



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

November 23, 2020

BY ECF

The Honorable Alison J. Nathan
United States District Court
Southern District of New York
United States Courthouse
40 Foley Square
New York, New York 10007

Re: *United States v. Ghislaine Maxwell, 20 Cr. 330 (AJN)*

Dear Judge Nathan:

The Government respectfully submits this letter to provide an update regarding the defendant's conditions of confinement at the Metropolitan Detention Center ("MDC") pursuant to the Court's Order dated August 25, 2020. (Dkt. No. 49). Over the past three months, the Government has had multiple conversations with MDC legal counsel regarding the defendant's conditions of confinement. This update is based on information provided to the Government by MDC legal during those conversations.

Last week, a staff member who was assigned to work in the area of the MDC where the defendant is housed tested positive for COVID-19. In response, the MDC implemented the same quarantine protocols that apply whenever an inmate has potentially been exposed to the virus. Specifically, on November 18, 2020, the defendant was tested for COVID-19 using a rapid test, which was negative. That same day, the defendant was placed in quarantine. As with any other quarantined inmate, the defendant will remain in quarantine for fourteen days, at which point she will be tested again for COVID-19. If that test is negative, she will then be released from quarantine. To date, the defendant has not exhibited any symptoms of COVID-19.

During her time in quarantine, the defendant will be housed in the same cell where she was already housed before she was placed in quarantine, and medical staff and psychology staff will continue to check on the defendant every day. Like all other MDC inmates in quarantine, the defendant will be permitted out of her cell three days per week for thirty minutes. During that time, the defendant may shower, make personal phone calls, and use the CorrLinks email system. In addition, the defendant will continue to be permitted to make legal calls every day for up to three hours per day. These calls will take place in a room where the defendant is alone and where no MDC staff can hear her communications with counsel.

On November 18, 2020, the Government provided the MDC with a laptop for the defendant to use to review discovery. During quarantine, the defendant has been and will continue to be permitted to use that laptop in her isolation cell to review her discovery for thirteen hours per day,

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seven days per week. Accordingly, the defendant is receiving the same amount of time to review her discovery and the same amount of time to speak with her lawyers as she received before entering quarantine. The defendant will not, however, be permitted to meet in person with her lawyers until she tests out of quarantine.

After the defendant tests out of quarantine, she will resume the same schedule that the MDC implemented approximately three months ago. Specifically, from 7am to 8pm every day, the defendant will be permitted out of her isolation cell. During those thirteen hours, the defendant will have access to a computer on which to review her discovery outside of her cell. Also during the day, the defendant will be permitted to, among other things, make legal calls, make personal calls, access CorrLinks, and shower. From 8pm to 7am, the defendant will remain in her isolation cell. The defendant will also be permitted to have in-person visits with her attorneys up to three days per week for multiple hours per visit. On days when the defendant does not have in-person legal visits, she will have access to legal calls for up to three hours per day.

As was the case three months ago, the defendant continues to have more time to review her discovery than any other inmate at the MDC, even while in quarantine. The defendant also has as much, if not more, time as any other MDC inmate to communicate with her attorneys, even while in quarantine.

As noted above, over the past three months, the Government has repeatedly communicated both with MDC legal counsel and defense counsel regarding the defendant's conditions of confinement. Whenever the defense has raised a concern on this topic, the Government has immediately contacted MDC legal counsel to inquire about and, where appropriate, to address the concern. The Government will continue to keep those lines of communication open and will remain responsive to any concerns raised by the defense regarding the defendant's conditions of confinement. Should the Court have any questions or require any additional details regarding this topic, the Government will promptly provide additional information.

Respectfully submitted,

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Cc: All Counsel of Record (By ECF)