

New York City Administration for Children's Services

Oversight of Horizon and Crossroads Juvenile Centers

Report 2022-N-3 | April 2025

OFFICE OF THE NEW YORK STATE COMPTROLLER

Thomas P. DiNapoli, State Comptroller

Division of State Government Accountability



Audit Highlights

Objective

To determine whether the New York City Administration for Children’s Services adequately operates Horizon and Crossroads Juvenile Detention Centers for court-placed youth to ensure they meet federal, State, and City standards and regulations for the health and safety of youth and staff and provide youth with required services. The audit covered the period from October 2018 through December 2023.

About the Program

Through its Division of Youth and Family Justice, the New York City (NYC) Administration for Children’s Services (ACS) is charged with protecting and promoting the safety and well-being of New York City’s children and families, including youth within the juvenile justice system. To this end, ACS provides medical, mental health, and case management services; access to education and other programs; and a safe environment for youth detained at its two secure and specialized secure detention facilities—Horizon Juvenile Detention Center (Horizon) and Crossroads Juvenile Detention Center (Crossroads), located in the Bronx and Brooklyn, respectively. New York City Public Schools (NYCPS, formerly NYC Department of Education) administers a full-time educational program at both centers through its Passages Academy. A range of vendors are contracted to provide services and programs, including health, mental health, arts, recreation, music, and vocational services; and community engagement for youth.

The Office of Children and Family Services (OCFS) is responsible for the certification, oversight, and monitoring of the State’s juvenile detention centers. OCFS has certified Horizon and Crossroads to house youth at the two facilities. OCFS detention specialists conduct periodic inspections of the two detention facilities and issue recommendations to ACS management. ACS uses the Juvenile Detention Automated System (JDAS) to record and track youth admissions to and releases from detention facilities as well as to report incidents to OCFS. JDAS is used by juvenile detention facilities across the State.

On April 10, 2017, the State enacted the Raise the Age (RTA) Law, which changed the age that a juvenile can be prosecuted as an adult in criminal cases from 16 to 18. Before RTA, individuals in NYC charged with a crime who were 16 and 17 were treated as adults and detained at the NYC Department of Correction’s Rikers Island.

Between October 1, 2018 and March 31, 2023, ACS data shows 3,643 youth were admitted to the two facilities—3,234 to Crossroads and 409 to Horizon. An analysis of NYC Police Department data for the 4 calendar years 2021–2024 indicates that the number of people under 18 accused of major crimes—including murders, robberies, and assaults—increased sharply in NYC. These individuals are generally detained at Horizon and Crossroads until their cases are fully adjudicated.

Key Findings

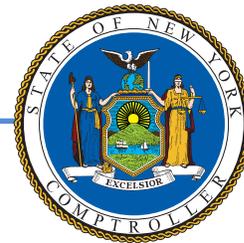
We found numerous weaknesses in ACS’ administration/operation of the two juvenile facilities that resulted from administrators’ failure to ensure compliance with applicable standards and regulations, including:

- Insufficient monitoring of intake, housing, and case management services, which are critical to ensure youth undergo a successful transition to the facility as well as to determine if they are properly evaluated and are prepared to re-enter their communities when discharged.

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- ACS did not adequately ensure that all intake and case management services were completed in a timely manner.
 - Only 53% of the youth sampled received an initial intake interview within 24 hours, as required. One youth did not receive an interview until 76 days after being admitted to the facility.
 - Some assessments were not completed, required services were not always provided in a timely manner, case managers did not always meet with youth per the required daily and weekly schedules, and records related to provision of services were incomplete or missing.
 - 94% of the youth sampled did not receive all their daily face-to-face meetings with their case manager, as required.
 - Under-reporting of incidents to OCFS:
 - According to OCFS Juvenile Detention Facilities Regulations, critical and non-critical events are defined by and should be reported to OCFS. However, ACS did not report all incidents it recorded in its own incident reporting database (Group Oriented Analysis Leadership Strategies [GOALS]) to OCFS through JDAS. As a result, there was a discrepancy in the reporting by ACS to OCFS. In fact, we found that 37% of 9,693 unique incidents at the two detention facilities were not reported to OCFS through JDAS.
 - Incidents not reported timely:
 - One incident involved a youth setting a garbage can on fire. However, the incident was not reported until 24 hours later. This type of incident is required to be reported immediately.
 - 14 incidents including sexual abuse, assault, harassment, employee misconduct, and contraband were required to be reported within 24 hours—but were reported from 1 to 22 days late. For example, youth housed at Crossroads attempted to escape from the facility on May 26, 2020. However, it was not reported until May 28, 2020—2 days later.
 - Insufficient prevention of contraband entering facilities:
 - Contraband entering facilities is the second highest reported incident category and increased over the scope of our audit period, indicating that procedures for the prevention of contraband are insufficient or are being insufficiently monitored. The number of reported contraband incidents increased from 62 in 2019 to 706 in 2023—over a 1,038% increase. Weaknesses in enforcement of ACS policies may have contributed to the growth of this problem. For instance, cell phones are considered contraband. Despite an ACS policy prohibiting employees from bringing their personal cell phones into the facilities, we observed an ACS official who went through the security scanner at Horizon with two cell phones. Although the cell phones were visible to security officials, she was not told to take them back to her locker as others are told to do.
 - Inadequate oversight of school attendance:
 - Both facilities exhibited chronic absenteeism levels across all educational programs and ages, ranging from 13-73% days absent. While certain absences are excused, such as for court appearances or off-site medical appointments, classes are provided on site and ACS staff are responsible for accompanying students to class.

Key Recommendations

- Ensure ACS policies for intake, housing, and case management are communicated to staff, and establish monitoring functions to ensure compliance with the policies.
- Ensure all incidents in GOALS are reported to OCFS through JDAS. Monitor the timeliness and accuracy of incident reporting to OCFS.
- Establish monitoring procedures and conduct periodic reviews to ensure that all incidents are entered into JDAS timely and accurately.
- Evaluate and strengthen, as necessary, policies and practices for the prevention and detection of contraband.
- Work with NYCPS, OCFS, and other stakeholders to minimize youth absenteeism from school.



**Office of the New York State Comptroller
Division of State Government Accountability**

April 10, 2025

Jess Dannhauser
Commissioner
New York City Administration for Children's Services
150 William Street
New York, NY 10038

Dear Commissioner Dannhauser:

The Office of the State Comptroller is committed to helping State agencies, public authorities, and local government agencies manage their resources efficiently and effectively. By so doing, it provides accountability for the tax dollars spent to support government operations. The Comptroller oversees the fiscal affairs of State agencies, public authorities, and local government agencies, as well as their compliance with relevant statutes and their observance of good business practices. This fiscal oversight is accomplished, in part, through our audits, which identify opportunities for improving operations. Audits can also identify strategies for reducing costs and strengthening controls that are intended to safeguard assets.

Following is a report of our audit entitled *Oversight of Horizon and Crossroads Juvenile Centers*. This audit was performed pursuant to the State Comptroller's authority as set forth in Article V, Section 1 of the State Constitution and Article III of the General Municipal Law.

This audit's results and recommendations are resources for you to use in effectively managing your operations and in meeting the expectations of taxpayers. If you have any questions about this report, please feel free to contact us.

Respectfully submitted,

Division of State Government Accountability

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Glossary of Terms

Term	Description	Identifier
ACS	New York City Administration for Children's Services	<i>Auditee</i>
ACS Incident Policy	Reporting of Incidents and Data Management for Group Oriented Analysis Leadership Strategies (GOALS)	<i>Policy</i>
ACS policies	Admissions and intake procedures; orientation and classification; case management; educational services; health services for youth; supervision of youth; control of and search for contraband; distribution of contraband; and exercise, recreational, and leisure activities	<i>Policy</i>
Crossroads	Crossroads Juvenile Detention Center (Brooklyn)	<i>Facility</i>
DOC	New York City Department of Correction	<i>Agency</i>
DOI	New York City Department of Investigation	<i>Agency</i>
GOALS	Group Oriented Analysis Leadership Strategies, ACS' incident reporting database	<i>System</i>
Horizon	Horizon Juvenile Detention Center (Bronx)	<i>Facility</i>
JDAS	OCFS' Juvenile Detention Automated System	<i>System</i>
Monitor	Independent court-appointed monitor	<i>Key Term</i>
NYCPS	New York City Public Schools	<i>Agency</i>
OCFS	Office of Children and Family Services	<i>Agency</i>
OCFS Incidents Guide	Reportable Incidents Guide for Non-Secure, Secure, and Specialized Secure Detentions	<i>Guide</i>
OCFS Regulations	Juvenile Detention Facilities Regulations	<i>Key Term</i>
Passages Academy	NYCPS District 79 Passages Academy	<i>Key Term</i>
PATS	Program Assessment Tracking System	<i>System</i>
RTA	Raise the Age Law	<i>Law</i>
SEP	Special Education Plan	<i>Key Term</i>

Background

Generally, a juvenile is an individual who has not yet reached their 18th birthday.¹ When a juvenile commits a crime or is charged with one, they may, among other options, be remanded into custody in a juvenile detention center.

Brief History of Juvenile Detention in New York City

In 1796, the State Legislature authorized the establishment of the State Prison of the City of New York (Newgate Prison). Thereafter, children who committed crimes were often imprisoned with adults at Newgate Prison. The House of Refuge, operated by the Society for the Reformation of Juvenile Delinquents, was opened in New York City (City or NYC) in 1825. Afterward, juveniles convicted of a criminal offense were housed at the House of Refuge.

In 1957, Spofford Juvenile Center was opened in the Bronx. It was a secure juvenile intake facility for post-arrest youth under 15 years of age. In 1998, the City began the transition of detainees from Spofford to two new secure juvenile facilities—Horizon Juvenile Detention Center (Horizon) and Crossroads Juvenile Detention Center (Crossroads) located in the Bronx and Brooklyn, respectively.

The facilities are operated by the NYC Administration for Children’s Services (ACS). ACS’ demographic data for Fiscal Years 2022 and 2023 reported 524 and 724 total direct court admissions to secure detention by judicial order and top arrest charge, respectively. Robbery, assault, attempted murder, murder, and weapons charges were the top reasons for arrest (see Exhibit A).

Through its Division of Youth and Family Justice, ACS protects and promotes the safety and well-being of NYC’s children and families, including youth within the juvenile justice system. ACS and contractors provide youth in the facilities the following on-site services:

- Medical, dental, and mental health assessments and services
- Educational services, including special education, provided by the NYC Public Schools’ (NYCPS, formerly NYC Department of Education) Passages Academy
- Recreational and skill development activities, including music, art, physical fitness, and vocational services; and services for re-entry to the community

All youth are assigned a case manager who, in addition to coordinating the above, helps the youth adjust to the facility, provides counseling, and interacts with their family and others. Case management services are essential in optimizing positive



Figure 1 – Horizon Juvenile Center



Figure 2 – Crossroads Juvenile Center

¹ A person over 18 but under 21 years of age is also accorded juvenile treatment if the act of juvenile delinquency occurred prior to their 18th birthday. (<https://www.nysenate.gov/legislation/laws/FCT/301.2>)

outcomes for youth through the identification of areas of strength, interests, or potential barriers to community re-entry and coordination of communication among youth, families, and providers.

ACS' youth development specialists are responsible for, among other things, the safety of detainees and for their movement within the facilities. However, unlike some correction officers at the NYC Department of Correction's (DOC) Rikers Island jail, these specialists at Horizon and Crossroads are not armed and do not carry handcuffs. However, the movement of youth at the two facilities is restricted, and they must always be accompanied by staff.

Office of Children and Family Services

The Office of Children and Family Services (OCFS) is responsible for the certification, oversight, and monitoring of the State's juvenile detention centers, including Horizon and Crossroads. OCFS maintains an electronic system—the Juvenile Detention Automated System (JDAS)—used by detention facilities across the State to record and track youth admissions and releases at detention facilities as well as for incident reporting. According to OCFS Juvenile Detention Facilities Regulations (OCFS Regulations), each juvenile detention facility is required to report both critical and non-critical incidents to OCFS in JDAS. Additionally, OCFS detention specialists conduct periodic inspections of Horizon and Crossroads and issue recommendations to ACS management. The detention specialists use the information in JDAS to prepare for their inspections and decide what incidents should be followed up on as part of their review.

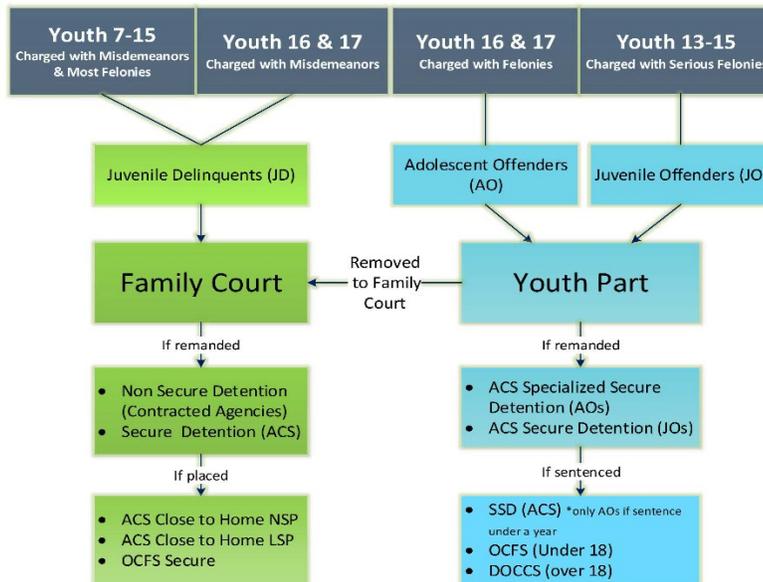
Raise the Age Law

On April 10, 2017, the State enacted the Raise the Age (RTA) Law, which changed the age that a juvenile can be prosecuted as an adult in criminal cases from 16 to 18. Before RTA, individuals in NYC charged with a crime who were 16 and 17 were detained at Rikers Island. Beginning in October 2018, these youth were transferred to Horizon and were accompanied by DOC correction officers, who temporarily became responsible for the facility's security. The major goal of the move was to create an environment in which violence among youth—and between youth and staff—was reduced. However, according to reports issued by the NYC Department of Investigation (DOI) and the independent court-appointed monitor (Monitor), the transfer of these detainees from Rikers Island, who were generally more physically developed and facing charges for serious offenses, had a negative impact on the environment at Horizon, resulting in an increase in youth-on-youth and youth-staff assaults as well as an increase in contraband.

Under RTA, 16- and 17-year-olds accused of misdemeanors are assigned to Family Court and tried as Juvenile Delinquents. A 16- or 17-year-old accused of a felony is considered an Adolescent Offender, and the case is initially heard in the Youth Part of adult court. However, most Adolescent Offender cases are transferred to Family

Court. As of September 2022, approximately 83% of juvenile felonies (including 75% of violent felonies) ended up in Family Court. See Figure 3 for a flowchart illustrating the processing system after full RTA implementation.

Figure 3 – NYC Juvenile Justice System After Full RTA Implementation*



* Non-Secure Placements (NSP): Lower-risk juvenile delinquents are placed in group homes operated by non-profit providers under contract with ACS.
 Limited Secure Placements (LSP): These group homes have more restrictive security features than NSP group homes.
 Secure Detention (SD)/Specialized Secure Detention (SSD) Facilities: Reserved for youth accused of committing serious offenses and who pose the highest risk to the community. Horizon and Crossroads are classified as Secure Detention/Specialized Secure Detention facilities.

Note: A Juvenile Delinquent is a youth between the ages of 7 and 15 years who is charged with a misdemeanor and most felonies, or a youth between the ages of 16 or 17 who is charged with a misdemeanor. A Juvenile Offender is a youth between the ages of 13 and 15 who is charged with a serious felony. An Adolescent Offender is a youth age 16 who is charged with a felony after October 1, 2018 or is between the ages of 16 and 17 and charged with a felony on or after October 1, 2019.

Figure source: ACS

The youth population at Horizon and Crossroads includes individuals who are between the ages of 12 and 21, as those whose cases are still pending or who are serving a sentence of 1 year or less are allowed to remain in the facilities. Between October 1, 2018 and March 31, 2023, ACS data shows 3,643 youth were admitted to the two facilities—3,234 to Crossroads and 409 to Horizon. An analysis of NYC Police Department data for the 4 calendar years 2021–2024 indicates that the number of people under 18 accused of major crimes—including murders, robberies, and assaults—has increased in NYC. These individuals are generally detained at Horizon and Crossroads until their cases are fully adjudicated.

Audit Findings and Recommendations

ACS is charged with assessing, protecting, and promoting the health, mental health, education, safety, and well-being of detainees within the NYC juvenile justice system, as well as providing other services and vocational programs. However, we found numerous weaknesses in ACS' administration/operation of the two facilities that resulted from administrators' failure to comply with applicable standards and regulations, including: insufficient monitoring of intake and case management services, under-reporting of incidents, insufficient prevention of contraband entering facilities, and inadequate oversight of school attendance and afterschool programs.

Insufficient Monitoring of Intake and Case Management Processes

According to ACS policies, youth admitted to Horizon and Crossroads are required to go through intake and case management processes, including a variety of assessments, and are assigned a case manager who is responsible for ensuring they receive appropriate medical, mental health, and educational services as well as recreational and skill development/vocational training.

For the period from October 1, 2018 through March 31, 2023, ACS data shows 3,643 youth were admitted to the two facilities—3,234 to Crossroads and 409 to Horizon. To determine whether ACS complied with critical service requirements outlined in the policies, we requested intake and case management records for 20 of a judgmental sample of 100 youth. This information should be recorded and maintained in JDAS. However, because of the inordinate amount of time it took ACS to provide the requested records for the 20 youth, as well as the difficulty we encountered locating information in these records (e.g., dates processes occurred), we asked ACS officials to generate reports detailing dates that activities occurred (e.g., intake, housing classification) to expedite our review for the other 80 youth in our sample. ACS officials said they were unable to generate these reports because the information needed was not in JDAS. Following are the results of our review of the records for 17 of the 20 youth (the other three youth were transferred to a non-secure facility the same day they were admitted, so service requirements for them were not required or completed):

- **Intake:** Case managers are required to conduct an initial intake interview within 24 hours of a youth's admission to the facility. However, just nine of the 17 individuals (53%) received their interview within 24 hours. For four other individuals, this step was 2–4 days late, and for three others, it was 14–76 days late. We could not determine if the intake interview for the remaining individual was conducted in a timely manner, as available records indicate that the intake was completed before the youth had been admitted.

We were also unable to determine whether case managers completed required interviews with parents, guardians, or other appropriate individuals within 72 hours of admission to complete the parent/guardian portion of the intake and assessment form and to discuss medical and mental health issues,

visitation policies, and any special education needs because dates for these interviews were not recorded.

- **Screening for Risk of Sexual Victimization and Abusiveness:** Case managers are required to screen youth within 72 hours of admission to determine housing and other program needs—to keep those individuals at risk of victimization from potential abusers. We found the screening was administered timely for 11 of the 17 youth (65%). For two other individuals, the screening was administered 4 and 74 days late, respectively. We could not determine the timeliness of screenings for the four remaining individuals because the admission records we received were missing the dates.
- **Housing Classification:** Case managers are required to complete housing classifications within the first 5 days of a youth's admission to the facility. The housing classification is important to minimize safety issues, such as housing individuals from opposing gang affiliations in the same area. This classification was completed timely for 12 of the 17 youth (71%). For three other youths, classifications were completed from 50–339 days late. We were unable to make a determination for the remaining two individuals because the records were missing.
- **Daily Meetings:** Case managers are required to meet with the youth daily for the first 7 days after admission and document each interaction with the youth in progress notes, and the Case Management Director or Supervisor must retain progress notes of these meetings. Based on our review of the progress notes, 16 of the 17 youth (94%) did not have all their daily meetings, and there were no progress notes for one individual, so we were unable to determine if their daily meetings were held.
- **Weekly Meetings:** After the first week of admission, case managers are required to meet with their assigned residents at least once weekly until they are discharged. We found that only three of the 17 youth (18%) had all their weekly meetings, while 13 (76%) did not. We were unable to determine if the remaining individual had any weekly meetings because the records were not provided.
- **Medical and Mental Health Screenings:** Youth are required to receive initial and subsequent medical and mental health screenings by a qualified health professional. We were unable to confirm whether these screenings were conducted, as ACS officials did not provide the requested information, citing confidentiality. While we acknowledge and understand the confidentiality of medical records, we were not requesting access to medical and mental health records.

Because certain intake and case management steps were either not done, not done on a timely basis, or not documented, or the records and reports were not available, we have no assurance all these critical assessments were completed and information was received to ensure youth undergo a successful transition to the facility as well as to determine if they are properly evaluated and are prepared to re-enter their communities when discharged. In response, ACS officials advised

that some tasks, such as the daily and weekly meetings, were not held consistently because of quarantines within the facility and staff shortages due to the COVID-19 pandemic.

Impact of the COVID-19 Pandemic

The detention centers are required to be staffed 24 hours daily and maintain a staffing ratio of at least one youth development specialist for every six youth (1:6 ratio), one supervisor for each housing unit, and one case manager for every 16 youth in the facility. According to ACS officials, the COVID-19 pandemic significantly impacted its operations, resulting in staff shortages, staff working extended hours, and staff with additional work responsibilities, thereby disrupting delivery of services to residents, including school and afterschool programs. While we recognize that the pandemic impacted operations, almost 30% of the admissions in our sample occurred after the height of the pandemic. Moreover, because the youth were already in the facility, the meetings could have been held virtually.

There's a risk that the weaknesses we identified occurred because staff may not have been aware of time frames outlined in the ACS policies and/or adherence to the policies is not being monitored and enforced. As a result, youth may have gone without important assessments and may not have received support and services from their case managers and other staff, including health/mental health services, safe housing assignments, and community re-entry services.

Facility Safety

On April 10, 2017, the State enacted RTA, which changed the age that a juvenile can be prosecuted as an adult in criminal cases from 16 to 18. Before RTA, individuals in NYC charged with a crime at age 16 and 17 were detained at Rikers Island. Beginning in October 2018, these youth, who were facing charges for serious/violent offenses, were transferred to Horizon and were accompanied by DOC correction officers who temporarily became responsible for the facility's security. Thereafter, the facility was jointly staffed by DOC correction officers and ACS employees. According to the Eighth Report of the independent court-appointed Monitor,² the transfer of 16- and 17-year-old detainees from Rikers Island had a negative impact on the environment at Horizon, resulting in an increase in youth-on-youth and youth-staff assaults, as well as an increase in contraband. DOC correction officers departed Horizon in fall 2020.

One of ACS' goals, according to the Mayor's Management Report, is to ensure that juvenile detention facilities are safe and secure. Incidents that occur at a facility, such as assaults, as well as the presence of contraband, endanger the safety and security of youth, staff, and visitors. Facility safety depends on youth, staff, visitors, and contractors being aware of and following procedures, accurate reporting of incidents in a timely manner, and preventing contraband from entering the facility.

2 https://www.nyc.gov/assets/doc/downloads/pdf/8th_Monitor_Report.pdf

According to OCFS Regulations, juvenile detention facilities should report critical and non-critical incidents, as defined by OCFS, in JDAS (OCFS' incident reporting system). The Regulations also require that each juvenile detention facility have policies and procedures for reporting incidents in JDAS.

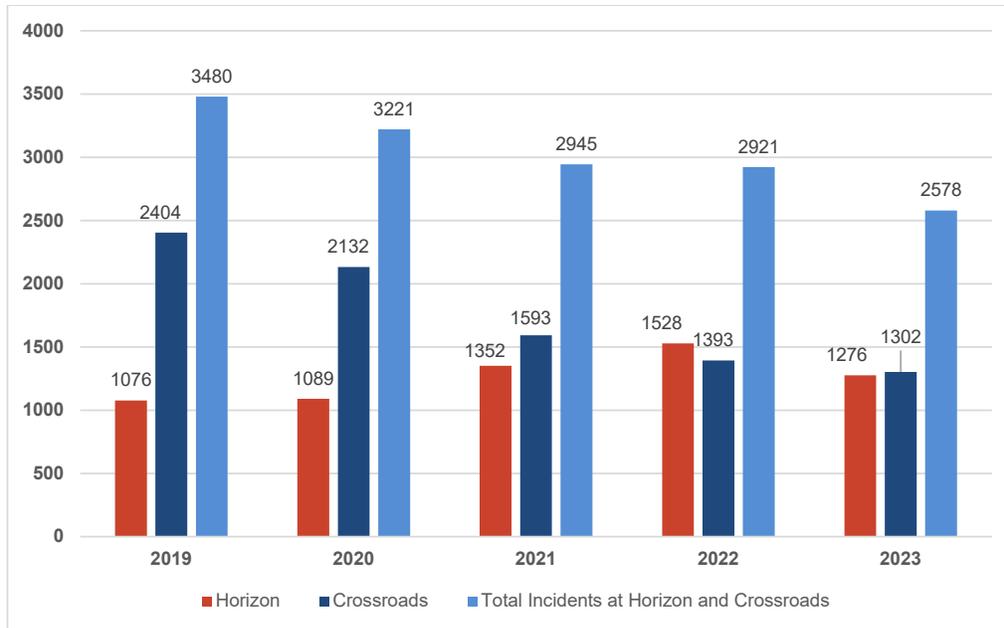
In 2018, OCFS issued the Reportable Incidents Guide for Non-Secure, Secure, and Specialized Secure Detentions (OCFS Incidents Guide) for facilities such as Horizon and Crossroads to comply with when reporting incidents. Critical incidents include contraband, assaults, sexual abuse/assault, escape, disturbances, death, and self-harm with physical injury. Non-critical incidents include theft or loss of facility property. The OCFS Incidents Guide further states that the majority of incidents are considered to be critical.

ACS developed its own incident reporting database, Group Oriented Analysis Leadership Strategies (GOALS) and, in 2012, issued an incident reporting policy, Reporting of Incidents and Data Management for Group Oriented Analysis Leadership Strategies (ACS Incident Policy). The ACS Incident Policy states that all incident data is to be compiled and reported in GOALS and that its internal reporting does not preclude incidents from being reported to OCFS under the Regulations. ACS officials stated that information from GOALS is also reported in JDAS, as required by OCFS.

Incidents Reported at Horizon and Crossroads

ACS classifies incidents reported in GOALS into 35 categories, including Contraband, Child Abuse Allegation, Physical Aggression, Physical Assault Youth-on-Youth, and Physical Assault Youth-on-Staff. Many incidents falling within these categories, such as contraband, have a direct impact on the safety and security of the facility, disrupt operations, and pose risks to the well-being of youth, staff, contractors, and visitors. For the period from January 1, 2019 through December 31, 2023, a total of 9,693 unique incidents were reported. However, because some of the incidents fell into multiple categories, a total of 15,145 incidents were reported in GOALS (see Exhibit B). As depicted in Figure 4, the total number of incidents reported decreased from 3,480 in 2019 to 2,578 in 2023.

Figure 4 – Incidents, Calendar Years 2019–2023



Under-Reporting of Incidents

ACS did not report all incidents it recorded in its own system to OCFS. It is essential that all incidents be reported in JDAS. ACS provided us with 3 months' worth of incident reports from GOALS (March 2023 for Horizon and January 2022 and March 2023 for Crossroads), which we compared with incidents reported in JDAS for the same months. Of the 258 incidents reported in GOALS, 68 (26%) were not reported in JDAS. These incidents included self-injurious behavior, contraband, physical assault, physical aggression, and child abuse allegations.

In response to our findings, ACS officials stated that 50 of the 68 incidents were not in JDAS because they were not required to be. However, they did not provide sufficient information to support this assertion. Moreover, the OCFS Incidents Guide does not preclude reporting these types of incidents in JDAS. For the other 18 incidents, ACS officials acknowledged that 10 incidents should have been reported in JDAS, and they subsequently updated JDAS to include 14 of the 18 incidents.

To further determine the extent of non-reporting of incidents in JDAS, we compared the total number of incidents reported in GOALS for both detention centers and the corresponding incidents as reported in JDAS for the period January 1, 2019–December 31, 2023. Of a total of 9,693 unique incidents reported in GOALS during the 5-year period, 3,630 incidents (37%) were not reported in JDAS (see Table 1).

Table 1 – Under-Reported Incidents

Calendar Year	Incidents (GOALS)	Incidents Not Reported (JDAS)	% of Incidents Not Reported in JDAS
2019	2,420	1,547	64%
2020	2,154	1,220	57
2021	1,815	352	19
2022	1,699	225	13
2023	1,605	286	18
Total (5 years)	9,693	3,630	37%

We were unable to determine the types of incidents that were not reported in JDAS nor were ACS officials able to provide this information or initially explain why there was a 3,630 incident difference. Despite ACS using GOALS as its own incident reporting system, it's essential that all incidents be reported in JDAS, as required by OCFS. Moreover, OCFS detention specialists are responsible for reviewing detention centers' compliance with OCFS Regulations, including those related to abuse, neglect, significant incidents, and accident prevention. They conduct periodic inspections and reviews of the two detention centers using incidents reported in JDAS and issue recommendations to ACS management. If incidents are not reported to OCFS in JDAS, detention specialists may not have the information they need to prepare for their inspections, including knowing which incidents should be followed up on.

In response, ACS officials subsequently stated that all incidents involving Juvenile Delinquents, Juvenile Offenders, and Adolescent Offenders are reported in GOALS and that incidents involving Adolescent Offenders are additionally reported in JDAS. They further stated that GOALS also serves as a reporting mechanism to OCFS, and all OCFS staff who require access are subscribed to a distribution list that provides information on all incidents reported in GOALS within the prior 24 hours, and thus OCFS and the detention staff are notified and informed of all incidents that occurred. However, ACS officials have not provided information showing distribution lists and daily email feeds regarding incidents. Consequently, there is no assurance that OCFS and detention specialists at the two detention facilities are always aware of all incidents, specifically those involving Juvenile Delinquents and Juvenile Offenders. ACS officials further commented that GOALS is slated for discontinuation with the development of a new incident database, which will eliminate the dual entry associated with the use of both JDAS and GOALS. ACS did not indicate a time frame for the implementation of the new database.

Incidents Not Reported in a Timely Manner

According to the OCFS Incidents Guide, most incidents are considered to be critical and must be reported in JDAS "immediately," "within 6 hours," or "within 24 hours," as appropriate. We selected a judgmental sample of 62 of the 6,916 incidents reported in JDAS for the period October 1, 2018–April 13, 2023 from both facilities to verify whether ACS reported the incidents in JDAS in the required time frames. While 47 of the 62 incidents were reported timely, more than 24% (15 incidents) were not, as follows:

-
- One incident involved a youth at Horizon setting a garbage can on fire on March 11, 2023. However, the incident was not reported until 24 hours later on March 12, 2023. This type of incident is required to be reported immediately.
 - 14 incidents—including sexual abuse, assault or harassment, employee misconduct, and contraband—were required to be reported within 24 hours but were reported from 1 to 22 days late. For example, youth housed at Crossroads attempted to escape from the facility on May 26, 2020. However, it was not reported until May 28, 2020—2 days later.

Contraband

ACS policies state that all items deemed to be contraband shall be prohibited and made inaccessible to youth in juvenile justice facilities. Further, all individuals—including employees, youth, and visitors—entering and leaving the facilities are scanned and subject to search. Youth at the two facilities are prohibited from possessing weapons, narcotics, cell phones, cigarettes, and other forms of contraband. In addition, ACS officials stated that employees are trained to confiscate and notify a supervisor if they find any contraband.

Types of contraband include:

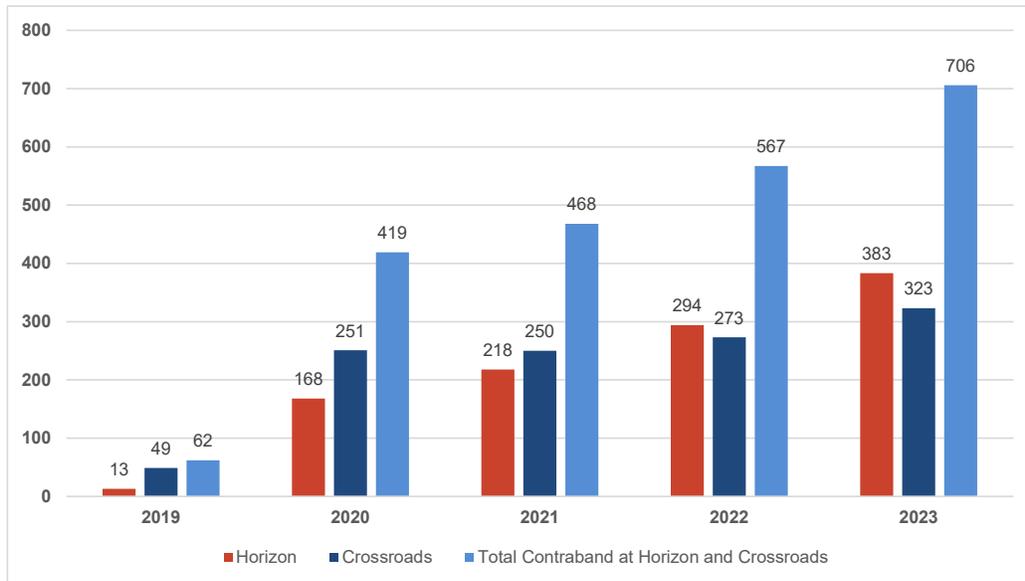
- Weapons, such as razors, scalpels, knives, and other sharpened objects
- Narcotics, unauthorized substances, and paraphernalia
- Cell phones
- Clothing that identifies the resident as a member or associate of a gang
- Security breach items or any other articles that could be used to aid in escape

Although controls are in place, GOALS reported 2,222 incidents of contraband at the two facilities between January 1, 2019 and December 31, 2023—an increase from 62 in 2019 to a high of 706 in 2023—over a 1,038% increase (see Figure 5).

During a visit to Horizon and Crossroads, some youth told auditors how contraband gets into the detention center. One youth stated, “What do you think?” and two other youth stated, “We are not allowed to go outside the center.” One youth at Crossroads told us, “There are youth that have cell phones in the facility.”

April 19-20, 2023

Figure 5 – Contraband, Calendar Years 2019–2023



DOI is the City’s independent inspector general. In this role, DOI also has oversight of ACS and other City agencies. According to an October 2024 report by DOI, 889 items of contraband were recovered at Horizon and Crossroads between March 2022 and February 2024. These items included 405 razor blades or sharp objects, 374 surgical/ceramic blades or other forms of scalpels, and 110 cell phones. In addition, the U.S. Attorney for the Eastern District has detailed the alleged presence of contraband in the facilities and of individuals pleading guilty for bringing in and receiving monetary compensation for facilitating access to contraband.

We asked ACS officials how contraband gets into the facilities. In response, a supervisor stated that staff bring in contraband, adding that supervisors are doing their due diligence to ensure staff who do so do not remain at the facilities. Further, ACS officials asserted that additional safeguards they implemented have contributed to an increase in contraband detection and recoveries. Despite an ACS policy prohibiting employees from bringing their personal cell phones into the facilities, during one of our visits to Horizon, we observed that an ACS official was able to bring two cell phones through the facility’s security scanners. However, security personnel did not direct her to take the cell phones back to her locker as others are told to do. In response to our preliminary findings, ACS officials advised that certain staff are preapproved to bring their personal cell phones into the facilities despite the official written policy that states otherwise. ACS needs to ensure that employees comply with the policy that states personal cell phones are not allowed in the facilities.

Education

Juvenile detention facilities should also function as rehabilitative institutions for youth. Education, which is crucial in the rehabilitation of juveniles, provides youth with opportunities to learn new skills, gain knowledge, and complete their school curriculum. According to the U.S. Department of Justice’s Office of Juvenile Justice and Delinquency Prevention as well as the Center for Public Justice, individuals who receive educational services while in juvenile detention are less likely to reoffend, thereby reducing recidivism.

Chronic Absenteeism

The State Education Department defines chronic absence as a student missing 10% or more of school days within 1 academic year for any reason. NYCPS Chancellor’s Regulation A-210 requires students to attend school through the end of the school year when they turn 17. Students over 18 are not required to attend school, but they have the right to do so until the end of the year they turn 21. For youth in Horizon and Crossroads, education—including special education—is provided on site through NYCPS’ Passages Academy. While NYCPS is responsible for providing educational services, ACS staff are responsible for facilitating the timely arrival and attendance of all youth to their classes.

NYCPS data provided for youth in the two facilities shows that, between October 1, 2018 and February 16, 2023, 1,275 youth were enrolled in Passages Academy for a total of 1,985 enrollments (some youth were enrolled in Passages Academy multiple times because they were discharged and later readmitted to the facilities). We found high absenteeism across all ages, ranging on average from 13–73% days absent (see Table 2).

Table 2 – Average Absenteeism Rates by Age

Age (in years)	Enrollments	Days Enrolled	Days Present	Days Absent	Average Absenteeism (%)
12	4	78	21	57	73%
13	17	934	816	118	13%
14	89	3,779	2,758	1,021	27%
15	270	13,523	10,430	3,093	23%
16	559	28,288	21,698	6,590	23%
17	871	44,173	31,557	12,616	29%
18	141	6,663	4,531	2,132	32%
19	30	1,811	1,175	636	35%
20	4	61	48	13	21%
Total	1,985				

Chronic absenteeism for youth in secured juvenile detention is a cause of concern because it indicates that students who are always in the facility, except for excused absences (e.g., court appearances), are still not attending school. When students are chronically absent, they are missing instructional time that could lead to their falling

behind in coursework, making it difficult to catch up and potentially contributing to disengagement from education altogether.

According to ACS officials, the reasons for high absenteeism rates include staff shortages, detainee refusals to attend classes, court appearances, and incidents at the facilities that cause disruptions. ACS officials also commented that high absenteeism occurred with many of these youth prior to being detained in juvenile detention. Therefore, it is now difficult to encourage these youth to attend school while they are in the detention facilities. ACS officials advised that they give youth who refused to attend school a packet of educational material to complete. However, we have no assurance these packets are consistently completed and reviewed. Not receiving an appropriate education places these youth at a disadvantage when they return to their communities.

Special Education Services

Many detainees in juvenile detention have a disability that makes them eligible for special education and related services under the federal Individuals with Disabilities Education Act, which makes available a free appropriate public education for students with disabilities.

For youth detained at Horizon and Crossroads, their special education needs and goals are stipulated in a Special Education Plan (SEP) similar to an Individualized Education Program (IEP) that students with a disability receive in the NYCPS. According to their SEP, students may require special education classroom instruction in subjects such as math, social studies, and English Language Arts taught by certified special education teachers and/or be provided with special education-related services, including counseling and speech therapy from clinicians. Because the data sets provided to us by ACS had no matching NYCPS identifiers, such as names or identification numbers, we were able to match only 45 of the 100 youth in our sample with reasonable accuracy, using date of birth and admission and enrollment dates across the two data sets. We determined that 21 of the 45 youth had SEPs mandating special education and found the following:

- All 21 youth were eligible to receive special education classroom instruction. However, we found that 16 were chronically absent, ranging from 11–51% of the time. Absences for the other five students were under 10%.
- 16 of the 21 youth were eligible to receive related services in counseling and/or speech therapy. However, only five of the 16 youth (31%) received all their related services sessions. The other 11 youth should have received a total of 423 related services sessions; however, they received just 177 sessions (42%). Moreover, eight of the 11 did not receive 50% or more of their related service sessions.

It is unclear whether youth did not receive all their sessions due to being absent or if there are other factors such as the unavailability of services.

Afterschool Programming

According to the Education Resources Information Center, afterschool programs can be an essential part of the work that supports youth in the juvenile detention justice system. These programs can help youth catch up and/or stay on track educationally, deter further involvement in criminal activity, build life skills such as conflict resolution, and develop job skills, thereby reducing the risk of reoffending and returning to detention. For the period October 1, 2018–March 31, 2023, 1,003 of the 3,643 detainees were readmitted to Horizon and Crossroads—an approximate 30% recidivism rate.

According to the Mayor’s Management Report for the fiscal year ended June 30, 2023, one of ACS’ goals is to provide services to prevent youth from returning to the juvenile justice system. Toward this end, ACS provides afterschool programming to youth in juvenile detention through contracts with several organizations, including a \$6.5 million contract with a New York-based organization for the period from June 1, 2019 through June 30, 2025 to provide a number of non-tutoring afterschool programs (including leadership, re-entry, restorative justice, and career pathways) and a \$1.5 million contract with a Colorado-based company to provide tutoring and educational support services for the period February 1, 2021–June 30, 2023.

To determine whether the 100 youths in our sample were provided with afterschool programs, we requested participant records for our audit period, showing the types of afterschool programs youth were enrolled in (e.g., tutoring, life skills, and community re-entry), the frequency of their attendance, and the duration of their involvement. However, we encountered problems ascertaining reliable information to support youth participation. For example, we found:

- Afterschool program records (non-tutoring) prior to May 2022 were not maintained. ACS officials stated these records were shredded.
- Around May 2022, ACS implemented an electronic system—the Program Assessment Tracking System (PATS)—designed to track the provision of afterschool programs other than tutoring. However, ACS officials acknowledged it is not reliable, as all pertinent program information is not entered. Moreover, paper records are shredded after being entered into PATS. ACS subsequently provided information listing some afterschool programs youth reportedly participated in and/or successfully completed. However, it was insufficient to support program participation, frequency of attendance, and duration of the afterschool programs.

Residents and staff at Horizon and Crossroads on April 19 and April 20, 2023, respectively, told us what skills would be useful to youth in the facilities. Residents expressed interest in fashion design, cosmetology, music recording, barbering, and nursing. ACS staff indicated that culinary classes are offered and a barber came in regularly and taught hair grooming skills, adding that previous residents have obtained barbering licenses as well as jobs as barbers when they left the facilities. OCFS staff told us they plan to introduce Transfer, a virtual reality tool, to the two facilities. This tool will be used to enhance vocational training by allowing youth to learn carpentry, car repair, scaffolding, and other skills using virtual headsets.

-
- For afterschool tutoring, while records are maintained, the records provided were similarly insufficient to support participation by the youth in our sample, the academic subjects they received tutoring in, the frequency of attendance (e.g., dates), or the duration of the tutoring.

Without this information, we have no assurance that the youth are receiving the afterschool programs that will help them build life and job skills, facilitate a successful transition back to their communities, and minimize recidivism. The lack of records or insufficient records to support youth participation may be an indicator of missed opportunities.

We also note that ACS has not maintained case management records for youth transferred from Rikers Island. When we requested these records from DOC, we were informed that the records were provided to ACS when the youth were transferred. ACS acknowledged receipt of these records but told us they could not locate them. These records likely included important historical information about the youth during their stay at DOC facilities. ACS needs to review its policies to ensure youth records are maintained.

Recommendations

1. Ensure ACS policies for intake, housing, and case management are communicated to staff, and establish monitoring functions to ensure compliance with the policies.
2. Ensure all incidents in GOALS are reported to OCFS through JDAS. Monitor the timeliness and accuracy of incident reporting to OCFS.
3. Establish monitoring procedures and conduct periodic reviews to ensure that all incidents are entered into JDAS timely and accurately.
4. Evaluate and strengthen, as necessary, policies and practices for the prevention and detection of contraband.
5. Work with NYCPS, OCFS, and other stakeholders to minimize youth absenteeism from school.
6. Establish and implement policies addressing the provision and tracking of special education and related services.
7. Communicate ACS' record-shredding procedures and policies to staff and ensure youth afterschool program records are maintained.
8. Develop and provide training for staff involved in tracking and entering program information into PATS. Develop monitoring procedures to ensure the data in PATS is complete and accurate.
9. Develop a mechanism to track and monitor that youth are provided with all afterschool programs.

Audit Scope, Objective, and Methodology

The objective of our audit was to determine whether ACS adequately operates Horizon and Crossroads Juvenile Detention Centers for court-placed youth to ensure they meet federal, State, and City standards and regulations for the health and safety of youth and staff and provide youth with required services. The audit covered the period from October 2018 through December 2023.

To accomplish our objective and assess related internal controls, we interviewed ACS officials and facility staff in its Division of Youth and Family Justice and at Horizon and Crossroads. We also interviewed officials from OCFS and officials at DOC, NYCPS, and the Mayor’s Office of Criminal Justice to gain an understanding of their relationships with ACS and the roles their agencies play in providing services to youth detained in the two juvenile detention centers. Additionally, we met with Advocates for Children of New York, a non-profit organization, to discuss matters involving court-involved youth and with officials from two vendors whom ACS contracts with to provide afterschool programs to youth detained in the two juvenile detention centers. We also reviewed relevant federal law and New York State regulations, as well as any written policies that ACS, OCFS, and NYCPS have issued pertaining to youth in juvenile detention. We also obtained and compared youth incident data from GOALS and JDAS for the period from January 2019 through December 2023. Additionally, we obtained and analyzed education data (e.g., enrollment, attendance) provided by NYCPS. We also reviewed records about afterschool programs provided by ACS and its vendors.

We used a non-statistical sampling approach to provide conclusions on our audit objective and to test internal controls and compliance. We selected judgmental samples. However, because we used a non-statistical sampling approach for our tests, we cannot project the results to the respective populations. Our samples, which are discussed in detail in the body of our report, include:

- A judgmental sample of 100 youths (50 out of 3,234 at Crossroads and 50 out of 409 at Horizons) admitted between October 2018 and March 2023, based on admission date, length of stay, and age of youth to test for compliance with selected portions of ACS policies and the OCFS Incidents Guide. *(JDAS records for these youths were only available starting in March 2021, as earlier paper records had not been entered into JDAS at the time of our audit.)*
- A judgmental sample of 62 incidents (29 out of 2,931 at Crossroads and 33 out of 3,985 at Horizons) recorded in GOALS between January 2019 and December 2023 based on the rate of occurrence for the different categories of incidents to determine whether ACS had entered them into JDAS timely.

We obtained data from three systems (JDAS, GOALS, and PATS) and assessed the reliability of that data by reviewing existing information and interviewing officials knowledgeable about each system. We also compared admission and incident data entered by ACS into these systems for uniformity of reporting. According to ACS officials, data from PATS is not reliable. As described in the body of this report, we found that JDAS and GOALS contain significant discrepancies in both completeness and accuracy that impact their reliability. We also relied on data obtained from Automate the Schools, a system maintained by NYCPS, which is recognized as an

appropriate source, and used this data for widely accepted purposes. Therefore, this data is sufficiently reliable for the purposes of this report without requiring additional testing.

Statutory Requirements

Authority

The audit was performed pursuant to the State Comptroller's authority as set forth in Article V, Section 1 of the State Constitution and Article III of the General Municipal Law.

We conducted our performance audit in accordance with generally accepted government auditing standards. These standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained during our audit provides a reasonable basis for our findings and conclusions based on our audit objective.

As is our practice, we notify agency officials at the outset of each audit that we will be requesting a representation letter in which agency management provides assurances, to the best of their knowledge, concerning the relevance, accuracy, and competence of the evidence provided to the auditors during the course of the audit. The representation letter is intended to confirm oral representations made to the auditors and to reduce the likelihood of misunderstandings. Agency officials normally use the representation letter to assert that, to the best of their knowledge, all relevant financial and programmatic records and related data have been provided to the auditors. They affirm either that the agency has complied with all laws, rules, and regulations applicable to its operations that would have a significant effect on the operating practices being audited, or that any exceptions have been disclosed to the auditors. However, officials at the New York City Mayor's Office of Operations have informed us that, as a matter of policy, mayoral agency officials do not provide representation letters in connection with our audits. As a result, we lack assurance from agency officials that all relevant information was provided to us during the audit.

Reporting Requirements

A draft copy of this report was provided to ACS officials for their review and comment. Their comments were considered in preparing this final report and are attached in their entirety at the end of the report. ACS officials generally agreed with the report's recommendations and indicated actions they have taken or will take to implement them. We address certain of their remarks in our State Comptroller's Comments, which are embedded within their response.

Within 180 days after final release of this report, we request that the Commissioner of the Administration for Children's Services report to the Governor, the State Comptroller, and the leaders of the Legislature and fiscal committees, advising what steps were taken to implement the recommendations contained in this report, and if the recommendations were not implemented, the reasons why.

Exhibit A

Total Direct Court Admissions to Secure Detention by Judicial Order and Top Arrest Charge

Fiscal Year 2022

Charge	Number	Charge	Number
Weapons Charge	147	Criminal Trespass	2
Robbery	128	FOA – For Other Authority	2
Attempted Murder	90	Petty Larceny	2
Murder	42	Reckless Endangerment	2
Assault	36	Sex Offense	2
Burglary	9	Warrant ACS	2
Conspiracy	9	ACS Warrant	1
Grand Larceny	8	Arson	1
Warrant	7	Bribing a Witness	1
Criminal Possession of Stolen Property	5	Escape	1
Pre-Petition	5	FOC – For Other Counties	1
Probation Violation	5	Menacing	1
Manslaughter	4	Strangulation	1
Drug Charge	3	Unauthorized Use of Vehicle	1
Criminal Contempt	2	Other	2
Criminal Mischief	2		
Total			524

Fiscal Year 2023

Charge	Number	Charge	Number
Robbery	205	Sex Offense	6
Attempted Murder	145	ACS Warrant	5
Weapons Charge	124	Petty Larceny	4
Assault	71	Criminal Mischief	3
Murder	60	Probation Violation	3
Grand Larceny	17	Burglary	2
Drug Charge	13	Menacing	2
Pre-Petition	12	Reckless Endangerment	2
Unknown	12	Arson	1
Criminal Possession of Stolen Property	10	Damaging House of Worship	1
Warrant	10	FOA – For Other Authority	1
Conspiracy	7	Kidnapping	1
Manslaughter	6	Making a Terrorist Threat	1
Total			724

Source: ACS – Youth are admitted to detention by the NYC courts, NYC Police Department, and other justice agents.

Exhibit B

Number of Incidents per Category* (1/1/2018–12/31/2023)

Incident Categories	# of Incidents
Physical Aggression	5,370
Contraband	2,222
Security Breach	1,004
Physical Assault Youth-on-Staff	942
Physical Altercation Youth-on-Youth	794
Inappropriate Statement	500
Damage to Property	471
Physical Assault Youth-on-Youth	466
Child Abuse Allegation – Internal	398
Destruction of Property	383
Group Assault Youth-on-Youth	308
Medical Illness	306
Threat of Physical Injury to Staff	279
Horseplaying	247
Non-Compliance	226
Suspected Contraband	194
Manager-Requested Event	192
Group Altercation Youth-on-Youth	161
Mechanical Breakdown	119
Group Assault Youth-on-Staff	118
Inappropriate Sexual Behavior	117
Self-Injurious Behavior	96
Lost Shield/ID	71
Accident	45
Threat of Physical Injury to Residents	33
Fire	21
Self-Injurious Statement	13
Facility Plant Management Event	12
Lost Keys	9
Major Disorder	8
Medication Error	8
Theft/Stolen Property	6
Child Abuse Allegation – External	3
Attempted Escape	2
Community Assault	1
Total	15,145

*Some incidents fell into multiple categories

Source: ACS Incident Data from GOALS for 1/1/2018–12/31/2023

Agency Comments and State Comptroller's Comments



February 20, 2025

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Dear Mr. Sifontes,

The Administration for Children's Services (ACS) welcomes the opportunity to respond to the State Comptroller's Draft Report of the Audit of the Horizon and Crossroads Juvenile Centers (hereinafter referred to as the "Audit"). ACS has made significant gains across the areas reviewed in the Audit and we share the State Comptroller's goal of continuing improvement. Our steadfast, ongoing commitment to continuous innovation and improvement is consistent with the recommendations of the Audit Team, many of which were already being implemented during the State Comptroller's audit. The progress of that implementation and the results it has yielded are further documented in the response below.

Since 2022, ACS has achieved encouraging improvements in facility security and the safety of youth and staff, while demonstrating sustained progress with regard to education, program engagement, and the delivery of supportive services to youth in detention. We are committed to incorporating best practices recommended by experts in juvenile corrections and adolescent development to continue our trajectory towards a consistently safe environment where young people can develop life skills to successfully navigate their futures.

In their sixth and most recent report on conditions of confinement filed on October 24, 2024, the Nunez Monitoring Team concluded that:

During the current monitoring period (July 1, 2023 to June 30, 2024), facility safety and stability continued to benefit from the vision and approach of the current ACS and facility leaders. In addition, important hires at the middle management level (particularly the Executive Director of Operations, several Operations Managers and key positions within the ACS Police) made during the previous monitoring period have infused the vision of the agency's leadership further down into the ranks. During the current monitoring period, many of these new leaders hit their stride, shoring up the facility's security operation and advancing the facility's behavior management program. Staffing levels have improved somewhat and incremental progress in addressing the incidence of very serious violence and youth's access to contraband weapons and drugs is evident.

The Audit covered the period from October 2018 through January 2024, a period of over five years. Notably, the leadership of ACS and the Division of Youth and Family Justice

(DYFJ) tasked with the administration of Horizon and Crossroads, changed in the beginning of 2022, more than three years after the Audit period began. Moreover, the Audit period includes a year and a half period between October 2018 and December 2019 when the 16- and 17- year-olds were transferred from Rikers Island, after the initial implementation of the Raise the Age law in New York State. During this time, Horizon was jointly administered by the NYC Department of Correction (NYC DOC) and ACS; responsibility for the care and custody of the youth was delegated to NYC DOC, while ACS managed programming and contracting for mental health services.

The Audit period also covers the year and a half during the height of COVID, when many ACS employees fell sick and staffing was extremely challenged. Curiously, the Audit only notes the impact of COVID in its analysis of case management, despite the clear impact it had on every aspect of the administration of services by the agency and its partners.

State Comptroller's Comment – Page 12 of our report clearly acknowledged the impact the COVID-19 pandemic had on operations at the two facilities, such as “staff shortages, staff working extended hours, and staff with additional work responsibilities, thereby disrupting delivery of services to residents, including school and afterschool programs.”

The Passages school programs in Crossroads and Horizon, like public high schools throughout New York City, were fully remote from March 2020 to September 2021. This unprecedented, extended event had adverse consequences during the period of remote schooling and beyond.

Background and Historical Context

The Division for Youth and Family Justice of ACS administers Horizon and Crossroads detention facilities which house young people who are ordered by a court to be held during the pendency of their case in Supreme or Family Court.¹ The population of youth detained in Horizon and Crossroads, similar to other juvenile detention sites across the country, has increased from the low numbers reached during COVID-19. Although the population of the youth detention centers has increased, the overall number of young people detained in New York City is still lower than it has been historically. In January 2013, there were over 300 16-and 17-year-olds held on Rikers Island. In 2016, there were 200, and in 2018, there were 125.² In the last year of the Audit, DYFJ had just over one hundred 16- and 17-year-olds in custody.

Another point of contrast is the reduction in the number of younger youth in detention in New York City. In 2006, when only youth under the age of 16 at the time of their offense were eligible to be held in juvenile facilities, the average daily population of juvenile detention (secure and non-secure) was 449 youth. In 2012, the average daily population of detention was 327.³ In 2023-24, the average daily population for secure and non-secure detention was just over 280, despite the fact that youth under the age of 18 at the time of offense, not 16, are now eligible for juvenile detention.

Although the population of youth in custody in New York City has been reduced, the detention centers now hold older youth who remain in custody for a much longer time on more serious charges. Nevertheless, the level of violence at Horizon and Crossroads has decreased dramatically.⁴ Notably, the *Nunez Monitor* noted that “[t]he reduction in the frequency of youth violence appears to be the result of an accumulation of small improvements

¹ Ninety-eight percent of young people in secure detention are facing charges in Supreme Court.

² <https://www.nytimes.com/2016/07/21/nyregion/rikers-jail-youths-bronx-center.html>

³ <https://www.vera.org/publications/juvenile-detention-reform-in-new-york-city-measuring-risk-through-research>, p.6.

⁴ [HOJC-Fifth-Report-Final.pdf \(tillidgroup.com\)](https://www.hojc.org/Fifth-Report-Final.pdf), p. 13.

over time that have improved security, predictability and stability in the structure of the youth's day such as: incremental improvements to security practices, reported improvements in school attendance, and programming efforts that are increasingly defined by their appeal to youth and age-appropriate focus.”⁵

Between May 2023 and March 2024, the average daily population across the two facilities increased by 30%. Between May 2023 and March 2024, the rate of youth-on-youth assaults fell by 32% at Horizon and 35% at Crossroads compared to the year prior. Importantly, the rate of youth-on-youth assaults with injuries, which comprise a small share of all assaults,⁶ decreased by 31% at Horizon and 34% at Crossroads compared to the same period of time in the prior year. The rate of youth-on-staff assaults plummeted even more dramatically between May 2023 and March 2024, falling 48% at Horizon and 37% at Crossroads from the prior year.

The Audit

The Audit reviewed four program areas: Facility Safety, including incident reporting and contraband; Intake, orientation and case management; Education; and Programming. Each area of the Audit will be addressed below.

Facility Safety

ACS' primary function and goal in administering the secure detention facilities is the safety and well-being of youth in custody. The facilities can house youths ages 13 to 20 years old, although the majority of youth are between 16 and 19 years old. Multiple entities monitor and oversee the facilities. These oversight bodies include the New York Office of Children and Family Services (OCFS) and the New York State Commission of Correction (SCOC), which provides oversight specific to youth classified as Adolescent Offenders, in addition to the court-appointed Monitor under a voluntary agreement related to *Nunez v. City of New York, et. al.*⁷

In its most recent report, the *Nunez* Monitor noted that:

The data on youth violence and restraints is encouraging, with significant decreases evident across most of the key metrics...the recent average monthly rate of youth-on-youth assault remains significantly lower than it was during the first year of monitoring (CY 2021). During the most recent 12-month period (FY 24), the average monthly rate was 0.58 (0.61 + 0.54 = 1.15/2 = 0.58) which is 48% lower than the average monthly rate during CY 2021 (1.06 + 1.13 = 2.19/2 = 1.10). In fact, the average monthly rate of youth-on-youth assault has steadily declined throughout the time that the Agreement has been in effect. Further, the recent average monthly rate of youth-on-staff assault remains significantly lower than it was during the first year of monitoring (CY 2021). During the most recent 12-month period (FY 24), the average monthly rate was 0.28 (0.19 + 0.36 = 0.55/2 = 0.28) which is 64% lower than the average monthly rate during the CY 2021 (1.02 + 0.51 = 1.53/2 = 0.77).(emphasis added)⁸

The Audit mischaracterizes the nature of reporting and communication to OCFS and SCOC. There are multiple systems involved in incident reporting and ACS reports incidents into the systems as required by law. The

⁵ *Id.*, p. 14.

⁶ The rate of youth-on-youth assaults with injuries was 0.25 per 100 average daily population in March 2022-April 2023 and 0.15 on March 2023-March 2024.

⁷ ACS was not a party to the *Nunez* case, but has agreed to continue oversight of the Monitor to ensure implementation of best practices for an older adolescent and emerging adult population in ACS custody since implementation of the Raise the Age law in 2018. HOJC-Sixth-Report-Final.pdf (tillidgroup.com) p. 5.

⁸ JC-Sixth-Report-Final.pdf (tillidgroup.com) p. 14.

Juvenile Detention Automated System (JDAS) is a New York State system utilized by secure and non-secure detention facilities across the state to manage youth admissions and releases. It specifically processes and manages information related to incidents in detention. Group Oriented Analysis of Leadership Strategies (GOALS) is an internal application of ACS, designed primarily for incident tracking, with additional functionalities in reporting and housing assignment tracking.

State Comptroller's Comment – The audit did not mischaracterize the nature of reporting and communication of incidents to OCFS and SCOC. Rather, the audit simply stated that all incidents were not reported in JDAS and therefore were unavailable to OCFS.

In GOALS, incidents involving JDs, JOs, and AOs are all reported and OCFS receives the incidents reported in GOALS. Specifically, all OCFS staff who require access are subscribed to a distribution list that provides information on all incidents reported in GOALS within the prior twenty-four hours. Notably, the audit reviewed less than 1% of the incidents reported over a four- and half-year period, including COVID and the time period NYC DOC had care and custody of the youth in Horizon, specifically highlighting an incident in May 2020, at the height of the COVID staffing crisis, which was reported 48 hours after the incident rather than the mandated 24 hour period.

Moreover, pursuant to the Raise the Age law, SCOC has oversight solely of AOs, and not JOs and JDs. Incidents involving AOs are additionally reported in JDAS, which serves to notify both OCFS and SCOC. GOALS does not have the functionality to grant SCOC access to information only regarding the AO incidents. This reporting structure satisfies the statutory reporting requirements⁹ and has been approved by OCFS.¹⁰ This ensures that SCOC receives information only about the adolescent offenders and not the youth over whom they do not share oversight with OCFS. OCFS confirmed in writing that “OCFS detention staff receive daily email feeds of all incidents reported in GOALS.”¹¹

State Comptroller's Comment – ACS failed to provide support showing the daily email feeds of all incidents reported in GOALS as well as which OCFS detention staff is on the email distribution list. Thus, there is no assurance that OCFS and detention specialists at the two detention facilities are always aware of all incidents that occurred at the two facilities.

Just as there is frequent communication with OCFS related to incidents, ACS communicates regularly with SCOC. SCOC is alerted of all critical incidents involving Adolescent Offenders through JDAS. SCOC regularly poses follow-up questions shortly after the incident to which responses are sent. ACS and SCOC communicate in various forms including but not limited to; email, phone, regular Minimum Standard Evaluations, and standing leadership-level meetings. When SCOC completes a Minimum Standard Evaluation and notes a deficiency, ACS submits a response explaining how the noted issue(s) will be addressed for review and approval by SCOC.

GOALS is slated for discontinuation with the development of the new incident database, the Facility Incident Tracking System (“FITS”) which went live in January 2025. FITS was created with input from OCFS and fulfills OCFS’ need for full access to ACS/DYFJ incident information and data from the secure and specialized secure detention sites. Importantly, after this initial test period, FITS will eliminate the dual data entry associated with the use of both JDAS and GOALS, allow all AO incidents to be reported directly to SCOC without an intermediate interface, enable staff to directly input incidents into the database, and capture and record comprehensive data for internal and oversight needs.

⁹ Sec. 9 NYCRR 180-3.8(a). Authorizes a detention facility to report incidents via JDAS or another system or manner approved by OCFS.

¹⁰ See May 17, 2024 letter from OCFS Deputy Commissioner Nina Aledort (attached).

¹¹ Id.

As discussed during the audit, ACS’s incident classifications and definitions policies are derived from the 2012 GOALS Policy and, like all DYFJ policies, reviewed and approved by OCFS prior to issuance. It should be noted that some incident classifications and definitions differ from those used by OCFS. Despite some definitional differences, the incidents themselves and the necessary information about them are captured in the appropriate reporting databases. ACS also has a rigorous internal Quality Assurance analysis process which includes incident and data review by DYFJ and ACS’ Division of Policy, Planning and Measurement.

Contraband

Controlling contraband is, of course, an essential component of operations and maintenance of a safe environment for youth. ACS has taken significant steps to increase the interdiction of contraband including:

- Reorganization and expansion of ACS Police
- Introduction of academy training for ACS Police
- Enhanced search procedures for youth leaving and returning to the facilities
- Additional magnetometers in the Admissions area
- Security enhancements at Post One (entrance) at both facilities
- Procurement and installation of additional B.O.S.S. (Body Orifice Security Scanner) chairs¹² throughout both buildings
- Increased cadence of facility tours of inspection
- Additional unscheduled contraband searches
- Implementation of additional youth searches prior to movement

The *Nunez Monitor*, in its most recent report, recognized the following improvements related to contraband recovery:

- *Improved Search Procedures at the Front Gate. Search procedures for staff, vendors and visitors entering through the facility’s front gate have improved. A larger number of ACS Police are now available which means that the front gate has additional manpower to ensure that all search functions (e.g., observation, line scan, magnetometer and wand) are given proper attention. Several staff reported to the Monitoring Team that front gate search procedures are more thorough than they have been in the past.*
- *Improved Search Technology and Search Protocol. In October 2023, ACS issued an Operations Order for “Enhanced Youth Search Procedures” as a supplement to the existing “Contraband Searches” policy. It requires all youth entering and exiting the facility to undergo a personal search, to sit and place each side of the face on the Body Orifice Security Scanner (“BOSS Chair”), to be wanded with the handheld transfrisker when clothed and while in their undergarments, to have their clothing searched by hand, transfrisker and BOSS Chair, and to clear the magnetometers. These searches are completed by ACS Police Sergeants/designee and Tour Commander/OM. Assigning staff at the supervisory level to this task and requiring the searches to be done collaboratively is intended to increase the efficacy of the searches. ACS is also procuring state-of-the-art Rohde Schwarz millimeter wave body scanners for this purpose, which ACS anticipates will be available for use during the next monitoring period.*
- *Improved Facility Searches. Facility searches are reportedly more frequent and more thorough. Unannounced searches occur at least weekly and on varying shifts, and search teams are also quickly assembled in response to incidents or information. Contraband recovery incidents have reportedly increased 40%. Among the GOALS reports from early 2024, the Monitoring Team noted several early*

¹² <https://www.securityprousa.com/products/boss-iii-metal-detecting-chair>

*morning search operations of the housing units that recovered a significant volume of contraband.*¹³

The improved and expanded security and search procedures within both facilities have led to the increase in contraband recovery per year, in addition to the increased census (92% increase at Crossroads and 105% increase at Horizon) between 2019 and 2023. There are five types of contraband – and in a secure environment all unauthorized items are considered contraband. Thus, an outside snack is classified as contraband, though clearly not equivalent to a weapon.

ACS staff who are issued work phones for professional purposes are authorized to carry them within the facilities. Certain, very limited staff are also authorized to carry pre-approved personal phones when necessary. The Audit notes that an ACS official was able to bring two cell phones into the facility. This official holds a senior position with 24/7 responsibility for programs beyond detention which require attention, is pre-approved by facility leadership to bring those phones into the facility, and is not charged with daily interaction with the youth in custody. As such, that technology is not considered contraband. Authorized outside entities, including oversight bodies, are permitted to enter with work phones when necessary for professional purposes, however they are not permitted to carry personal phones within the facilities because of the security risk they present. Unauthorized cellular phones and other wireless equipment, including all wi-fi internet devices as the auditors requested to bring, which could be unintentionally or intentionally accessed by youth or staff in the custodial setting, are considered contraband, as their presence undermines the security of the detention facilities.

State Comptroller's Comment – ACS' policies require items deemed to be contraband, including cell phones, to be made inaccessible to youth in juvenile facilities. ACS did not provide evidence to show exceptions to these policies or that this official and others were authorized to bring cell phones into the facilities. Our request to bring our laptops into the facility was to facilitate and expedite our audit. ACS' staff explanation that it was not just the possibility of equipment falling into unauthorized hands within the facility—but also their wireless capabilities—that created the security risk. This raises additional concerns related to the agency's unofficial exemption policy for certain cell phones, as many cell phones allow you to share your device's cellular data connection with other devices.

Monitoring of Intake, Orientation and Case Management Processes

Case Management is a critical aspect of the service structure for youth in detention and is governed by the Office of Children and Family Services' Juvenile Detention Facilities Regulations. All youth are assigned an ACS case manager who helps them adjust to the facility, counsels them, and interacts with the youth's family and other individuals of significance in their lives to support lasting connections. The case manager also works with the youth's family, lawyer, and other stakeholders to ensure their physical, emotional, educational, and social needs are met. Case managers support the developmental needs of youth by identifying a youth's strengths, interests, and potential barriers to community reentry and coordinating direct communication to optimize positive outcomes for youth.

The JDAS system is the OCFS electronic recordkeeping and reporting system used by all jurisdictions across the State.

As discussed during the audit, OCFS has transitioned its JDAS system from a paper system into an electronic system. ACS' shift to the electronic JDAS interface began during the COVID-19 emergency in 2020-2021. Electronic systems milestones include:

¹³ HOJC-Sixth-Report-Final.pdf (tillidgroup.com) pp.23-24.

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- Progress Notes (Case Manager notes including contacts with the youth; parent/guardian; ACS staff; and stakeholder-professionals such as the youth's attorney): 8/21/20
 - Hall Placement/Classification Guidance (ACS Hall Placement form): 11/6/20
 - Classification Details (JDAS Hall Placement Report): 11/6/20
 - Case Management Youth and Family Intake forms (ACS Intake forms): 3/5/21
 - JDAS Intake Details Report (JDAS Intake Report): 3/5/21
 - ACS PREA Youth Intake Screening Requirements Decision Form (Admission date and PREA Assessment Form completion date): 5/21/21
 - JDAS PREA Assessment Details Report: 5/21/21

This transition, like much of the data examined during the audit period, occurred at the height of COVID-19. In addition to quickly adapting electronic recordkeeping practices, case managers were called upon to assist in coordinating release resources for youth whenever possible and providing counsel and comfort to those who remained in detention, while developing remote visiting protocols, coordinating virtual court appearances, and creating procedures for safe service delivery. Significantly, one of the detention's most experienced case managers died early in the COVID crisis. The impact of COVID-19 on the operation, delivery of services and, most importantly, residents and staff in ACS's secure detention facilities cannot be emphasized enough and all data from the time of the pandemic must be evaluated and interpreted in that context.

State Comptroller's Comment – Our report recognized that the pandemic impacted operations; however, more than half of the admissions in our sample occurred after the height of the pandemic.

The Report also references the audit's inability to review documentation of medical and mental health screenings. As noted, these records are created and maintained by contracted providers, not ACS. These records, which contain highly sensitive, confidential information, are also protected by the Health Insurance Portability and Accountability Act (HIPAA). Accordingly, ACS is not authorized to release or redact and provide these records.

State Comptroller's Comment – As indicated on page 11 of our report, we did not request records containing highly sensitive or confidential medical information. Rather, we requested information to show if and when medical and mental health assessments were done, as required. ACS failed to provide such limited non-sensitive/non-confidential information.

Education

While New York City Public Schools (NYCPS) is responsible for education in detention, ACS is responsible for encouraging and escorting youth to school, and enhancing educational services by coordinating college courses, tutoring services, after-school programming, and vocational training for youth in detention. ACS and NYCPS have increased our collaboration to enhance and improve educational options for young people in custody.

Many young people in detention were disconnected from or behind in school prior to entering detention.

State Comptroller's Comment – We recognize that youths in detention were disconnected from or behind in school prior to entering detention. However, once in detention, they are under the direct supervision of ACS and their education services are provided on site—thereby increasing opportunities for ACS to re-engage these youth, improve their attendance, and enhance educational services.

Additionally, the Audit period also covers the year and a half of the height of the effects of COVID, when many

ACS employees fell sick and staffing was extremely challenged. Passages Academy, the school in Horizon and Crossroads, like public high schools throughout New York City, was fully remote from March 2020 to September 2021. This unprecedented, extended event had demonstrated adverse academic consequences during the period of remote schooling and beyond. As the Comptroller recognized in its report on the effect of COVID in NYC schools:

The COVID-19 pandemic upended education in New York City, as it did everywhere in the nation. The DOE, along with its teachers and students and their families, was forced to contend with long-term school closures, adjustments to remote learning...and adaptations to new health and safety precautions and protocols.¹⁴

A key component of ACS' work is engaging or re-engaging youth in academic studies. ACS has embarked on an intentional plan to create an environment that embraces and supports education. In the 2022-2023 school year, ACS recruited staff members to serve as school liaisons in both facilities to facilitate the focus on education. This school-based team is responsible for encouraging young people to attend and participate in school, which has significantly improved engagement and attendance across both facilities. In addition, it helped to change the culture, building facility-wide enthusiasm in support of education.

In the 2023-2024 school year, 50 students in secure detention graduated, supported by an interdisciplinary team of committed staff within ACS, NYCPS, and a host of other supportive stakeholders. At Horizon, a total of thirty-six youth graduated in the 2023-2024 academic year, including nineteen graduates in June. Of those nineteen June graduates, seven earned high school diplomas, eight received GEDs, and four completed middle school. Six additional youth graduated in August; five received GEDs and one was promoted from middle to high school.

At Crossroads, a total of 14 youth graduated in 2023-2024 academic year, including nine graduates in June. Of those nine, five earned high school diplomas, three received GEDs, and one completed middle school. Five additional youth graduated in August; two earned high school diplomas, one received his GED, and two completed middle school.

Twelve additional youth have already attained either a Regents Diploma or GED in the 2024-2025 academic year. Many of these youth are now enrolled at either Hostos Community College or Borough of Manhattan Community College, completing live college courses while in the secure detention facilities, and earning transferable college credits. These educational achievements are the result of close collaboration between ACS, NYCPS, and other partners to maximize school attendance, engagement, and achievement.

As the population in secure detention is older and includes more young people ages 18-20 who are not legally required to attend school, ACS has increased opportunities for high school equivalency options and college courses. ACS and NYCPS worked collaboratively to adapt classroom spaces into computerized testing sites, including physically retrofitting the space, to allow NYCPS to administer the GED exams. Since this advance, many youth have obtained their GED diplomas and many more are currently completing the GED testing requirements.

ACS now offers on-site SAT testing and tutoring and is expanding relationships with college partners and college access organizations that support youth in achieving their educational goals. ACS is partnering with several community colleges within the CUNY network to offer college exploration and credit-bearing options for youth in detention. In partnership with Passages Academy, students can access 33 College-Level Examination Program (CLEP) courses on the Modern States Education Alliance platform available on NYCPS Chromebooks. Taught by college professors, these asynchronous courses (34 introductory courses) prepare students to pass the CLEP Exam in order to earn college credits in a diverse array of subjects.

¹⁴ [NYC Department of Education Response to the COVID-19 Pandemic](#), August 2022, p. 5.

Lastly, ACS continues to collaborate with Passages Academy counselors in planning for College and Career Week annually to expose young people to college options and vocational opportunities in the community.

Significantly, COVID exacerbated the challenges faced by all students, particularly those who struggled with the trauma of being sick, loss of loved ones, and delays on their court cases due to the pandemic. The challenges presented by COVID were heightened in the detention centers as staff and youth were living in close quarters in a 24-7 residential setting. Many ACS staff and youth fell ill, and vaccines were not available for almost a year into the pandemic. The original COVID school guidelines that required 10 days of isolation for anyone who tested positive were applicable in the detention setting, which further disrupted the delivery of school services and negatively affected staffing levels. Recommendations for isolation upon a positive COVID test were in place until March 2024. Due to security restrictions on technology in the detention facilities, asynchronous learning was the primary teaching tool along with daily phone access to NYCPS teachers. Chromebooks were made available to students, but this mode of learning was challenging for many of our students. NYCPS did not return to in person instruction in NYC until the fall of 2021, after a year and a half of remote learning.

Additionally, many young people in custody experienced the death of close family members during this time, exacerbating the anxiety and stress of this time period. Youth in custody with pre-existing mental health challenges experienced depression and the traumas of loss. The fact that the facilities were closed to agencies and organizations outside of ACS during this year and half during the pandemic further reduced educational and programming supports that were previously available and offered to young people in detention.

Both the impact of COVID and the educational history of students significantly and directly influence attendance within the detention facilities. Prior to COVID, most Passages Academy students had a history of chronic absence prior to their detention and enrollment in Passages. Passages Academy students attended school only 44% of scheduled school days prior to being admitted to detention and 94% percent of the students were chronically absent prior to Passages enrollment.

Regarding school attendance, it must be understood how young people enter and remain in the facilities. The purpose of secure juvenile detention is to provide custody of youth brought by the NYPD prior to a Family Court appearance when the courts are not open¹⁵ or as ordered by a Family Court, Criminal Court or Supreme Court judge. When youth are detained by a Criminal Court judge when the Youth Parts are not open, a Youth Part appearance is scheduled for the next available date, which can be anywhere from the next day or three days later due to a weekend falling after the initial court date. At this initial appearance, the Court determines whether the youth will be released or continued to be detained. Thus, given court dates and intake, school enrollment typically would not occur until the fourth day of admission; youth who have medical issues upon admission or have interviews scheduled by service providers and defense counsel, may experience additional delays in school enrollment.

State Comptroller's Comment – Even allowing for court dates and intake, the data shows chronic absenteeism from school, within the facilities, is prevalent. Further, we excluded from our analysis youth who transferred out on the same day they were admitted.

As mentioned in the following discussion of Afterschool Programming, ACS also provides tutoring services to provide additional educational support. The tutors collaborate with Passages Academy administrators to identify the students who will receive tutoring based on their academic needs. Student needs are determined by their

¹⁵ In 2022, almost all youth brought to secure detention by the NYPD when courts are closed are transferred within hours to non-secure detention. Most of these young people are released by the Family Court the next day.

academic goals:

- High School Equivalency track students (i.e. GED)
- Specialized Groups (e.g., students close to graduation, students engaged with post-secondary programming)
- Test Prep (Prioritizing PSAT & SAT, NYS Regents Examinations)
- Assignment completion
- English Language Learner students

In Fiscal Year 2021-2022, 1,750 tutoring sessions were delivered and in Fiscal Year 2022-23, that number increased to a total of 4,569 tutoring sessions.

In sum, ACS and NYC Public Schools work closely together to ensure prompt enrollment, strong attendance and robust individualized academic support of the young people in Horizon and Crossroads. The process of re-engaging young people in school has resulted in higher participation and graduation rates.

Afterschool Programming

Programming is a critical aspect of the service structure for youth in detention and follows guidance set forth by State OCFS Juvenile Detention Facilities Regulations. The purpose of programming in secure detention is to engage young people in activities that enable them to develop abilities and enhance their strengths in alignment with their individual needs and interests. Programming fosters social and emotional well-being, and enables youth to build life skills, develop important attributes like self-awareness, and offer youth opportunities to engage with adults, organizations, and peer groups in ways that are both constructive and productive. Programming in secure detention offers youth access to empathetic, culturally competent adults, who work in the facilities directly with the youth to build and cultivate healthy relationships, promote self-expression and resiliency, and reinforce self-confidence. While in detention, youth participate in a wide range of enrichment, recreational, and pro-social afterschool activities including music production and recording, visual and performance art, creative writing, sports instruction, health and fitness, culinary, chess, credible messenger services, gaming, yoga, and dance as well as special events including workshops, holiday programming, showcases, motivational speakers, and sports tournaments.

In addition to delivering programming directly through a team of Program Counselors, programming is also offered by contracted providers. The NYC Department of Youth and Community Development (DYCD) oversees many of the contracts for the provision of Older Youth/Afterschool programs at the ACS secure detention facilities. DYCD partners with the Center for Community Alternatives (CCA), which is responsible for identifying, scheduling, supporting, and compensating vendors, in addition to independently funding programs to youth in detention. Each fiscal year, DYCD conducts a series of announced and unannounced site visits, which are used to structure their evaluation (e.g., audit/review) of the services offered to youth in detention by CCA. ACS and DYCD also meet quarterly to discuss ACS' observations and assessment of the services provided through CCA.

State Comptroller's Comment – As indicated in the report, ACS officials did not provide sufficient support to show the afterschool programs the 100 youth in our sample participated in and/or their frequency of participation.

ACS also contracts for workforce development programming to meet the needs of our older population in detention. Programs that teach skills such as painting and spackling, flagging and scaffolding, OSHA, solar energy, personal trainer training, yoga instruction, culinary, and customer service have been introduced.

ACS developed and introduced the Program Assessment Tracking System (PATS) to improve program planning, tracking, and analysis by ACS employees and contracted providers. With the transition to electronic recordkeeping, certain paper documents were not retained. This is because these documents, such as program attendance sheets, are not delineated as records that must be preserved pursuant to 9 NYCRR § 180-3.7 and 180-1.12. Consistent with the ACS 2009 Mandatory Shredding Guidelines, all original documents required to be retained in paper form, including but not limited to case records, financial documents, administrative records, timesheets, calendars, etc., have been preserved and not shredded.

State Comptroller's Comment – As discussed in our report, ACS officials and staff who use PATS told us that PATS is not reliable. As such, it would seem necessary that paper records documenting participation and attendance in afterschool programming be retained and not shredded. Additionally, ACS officials have commented that their Mandatory Shredding Guidelines do not require the retention of afterschool programming (non-tutoring) records. However, such records should be maintained as they are part of a youth's records while in juvenile detention.

Since the introduction of PATS, program attendance is maintained electronically; paper attendance sheets are no longer relied upon. Program forms are now being reconciled against nightly recaps provided by program counselors and data entry is internally audited monthly for accuracy. Additional administrative support has also been implemented to facilitate complete and timely PATS data entry. To further enhance the tracking of program services, ACS is developing project enhancements to PATS; systems upgrades were rolled out in 2024.

In the most recent *Nunez Monitor Report*, compliance with programming requirements was noted:

Taken together, the detailed PATS data and contextual information suggest that the facility may have reached maximum capacity in terms of the volume of programming that can be delivered reliably....PATS data...reveal that the volume of programming that is provided, even on units that do not meet the target, is within the generally accepted practice in the field. Importantly, the facility has the necessary structures to monitor the volume of programming delivered and a consistent record of using that information to troubleshoot obstacles to program delivery. The newly created toolbox of activities for YDS should also help to minimize youth's unstructured idle time on the housing units.

ACS has made significant investments, both financial and personnel, to better align its program offerings with the interests and developmental needs of the youth in its custody and has achieved compliance with the requirements of this provision. In terms of sustainability, ACS has all of the tools necessary to monitor the volume of programming delivered to each unit, each day, by Program Counselors, vendors and YDSs. It also has a process for comparing what was scheduled to what actually occurred, and importantly, has a consistent record of identifying and addressing barriers. These elements form the foundation of a solid internal quality assurance strategy and bode well for the sustainability of program delivery.¹⁶

ACS is deeply committed to providing an array of programming to all youth in secure detention and continues to improve and expand the menu of age and developmentally appropriate options available.

Recommendations:

Recommendation 1

Ensure ACS policies for intake, orientation/housing, and case management are communicated to staff and

¹⁶ HOJC-Sixth-Report-Final.pdf (tillidgroup.com) pp. 38-39.

establish monitoring functions to ensure compliance with the policies.

ACS Response:

ACS currently ensures all policies are communicated to staff by publishing the policies in a digital policy library accessible to DYFJ staff, disseminating them in print form when they are issued, and maintaining multiple policy binders in each facility that are updated annually. ACS accepts the recommendation to reissue policies regarding intake, orientation/housing, and case management to relevant staff.

ACS employs multiple monitoring mechanisms to ensure compliance with policy. These include a centralized Compliance Team that conducts regular evaluations and audits to establish compliance with applicable legal standards and agency policy. In addition, specialized supervisory staff in the Admissions and Case Management Units review documentation regarding intake, orientation, and case management to ensure accuracy and completeness; digital record keeping facilitates leadership and oversight auditing; and periodic evaluation of compliance with the applicable regulations and policy by oversight bodies occurs both in person and via electronic submission.

Recommendation 2

Ensure all incidents in GOALS are reported to OCFS through JDAS. Monitor the timeliness and accuracy of incident reporting to OCFS.

ACS Response:

As explained during the audit and in ACS's response, all incidents must be reported in GOALS, however only certain, qualifying incidents must also be reported to JDAS. In GOALS, incidents involving JDs, JOs, and AOs are all reported. Incidents reported in GOALS are provided to OCFS and, as such, GOALS also serves as an accepted and approved mechanism for reporting to OCFS. Specifically, all OCFS staff who require access are subscribed to a distribution list that provides information on all incidents reported in GOALS within the prior twenty-four hours.¹⁷ Contrary to the Report's assertion that "if incidents are not reported to OCFS in JDAS, the Detention Specialist will not be aware," the reporting of incidents in GOALS also notifies and informs OCFS and its specialists. This reporting has been confirmed by OCFS.

State Comptroller's Comment – While we are in receipt of the OCFS letter to ACS dated May 17, 2024, ACS failed to provide support showing the daily email feeds of all incidents reported in GOALS as well as which OCFS detention staff are on the email distribution list.

Incidents involving AOs are additionally reported in JDAS, which serves to notify both OCFS and SCOC. This reporting structure satisfies the statutory reporting requirements¹⁸ and has been approved by OCFS, as verified by OCFS in their submission to this audit team.¹⁹ SCOC has oversight of AOs and not JOs and JDs, however GOALS does not have the functionality to grant SCOC access to information only regarding the AO incidents. Therefore, ACS reports incidents to SCOC through JDAS only. As such, the discrepancy between incidents reported in GOALS and in JDAS is not a failure to report incidents, as each system is designed to capture different data and is attributable to the classification of the youth involved.

GOALS is slated for discontinuation with the development of the new incident database, the Facility Incident Tracking System ("FITS"), which has gone live since ACS's May 29, 2024 response to the Audit Team. FITS was created with input from OCFS to further enhance the existing methods of reporting and is approved by OCFS for

¹⁷ See May 17, 2024 letter from OCFS Deputy Commissioner Nina Aledort (attached).

¹⁸ See, 9 NYCRR 180-3.8(a). Authorizes a detention facility to report incidents via JDAS or another system or manner approved by OCFS.

¹⁹ See May 17, 2024 letter from OCFS Deputy Commissioner Nina Aledort (attached).

reporting purposes. Specifically, FITS will fulfill OCFS's need for full access to ACS/DYFJ incident information and data from the secure and specialized secure detention sites. Importantly, FITS will eliminate the dual data entry associated with the use of both JDAS and GOALS, allow all AO incidents to be reported directly to SCOC without an intermediate interface, enable facility-based staff to directly input incidents into the database, and capture and record comprehensive data for internal and oversight needs.

DYFJ has vigorous quality assurance mechanisms in place to ensure complete and accurate reporting, which will be further strengthened by the transition to a single reporting system. In addition, both OCFS and SCOC provide real-time feedback to ACS when reporting is determined not to be timely or accurate based on information they receive through ACS reporting, the site visits and investigations conducted by their detention specialists, and information received directly by the OCFS Ombudsmen or the Justice Center.

Recommendation 3

Establish monitoring procedures and conduct periodic reviews to ensure that all incidents are entered into JDAS timely and accurately.

ACS Response:

Both OCFS and ACS have robust monitoring procedures in place and conduct periodic reviews to ensure that all incidents that are required to be entered into JDAS are entered timely and accurately. Facility leadership is in almost daily telephonic or email contact with OCFS detention specialists to update or clarify incident reporting. DYFJ has developed and implemented enhanced electronic incident tracking forms to improve the comprehensiveness and timeliness of reporting. Increased attention is paid during internal supervision and oversight to ensure that incident reporting is accurate and complete.

State Comptroller's Comment – We stand by our findings that all incidents reported in GOALS were not entered and reported in JDAS for the audit years we reviewed. Consequently, increased efforts should be made to ensure that all incidents are entered into JDAS timely and accurately.

ACS has promulgated detailed incident reporting policies that establish exactly which incidents must be reported and the procedures that must be followed when those reports are made. That policy requires facility-based staff to notify the centralized MCCU of all reportable incidents, which dedicated MCCU staff then enter into the internal incident reporting system and report externally to oversight entities in accordance with the oversight-approved reporting mechanisms. Likewise, specific policies and procedures are in place to ensure that all qualifying incidents are reviewed, which includes a review of the accuracy and timeliness of the initial reporting of the incident. Where reporting is inaccurate, it must be updated and responsive action, including training and discipline, implemented; where that reporting was not timely, supervisory review involves follow up and responsive action to address the delay.

Daily and periodic reviews of reporting are conducted by ACS and the entities to which ACS reports. For example, ACS and facility leadership receive a daily report of all incidents reported in the prior 24 hours, which are reviewed for timeliness, accuracy, and compliance with reporting requirements. Likewise, OCFS leadership receives and reviews the same daily report, juxtaposes it against reporting in JDAS, and communicates with ACS directly if its staff has questions or concerns about the timeliness and accuracy of reporting, which can result in supplements or corrections to the prior reporting. ACS periodically and as needed conducts additional analysis of its internal and external reporting, including reviewing the volume and cadence of reporting, as well as the compliance of reporting with regulatory and policy requirements.

Recommendation 4

Evaluate and strengthen, as necessary, policies and practices for the prevention and detection of contraband.

ACS Response:

ACS evaluates and strengthens policies and practices for the prevention and detection of contraband on a constant and ongoing basis.

As reported to the Audit Team in May 2024, ACS has taken the following steps to increase the interdiction of contraband:

- Reorganization and expansion of ACS Police
- Introduction of academy training for ACS Police
- Enhanced search procedures for youth leaving and returning to the facilities
- Additional magnetometers in the Admissions area
- Security enhancements at Post One (entrance) at both facilities
- Procurement and installation of additional B.O.S.S. (Body Orifice Security Scanner) chairs²⁰ throughout both buildings
- Increased cadence of facility tours of inspection
- Additional unscheduled contraband searches
- Implementation of additional youth searches prior to movement

Since May 2024, ACS has continued to deter and detect contraband by implementing the following enhancements:

- Issuance of an updated Disposition of Contraband Policy
- Procurement of state-of-the-art Rohde & Schwarz Millimeter Wave Security Body Scanners for installation in the front and rear entry of each facility
- Creation of a specialized Search Team, comprised of ACS Police Officers with advanced training in effective contraband detection and recovery

These policies and practices have strengthened the prevention and detection on contraband and ACS will continue to iteratively assess and expand such policies and practices.

Recommendation 5

Work with NYCPS, OCFs, and other stakeholders to minimize youth absenteeism from school.

ACS Response:

This is already in place, as demonstrated by the high rates at which youth in detention are achieving their academic goals, and will continue. While New York City Public Schools (NYCPS) is responsible for education in detention, ACS is responsible for encouraging and escorting youth to school, and enhancing educational services by coordinating college courses, tutoring services, after-school programming, and vocational training for youth in detention. ACS and NYCPS have increased collaboration to enhance and improve educational options for young people in custody.

State Comptroller's Comment – High academic achievements for some youth in detention do not negate our finding that school absenteeism in juvenile detention is chronic. Therefore, we continue to encourage ACS to enhance its efforts and those of stakeholders to minimize youth absenteeism from school.

Many young people in detention were disconnected from or behind in school prior to entering detention. A key component of ACS' work is engaging or re-engaging youth in education, which it accomplishes by encouraging

²⁰ <https://www.securityprousa.com/products/boss-iii-metal-detecting-chair>

an environment that embraces and supports education. In the 2022-2023 school year, ACS recruited staff members to serve as school liaisons in both facilities to facilitate the focus on education. This school-based team is responsible for encouraging young people to attend school, which significantly improved engagement and attendance across both facilities. Not only did this increase attendance but it helped to change the culture, building facility-wide enthusiasm in support of education.

As a result of this work, secure detention produced a record number of graduates in the 2022-2023 school year: 34 students achieved their graduation goals (7 students graduated from middle school; 13 students received a high school diploma, and 14 students completed their GED).

Since sharing this information with the Audit Team, collaboration to minimize youth absenteeism and improve educational outcomes has continued. ACS has continued to expand its own educational support team, including by hiring an Assistant Commissioner for Education and Executive Director of Education in Detention, both of whom collaborate directly, daily with the New York City Public Schools in our facilities, academic tutors and coaches we fund to support youth, and the college and career programming we have developed to meet the needs of our population.

In the 2023-2024 school year, 50 students in secure detention graduated, supported by an interdisciplinary team of committed staff within ACS, NYCPS, and a host of other supportive stakeholders. At Horizon, a total of thirty-six youth graduated in the 2023-2024 academic year, including nineteen graduates in June. Of those nineteen June graduates, seven earned high school diplomas, eight received GEDs, and four completed middle school. Six additional youth graduated in August; five received GEDs and one was promoted from middle to high school.

At Crossroads, a total of 14 youth graduated in 2023-2024 academic year, including nine graduates in June. Of those nine, five earned high school diplomas, three received GEDs, and one completed middle school. Five additional youth graduated in August; two earned high school diplomas, one received his GED, and two completed middle school.

Twelve additional youth have already attained either a Regents Diploma or GED in the 2024-2025 academic year. Many of these youth are now enrolled at either Hostos Community College or Borough of Manhattan Community College, completing live college courses while in the secure detention facilities, and earning transferable college credits. These educational achievements are the result of close collaboration between ACS, NYCPS, and other partners to maximize school attendance, engagement, and achievement.

Recommendation 6

Establish and implement policies addressing the provision and tracking of special education and related services.

ACS Response:

ACS agrees that it is critical that youth receive the special education and related services to which they are entitled. New York City Public Schools, which maintains a school in each facility, is responsible for the provision and tracking of special education and related services for youth in DYFJ-custody.

State Comptroller's Comment – We reiterate that ACS should work with NYCPS to ensure youth eligible for special education and related services are attending school and being provided with the special education and related services they are entitled to receive.

Recommendation 7

Communicate ACS' record-shredding procedures and policies to staff and ensure youth afterschool program records are maintained.

ACS Response:

ACS accepts the recommendation to communicate record-shredding policies and procedures to staff and maintain all necessary records as indicated by the policy and applicable law.

Recommendation 8

Develop and provide training for staff involved in tracking and entering program information into PATS. Develop monitoring procedures to ensure the data in PATS is complete and accurate.

ACS Response:

This recommendation has already been implemented. ACS has provided training on tracking and entering program information into Program Assessment Tracking System (PATS) on a regular and ongoing basis since PATS was introduced. Training has been provided in person to newly hired and promoted staff, in refresher sessions to existing staff, and at office hours for individual staff who require one-on-one support or have specific questions. Now, in addition to the live sessions that have been offered on a continuing basis, training sessions have been recorded and are available online, any time to staff who utilize PATS.

ACS has in place robust monitoring procedures to ensure the data in PATS is complete and accurate. PATS program forms are now being reconciled against nightly recaps provided by program counselors and data entry is internally audited on a monthly basis for accuracy. Additional administrative support has in place to facilitate complete and timely PATS data entry, as well as engage in reconciliation and review of the data PATS contains. To further enhance the tracking of program services, ACS requested the follow project enhancements to PATS:

- Choose one youth or multiple youth from a list of all youth in facility when enrolling them in a program to expedite data input.
- Replace drop-down field with a text field with values that only accept time format to improve accuracy.
- Allow a supervisor to send an “Approved” program back to draft to edit the date, housing assignment or other locked features of a program after program.
- Add an “Other” option to the Housing Unit lists for youth who do not have a permanent assigned hall.
- Add a column to count total number of youth marked as “Attended, Yes” to the completed activities report for support analysis and auditing.

These systems upgrades were completed in July 2024 and have further heightened the functionality of PATS.

Recommendation 9

Develop a mechanism to track and monitor that youth are provided with all afterschool programs.

ACS Response:

This recommendation has already been implemented. As noted in the Report, ACS developed and introduced the Program Assessment Tracking System (PATS) to improve the planning, tracking, and analysis of afterschool programs delivered by ACS employees and contracted providers. Since the introduction of PATS, program attendance is maintained electronically, analyzed consistently, and audited periodically. To track and monitor the provision of program services to youth, program forms are now reconciled against nightly recaps provided by program counselors and data entry is internally audited on a monthly basis for accuracy. Additional administrative support has also been implemented to facilitate complete and timely PATS data entry. ACS believes that, taken together, this structure will support an accurate and reliable means to assess the provision of program services to youth.

About these mechanisms, the federal *Nunez* Monitor’s Sixth Report concluded in July 2024 that:

ACS has all of the tools necessary to monitor the volume of programming delivered to each unit, each day, by Program Counselors, vendors and YDSs. It also has a process for comparing what was scheduled to what actually occurred, and importantly, has a consistent record of identifying and addressing barriers. These elements form the foundation of a solid internal quality assurance strategy and bode well for the sustainability of program delivery.²¹

ACS is committed to the continued use of these mechanisms to ensure robust program delivery to youth in custody and ongoing refinement of its tracking and monitoring of program delivery.

Thank you for the opportunity to comment on the report.

Sincerely yours.

A handwritten signature in blue ink, appearing to read "Jennifer Fiellman".

Jennifer Fiellman, Esq.

²¹ HOJC-Sixth-Report-Final.pdf (tillidgroup.com) p. 9.



**Office of Children
and Family Services**

KATHY HOCHUL
Governor

DAMIA HARRIS-MADDEN, Ed.D., MBA, M.S.
Commissioner

May 17, 2024

Nancy Ginsburg, Esq., Deputy Commissioner
Division of Youth and Family Justice
NYC Administration for Children's Services
150 William Street
New York, NY 10038

Dear Deputy Commissioner Ginsburg:

This letter confirms that the New York State Office of Children and Family Services (OCFS) has approved the New York City Administration for Children's Services to utilize the Group Oriented Analysis of Leadership Strategies (GOALS) for reporting incidents related to youth who are remanded to nonsecure and secure detention facilities with a status of juvenile delinquent and/or juvenile offender.

All incidents related to a youth who is remanded to a specialized secure detention facility with a status as an adolescent offender must be recorded directly into the Juvenile Detention Automated System (JDAS).

Further, this confirms that OCFS detention staff receive daily email feeds of all incidents reported in GOALS.

Please let us know if you have need of further clarification.

Sincerely,

Nina Aledort, Ph.D. MSW
Deputy Commissioner

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