



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

80 29th Street
Brooklyn, New York 11232

January 11, 2022

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 January 11, 2022, for MDC¹:

- Inmate Population: 1,619
- Inmates in Isolation: 103
- Inmates Recovered: 649
- Inmate Deaths: 1
- Inmates Vaccinated: 929²
- Staff Population: 615³
- Staff Positive: 29

¹ As of December 27, 2021, MDC Brooklyn is subject to modified operations due to a number of inmates that have tested positive for COVID-19. We have set a contingency plan in place and re-evaluating our modified procedures every seven (7) days. As of January 10, 2022, we will be extending our modifications for an additional seven (7) days.

² This does not include the number of inmates that were vaccinated at another institution or prior to incarceration.

³ This is the current number of staff at MDC Brooklyn, with the additional staff relocated from MCC New York.

- Staff Recovered: 145⁴
- Staff Hospitalized: 2
- Staff Vaccinated: 507

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.⁵

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

⁴ Three (3) staff members have not returned to work for an extended period.

⁵ <https://www.bop.gov/coronavirus/index.jsp>