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Subject: MCC: AP sources: Feds investigate contraband flow at Epstein jail

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AP sources: Feds investigate contraband flow at Epstein jail

By MICHAEL BALSAMO and MICHAEL R. SISAK March 5, 2020 GMT

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FILE- This March 12, 2009 photo shows the Metropolitan Correctional Center in New York City. The federal jail in New York City where wealthy financier Jeffrey Epstein took his own life is on lockdown as authorities try to determine whether someone smuggled a gun inside one of the most secure federal jails in the country. That's according to two people familiar with the matter who spoke Friday to The Associated Press. (AP Photo/Mark Lennihan, File)

WASHINGTON (AP) — The Justice Department has opened a criminal investigation into potential misconduct by guards as officials keep inmates locked down at the federal jail in New York where financier Jeffrey Epstein killed himself over the summer, people familiar with the matter told The Associated Press.

The investigation at the Metropolitan Correctional Center is focusing on the flow of contraband into one of the most secure jails in America and is being led by federal prosecutors from the U.S. attorney's office in Manhattan, the people said. They were not authorized to discuss the investigation publicly and spoke on condition of anonymity.

The criminal investigation comes as inmates have remained locked in their cells without access to their lawyers a week after authorities began tossing cells in search of a possible gun that so far they've been unable to find. The investigation started after jail officials received information that a gun may have been smuggled into the Manhattan lockup. Since then, officials have canceled all visitation at the jail, which houses about 700 inmates. There are no signs of the lockdown ending anytime soon.

The lockdown is just the latest crisis at the jail where Epstein died by suicide in August. Federal prosecutors allege that the two correctional officers assigned to watch Epstein's unit were snoozing and shopping on the internet, and later forged records to make it look like they checked in on him.

All visitors and inmates are searched before entering the facility and go through metal detectors. They are supposed to leave personal belongings outside the jail. All mail is also screened by correctional staff. A gun smuggled inside would be a major security breach.

In the past few days, officers have searched the facility and uncovered a sizable amount of contraband, including cellphones, but no gun has not been found, the people said. Investigators are trying to determine how the contraband has been entering into the facility.

The Bureau of Prisons said the jail is on "modified operations" because of the investigation. The bureau provided no estimate for when normal operations could resume, raising legal concerns because the jail houses pretrial inmates while

their cases are ongoing.

In a statement to the AP, the agency said it must “take the time needed to complete a thorough investigation while actively working to return the facility to normal operations as soon as possible.”

David Patton, executive director and chief attorney of the Federal Defenders of New York, said it’s a violation of inmates’ constitutional rights to deny them visits with their lawyers. He also said it has affected legal proceedings.

“Sentencings are being delayed. Hearings are being delayed,” Patton said. “But the MCC acts as though it’s perfectly fine for them to just shut down the entire institution to look for contraband. It’s just not acceptable. They’ve got to be able to walk and chew gum at the same time.”

Patton said federal prison officials have refused to provide information about what has prompted the current lockdown, other than saying it is for “security concerns.” They have not told the federal defenders that they are searching for a gun, he said.

Patton said the chief judge in the Southern District of New York has been working with the U.S. Marshals Service to bring a small number of people to the courthouse for individual meetings with lawyers, but they’re capped at just five per day.

“It’s just not nearly sufficient to deal with the need,” he said.

The agency said Thursday that it arranged for additional staff from other parts of the U.S. to assist in the investigation and ensure there is appropriate staffing at the jail. The agency said it “has maintained communication with stakeholders as needed” and held a meeting with the chief federal judge and public defender in Manhattan, along with prosecutors, the Marshals Service and probation officials.

The agency also said it has discussed a plan to resume legal visits at the jail on Friday and expects to allow full legal visitation by next week. Visits with family members could resume as soon as this week, officials added.

“The Bureau has been working closely with the stakeholders throughout this period to ensure those defendants with imminent court deadlines have the legal visits with their legal counsel as needed,” the statement said.

Inmates are being locked down for 24 hours a day and lawyers have been told that on some units the prisoners are being denied showers and being given cold meals in their cells. One inmate reported receiving peanut butter and jelly sandwiches for every meal since last Thursday.

The bureau said inmates are on a periodic shower rotation, except for those in special housing units, who remain on a regular schedule.

“All inmates have access to medical care and appointments and medical staff continue normal rounds on every floor,” BOP said.

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