MCC  
14 from August 9, 2019, into the morning of August 10th. On -- we'll pull up what the Department has  
15 since released just so that you can view it, and I just want to ask you a first question. Does this look  
16 like the security footage that you would've reviewed at the time?

17 A No, I can't remember specifically the security footage and what the composition of it  
18 was. I do recall that it showed the common area and a portion of the stairway up to Tier L. I think  
19 it's Tier L.

20 Q Yes. So I'll ask some more specific questions, but this is the about 11 hours that the  
21 Department released this -- a month or so ago. And it's a -- we'll look at it schematically. It's a  
22 camera pointed towards the common area of the Special Housing Unit at MCC. The stairway on the  
23 left goes to a different tier, and then you can see a very little bit of a stairway on the right that goes  
24 to Tier L.

25 A Uh-huh.

1 Q But you do --

2 A I really can't compare it because I can't really remember --

3 Q Yeah.

4 A -- exactly what I saw. I remember -- what I remember about what I saw is that the  
5 resolution was good enough that I could see what the guards were up to -- the correctional officers  
6 were doing. I mean, not crystal clear, but I could tell that they were looking at computers and  
7 working on computers and so forth. So I remember that the resolution was pretty good, and it may  
8 have been -- it could've been an enhanced or an enlarged part of this. I just don't remember.

9 Q And, to the best of your recollection, were there any anomalies in the tape that you  
10 reviewed, any missing minutes or anything like that?

11 A Not that I'm aware of. I was told that it covered the period from the time he was put  
12 in his cell to the time he was discovered. I wasn't told of any missing minute and didn't notice any.

13 Q Do you recall viewing other camera angles like a camera pointed down Tier L or a  
14 camera in the stairwell or anything?

15 A I do remember other footage, looking at other footage as well, but I -- I think some may  
16 have been of hallways or entrances and things like that.

17 Q Do -- the inspector general ended up reviewing Mr. Epstein's death, investigating --

18 A Yeah.

19 Q -- Mr. Epstein's death. And they found that the camera pointed directly down L block  
20 was transmitting in real time but not recording to the DVR. Does that --

21 A Yeah.

22 Q -- match your recollection?

23 A That matches my recollection. Let me just say that, you know, the video came to me  
24 after, but a lot of information started coming to me immediately in the wake of his death, and I was  
25 getting a lot of information sort of real time, and including from the Bureau. And, as I found out

1 things, you know, I started reaching my conclusions. And this sort of came later in the process.

2 Q Okay.

3 A It wasn't the first thing I looked at.

4 Q Yeah. I'll --

5 A I think it took some time of working to get whatever they were getting to me, so --

6 Q I'll try to cover as much as I can, but we'll start with the video.

7 [REDACTED] I'm going to go ahead and introduce what will be exhibit 3, just because I think  
8 it'll help in discussions.

9 [Barr Majority Exhibit No. 3  
10 was marked for identification.]

11 BY [REDACTED]:

12 Q And it is a map of the Special Housing Unit, the top tier of the Special Housing Unit at  
13 MCC --

14 A Thank you.

15 Q -- with the cell. It's produced by CBS.

16 A Yeah.

17 Q And Mr. Epstein's cell is the one highlighted in red. And, just while we're looking at  
18 this and looking at the camera footage, the camera angle that we're looking at is that little alcove in  
19 kind of the center of the map.

20 Mr. O'Callaghan. This is -- you're representing that, [REDACTED] about -- that that's --

21 [REDACTED] Yes, I am.

22 Mr. O'Callaghan. Okay.

23 [REDACTED] And I can pull the CBS article.

24 Mr. O'Callaghan. I just want to make sure he's looking at where you're pointing.

25 [REDACTED] So that camera is positioned right here.



1 Mr. O'Callaghan. See, look at what [REDACTED] is doing.

2 [REDACTED] That camera is positioned right here and pointed towards the common area.

3 Mr. O'Callaghan. So, it's up here.

4 The Witness. Okay. I'm glad you -- yeah, yeah.

5 Mr. O'Callaghan. And that's his cell.

6 The Witness. Yeah. Right.

7 Mr. O'Callaghan. Okay.

8 [REDACTED] All right. I'm going to play 30ish seconds just so we can get our bearings on  
9 what the movings of the jail look like.

10 [Video shown.]

11 BY [REDACTED]:

12 Q So, just while this is playing, you see what appear to be corrections officers kind of  
13 walking around the common area going back to the desk.

14 And then there's specific points I want to point out. So that corrections officer came from  
15 what appears to be a blind spot on the camera towards the right. And that inmate came from what  
16 appears to be a blind spot on the camera to the right.

17 We can pause it.

18 Just -- I understand we reviewed 15 seconds of footage, but based off that review, do you  
19 agree that a there is a bit of a blind spot on this camera blocked by the stair landing and that cell?

20 A Yes.

21 [REDACTED] I'm going to shift ahead to the 9:20 mark. So I will preface this with this is  
22 7:49 p.m. on August 9, 2019.

23 And you can hit play.

24 [Video shown.]

25 [REDACTED] So this video shows Mr. Epstein escorted from a -- escorted by a corrections

1 officer from making a phone call back to his cell in L block. So you can see him kind of go out of  
2 frame and go up those stairs to L block.

3 Mr. O'Callaghan. Again, [REDACTED], you're representing that that's Epstein walking through?

4 [REDACTED] Yes. And --

5 Mr. O'Callaghan. You can't really tell --

6 [REDACTED] -- so is the DOJ, IG, and the FBI.

7 The Witness. I'm not going to challenge it.

8 BY [REDACTED]:

9 Q Okay. And -- that was going to be my next -- is that your recollection of that scene as  
10 well, that, around 7:49, Mr. Epstein went to his cell for the evening?

11 A That's my -- I can't say actually -- that's my recollection of events that I saw on the video,  
12 which is him being taken to his cell. That was 7:49 or whatever.

13 Q And, then, again, understanding that we watched about 10 seconds of that walk from  
14 his phone call to his cell, but in addition to the blind spot of the camera kind of like off to the right,  
15 it's also a bit of a blind spot on the staircase up to L block. Would you agree?

16 A On this video, you know, only a portion of the stairway is -- all the way up is reflected,  
17 and my recollection was a portion of the stairway was reflected on the video.

18 Q That you reviewed as well?

19 A Yes.

20 Q Okay. Do you recall reviewing any video that showed that staircase in its entirety?

21 A No.

22 Q Do you recall reviewing any video that showed L block in its entirety?

23 A No.

24 Q So, going back to the diagram and understanding kind of, again, we reviewed all of  
25 30 seconds of this footage, but I am representing that it's the 30 seconds that surround his

1 death -- or surround him going back to his cell, the blind spot also includes this door on the kind of  
2 center of this schematic, which is an entrance into the Special Housing Unit.

3 And just asking, based off your experience and everything that you reviewed, looking at this,  
4 looking at the video, this -- the only video that is publicly available, is it possible for someone to get  
5 up to Mr. Epstein's cell while evading that camera?

6 A I don't believe so.

7 Q You don't believe so?

8 A No.

9 Q Even though part of the staircase is blocked and that entire doorway would be blocked?

10 A Yes. I do not think it was physically possible for someone else to go up that stairway.

11 Q And then --

12 A You --

13 Q At the time, you said that you believe no one entered L block between the time --

14 A Not just because of the camera though.

15 Q Uh-huh.

16 A Yeah.

17 Q So what other evidence did you have to support the statement that no one entered L  
18 block between 7:50ish and --

19 A Okay. Well, I know we're starting with the video, but, for me, the video was the icing  
20 on the cake, okay.

21 Q Okay.

22 A So there was a lot of evidence about, you know, his state of mind and other physical  
23 evidence pointing to suicide and also testimonial and records pointing to this. But, in a nut -- but  
24 one aspect of this is that the SHU is itself physically isolated from the rest of the facility and that it  
25 only has two entranceways. The primary entranceway has to be opened remotely by central

1 control. So no one would have the key for it. And it was my understanding that that would leave  
2 a record of it being opened. So there was no way to come in that door except going through central  
3 control -- having it remotely opened.

4 And then, second, the second door --

5 Q I'm sorry, just the primary door is the door in the center of the schematic that appears  
6 open in the picture. Is that the primary one?

7 Mr. O'Callaghan. He's saying this one.

8 The Witness. In the -- the one up here?

9 [REDACTED] Yes.

10 Mr. O'Callaghan. Are you pointing to the black rectangular section?

11 [REDACTED] Yes.

12 Mr. O'Callaghan. He's saying it's that.

13 BY [REDACTED]:

14 Q Which one is the primary entrance into the SHU?

15 A Well, I don't recognize the schematic, but from my recollection is the primary -- the  
16 primary exit is over on the right-hand side --

17 Q Okay.

18 A -- here. And, if it's over here, then I would have to see a schematic. But my  
19 recollection is that you have to come up an elevator, and then you get into a room where you have to  
20 get through the control door that can only be opened centrally. And, then, if you -- once you get  
21 through that, you come through the door that immediately enters onto the SHU, and that requires a  
22 key. And my understanding was that the key to that was held by the officers inside the SHU, and  
23 they would have to come and let that person in. That's my understand -- that was my  
24 understanding.

25 So I think it was not physically possible in the first instance -- well, in my opinion -- for

1 someone to come through there. But, otherwise, it was also my judgment that the video  
2 corroborated that because, number one, it showed the two officers who were in the SHU. The only  
3 ones in the SHU at the time did not leave their desk. So they didn't go to let anyone in.

4 Q Uh-huh.

5 A And, second, it was my judgment, from what I saw on the camera and what I looked at, I  
6 didn't think it was possible for someone to get up to the tier and open the door without being picked  
7 up in the camera, so --

8 Q Opening the door would also potentially make noise?

9 A Oh, clearly. It's a big, heavy, steel door.

10 Q Yeah.

11 A Yeah.

12 Q Thank you.

13 And, then, did -- you said that the Central Command had to open one of the doors, and then a  
14 key --

15 A Yes.

16 Q -- located at the guard desk had to open a second --

17 A Right.

18 Q -- set of doors?

19 A Right.

20 Q Did you --

21 A And it was also that arrangement for the secondary entrance as well.

22 Q Did you review the command logs --

23 A -- no, I didn't.

24 Q Nobody entered?

25 A I didn't review them, no.

1 Q Oh, you didn't review the command logs.

2 Are you aware of the --

3 A I didn't personally review them. I was aware that they had judged that it was not  
4 possible for someone to come in.

5 Q Are you aware if anyone reviewed whether or not an entrance or exit was logged?

6 A I believe the Bureau was looking at that intensively, the whole issue of whether this  
7 could've been anything other than a suicide.

8 Q The -- are you referring to the Bureau of Prisons or the FBI?

9 A I'm sorry; the FBI.

10 Q Thank you.

11 A And the IG.

12 Q And they did an almost 4-year investigation into this, I think?

13 A The IG did.

14 Q Yeah.

15 A The Bureau was much quicker.

16 Q Now we're going to go back -- back in time based off the evidence that you reviewed.

17 Around 6:30 a.m., on August 10th, the -- one of the -- I'm not sure their title, but the individual  
18 delivering breakfast to the inmates attempted to deliver breakfast to Mr. Epstein. He did not  
19 answer the door. He called the guards, and they found his body and began providing medical care.  
20 Does that sound correct to you, to the best of your recollection?

21 A Yes.

22 Q And then, about an hour later, he was pronounced dead at a hospital at New York  
23 Presbyterian, I believe, in New York.

24 A I know he was pronounced dead at the hospital, yeah.

25 Q When were you first informed of Mr. Epstein's death?

1           A     It was Sunday morning. I was in my study at home, and I got a call from my chief of  
2 staff saying that -- that Epstein died from an apparent suicide.

3           Q     Do you recall about how close in time it was to the pronouncement of death?

4           A     I -- I don't recall. It was in the morning, I believe.

5           Q     And it's still your opinion today that Mr. Epstein died by suicide?

6           A     Absolutely.

7           Q     Before getting into kind of what the investigation looked like after that, what  
8 information was flowing to you, do you know, to the best of your knowledge, what are the policies  
9 and procedures in place to -- that were in place to ensure that Mr. Epstein didn't commit suicide?

10          A     Well, there had been an -- as you know, there had been an attempted suicide in July.  
11 And, based on that, they put him under suicide watch, which is the most intensive form of  
12 monitoring. And then he was taken off suicide watch, based on the psychologists at the MCC  
13 making the determination that he could be taken off that kind of intensive watch.

14          I found out afterward that, you know, his lawyers had been pressing hard for him to be let out  
15 of suicide watch. And, in any event, he was put on the next level down, which was -- I forgot exactly  
16 the term used for it, but it required that he have a cell mate and he be checked every 30 minutes.  
17 Those were the -- in addition to, you know, the other general security systems in place, those were  
18 the two that applied directly to him that were supposed to prevent this.

19          Q     And on -- understanding suicide watch is very intensive, requires a lot of staff power,  
20 and on suicide watch, are they provided with clothes that don't tear and sheets that don't tear?

21          A     I believe that's the case.

22          Q     And then, as --

23          A     I don't know. I can't -- I believe that they -- they're careful about the utensils, but I  
24 think eyeballs are on them 24/7. That's my understanding of it.

25          Q     And, then, when were you first provided with a more formal briefing regarding

1 Mr. Epstein's death?

2 A I think it came virtually every day I found out more information. You know, I was  
3 obviously covering it very quickly and wanted to rule out anything other than suicide, and so  
4 pertinent information was flowing to me pretty consistently.

5 Q And it was -- and --

6 A The FBI was conducting an investigation, and the Southern District was involved in that.  
7 And I -- the -- within an hour or minutes of finding out about it, I directed the IG to have people in  
8 New York go to the scene and conduct an investigation -- start an investigation.

9 Q And you've already said that, you know, you reviewed security camera footage.  
10 Obviously, there was a previous suicide attempt that probably had psychologist notes and things that  
11 were available to the FBI and BOP to review and the IG to review. Were there any other things that  
12 you reviewed specifically?

13 A I've -- from time to time, I would -- I would review photographs when people were  
14 discussing things that were pertinent. I may have seen -- I think I may have been shown logs that  
15 were apparently, you know, erroneously filled out by the corrections officers, things like that. The  
16 systems were explained to me from time to time. The BOP was also conducting their own  
17 investigation. So there was sort of three investigations going on at once.

18 Q And it was kind of the culmination of all the information that was provided to you that  
19 led to the judgment that it was a suicide?

20 A Yes. Well, over time, it became clearer and clearer to me that it was undoubtedly  
21 suicide. And. As I say, the video was probably the last thing that I looked at -- or, you know, in  
22 reaching that conclusion.

23 Q Do you recall viewing any specific documents during that time period, like the coroner's  
24 report or --

25 A I did review the coroner's report.



1 Q Did you -- I asked this, but did you review like entry and exit logs for the SHU?

2 A I may have. I saw some records. I can't remember what they were.

3 Q Okay. The chief medical examiner at the time stated after examination that Epstein  
4 died by, I believe it was described as kneeling hanging, so not jumping off the top bunk but using  
5 leverage to kind of lean forward. Does that fit your recollection?

6 A I remember discussion of a kneeling hanging, but I -- I can't remember what posture he  
7 was in at the end.

8 Q And --

9 A They found him with his buttocks facing the --

10 Q The ground.

11 A -- the ground. So I'm not sure he was on his knees at that point.

12 Q But you hadn't -- do you recall seeing any evidence that he jumped off the bunk or  
13 otherwise like fell --

14 A I think --

15 Q -- versus just kind of --

16 A No. I think the evidence was that he hung himself. And it was essentially close to the  
17 modus operandi that he had used before being put on watch, you know, the same nooses and  
18 coming off the top and landing. In that case, he landed on his knees apparently. It didn't work.

19 Q Were you being kept apprised of the autopsy and its results in sort of real time?

20 A No.

21 Q Do you recall when --

22 A That's -- that was conducted by New York.

23 Q Do you recall when you --

24 A Or the city, I think, maybe, but --

25 Q Do you recall when you first got briefed on the autopsy?

1           A     Well, I heard about it pretty soon after it came out.

2           Q     And, at that point, it kind of confirmed to you that the medical examiner ruled it a  
3 suicide?

4           A     Yes.   And the fact that there were -- I mean, I think, not only that ruling but the fact  
5 that there was no sign of any struggle.   I mean, he was a fairly large guy, and the idea that people  
6 would go in there and hang him in that way with numerous nooses being tied and so forth without  
7 any sign of a scuffle was not plausible.

8           Q     Yeah.   I think I remember -- I don't remember which investigation it was in, but I  
9 remember reading like no, you know, skin or fibers under his fingernails.

10          A     There was none.

11          Q     No, like, scratch marks, anything --

12          A     No contusions.

13          Q     -- any kind of like defensive marks.

14          A     None.

15          Q     Is that similar to your --

16          A     Yes.

17          Q     -- recollection?

18          A     Yes.

19          Q     The -- I believe Mr. Epstein's brother hired an expert medical witness to rereview the  
20 autopsy and --

21          A     Right.

22          Q     -- the examiner's report, named Dr. Michael Baden.   Are you --

23          A     Yes.   I'd see him occasionally on TV.   I've seen him.   He frequently comes into these  
24 kinds of situations.

25          Q     I believe he was described as an expert medical witness in high-profile cases, so --

1 A Uh-huh.

2 Q -- take with that what you will.

3 A Yes.

4 Q But do you recall Dr. Baden being involved at the time?

5 A I remember just reading news coverage -- well, he came in after, I believe, after the  
6 autopsy, reached his conclusions, and he offered another view of it. And I remember press reports  
7 to that effect.

8 Q He -- his view, which is contrary to the medical examiner's, and, again, I will say that he  
9 is an expert medical witness not a medical examiner, but that Epstein had fractures to his larynx, and  
10 I believe it was three fractures -- three different fractures to his hyoid bone in his neck, and that was  
11 described as extremely unusual in suicidal hangs and more consistent with homicidal strangulation.  
12 Do you recall any conversations about Mr. Baden's report within the Department or with the FBI?

13 A I remember conversations about it, commenting on it.

14 Q Did anyone agree with Mr. -- Dr. Baden's finding?

15 A No. I mean, no one expressed agreement during any of my conversations.

16 Q No one expressed disagreement to you.

17 Did -- understanding evidence was -- and information was flowing really quickly, did you ever  
18 see any evidence that suggested Mr. Epstein's death was a homicide?

19 A No. On the contrary, I think, when you look at the cumulation of all the evidence,  
20 including the testimony of individuals, his state of mind, you know, the whole thing, the processes,  
21 you know, one of the things that impressed me was that it would have required -- it would have  
22 required people -- it wasn't known until 8 o'clock that morning, I believe, that his cellmate was gone,  
23 and it wasn't even clear during the day whether he'd get a replacement.

24 So there wasn't much time for people to understand that he was going to be by himself, very,  
25 very little time. And this would've required coordination from probably two dozen people maybe

1 within the prison. And all these people were in different groups -- you know, the people who were  
2 repairing the cameras, the people who, you know, were responsible for opening and closing the  
3 door, the people who were responsible for putting in a new cellmate, things like that. For all that to  
4 be coordinated, it would've required, I think, as I say, maybe two dozen people.

5 Q Uh-huh. So kind of -- and I'm not -- I don't mean to be testifying, but, like, in summary,  
6 kind of between his state of mind, previous suicide attempt, and the processes in place, in addition to  
7 the coordination it would take to override those processes all pointed towards a suicide?

8 A Absolutely. Even before you got to the physical possibility of getting into the SHU and  
9 getting up into his cell.

10 Q All right.

11 A And the fact that there are eyewitnesses on that very tier, other prisoners, including two  
12 right across the way who saw no one go in that night.

13 Q And said they never heard the door open --

14 A Right.

15 Q -- and things like that.

16 To your knowledge, did the FBI ever investigate Epstein's death as a homicide?

17 A To my knowledge, no.

18 Q Do you know if anyone investigated --

19 A I think they investigated to determine whether it was a homicide, but I don't think they  
20 ever, you know, got to the point of feeling that this was a homicide.

21 Q They never -- the evidence --

22 A I mean, it was -- a homicide -- or, I mean, suicide.

23 Q Yeah.

24 A Yeah.

25 Q The -- kind of that -- the evidence never swung to more probable --

1 A No.

2 Q -- that it was a homicide?

3 Do you recall --

4 A No, not that I was aware of.

5 Q Do you recall anyone investigating it as a homicide that you were aware of?

6 A No. I don't think anyone got to the point of feeling that it was murder.

7 Q Going back to Dr. Baden just very briefly, I know that you said that you  
8 recalled -- generally, you recalled conversations regarding his contrary findings. Do you recall  
9 having any conversations about Mr. Epstein's broken larynx and hyoid bones outside of Dr. Baden's  
10 findings?

11 A I think -- I heard it discussed within the Department.

12 Q And, to the best of your recollection, the discussions were that it was still consistent  
13 with a suicidal hanging?

14 A Right, that they still believed the medical examiner was correct.

15 Q And, then, you already said this, but I want to ask it explicitly: You instructed the IG to  
16 open the investigation into --

17 A Yes.

18 Q -- Epstein's death?

19 A On the -- as soon as I got off the phone with my chief of staff, I believe he contacted -- I  
20 asked him to contact the IG immediately. I know that they're very familiar with Bureau of Prisons  
21 and its processes, and I was told that he had people up in New York who could get to the prison right  
22 away.

23 Q And, then, we've talked about Mr. Epstein's state of mind an awful lot, and you said that  
24 you or someone reviewed kind of the psychologist notes from the previous suicide attempt, the  
25 reports that are associated with taking an individual off suicide watch. Do you recall any other

1 evidence regarding -- that you reviewed regarding his state of mind, Mr. Epstein's state of mind?

2 A Well, you know, I was aware that, you know, he had tried suicide, which I viewed as an  
3 attempted suicide. The -- he had done his last will and testament right before.

4 Q When did you become aware of that one?

5 A Sometime during this period where I was absorbing information. I can't pinpoint it.  
6 But there was a period of time where things were being learned, and I was finding out about them, if  
7 they were pertinent. And he -- his efforts to get bail had failed. So he was looking at a period of  
8 time of incarceration in that place, which I think for him was very difficult.

9 And I do remember the buzz that was caused that Friday, I believe, by the release of  
10 documents by the court that had a lot of salacious material in there about prominent individuals and  
11 so forth, and that that caused quite a stir. And so I think that my judgment was this will sort of set  
12 the stage for -- and was -- and he made a call to his girlfriend apparently. I found out early that  
13 he -- that procedures were not followed, and he was allowed to make an unmonitored call to a  
14 woman, who I believe was in Byelorussia and who was his -- I understood to be or believed to be his  
15 girlfriend at the time. And he made a call to her at that point. So it seemed important for him to  
16 make a call that evening to her.

17 And so, putting all these together, I think it was consistent with suicide.

18 Q And then during --

19 A Just as to -- just as to his state of mind.

20 Q Uh-huh. During a speech shortly thereafter at the Fraternal Order of Police conference  
21 on August 12th, you said that you learned of serious irregularities that were deeply concerning at  
22 MCC.

23 A Uh-huh.

24 Q Do you recall what the irregularities were?

25 A Well, one, you know, I was wondering who the person was who made the decision to

1 take him off suicide watch. He had already attempted suicide. And, for all the reasons I just  
2 stated, it was someone that had to be watched, and he was high -- very high profile, and he would be  
3 under pressure to identify coconspirators. So I think that was one.

4 The fact that the checks, the 30-minute checks were not performed. And I would say that  
5 there was nothing apparently unusual about that. This wasn't like people getting together and  
6 saying, "Okay, tonight we're not going to perform the watches." Apparently, it was pretty  
7 consistent that they failed to perform the checks.

8 And, thirdly, that they didn't place -- and very importantly, that they didn't place another  
9 prisoner in his cell. So I was referring to those and, you know, all these -- and the camera not being  
10 on. That -- you know, that's obviously not necessarily directly relevant to it, but -- you know, the  
11 same way the others are, but it's still all these screwups happening at the same time.

12 Q And that was going to be my next question. You also described it as a perfect storm of  
13 screwups, is --

14 A Uh-huh.

15 Q -- I think, the exact quote, that you're referencing the same things, the checks not being  
16 done, the guards allegedly falsified the records regarding --

17 A Uh-huh.

18 Q -- the checks, the cameras not working. Also, the corrections officers also didn't  
19 perform the institutional counts that night.

20 A Right.

21 Q Those kinds of things, the perfect storms of screwups. Is that what you were referring  
22 to?

23 A Right. And that became clearer and clearer as things went by. But I started off with a  
24 state of mind on this thing like, you know, this is going to take some explaining, you know, and I can  
25 see why people would be suspicious, more than suspicious.

1 Q Were the -- the IG report came out after your time as Attorney General in June of 2023?

2 A Yes.

3 Q The -- were you getting updates from the IG or just the FBI?

4 A I think, my best recollection is that initially I did get some updates, you know, sort of  
5 orienting me to some of the big facts and factors. But, as -- but, you know, that -- that sort of  
6 dribbled away, and certainly, after I left the Department, I wasn't getting anything. But I don't -- I  
7 can't -- initially I got some information, and that gradually ended.

8 Q So the kind of steady stream, as much as it can be described that way, was more  
9 from -- internal to the Department, FBI, BOP investigations that you were getting information from?

10 A Yeah, through, staff, sometimes through BOP people, through my own staff who they  
11 would talk to, sometimes directly. David Bowdich, who was the Deputy FBI Director, and I had a  
12 good relationship, and we talked frequently. And, even as time went by, during the rest of my  
13 tenure, when something -- some, you know, click-bait-type article appeared about something in the  
14 Epstein case, I would sometimes call him and say, "Did you guys look at that," and, you know, so I  
15 was continuing to pick up information.

16 Q You just mentioned David Bowdich, Deputy Director of the FBI at the time. It was  
17 reported that you instructed him to keep the Deputy AG Mr. Rosen informed every 3 hours. Does  
18 that sound accurate?

19 A Maybe on the first day or second day --

20 Q Yeah. It definitely --

21 A -- I mean, initially. Did I say every 3 hours?

22 Q That's what was reported, but, you know, it's what was reported.

23 A But it wasn't in my book?

24 Q No.

25 A Okay. I told him to keep the Deputy's Office advised, you know, I think, probably every



1 day. I doubt I said every 3 hours. But, if I did say it, that may have been just on the first few days,  
2 like we need to know in real time because all these allegations and the internet was going crazy.

3 Q Yeah. We just discussed some of the -- I'll describe them as kind of security failures at  
4 that time, more -- maybe caused by low staffing, low budget, whatever the cause was. There were  
5 a number of failures that occurred between August 9th and August 10th. We've discussed  
6 the -- Mr. Epstein's attempted suicide on July 23, 2019, and you said you were -- you -- did you  
7 become aware of that after his death, or was it prior?

8 A Become aware of what?

9 Q His attempted suicide in July.

10 A That's a good question. I -- you know, at some point, I obviously became aware of it.  
11 My -- it's possible it happened before his suicide. That he was taken off, you're saying?

12 Q Or that he --

13 A No. No. I heard about his suicide.

14 Q No, no, that in July --

15 A I mean suicide attempt.

16 Q You heard about the suicide attempt --

17 A Yes.

18 Q -- prior to his eventual death?

19 A Yes. Yes. I -- yes. And I knew he was put on -- I knew he was put on suicide watch.

20 Q And was that -- I mean, I --

21 A But I don't remember being told that he was off the watch. I could've been told before  
22 his suicide. My best recollection is that, after his suicide, I was certainly told about their kerfuffle  
23 over whether or not he should be taken off watch.

24 Q And that kind of information flowing up to the Attorney General's Office, was it primarily  
25 because Mr. Epstein was a -- it was a very high-profile inmate?

1 A That he had attempted suicide?

2 Q Uh-huh.

3 A Yes.

4 Q Did --

5 A Well, yes.

6 Q The Attorney General wouldn't be notified every time an inmate in BOP custody  
7 attempts suicide?

8 A Not for an attempt.

9 Q We discussed him being put on suicide watch and kind of what that entailed, and you  
10 just mentioned where I was going next, that he was removed from watch after 24 hours, which I  
11 believe is the minimum amount of time that you're allowed to be on suicide watch?

12 A I don't -- I can't remember exactly how long he was on watch. I was on the impression  
13 it was multiple days, but I don't know.

14 Q He was on -- I'll represent this, and I can bring it into the record, but he was on official  
15 suicide watch for 24 hours and then stayed in that cell for about a week but was no longer on  
16 constant monitoring, and then was moved back to the SHU.

17 A I just can't remember those details.

18 Q Okay.

19 A I know he was on suicide watch, and then he was released from suicide watch.

20 Q And you mentioned, and I'll just get your thought, a kind of kerfuffle around --

21 A Yeah.

22 Q -- whether or not to be removed from suicide watch. Can you go into more detail  
23 about that?

24 A Well, that happened, and people were filling me in on this because it did not cast either  
25 BOP or the Department in a good light that he was -- that someone like this would attempt suicide

1 and then be not put on suicide watch. So I was regaled about that, you know, the arguments and  
2 the process.

3 Q Okay. And you recall -- do you recall people advocating for a longer suicide watch for  
4 him or --

5 A I don't recall the details, no.

6 Q Okay. And then --

7 A I -- you know, I mean, Main Justice would not have been involved in that, because, you  
8 know, this was a pretrial -- MCC is pretrial. And, you know, generally, the way a pretrial suspect is  
9 handled is monitored by the U.S. Attorney's Office because they're the ones that have to report to  
10 the judge when the judge is asking questions about, you know. And so I normally wouldn't have  
11 been brought into that. Something of this profile, I wish I had been.

12 Q And then the IG kind of went into detail about going on and taken off suicide watch.  
13 Do you remember any internal investigations after his death, whether -- about the decision to take  
14 him off suicide watch?

15 A Just the IG's. And -- yeah, just the IG's. I don't know about the Bureau. I can't  
16 remember.

17 Q And FBI is the Bureau in that case?

18 A Yes.

19 Q Okay. I'm sorry. There's lots of bureaus.

20 A They're the only bureau.

21 Q After -- and, again, all of this is to the best of your recollection. So, if you don't recall  
22 the specifics, that's totally okay. After he was put back in the Special Housing Unit, according to his  
23 roommate, who was interviewed by the IG, he was provided with extra bedding and sheets, a perk  
24 that not very many inmates got. Do you recall any conversations about that?

25 A I don't remember that.

1           Q    Okay.  Shifting to the security cameras, which we talked about a little bit, but I want to  
2   talk about the circumstances surrounding the cameras a little bit more, that there were 11 or so in or  
3   around the SHU entrance and exits, hallways.  And we already discussed the one pointing straight  
4   down L block, and then we watched the footage from the one pointing into the common area.  
5   There was a DVR failure that resulted in these cameras working in real time but not recording.  Does  
6   that -- do you recall that?

7           A    It was my understanding that a number of the cameras were not recording, although  
8   they were still streaming live.

9           Q    And the DVR failure was -- for a while, had been going on for a while but was discovered  
10  on August 8th.  Does that sound --

11          A    I didn't know that at the time but subsequently found that out.

12          Q    And then kind of the process of getting it back on --

13          A    Getting it fixed.

14          Q    -- getting it fixed took longer than expected, I think --

15          A    Yes.

16          Q    -- is correct?  Is that right?

17          A    Yes.  I was not aware of this as it was going on.  I was aware shortly after the suicide  
18   that the cameras had apparently failed, and there was an effort that went on for, I would say, more  
19   than 1 day, you know, of the Bureau going in to -- with technical experts to try to still capture  
20   something and go over the disk and stuff like that.

21          Q    Do you recall the explanation given for the failure of the cameras?

22          A    No.  I can't remember the details of it, but I did monitor the technical people were  
23   working hard on trying to get it, and then, you know, I saw whatever that was what they had.

24          Q    Do you recall seeing any evidence of tampering with the DVR system?

25          A    The Bureau, I don't think, believed it was tampered.  They felt it was -- there was a

1 nonmalicious explanation for it.

2 Q And, kind of generally, in your discussions with the FBI and others investigating this, did  
3 the lack of camera recordings have any negative impact on the investigation?

4 A You know, I mean, it made the investigation harder, obviously, yeah.

5 Q I mean, if the camera down L block had been working, it would've been an easier  
6 investigation?

7 A Yeah. Now, it was working, and that's --

8 Q Yes. If it had been recording.

9 A It wasn't in -- I'm not sure, but in -- my belief is that it was not general knowledge that  
10 they were not recording, and people would've thought they were working.

11 Mr. O'Callaghan. So, when you spoke about camera failures in answering [REDACTED] questions,  
12 the failures were the recording.

13 The Witness. That's --

14 BY [REDACTED]:

15 Q Yes. And, I apologize, I'm trying to be very specific in that it was not recording to the  
16 DVR. They were projecting on the security monitors in real time, just not saving to the DVR.

17 You talk about another one of the series of mistakes is the lack of roommate, that, after  
18 suicide watch, the psych department had said that he needed to have a roommate at all times. Do  
19 you recall conversations in the aftermath about why there wasn't a roommate assigned to his cell?

20 A Yes.

21 Q What were those conversations?

22 A I can't remember the details, but I actually spent a lot of time on this issue and had  
23 people walk me through, you know, why was he being released, what was the process, why did he  
24 have to be released then, who was in charge of that, why did he get released, and I went through all  
25 that stuff, and I went through it in detail.

1 Q And didn't find -- to your knowledge, didn't find anything malicious in the timing of his  
2 release?

3 A No.

4 Q And didn't find anything malicious in that the -- that MCC had not assigned Epstein a  
5 new roommate?

6 A I think that was the judgment of the FBI after a period of time, and then that ultimately  
7 was the judgment of the IG as well. That's my recollection.

8 Q What -- do you recall kind of what the indications were brought to you that it was just a  
9 mistake to not assign him a roommate?

10 A I can't remember the details of it, the who struck John, but there were a lot of people  
11 involved who, you know, "I told him this," "No, he didn't tell me this," you know, whether this watch  
12 officer knew something or whether they didn't know something, and it was sort of -- it was intricate.  
13 That's all I can remember.

14 Q Yeah.

15 A But, at the end of the day, it appeared to be screwups.

16 Q And I think that's -- as you said, that was the IG's conclusion, too, that it was a lot of  
17 word of mouth of this guy is getting transferred and confusion regarding if it was just going to trial or  
18 a permanent transfer --

19 A Right.

20 Q -- that kind of stuff.

21 A There were things like that. And then there's, you know, different correctional officers'  
22 shifts and things, and whether things that are important are communicated, and all that kind of  
23 thing.

24 Q It was -- in the course of the investigation, did you ever go to MCC?

25 A No.

1           Q    Did you ever speak to the -- any of the inmates that were around Mr. Epstein at the  
2   time?

3           A    No.

4           Q    Did you ever speak to any of his roommates?

5           A    No.   But I believe they were interviewed and was told the results.

1 [11:02 a.m.]

2 BY [REDACTED]:

3 Q I have nine minutes left, so I'm going to do the unmonitored phone call, and then we'll  
4 go off the record for this round.

5 You had mentioned earlier and said that the IG, in its review, that Mr. Epstein made an  
6 unmonitored phone call the evening prior to being brought back to his cell before he was -- before  
7 his death on the 10th.

8 Do you recall being made aware of that after the fact?

9 A After his suicide?

10 Q Uh-huh.

11 A Yes.

12 Q And were you briefed regarding what happened with the call?

13 A Along the way, I -- my recollection is the Bureau spent time trying to figure out who was  
14 the recipient and trying to track that person down.

15 Q And is it --

16 A And, you know, eventually I -- the only thing I really remember, it was someone in  
17 Byelorussia, I think. That's my best recollection.

18 Q But with a New York City area code?

19 A I don't remember the details.

20 Q Okay.

21 What are the -- to the best of your knowledge, what are the policies for inmates making  
22 phone calls to non-attorneys?

23 A You know, I did ask the FBI what was the call about, what did people -- what did she say,  
24 and all that kind of thing.

25 So my understanding was that calls like that had to be monitored, and you couldn't make an



1 unmonitored call unless there was a reason, like, "My lawyer is going to" -- "I'm talking to my  
2 lawyer."

3 Q And in addition to being monitored by a corrections officer, these calls are usually  
4 recorded?

5 A Yes.

6 Q Is that correct?

7 A Yes.

8 Q Was this call recorded?

9 A I don't -- no, not that I'm aware of.

10 Q The IG did a review, and I believe the Southern District of New York eventually did as  
11 well, where individual one, the recipient of the call, or her attorney, gave a proffer to the Southern  
12 District of New York. Are you aware of that?

13 A I can't remember. I remember asking, I think it was Bowdich, what we had discovered  
14 about that call.

15 Q In the -- the proffer described the call of Mr. Epstein saying, like, "There's going to be  
16 tough times, I love you, I'm sorry," that kind of -- those kinds of language.

17 Do you recall hearing that kind of readout of the call?

18 A I don't recall the specifics, but I thought the call was consistent with saying goodbye to  
19 someone, but not telling them you're about to commit suicide.

20 Q Did they ever discover the identity of the recipient?

21 A I'm not sure -- and I couldn't say, by the way, at that point he had already made up his  
22 mind as to exactly when he was going to do it. But it -- it was -- to me, it was consistent with -- with  
23 it.

24 I'm sorry. What was your other question?

25 Q Did they ever discover the identity of the recipient of the phone call?

1 A I believe they did. That's my best recollection.

2 Q Do you recall who it was?

3 A No.

4 Q I'll just ask about one person.

5 Do you recall if it was Ghislaine Maxwell?

6 A It was not. It was not her.

7 Q It was not her?

8 A No.

9 [REDACTED] That's a good spot. We can go off the record.

10 [Recess.]

11 Mr. O'Callaghan. We're on the record?

12 [REDACTED] We're on the record.

13 Mr. O'Callaghan. So just before we start with your questions, Attorney General Barr just  
14 wanted to clarify two points from the prior testimony. It makes sense to do it now and, obviously,  
15 won't count against your time, if that's okay.

16 [REDACTED] Yeah, absolutely.

17 Mr. O'Callaghan. Okay.

18 The Witness. So despite your best efforts to orient me to this floor plan --

19 Mr. O'Callaghan. He's referring to the schematic, exhibit 3.

20 The Witness. -- I was completely turned around on it, and for some reason was discussing it  
21 as if the camera was to the lower left instead of where it was, which was to the upper right.

22 And, as I said, the main entrance would be to the lower right of the camera scene. And so  
23 that door that counsel showed me at the far end of this -- of the common area -- is the principal  
24 entrance, the primary entrance to the SHU.

25 Mr. O'Callaghan. So just -- the witness is indicating the black rectangular box next to the red

1 portion of Mr. Epstein's cell on the schematic.

2 The Witness. The other thing is that I don't have a specific recollection of the exact time I  
3 found out about being taken off suicide watch, but my best recollection was it was after his suicide.

4 Mr. O'Callaghan. Those are the two points.

5 [REDACTED] Thank you.

6 EXAMINATION

7 BY [REDACTED]:

8 Q Mr. Barr, good morning.

9 I am going to proceed chronologically, and in doing so, I'm going to cover some of the topics  
10 that my majority colleagues did in a previous round, not to make you repeat yourself, but just to  
11 follow up on some issues and ensure that we have a clear record.

12 And I'll start with the Florida investigation; that is, the investigation into Mr. Epstein by the  
13 U.S. Attorney's Office for the Southern District of Florida.

14 When did you become aware of that investigation?

15 A With everyone else, according to the papers, while it was going on.

16 Q At the time it was --

17 A When there was the -- when there was the big outburst about a special deal and all that  
18 kind of stuff.

19 Q So roughly in the 2007 time frame?

20 A Whenever it became public there was a plea agreement.

21 Q And do you recall how you became aware of it?

22 A The newspapers.

23 Q Newspapers.

24 Just a question about the resolution of that investigation.

25 As I'm sure you're aware, Mr. Epstein entered into a nonprosecution agreement with the U.S.

1 Attorney's Office in September -- September 2007. Among other things, that agreement bound the  
2 United States not to, quote, "institute any criminal charges against any potential coconspirators of  
3 Epstein," unquote.

4 Are you familiar with that agreement?

5 Mr. O'Callaghan. So, hold on. Excuse me. Attorney General Barr was under subpoena,  
6 and the scope of the cover letter was about the investigation by the Department of Justice into  
7 Epstein and Maxwell while he was Attorney General.

8 You're asking about information that he was not Attorney General, and so I think it's beyond  
9 the scope of what the subpoena called for.

10 [REDACTED] I don't think I would agree with that scope, and I think the proceedings here  
11 today are focused on the DOJ's investigation concerning Mr. Epstein generally.

12 And the question I'm asking now goes to Mr. Barr's perspective based on his experience as  
13 Attorney General.

14 Mr. O'Callaghan. Which time?

15 [REDACTED] Which time? Well, experience as Attorney General both times.

16 BY [REDACTED]:

17 Q Just based on your professional perspective, sir.

18 Have you seen a provision in a plea agreement that bound the United States not to pursue  
19 coconspirators that were unknown at the time the agreement was entered into?

20 A I don't recall having any inside information or information that wasn't publicly available  
21 about those events about the investigation in Florida and its ultimate -- and the ultimate plea  
22 agreement. To the best of my recollection, I knew what I saw in the papers.

23 I remember at the time having a reaction -- looking at -- because there was a hubbub about it.  
24 I remember looking at -- or thinking about and delving a little bit into it and -- but that happened  
25 before I was Attorney General the second time.

1 Q The second time.

2 During either of your tenures as Attorney General, have you ever seen a comparable provision  
3 that had the same effect, again --

4 A During the time I was Attorney General, I don't recall seeing a comparable provision. I  
5 think the thing that I didn't like about it was that it took away from the victims their allocution rights,  
6 and I thought that that was pretty aggressive, and I thought it was vulnerable.

7 So that's just my own thinking when I saw it.

8 Q I appreciate that. Just to ask you --

9 Ms. Crockett. Can I jump in really quickly?

10 [REDACTED] Yeah.

11 Ms. Crockett. I'm sorry. Just to go back to what was just brought up about -- during your  
12 tenure during either times you were Attorney General, do you recall there ever being a scenario that  
13 you authorized that was similar that disallowed the prosecution of coconspirators in this type of plea  
14 deal?

15 The Witness. You know, I can't specifically remember things that were -- that I approved.  
16 But I'm not sure that provision sticks out at me as odd.

17 Ms. Crockett. Okay. But you can't recall ever approving anything like that before, right?

18 The Witness. Right.

19 Ms. Crockett. Thank you.

20 BY [REDACTED]:

21 Q There was discussion during the previous round of the chain of communication within  
22 DOJ and between Main Justice and the U.S. Attorney's Office. I'd like to ask you about  
23 communication between DOJ and the White House. And, again, this is focused on both of your  
24 tenures as Attorney General.

25 How common was it, generally speaking, for you to communicate directly with the President

1 about investigations that DOJ was handling?

2 A Well, it depends what the investigation was about. On Epstein, I only remember two  
3 conversations I had with the President.

4 Q So could you tell us about those two conversations?

5 A One was when I heard about the suicide, I called him up and said, "You better brace for  
6 this," and I told him words to that effect, and I told him about it and told him we were going to be  
7 investigating it very vigorously.

8 And the second one, I can't say for sure whether it happened before his suicide,  
9 during -- meaning around the time of his arrest or whether it happened after his suicide during the  
10 continued developments there.

11 But the topic of Epstein came up in the conversation. Multiple people were there. And,  
12 sort of, the news of -- it was commented on being the news of the day.

13 And the President said something to the effect that he had broken off with Epstein long ago  
14 and that he had actually pushed him out of Mar-a-Lago.

15 Q Okay. And just to clarify, those were both conversations with President Trump?

16 A Both involved with President Trump, yeah. Those are the only two conversations I can  
17 remember where Epstein came up with the President.

18 Q And when you say that you told President Trump who the news of the suicide would  
19 affect, what did you mean by that?

20 A Who it would affect? Did I say that?

21 Q I'm sorry. Unless I'm misunderstanding your characterization.

22 A I didn't mean to say that.

23 Q Okay.

24 A I said that I told him that he committed suicide and that he suspected it was apparently  
25 suicide. And he had the same reaction I did, which was, "How the hell did that happen, he's in

1 Federal custody?" And the last everyone knew, he was being carefully watched precisely for that  
2 reason.

3 And I think I conveyed to him that it was appalling and that we were going to investigate it  
4 vigorously and I -- and he had the same reaction I did, which is this is going to certainly generate a lot  
5 of conspiracy theories.

6 These are not his exact words, but that's what I remember about the conversation being  
7 effectively -- maybe words to the effect, yeah.

8 Q Did President Trump say anything else in that conversation?

9 A That's all I can recall.

10 Q So just to tie all this together, would I be correct in understanding that prior to  
11 Mr. Epstein's suicide, you did not communicate directly with the President in connection with the  
12 Epstein investigation?

13 A I said that the one conversation I recall could have happened before his suicide, around  
14 the time of his arrest, but my best recollection is it happened later. But those are the only two  
15 conversations I can remember having with the President directly about Epstein.

16 Mr. O'Callaghan. About Epstein generally, not the Epstein investigation?

17 The Witness. Right. Yeah.

18 BY [REDACTED]:

19 Q Shifting back to the Florida investigation, it's my understanding that you recused  
20 yourself during your second tenure as Attorney General from DOJ's review of that prosecution and  
21 the plea agreement. Is that correct?

22 A No, I didn't recuse myself. I think in my confirmation hearing I put that -- I didn't want  
23 to cross that bridge because I needed to consult people about the issue, and I wasn't sure of the  
24 timing of things. And so -- you know, when things occurred and so forth.

25 So later on, when it became an issue, I had it reviewed and got the advice of the Ethics people

1 in the DOJ, and I did not recuse myself.

2 Q Did not recuse yourself?

3 A Yes.

4 Q And this is the Florida investigation?

5 A No. It was the --

6 Q The Southern District of New York investigation?

7 A That's the only thing that I was aware of going on when I was there.

8 Q Okay. So to clarify, did you have any involvement at all in DOJ's review of the Florida  
9 investigation that took place during your second tenure?

10 A I don't recall playing a role in the review of that. In terms of whether it was a proper?  
11 I didn't play a role in that review.

12 I think there was discussions when New York was moving forward with the prosecution.  
13 People wanted to be careful that it didn't run afoul of any of the provisions in that agreement.

14 Q And I can be more specific.

15 So it's my understanding that the DOJ's Office of Professional Responsibility undertook an  
16 investigation in 2019 --

17 A Right.

18 Q -- into the circumstances surrounding the Florida plea deal.

19 A Right. I didn't -- I wasn't hovering over that or involved in that. I learned about their  
20 conclusions, you know, from when they concluded, when they reached them.

21 Q After they issued the report?

22 A I can't remember exactly when. At some point I learned that OPR was saying that it  
23 was improper.

24 Q Have you ever discussed the Epstein investigation generally with Mr. Acosta?

25 A I don't recall discussion of the investigation. I may have around that -- there was a lot



1 of publicity around the fact that he might be pushed out of the administration.

2 I may have expressed commiseration with him that he was facing that kind of public  
3 challenge, but I didn't discuss the investigation.

4 Q What was your understanding of the reason that he was pushed out of the  
5 administration?

6 A I don't know. I don't -- I think he -- I think he resigned. I think he resigned, so  
7 he -- my understanding was he resigned so he didn't -- so this didn't continue -- this issue didn't  
8 continue to hound the administration. That was my recollection of what happened.

9 Q And to your understanding, did he resign on his own initiative, or was it under pressure  
10 from the White House?

11 A I don't know. I think it was explained as him stepping down to avoid the continued  
12 problem, but I don't know what happened behind the scenes.

13 Q With respect to the report that OPR issued, you mentioned that you took issue with, as I  
14 understood it, Mr. Acosta's failure to involve the victims in the process.

15 A Well, my recollection -- and I haven't looked at this -- but my recollection is that part of  
16 it ended up not allowing the victims to have their say, which is under Federal statute they have the  
17 right to do. That's my recollection of the issue.

18 And so I thought that -- I think it's wrong not to let the victims have their say. And here I  
19 also thought it was a legal vulnerability. But that was just me as a private citizen saying, "Well, gee,  
20 wow."

21 Q I'll represent to you the report also concluded that Mr. Acosta's decision to resolve the  
22 Federal investigation through the MPA constituted poor judgment, in OPR's words, among other  
23 things, by resolving the Federal investigation before significant investigative steps were completed.

24 Is that consistent with your understanding?

25 A Right now, I don't have a recollection of that.

1 Q Mr. Acosta reportedly has stated that he was told that Jeffrey Epstein, quote, "belongs  
2 to intelligence and to leave it alone," unquote.

3 Are you aware of Mr. Acosta saying that?

4 A No. Other than what's ever been reported in articles over the years.

5 Q Do you have any knowledge of Mr. Epstein having any ties to any intelligence agency?

6 A No.

7 Q Or of Mr. Acosta being told --

8 A I don't know about any ties.

9 I have no reason to believe he was working for the CIA or any intelligence agency, and I'm  
10 dubious about claims like that.

11 Now, many American businessmen who have foreign contacts sometimes will talk to  
12 intelligence agencies and provide information to them. And the CIA has a unit that goes around and  
13 talks to people who are well-connected and asks them questions.

14 So my supposition, when I saw things about him being connected to U.S. intelligence, maybe,  
15 like many other businessmen, he talks to them, but this is not, in my opinion, based on what I saw, I  
16 didn't think it was an intelligence operation, and I never received any information that led me to  
17 believe that.

18 Q Do you have any idea why Mr. Acosta would suggest that it was?

19 A I don't know he did -- whether he did. Wasn't that someone attributing something to  
20 him?

21 Q That's his reported statement.

22 A Okay.

23 Q I'll shift gears now and move on to the Southern District of New York investigation.  
24 And for the sake of brevity, if it's okay with you, I'll refer to Southern District of New York as SDNY.

25 A Sure. That's how I would refer to it.

1 Q I understand -- you mentioned earlier that you -- a determination was made that you  
2 would not recuse yourself from the SDNY investigation.

3 And just to make sure my understanding is clear, was that based on input from the Ethics  
4 Office at DOJ?

5 A That's my recollection, yeah.

6 Q Okay. And do you recall the rationale for concluding that your continued involvement  
7 was consistent with the ethics regs?

8 A Because I really didn't have a connection. I wasn't involved in the first investigation.

9 Q There has been mention in the press about your father's role as the headmaster of the  
10 Dalton School in New York. Was that a consideration in the Ethics Office analysis?

11 A Actually, I don't even think -- I don't know whether I was aware of that at that time.  
12 Obviously not. It's not pertinent at all.

13 Q You spoke generally during the previous round about the nature and extent of your  
14 involvement in the SDNY investigation. I'd like to just delve into that in a bit more detail, if I could.

15 To begin with, could you describe the allocation of responsibility between yourself and U.S.  
16 Attorney Berman?

17 A Well, the U.S. Attorney -- all U.S. Attorneys are responsible for pursuing investigations  
18 and making prosecutorial judgments.

19 Q Yeah. Just to clarify, I don't mean generally operationally within DOJ. I'm speaking  
20 specifically with respect to the Epstein investigation.

21 A Well, this was a case that was within his purview. He had, obviously, approved or was  
22 involved in either its launching or continued under him, and so he was responsible for conducting the  
23 investigation and making the initial prosecutorial judgments.

24 Also, under the Department rules, that if he believes there's a basis for investigating someone  
25 who is a prominent person or a senior political official or whatever, he is supposed to send an urgent

1 report to my attention.

2 Q What was the extent during the SDNY investigation of your interaction with FBI agents?

3 A During the investigation of it?

4 Q Yes. The Epstein investigation.

5 A I would say the agents up in New York, but people at headquarters, after the suicide, I  
6 told the headquarters to make sure that they flooded the zone. That is, that they provided the  
7 investigative office, which was the New York FBI office, all the resources necessary and made sure  
8 that a Federal investigation was being done. And Bowdich oversaw. He's the deputy in  
9 Washington.

10 The actual investigation was carried out by the New York agents -- most of it, I think, by New  
11 York agents. I didn't have contact with people up in New York, the agents up in New York.

12 Q And apart --

13 A It is possible that when I was being briefed at some points they would put someone like  
14 that on the line to explain something to me, but I didn't seek out contacts with people and the  
15 people the FBI made available to me.

16 Q Within FBI Headquarters, apart from Mr. Bowdich, was there anyone else you  
17 communicated with directly about the investigation?

18 A FBI?

19 Q Yes.

20 A I'm trying to remember who was the head of the Criminal Division. I don't recall  
21 anyone other than Bowdich. I think I may have had conversations with Chris Wray about it, sort of  
22 what a mess the thing was.

23 Q And within SDNY, did you ever communicate directly with any of the line prosecutors?

24 A No, not that I recall.

25 Q And you spoke in the previous round, as I understood, about being briefed by the DAG

1 at the regular meetings that were held at Main Justice.

2 Were you briefed by U.S. Attorney Berman as well?

3 A You know, I think I probably had a conversation with Berman, a general conversation.

4 But I think, to the extent he communicated or his people communicated, it would have been more to  
5 the deputy's office, and then I would have been told about it.

6 Q When did your conversation with Mr. Berman take place?

7 A You know, I can't say for sure there was. I think -- all I know is that I became aware of  
8 the investigation. I became aware that there was people looking at the issue of whether or not it  
9 would be permitted under the -- to what extent there are limitations imposed by the Florida plea  
10 agreement, things like that.

11 And I remember -- my best recollection is I had a conversation with him after the suicide  
12 where he strongly assured me and made it clear that this was a priority of the office and that they  
13 would continue pushing ahead.

14 Q Did you ever discuss with Mr. Berman any of the conversations you had with President  
15 Trump?

16 A No. Not that I can recall.

17 Q And, again, in terms of the investigative process, were you involved at all in the decision  
18 surrounding what charges to bring before the grand jury against Mr. Epstein?

19 A No.

20 Q Did you review the indictment?

21 A I can't recall reviewing the indictment. I may have been -- I may have or been shown  
22 it --

23 Q And were you --

24 A -- but I don't recall it.

25 Q Were you briefed regarding the specific charges that SDNY intended to bring?

1 A I think I was told what they were. I don't recall how deep the conversation was.

2 Q Was there ever any disagreement between you and SDNY over who to charge or what  
3 charges to bring?

4 A I don't remember one.

5 Q Any --

6 A You mean the first time around?

7 Q The --

8 A The initial indictment against Epstein in July?

9 Mr. O'Callaghan. Maybe a time frame would help.

10 The Witness. July.

11 Mr. O'Callaghan. 2019? Are we talking 2019?

12 [REDACTED] Yes, yes.

13 The Witness. Okay.

14 [REDACTED] Thanks.

15 BY [REDACTED]:

16 Q To your knowledge, did anyone else at Main Justice disagree with the charges that SDNY  
17 intended to bring?

18 A I don't recall any disagreement.

19 Q In the two conversations you had with President Trump, did the President express any  
20 views on the investigation?

21 A Not that I can recall, no.

22 Q Did he ever give you any instructions with respect to it --

23 A No.

24 Q -- or express any preferences --

25 A No.

1 Q -- with respect to the investigation?

2 A No.

3 Q To your knowledge, did anyone else at DOJ discuss the SDNY investigation with anyone  
4 in the White House?

5 A Not to my knowledge.

6 Q The FBI's investigation, did that continue post-indictment?

7 A The FBI's investigation of the suicide?

8 Q The FBI's investigation into Mr. Epstein's crimes.

9 A My understanding is that the investigation was going forward because they were at that  
10 stage looking for people who were complicit in the trafficking, either by facilitating it or by essentially  
11 exploiting the victims.

12 Q And do you know how long the FBI's investigation continued?

13 A I think it continued throughout my tenure.

14 Q I'd like to shift and focus on the evidence that the FBI obtained during the course of the  
15 investigation, and I'm going --

16 A I think this was an investigation directed by the Southern District, so it involved their  
17 prosecutorial team. It wasn't the FBI in the initial stages of the investigation, but they were  
18 essentially --

19 Q Yes.

20 A -- working with the prosecutors.

21 Q Understood.

22 A Yes.

23 Q I'm going to ask the court reporter to mark as exhibit A an ABC News article titled "What  
24 the government evidence list tells us about the unreleased Epstein files," dated July 17th, 2025, and  
25 as exhibit B a three-page catalog of evidence that was reportedly prepared by the FBI.

1 [Barr Minority Exhibits A and B  
2 were marked for identification.]

3 The Witness. Should I read the whole thing or --

4 [REDACTED] No, I can point you to -- you're certainly welcome to. I can also point you to  
5 the portions that I plan to ask you about.

6 The Witness. Well, why don't we try that --

7 [REDACTED] Sure.

8 The Witness. -- and let's save time.

9 BY [REDACTED]:

10 Q So the article describes Attorney General Bondi making available, quote-unquote, "the  
11 first phase of the declassified Epstein files."

12 Mr. Barr, were you previously aware of Ms. Bondi making these materials public?

13 A Just what I read in the press.

14 Q Do you have an understanding as to why Attorney General Bondi did so?

15 A I've never discussed the matter with her. I don't know.

16 Q And do you have an understanding of what the Epstein files contained, as the phrase is  
17 used in this piece?

18 Mr. O'Callaghan. As -- you mean in the ABC piece?

19 The Witness. Where is that used?



1 BY [REDACTED]:

2 Q I'm looking at the first sentence of the article, that refers to Attorney General Bondi  
3 releasing the first phase of the declassified Epstein files. It's the very first sentence of the article.

4 A Yeah, I see that. Yeah.

5 Q Do you have an understanding as to what those files are comprised of?

6 A No.

7 Q And then exhibit B is a catalog which, according to the ABC piece, is the only document  
8 in the first phase of the declassified files that hadn't previously been made public.

9 A This is what was given to what?

10 Q So it's what the ABC piece describes as the only documents in the first phase of the  
11 declassified materials that Attorney General Bondi released that have not previously been made  
12 public.

13 A Okay.

14 Q And my question is, have you seen this catalog before?

15 A I don't recall seeing it before.

16 Q Are you familiar with any of the items that it describes?

17 A You want me to go through each item? I'm not generally -- I'll just say this.

18 I'm not generally familiar -- or even specifically familiar -- with the evidence amassed by the  
19 Southern District to prosecute either Epstein before he committed suicide, obviously, and then what  
20 they may have collected that affected other potential defendants.

21 In other words, I wasn't monitoring the case that closely to know what the evidence was.

22 Q You mentioned that --

23 A I think while I was there, they reached the conclusion that they had a case against  
24 Ghislaine Maxwell. And I don't have specific recollections of it, but I'm sure I was briefed on what  
25 the charges were and what evidence supported it.

1 Q Okay.

2 A But I have no way of linking any -- this is gibberish to me because I have no way of  
3 linking the content to the case.

4 Q Okay.

5 Mr. O'Callaghan. [REDACTED], are you sure exhibit B is what the article refers to? Because the  
6 article refers to a three-page index, and this is much longer than three pages.

7 [REDACTED] Yep. So, Ed, that is an enhanced version of the catalog, which if you print it  
8 out from a publicly available source contains typeface that is far smaller, so we blew it up so that  
9 your client would be able to read it at the witness table.

10 Mr. O'Callaghan. Okay.

11 The Witness. Thank you.

12 Mr. O'Callaghan. Me, too.

13 The Witness. I wouldn't know what this stuff is. I mean, I may have been aware of some of  
14 it, but it has to be better identified for me, you know.

15 But as I say, generally speaking, the way I understood what was going on in the Southern  
16 District, other than looking at the issue of the suicide, which I carefully monitored, was doing what a  
17 U.S. Attorney Office normally does.

18 And my understanding is that at that point after the suicide, they were looking to make -- to  
19 see if there was evidence to charge someone for participating in the trafficking. And I didn't  
20 monitor their investigation, as I wouldn't generally monitor an investigation unless there was a  
21 particular reason to do it.

22 BY [REDACTED]:

23 Q You mentioned earlier, as I understood, that to your knowledge, the FBI's investigation  
24 continued throughout your tenure as Attorney General.

25 A Yes.

1 Q To your understanding, did it continue after you left DOJ?

2 A I don't recall. I think -- I don't -- I don't recall.

3 But my impression is that this was a very motivated group of prosecutors, and this was a high  
4 priority for the office and for the Department, and they were moving forward.

5 My belief and understanding was that if they came across evidence that would establish  
6 either that someone helped in recruiting these young girls or was involved in sexual activity with  
7 them that they would have proceeded on that case. That was my view.

8 And I didn't think this group of prosecutors would stop until they were satisfied that they had  
9 gone through the evidence.

10 So from my standpoint, both for reasons of Justice Department protocol, which required  
11 them to alert me if they actually started going down that trail as to any prominent person, and also  
12 just from the practicality that I think that kind of information, if someone is trying to sit on it, would  
13 have bled out eventually, I was not aware of what evidence they had that would do that, I was never  
14 given reason to believe that they had evidence to make a case.

15 Ms. Crockett. Can I jump in really quickly on this point just to follow up?

16 It's been widely reported that the President was informed by the current Attorney General,  
17 Pam Bondi, that he appears in the Department of Justice's files on Jeffrey Epstein.

18 I'm curious to know, in those conversations that you do recall with the President, do you  
19 recall ever informing him that he was in the Epstein files at all, number one? I'll ask that so I don't  
20 have a compound question.

21 The Witness. Yeah. Well, I'm not sure what "Epstein files" refer to these days. But, no, I  
22 didn't -- I didn't have that kind of conversation with him.

23 I think at some point logs were made public that he was on Epstein's plane making commutes  
24 from -- or flying between Miami and New York or Miami and New Jersey or stuff like that, and I think  
25 that that got out publicly. I don't recall discussing that with him.

1 Ms. Crockett. Okay.

2 The Witness. And I can't even remember when it came out.

3 Ms. Crockett. Okay. So to be clear, you had no direct knowledge of the President himself  
4 being named in the Epstein investigation is what you're telling us?

5 The Witness. No. I'm saying that in the year -- many years up to the case -- there had been  
6 news coverage reporting on, essentially, two kinds of people, people who were in his either business  
7 or social network and had connections with him -- which to me doesn't mean that that is a crime, and  
8 there are many names thrown around like that -- and then there were names where there was  
9 specific credible evidence or specific serious evidence by, for example, a victim, a specific victim, that  
10 they were exploited by a particular person.

11 So there were those sort of people. And my understanding was that the New York office  
12 was trying to see if there was, in fact, any evidence to support that any of these people actually  
13 violated the law.

14 Ms. Crockett. And you have no direct knowledge of any of the now young women or  
15 women that claimed that they had encounters with the President through Epstein, correct?

16 The Witness. I never was told by the Southern District that they had evidence to support  
17 any claim like that.

18 Ms. Crockett. Thank you.

19 The Witness. As to who? As to Trump?

20 Ms. Crockett. Yes.

21 The Witness. Yeah.

22 Ms. Crockett. Sorry. President Trump.

23 The Witness. I was never told that there was evidence to support that claim.

24 Ms. Crockett. I'm done. Sorry.

25 BY [REDACTED]:

1 Q Just shifting back to the evidence that the FBI gathered. There have been reports of  
2 hidden cameras and a recording system at Jeffrey Epstein's New York City residence.

3 Are you aware of the existence of any such cameras and a recording system?

4 A I think when the search -- I was aware -- I can't even remember if it was after I left or  
5 while I was there -- but I remember that there were cameras uncovered during the searches that  
6 were made of the Manhattan building, and I think also the island, maybe even -- wasn't there a place  
7 in New Mexico as well? I heard that there were things being uncovered like that.

8 Q Did you ever see the footage --

9 A No.

10 Q -- from those systems?

11 A No.

12 Q And is that footage, to your knowledge, still within the possession of DOJ?

13 A To my -- whatever information was collected, I have no reason to think it's not in their  
14 possession. I never went and looked at the evidence they were collecting.

15 Q Do you have an understanding as to why that material hasn't been publicly released?

16 A I have no knowledge as to why, but I think I understand the potential reasons for it.

17 Q Which, in your view, are what?

18 A Well, I mean, in terms of conducting an investigation, you would have some stuff that's  
19 grand jury material that was collected pursuant to grand jury process and through the grand jury  
20 process, and that would normally not be made public. And I think there are strong reasons for not  
21 making grand jury public, including requiring the approval of a court's approval.

22 As to other evidence, I think there's strong policy reasons not to make available, which an  
23 Attorney General at the time has to make judgments as to what are the reasons to make it public and  
24 what are the reasons against making it public.

25 And among the reasons for not making it public generally, just here it all is, is because there

1 are frequently -- there's frequently tidbits of evidence that can be cast publicly as incriminating  
2 when, in fact, against all of the evidence it isn't, and the judgments about credibility that are made.

3 I think we've all seen examples where 302s don't necessarily -- could be wrong on something  
4 they say. A witness could later say, "I didn't say that," and so forth. So you have to be careful  
5 about what you say about people.

6 And so the general principle is, if you have enough evidence to charge someone, you put that  
7 evidence out through the process, but you don't just open your files.

8 So I can understand why there is reluctance to do it. And as I say, an Attorney General has  
9 to make a balance.

10 Q As we saw a few minutes ago when we looked at the ABC article, exhibit A, Attorney  
11 General Bondi did release a significant volume of material earlier this year.

12 Do you disagree with her decision to do that?

13 A No, I don't -- I don't agree or disagree. I don't know -- I haven't kept up with what's in  
14 there. And as I say, it's sort of an individual judgment based on a balancing, and I don't have  
15 transparency into all the factors that are at play there.

16 Q Sorry. I didn't want to interrupt you.

17 A I mean, a lot of the information is out there because of civil cases. You know, that's  
18 another important part of the context here. A lot -- to the extent there are victims, I mean -- which,  
19 obviously, there are victims -- but a lot of those victims have either been encouraged to bring civil  
20 suits or have brought civil suits. And in that context, a lot of the evidence has been released  
21 through those cases.

22 Q And just so we're clear on the parameters, am I correct that it is within the Attorney  
23 General's authority to release materials like this at his or her discretion?

24 A There's no law against it other than -- I guess the way I look at it, there's no law against  
25 it except for the grand jury secrecy. That's my understanding of the situation.

1 Q Okay.

2 A But there are consequences for releasing everything out there because that will make it  
3 harder to conduct investigations in the future on anything if people say -- whatever they say is going  
4 to be out in the public even though it is not evidence of a crime.

5 Q Are there, in your view, certain categories of cases that rise to a level of public interest  
6 such that the release of this kind of information is appropriate despite the considerations that you  
7 just articulated?

8 A Well, part of my own direct experience was, obviously, the Mueller report. Now, it's  
9 not exactly the same kind of situation, but there I did agree to put out the reports even though it  
10 canvassed a lot of the evidence.

11 But we sanitized it for grand jury material and for classified material and also material that  
12 was unfair to third parties who we were not charging, if we weren't charging someone with a crime  
13 or accusing someone of committing a crime. That was one of the other considerations that we  
14 used.

15 But we did -- at the end of the day, I felt the public interest demanded putting out what we  
16 put out.

17 Q Do you think that a case for public release in the instance of the Mueller report was  
18 stronger or weaker than the case with respect to the Epstein materials?

19 A You know, it had to do with a head of state and whether he was a Russian spy. I don't  
20 think you can get more important than that.

21 Q Shifting back to the evidence. As you're probably aware, there's been a significant  
22 focus on the possible existence of what's been described as an Epstein client list.

23 Is that a term that you've heard before?

24 A I've heard the term, but I've always been confused as to what it actually referred to. I  
25 think it needs to be clarified.

1 Q Do you have an understanding as to what the term refers to?

2 A Well, so I guess my view is Epstein sort of had three lives.

3 He was a socialite and had a lot of social activity that was legal, and he was meeting  
4 prominent people all over the place socially.

5 Second, he was a business guy and had business relationships all over the place.

6 And third, he had a perverted practice of recruiting young girls for his own satisfaction, and  
7 there were some allegations that he made those girls available to contacts of his.

8 And when so I hear "client list," are we talking about his financial clients? I doubt it. Are  
9 we talking about his social phone book? I doubt it. Are we talking -- are we sort of equating this  
10 to acting like a madam at a bordello and that he sort of has a list of the clients that use the bordello?  
11 That's what I think people are referring to.

12 Q So --

13 A So that's how I take the term.

14 Q So with that understanding, are you aware of a list that fits the category that you just  
15 described?

16 A Like a bordello madam?

17 Q Yes.

18 A No. I was never told there was such a list. I never -- I don't have a reason to think  
19 that there is such a list.

20 But by that, we're talking about a list that's put together by him, okay? He's compiled  
21 something. That's not to say that by going through the evidence -- interviews, the statements of  
22 the victims, and so forth -- you couldn't figure out who some of those people were.

23 Q But, again, just tying all this together, to your understanding, does there exist a single  
24 document that contains the names of individuals who had participated in or were complicit in the  
25 crimes that Jeffrey Epstein was charged with?



1 A I have no reason to -- I was never told that that was the case by the SDNY --

2 Q In --

3 A -- or by the FBI.

4 Q In public statements, Attorney General Bondi had initially seemed to acknowledge that  
5 such a document existed and was asked specifically about a, quote-unquote, "client list," but then  
6 backtracked, as reflected in the July 2025 memorandum from the FBI that explicitly disclaims the  
7 existence of any such list.

8 Do you have an understanding as to why Attorney General Bondi initially made that  
9 representation?

10 A No. I have no knowledge. I could see that her explanation -- I heard her explanation  
11 of it, and I think it's potentially a good explanation. I don't discount it.

12 Q Did it strike you as unusual that she changed her position publicly?

13 A Well, I don't know if she changed her position. My understanding is that -- and I did  
14 watch the interview that she -- you know, she started answering -- she was basically geared up to  
15 answer the question about how she was going to get the material out. And the questioner at the  
16 end put in the phrase "client list," and she blew through that and just gave the answer she was going  
17 to give, like, "It's on my desk." And her explanation, I think, is that she was referring to the file that  
18 she intended to put out. I don't discount that, but I have no knowledge.

19 Q Okay. Are you aware of a document that Jeffrey Epstein kept that's been referred to in  
20 the press as a, quote-unquote, "black book"?

21 A Do I have knowledge of what?

22 Q A document that the press has described as maintained by Mr. Epstein and referred to  
23 as a "black book"?

24 A I think I've heard -- I've seen that expression in the media. But as I say, no one has  
25 ever -- and I sort of took that as the client list sense versus as a phone book with his -- everybody in it

1 that he socializes or does business with.

2 And as I said, no one has ever indicated to me that there is something, one place that  
3 compiles the people that he essentially exploited these girls by providing them to these individuals.

4 Q So you haven't seen a phone directory that Mr. Epstein compiled?

5 A Not that I can recall. You mean a phone directory of what?

6 Q Containing names of people that were associated with Mr. Epstein.

7 A Just generally associated? I don't recall that, but it wouldn't surprise me, and I  
8 wouldn't think that by itself it had evidentiary value other than that he knew a person.

9 Q You mentioned earlier that the FBI continued to investigate the existence of possible  
10 coconspirators of Mr. Epstein.

11 Could you just generally walk us through the investigative steps that DOJ took to pursue those  
12 coconspirators?

13 A I mean, that was done by the Southern District. I mean, the person in charge of the  
14 investigation was U.S. Attorney Geoff Berman, and he had an experienced team, and they would  
15 have -- he would have, to the extent there was any direction or judgments being made that required  
16 supervision, he would have made them, not me.

17 Q Did you have any visibility into subpoenas that SDNY issued?

18 A Visibility in the sense of approving them ahead of time? I don't recall approving  
19 subpoenas in that case. I don't recall issues coming up to me. It's possible. I mean, a lot was  
20 coming in.

21 Q And what about knowing after the fact that they had been issued?

22 A Well, I think, to the extent I read things that may have involved like that, I assume they  
23 got search warrants to collect stuff from the house and things like that.

24 Q But you didn't get any direct information from SDNY regarding the issuance of  
25 subpoenas?

1 A Not that I can recall.

2 Q And what about witness interviews?

3 A I think there was a dispute over Prince Andrew.

4 Q Okay. And how did you --

5 A Not between me and the office, but between Prince Andrew and the Southern District.

6 And I was aware of that dispute because it -- I forgot how I became aware, whether it was public or  
7 what.

8 Q And what do you recall about that dispute?

9 A I think they wanted to talk to him, and he wouldn't really submit to an interview.  
10 That's my recollection of what the dispute was over.

11 Q And did you discuss that with SDNY?

12 A No. I think after the fact -- I think Berman went out and gave a pretty strong  
13 statement. I think he may have been standing in front of the house, as I recall, something to that  
14 effect.

15 And it was about Andrew not -- basically trying to say publicly that he was cooperating and in  
16 real fact he was not cooperating. And I think I talked to him about that.

17 Q Talked to?

18 A After -- I think it was after his --

19 Q Mr. Berman?

20 A Yeah.

21 Q A number of prominent individuals have been alleged to be connected to Mr. Epstein as  
22 his clients or otherwise as associates.

23 What I'd like to do is to read you a list of names, and for each I ask you to state whether, to  
24 your knowledge, that individual was within the scope of DOJ's investigation and what, if anything,  
25 DOJ determined with respect to that individual. Does that make sense?

1           A     Yeah. But, I mean, I would not -- I don't know what "within the scope of the  
2 investigation" means. Whether they were subjects or targets?

3           Q     How about witness, subject, or target?

4           Mr. O'Callaghan. In an Epstein investigation that's lasted for multiple decades, you're going  
5 to ask him if any of these individuals were ever somehow a part of that investigation?

6           [REDACTED] Yeah.

7           Mr. O'Callaghan. It's too broad. I don't think it actually comports with what the stated  
8 scope of this is.

9           [REDACTED] Okay. I can come at it a different way.

10          I'll just -- I'll read the first name.

11          Alan Dershowitz. Did Mr. Dershowitz, to your knowledge, ever become relevant to the  
12 Epstein investigation in any respect?

13          The Witness. I don't know.

14          Mr. O'Callaghan. And this is all --

15          The Witness. I assumed -- I did not go and ask them, "Who are you looking at?"

16          Now, that, in itself, sort of suggests they're targeting someone or even thinks someone is a  
17 subject versus a witness and so forth.

18          But I didn't get into that. I did not go up and say, "Gee, are you looking at Dershowitz? Are  
19 you looking at Governor Richardson? Are you looking at George Mitchell? Are you looking at  
20 Donald Trump? Are you looking at Branson or whatever." I didn't do that.

21          I saw names appearing and the media hyping all these so-called connections. I did not ask  
22 them whether -- but I assumed that some of these people were examined.

23          [REDACTED] So you didn't discuss Alan Dershowitz with anyone else within DOJ?

24          The Witness. No. I, obviously, may have mentioned -- may have discussed Dershowitz  
25 sitting around my office saying, "Wow."

1 Mr. O'Callaghan. That's part of the problem, is that there's so much media reporting --

2 The Witness. Right.

3 Mr. O'Callaghan. -- media reporting on individuals that in common workplace conversation  
4 stuff like that happens. He just happens to be the Attorney General of the United States.

5 The Witness. I did not delve into the investigation of Epstein.

6 [REDACTED] So --

7 The Witness. I let the investigators -- let the chips fall where they may.

8 [REDACTED] Understood. So, again, just for the sake of clarity, apart from information  
9 that came to you through the media, what was publicly reported, was, to your knowledge, Alan  
10 Dershowitz relevant to the investigation in any way?

11 The Witness. I don't know. I mean, these questions are a little bit too broad for my taste.

12 Mr. O'Callaghan. It's a very difficult thing you're asking him to do.

13 The Witness. Of course he's relevant to the investigation, you would think.

14 [REDACTED] Were there discussions within DOJ about Alan Dershowitz, to your  
15 recollection?

16 The Witness. As I say, sitting around my office, people could say, "Gee, Professor  
17 Dershowitz is in hot water."

18 But I did not -- I was not in communication with the Southern District about the handling of  
19 this investigation.

20 Mr. O'Callaghan. I mean, that might be an approach, if Southern District ever briefed him,  
21 you know, these people as being targets of their investigation. Because SDNY, as he's testified to  
22 over and over again, was in charge of the investigation. So if they were going to report, they would  
23 have reported an urgent matter to him.

24 The Witness. I don't recall any discussion with the Southern District where we discussed the  
25 nature and weight of evidence they had against the individuals that, in my mind, had been identified

1 publicly as people who could have been involved in improper activities. I didn't --

1 [12:16 p.m.]

2 BY [REDACTED]:

3 Q Okay.

4 A I didn't -- I did not -- I was not told that the office had evidence in its possession that  
5 established that somebody was involved in those activities. I don't remember sitting down  
6 discussing, you know, gee, here's the weight of the evidence or here's something that gives us a lead  
7 we can pursue. I wasn't focused on, you know, myself, looking at and hovering over the handling of  
8 that case.

9 Q Okay. So, for the rest of the names, I will couch the question as follows: Did you ever  
10 become aware of each of these individuals either being a witness, a subject, or a target in the SDNY  
11 investigation?

12 And so the next --

13 A "Become aware of" -- you had things being published all the time --

14 Q Right.

15 A -- in the press.

16 Q About their formal status in the DOJ's investigation? I don't think that would be  
17 publicly reported.

18 A Okay. Okay. The formal status that was provided me by the Southern District.

19 Q Yep. That's all I'm asking.

20 A Okay.

21 Q So the next name is David Copperfield.

22 A I don't recall that being so.

23 Q Michael Jackson?

24 A I don't recall being so.

25 Q Prince Andrew?

1           A     And when I say "don't recall," I mean, my best recollection is I did not get that  
2 information.

3           Q     Okay.

4           A     Go ahead.   I mean, just read down the list.

5           Mr. O'Callaghan.   I think the question about Prince Andrew is pending.

6           The Witness.   That's right.

7           I was aware of the Prince Andrew issue.

8           You know, go through the list.   I'll tell you --

9           Mr. O'Callaghan.   So, just to clarify, you're aware of Prince Andrew being sought as a witness  
10 by the Southern --

11          The Witness.   Yes.

12          Mr. O'Callaghan.   -- District of New York?

13          The Witness.   And a dispute over him cooperating.   I was aware of that.

14               BY [REDACTED]:

15          Q     Bill Clinton?

16          A     Same answer.

17          Q     Bill Richardson?

18          A     Same answer.

19          Q     George Mitchell?

20          A     Same answer.

21          Q     Glenn Dubin?

22          A     Same answer.

23          Q     Bill Gates?

24          A     Same answer.

25          Q     And Leon Black?



1 A Same answer.

2 Q Okay.

3 Ms. Crockett. Just to clarify, when you're saying "same answer," is that the same answer as  
4 Prince Andrew or is that the same answer as the prior -- because --

5 The Witness. The ones other than --

6 Ms. Crockett. -- they were different.

7 The Witness. -- other than Prince Andrew.

8 Ms. Crockett. Okay. Just to be clear for the record.

9 And, really quickly, I'm going to jump in just before we have to wrap.

10 Because we are talking about the investigations, Maxwell was investigated during your  
11 tenure, not necessarily taken to trial, while you were still at the DOJ. She is someone that was  
12 involved in this SDNY situation.

13 You are aware that Maxwell was not born in this country, correct?

14 The Witness. Yes.

15 Ms. Crockett. Okay.

16 You are also aware that a jury of her peers found her guilty of five out of six counts that were  
17 brought against her by SDNY, including child sex trafficking and conspiracy, correct?

18 The Witness. Yes.

19 Ms. Crockett. In addition to that, have you been made aware through public reports -- well,  
20 let me clarify this. Child sex trafficking is not considered to be a low-level offense in the Federal  
21 Government, correct?

22 The Witness. I'm not sure what "low-level" means, but it's a serious offense.

23 Ms. Crockett. It's definitely a felony, correct?

24 The Witness. Oh, yes.

25 Ms. Crockett. And a person can face up to life imprisonment for it, correct?

1           The Witness. I haven't looked at the statute, but it wouldn't surprise me.

2           Ms. Crockett. Okay.

3           And typically when someone is classified by the time that they enter into the Bureau of  
4 Prisons, their classification is usually based upon a multitude of things, one of them being how  
5 serious of an offense a person has been found guilty of, correct?

6           The Witness. That's one of the factors.

7           Ms. Crockett. Okay. In addition to their criminal history and other things. But, long story  
8 short, they are looking at whether or not a person is potentially a danger to the community, correct?

9           The Witness. That's another factor.

10          Ms. Crockett. When you are reading your public things, I'm assuming you've heard that  
11 there has been a transfer approved for Ms. Maxwell to a minimum-security prison camp. Are you  
12 aware of that?

13          Mr. O'Callaghan. You're referring to press reports, Congresswoman?

14          Ms. Crockett. Yes, because that --

15          The Witness. I've seen --

16          Ms. Crockett. -- that would be the only way that --

17          The Witness. I've seen those press reports.

18          Ms. Crockett. During your tenure as Attorney General, during either time, I'm curious to  
19 know, are you ever -- is it ever within your recollection that there was someone who had been  
20 convicted, finally convicted -- well, I guess it's not final; she's still on appeal -- convicted of five counts  
21 of child sexual trafficking and they somehow ended up transferred to a minimum-security prison  
22 camp?

23          The Witness. I mean, off the top of my head, I can't remember a situation like that.

24          Ms. Crockett. In fact, you'd agree with me that, in order for someone to be transferred  
25 under those type of circumstances, it would actually take a higher level of approval. That is not

1 something that just any old low-level BOP person would be able to do, correct?

2 The Witness. I wish that were correct. You never know.

3 Ms. Crockett. Because mistakes happen.

4 The Witness. Yeah. Sometimes you wake up and you find that something's happened, like  
5 taking someone off suicide watch.

6 Ms. Crockett. But you'd would agree with me that the policy in general is not to put  
7 someone who's been convicted of those types of crimes into a minimum-security camp?

8 The Witness. I think -- actually, I think the way the system works is, the political level usually  
9 allows the Bureau of Prisons broad leeway in determining how people are handled under their  
10 structure and using their criteria, and if they disagree, they might intervene.

11 Ms. Crockett. Understood.

12 The Witness. That's how I think the system generally operates.

13 Ms. Crockett. Understood.

14 To the best of your knowledge, whether it's during your tenure or during reports, she's never  
15 been in that type of facility in the last 4 years of her incarceration until now, correct?

16 The Witness. I gather that's the case.

17 Ms. Crockett. Okay. Thanks.

18 [REDACTED] Off the record.

19 [Recess.]

20 [REDACTED] On the record.

21 Chairman Comer. General Barr, I may jump in for a couple of questions.

22 Were you aware of the involvement of Hillary Clinton and the Clinton campaign in the Russia  
23 collusion investigation involving President Trump?

24 The Witness. To the extent it was determined by Durham, yes. Durham was looking into  
25 that.

1 Chairman Comer. Did you review documents that indicated the involvement of former  
2 Secretary Clinton in the Russia collusion investigation involving President Trump?

3 The Witness. Did I look at documents?

4 Chairman Comer. Yes.

5 The Witness. Yes.

6 Chairman Comer. To the best of your recollection, did you at any point attempt to declassify  
7 items in the Russia collusion investigation?

8 The Witness. Some items declassified, and some I opposed declassifying.

9 Chairman Comer. Okay.

10 Were you aware of the involvement of President Obama or his officials in the Russia collusion  
11 investigation involving President Trump?

12 The Witness. I was aware of meetings held at the end of the Obama administration. They  
13 were described.

14 Chairman Comer. And did you review any documents?

15 The Witness. I think I saw a set of notes taken by an intelligence official perhaps.

16 Chairman Comer. Okay.

17 All right.

18 [REDACTED] Thank you, sir.

19 BY [REDACTED]:

20 Q And much like the disclaimer at the beginning of the minority hour, I might ask some  
21 similar questions this hour. But we're going to start back with Mr. Epstein's death and some of the  
22 irregularities within the jail.

23 We talked about the missed institutional counts and observations. And the two guards, two  
24 corrections officers, Tova Noel and Michael Thomas, were eventually indicted for falsifying those  
25 records.

1           Were you involved at all in that indictment?

2           A    I was -- it was -- I think it was passed by me.   I think I was informed as to what they  
3   were going to do.

4           Q    I think they eventually entered a plea agreement or --

5           A    Yes.

6           Q    -- the case was otherwise dropped.   Were you involved at all in that?

7           A    I think people described it to me, I think, before it happened.   Yeah.

8           Q    But much like some of the Epstein investigation, you're not involved in the prosecutorial  
9   decisions on whether or not --

10          A    Right.

11          Q    -- to take the case?

12               On the institutional counts, my understanding of these is that, at set intervals, corrections  
13   officers need to go through their area of responsibility and just do a count of the inmates to make  
14   sure that everyone is accounted for.

15               Is that a fair summary of that?

16          A    The count process, yes.

17          Q    And --

18          A    And they report the counts, I think it's -- is it -- I forgot how frequently they report the  
19   counts, but they call in the counts.

20          Q    My -- from the indictment, at least, they were responsible for counts at 4:00 p.m., 10:00  
21   p.m., 12:00 a.m., 3:00 a.m., and 5:00 a.m.   Does that sound right?

22          A    Sounds right.

23          Q    And then, to the best of your recollection, were these institutional counts done by those  
24   officers?

25          A    I can't remember if one of them was done, but they generally were not done.

1 Q And then you testified earlier, but the officers falsified the records. Is that correct?

2 A Yes.

3 Q Moving to the 30-minute rounds, again, my understanding of the rounds were that they  
4 were directed by the psych department, the medical department, because Mr. Epstein was coming  
5 off suicide watch and coming off, kind of, the more enhanced observation. Is that correct?

6 A Yes.

7 Q And --

8 A I'm not sure if it was -- I think that's part and parcel of this level of scrutiny.

9 Q Like, the step-down from --

10 A Yes.

11 Q -- suicide watch?

12 A Yes.

13 Q And my understanding, again, is that they would be conducted twice an hour, once the  
14 first 30 minutes, once in the second, at irregular intervals and at least 40 minutes apart. Does that  
15 sound right?

16 A Yes.

17 Q To your recollection --

18 A To my knowledge, yes.

19 Q To the best of your recollection, were these 30-minute rounds done?

20 A I believe that's what they were prosecuted for, not doing them and lying about it.

21 Q And then, to your recall, the officers falsified the records?

22 A Yes.

23 Q I believe you said it, and I know I have, but I want to ask directly: Were those  
24 30-minute rounds specific to Mr. Epstein?

25 A I believe they were specific to anyone who warrants that kind of level of a watch. I

1 don't know who else did in that SHU.

2 Q So that was my next question. Do you recall if anyone else on L Block required  
3 30-minute observation?

4 A Or even in 9 South. I don't know.

5 Q There was -- I can introduce it if you need me to, but there was a sign on the SHU  
6 officer's desk that read, "Mandatory rounds must be conducted every 30 minutes on Epstein, as per  
7 God." The "as per God," I'm assuming, is a joke for the warden or something.

8 A Right.

9 Q Do you recall hearing about that sign?

10 A After the fact.

11 Q Prior to your departure as Attorney General?

12 A I can't remember.

13 Q And what -- do you recall any discussions regarding that sign?

14 A It may have been part of the case. In other words, that it was clear to them that it was  
15 a priority to conduct those rounds as to Epstein.

16 Q Part of the case against Noel and Thomas?

17 A Yes.

18 Q We've gone through all of the, kind of, major irregularities. After you learned of these,  
19 did you take any disciplinary action against anyone involved?

20 A It could be referred to as "disciplinary." I think on the very day I was informed of his  
21 death, I started reaching out to find the old management of BOP that I was familiar with and had  
22 always considered to be, you know, fantastic managers of BOP. So I started lining them up because  
23 I intended to see if I could bring them in.

24 And then within days I -- I think maybe very quickly I reassigned the warden. And I replaced,  
25 I think the following -- I had the people come in to interview within a few days with the job, and then

1 I think within a week I moved out the head of BOP and I put in the new people.

2 Q And appointed a new Deputy BOP Director?

3 A Yes, both the top and the deputy, and that was all done within a week. And I left the  
4 other discipline up to them to mete out.

5 Q They would be the ones that placed the two guards on leave and --

6 A I don't know when they were -- I think they were probably put on leave right away, I  
7 think --

8 Q Okay.

9 A -- but further discipline and figuring out, you know, who was responsible for what  
10 oversight.

11 But I think there was no question -- they admitted right up front that they had --

12 Q They were --

13 A -- screwed up, as they said.

14 Q -- asleep at the desk?

15 A Yeah.

16 Q Was there -- to your knowledge, was there a larger investigation into whether or not  
17 these issues were systemic at MCC or if they were isolated to Epstein?

18 A I don't -- I actually can't answer that authoritatively. I think BOP does a lot of  
19 investigations of the BOP, and I think maybe their report on this incident says this is not new news; I  
20 mean, this is a problem.

21 Q Uh-huh.

22 A I think BOP, you know, has gone downhill in terms of its professional- -- you know, its  
23 management structure and professionalism. Part of that is the nature of the job and, especially in  
24 big cities, the pay rates and so forth. It's very hard to get good people.

25 Q MCC, I believe, is now closed?



1 A I think it was closed on the -- after I left. Yeah.

2 Q It was after you left?

3 A Yeah. Well, I stopped new prisoners from going in; I believe that's what I did. And I  
4 think I redirected them to Brooklyn MDC.

5 Q Thank you.

6 I'm going to ask a few questions about the individual cases, similar to what my colleagues  
7 asked, and might have a few followups based off their questions.

8 You testified a little bit about, you know -- I want to quote it as best as possible -- that you  
9 wanted to let the investigators let the chips fall where they may -- in other words, not involve  
10 yourself too heavily in the Epstein -- the 2019 Epstein prosecution and --

11 A Investigation.

12 Q -- investigation in general.

13 And then you said that -- I want to get it right -- that it's DOJ policy to bring to the Attorney  
14 General's attention if a prominent person was going to be the subject of an investigation.

15 Is that a fair summary of what the policy is?

16 A Yes. It's called "urgent reports." I think they have to file an urgent report.

17 Q Did the Southern District of New York ever file an urgent report regarding the Epstein  
18 case?

19 A I can't remember -- I don't remember that they did, but -- you know, I certainly was  
20 never informed by them that they were focused -- you know, that they believed that they had  
21 predicate to actually investigate the individual, individual people --

22 Q And, pardon me, I don't know the --

23 A -- other than Maxwell and Epstein.

24 Q And I don't know the actual, like, formal designations, but the -- they wouldn't have  
25 to -- would they have to issue a formal report if they wanted to interview someone as a witness that

1 was a prominent individual, or just if that prominent individual was going to become a suspect or a  
2 target of the investigation?

3 A I think -- I don't think it was that refined. I think they had to use their rule of common  
4 sense as to what would the national leadership of the Department want to know about.

5 Q Uh-huh.

6 A And, you know, I think, if they decided they were -- you know, had some predicate to  
7 actually pursue an individual, you know, moving into the potential area of a target, they would have  
8 to do an urgent report. Yeah.

9 Q And to the best of your -- like, out of the list that the minority read to you, the one that  
10 you recalled elevating to witness, suspect, or a target was Prince Andrew. Do you recall --

11 A I don't know if he was a target, and I actually -- you know, I guess, to my knowledge, he  
12 was at least a witness --

13 Q Uh-huh.

14 A -- but I don't know if he went beyond that. But, you know, that's somebody who in  
15 real-time I understood they were trying to get in the door to question.

16 Q Would -- understanding, again, that you said you don't recall specific urgent reports  
17 being filed with you, would that have been someone that met the criteria of prominent person?

18 A In my mind.

19 Q And I'll ask it specifically to him. Do you recall whether or not you got an urgent  
20 report --

21 A And it could affect foreign relations and so forth. It's a sensible rule.

22 Now, is it always followed by U.S. attorneys? No. There are many sit- -- not many, but  
23 there's sometimes a case where you don't get a report for something that should have been. And  
24 the SDNY is relatively well-known for playing its cards very close to the vest.

25 Q And, again, to the best of your recollection, you never got an urgent report regarding

1 Prince Andrew?

2 A I don't recall. Quite possibly. But I don't recall that.

3 Q When -- do you recall when a more --

4 A You know, an urgent report could also be done -- I mean, it's a judgment call. A U.S.  
5 attorney can want to question somebody as sensitive as a member of the royal family, you know, our  
6 closest ally, and they might file an urgent report saying, I want you to know that we're going to be  
7 pursuing this guy as a witness and it's going to make the papers.

8 Q So that's definitely someone that there should have been an urgent report filed?

9 A Yeah.

10 Q Now, whether it made it to your --

11 A Well, no. I mean, they can say he's just a witness.

12 But the fact -- I think one of the reasons -- when you go and you hold a press conference and  
13 you attack him in front of the mansion and so forth, that is actually something that the U.S. attorney  
14 should've run by me. Not that I would've opposed it, but I would like to know about it.

15 Q Uh-huh. So --

16 A I don't think he told me. But I wasn't mad at him for the substance.

17 Q This is potentially a poorly worded question, but -- so, based off that, your recollection,  
18 is it possible that they just didn't inform you that there were other prominent people under  
19 investigation or as witnesses?

20 A I think it is possible that the SDNY did not inform me, you know, how deep they were in  
21 the investigation of particular individuals. That would not surprise me.

22 By the same token, I feel that my view of that office and the people involved would be that, if  
23 they had evidence establishing a crime, they would pursue it as such.

24 And I also feel -- you know, I'm -- it's sort of amazing, after all these years, you know, going  
25 back to the '90s when you had people reporting and the victims and a lot of speculation and people

1 finding connections, I still have not heard any -- no evidence has come out that would establish  
2 criminality for most of the individuals --

3 Q Uh-huh.

4 A -- that have been named. And I think it would come out if there was any feeling that,  
5 within the government, on either side, that someone was covering up. I think it would get out. I  
6 mean, SDNY is also -- and New York -- is also well-known as being the home of many, many a leak on  
7 investigations, so --

8 Q So, in your experience, you have no doubt, if SDNY prosecutors saw evidence of a crime,  
9 they would've followed that evidence, and if it led to an indictment, they would've indicted, and if it  
10 led to a conviction, they would've followed the facts where they led. Is that fair?

11 A Yes, for that group. I also feel, you know, that, you know, they would've done the  
12 same for Clinton, I believe.

13 I think -- you know, remember, this stuff also went on under President Biden's administration,  
14 and they were looking for something to bring against President Trump, and this was -- if they had  
15 evidence, this would've been low-hanging fruit. I just don't -- I was never informed of the evidence,  
16 and I'm skeptical there is any.

17 Q Do you recall when a more -- the SDNY's more formal investigation into Epstein began?

18 A No. I mean, I may have at the time. I just don't remember.

19 Q Likely prior to you becoming Attorney General?

20 A Not necessarily, but quite possibly.

21 Q Okay. Do you recall generally when you became aware of the ongoing investigation?

22 A No, I don't. I obviously became aware of it around the time of his arrest. It could've  
23 been shortly before his arrest. I mean, usually we would be told of an arrest like that going down in  
24 Teterboro.

25 Q A more high-profile arrest the moment someone lands in an airport?

1 A Yeah.

2 Q In cases like this one -- we'll stick with the high-profile cases -- do any of the, kind of,  
3 investigatory decisions rise to the Attorney General's Office, whether or not to issue a search warrant  
4 or apply for a search warrant or apply for a subpoena? Would any of that have risen to your office?

5 A I wouldn't say -- it would be very unusual for it, but there could be unusual  
6 circumstances, like if you're going to search a very sensitive area, you know, that's going to cause all  
7 kinds of hubbub.

8 Q I believe it was a Member of Congress a couple years ago suggested that you personally  
9 approved the search warrant for Epstein's house in New York, his townhouse in New York. Do you  
10 recall --

11 A Did someone say that?

12 Q I believe so. I don't --

13 A I don't recall that.

14 Q But that --

15 A That's not the kind of thing I would've thought was particularly needed -- you know, you  
16 needed my approval for.

17 Q Kind of just the run-of-the-mill search warrant of a --

18 A Of somebody who's already been arrested.

19 Q Yeah.

20 Mr. O'Callaghan. "Run-of-the-mill" is your term?

21 [REDACTED] Yes. Like, not outside the ordinary practice of an investigation, I believe  
22 would be --

23 The Witness. I would've considered that normal.

24 BY [REDACTED]:

25 Q Okay.

1           During the course of the investigation, did you receive any regular briefings from the FBI or  
2 the SDNY?

3           A     During what?

4           Q     During the course of their investigation.

5           A     Into?

6           Q     Mr. Epstein.

7           A     Death? Or --

8           Q     No --

9           A     Oh, you're talking about before he committed suicide?

10          Q     Yes, sir.

11          A     I don't recall any.

12          Q     Would there be -- would that normally, those kinds of briefings or updates, fall to the  
13 head of the Criminal Division, or would it be even lower than that?

14          A     The investigation itself, I think -- I'm not even sure it would get to Main Justice, other  
15 than alerting us maybe that the investigation was going on, but particular actions wouldn't be  
16 regularly reported.

17          Q     And then -- I don't want to get it wrong, but I believe you said that there were -- in  
18 regards to the non-prosecution agreement out of the Southern District of Florida, there were  
19 conversations about being careful that the 2019 investigation did not run afoul of that. Did I  
20 summarize that correctly?

21          A     I vaguely recall some discussion -- I don't know exactly when it occurred -- about, you  
22 know, to what extent can charges be brought that don't run afoul of that plea agreement. I  
23 remember some discussions.

24          Q     Do you recall any more of the content of those discussions? Any --

25          A     No.

1 Q -- concerns that the plea agreement restricted the Southern District of New York?

2 A No. I just think it was a question of everyone agreeing on that we had a good legal  
3 argument.

4 Q And then --

5 A "We" being the whole Department of Justice.

6 Q And then you were asked about the -- kind of specific on the seizure list that the DOJ  
7 released earlier this year from the FBI that had, like, picked up a laptop but didn't say what was on  
8 the laptop.

9 Do you recall ever reviewing any of the FBI's evidence in the Epstein criminal investigation?

10 A Before his suicide?

11 Q Yes, sir.

12 A No.

13 Q Do you recall reviewing any of the evidence after his suicide?

14 A Just evidence relating to his -- you know, relating to his suicide. I don't recall reviewing  
15 evidence relating to charging Maxwell or anybody else.

16 Q So no --

17 A I mean, I was told in Maxwell's case, when they got to the point that they were ready to  
18 indict, I was -- I believe I was told the substance. But I didn't review the evidence myself.

19 Q Applying to both Mr. Epstein and Ms. Maxwell, you reviewed -- I'll -- for Mr. Epstein, you  
20 reviewing evidence surrounding his death --

21 A Uh-huh.

22 Q -- but not the substantive criminal evidence regarding his investigation and prosecution.  
23 Is that correct?

24 A Right.

25 Q And then with Ms. Maxwell, you didn't review the underlying criminal evidence. You

1 just got notified about a pending indictment.

2 A Right.

3 Q Okay.

4 A That's my best recollection.

5 Q I just wanted to make sure it was all in line there. We've been back and forth a little  
6 bit.

7 And, on that note, I want to shift to the non-prosecution agreement a little bit as in relation to  
8 both, kind of, like the minority said, your experience generally with non-prosecution agreements but  
9 then a few questions about whether or not that had any impact during your second tenure as  
10 Attorney General.

11 You were asked if you were aware of it at the time. I believe you said you were not aware of  
12 it in 2007.

13 A I became aware of it when it was public -- you know, in public coverage of the matter.

14 Q Uh-huh. Did you ever review the agreement as Attorney General in those discussions  
15 about its potential impacts?

16 A I don't recall going back and looking at it myself. I think other people were doing that.

17 I mean, everyone, I think, understood that there would be litigation over whether or not the  
18 indictment could stand and whether it was preempted by that settlement. Everyone understood  
19 that, and I think they were -- everyone was satisfying themselves that we were in a strong legal  
20 position.

21 Q Of course, Mr. Epstein never got the chance to appeal -- never got convicted and never  
22 got the chance to appeal the conviction, but Ms. Maxwell is appealing based on the non-prosecution  
23 agreement.

24 Is that your understanding?

25 A That's my understanding.



1 Q You were asked a little bit about this, specifically the "co-conspirator" language in that  
2 agreement. You said something along the lines of the United States not prosecuting any and all  
3 co-conspirators, including but not limited to -- and then listed four people affiliated with Epstein.

4 And I want to ask you again: Had you seen, in your experience, that breadth of language in  
5 these kinds of agreements before?

6 A You know, I can't -- I don't recall seeing that.

7 You know, I think, as a general matter, in a, you know, unspectacular case, I think it may not  
8 be inappropriate to, when you are trying to get a deal done with the primary suspect, to agree that  
9 you wouldn't go after peripheral people as a way of continuing the case. Like, "I'm going to also go  
10 after your" -- "I won't go after your wife for, you know, her role in this" --

11 Q Uh-huh.

12 A -- or "I won't go after your children for their role in this" and so forth. That kind of  
13 stuff is done, okay?

14 But this case is different because of the nature of the crime and because of the span of the  
15 victims.

16 Q And, kind of, the breadth of what those potential co-conspirators could be.

17 A Yes.

18 Q Do -- in general, and then I'll ask about high-profile --

19 A And, you know, arguably, not enough was known to make that kind of broad  
20 agreement.

21 Q In general, do non-prosecution agreements need to be approved by someone in Justice  
22 headquarters?

23 A Actually, off the top of my head, I don't know.

24 Q What about in --

25 A I think there are certain kinds of cases, definitely, but I'm not sure about this.

1 Q And would it be more likely in higher-profile cases?

2 A No. I mean, certain kinds of cases where the substantive law is in play and the  
3 money-laundering section may have to sign off on some things or the fraud section may have to sign  
4 off on some things.

5 Q So it's, to the best of your recollection, more akin to what the alleged crime is versus the  
6 profile of the person being charged?

7 A Right.

8 Q Okay.

9 Since it's been in the news, in your experience, are non-prosecution agreements binding  
10 within all districts in the United States?

11 You said you felt like you had a good legal standing to bring the 2019 case against Epstein and  
12 then the 2020 case against Maxwell. But the current argument is that the Southern District of  
13 Florida can bind the Southern District of New York.

14 Is there any Department of Justice manual that talks about that?

15 A I don't -- not that I'm aware of. I can't recall that -- how that issue is handled.

16 Q On this specific agreement between the Southern District of Florida and Mr. Epstein, I  
17 believe it was sealed as part of the case. Is that common?

18 A I know it happens.

19 Q And you had said before that one of your problems with the -- one of the issues, to you,  
20 with this particular agreement was that it restricted the ability for victims to speak about the case or  
21 speak about the agreement. I believe the CVRA requires victims be able to speak about --

22 A Yes.

23 Q -- potential plea agreements? Is that the case?

24 A I believe so. I think it's a statutory requirement.

25 Q Did you come to that view after reviewing it in -- after reviewing the agreement in 2019

1 or just based off news coverage?

2 A Just based off news coverage.

3 Q Again, this is kind of just using it as an example of what's common. He agreed to plead  
4 guilty to a couple charges and eventually served 13 months in Palm Beach County jail and left for  
5 16 hours a day to go work.

6 Is that common in those kinds of agreements, the broad work release?

7 Mr. O'Callaghan. You're asking about -- that's the State execution of the plea agreement in  
8 the State, right?

9 [REDACTED] Yes. It was still signed off on by the --

10 Mr. O'Callaghan. And he's never -- he's never been -- the non-prosecution agreement is  
11 with the subject of Florida U.S. Attorney's Office. The way that the State sentence is executed,  
12 that's a local Florida, Palm Beach matter. And I don't think Mr. Barr has any -- you know, any  
13 information about that.

14 [REDACTED] All right.

15 The Witness. That's true.

16 BY [REDACTED]:

17 Q So the post-sentencing, how an inmate is -- work release for an inmate is done by the  
18 local folks? The U.S. Attorney's Office wouldn't be involved?

19 A Not usually, I would suspect. But I don't know.

20 Q Okay.

21 The -- and, again, I want to get it right, so I'm not -- you said that, in your personal view, you  
22 thought it was wrong to not let victims have a say and also that there was a legal vulnerability.  
23 Again, the vulnerability is the potential -- is that potential impact on future cases. Is that fair?

24 A The reason you let them have their say?

25 Q No, no, no. You said that you had two, kind of, personal concerns with the

1 non-prosecution agreement for Mr. Epstein: that it was wrong to not let victims have their say,  
2 both, I imagine, personally and under the CVRA, but also that it had a legal vulnerability. And I'm  
3 just wondering if --

4 A Well, no, it's the same thing.

5 Q The same -- the CVRA?

6 A I thought, at the time, that made it legally vulnerable.

7 Q All right. It wasn't that --

8 A These were -- you know, I was not an advocate -- you know, here, I generally am  
9 concerned about victims' rights. I looked at this. I didn't like that aspect of it, and I thought it was  
10 a legal vulnerability. But I wasn't sitting in judgment of the decision. I didn't know all the facts.

11 Q No, no. And I'm not asking for judgment of the overall decision. Just if, like, on your  
12 first-blush read of this it had multiple --

13 A That's what I was concerned about --

14 Q All right.

15 A -- or, you know, felt I wouldn't have done.

16 Q I think it was -- I think it got a little jumbled in the last hour, of possible recusals. You  
17 did not recuse from the SDNY investigation. Is that correct?

18 A I did not recuse from the SD- -- I think I was -- considered whether I should. There was  
19 a question asked me during my confirmation. I'm not sure what that was relating to, but something  
20 about Epstein.

21 Q I thought it was relating to if you would investigate the non-prosecution agreement.

22 A Ah.

23 Q And I believe there were issues with Kirkland & Ellis representing Mr. Epstein in that  
24 case, your former employment, and --

25 A Yeah. So I wasn't sure about the timing of things and whether it implicated the time

1 that I was there or, you know, anything like that. And I don't think it did. I actually don't think I  
2 would've had to recuse myself from that. But I just was never involved in that.

3 I mean, the thing that happened under my tenure relating to Epstein was the investigation of  
4 Epstein in the Southern District. And I did not recuse myself from that.

5 Q Courtney Wild, one of the Epstein victims, said that she sent a letter to you during your  
6 tenure as Attorney General. Do you recall receiving that letter?

7 A No.

8 Q And then I believe you said that you were made aware of the OPR investigation into Mr.  
9 Costa while he was U.S. Attorney for the Southern District of Florida kind of, like, at the end of the  
10 OPR investigation? That you were aware of their findings but not the investigation itself?

11 A No, no. I may have been aware that they were investigating. I just was not aware of  
12 where they stood. I didn't monitor the investigation.

13 Q Okay.

14 A They finish when they finish, and I found out what they were thinking.

15 Q Okay. No, that's helpful. I wanted to clarify that.

16 Do you know, just to the best of your knowledge, how does -- can the Attorney General direct  
17 OPR to conduct investigations, or do they do it?

18 A No, the AG can direct them. That's how they were originally established.

19 Q Did you direct OPR to investigate the non-prosecution agreement?

20 A No.

21 Q Do you know who did?

22 A No.

23 But they don't have to be directed. They can also initiate their own.

24 Q Uh-huh.

25 A So no one had to direct it. If they saw it in the newspapers and, you know, were

1 concerned about it, they can initiate it. It doesn't require being directed. I'm just saying the AG  
2 can direct it.

3 Q Again, this is more just a your-experience-type question. The agreement was signed in  
4 late 2007 and then executed in 2008, and then the OPR investigation came out in 2020. Is it  
5 common for, kind of, an internal review of U.S. attorneys to happen so far after the fact of the  
6 alleged --

7 A By OPR standards, that's speedy.

8 Q Okay. And it could be --

9 A In those days.

10 Q In those days. It could -- could it have been a result of the agreement being sealed and  
11 then press reports --

12 A Could've been.

13 Q -- coming out later?

14 A Could've been. The answer is that these things -- investigations by OPR as OIG take a  
15 long time.

16 Q All right.

17 In addition to being informed of the outcomes of the OPR investigation, did you review any of  
18 the underlying materials?

19 A Concerning what?

20 Q The OPR investigation into the non-prosecution agreement of Mr. Epstein.

21 A I don't recall looking at it. I may have seen a summary of their reasoning or something  
22 like that, but I just don't recall --

23 Q Do you --

24 A -- delving into it. He was no longer there.

25 Q The OPR said that they conducted a number of witness interviews during their

1 investigation. To your knowledge, does OPR keep records of witness interviews? Would they  
2 have been transcribed?

3 A I don't know.

4 Q Shifting to Ms. Maxwell, she was arrested during your tenure but, as it was pointed out,  
5 did not go to trial until after you had left the Department. And you've talked about being made  
6 aware of her pending indictment. Was that when you were first made aware of a potential  
7 investigation into Ms. Maxwell?

8 A No. I mean -- well, I would say that I assumed that they were looking -- I don't know if I  
9 was told, but I think anyone would've assumed that they were looking at Maxwell as a facilitator and  
10 a co-conspirator. So I assumed that.

11 Q Do you know if their more formal investigation into her occurred after Mr. Epstein's  
12 death, or was it running concurrently with the Epstein case?

13 A I don't know exactly how they were staging things, but my assumption was that they  
14 were focusing on building their case against Epstein and also trying to develop evidence that would  
15 support a charge against her. And I think they were probably doing them in tandem, but, you know,  
16 how much they were pushing one over the other, I don't know.

17 Q And then we talked about the urgent requests of high-value co-conspirators. Were  
18 you aware of any other potential co-conspirators in the Epstein or Maxwell case that have not been  
19 prosecuted?

20 A That have not been prosecuted? I mean, now we're switching to the term  
21 "co-conspirator." I think I laid out that I have -- I was not aware that SDNY had concluded that -- or  
22 had established that any of the names that have been bandied about were, in fact, engaged in illegal  
23 activity that they could charge.

24 Q Okay. That's helpful.

25 A When I say "bandied about," I'm talking about, you know, the names that have come up

1 here, like Dershowitz and Branson and Richardson and people like that.

2 Q The names on the flight logs and --

3 A Well, being on a flight log is not even -- I mean, it's not even prima facie evidence of  
4 wrongdoing; it's just that you know the person.

5 Q But you don't recall ever being told that those names that were being -- that were on  
6 flight logs or fluttered about in the press ever rose to "this is someone that we could potentially  
7 indict"?

8 A That's right.

9 Q Were you kept up to date on the Maxwell investigation, or -- I don't need to reread the  
10 quote, but -- were you taking a similar posture of let the investigators run the course of the  
11 investigation?

12 A To which investigation?

13 Q Ms. Maxwell.

14 A Same course.

15 Q Do you recall any conversations regarding the non-prosecution agreement impacting  
16 the potential of a charge for Ms. Maxwell?

17 A I remember a discussion about it impacting the work of the SDNY, but I can't pin down,  
18 you know, how much it related to Epstein versus Maxwell.

19 Q And then a few blanket questions before some more general investigative-type  
20 questions.

21 Did anyone ever instruct you to not investigate or not prosecute Jeffrey Epstein?

22 A No.

23 Q Did anyone instruct you to not investigate or not prosecute Ms. Maxwell?

24 A No.

25 Q Did anyone ever instruct you to not investigate or not prosecute any other potential



1 co-conspirator?

2 A No.

3 Q And I believe you said this earlier, but you're confident that if the Southern District of  
4 New York identified a co-conspirator that they believed they could convict, they would have brought  
5 the case?

6 A I believe so.

7 Q We've talked, as you had mentioned the kind of broad nature of whatever the Epstein --

8 A And also, just as a practical matter, you know, I was aware of a lot of leaks out of the  
9 Southern District of New York, not just the U.S. Attorney's Office but also the FBI office there. And it  
10 was my view -- and this, I think, would be on both sides of the issue -- if they felt that there was a  
11 political effort to block what they felt was a righteous case, it would leak out. There's no doubt in  
12 my mind it would leak out and we would've heard about it long ago.

13 Q I appreciate that.

14 I want to talk about, again, the colloquial Epstein files and what that means. Obviously, it's  
15 kind of taken on a life of its own, of what that could possibly mean, along with the client list. I think  
16 your description of the client list is how I will -- if I say "client list," is how I will use "client list,"  
17 whether or not there is a list of people that Jeffrey Epstein facilitated prostitution or underage  
18 prostitution to individuals.

19 As an overarching general question, what kind of documents make up a criminal investigative  
20 file?

21 A Whatever documents are potential evidence in the case.

22 Q So witness interviews?

23 A Yes.

24 Q Evidence gathered during a search warrant?

25 A Records of activities, whether it be comings and goings on planes or whether someone

1 was in the same place, as an allegation.

2 So, for example, on, you know, Prince Andrew, they spent at least -- I think I've seen reports  
3 that say -- this was not reported to me by the Southern District -- that Virginia Giuffre's allegations of,  
4 you know, "something happened in London," "something happened here" corresponded to where  
5 people were.

6 So those are the kinds of things, those kinds of records, hotel records, things like that, and  
7 witness interviews and things like that.

8 Q And you mentioned a little bit earlier about protecting grand jury secrecy and Federal  
9 Rule 6(e). Would everything that's in a case file be presented to a grand jury?

10 A No.

11 Q And then would it be common -- and I think this is what has come out of the  
12 Department's efforts to unseal some grand jury transcripts in this case -- that the, kind of, underlying  
13 investigative interview, you know, between the FBI agent and the witness, for purposes of the grand  
14 jury, the FBI agent would testify as to what the witness said? Is that common?

15 A Yes.

16 Q Would the -- in your experience, would the underlying interview transcript be prevented  
17 from disclosure, or just what was presented to the grand jury?

18 A The transcript of the testimony would be protected.

19 Q The underlying testimony?

20 A What do you mean, "underlying testimony"?

21 Q So the FBI agent interviews a witness; the FBI agent then testifies to the grand jury --

22 A The material presented to the grand jury would be protected.

23 Q But not necessarily --

24 A It's not the -- it's not the medium that -- it's not limited to medium. It's --

25 Q Okay.

1 A -- the substance. That's my understanding.

2 Q Do you know if those underlying interviews are recorded or just transcribed?

3 A I don't know.

4 Q Could a case file also include FBI 302s?

5 A Yes.

6 Q And 1023s?

7 A Any document that reflects evidence that is potentially relevant could be in the case file.

8 So the word "case file" is a little ambiguous.

9 Q Yes. As is "Epstein files" as a whole.

10 A Right.

11 Q The -- and we've talked a lot, and you saw it -- the list of what the FBI seized in this case.

12 Is seized evidence kept after a case concludes? So Mr. Epstein died; his case concluded. Would  
13 seized evidence still exist?

14 A I think -- I'm not sure of the answer to that. I think people who claim to have an  
15 interest in the property have to sort of seek it back, and the government has to make its case as to  
16 why it has to be kept. That's my understanding of the process, but I'm not sure.

17 Q An ongoing -- a separate ongoing criminal case would possibly be good reason to keep  
18 the evidence? Is that --

19 A Yeah, including whether there are appeals pending.

20 Q Yeah. And, obviously, some of the real property, at least, has gone -- like, I think the  
21 island was purchased by someone else.

22 A I don't know.

23 Q The subpoena process for the U.S. attorneys -- and this is my own lack of knowledge, so  
24 excuse me. But does the U.S. attorney issue the subpoena, or does the grand jury issue the  
25 subpoena?

1           A     Well, the grand jury subpoenas. But, in practice, the prosecutor determines -- you  
2 know, basically determines what is going to be produced on behalf of the grand jury.

3           Q     And then -- so the grand jury would say -- would recommend a subpoena for testimony  
4 to X, and then the U.S. attorney would draft and --

5           A     No. I think the U.S. attorney would say, "We're going to interview this person" --

6           Q     All right.

7           A     -- and bring that person before the grand jury.

8           Q     And those subpoenas can be for documents and testimony?

9           A     Yes.

10          Q     Why issue a document subpoena versus execute a search warrant?

11          A     Because, you know, many subpoenas are third-party subpoenas, like for bank records  
12 and so forth. You don't go into a bank and search them. You impose the obligation on the bank to  
13 produce them, and they will.

14          Q     And those can be --

15          A     And even for a subject, you know, you would still frequently give that person the chance  
16 to comply. You don't go searching unless there's some reason you're concerned about the  
17 destruction of evidence.

18          Q     And those can be executed against more than just the subject of the investigation,  
19 right? You just --

20          A     Anybody.

21          Q     -- mentioned banks and --

22          A     Anybody that, you know, you believe could have relevant evidence.

23          Q     So other witnesses or companies, businesses, telecom providers? All --

24          A     Sure.

25          Q     All yes?

1 A All yes.

2 Q What about company data repositories -- Google, Microsoft?

3 A Yes.

4 Q You mentioned banks and financial institutions. What about for State governments,  
5 like camera footage off of the State courthouse or anything like that? Could they do that as well?

6 A Government stuff?

7 Q Yeah.

8 A Yes.

9 Q So, in the Epstein case, and without -- I think you said that you didn't review the,  
10 quote/unquote, "Epstein files" in their fulsomeness, but it would be likely that that case would  
11 include information like I just laid out -- 302s, 1023s, returns from subpoenas, returns from search  
12 warrants, other witness interviews? All of that would be included, potentially, in a case file. Is  
13 that fair?

14 A Potentially, yes.

15 Q And this could potentially include information that for whatever reason should not be  
16 released, victims' personal identity and child sexual abuse material being two prominent examples in  
17 this one?

18 A Those are examples, but there are multiple reasons why you wouldn't want to release  
19 the raw files.

20 Q What are some others?

21 A Because it's sometimes unfair to the individual who the government does not -- has not  
22 concluded based on the evidence that they've done anything wrong.

23 Q So, like, a hypothetical would be: FBI conducts a witness interview, produces a 302.  
24 The interview names four people. After further investigation, it's determined that those four  
25 people -- that that interview is not credible and those four people likely didn't commit any crimes.

1 Is that fair? Something that would --

2 A So, I mean, you could take examples from this case. You know, some of the victims  
3 made public allegations, anyway, that were fabrications.

4 Q Uh-huh.

5 A I'm not saying this is true of all the victims, but there are some that then withdrew.

6 So it's possible that there's material in there that the government has come to the conclusion  
7 is not credible or is, you know, conclusively refuted by other evidence.

8 Q Uh-huh.

9 A You know, in the case of Bill Clinton, as far as I was aware, there was no evidence that  
10 he visited the island. You know, the government did not obtain any such evidence.

11 Q Uh-huh.

12 A And he denied it. But there is somebody who asserts he did. I'm just using that as an  
13 example.

14 Q Uh-huh.

15 A Is it fair to put that -- if the government has come to the conclusion that he didn't visit  
16 the island and the police has evidence to show that, why would you put all the raw stuff out there to  
17 permit all the -- you know, the internet to get heated up about this and assault the person for what  
18 you know is not accurate?

19 Q And then you said earlier, and I want to ask again using the language, the descriptor of a  
20 "client list" that we all kind of agreed on, you never saw a document or anything resembling a client  
21 list?

22 A I've never seen a document resembling a client list.

23 Q What about any evidence or anything suggesting Mr. Epstein was bribing individuals  
24 with salacious material?

25 A You mean "bribing" them, giving them something?

1 Q Extorting them.

2 A No, I don't recall ever seeing such evidence. And it seems highly improbable to me  
3 that you would extort somebody by engaging in an act yourself that's a crime. You don't get much  
4 leverage if you go to jail too.

5 Q Yeah.

6 Same kind of -- same question with the Maxwell case. All of the potential evidence and  
7 documents that we just discussed about potentially being in a case file, it's possible all that exists for  
8 Ms. Maxwell as well?

9 A The same kind of stuff?

10 Q Uh-huh.

11 A Possibly.

12 Q Did you ever review any of the substantive evidence in her case?

13 A I think I said no.

14 Q Okay.

15 And then you discussed it a little bit in relation to communications between DOJ and the  
16 White House regarding cases, that it would be rare, but you had two conversations with President  
17 Trump regarding the Epstein case?

18 A I recall two conversations with Trump relating to the Epstein case.

19 Q Is it common to have communications regarding cases within the Department of  
20 Justice?

21 A Within the Department?

22 Q Uh-huh.

23 A For who to have to talk to whom?

24 Q Well, I mean, for SDNY to notify you, would they pick up the phone, or was it an email,  
25 or was it a memo? How would that -- if SDNY needed to get in contact with you, how would they

1 do it?

2 A Well, it is rare for SDNY to want to get in contact with Main Justice. But if they wanted  
3 to, it could be anything from a communication to a division, to the deputy's office, or to the AG,  
4 which was -- is pretty rare.

5 Q Okay.

6 And then I'm going to phrase these two --

7 A But, you know, look, every case is different. So, for example, on the Maduro  
8 indictments, I was very involved in those because we were trying to coordinate an indictment -- I  
9 mean, a case in Florida, a case in the Southern District, and national security interests and so forth.

10 Q Uh-huh.

11 A Something like that, you would have more interaction with the office. But on  
12 something like this, you wouldn't generally have that much interaction.

13 Q All right.

14 And then maybe the last three questions, which were already similar questions --

15 A Okay.

16 Q -- that were asked before, but I'm going to rephrase them a little bit.

17 You were asked these a little bit earlier, but are you aware of any information or evidence  
18 that suggests Jeffrey Epstein was an employee of any foreign intelligence service?

19 A No.

20 Q What about Mr. Epstein being an asset or an informant for any foreign intelligence  
21 service?

22 A As opposed to an employee?

23 Q Uh-huh.

24 A And the question is, did I see any such evidence?

25 Q Are you aware of any evidence of that?



1 A No.

2 Q Similar questions for the U.S. And I believe you answered them. Aware of any  
3 information or evidence --

4 A Oh, "evidence," meaning stuff that the Southern District has and says, this is evidence of  
5 that? As opposed to speculation or --

6 Q Yes.

7 A -- allegations that you see floating around the press?

8 Q Yes.

9 A Yeah. No, I've never seen SDNY evidence. No.

10 Q And I'm going to be obnoxious and ask it: Any other official-channel evidence that  
11 suggests that he was a foreign intelligence --

12 A No.

13 Q -- asset?

14 A No.

15 Q And then you said earlier, and I'll summarize it, and you can please correct me if it's an  
16 improper summary --

17 A I believe that, if he was an American asset, as opposed to some businessman who  
18 shares stuff with the government, I would've heard about it from the intelligence agency.

19 Q That was going to be my short summary here. You testified earlier, not aware of any  
20 evidence of Mr. Epstein being employed by U.S. intelligence services. And then your assumption is  
21 that, much like other people with large foreign ties, it would be not uncommon for him to have  
22 discussions with the intelligence community --

23 A Yeah, to share some information. I mean, it's not uncommon at all for businessmen  
24 who are being investigated to tell the prosecutors, "Gee, you know, I work all the time with U.S.  
25 intelligence." That's not at all unusual. And the answer to that is, okay, a lot of people do, but,

1     you know, you're still capable of going to jail for committing a crime.

2             Q     Yes.

3             And you just touched on this, but were you ever informed by the National Security Division of  
4     any potential impact to intelligence-gathering or national security regarding the Maxwell or Epstein  
5     prosecutions?

6             A     No, especially not related to Epstein, you know, being prosecuted, or Maxwell.

7             Q     Okay.

8             We can go off the record.    Thank you.

9             [Recess.]

1 [1:38 p.m.]

2 [REDACTED] On the record.

3 BY [REDACTED]:

4 Q Mr. Barr, I'd like to return to the topic of Jeffrey Epstein's prison death.

5 You mentioned at the outset this morning, if I understood correctly, that you were informed  
6 by your chief of staff that Mr. Epstein was dead. Is that correct?

7 A Yes.

8 Q And that the chief of staff told you, in his words, that it was an apparent suicide. Is  
9 that right?

10 A I think so.

11 Q Okay.

12 A "Apparently," words to that effect.

13 Q Did you have an understanding as to how your chief came to that conclusion on the  
14 morning of his death?

15 A No. This was a somewhat on-the-fly call to alert me to this. And also, it was clear  
16 that the circumstance was such that it called for an investigation. And I think, as the term may have  
17 been used, it was a "shit show," and they would have to be looked at, but it was an apparent suicide.

18 Q And so what, to your understanding --

19 A Or presented itself as a suicide that way.

20 Q To your understanding, what led him to that conclusion?

21 A Common sense.

22 Q Could you elaborate?

23 A Well, you know, I think at first blush, while a lot went wrong, he was found by himself in  
24 a cell apparently hanging himself and using the same modus operandi he did in his previous attempt.

25 Q With respect to OIG's investigation, do you recall the names of the personnel in the

1       OIG's office who were involved?

2           A     In what?

3           Q     In the OIG investigation.

4           A     No. I called -- Horowitz was called directly.

5           Q     Do you know the names of any of the other staff who were involved --

6           A     No.

7           Q     -- and working on it?

8           A     Like, not off the top of my head. And I don't actually -- I don't think I knew. Maybe I  
9       knew at the time, but I certainly don't know now.

10           There was somebody I think up in New York that was close at hand whose name was used.  
11       So at the time they had -- he did identify some people who would be involved, but I don't know  
12       them.

13           Q     You were asked earlier about the FBI investigation in connection with the death. And  
14       just to make sure that we're all on the same page as to the scope of that investigation, it's my  
15       understanding that a principal focus for the FBI was whether Mr. Epstein's death was caused by  
16       homicide. Is that fair?

17           A     I think to figure out was this a real suicide or was, you know, some kind of -- was this a  
18       murder, basically.

19           Q     You were asked earlier whether you had spoken with any inmates at MCC, and you said  
20       you hadn't.

21           Just revisiting this, because there was some public reporting or suggestion that you spoke  
22       with an Efrain "Stone" Reyes following Mr. Epstein's death. Is that name familiar to you?

23           A     No.

24           Q     Okay.

25           A     I mean, I -- who did he say he was, and what did I talk to him about?

1 Q As I understand --

2 A I mean, this stuff happened 6 years ago, and it's conceivable, but I don't recall talking to  
3 an inmate. It was a former inmate or an inmate?

4 Q As I understand, an inmate of SHU contemporaneously with Mr. Epstein.

5 A No. I didn't go up there to the SHU.

6 Q This is my understanding from the public reporting, at the time -- this is  
7 August 2019 -- you pointed to some delays in the investigation because certain witnesses were not  
8 cooperative. Do you recall?

9 A When?

10 Q Do you recall that? This is August of 2019.

11 A Yeah.

12 Q And specifically a number of them, as you described, required having union  
13 representatives and lawyers before you were able to schedule interviews.

14 A Before the Southern District was able to schedule interviews.

15 Q You recall that?

16 A Yes.

17 Q Okay. Was the lack of cooperation that you encountered solely the insistence on  
18 union representation, or were there other factors?

19 A There may have been other factors. I don't know.

20 My recollection is that the Southern District was explaining to me what was taking time. It  
21 was important to get the facts out as quickly as we could, given all the conspiracy theories.

22 Q According to the IG report, Mr. Epstein was taken by ambulance from MCC to New York  
23 Presbyterian Lower Manhattan Hospital.

24 To your knowledge, were EMT and medical personnel questioned?

25 A I don't know. I mean, I don't know now. I may have known at the time.

1 Q To your knowledge, were DNA tests conducted on the bedsheets in Mr. Epstein's cell?

2 A I couldn't tell you.

3 Q We spoke earlier about the video footage in SHU.

4 A By the way, I would just say that, again, this is 6 years later, I'm not saying I never knew  
5 whether DNA was run. Just sitting here, I can't remember whether that was an aspect that I knew  
6 about.

7 I did know or was told that very good FBI agents were on this and were doing a very thorough  
8 job.

9 Q Turning back to the video footage, I just want to make sure that we're all on the same  
10 page as to what you looked at.

11 There is the footage that the FBI made publicly available in July of this year. Is that the same  
12 footage that you personally reviewed?

13 A I said that I cannot say whether it was the same because I don't have what I viewed.  
14 But what I viewed showed the common area.

15 Q Are you aware of there being more than one version of that footage?

16 A Of that footage?

17 Q Yes.

18 A From the same camera?

19 Q Yes.

20 A I don't know. I think at some point I was told that they were working on enhancing it.

21 Q Enhancing the same version?

22 A I don't -- they were -- I was interested in seeing the video, and they were working on  
23 enhancing the video. And the primary video I viewed was one showing the common area and the  
24 guards and a portion of the stairway.

25 Q Did you have any understanding as to what that enhancement involved exactly?

1           A    No.  And I don't even know whether it was enhanced.  I'm just saying that I was told  
2 they were working on enhancing it.

3                               [Barr Minority Exhibit C  
4                               was marked for identification.]

5           BY [REDACTED]:

6           Q    I'd like to mark as exhibit C a CBS article.  It is entitled "CBS News investigation of  
7 Jeffrey Epstein jail video reveals new discrepancies."  It is dated July 29th, 2025.

8           Mr. Barr, I'm going to ask you a couple of aspects of this article, but please take all the time  
9 you need to review it.

10          A    Well, just tell me what the aspects are.

11          Q    Sure.  So I'm looking seven pages in, and I apologize, this document is not paginated.  
12 There is a subheading that reads, "Experts question investigators' interpretation of orange shape  
13 moving up the stairs."

14          A    Uh-huh.

15          Q    Do you see that?

16          A    Yeah.

17          Q    And then the paragraph below it reads, "Just before 10:40 p.m., an orange shape is seen  
18 moving up the stairs leading to Epstein's tier."

19          Do you recall there being an orange shape in the video along the lines of that description?

20          A    I don't recall focusing on an orange shape going up.  Well, wait.  I'd have to see the  
21 clip --

22          Q    Okay.

23          A    -- to see what that refers to.

24          Q    According to this piece -- and, again, I'll read it into the record -- the report says,  
25 "Through review and analysis of the SHU video footage, witness statements, and BOP records, the

1     OIG determined that at approximately 10:40 p.m. a CO [corrections officer], believed to be Noel,  
2     carried linen or inmate clothing up to the L Tier, which was the last time any CO approached the only  
3     entrance to the SHU tier in which Epstein was housed."

4             Are you familiar with that determination by OIG?

5             A     I recall when I watched the video that I watched that I believed a CO went up the stairs  
6     but did not go into the tier.

7             Q     CBS, based on its analysis, and, again, I'll read from the next paragraph here, "Video  
8     forensic experts who reviewed that footage at the request of CBS News were skeptical about that  
9     interpretation and suggested that the shape could be a person dressed in an orange prison jumpsuit  
10    climbing the stairs.    Conor McCourt, a retired NYPD sergeant and forensic video expert, told CBS  
11    News, 'Based on the limited video, it's more likely it's a person in an [orange] uniform.'"

12            Would you agree with that observation?

13            A     No.

14            Q     And why not?

15            A     Because when I watched it, I concluded it was -- that a CO went up around that time and  
16    didn't go in.

17            Q     And then, skip ahead one, two --

18            A     That was not only my interpretation; it was the OIG's interpretation and the Southern  
19    District and the FBI's interpretation of whatever they watched.

20            Q     I'm skipping four pages ahead in the same article --

21            A     Uh-huh.

22            Q     -- to the subheading that reads, "At 12:05:48 a.m., an unidentified individual passes  
23    through the SHU."

24            Mr. O'Callaghan.    Over here.    Here.

25            The Witness.    Yeah, I see it.



1 BY [REDACTED]:

2 Q So just for the record, I'll read the paragraph.

3 "The inspector general's report says only two staff members entered the unit after midnight:  
4 one is a corrections officer, identified only as 'CO3,' the other is described as the Morning Watch  
5 Operations Lieutenant. The presence of a third unidentified individual seen on the video is not  
6 addressed by the inspector general's report."

7 Were you aware of there being a third unidentified individual in the footage?

8 A All I can say is that when I watched it and the movements were explained it correlated  
9 to other evidence, that I saw nothing of some strange, unidentified person lingering around. If  
10 there was such a person, there was an explanation for it.

11 Q And would --

12 A I haven't -- I'd have to see what the inspector general also says, but there was nothing  
13 that raised that question for me.

14 Q And just one last question on this article, and I'm skipping ahead a couple of  
15 pages -- one page, I'm sorry -- to the bottom of the following page under the subheading, "Were  
16 there other cameras recording?"

17 A Yeah.

18 Q And, again, I'll just read the first two paragraphs into the record.

19 "In addition to the cameras that failed to record other angles of the SHU common area, the  
20 inspector general's report states there were two additional cameras recording events in the vicinity  
21 of the Epstein unit -- one covering an elevator bank used to transport inmates and another focused  
22 on a nearby guard desk. Neither of those videos has been released, but a screen grab from one was  
23 included in the report."

24 So were you aware of those recordings?

25 A I was aware there were other cameras that were recording in the vicinity, and I believe

1       that when I reviewed video I saw excerpts from other videos.

2               Q     CBS goes on to conclude --

3               A     That's my best recollection.    I'd have to see the screen grab, also.    I don't know.

4               Q     CBS goes on to conclude, "While Federal officials have dismissed those recordings as  
5       unhelpful in documenting what occurred that night, experts told CBS News that those videos could  
6       add value to the analysis.    They could, for instance, help determine whether the DVR system did in  
7       fact reset nightly and consistently lose one minute, as Attorney General Pam Bondi said -- or provide  
8       evidence to contradict her claim."

9               Do you have a view on that conclusion?

10              A     No.

11              Q     In light of CBS's observation, do you think that those additional --

12              A     I mean, we had a number of experts, you know, different sets of experts go over this  
13       and look at all the evidence together and correlate it.    This is all very interesting, but to me it  
14       doesn't carry weight.

15              Q     In light of CBS's conclusion, do you think that those additional recordings should be  
16       publicly released?

17              A     I think that's a call for the AG.    I think if they conclude it adds value, I'd like to see them  
18       all released.

19              Q     Nothing further on this exhibit.

20              A     Okay.

21              Q     Mr. Barr, I apologize for not asking this earlier.    What was the name of your chief of  
22       staff?

23              A     Brian Rabbitt.

24              Q     Thank you.

25              A     At that time.

1 Q We spoke earlier about the autopsy performed by the Office of the Chief Medical  
2 Examiner for the City of New York.

3 Do you recall any of the specific staff at the Medical Examiner's Office who were involved?

4 A No. It's the city's. I think it belongs to the city.

5 Q Okay.

6 A At the time I knew the name of the medical examiner, but I couldn't recall that now.

7 Q Did you ever see the autopsy report before it was released?

8 A No.

9 Q Or, I'm sorry, before it was completed, rather.

10 A No.

11 Q Do you have an understanding as to why it hasn't been publicly released?

12 A No. I don't know what their practice is.

13 Q So the medical examiner determined that the death was a suicide. To your knowledge,  
14 did the FBI continue to investigate the circumstances surrounding Mr. Epstein's death after that  
15 point?

16 A Yes.

17 Q And did it continue to investigate it as a possible homicide?

18 A I think they were carrying out the investigation that was initiated as to determine why  
19 this Federal prisoner wound up dead in his cell.

20 Q So to ask it a different way, did the FBI accept the medical examiner's conclusion?

21 A It was the medical examiner's evidence; strong evidence, obviously.

22 Q And so did the FBI rule out the possibility of homicide at that point?

23 A No. The FBI, I think -- my understanding is the FBI continued to rely on its own  
24 evidence and conclusions and determinations. It didn't stop just because the medical examiner  
25 made that ruling. And that would be true, I think, almost in any case.

1           If the FBI is told to go in and conduct an investigation, Federal investigation for the  
2 Department of Justice on something, it'll do it. The fact that a State official makes that ruling won't  
3 stop them.

4           Q    Okay. I understand that you directed certain changes at BOP following Mr. Epstein's  
5 death --

6           A    Uh-huh.

7           Q    -- including replacing BOP leadership.

8           A    Uh-huh.

9           Q    And that included Kathy Hawk Sawyer?

10          A    I brought her in.

11          Q    And Tom Kane?

12          A    Yes.

13          Q    And is the name Timothy Shea familiar to you?

14          A    Yes.

15          Q    And who is Mr. Shea?

16          A    Shea was on my staff at the time.

17          Q    Okay. And what was his role?

18          A    Among -- on his portfolio were BOP matters.

19          Q    To your knowledge, did Mr. Shea have any communication with the Medical Examiner's  
20 Office?

21          A    Not to my knowledge. I don't recall that.

22          Q    Is there anyone else at BOP who worked on addressing the operational issues that  
23 surrounded Mr. Epstein's death?

24          A    I'm sure there were.

25          Q    Any names that you can recall?

1 A Not that I can recall.

2 You mean, remedying the problems that were found? Is that what you're talking about?  
3 Addressing?

4 Q Well, generally, yeah, the circumstances surrounding his death and the remedial  
5 measures that were undertaken afterwards.

6 A Those are two different -- those are two different things.

7 Q Yes, so globally.

8 A I couldn't -- I don't remember the people involved in those efforts.

9 Q Okay. There was discussion earlier regarding Jeffrey Epstein's relationship with Donald  
10 Trump. Mr. Trump has stated that he and Epstein fell out in the early 2000s.

11 Did you ever have an understanding as to the cause of their falling out?

12 A I mean, just what has been speculated about in the press. All I can recall Trump saying  
13 to me is that he had a falling out and pushed him out of or somehow got him out of Mar-a-Largo.  
14 That's what I remember.

15 Q And this came up earlier. It was reported that Attorney General Bondi advised the  
16 White House in May of this year that President Trump's name appears in the Epstein files.

17 Do you have an understanding as to why Attorney General Bondi flagged that for the  
18 White House?

19 A I think that would normally be what the Attorney General would do, you know, is to give  
20 the President a heads-up if something is going to happen like that, the release of documents that  
21 have his name in it and that will be, you know, a lot -- there would be a lot of speculation about it.

22 Q Why is that?

23 A It's normal to -- I mean, it's completely normal to tell the Chief Executive that his name  
24 is about to be released. There's nothing inherently wrong with that.

25 Q A few questions for you, Mr. Barr, concerning Ghislaine Maxwell.

1 Understanding that you were no longer at DOJ when charges were brought against  
2 Ms. Maxwell --

3 A No, I was at DOJ when the charges --

4 Q You were at DOJ, I'm sorry. Right. You were still at the Department.

5 Were the charges that were brought against her supported by the evidence in your view?

6 A I was assured they -- I mean, I think I was made aware of what the evidence -- what they  
7 intended to prove and that it would support the charge. So at the time I felt that they were. I  
8 don't have a different view today.

9 Q And as we spoke about earlier, Ms. Maxwell's conviction made her a sex offender for  
10 purposes of Federal law, correct?

11 A Uh-huh.

12 Q She was sentenced following trial to 240 months imprisonment to be followed by  
13 5 years of supervised release. The court imposed a \$750,000 fine.

14 Do you view that as an appropriate sentence?

15 A Yes.

16 Q Do you believe Ms. Maxwell to be a credible witness?

17 A Depends what she was testifying about [inaudible] and what she --

18 The Reporter. Can you repeat that?

19 A It would depend what she was testifying about.

20 Q And would the fact that she was charged with two counts of perjury influence your  
21 answer at all?

22 A Of course.

23 Q You're aware that in July of this year Ms. Maxwell was interviewed by Deputy Attorney  
24 General Todd Blanche?

25 A Yes.

1 Q Okay.

2 A From public reports.

3 Q It's my understanding that at no point during DOJ's investigation or during her  
4 prosecution did Ms. Maxwell meet with the government to offer information relevant to the Epstein  
5 investigation. Is that an accurate understanding?

6 A I'd have to go back and see. Nothing springs to mind of her having done that.

7 Q Do you have an understanding as to why the Deputy Attorney General met with  
8 Ms. Maxwell?

9 A No.

10 Q Is it unusual, in your view, for the second-highest law enforcement official at DOJ to  
11 interview a potential cooperating witness?

12 A It doesn't happen every day.

13 Q Can I take that as a yes?

14 A It's -- yeah, of course, it's unusual.

15 Q And would you agree with me that typically the line prosecutors handling the case do  
16 interviews with potential cooperators?

17 A Typically. That's in a normal case. This case has features that most cases don't have.

18 Q Even in an abnormal case, would it be your expectation that in an interview like this the  
19 Deputy Attorney General would be accompanied by line prosecutors who handled the case?

20 A As I say, I'm not -- it's hard to say there's a particular practice there since this doesn't  
21 normally happen.

22 Q DOJ has -- sorry. Back up for a second.

23 It is also my understanding that in a typical case it's customary for an FBI agent to be present  
24 for these interviews as well for the purpose of note taking. Is that consistent with your  
25 understanding?

1           A     Usually in the investigation of a case, yes. I'm not sure what stage this was in and what  
2 it related to.

3           Q     DOJ to date has not shared details of who from DOJ was present in the room, if anyone,  
4 with Mr. Blanche and Ms. Maxwell. Is that unusual in your view?

5           A     No, because usually the Justice Department does not share information like that.

6           Q     Even in a case like this one that's pretty closely in the public eye?

7           A     Well, this is -- well, as I say, this -- that's why this is an unusual case. So to say, does  
8 this usually happen? Does this usually happen? The answer usually is, no.

9           Q     Until recently, Ms. Maxwell had been serving her sentence at a Federal prison facility in  
10 Tallahassee, Florida. Following her interview with Mr. Blanche, she was transferred to a Federal  
11 prison camp in Bryan, Texas.

12           Are you familiar with that Federal prison camp?

13           A     No.

14           Q     Do you have an understanding as to why BOP moved Ms. Maxwell to a Federal prison  
15 camp?

16           A     No.

17           Q     Do you have a view as to whether that decision was appropriate?

18           A     No, because I think the initial regime that's used when someone is sent to a corrections  
19 facility does not necessarily dictate the way they're going to be treated all the way through.

20           And it is not uncommon for there to be lesser and lesser security involved once the BOP has  
21 experience with people as a prisoner and see that they don't pose a threat and, you know, they're,  
22 you know -- I forgot what the word is used -- but they -- they're not disruptive prisoners or anything  
23 like that, they're relatively easy to manage.

24           There is a process whereby they go to less and less secure facilities. So, you know, it doesn't  
25 strike me as odd that she was put in that facility. You also have to remember, her initial



1 confinement was quite severe because she was watched 24/7.

2 [Barr Minority Exhibit No. D  
3 was marked for identification.]

4 BY [REDACTED]:

5 Q I'd like to ask the court reporter to mark as exhibit D a Washington Post article. It is  
6 titled, "Ghislaine Maxwell's move to 'country club' prison smacks of special treatment, experts say."

7 And I'm focusing on the fifth paragraph down at the bottom of the first page. It refers to,  
8 "Long-standing policy from the Federal Bureau of Prisons," which according to the article, "restricts  
9 inmates with certain elevated security classifications, known as 'public safety factors,' from serving in  
10 federal prison camps. Sex offenses are among the most severe," unquote.

11 Is that consistent with your understanding?

12 A Obviously, one of the public safety factors is the severity of the crime. You also look at  
13 someone's role and whether they constitute -- the extent to which they constitute an ongoing threat  
14 to the public.

15 Frequently, you know, it may be that the fact it's a sex offense reflects a perversion, a  
16 compulsion, and so forth, will frequently be determinative of that, but not in all cases.

17 Q The article goes on to note in the next sentence, and this is the top of the second page,  
18 quote, "Inmates serving sentences of 10 years or more generally aren't eligible for transfer to  
19 minimum-security facilities. This, too, would have applied to Maxwell, who is not due for release  
20 until 2037," unquote.

21 Is that consistent with your understanding?

22 A That is -- what?

23 Q That inmates serving sentences of 10 years or more generally aren't eligible for transfer  
24 to Federal prison camps.

25 A Again, "general," you know, to me doesn't -- you know, I do think that the

1     only -- frequently the only way you can get a prisoner in a facility for a long period of time to  
2     cooperate is to offer something that you can deliver.

3             And I don't think it's unusual to put someone in a less severe condition of confinement in  
4     return for cooperation.   Usually that's the only way you can get someone who's in for a long term to  
5     cooperate.

6             Q     Just one more statement in this article I'd like to direct your attention to, if I could, and  
7     it's in the following paragraph.   The sentence reads, "While it's not uncommon for prison officials to  
8     allow inmates who cooperate with investigations to move to lower-security facilities, it's rare for sex  
9     offenders to receive such benefits, and they almost never get moved into prison camps like Bryan,  
10    experts said," unquote.

11            Do you agree with that statement?

12            A     I'd have to see what the situation is.   You know, it may be that sex offenders rarely  
13    cooperate, and frequently the whole picture of the person reflects an ongoing threat to the public.  
14    And I don't know what the analysis was here by Bureau of Prisons.

15            Q     Ms. Maxwell's current attorney has stated publicly that he hopes his client receives  
16    clemency from President Trump.

17            In your view, do circumstances exist that would justify a pardon or any other form of  
18    clemency for Ms. Maxwell?

19            A     That's an issue for the President to address.

20            Q     Chairman Comer stated -- I'm sorry.   Ms. Maxwell's attorney stated in a July 29th,  
21    2025, letter to Chairman Comer that his client, quote, "did not receive a fair trial," unquote.

22            Do you agree with that assertion?

23            A     I haven't seen his basis for saying that, so I can't agree with it.

24            Q     In the same letter, her attorney also describes Ms. Maxwell as, quote, "a convenient  
25    scapegoat," unquote, following Mr. Epstein's death.

1 Do you agree with that characterization?

2 A Not to the extent that it just dismisses the idea that she was herself guilty of a serious  
3 crime. You know, I mean, it may be that a lot of public outrage at the events then became solely  
4 focused on her, but that doesn't excuse or make her less responsible for that conduct.

5 Q I'm getting close to the end. Just a few more questions. And my next questions  
6 pertain to an investigation that this Committee undertook in 2019 in connection with the Florida plea  
7 deal, and that was during your tenure.

8 Do you recall that investigation?

9 A I'm sorry, I thought you were talking about the Florida plea deal back in the early 2000s?

10 Q Yes. So this Committee, the Oversight Committee, in 2019 undertook an investigation  
11 into the circumstances surrounding the 2007 plea deal in Florida.

12 Do you recall that investigation?

13 A I actually don't recall that.

14 Q Okay.

15 A I'm sure it happened, but I don't recall it.

16 [Barr Minority Exhibits Nos. E and F  
17 were marked for identification.]

18 BY [REDACTED]:

19 Q I'm just going to mark as exhibits, I think we're up to E, and so this will be E and F? Yes.  
20 These are two letters from 2019 from the Committee in connection with this investigation.

21 [Pause.]

22 A Okay.

23 Q So I'll turn to exhibit E first. That's the July letter to Corey Amundson of OPR.  
24 Have you ever seen this letter before?

25 A It's possible I have. I frequently am briefed -- I was frequently briefed by the

1 Legislative Affairs person as to any developments on the Hill. I don't remember it though.

2 Q So the letter requested a briefing from OPR on issues relating to the 2007 plea deal. I  
3 can represent to you that OPR sent the Committee a response confirming that it was conducting an  
4 investigation, but it declined to provide the requested briefing.

5 Do you have an understanding as to why it declined?

6 A I don't recall. As I say, I may very well have been briefed on this letter, because I  
7 regularly was briefed on developments, including letters like this that were going to be rejected, you  
8 know, declined.

9 So I can't specifically say that it was explained -- I can remember the explanation, but it  
10 doesn't surprise me they would decline it. I think that would be normal.

11 Q And why is that?

12 A Because it was an ongoing investigation. Department isn't going to put that stuff out.

13 Q And then I'll turn to exhibit F, which is the --

14 A And generally, that stuff around the plea agreement wouldn't be normally put out. So  
15 it doesn't surprise me that they rejected it.

16 Mr. O'Callaghan. Do you have a copy of the Department's response to the July 10th letter?  
17 It's referenced in the December 20th letter. It's an August 5th, 2019, letter from Assistant Attorney  
18 General Stephen Boyd in response to Chairman Cummings' letter.

19 [REDACTED] Yeah. I wasn't planning to introduce it.

20 Mr. O'Callaghan. It would just be -- if you're showing the Attorney -- the former Attorney  
21 General a sequence of letters that --

22 The Witness. Also, I mean, you asked me why it was declined.

23 Mr. O'Callaghan. Yeah.

24 The Witness. It would've been good to see the letter, but that's okay. Let's --

25 Mr. O'Callaghan. Okay. I don't want to hold things up.

1 BY [REDACTED]:

2 Q Turning to the December 20th letter, which is exhibit F, do you recall receiving that  
3 letter?

4 A No.

5 Q Okay.

6 A But for the same thing, I mean, letters are coming -- during the Trump administration --

7 Q Sure.

8 A -- we got a lot of letters coming in like this.

9 Q Understood.

10 To your knowledge, did DOJ ever provide the documents that the Committee requested in  
11 this letter?

12 A I don't know. Is it the same documents?

13 Mr. O'Callaghan. This document request is --

14 The Witness. Yeah. This would normally be -- I mean, I think any Department of Justice  
15 would at least initially really decline.

16 BY [REDACTED]:

17 Q And why is that?

18 A The reasons I stated.

19 Q And I'll represent that DOJ did not, in fact, provide documents pursuant to this letter.  
20 Just a few more questions and then I'm done.

21 Mr. Barr, we've talked about a lot of names throughout the course of today. Is there anyone  
22 else, in your opinion, who may have firsthand knowledge relating to the Epstein investigation or the  
23 Maxwell investigation that this Committee should speak with?

24 A Well, I mean, I think the people conducting the investigation. I mean, Main Justice did  
25 not conduct the investigation. And as I said, the information was limited, partly because that would

1 be appropriate and partly because it all depended on what the Southern District wished to share.

2 So I was -- you know, if you're interested in finding out whether the investigation ever  
3 developed information that would establish misconduct by someone other than the two who were  
4 charged, I think the starting point would be the people who were involved in or supervised the  
5 investigation and the people who conducted it.

6 Q So specifically the line attorneys in SDNY and the FBI agents --

7 A Well, I mean, the U.S. Attorney, Geoff Berman.

8 Q Yes.

9 A He supervised the investigation.

10 Q Anyone else?

11 A Well, I mean, usually the Department doesn't like line attorneys hauled up before  
12 Congress. On the other hand, some of them have appeared to leave.

13 Q I asked you earlier about any communications you had during your tenure in the first  
14 Trump administration with the White House. Just to complete the picture, have you discussed the  
15 Epstein investigation with anyone in the current Trump administration?

16 A No.

17 Q Do you --

18 A Not that I can recall. I may have expressed surprise that the thing had taken on the  
19 character that it has.

20 Q And who would you have expressed that to?

21 A I don't know, some friend.

22 Q And have you --

23 A No one in the Department of Justice that I can think of.

24 Q And then, last question: So I would put this in the category of conspiracy theory, but  
25 there has been a theory to the effect that Democratic politicians, including President Obama,

1 President Biden, Hillary Clinton, so forth, have tried to -- or have planted President Trump's name in  
2 the Epstein files or otherwise tried to connect him to the Epstein investigation.

3 Do you have any knowledge to support that theory?

4 A I don't know the extent to which his name appears. I mean, I know it's been on flight  
5 records. That's been public. But I personally have no knowledge of, you know, any false  
6 information being fabricated on him or anyone else.

7 Q Okay.

8 A Well, except for witnesses that have fabricated stories.

9 Q Apart from the individuals who I just named. The individuals you're referring to are  
10 not the individuals that I just named in my question, the Democratic politicians who I just named.

11 A Right. Okay.

12 [REDACTED] No further questions. Thank you very much.

13 [REDACTED] Off the record.

14 [Whereupon, at 2:21 p.m., the deposition was concluded.]

Certificate of Deponent/Interviewee

I have read the foregoing \_\_\_\_ pages, which contain the correct transcript of the answers made by me to the questions therein recorded.

---

Witness Name

---

Date



# ERRATA SHEET

INSTRUCTIONS: After reading the transcript of testimony, please note any change, addition, or deletion on this sheet. DO NOT make any marks or notations on the actual transcript. Use additional paper if needed and attach to this sheet.

Please sign and date this errata sheet and return it to the Majority staff of the Committee on Oversight and Government Reform.

Deposition/Interview of:	William P. Barr
Date Taken:	August 18, 2025

PAGE	LINE	CORRECTION
13	18	should read "full bore ahead"
15	5	should read "up to"
25	2	"?" should be "."
26	12	should read "no confusions"
27	5	should read "coverage"
27	15	"disagreement" should read "agreement"
81	4	should read "Brooklyn MDC"
97	9	"Attorney General" should read "US Attorney"

DATE: 8/27/25

NAME/OFFICE: Edward C. O'Callaghan / Cahill/Gordon/Reindel

SIGNATURE: Edward C. O'Callaghan