



**U.S. DEPARTMENT OF JUSTICE**  
**Federal Bureau of Prisons**  
*Metropolitan Detention Center*

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*80 29<sup>th</sup> Street*  
*Brooklyn, New York 11232*

December 14, 2021

Chief Judge Margo K. Brodie  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: **Administrative Order No. 2020-14**

Dear Chief Judge Brodie:

The Court has ORDERED that the MDC and MCC respond to concerns about the institutions' response to the COVID-19 pandemic.

Inmate orderlies continue to clean the common areas of all housing units, and inmates have been instructed to continue to wipe down and sanitize their living quarters.

Please be advised that the following numbers constitute a running tally, which began on March 13, 2020.

With regard to the numbers as of December 14, 2021, for MDC:

- Inmate Population: 1,645
- Inmates in Isolation: 0
- Inmates Recovered: 420
- Inmate Deaths: 1
- Inmates Vaccinated: 882<sup>1</sup>
- Staff Population: 472
- Staff Positive: 137
- Staff Recovered: 130<sup>2</sup>
- Staff Hospitalized<sup>3</sup>: 2
- Staff Vaccinated: 308<sup>3</sup>

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<sup>1</sup> This does not include the number of inmates that were vaccinated at another institution or prior to incarceration.

<sup>2</sup> Three (3) staff members have not returned to work. They have not returned to the institution for an extended period.

<sup>3</sup> Some staff members have received the vaccine from an outside medical facility, which is not reflected in this number.

Institution operational levels (Level 1, Level 2, or Level 3) are based on the facilities' COVID-19 medical isolation rate, combined percentage of staff and inmate completed vaccinations series, and their respective county transmission rates. At each level, an infection prevention procedure or modification to operations such as inmate programming and services may be made to mitigate the risk and spread of COVID-19 in accordance with BOP pandemic guidance. BOP pandemic guidance follows and integrates guidance and direction from CDC, OSHA, DOJ, and established medical best practices.<sup>4</sup>

Per BOP COVID-19 Operational Levels, MDC Brooklyn is Level 3. Operational Level 3 is determined if medical isolation rate is greater than 7%, or facility vaccination rate less than 50%, or the community transmission rate less than 100 per 100,000 over the last 7 days. MDC Brooklyn determined its Operational Level 3 based upon the community transmission rate.

Operational Level 3 requires cohorting modifications necessary and social distancing in all areas. Staff are required to follow the full COVID-19 Pandemic Plan including facility-wide use of face coverings, surgical or N95 masks as indicated. Staff symptom screening is required daily; COVID-19 symptom screen and temp check prior to entry into the institution (enhanced screening).

If there is any specific information the Court requires from the institution, we will be happy to provide it.

Respectfully submitted,

/s/

F. Martinez, Jr.  
**Warden**  
MDC Brooklyn

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<sup>4</sup> <https://www.bop.gov/coronavirus/index.jsp>