

Jim: Welcome to the latest podcast from the Department of Justice Office of the Inspector General. My name is Jim Mitzelfeld, and I am a senior counsel in our office.

I'm here today with DOJ Inspector General Michael Horowitz and Senior Inspector Jason Weiner from our Evaluation and Inspections Division. And joining us from our New York Field Office, we have Special Agent Omar Daza of our Investigations Division.

We're here to discuss our new report regarding the Metropolitan Detention Center in Brooklyn, New York.

Let me start with our Inspector General. Michael, can you give us a little background about what this report covers, and why our office decided to conduct this review?

Michael: Sure, Jim. Today's report arises out of a series of allegations related to Ronell Wilson, who was incarcerated in 2011 and 2012 at MDC Brooklyn. That facility is operated by the Federal Bureau of Prisons and houses prisoners who have pending judicial proceedings. While he was held there, Wilson engaged in a months-long sexual relationship with a correctional officer named Nancy Gonzalez that resulted in the birth of their child.

There were also allegations that, after other inmates filed a complaint about Wilson's relationship with Gonzalez, that Wilson held what was described as an inquisition in his housing unit to determine who had reported the relationship. And he was alleged to have bullied and manipulated staff and inmates in a variety of other ways.

Jim: How were these allegations made public?

Michael: Well, most of them came out in court testimony during Wilson's resentencing. In fact, the judge in the case was so troubled by what he heard that he included a passage in his sentencing opinion specifically recommending that the OIG look into the situation.

Jim: We also conducted a criminal investigation of the correctional officer, Nancy Gonzalez.

Michael: That's right. It's illegal for a correctional officer to have a sexual relationship with an inmate within his or her custody, so the first thing we did was investigate that relationship.

Jim: Special Agent Omar Daza, you were the case agent responsible for the investigation of Gonzalez. Can you tell us a little bit about what happened?

Omar: Well, the OIG's Investigations Division got involved in this case as soon as we received the allegation that a correctional officer at MDC Brooklyn had been involved in an inappropriate relationship with an inmate. We receive a fair number allegations regarding this type of investigation, but this one stood out because of Wilson's criminal past.

Jim: Can you elaborate?

Omar: Wilson is a former high-ranking gang member who was in prison for killing two undercover New York City police detectives. The U.S. Attorney's Office that prosecuted his case described the murders as "execution style." By the time Wilson was back at MDC Brooklyn in 2011, he had already been convicted of capital murder and was sentenced to death, although that death sentence had been vacated by the Court of Appeals.

Jim: So he was back at MDC Brooklyn awaiting resentencing, and that was when he met Nancy Gonzalez.

Omar: That's right. She worked the evening shift in Wilson's unit, and before long she and Wilson were having a sexual relationship. Eventually, that relationship was reported by other inmates, and that's when we launched our investigation.

Jim: How did the investigation unfold?

Omar: We first obtained video evidence from the prison that corroborated aspects of the other inmates' allegations, such as the fact that Gonzalez and Wilson would talk for lengthy periods of time, meet up in vacant rooms inside the unit, and that kind of thing.

But the big break actually occurred when the OIG reviewed two recorded phone calls between Gonzalez and an inmate in another prison who had a previous personal relationship with Gonzalez. During these calls, Gonzalez admitted to carrying an inmate's child. She also offered descriptions and details that strongly pointed to Wilson as the father. This became even more clear when the details she offered were compared to video evidence we collected from MDC Brooklyn. Court-ordered DNA testing later confirmed that Wilson was in fact the father.

Jim: What ultimately happened to Gonzalez?

Omar: Well, Gonzalez was prosecuted, she pled guilty to having sexual intercourse with an inmate under her supervision, and she was sentenced to serve a year and a day in prison.

Jim: And what became of Wilson?

Omar: Well, Wilson, he's back on death row after being re-sentenced by the judge in his case.

Jim: Thank you, Omar. Let me now turn to Senior Inspector Jason Weiner. Jason, you were on the team responsible for today's report. Tell me, what was the goal of this review?

Jason: As the Inspector General mentioned earlier, when the judge sentenced Wilson for the second time, he expressed strong concerns about how Wilson was able to cause so many disruptions in the Special Programs Unit at MDC Brooklyn, and he recommended that we look into it.

Our goal for the review was therefore to determine whether MDC Brooklyn's management controls, policies, procedures, and practices could have contributed to the disruptions that were described during Wilson's resentencing proceedings.

Jim: What did you find?

Jason: Our report acknowledges that many of the events described during the resentencing proceedings were due in large measure to the criminal actions of Gonzalez, and to alleged misconduct by another correctional officer. But we did identify several concerns with how MDC Brooklyn managed the situation.

The most significant concern we identified was that the prison failed to implement safeguards to ensure the safety and security of the unit where Wilson was housed. Keep in mind that even though Wilson was notorious for his violent history, the prison assigned Wilson to a unit called the Special Programs Unit, or "SPU," which primarily houses vulnerable inmates with mental health problems. We found that the SPU procedures did not provide any instructions for staff on how to manage inmates like Wilson, who could potentially intimidate other SPU inmates. And, in the absence of such procedures, MDC Brooklyn's management did not provide staff with any special guidance on how to do it.

Jim: Does the report fault MDC management for putting Wilson in the SPU in the first place?

Jason: No. The SPU primarily houses inmates with mental health conditions, but the unit's procedures also allow the prison to house other inmates there. And as the BOP pointed out to us, the first time Wilson was incarcerated at MDC Brooklyn, the judge issued an order requiring the prison to remove Wilson from the facility's special housing unit, which is a restrictive unit, and directed that he be placed among the general population instead.

So, when Wilson came back for resentencing, MDC Brooklyn officials felt their options were limited. They told us that they moved Wilson to the SPU because they thought they could monitor him more closely there than in a regular general population unit because the SPU has significantly fewer inmates. That was their call. But we found that, if they were going to place him among particularly vulnerable inmates, they also should have ensured that there were safeguards in place.

Jim: What else did you find in your review?

Jason: We identified several other communication issues at the facility. For example, the prison issued a revised set of procedures for the SPU last January, but some of the staff did not recall seeing it. We also found issues with the policies and practices relating to the frequency of cell searches, how sealed inmate complaints are handled, and how security information is shared across shifts and housing units. We make recommendations in our report for improving these things, but we did not find that they directly contributed to the incidents involving Wilson.

Jim: Michael, as Inspector General, do any of the five recommendations in this report stand out to you as particularly important?

Michael: They're all important, of course, but our recommendation that BOP work with MDC Brooklyn to develop procedures for managing potentially disruptive inmates in the SPU is the one that is most directly related to the issues involving Wilson. Doing that should reduce the chances of having similar problems in the future.

Jim: That's it for today. For listeners who'd like more detail, the full report is now available on the OIG's website – at oig.justice.gov – under the "Reports" section.

Michael, Omar, and Jason, thank you for taking the time to talk.

Michael: Thank you, Jim, and thank you to our listeners for your interest in this matter and for joining us today.