



The City of New York
Department of Investigation

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DOI ARRESTS A CITY CORRECTION OFFICER FOR DISABLING A SURVEILLANCE SYSTEM AND PREVENTING IT FROM CAPTURING IMAGES OF AN INCIDENT IN WHICH AN INMATE WAS ASSAULTED

ROSE GILL HEARN, Commissioner of the New York City Department of Investigation (DOI), announced today the arrest of veteran New York City Department of Correction (DOC) Officer NICHOLAS ZITO for disabling a surveillance system and preventing it from capturing images of an incident in which an inmate was assaulted.

ZITO, 33, of Staten Island, has been charged with Official Misconduct, a Class A Misdemeanor. If convicted he faces up to one year in jail. ZITO has been a Correction Officer since 1997.

DOI's investigation began after DOC informed DOI of several inmate allegations that they had been assaulted by DOC personnel who had responded to an incident on October 5, 2005 in which an inmate housed in the Anna M. Kross Center on Riker's Island allegedly slashed a Correction Officer in the face. DOI investigators obtained a videotape showing a Correction Officer assaulting an inmate, who had not been involved in the slashing, by punching the inmate in the face. The videotape also captured images of ZITO, who was in the vicinity of the assault, running into the control room where the controls for the surveillance equipment are housed. Immediately after ZITO entered the control room the surveillance equipment stopped capturing images and did not begin capturing images again until well after the incident ended. DOI's investigation of this incident also resulted in the arrests of another Correction Officer, as well as a Correction Captain, in January 2006.

DOI Commissioner Rose Gill Hearn said, "Correction Officers are charged with the important task of maintaining order throughout the correctional facility. This defendant allegedly disabled a surveillance system, which puts both inmates and DOC personnel in danger. The conduct charged here does not represent the vast majority of hard-working DOC personnel."

DOC Commissioner Martin F. Horn said, "If true, this is a serious matter. Cameras are in our jails to protect the officers as well the inmates. The disabling of the cameras in this instance deprived fellow officers of their best defense against allegations of abuse and therefore, cannot be tolerated."

Commissioner Gill Hearn thanked Department of Correction Commissioner Martin Horn, and members of his staff, for their assistance and cooperation in the investigation.

The investigation was conducted jointly by the Office of the Bronx District Attorney Robert Johnson and DOI Assistant Commissioner Michael Caruso, and members of his staff including, First Deputy Inspector General Meera Joshi Cattafesta, Deputy Inspector General Julio Rodriguez, and Correction Officer Investigator Albert Jones. The cases are being prosecuted by Assistant District Attorney Rachel Singer under the supervision of Bureau Chief Thomas Leahy of the Bronx County District Attorney's Office.

Criminal complaints are accusations. Defendants are presumed innocent until proven guilty.

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