

Congress of the United States

Washington, DC 20515

February 6, 2019

Michael E. Horowitz
Inspector General of the United States Department of Justice
U.S. Department of Justice
Office of the Inspector General
950 Pennsylvania Avenue, NW
Suite 4706
Washington, D.C. 20530-0001

Dear Inspector General Horowitz:

We are writing to express concerns over recent events at the Bureau of Prisons' (BOP) Metropolitan Detention Center (MDC) in Brooklyn, NY. This past weekend, it was reported that over 1,600 detainees and employees at the correctional facility remained in a building that had serious heating and electrical issues for nearly a week during polar vortex conditions.¹ The grave nature of these circumstances were muddled until press coverage revealed the extent of the MDC's problems.

We believe there are ample grounds for your office to review the conditions at Brooklyn MDC. It is still unclear why the facility had prolonged issues with heating and electricity. It is understood that the facility kept detainees on lockdown without appropriate access to medical services. Further, attorneys and paralegal staff reported that detainees lacked access to extra blankets and could not purchase extra sweatshirts at the commissary during the height of this crisis. All the while, it is alleged that management at MDC did not activate and follow their emergency plan.

The lackluster response from the facility's leadership cannot be categorized as anything less than inappropriate given the circumstances. Instead of offering proactive solutions and executing its emergency plan, MDC Brooklyn failed in its duties until public pressure and demands for answers reached a tipping point. Leadership at BOP facilities must be consistent with our values, and ensure that detainees have access to humane shelter conditions. The arguably abusive practices arising out of this incident, including the fact that detainees were kept on lockdown in near-freezing conditions, is unacceptable.

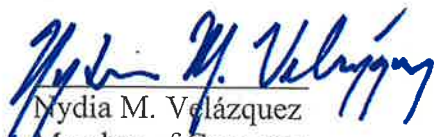
¹ Herrera, C. Protesters rally into the night for Brooklyn inmates in freezing jail cells. Huffington Post. https://www.huffingtonpost.com/entry/protests-brooklyn-jail-freezing-temperatures_us_5c5648b2e4b00187b5517ff8


Given the above, we request:

- the Evaluation and Inspections Division review the Management practices at this facility—such review should also examine whether the MDC fully followed its emergency plans. Such inquiry, in addition, examine the chain of command at the facility, including the respective decision-making authority that is in cases when the warden is not physically present at the facility;
- a review of medical care given to detainees during this period, including the lack of electricity for CPAP machines and the exacerbation of conditions such as asthma by the cold conditions; and
- a review of the extended denial of access to counsel for detainees by MDC, leaving detainees unable to address their cases or assert their rights about these conditions during this time period;
- an audit of whether contractors at MDC fulfilled their duties related to repairing or replacing heating, ventilation, and air conditioning (HVAC), electrical, or similar infrastructure on or about the week of January 28th, 2019. Such audit should also examine whether contractor malfeasance was a contributing factor leading to the loss of heat and electricity on or about the week of January 28th, 2019.

As Members of Congress, it is our responsibility to ensure that detainees are treated fairly and afforded humane living conditions while in federal custody. **Given the severity of these circumstances, we request a formal response from your office no later than ten (10) calendar days from the date of this correspondence.**


Sincerely,



Nydia M. Velázquez
Member of Congress


Jerrold Nadler
Member of Congress


Kamala Harris
United States Senator


Kirsten Gillibrand
United States Senator


Elizabeth Warren
United States Senator


Carolyn B. Maloney
Member of Congress



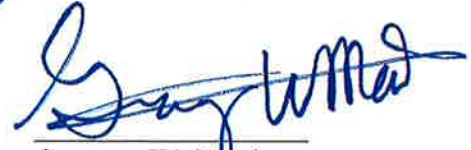
Adriano Espaillat
Member of Congress



José E. Serrano
Member of Congress



Nita M. Lowey
Member of Congress



Gregory W. Meeks
Member of Congress



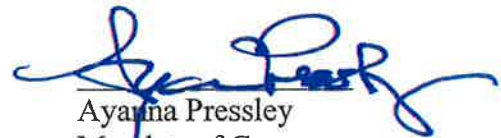
Hakeem Jeffries
Member of Congress



Sean Patrick Maloney
Member of Congress



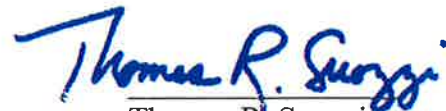
Eliot L. Engel
Member of Congress



Ayanna Pressley
Member of Congress



Grace Meng
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Thomas R. Suozzi
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Max Rose
Member of Congress



Eleanor Holmes Norton
Member of Congress



Alexandria Ocasio-Cortez
Member of Congress



Yvette D. Clarke
Member of Congress



Tony Cardenas
Member of Congress



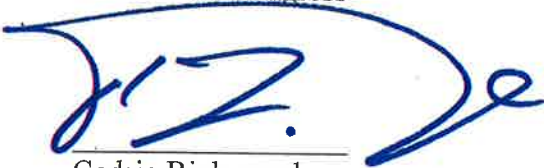
Mark Pocan
Member of Congress



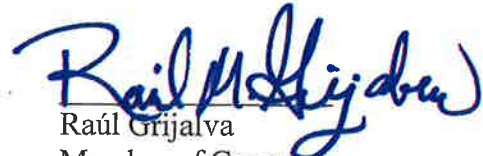
Brenda Lawrence
Member of Congress



John Lewis
Member of Congress



Cedric Richmond
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Raúl Grijalva
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Bobby Scott
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Albio Sires
Member of Congress



Kathleen M. Rice
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