

March 27, 2014

Hon. Carmen Fariña
Chancellor
New York City Public Schools
Department of Education
52 Chambers Street, Room 314
New York, NY 10007

Re: Avonte Oquendo
P 277
Hunters Point Campus
SCI Case #2013-4827

Dear Chancellor Fariña:

The office of the Special Commissioner of Investigation (“SCI”) has conducted an investigation related to the disappearance of Avonte Oquendo, an Autistic 14-year-old male student at P 277 – also known as the Riverview School – in Queens, who ran out of the school building on October 4, 2013, and was missing until January 2014, when his remains were found washed ashore. SCI sought to determine the facts surrounding Avonte’s ability to leave a Department of Education (“DOE”) building undetected.¹ Our findings are described here.

P 277 is a District 75 Special Education school which shares space in a District 30 building known as the Hunters Point Campus, located in the developing neighborhood of Hunters Point South near the East River waterfront in Long Island City. The building is new and opened in September 2013. The other schools on the Campus are an intermediate school, Hunters Point Community Middle School, and a high school, the Academy for Careers in Television and Film. The principal of the high school, Edgar Rodriguez, is the building principal. Each school has its own floor – P 277 is on the 2nd – but shares common spaces, including the main entrance to the building and the cafeteria on the 5th floor. P 277 students who are bused – as Avonte was – do not use the main entrance, but travel down the hallway where he was last seen and enter/exit through the door which Avonte used to leave the school. The P 277 principal has an office on the 2nd

¹ No one was reassigned as a result of this investigation.

floor, but the main office of P 277 is on the 1st floor. P 277 uses the common area of the main stairwell, Stairwell A, and the 5th floor hallway to move between the school and the cafeteria. School Safety Agents (“SSAs”), employed by the New York City Police Department (“NYPD”), are assigned to the entire building, including the desk in the main lobby. At the time of Avonte’s disappearance, only two Level I SSAs were assigned to the building and there was no Level III Supervising SSA.² When one of the SSAs was on a break, the remaining SSA was alone at the front desk post.

On Monday, October 7, 2013, P 277 Principal Susan McNulty contacted SCI and reported that 9th Grader Avonte Oquendo had been missing since lunchtime on Friday, October 4, 2013. By that time, Avonte’s disappearance was a prominent story in the local media. According to Principal McNulty, a paraprofessional noticed that Avonte was missing when the students arrived at the Technology room on the 2nd floor, where they spent the remainder of the lunch period after leaving the cafeteria. Principal McNulty added that the NYPD was involved in the search for Avonte.

SCI investigators visited the school and met with Principal McNulty who was out of the building on October 4, 2013. McNulty was at a second site of the school when her secretary called and advised that Avonte was missing. McNulty responded to the school, conferred with Assistant Principal Angela Pomo, confirmed that the NYPD had been called and were en route, and learned that staff members were searching the building. Avonte was believed to be in the building because the SSA at the lobby security desk reported seeing a student enter the stairwell near the front entrance to the school.

Principal McNulty had viewed video captured by the security cameras and described her observations: Teacher Julie Murray and a paraprofessional escorted Murray’s class – Avonte and four other students – to the 5th floor cafeteria for lunch. Murray left the cafeteria and substitute Paraprofessional Syde Smalls stayed with her class. Other staff members were assigned to lunch duty as well. At approximately 12:36 p.m., Teacher Mitchell Glover, Paraprofessional Joseph Dooley, and substitute Paraprofessional Smalls escorted Avonte, and students assigned to two other classes, from the cafeteria into Stairwell A to head to recess in Glover’s Technology classroom. One student who broke away from the group was followed by Smalls and they were separated from the others. As Avonte’s group exited on the 2nd floor, he was not with the group. When Smalls entered the Technology classroom a short time later, she discovered that Avonte was missing.³

SCI investigators met with Assistant Principal Pomo, who was the supervisor at P 277 when Principal McNulty was at the other school site on October 4, 2013, but was not in charge of the building. At about 12:45 p.m., Unit Coordinator Jill Dizeo entered

² A Level III Supervising SSA now is assigned to the building.

³ Glover and Smalls wrote statements about the incident.

Pomo's office and reported that Avonte was missing. Pomo went to the 1st floor, spoke with SSA Bernadette Perez and a male SSA, and advised them that P 277 had a missing Special Needs student.⁴ SSA Perez told Pomo that the student did not leave the building and she saw a student walk up the stairwell near the front entrance.

Pomo contacted Academy for Careers in Television and Film Principal Edgar Rodriguez, who was in charge of the building, and reported that P 277 had a missing student. Pomo asked Rodriguez to make an announcement for a soft lockdown, but Rodriguez refused the request because it would alarm the students in his school. Pomo also asked Rodriguez to view the cameras, but he responded that he did not have a password for the video system. Pomo asked the secretary on the 1st floor to notify Principal McNulty about the situation. Pomo returned to the School Safety desk and encountered McNulty. The SSAs confirmed that 9-1-1 had been called and officers from the 108th Precinct were responding.

Later that day, Pomo spoke by telephone with Avonte's mother who said that she had notified Teacher Murray in writing to keep an eye on Avonte at all times because he was a "runner" and would leave the building. The mother explained that Murray sent home a form on which she warned that Avonte might run.

Pomo went to Murray's classroom and found the form which Murray apparently had created and sent home with her students. Pomo located Avonte's form and gave it to McNulty very late in the day. Pomo informed the investigators that, during staff meetings at the beginning of the school year, teachers were told to show administrators any paperwork, which was not distributed by P 277, being sent home with students. According to Pomo, Murray did not share the form with the administration and, therefore, the administrators did not know Avonte might be a runner.

A review of the form revealed that Murray sought information from parents to give her more knowledge about the students in her class. A review of Avonte's form revealed that, in response to the section "Questions or concerns that I have include," his mother wrote: "Safety concerns – Please make sure you keep an eye out he likes to run. Need 1-1 supervisor will leave the building."

Principal McNulty confirmed that Pomo gave her Murray's form which she had sent home without obtaining permission from the P 277 administration. McNulty explained that, at the beginning of the school year, during staff meetings about administrative procedures, teachers were advised that any paperwork not provided by P 277 should be shown to administrators for approval. McNulty added that Murray was present during the staff meetings.

When she reviewed the form, McNulty saw that Avonte's mother had responded that he needed to be watched because he would run and leave the building. Also on the

⁴ Pomo did not know the name of the male SSA.

form, Avonte's mother requested one-to-one supervision; however, according to McNulty, Avonte's Individual Education Program ("IEP") did not provide for a one-to-one paraprofessional.

A review of Avonte's IEP, implemented in November 2012 and due to be updated in November 2013, confirmed that he was not assigned a one-to-one paraprofessional. The document did not include any indication about his mother's concern that Avonte was a runner. Avonte's mother and grandmother signed the IEP.

The assigned SCI investigator obtained and reviewed video footage recorded by the school cameras on October 4, 2013. The footage showed that Glover and the students with him went ahead of the others, Smalls was not in her usual position in the middle between them – because of her focus on a particular student – and Dooley was far behind because his students were slow. Avonte was able to slip away from the group and descend to the 1st floor.

The 5th floor camera showed that, at 12:34 p.m., Teacher Mitchell Glover, Paraprofessional Syde Smalls, and Paraprofessional Joseph Dooley lined up their students for the transition from the 5th floor cafeteria to P 277 on the 2nd floor. Glover was at the front of the group and entered Stairwell A at 12:36 p.m.; Avonte entered behind Glover, and Dooley was behind Avonte. Smalls, with another 14-year-old male student ("Student B"), entered later.

A camera on the 2nd floor showed Glover exiting Stairwell A at 12:37:02 p.m. with a student he was focused on and four other students; they headed toward the Technology Room. Three unescorted students exited Stairwell A 24 seconds later at 12:37:26 p.m. and, 14 seconds later, at 12:37:40 p.m., Dooley exited Stairwell A with two students; they also walked toward the Technology Room. Thirty-one seconds after Glover arrived on the 2nd floor, at 12:38:11 p.m., Smalls exited Stairwell A on the 2nd floor and escorted Student B to the Technology Room. At about 12:52 p.m., Glover came out of the Technology room and looked in the hallway, apparently searching for Avonte. However, the video did not show Avonte exiting Stairwell A on the 2nd floor.

A review of the video recorded on cameras from the 3rd and 4th floors revealed that, from 12:35 p.m. through 12:40 p.m., Avonte did not exit Stairwell A.

A review of the video from cameras on the 1st floor showed Avonte exiting Stairwell A and entering the 1st floor corridor near the main lobby security desk at 12:37:40 p.m., the same time Dooley was arriving at the 2nd floor.⁵ Avonte ran through the lobby past the elevators and then back toward the stairwell. A child and an adult had arrived at the security desk and were interacting with the SSA. Avonte did not re-enter

⁵ In a conversation with an SCI attorney an attorney representing Avonte and his family reported his understanding that only one camera on the 1st floor was operational. That information was not accurate. SCI obtained footage from several cameras on the 1st floor.

the stairwell. Instead, shortly after 12:38 p.m., Avonte headed down the bus hallway and left the building through the open bus door. An outside camera showed Avonte running out of the building, down the block, and across the street, eventually out of sight.

SCI investigators met with the adult who was at the security desk when Avonte was in the lobby. The father of a female student (“Student C”) said that, on October 4, 2013, Student C became ill and he responded to P 277 to pick her up. The father went to the main office on the 1st floor to get Student C. The father and Student C walked into the main lobby and Student C went to visit the SSA who was seated at the desk. The father saw a boy, whom he now knows was Avonte, walk past him as he waited for Student C. According to the father, the SSA was interacting with Student C and appeared not to notice the boy walk past the security desk and into the hallway. The father did not focus his attention on the boy and did not see him head down the hallway and out of the school.

On October 4, 2013, SSA Perez was assigned to the main security desk at the Hunters Point Campus. Sometime after 12:30 p.m., as she was signing in a parent, SSA Perez saw a male student in the main lobby in the area near the main stairwell, Stairwell A. Although she now knows it was Avonte, at the time, SSA Perez did not know the student or which school he was from. SSA Perez observed the boy run past the elevators toward the women’s bathroom. Twice SSA Perez called out “excuse me” to the boy, but he did not respond. SSA Perez could not chase after the student because she was the only SSA at the main security desk and could not leave her post. SSA Perez saw the boy run past the elevators again and back toward the main entrance to the school, at the same time when Student C, with her father, entered the main lobby. Student C went over to SSA Perez and hugged her; this distracted SSA Perez. Nevertheless, SSA Perez remembered seeing the male student enter Stairwell A and head upstairs. SSA Perez later learned that a student was missing; she told Assistant Principal Pomo that a student had run into Stairwell A and had gone upstairs; she assisted in searching the building for him. SSA Perez had no idea that the student, Avonte, had left the building.

Murray, Glover, Dooley, and Smalls all asked to have a representative present when they answered questions. Consequently, their interviews were delayed, pending the assignment of counsel. Principal Rodriguez asked to have a union representative present; his interview was on hold, as well.

SCI investigators interviewed Academy for Careers in Television and Film Interim Acting Principal Rodriguez in the presence of his union representative. Rodriguez was in charge of the building on October 4, 2013. Rodriguez confirmed that he received a telephone call that day from P 277 Assistant Principal Pomo reporting a missing District 75 student. It was not known whether the child was still in the building. Rodriguez did not remember Pomo asking for soft lockdown. Rodriguez acknowledged that he declined to make an announcement over the public address system because he did

not want to upset the students in his school. However, Rodriguez maintained that, as he passed staff members in the hallway, he notified them about the missing P 277 student.

On August 21, 2013, Rodriguez attended a Safety and Security program held in Brooklyn. The training session included a discussion about lockdowns. During a soft lockdown, the Building Response Team was activated and responded to the command post. Hallway sweepers cleared out students, steering them into classrooms. Lights were turned off and students were kept out of sight. Rodriguez gave examples of situations which would call for a soft lockdown: loose animals in the school, a difficult parent, or an unidentified person who was not a threat to students or staff. Rodriguez did not remember a missing student being on the list for a soft lockdown, but admitted that a missing student would call for a soft lockdown. Nevertheless, according to Rodriguez, he did not implement a soft lockdown on October 4, 2013, because he needed more information to assess the situation. Rodriguez did not know whether the P 277 student was inside or outside the building, but Rodriguez's school had several classes and staff members outside of the building, and a lockdown would have locked them out of the building without any information about what was happening inside of the building. Rodriguez reiterated that he needed to gather as much information as possible to assess the situation before he locked down the entire school.

On October 4, 2013, Rodriguez went to the 1st floor and spoke with SSA Perez who said that she saw a male student near the main stairwell, Stairwell A, but was not sure whether he left the building or went back upstairs. After speaking with personnel from the NYPD, Rodriguez called for a hard lockdown. Rodriguez maintained that he did not call for a hard lockdown before that because the circumstances did not fit the criteria.

The "Hunters Point Campus – Queens Safety Plan" for the 2013-2014 academic year, which was pending review by the Borough Safety Director as of October 2013, indicated the difference between a soft lockdown and a hard lockdown.⁶ A soft lockdown implies that there is no imminent danger to sweep teams. A hard lockdown implies that an imminent danger is known and "NO ONE" will engage in a sweep of the building. Everyone, including SSAs, will await the arrival of first responders.

SCI investigators interviewed Avonte's teacher, Julie Murray, in the presence of her attorney. On October 4, 2013, Murray escorted Avonte to the Project Room for breakfast and, thereafter, he was present in her class until 12:05 p.m. when she and Paraprofessional Janeth Montoya lined up the students and took them to lunch. When they arrived at the cafeteria, on the 5th floor, she and Montoya settled them at a table, and Paraprofessional Smalls stayed with the class while Murray and Montoya began their assigned lunch period.

⁶ It also explained a "Shelter-In" which was to be implemented when there was a threat or hazard outside the building.

Before the end of her lunch period on October 4, 2013, Murray was in the principal's office speaking with Assistant Principal Pomo when Unit Coordinator Dizeo asked to speak with Pomo in the hallway. Murray stayed in the principal's office, but she heard Dizeo tell Pomo that they could not find Avonte and he was missing.

Murray acknowledged that, without the knowledge of the school administration, she sent home a self-created form at the beginning of the year, to obtain information from parents. Murray confirmed that, in the "Questions or concerns that I have include" section of the form, Avonte's mother wrote: "Safety concerns – Please make sure you keep an eye out he likes to run. Need 1-1 supervisor will leave the building." Murray explained that she advised the classroom paraprofessionals about the mother's concerns and took other precautions in the classroom to keep Avonte from running out. However, Murray did not notify the administration about Avonte's potential to run away. Murray did not recall being instructed about the need for approval of non school issued paperwork and asserted that she would have adhered to the rule if she had.

Paraprofessional Montoya and Unit Coordinator Dizeo also requested that a representative be present before answering questions; their interviews were delayed for attorneys to be assigned.

Through his attorney, Teacher Mitchell Glover declined to speak with investigators from this office. In his written statement, Glover indicated that, on October 4, 2013, he worked with a particular student during lunch period. That student was not Avonte. Glover did not notice Avonte during lunch. As he led the students to the Technology room, he stayed with the student who was rushing down the stairs, and they were ahead of the others. Glover did not recall seeing Avonte on the line. At about 12:40 p.m., "para Syde," referring to Smalls, questioned Avonte's whereabouts.

In the presence of his attorney, SCI investigators interviewed Paraprofessional Joseph Dooley who was assigned to 6th period lunch duty in the 5th floor cafeteria from 12:05 p.m. to 12:55 p.m. During that assignment on October 4, 2013, Dooley's attention was focused on a male student who was "fairly aggressive." That student was not Avonte. During lunch that day, Dooley sat in a booth with the student so that the boy would not disrupt the other students. Dooley's back was to the students and he did not remember whether Avonte was in the cafeteria.

Sometime between 12:30 p.m. and 12:40 p.m., Glover, Smalls, and Dooley lined up approximately 12 students, from three separate classes, including Avonte, for the walk to the 2nd floor. When the group left the cafeteria, Glover was in front, Smalls was between the front and the middle of the line, and Dooley was at the rear because his was the last class to line up. Dooley did not remember seeing anyone, student or adult, leave the line. When they arrived at Stairwell A, Glover led the way and Dooley thought Smalls was there, too. The student Dooley focused on at lunch walked slowly, and

Dooley stayed with him, and several other students in his class. The group of students who were walking with Glover got farther ahead and out of Dooley's view.

Dooley brought his students to the Technology classroom to wait for pick up by teachers. A short time later, Smalls entered and asked whether anyone had seen Avonte because he was missing from the class. Dooley had no knowledge of Avonte being prone to run away.

SCI investigators interviewed Syde Smalls, a paraprofessional assigned to Murray's classroom, in the presence of her attorney. On October 4, 2013, Avonte was present in school. Smalls took her lunch during 5th period, from 11:17 a.m. to 12:05 p.m., and then met Murray, Montoya, and Avonte's class in the cafeteria for 6th period, when Murray and Montoya went to lunch.

At the end of 6th period on October 4, 2013, Glover, Dooley, and Smalls lined up the students, who were finished eating, for the walk down to the 2nd floor Technology room where they spent the remainder of the lunch period. Glover was in the front of the line, Smalls was in the middle, and Dooley was at the rear. Before the group left, Student B began to act up. Smalls noticed that Student B's hands were dirty and she took him to a sink in the cafeteria to help him wash up. When they were finished, Smalls realized that the group of students led by Glover already had left the cafeteria. When Smalls reached Stairwell A with Student B, she saw Dooley descending the stairs with students from his class and two students from Murray's class, but Glover and the rest of the students were not in sight. Initially, Dooley was one flight of stairs ahead, but then Smalls was no longer able to see Dooley. Student B continued to give Smalls a hard time and she had to pull Student B in order to get him down the stairs to the 2nd floor.

When Smalls reached the 2nd floor Technology room, it took her a few minutes to get Student B settled. Smalls then counted the students from Murray's class and realized that Avonte was not there. Smalls questioned Glover about Avonte and Glover looked around the room and then out in the hallway. Smalls saw Glover walk toward Principal McNulty's office. When he returned to the Technology room, Glover asked Smalls to check the 4th floor for Avonte. In response, Smalls decided to check all of the floors, starting with the cafeteria on the 5th floor. Smalls then looked outside the building, but did not locate Avonte, and returned to Murray's classroom.

No one advised Smalls that Avonte was prone to running away. Before October 4, 2013, Smalls did not know about Murray's form and never saw Avonte's completed form. Smalls never witnessed Avonte attempt to leave or escape, he always walked in line, and he never strayed.

In the presence of her attorney, SCI investigators interviewed Jill Dizeo, unit coordinator, who was assigned to lunch duty in the 5th floor cafeteria on October 4, 2013, during 6th period from 12:07 p.m. to 12:55 p.m. Dizeo saw Glover, Smalls, and Dooley

line up a group of students, who were finished eating, to travel to the 2nd floor Technology room. Dizeo later escorted the remaining students from the cafeteria to the 2nd floor Technology room.

Dizeo then returned to her office; a short time later, Glover walked in and asked whether Avonte was in her group. When Dizeo responded in the negative, Glover reported that Avonte was not in the Technology room and was missing. Dizeo went to the 5th floor to look for Avonte, but did not locate him. Dizeo then advised Assistant Principal Pomo they had a missing student. Pomo asked Dizeo to identify the student and she named Avonte. Pomo went to the 1st floor to look for Avonte.

Dizeo also went to the 1st floor and spoke with the female SSA at the front desk. The SSA reported seeing a student run past her, come back, and then back up Stairwell A. Dizeo went outside, but did not locate Avonte.

On October 4, 2013, at the request of the NYPD officers at the scene, Dizeo went to Murray's classroom to obtain information about Avonte. On a board next to Murray's desk, Dizeo saw a form which Murray had sent home to the parents to obtain information about their children. Dizeo never had seen such a form before and she gave it to Assistant Principal Pomo.⁷ Before October 4, 2013, Dizeo did not know that Avonte might run away if given the opportunity.

SCI investigators interviewed Janeth Montoya, a paraprofessional assigned to Murray's classroom, in the presence of her attorney. On October 4, 2013, Avonte was present in school. When 5th period ended, she and Teacher Murray transitioned the five students assigned to the class to the cafeteria on the 5th floor. Paraprofessional Smalls met them there and stayed with the class while Murray and Montoya began their lunch period.

Montoya was in the main lobby of the building at the end of her lunch break when she heard someone ask whether the SSA had seen a child in the lobby. The SSA responded that a student had run past the bathroom and then back up Stairwell A. Montoya returned to Murray's classroom and learned that it was Avonte who was missing. Montoya looked throughout the building for Avonte, checking several floors more than once, and she ventured outside, as well.

In September 2013, Montoya learned about the form Murray sent home to parents, but did not see Avonte's completed form. Sometime in September 2013, Murray told Montoya that Avonte's mother wrote that she was afraid he would run away if given the opportunity, but Montoya did not see the written communication. Montoya did not tell anyone about the mother's fear. Murray took precautions in the classroom and, when the class transitioned, Montoya walked next to Avonte. Montoya did not see any behavior by Avonte which indicated that he would run away.

⁷ Pomo told investigators that she discovered the form in Murray's classroom.

SCI investigators visited P 4, a DOE school in Long Island City, which Avonte attended for three years before graduating in August 2013. Unit Coordinator Alison Watterson said that Avonte's mother never expressed a concern that he might run away and Avonte never attempted to run away. Avonte's mother and grandmother attended the IEP meeting for Student A and did not ask for a one-to-one paraprofessional for Avonte and did not express a fear that Avonte would run away.

Watterson described Avonte as someone who needed to be told to do something. For example, during lunch, he would have to be told it was alright to start eating. After lunch, when the class was told to line up, Avonte would continue to sit until an adult told him it was alright to line up.

Avonte was assigned to Teacher Erika Olsen's class at P 4 during the 2012-2013 school year. Olsen told investigators that, at the beginning of the school year, she sent home a questionnaire to obtain information about the students from their parents; Avonte's mother did not express a concern that he would run away if given the opportunity.

When Avonte needed to use the bathroom, located across the hallway from Olsen's classroom, he would start to walk out of the classroom, but then stop and look back at Olsen, who had to reassure Avonte that he could continue to the bathroom. Once or twice a week, Olsen took her class outside the school for outings into the community. For example, they would walk to the Stop & Shop or a local park, and sometimes took the subway to Flushing Meadows Park. Avonte never attempted to run away and Olsen did not fear that he would run when they left the school building. Olsen described Avonte as being very "prompt dependent" and needing to be told by an adult to start an activity.⁸

Olsen said that Avonte's mother and grandmother attended the IEP meetings, but did not request a one-to-one paraprofessional and did not express a concern that Avonte would run away if given the chance.

Investigators spoke with P 4 Speech Therapist Kelly Carbone who was assigned to Avonte during the 2012-2013 school year. Carbone accompanied Teacher Olsen's class on trips outside the school and she never observed Avonte attempt to run away and he never was a problem. On trips outside, Avonte would link arms with an adult to feel safe. Carbone described Avonte as being very "prompt dependant" and needing an adult's permission before he acted.

Carbone attended the IEP meeting for Avonte; neither his mother nor his grandmother expressed a concern that Avonte would run away if given the opportunity.

⁸ Avonte's IEP also indicated that he was "prompt dependent."

Carbone added that neither Avonte's mother nor his grandmother asked for a one-to-one paraprofessional during the IEP meeting.

Through her attorney, Avonte's mother declined the opportunity to speak with SCI investigators.

In January 2014, human remains from a body which had been in the water were found in Queens. The following week, the office of the New York City Medical Examiner conclusively identified the remains as Avonte.

Also in January 2014, an additional camera recording, from October 4, 2013, surfaced. The video showed an adult male exiting the 1st floor elevator at 12:07 p.m., walking down the bus hallway, and leaving the building through the previously closed bus door. He did not close the door behind him and, approximately 30 minutes later, Avonte left the building through the open door. Approximately three minutes after that, SSA Perez closed the door.

SCI investigators spoke again with SSA Perez who explained that, on October 4, 2013, she was assigned to the main entrance security desk until approximately 12:40 p.m. When she was relieved from that assignment, SSA Perez went into the main hallway near the front doors of the school and noticed an open door at the end of the hallway. SSA Perez walked to the end of the hallway, closed the door, and then went about her business. SSA Perez was not patrolling the building when she noticed the open door. SSA Perez did not know how long the door was open because she could not see the door when she was behind the security desk.

The Custodial Engineer viewed the video in question and identified the male as an architect employed by the firm that designed the school building.

SCI investigators visited that firm and spoke with the architect in the presence of the company's general counsel. Investigators determined that the architect was not the individual depicted in the video. In addition to not matching the physical characteristics of the individual in the video, the architect had documentation showing that he was not at the Hunters Point Campus on October 4, 2013, at the time in question. By the time the architect reached the building that day, at about 1:45 p.m., it was in lockdown.

SCI investigators returned to the Hunters Point Campus and had others view the video. No one could identify the male who left the door open. The investigators visited a number of contractor companies with personnel who were performing work at the Hunters Point Campus building on October 4, 2013, but no one recognized the male. He remains unidentified.

We refer our findings for your review, disciplinary action if appropriate, and changes to procedure.

We are referring our findings to Queens County District Attorney Richard A. Brown for whatever action he deems appropriate.

We are forwarding a copy of this letter to the Office of Legal Services. We also are sending our findings to the New York State Education Department for whatever action it deems appropriate. Should you have any inquiries regarding the above, please contact First Deputy Commissioner Regina Loughran, the attorney assigned to the case. She can be reached at (212) 510-1426. Please notify First Deputy Commissioner Loughran within 30 days of receipt of this letter of what, if any, action has been taken or is contemplated regarding this investigation. Thank you for your attention to this matter.

Sincerely,

RICHARD J. CONDON
Special Commissioner
of Investigation for the
New York City School District

By: _____
Regina A. Loughran
First Deputy Commissioner

RJC:RAL:gm

c: Courtenaye Jackson-Chase, Esq.
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