

# **EXHIBIT 261**

SHANI A. PINNEY 30(b)(6)  
Gov. U.S. Virgin Islands vs JP Morgan Chase

July 18, 2023

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1 UNITED STATES DISTRICT COURT FOR THE

2 SOUTHERN DISTRICT OF NEW YORK

3 CASE NUMBER: 22-CV-10904-JSR

4 ACTION FOR DAMAGES

5 GOVERNMENT OF THE UNITED STATES )  
6 VIRGIN ISLANDS, )

7 Plaintiff, )

8 VS. )

9 JP MORGAN CHASE BANK, N.A., )

10 Defendant. )

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13  
14  
15 VIDEO RECORDED DEPOSITION OF

16 SHANI A. PINNEY

17 30 (B) (6) WITNESS

18 TUESDAY, JULY 18, 2023

19  
20  
21 REPORTED BY:

22 DENISE D. HARPER-FORDE  
23 Certified Shorthand Reporter (CSR)  
24 Certified RealTime Reporter (CRR)  
25 Certified LiveNote Reporter (CLR)  
Registered Professional Reporter (RPR)  
Notary Public (FLORIDA)

1 door." Did we want to do it that  
2 way? No.

3 You know, we would have loved  
4 to. And it was actually, you know  
5 -- like I said, we would love to  
6 be able to go into the home of  
7 every offender, including Epstein,  
8 when -- when he was registering.

9 But we came to the -- you  
10 know, the decision that his dock  
11 had to essentially be considered  
12 as his -- as his front door.

13 (BY ATTORNEY O'LAUGHLIN) :

14 Q. Why weren't you on the Friday  
15 call with Ms. Carbon?

16 A. Oh, I've been on family  
17 vacation. I just came back yesterday  
18 evening. I've been gone since July  
19 5th. So I wasn't available for the  
20 call on Friday. Actually Ms. -- the  
21 E-mail invite for -- for that  
22 meeting.

23 Q. Okay. So you were invited to  
24 the meeting by your counsel, but you  
25 didn't see the invite, and so didn't

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1 attend?

2 A. I wasn't able to -- I didn't  
3 see the invite. So I wasn't able to  
4 attend.

5 Q. Okay. And so your counsel  
6 took notes of the meeting and provided  
7 them to you?

8 A. I guess this goes back to who  
9 actually prepared this document. I'm  
10 not sure. But this was provided to me  
11 Attorney Ackerman.

12 And it was a -- and it is a  
13 brief write-up of the meeting on  
14 Friday with -- with Attorney Carbon.

15 Q. How much time did you spend  
16 going over this document, prior to the  
17 deposition this morning?

18 A. We met for about a half hour  
19 yesterday, and then I received the  
20 document afterwards. Had a long day  
21 of traveling. I reviewed for about  
22 five, ten minutes yesterday evening  
23 after -- after our meeting last  
24 night.

25 Q. Did you ask any follow-up

1 that he based that based on what was  
2 presented to him about Jeffrey  
3 Epstein.

4 I want to think he never met  
5 with Epstein in regards to, you know,  
6 prior to making that decision. I want  
7 to think that paperwork or documents  
8 were provided to him from Epstein's  
9 attorneys to show that he was a  
10 business man, a financial advisor,  
11 financial business man who had to  
12 travel frequently.

13 Q. So you said you want to think  
14 that that's the answer.

15 A. If I want to remember  
16 correctly from that meeting, that is  
17 what was discussed or that was what  
18 was related from Attorney Frazer.

19 Q. Okay. So Attorney Frazer told  
20 you that he was provided with  
21 documents by Epstein's counsel --

22 ATTORNEY ACKERMAN: Object.

23 (BY ATTORNEY O'LAUGHLIN):

24 Q. -- and that's what he based  
25 the determination that he was a

1 business man on, which was then also  
2 the reason for granting the waiver; is  
3 that correct?

4 ATTORNEY ACKERMAN: Object to  
5 form.

6 THE WITNESS: Okay. So he  
7 never -- I remember him saying  
8 that he never met with Epstein  
9 individually, but he did meet with  
10 Epstein's attorneys.

11 I'm not sure if during those  
12 meetings that they provided  
13 documents. But prior -- or after  
14 his meeting with Epstein's  
15 attorneys, he was satisfied  
16 enough, you know, to conclude that  
17 Epstein was a business man and he  
18 granted him that permission.

19 (BY ATTORNEY O'LAUGHLIN):

20 Q. Okay. So he was satisfied  
21 after a meeting with his attorneys,  
22 but you don't actually know what he  
23 was provided to support the business  
24 man conclusion?

25 A. I'm not 100 percent sure what

1 he was providing. No, I'm not.

2 Q. Okay. And that didn't come up  
3 with your -- in your conversation with  
4 Mr. Frazer?

5 A. Overall what I remember is  
6 that he never met with Epstein. But  
7 when he met with his attorneys and  
8 upon his review of Epstein and his  
9 businesses, he felt confidence that he  
10 was a business man who had to travel  
11 frequently.

12 Q. What other topics were covered  
13 in your meeting with Mr. Frazer?

14 A. It was primarily that, you  
15 know, since he was the AG who was  
16 there when Epstein first began  
17 registering and he was the first AG to  
18 use his discretion, it was primarily  
19 -- it was primarily based on that.

20 Q. So it was primarily that. But  
21 what other topics were covered?

22 ATTORNEY ACKERMAN: Object to  
23 form, asked and answered.

24 THE WITNESS: If I remember it  
25 correctly, that was it. Nothing

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1 You know, so by -- by enhancing our  
2 laws in 2012, that made us eligible to  
3 -- us being the Virgin Islands --  
4 eligible to receive funding for  
5 employees to -- to monitor offenders  
6 in the Virgin Islands.

7 Q. Was that funding adequate to  
8 do the job that you guys had to do?

9 ATTORNEY ACKERMAN: Object to  
10 form, scope.

11 THE WITNESS: If it was the  
12 pos- -- that funding was used for  
13 salaries. Other -- and funding  
14 was also received from US Marshals  
15 Services as well too, you know, to  
16 purchase like iPads, you know, for  
17 us to use to be able to monitor  
18 offenders outside of the office.  
19 You know, to be able to update the  
20 registry, the online registry  
21 outside the office as well too.

22 So from -- from V- -- from US  
23 DoJ, that funding was used for  
24 salaries, the salaries being, you  
25 know, for the three positions.



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1 And then VI DoJ also -- the  
2 funding was also used to purchase  
3 a SORNA vehicle as well too.

4 So, you know, that vehicle was  
5 used to do com- -- was used to do  
6 compliance checks, one for St.  
7 Thomas and one for St. Croix.

8 So I would say yes, that that  
9 funding was able to allow us to --  
10 to allow DoJ to hire adequate  
11 staff and then to also to purchase  
12 vehicles to go out to do the  
13 address verifications for the  
14 offenders.

15 (BY ATTORNEY O'LAUGHLIN):

16 Q. So US DoJ wasn't constrained  
17 by resources in its monitoring of  
18 offenders, correct?

19 ATTORNEY ACKERMAN: Object to  
20 form, scope, misstates prior  
21 testimony.

22 THE WITNESS: No.

23 (BY ATTORNEY O'LAUGHLIN):

24 Q. No, it wasn't constrained or  
25 no, you disagree?

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1 ATTORNEY ACKERMAN: Same  
2 objection.

3 THE WITNESS: Repeat the  
4 question for me, please. You're  
5 saying if funding constraints VI  
6 DoJ from perform -- from  
7 adequately monitoring offenders in  
8 the Virgin Islands?

9 ATTORNEY O'LAUGHLIN: Yes.

10 THE WITNESS: And to that  
11 question, I would say no, that we  
12 were able to monitor the offenders  
13 that were here in the Virgin  
14 Islands.

15 (BY ATTORNEY O'LAUGHLIN):

16 Q. Okay. So resource constraints  
17 did not limit VI DoJ's ability to  
18 monitor the individuals who were  
19 registered with it?

20 ATTORNEY ACKERMAN: Objection  
21 to form. Misstates prior  
22 testimony, and scope.

23 (BY ATTORNEY O'LAUGHLIN)

24 Q. Correct?

25 A. We were not limited, no.

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1 Q. Okay. In any way?

2 A. In any way.

3 ATTORNEY ACKERMAN: Same  
4 objection.

5 (BY ATTORNEY O'LAUGHLIN) :

6 Q. Okay. When did DoJ first  
7 become aware of Jeffrey Epstein?

8 ATTORNEY ACKERMAN: Objection  
9 to form, scope.

10 THE WITNESS: VI DoJ first  
11 became aware of Epstein, that  
12 would have been before I came on.  
13 But like any offender, once they  
14 notify DoJ that they -- that they  
15 are moving here or working here.

16 So I will assume that -- and  
17 also from the -- from the  
18 documents that -- that they were  
19 first notified of Epstein when he  
20 was living here in the Virgin  
21 Islands.

22 (BY ATTORNEY O'LAUGHLIN) :

23 Q. So was it when he was -- just  
24 when he was living here or when he  
25 registered as a sex offender?

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1 investigation can only be launched  
2 if someone launches -- if someone  
3 files a criminal Complaint. I'm  
4 understanding that to be a  
5 Complaint being filed locally, you  
6 know, with VI DoJ or you know,  
7 with VIPD.

8 (BY ATTORNEY O'LAUGHLIN):

9 Q. Why does it need to be a  
10 locally filed Complaint?

11 A. I'm saying that's what I  
12 understand and --

13 ATTORNEY ACKERMAN: Hold on.  
14 Objection, scope. You can go  
15 ahead.

16 THE WITNESS: Yes. I'm saying  
17 that's what I understand, you  
18 know, the AG's meaning to be here  
19 in this sentence. Nothing was  
20 ever filed directly with VI DoJ or  
21 VIPD to launch an investigation.

22 (BY ATTORNEY O'LAUGHLIN):

23 Q. And DoJ's position is that  
24 unless something was filed directly  
25 with them, there was no need to do any

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1 kind of investigation into Epstein?

2 ATTORNEY ACKERMAN: Objection  
3 to form, scope.

4 THE WITNESS: Yeah. You know,  
5 it cannot be a -- no hearsay. It  
6 cannot be rumors, whispers. It  
7 has to actually be someone  
8 actually filing a Complaint.

9 That would have been the  
10 means, you know, for any sexual  
11 offender to start spark an  
12 investigation or you know, if  
13 information was shared directly,  
14 you know, with the victim you know  
15 to VI DoJ. It would have to have  
16 been dir- -- it would have had to  
17 have been direct communication.

18 (BY ATTORNEY O'LAUGHLIN):

19 Q. Did anyone within DoJ ever  
20 push for more to be done with respect  
21 to investigating Epstein?

22 ATTORNEY ACKERMAN: Objection  
23 to form, scope.

24 THE WITNESS: No.

25 (BY ATTORNEY O'LAUGHLIN):

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1 disposition, it wasn't easy for me to  
2 get information, to get that basic  
3 information.

4 So I'm not sure if I had  
5 reached out for this sort of  
6 information, if it would have been,  
7 you know, granted to VI DoJ. So I  
8 really cannot say. I'm not sure what  
9 lengths EDA went to get this  
10 information. I'm not sure.

11 (BY ATTORNEY O'LAUGHLIN):

12 Q. Okay. There's -- if you keep  
13 flipping, page 31 in the document,  
14 there's a section of the investigation  
15 that says "Online media search:  
16 Jeffrey Epstein."

17 A. Uh-huh.

18 Q. And the summary says, "The  
19 investigation revealed numerous online  
20 negative references to Jeffrey Edward  
21 Epstein, but the following two  
22 negative online sources provided  
23 current" substantive -- "substantive  
24 overview of the nature of those  
25 reports."

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1 Is there any reason that DoJ  
2 could not have run searches to look at  
3 public media reports?

4 ATTORNEY ACKERMAN: Objection  
5 to form, scope, foundation.

6 THE WITNESS: If there's any  
7 reason why VI DoJ could not have  
8 conducted this same search and got  
9 this same information? Any one can do  
10 a search.

11 (BY ATTORNEY O'LAUGHLIN):

12 Q. Okay.

13 A. If it's -- if it's leaning --

14 Q. Oh, sorry.

15 A. I'm sorry.

16 Q. No. I didn't --

17 ATTORNEY ACKERMAN: Finish  
18 your answer, please.

19 THE WITNESS: I was going to  
20 say if it's leaning into a Yahoo or a  
21 Google search would have been enough  
22 to trump an investigation, I still --  
23 I can't say that would have been  
24 enough. I don't think that that would  
25 have been enough.



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1 Q. And it's dated June 30th,  
2 2008, correct?

3 A. Yes.

4 Q. So earlier when you testified  
5 that USVI DoJ made a request to  
6 Florida for certain information about  
7 the underlying criminal case, was --  
8 were these the documents that came  
9 back?

10 A. Yes.

11 Q. Okay. And what did you learn  
12 from these documents?

13 A. We learned what -- we learned  
14 what he was found guilty of, the  
15 crime.

16 Q. And what crime was that?

17 A. Procuring person under 18 for  
18 prostitution.

19 Q. Is that a serious crime?

20 A. I would say all sexual  
21 offenses are serious crimes regardless  
22 of what tier they fall into.

23 Q. Are some more serious than  
24 others?

25 ATTORNEY ACKERMAN: Object to



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1 form.

2 THE WITNESS: According to the  
3 statute, they determine which tier an  
4 offense falls into. What I want to  
5 say, more serious because I think all  
6 offenses, all sexual offenses are all  
7 serious alike.

8 But according to the victim's  
9 age, according to if it was forcible  
10 rape or, you know, statutory rape,  
11 that will determine what tier it falls  
12 into. So I don't want to say ser- --  
13 I think, like I said before, all  
14 offenses are serious.

15 But according to the details  
16 of the case, the details of the  
17 offense, you will see certain cases at  
18 the higher tier levels.

19 (BY ATTORNEY O'LAUGHLIN):

20 Q. Is this one of those cases?

21 A. At a high --

22 ATTORNEY ACKERMAN: Object to  
23 form.

24 THE WITNESS: Can you repeat  
25 that, please?

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1 Q. Do you know if Epstein was  
2 involved at all in the legislation in  
3 2012?

4 A. No.

5 ATTORNEY ACKERMAN: Object to  
6 form, scope.

7 THE WITNESS: Repeat the  
8 question, please.

9 (BY ATTORNEY O'LAUGHLIN) :

10 Q. Do you know if Epstein was  
11 involved at all in the passage of the  
12 2012 legislation?

13 ATTORNEY ACKERMAN: Object to  
14 form, scope. You can answer.

15 THE WITNESS: No.

16 (BY ATTORNEY O'LAUGHLIN) :

17 Q. Do you know whether drafts of  
18 the legislation were provided to  
19 Epstein?

20 ATTORNEY ACKERMAN: Same  
21 objection. You can answer.

22 THE WITNESS: No.

23 (BY ATTORNEY O'LAUGHLIN) :

24 Q. Do you know whether he  
25 commented or expressed a view on what

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1 the legislation ought to contain?

2 ATTORNEY ACKERMAN: Same

3 objection. You can answer.

4 THE WITNESS: No.

5 (BY ATTORNEY O'LAUGHLIN) :

6 Q. Would you be surprised if  
7 drafts were shared with him?

8 ATTORNEY ACKERMAN: Objection,  
9 form, scope.

10 You can answer.

11 THE WITNESS: If I would be  
12 surprised? Definitely.

13 (BY ATTORNEY O'LAUGHLIN) :

14 Q. Why?

15 A. Because that was within DoJ.  
16 That was something that we were  
17 working on within DoJ. If it was --  
18 if it was shared with anyone outside  
19 of DoJ, that would have been a  
20 surprise to me.

21 Q. Would it have been  
22 problematic?

23 ATTORNEY ACKERMAN: Object to  
24 form, scope.

25 THE WITNESS: If an offender

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1 saw the draft that was being created  
2 by VI DoJ for the sex offender  
3 registration laws, if that would have  
4 been problematic? I would say -- I  
5 would say anyone seeing that draft  
6 would -- would have been a problem  
7 definitely.

8 ATTORNEY ACKERMAN: Good time  
9 for a break? Whenever you're ready.

10 ATTORNEY O'LAUGHLIN: Sure.  
11 Let's pause there.

12 ATTORNEY ACKERMAN: Okay.

13 VIDEOGRAPHER: Off the record  
14 at 3:26.

15 (Off the record)

16 (Back on the record)

17 VIDEOGRAPHER: On the record.  
18 The time is 3:43 P.M.

19 (BY ATTORNEY O'LAUGHLIN):

20 Q. So we were looking at Exhibit  
21 12 before we took a break. And I'd  
22 like to refer you Bates 12263 within  
23 Exhibit 12.

24 This is a letter dated July  
25 25th, 2012, from Attorney General

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1 (BY ATTORNEY O'LAUGHLIN) :

2 Q. No you don't know or you don't  
3 think they were?

4 A. If other offenders were  
5 granted this, I would have been aware,  
6 since I was registering the  
7 offenders.

8 Q. Okay. And you're not aware of  
9 any other offenders that got these  
10 sorts of waivers?

11 A. No.

12 Q. Okay.

13 A. I do want to say though -- you  
14 said if they -- if anyone ever made  
15 requests. We got complaints all the  
16 time, you know.

17 So offenders, you know,  
18 complain about the frequency,  
19 everything all the time. So it was --  
20 just wasn't to the extent, you know,  
21 of this.

22 Q. What was the reason for the  
23 original regime of having the 21-day  
24 notice requirement?

25 ATTORNEY ACKERMAN: Object to

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1 offense, correct?

2 A. I don't agree with the last  
3 part. Because I cannot say what it  
4 was classified as, because it simply  
5 wasn't just looking at the crime, the  
6 title of the crime was also -- I  
7 remember it was also looking at the  
8 breakdown of the statute as well too,  
9 where it detailed, you know, exactly,  
10 you know, what that crime entailed.

11 Q. So who within the USVI  
12 Government knows the answer to the  
13 question of why Jeffrey Epstein was  
14 classified as a Tier 1 offender?

15 ATTORNEY ACKERMAN: Object to  
16 form.

17 THE WITNESS: Who would know  
18 why?

19 (BY ATTORNEY O'LAUGHLIN):

20 Q. Yes.

21 A. I am not sure. I remember  
22 that we passed them on to attorneys,  
23 namely Attorney Carbon. That --  
24 that's who we passed them on. I'm not  
25 sure if she had an assistant who

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1 assisted her in regards to the  
2 classifications, another attorney who  
3 assisted her.

4 Q. So you're not aware of any  
5 person who would know the answer to  
6 why the USVI Government classified  
7 Epstein as Tier 1?

8 ATTORNEY ACKERMAN: Object to  
9 form.

10 THE WITNESS: No.

11 (BY ATTORNEY O'LAUGHLIN):

12 Q. Okay. Let's look at Bates  
13 12283 within Exhibit 12.

14 A. Exhibit 12. Can you repeat  
15 the page number, please?

16 Q. Yeah. It's 12283.

17 So this is a legal memorandum  
18 to you from Darren Indyke, Epstein's  
19 attorney, copying Monica Carbon, dated  
20 September 6, 2012. And the subject is  
21 "Jeffrey Epstein's qualification as a  
22 Tier 1 sex offender."

23 Do you see that?

24 A. Yes, I do.

25 Q. If you look at the last



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1 do not recall or having to request a  
2 memorandum explaining why Epstein  
3 would have been a Tier 1 offender,  
4 according to his review.

5 Q. So your testimony today is  
6 that -- do you recall asking for the  
7 passports, the copies of the  
8 passports?

9 A. I would have quicker asked for  
10 that. That sounds more practical, you  
11 know, because we needed to collect  
12 from offenders all of their -- all of  
13 their official IDs, you know.

14 So that was a part of what we  
15 did for all offenders. I would have  
16 needed his two passports.

17 Q. And so your testimony sitting  
18 here today is that what you likely  
19 requested from Mr. Epstein was copies  
20 of the U.S. passports, and then they,  
21 his counsel, voluntarily submitted a  
22 memorandum regarding Mr. Epstein's  
23 qualification as a Tier 1 offender?

24 A. They were very proactive. So  
25 I'm saying that to say with all the



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1 E-mails that, you know, is included,  
2 yeah. I think they probably took it  
3 upon themselves to review their -- the  
4 laws on their own, and then to  
5 determine on their own what they felt  
6 Epstein's classification should have  
7 been.

8 Q. So USVI DoJ never requested a  
9 memorandum from Epstein's attorneys  
10 regarding his classification as a Tier  
11 1 offender?

12 A. I never did. And I don't  
13 think anyone else from U.S. -- from VI  
14 DoJ requested that from Epstein's  
15 attorneys.

16 Q. Do you know if the memorandum  
17 sent on September 6, 2012, was  
18 considered by USVI DoJ as part of its  
19 determination of what tier to assign  
20 to Jeffrey Epstein?

21 A. What page is that again,  
22 please? I'm shuffling back and forth.

23 Q. 12283.

24 A. 12283. So backwards now. All  
25 right.

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1           A. I think they did that outside  
2 of this memorandum from Indyke.

3           Q. Even though the E-mail says,  
4 Here's the memo you requested?

5           ATTORNEY ACKERMAN: Object to  
6 form, misstates prior testimony.

7           THE WITNESS: To me, the  
8 E-mail says, As requested, the two  
9 U.S. passports. English is a very  
10 funny language. I think that he just  
11 threw that part in there. Not saying  
12 that I requested a memorandum.

13           (BY ATTORNEY O'LAUGHLIN):

14           Q. Okay. And that's your  
15 testimony here today?

16           ATTORNEY ACKERMAN: Objection.  
17 Of course it's her testimony. I mean  
18 --

19           ATTORNEY O'LAUGHLIN: That's  
20 not an objection.

21           ATTORNEY ACKERMAN: Okay.  
22 Fine. Objection to form, improper  
23 question.

24           THE WITNESS: Oh, yes, that's  
25 a yes.

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1 A. How frequent the sweeps occur?

2 There was no set-in-stone time for the  
3 frequency of the sweeps to occur. It  
4 would be something where we were in  
5 constant communication with the US  
6 Marshals Services. And they will let  
7 us know, Hey, you know, this will be  
8 the time for an upcoming sweep.

9 Q. Do you have an estimate of how  
10 frequently they occurred?

11 A. I would say perhaps once a  
12 year depending on funding.

13 Q. Okay. Funding from where?

14 A. Funding that the US Marshals  
15 Services received. So the US Marshals  
16 is Federal funding to conduct the  
17 operational sweeps.

18 Q. Okay. And during a sweep,  
19 what was the objective?

20 A. The objective was to verify  
21 the address of the -- that the sex  
22 offender had on record as their  
23 permanent residence.

24 Q. What does verify mean?

25 A. Verify, verification process

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1 follow-up. We would have -- we might  
2 have circled back. Remember, so we  
3 went from Sunday to Sunday. If during  
4 that -- if we went on Monday and we  
5 weren't able to verify, we might  
6 circle back because again, you know,  
7 sometime during the days of the rest  
8 of the week, yes, we would have.

9 Q. Okay. And if you weren't able  
10 to make contact during the sweep  
11 week, would there be further  
12 follow-up?

13 A. There would be further  
14 follow-up.

15 ATTORNEY ACKERMAN: Object to  
16 form, scope.

17 You can answer.

18 THE WITNESS: Okay. So after  
19 the -- so yes, we -- efforts would  
20 have been made to follow up again. If  
21 you are speaking pertaining to Jeffrey  
22 Epstein, that's a different scenario  
23 because VI DoJ does not own a vessel.

24 And to confirm the address for  
25 Epstein, US Marshals Services, they

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1 would go about setting up, you know,  
2 the necessary accommodations that --  
3 that would have been needed to go out  
4 to Epstein's island.

5 So if there was an incident  
6 where we attempted to complete a  
7 compliance check with Epstein and he  
8 was not on the island or he was not at  
9 work. Let's say he was off island,  
10 and that incident did happen at one  
11 time.

12 It wouldn't have -- it would  
13 have not been easy to just simply get  
14 another boat, you know, two days later  
15 to go back to verify his address.

16 Q. Did you try?

17 A. Did we try? The US Marshals  
18 Services, it was -- it was their  
19 efforts. So if they tried afterwards,  
20 US Marshals Services, they were --  
21 they were typically employed -- their  
22 team came from Florida and from the  
23 southern US. So they were here at a  
24 time within a time frame.

25 So if they weren't able to

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1 confirm with Epstein to complete his  
2 compliance check within that time  
3 period, they would have tried. But  
4 once they went back, that was it. You  
5 know, the operation ended at that  
6 point.

7 Q. And there wouldn't have been  
8 any further follow-up, correct?

9 A. Further follow-up in regards  
10 to verifying his address?

11 Q. Yeah.

12 A. Well, if we go there and  
13 Epstein -- remember I said before  
14 another person in the home can, you  
15 know, confirm that the offender was  
16 living there. Ideally we do want to  
17 see the offender in person.

18 However, an offender not being  
19 at the address does not -- does not  
20 immediately mean that they are in  
21 noncompliance or, you know, it -- it  
22 wouldn't immediately mean they were in  
23 noncompliance if -- within the team if  
24 it was agreed that, okay, you know,  
25 he's off island right now or, you

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1 know, we can meet him at his office,  
2 then that would have been enough to,  
3 you know, to -- at the time for, you  
4 know, during the week of the checks.

5 Q. You testified earlier that  
6 USVI DoJ SOR unit purchased a car?

7 A. Uh-huh.

8 Q. Why?

9 A. I testified earlier that the  
10 vehicle was used to conduct the  
11 verification checks --

12 Q. So --

13 A. -- the compliance checks.

14 Q. So the car was only used  
15 approximately once a year?

16 A. No. Remember I also said  
17 that -- that during the year, we would  
18 also verify the addresses of  
19 offenders, you know, if they  
20 relocated, if they had a new address.  
21 Within that time, I think it's seven  
22 days, that we would also go out to  
23 verify their addresses.

24 Q. Were there any other reasons a  
25 car would be used?



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1 this -- these pictures or evidence.

2 ATTORNEY O'LAUGHLIN: Yes.

3 THE WITNESS: I never did, but

4 I did share this

5 E-mail with investigators and also

6 with the criminal defense attorney.

7 ATTORNEY O'LAUGHLIN: Let's

8 enter Tab 23 as Exhibit 23.

9 (Whereupon, Defendant's

10 Exhibit No. 23, E-mail, dated

11 February 25, 2019, was marked

12 for identification)

13 (BY ATTORNEY O'LAUGHLIN):

14 Q. This is an E-mail from you,

15 and it's a forward of the E-mail we

16 were just looking at to an Anola

17 Duncan, Quincy McRae, Carol Jacobs,

18 copying Kevin Augustin; correct?

19 A. Correct.

20 Q. Was this what you were just

21 talking about as -- when you passed

22 this information along?

23 A. Yes.

24 Q. Who are you to the people on

25 this distribution list?



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1           A. Anola Duncan was the AG's  
2     secretary. Quincy McRae was the  
3     criminal -- the chief over the  
4     criminal division. Carol Jacobs --  
5     Carol Jacobs, she -- I don't see  
6     Denise in here.

7                 So Carol must have been the  
8     acting AG, and Kevin Augustin was the  
9     -- Kevin Augustin was the investigator  
10    for SORNA.

11           Q. Do you know what, if any,  
12    follow-up they did in response to you  
13    passing this information along?

14                 ATTORNEY ACKERMAN: Object to  
15    form.

16                 THE WITNESS: I am not sure if  
17    anything was done, followed up. I'm  
18    not sure if anything was done. It --  
19    I wasn't aware of it.

20                 (BY ATTORNEY O'LAUGHLIN):

21           Q. Okay. So as far as you know,  
22    you E-mailed it, but there was no  
23    further follow-up?

24                 ATTORNEY ACKERMAN: Object to  
25    form.

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1 THE WITNESS: As far as I  
2 know, nothing else was relayed back to  
3 me about a follow-up to this E-mail.

4 (BY ATTORNEY O'LAUGHLIN):

5 Q. Okay. And did you follow up  
6 with any of them to be like, Hey, what  
7 happened with this?

8 ATTORNEY ACKERMAN: Object to  
9 form.

10 THE WITNESS: There were other  
11 follow-ups, but it was -- it was  
12 pertaining to the same offender  
13 sending threatening E-mails as well  
14 too, referring to me as a monkey,  
15 referring, you know -- you know, to us  
16 being -- you know, very harsh  
17 explicatives, you know, within the  
18 E-mail.

19 So within this -- within this  
20 -- this offender's file, there are  
21 several other E-mails that he -- he  
22 would send E-mails 3:00, 4:00 in the  
23 morning. But, you know, nonetheless,  
24 I still forwarded this E-mail on  
25 because he spoke about him having

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1 asked which works best for us. But it  
2 was the Marshals Service who would  
3 essentially, you know, decide which  
4 dates were best.

5 Q. Okay. And by the way, are the  
6 address verifications the same thing  
7 as the sweeps that you described, that  
8 you -- it was a term you used  
9 earlier?

10 A. Yes. So the US Marshals  
11 Services, they titled those. They  
12 called the operation as Operation  
13 Island Sweep.

14 Q. Okay. And when -- what is the  
15 purpose of the sweep or the address  
16 verification?

17 A. The purpose is to confirm that  
18 what the offender has provided as  
19 their permanent residence, and also  
20 instances may also be their employer  
21 address, that that is true and -- and  
22 correct.

23 Q. Okay. When you performed or  
24 when the DoJ performed sweeps to  
25 verify Mr. Epstein's address, did DoJ

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1 compliance because a search of their  
2 home was not required to complete that  
3 address verification.

4 Q. Okay. Thank you.

5 You testified earlier one of  
6 the things you did in preparation for  
7 this deposition was to review the  
8 testimony of Inais Borque, right?

9 A. Yes.

10 Q. Okay. There was testimony in  
11 Ms. Borque's deposition about  
12 performing weekly checks of offenders.  
13 Do you recall that testimony?

14 A. I do recall reading that in  
15 her -- in her deposition, yes.

16 Q. Okay. Was it the practice of  
17 the Virgin Islands DoJ SORNA office to  
18 conduct weekly checks of sex offenders  
19 during the time period that you worked  
20 in that office?

21 A. No, it was not.

22 Q. Thank you.

23 I want to go through a few  
24 exhibits, and I'll try to just go  
25 quickly. But let's start with Exhibit

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1 But do you know who the sex offender  
2 is?

3 A. Yes.

4 Q. Okay. First let's look at the  
5 bottom E-mail. What was the sex  
6 offender demand -- or was the sex  
7 offender demanding something from the  
8 DoJ SORNA office?

9 A. He was demanding to be removed  
10 from the registry.

11 Q. Okay. Was this a frequent  
12 demand from this individual?

13 A. Yes.

14 Q. Did you consider this  
15 individual's statements regarding  
16 claiming to have audio and video of  
17 things going on on Little St. James  
18 credible?

19 A. I personally made the decision  
20 to forward it on. If it was  
21 creditable, it may have been, but the  
22 offender was very questionable. He  
23 was an habitual drug user, you know.  
24 And a lot of his other E-mails would  
25 come 3:00, 4:00, 2:00, 5:00 o'clock in

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1 the morning, and very belligerent, you  
2 know, very broken up, very cut-up  
3 language, you know. So anything can  
4 be creditable. That's why I forwarded  
5 it on, you know. But his -- as  
6 an individual, he was very  
7 questionable.

8 Q. Okay. Thank you. You can put  
9 that aside.

10 There was a lot of discussion,  
11 or there was some discussion today  
12 about warrants. And I want to ask, in  
13 your capacity in your work for the  
14 SORNA unit, were you involved in  
15 attempting to obtain warrants from  
16 magistrate judges in the Virgin  
17 Islands?

18 A. Yes.

19 Q. Describe just generally what  
20 the nature of your involvement was.

21 A. It wasn't always easy to get  
22 those warrants. That is why we  
23 created that notification need to  
24 register so it can be a clear document  
25 that we attach along with the

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1     Objection.

2                     THE WITNESS: Directly, no.

3     The AG entrusted that the SORNA --

4     that the SORNA employees and the

5     investigators, that we were doing

6     that. And of course, you know, we

7     will meet with her if need be.

8                     (BY ATTORNEY ACKERMAN):

9             Q. Okay. A lot of discussion

10    today about waiver of travel

11    requirements. Do you recall that, all

12    that testimony?

13             A. Yes.

14             Q. Are you aware of any other sex

15    offender in the Virgin Islands who

16    requested a more permanent waiver

17    similar to what Mr. Epstein

18    requested?

19             A. To my knowledge, no.

20             Q. There was discussion about the

21    tiering, the tier classification of

22    Mr. Epstein, correct?

23             A. Yes.

24             Q. Okay. Does the tier class --

25    under Virgin Islands law, does the