

## MEMORANDUM OF INVESTIGATION

<b>Case Number:</b> 2019-010614	<b>Reporting Office:</b> New York Field Office
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MCC SHU Video Footage Analysis

Special Agent (SA) [REDACTED], U.S. Department of Justice (DOJ), Office of the Inspector General (OIG), conducted an analysis of the Metropolitan Correctional Center (MCC) New York, New York surveillance camera footage of the MCC New York Special Housing Unit (SHU) for August 9, 2019 between 10 p.m. and 11 p.m. Additionally, SA [REDACTED] did a comparison review of the surveillance camera footage analysis provided to the OIG by [REDACTED], Special Agent, Federal Bureau of Investigation (FBI), New York Field Office. The camera footage was extracted by the FBI's lab in Quantico from the MCC surveillance camera video arrays seized by the FBI on August 11, 2019. The FBI has identified that the only camera in the SHU recording was located above the G tier near the entrance for the 10 South unit. The camera footage had low quality video and the camera angle only partially shows the SHU including the SHU officer's station, and partial view of the stairs leading to the tiers in the SHU. It should be noted due to the quality of the video, the persons on camera cannot be properly identified other than possibly if the person is a male or female. The MCC Daily Assignment Roster shows that on August 9, 2019 between 10 p.m. and 11 p.m. Correctional Officers (CO) Tova Noel (female) and [REDACTED] (male) were assigned to work in the SHU.

**FBI Analysis of Video Footage**

- 10:29pm Person walked from desk area toward either L Tier or exit of laundry area and out of view
- 10:31pm Person walked from direction of either L Tier or laundry room exit and possibly went toward M Tier
- 10:32pm Person walked from direction of what appeared to be M Tier up the stairs to J Tier
- 10:33pm Person walked from J Tier down to K Tier
- 10:34pm Person walked from K Tier to G Tier (this is possibly Officer Noel)
- 10:35pm Person (possibly Noel) walked from G Tier to H Tier
- 10:36pm Person (possibly Noel) walked from H Tier to desk area
- 10:38pm Person walked from desk area toward exit to laundry area and out of view
- 10:39pm A flash or orange looks to be going up the L Tier stairs - could possibly be an inmate escorted up to that Tier
- 10:41pm Person walks from direction of either L Tier or exit to laundry room back to desk area - can then see papers moving around at the desk area

<b>Prepared By:</b> [REDACTED]	<b>Preparer Title:</b> Special Agent	<b>Reviewed By:</b> [REDACTED]	<b>Reviewer Title:</b> Assistant Special Agent in Charge
<b>Signature:</b>  		<b>Signature:</b>  	

10:29pm Person walked from desk area toward either L Tier or exit of laundry area and out of view

### **OIG's Analysis of Video Footage**

22:27:05 Movement behind the SHU officer's desk area

22:29:52 Person walks around the desk and off camera view (right side) toward L tier, laundry and SHU exit area.

22:32:01 Person walks back into camera view from L tier, laundry and SHU exit area, and disappears from camera view. It is possible person walked down into M Tier.

22:32:51 Person appears to be walking up the stairs of M (lower) tier and across the SHU floor

22:33:00 Person walks up the stairs of J (upper) tier.

22:33:44 Person walks down the stairs of J (upper) tier.

22:33:55 Person walks down the stairs of K (lower) tier.

22:34:45 Person walks up the stairs of K (lower) tier.

22:35:00 Person walks up the steps of G (upper) tier.

22:35:39 Person walks down the stairs of G (upper) tier. Based on outline of person, it can be suggested the person is a female.

22:35:50 Person walks down the stairs of H (lower) tier.

22:36:43 Person walks up the stairs of H (lower) tier and towards the SHU officer's desk. Person is then seen walking around behind the desk and items possibly being moved on desk.

22:38:47 Person walks around the desk and off camera view (ride side) toward L tier, laundry area and SHU exit.

22:39:42 A flash of orange can be seen going up the stairs of L (upper) tier. Inmates are currently on lockdown, it is possible someone is carrying inmate linen or bedding up the stairs

22:41:40 Person walks back into camera view from L Tier, Laundry area and SHU exit area and goes behind SHU officer's desk.

The OIG's and FBI's video analysis are similar. The time utilized by the OIG for its analysis is the time stamp on the video footage. Even though there were supposed to be two COs in the SHU, due to the quality of the video, only one CO can be seen walking around the SHU during the above timeline. It cannot be determined if there is another CO seated at the SHU officer's desk and what if anything the other CO was doing. Multiple witnesses have told the OIG that two COs are needed to conduct the counts inside the SHU. The video review clearly shows only one CO walking to 5 of the 6 tiers between 10 p.m. and 11 p.m.

Review of the MCC New York 10 p.m. count E1 document from August 9, 2019 shows Control Officer [REDACTED] listed "g/v 10:30 pm", meaning he received a good verbal count from the whole MCC New York by 10:30 p.m. However, based on the above timeline, the SHU CO was still walking around the SHU between 10:30 p.m. and 10:36 p.m.

#### Attachments:

1. Video Footage of the MCC SHU Surveillance Camera System for August 9, 2019.
2. FBI's Analysis of the MCC SHU Camera Footage.
3. MCC SHU Map.
4. MCC Daily Assignment Roster for August 9, 2019.
5. MCC 10 p.m. Count Document for August 9, 2019.