Exhibit C

EOUSA Records

Exhibit C.1

EOUSA Record 7

Email from Criminal Chief David Glockner to AUSAs
re Requests for Inmate Emails
(Sept. 16, 2010)

From: Glockner, David (USAILN)
Sent: Thursday, September 16, 2010 11:21 AM
To: EOUSA b6, b7C (USAILN)
Cc: (USAILN); EOUSA b6, b7C (USAILN); EOUSA b6, b7C (USAILN)
Subject: RE: Requests for inmate emails

That seems fine. I don't see a need to have AUSAs do this.

From: EOUSA b6, b7C (USAILN)
Sent: Thursday, September 16, 2010 11:06 AM
To: Glockner, David (USAILN)
Cc: EOUSA b6, b7C (USAILN); EOUSA b6, b7C (USAILN); EOUSA b6, b7C (USAILN)
Subject: FW: Requests for inmate emails

Dave,

Steve and I have requested e-mails for the inmates in the EOUSA b6, b7C case. We have recently received those e-mails along with what I would term a "master list" of all of the individuals with whom each inmate is allowed to correspond. Each inmate has listed an e-mail address for his attorney(s). We have received the e-mails in pdf format, which is easily searchable. Our proposal is to: 1) provide my assistant with the master list for each inmate and ask her to pull from the MCC's response any and all e-mail correspondence with attorneys; 2) document in a memo to file the request that we made of her and the fact that she followed that request; and 3) to produce all remaining e-mails to me and Steve. Please let me know if you think this is an ok way to proceed, or if you'd rather have us use a set of attorneys to perform this or other review.

Thanks.
EOUSA b6, b7C

From: Glockner, David (USAILN)
Sent: Tuesday, August 24, 2010 9:08 AM
To: USAILN-CRIMAUSA
Subject: FW: Requests for inmate emails

See the email below regarding procedures for obtaining inmate communications from the MCC.

Note that the MCC's position is that inmate communications with attorneys using emails and recorded phone lines aren't privileged because inmates are warned that they are not private, and that BOP personnel don't have a simple way to screen those communications when we ask for production of inmate communications.

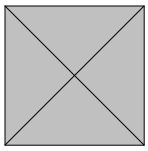
Although there's a good argument in support of the MCC's position, the more prudent course

is to avoid exposure to inmates' communications with their attorneys, even when conducted on recorded lines or through email. You should be alert to the possibility that such communications may be included in productions from the MCC, and should avoid reviewing them and (to the extent possible) segregate them. If you receive such communications and wish to review them, you should consult with your chain and the front office before doing so.

Exhibit C.2

EOUSA Record 8

Letter to Federal Detention Center
re Email Access
(Mar. 27, 2009)



U.S. Department of Justice

United States Attorney

Eastern District of Pennsylvania

615 Chestnut Street
Suite 1250
Philadelphia, Pennsylvania 19106-4476
(215) 861-8200

Direct Dial (215) 861- EOUSA b6, b7C
Facsimile (215) 861- 8618
E-mail Address EOUSA b6, b7C *@usdoj.gov*

March 27, 2009

EOUSA b6, b7C Esq.
Federal Detention Center
Legal Department
P.O. Box 572
Philadelphia, PA 19105

RE: Prisoner e-mail

Dear EOUSA b6, b7C

I understand that prisoners at the FDC Philadelphia will soon have access to e-mail. I also understand that to be eligible for this privilege they must sign a form consenting to monitoring their e -mail traffic. I have been told that the prison will require a subpoena from us before producing a prisoner's e-mail. I am writing to request that production be made in response to a letter request.

The Program Statement for the TRULINCS e -mail program says on page 8, "The Bureau's TRULINCS System of Records, and the Privacy Act of 1974, allow disclosure of TRULINCS transactional data and message content for law enforcement purposes, as defined therein. Subpoenas for these are not required, as compared to recorded telephone conversations. " (Emphasis supplied) . See http://www.bop.gov/policy/progstat/5265_013.pdf. Requiring production by means of process implicates 18 U.S.C. § 2703, part of the Stored Communications Act. If we proceed under the act, we will be required to get a search warrant or use a subpoena with notice to the prisoner. Strange as it may seem, if the Bureau of Prisons turns the material over to us without any legal process, the distribution of the material is legal. (The legal issue is complicated, and I would be happy to share with you my research on the question.) However, it appears that on a national level, the Bureau has considered this question and decided that a subpoena is not necessary. I only ask that you follow the national procedures.

Very truly yours,

EOUSA b6, b7C

United States Attorney

EOUSA b6, b7C
Assistant United States Attorney
Chief, Computer Crimes

Exhibit C.3

EOUSA Record 12

AUSA Memorandum Supervisory Criminal Chiefs
re Prisoner Email
(May 15, 2014)

MEMORANDUM

Subject	Date
Firewall Review of Inmate E-mails from the MDC	May 15, 2014
To	**From**
Lisa Kramer Elizabeth Geddes	EOUSA b6, b7C

This memo analyzes whether e-mails sent by inmates at the Metropolitan Detention Center (the "MDC") to their attorneys using the Bureau of Prisons' ("BOP") Trust Fund Limited Inmate Computer System ("TRULINCS") are subject to the attorney-client privilege. EOUSA b6, b7C

EOUSA b6, b7C

EOUSA b5

Exhibit C.4

EOUSA Record 14

Email from Criminal Chief to
Criminal AUSAs in Western District of Pennsylvania
(June 20, 2019)

From: Miller, Tina (USAPAW) 4
To: USAPAW-All Criminal
Subject: Evidence Requests to Jails
Date: Thursday, June 20, 2019 2:39:26 PM
Importance: High

Given the problems we've seen in various jails, it should come as no surprise that both state and federal institutions are increasing the presence of video and audio surveillance systems within the jails. This can yield helpful evidence in cases where prisoners are committing criminal acts within the jails. However, we should be mindful that attorney client meetings also occur within these institutions. In order to avoid any inadvertent intrusions into the attorney client relationship, we should be clear in any requests we make to jails (state, local or federal) for audio, video, and even copies of letters to and from inmates, that we are not seeking any communication or interactions between defendants and their attorneys. This includes video surveillance of attorney client meetings. Even if there is no audio to the videotape, we should not be obtaining videos or images of attorney client meetings in a jail unless there is reason to believe the crime fraud exception applies (for example if the attorney is passing drugs or contraband to the inmate).

As we do for jail calls, all requests for video surveillance evidence from a jail (local, state or federal) must be made to me in advance of requesting the evidence from the institution. Similarly, any requests for copies of inmate correspondence should be approved by me before you or the agent requests copies of the correspondence from the institution.

One final point: This approval process applies as well to actions and requests, including administrative subpoenas, issued by agents on your investigations.

Please contact Troy Rivetti or me with any questions or comments. Thanks. Tina

Tina O. Miller
Deputy U.S. Attorney
Chief of the Criminal Division
United States Attorney's Office
Western District of Pennsylvania
(412) 894-[redacted EOUSA b6 b7C]

Exhibit C.5

EOUSA Record 22

Circular
re Filter Team Process
(Sept. 5, 2019)

DISTRIBUTION: **ASSISTANT U.S. ATTORNEYS**
DATE: **SEPTEMBER 5, 2019**
PERSONS TO CONTACT: **CHIEF, CRIMINAL DIVISION**
CIRCULAR NUMBER: EOUSA b5

FILTER TEAMS

This **Circular**, issued September 5, 2019, addresses our office's policy and guidance on the establishment and use of filter team EOUSA b5

EOUSA b5

[redacted]

EOUSA RIP

EOUSA b5
EOUSA b5 a filter-team may be appropriate EOUSA b5
EOUSA b5 where jail calls and e-mails need to be reviewed.

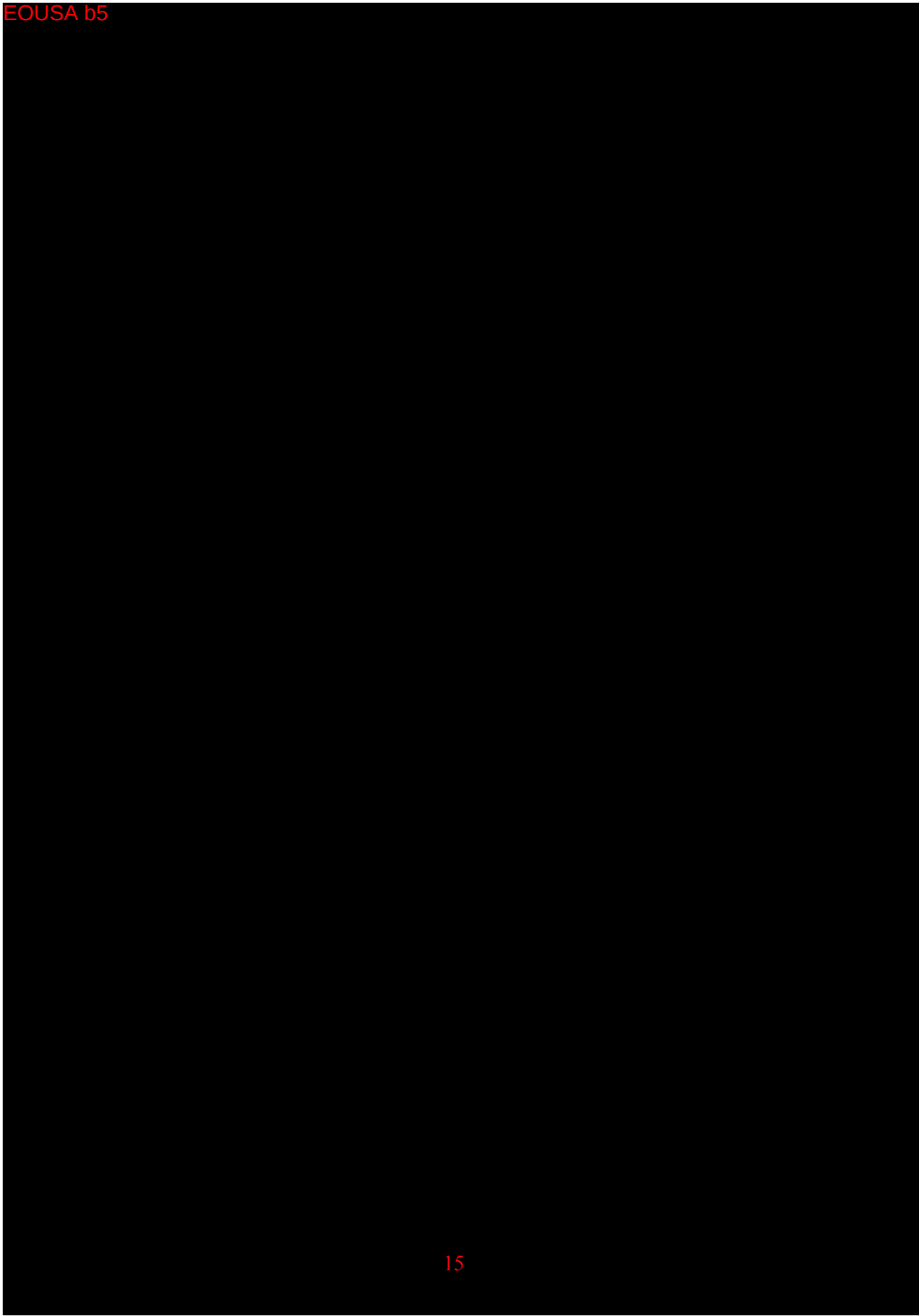
EOUSA b5

Nonresponsive

EOUSA b5

EOUSA WIF

EOUSA b5



EOUSA b5 [redacted]

EOUSA b5 [redacted]

EOUSA b5 [redacted]

EOUSA b5 [redacted] The below list of scenarios where filter issues may arise is but a non-exhaustive guide to matters to be sensitive to:

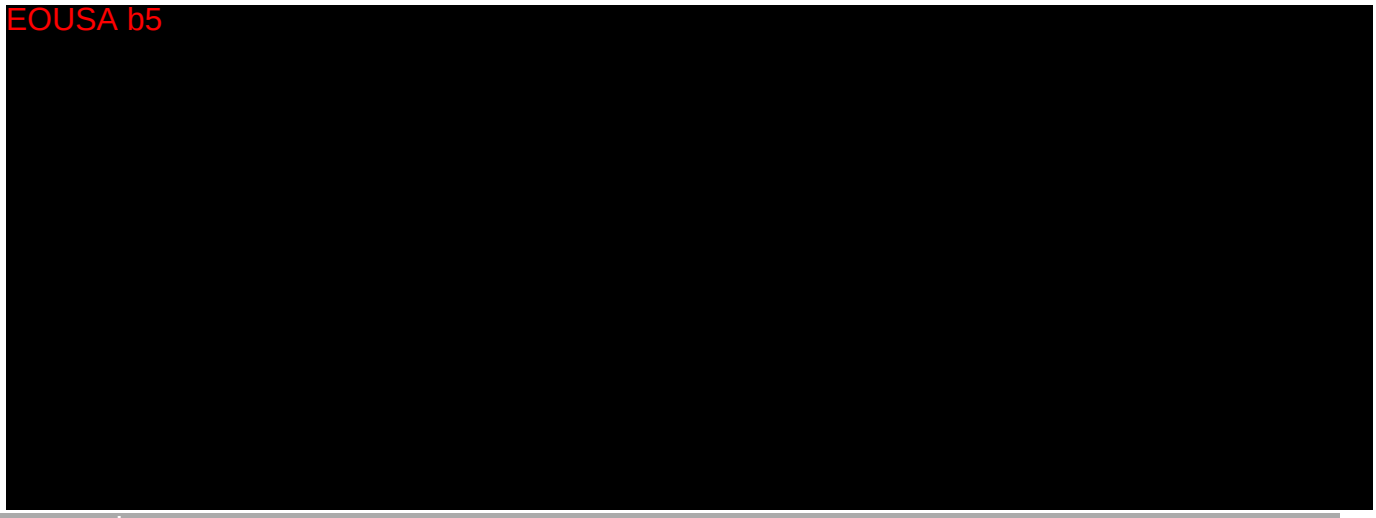
EOUSA b5 [redacted]

- Review of jail calls
- Review of jail e-mails

EOUSA b5 [redacted]

EOUSA WIF

EOUSA b5



Nonrersponsive

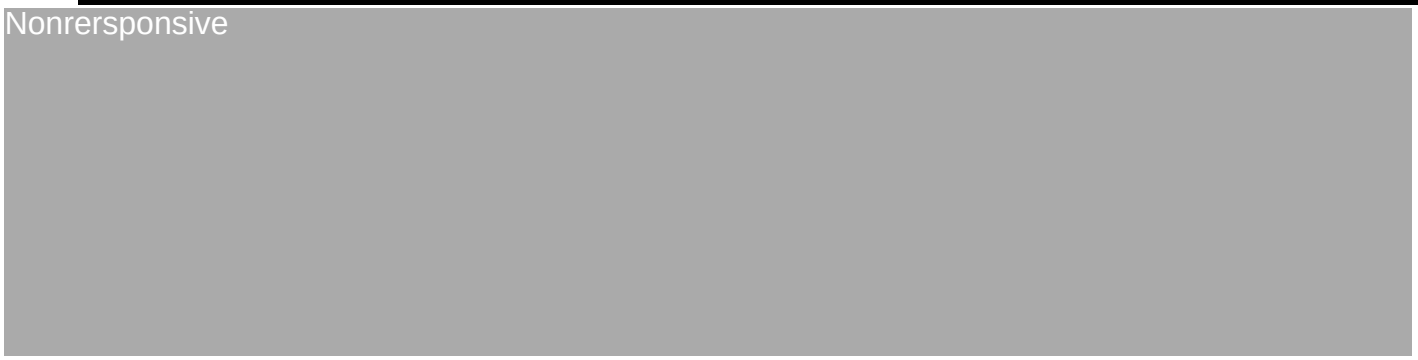


Exhibit C.6

Memorandum for All Wardens
re TRULINCS Filter for Specific Emails
(June 20, 2017)

U.S. Department of Justice

Federal Bureau of Prisons

Washington, DC 20534

JUN 20 2017

MEMORANDUM FOR ALL WARDENS

FROM: Ken Hyle
Acting Assistant Director/General Counsel
Office of General Counsel

Angela P. Dunbar, Assistant Director
Correctional Programs Division

Bradley T. Gross, Assistant Director
Administration Division

SUBJECT: TRULINCS Filter for Specific Emails

A new feature has been added to the Trust Fund Limited Inmate Computer System (TRULINCS) to allow users to filter out specific emails when conducting a search of an inmate's email activity. This feature does NOT affect the Bureau of Prisons' authority, or an institution's ability to monitor all email exchanges. Currently, individuals in the community, including attorneys, consent to having all emails, to and from an inmate, monitored and retained when he or she accepts the initial system-generated notification that an inmate wishes to add him or her to the inmate's contacts list and then proceeds to correspond with the inmate.

On occasion, SIS staff receive requests from law enforcement officials for an inmate's email exchanges with members of the public. In response to these requests, SIS staff search the inmate's TRULINCS account, generate a file containing the emails, and release the file to the requesting law enforcement entity. In recent years, concerns have been expressed that emails between inmates and attorneys should not be included in this production and should be considered "privileged communications."

The BOP has added a feature to the search functions on TRULINCS that allows staff to filter out emails sent to and received from a specific email address. This feature allows staff to produce emails for law enforcement while excluding specific email addresses from the requested search such as email accounts belonging to attorneys. The requesting law enforcement officials will be expected to provide the specific, correct email address that is to be excluded from the search. BOP staff will not be expected to determine or verify the email address provided by the requesting law enforcement official. In addition, the requesting law enforcement entities will be responsible for verifying that no emails from the attorney were included in the production. Further guidance on this subject will be issued by the Correctional Programs Division.

SIS staff should contact (b)(6); (b)(7)(C) at (b)(6); (b)(7)(C) @bop.gov or (b)(6); (b)(7)(C) for any issues regarding the functionality of this program. Otherwise, please contact your Consolidated Legal Center staff or Regional Counsel if you have questions.

cc: Regional Counsels

Exhibit C.7

Email from Lisa Zornberg to All SDNY AUSAs
re New Office Practice When Requesting
Inmate Email Accounts
(Oct. 6, 2017)

From: Zornberg, Lisa (USANYS)
To: USANYS-CRIMINAL AUSAS; USANYS-CRIMINAL PARALEGALS; USANYS-INVESTIGATORS
Subject: Important: New Office Practice When Requesting Inmate Email Accounts
Date: Friday, October 6, 2017 7:17:00 AM

All -- Effective immediately, the Office has a adopted a new general practice of asking BOP staff to **filter out** emails between an inmate and his/her counsel-of-record when producing inmate emails to us. It is important that you take a minute to read this entire email to ensure you follow the directions:

1. The General Practice Rule. In your letter or email to the prison requesting inmate emails, include a sentence that provides the full name and email address of defense counsel-of-record and specifically requests that BOP staff filter out emails exchanged between that counsel-of-record and the inmate. **("Please filter out emails exchanged between the inmate and [NAME OF ATTORNEY], Email Address: [FILL IN EMAIL ADDRESS].")**

Note: Should defense counsel provide you with the names and email addresses of **additional** attorneys or paralegals from his/her law firm and request you to have those communications likewise filtered out, that's fine. You should honor that defense request so long as the additional names/email addresses given to you belong to bona fide lawyers or paralegals at the defense law firm.

2. Possible Exceptions to the General Practice. There may be rare and special situations when, with unit chief approval, you may request counsel-inmate emails -- for example, in a crime fraud situation; or in acting upon safety concerns or threats; or in case of an inmate's disappearance. You must consult your unit chief before requesting counsel-inmate emails from the BOP.

3. Rationale for this New Practice. To be clear, our new practice is not a waiver of the Government's legal argument that the communications are not privileged. Rather, our Office has adopted this practice as an accommodation to the defense bar -- following meetings in which our Office participated with the court, BOP, and the Federal Defenders. The BOP recently implemented software at MDC and MCC that allows BOP staff at those facilities to filter counsel-inmate emails upon specific request by our Office. (Note: It is our understanding that only the MDC and MCC have this filtering-out capability currently, but other BOP facilities may acquire that same capability in the future.)

4. Have questions or concerns? Please come talk to me or John McEnany.

Exhibit C.8

Email from Hector Ramirez to Vinay Jolly
(Sept. 2, 2020)

From:	Jolly, Vinay (USAEO)
To:	Brudy-Everett, Kristin (USADC)
Subject:	FW: RE: District of Puerto Rico NACDL v. BOP (18cv2399
Date:	Wednesday, October 28, 2020 11:46:11 PM
Importance:	High

From: Ramirez, Hector E. (USAPR) 1 <HRamirez1@usa.doj.gov>
Sent: Wednesday, September 02, 2020 3:16 PM
To: Jolly, Vinay (USAEO) <VJolly@usa.doj.gov>
Subject: RE: District of Puerto Rico NACDL v. BOP (18cv2399
Importance: High

Vinay,

This email responds to your request for our explanation on the search conducted and request for responsive records on the subject case. I conducted an initial search in 2019 and a recent updated search for records. As you are aware, the National Association of Criminal Defense Lawyers sent out a nationwide FOIA Request seeking information about the different policies in each US Attorney's Office regarding requests from AUSAs to BOP for inmate emails where these may contain attorney-client communications. The specific criteria for the search, in summary, included:

1. All records containing those U.S. Attorneys' Offices' policies, practices, or procedures for requesting copies of inmates' attorney-client emails from the BOP.

2. All records containing those U.S. Attorneys' Offices' policies, practices, or procedures for requesting copies of inmates' emails from the BOP, including non-attorney-client emails.

3. All external guidance, including directives, emails, or other communications, sent to those U.S. Attorneys' Offices, regarding policies, practices, or procedures for requesting copies of inmates' attorney-client emails from the BOP.

4. All external guidance, including directives, emails, or other communications, sent to those U.S. Attorneys' Offices, regarding policies, practices, or procedures for requesting copies of inmates' emails from the BOP, including non-attorney-client emails.

5. All records containing those U.S. Attorneys' Offices' policies, practices, or procedures concerning the use of attorney-client emails once they have been obtained from the BOP.

6. 6. All legal or policy memoranda concerning any decision to change those U.S. Attorneys' Offices' policies, practices, or procedures for requesting inmates' emails from the BOP, including any policies, practices, or procedures for requesting that the BOP exclude from production any emails between an inmate and their attorney, as well as any policies, practices, or procedures concerning the circumstances under which the government does not request such exclusions.

Initially, the response from the District of Puerto Rico was a "No Records" result. The request for policies, generally included the items listed above.

I. Search conducted.
Because the request focused on policies, practices, and procedures, I proceeded to email and speak with then First Assistant U.S. Attorney Timothy Henwood and Criminal Chief Jose Capo to inquire on such policies, practices, and procedures. After a review of our Criminal Prosecution Guidelines, Former Criminal Chief Jose Capo informed verbally that the USAO did not have written policies on the request for inmate email communications, whether privileged or not. Therefore, our response was in the negative.

II. Expanded Search:
Upon your latest request for a new search, Former FAUSA Henwood clarified that even though we did not have written internal policies on the matters subject of this request, our prosecutors followed DOJ Memoranda on the topic, namely, the May 2005 Memorandum on Receipt of Inadvertently-Produced Privileged Information, the May 2009 EOUSA Memorandum from Director H. Jarrett Marshall regarding Prisoner E-Mail accounts, the December 1, 2014 Memorandum from Assistant Attorney General Leslie R. Caldwell on Electronic Surveillance Procedures within the Federal Prison System, the U.S. Attorney's Manual for Coordination with the Office of Enforcement Operations, consultations with PRAO on inadvertent disclosure of attorney-client communications, DOJ Guidance on Filter Teams, as well as BOP Memoranda on Program Statement Correspondence, Prisoner Statement Trust Fund, Release of Information, Transactional Data Request, and Trulincs Summary.

After the aforementioned clarification, I proceeded to email the entire office in request for any and all emails, documents, and communications that any member of the office had with the BOP or related to production, examination, directives, policies, practice, and procedures with respect to any request for production by the BOP of inmate email communications. I also met and discussed with our Systems Manager for a System-wide search for the above requested information. The System Search conducted by our Systems Manager included searching for "Attorney-Client Privileged; Attorney-client emails; Inmate email policy; Inmate email request; Non-privileged inmate communications; BOP inmate communications policy "Bureau of Prisons" or BOP AND "Consent to Monitoring Agreement" OR Trulincs OR "Filter team" OR "inmate! /50 email!" OR "inmate transactional data". I also informed that AUSAs Teresa Zapata, Mariana Bauza, Jose Contreras, Jeanette Collazo, and Jonathan Gottfried responded with having responsive information, namely, various requests made to the BOP using the BOP Guidance on the Transactional Data Request Forms. They included these requests to BOP, as well as consultations to PRAO, and the corresponding Transactional Data Forms. They also informed that most requests are done by the various Law Enforcement Agencies during their investigation.

Once our Systems Manager performed the system-wide search, he proceeded to transfer a copy of the potentially positive data onto a shared folder that I could have access to. I then proceeded to verify every single potentially positive file. I have proceeded to extract and attach to this email all responsive documents, emails, and policies that I was able to

extract from this search. You will see that some of this are emails pertaining to specific investigations and contain attorney work-product material from our AUSAs and are therefore privileged. I have also attached the various inmate email policies discussed above.

I hope this information is helpful in resolving this matter. In order to be clear on the U.S. Attorney's Office's practice and procedures with regards to inmate email communications, or any type of inmate communication is that:

1. AUSA assigned to a case contact the BOP Attorney and ask for the BOP requirements for obtaining inmate communications;
2. Review any such BOP policy, as well as the Department of Justice Policies above mentioned;
3. Fill out the Inmate Transactional Data Form;
4. Provide the information produced to the Case Agent
5. Set up a Taint Review Team should agents encounter potentially privileged materials;
6. Consult PRAO on any matter that warrants ethics consultation;
7. Consult with Supervisor on any ethics matter or if the AUSA or Agents come across any potentially privileged material.

Lastly, our AUSAs regularly consult DOJ Book Online for guidance on these matters.

Should you have additional questions, please do not hesitate to contact me.
Regards,

Hector Ramirez

Hector E. Ramirez-Carbo
First Assistant U.S. Attorney
U.S. Attorney's Office
District of Puerto Rico
787-766-5656
hector.e.ramirez@usdoj.gov

Exhibit C.9

Email from Melissa Dojcak to Vinay Jolly
(Oct. 1, 2020)

From: Jolly, Vinay (USAEO)
To: Brudy-Everett, Kristin (USADC)
Subject: FW: FOIA Req 2018-005641 Musa/USAO PAW
Date: Thursday, October 1, 2020 3:38:54 PM

Kristin, here is the USAO PAW's search steps. Please share with Plaintiff to see if this USAO can now be removed from a search challenge.

From: Dojcak, Melissa (USAPAW) <MDojcak@usa.doj.gov>
Sent: Thursday, October 01, 2020 3:32 PM
To: Jolly, Vinay (USAEO) <VJolly@usa.doj.gov>
Subject: FOIA Req 2018-005641 Musa

Good afternoon.
I was able to contact Tina Miller, who was Criminal Chief when the FOIA request at issue was received.
I have confirmed the steps taken in order to comply with the FOIA request.
On Wednesday, January 9, 2019, Tina Miller's legal assistant (Sada Moran) sent an email to the entire criminal division; that email attached the FOIA request, and directed all criminal division personnel to review the FOIA request, and if anyone had any responsive documents, to contact Tina Miller by 1/18/19. Each AUSA and legal assistant was responsible for determining whether he/she had any responsive documents/records.
Our office did not have any responsive documents, other than what was provided by Felicia Langford, our FOIA coordinator at the time (the template form letter, and a BOP Program Statement).
This is not surprising, as our office has had a long-standing policy regarding obtaining recorded inmate calls, which strictly prohibits the gathering of any attorney/client calls. All subpoenas for jail calls state: "The telephone recordings provided pursuant to this request should not include any conversations between an inmate and an attorney." Our AUSAs understand that prohibition, and accordingly subsequently applied that same prohibition to prisoner emails.
We responded to the FOIA request on 2/4/2019.
Subsequent to our response to the FOIA request at issue, on 6/20/2019, Criminal Chief Tina Miller sent the attached email, dated 6/20/2019, to the Criminal Division regarding "Evidence Requests to Jails" – to specifically address video and audio surveillance systems within the jails. The 6/20/2019 email reiterated our office's policy regarding the prohibition on gathering any communication or interactions between defendants and their attorneys. That is the only office guidance that I could find that addresses inmate correspondence.

Please let me know if you have any other questions or need any further information.

Troy Rivetti, AUSA
Chief of the Criminal Division
United States Attorney's Office
Western District of Pennsylvania

Exhibit C.10

Chart
re BOP (including MCC) Prisoner E-mail Accounts
(date unknown)

[redacted]

BOP (including MCC) Prisoner E-mail Accounts	BOP Program statement P5265.13	Voluntary request	N/A	1 BOP's prisoner e-mail program (called the TRULINCS System) allows disclosure of transactional data and message content for law enforcement purposes. . Subpoenas for these are not required, as compared to recorded telephone conversations. Upon receipt of a properly submitted written request from a law enforcement agency, BOP staff are authorized to release both transactional data (e.g., date, time, electronic message address, electronic message recipient and sender, and length of the message) and copies of the electronic messages. 2. *See* crimbank/narcotics/BOP-MCC Issues/Prisoner Email Accounts 3. In the case of the MCC, direct the letter request to attention of Metropolitan Correctional Center, Attn: EOUSA b6, b7C MCC Attorney, phone [redacted]; facsimile 312-347-4017; email - [redacted] Or to MCC Attorney EOUSA b6, b7C [redacted] 4. MCC does **not** filter out the attorney emails before sending them over to us. Thus you will need to set up screen or filter team at our office before you review the emails. [redacted] EOUSA b6, b7C [redacted]

[redacted]