

New York City Department of Correction

Young Adult ESH Compliance Audit – March 2019

Pursuant to the six (6) month limited variance granted by the NYC Board of Correction on February 12, 2019 allowing for the continued use of Enhanced Supervision Housing (ESH) for young adults (18 to 21 years old), the related variance conditions require a monthly audit on compliance with the following provisions of the Board's Minimum Standards:

- § 1-05(b) (Lock-in), specifically, the number of out-of-cell hours per young adult;
- § 1-08(f) (Access to Courts and Legal Services, including Law Library);
- § 1-06 (Recreation), specifically, the amount of time that outdoor recreation was afforded to each young adult;
- § 1-02(c)(2) (Classification), specifically, the number of programming hours offered to each young adult and the number of hours each young adult participated in programming; and
- Education services, specifically the number of young adults brought to school and, for each young adult, the time each young adult was brought to school and the time each young adult was taken out of school.

Audit Parameters

The audit is conducted through a manual review of housing area logbooks and programming attendance data on four (4) randomly selected dates from each month. The scope of the audit encompasses only those housing units within ESH in which young adults are housed within the audit period. During this audit period, young adults were housed in seven (7) ESH housing areas.

This audit report covers the following four (4) dates in the month of March 2019:

- March 1
- March 7
- March 14
- March 19

In addition, on-site inspections of the ESH unit kiosks and typewriters were conducted on four (4) randomly selected dates:

- March 1
- March 8
- March 15
- March 22

§1-05(b) Lock-in

A manual review of housing area logbooks was performed to determine whether seven (7) or fourteen (14) hours of out-of-cell time was afforded to the young adults based on their housing level. This audit report also provides individualized data related to each young adult's out-of-cell time during the reporting period.

§1-08(f) Access to Courts and Legal Services, including Law Library

A manual review of housing area logbooks was conducted to determine whether Law Library services were afforded. In addition to the logbook review, on-site inspections were conducted to

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determine if the kiosks and typewriters located within the various young adult ESH housing areas were operational.

§1-06 – Recreation

A manual review of housing area logbooks was conducted to determine whether one (1) hour of outdoor recreation was afforded.

§ 1-02(c)(2) (Classification), Provision of Programming

A manual review of programming attendance data was conducted to determine the number of programming hours offered to each young adult and the number of hours each young adult participated in programming.

Education

A manual review of education attendance data was conducted to determine the number of young adults brought to school and, for each young adult, the time each young adult was brought to school and the time each young adult was taken out of school.

Audit Findings

§1-05(b) Lock-in

All young adults in ESH are afforded lock-out based on their housing level: seven (7) hours for Level I and Level II and fourteen (14) hours for Level III. On all four (4) dates, institutional lock-out and lock-in were consistently recorded in the logbook for each of the levels.

All young adults in ESH are housed in single occupancy cells within their respective housing area. Each ESH housing area consists of multiple single occupancy cells located on two (2) tiers – the lower tier and the upper tier. Young adults in Level I and Level II are afforded seven (7) hours of lock-out time each day. For each young adult in these two levels, the specific time that he locks out depends on his tier's lock-out schedule. For example, one (1) day the lower tier locks out in the am and the upper tier locks out in the pm. The following day the upper tier locks out in the am and the lower tier locks out in the pm. Regardless of the lock-out schedule for ESH young adults in Levels I and II, they are all afforded seven (7) hours of lock-out time on any given day. Young adults in Level III, who are afforded fourteen (14) hours of lock-out time, are not subject to a tier lock-out schedule. Young adults in Level III are all afforded lock-out during both the am and pm hours, regardless of the tier in which they are housed.

Level I

Young adults in Level I are afforded seven (7) hours of out-of-cell time each day. Listed below is individualized data related to each young adult's total out-of-cell time in Level I, based on a manual review of the logbook, for the dates audited. The out-of-cell time is the hours each day

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that a young adult chooses to be out of his cell during institutional lock-out periods. The data reflects the young adults present in the unit for institutional lock-outs on each audit date.¹

March 1, 2019

There were two (2) young adults in Level I; their out-of-cell times on this audit date were:

1. 5 hours 30 minutes (Upper Tier)
2. 4 hours 15 minutes (Lower Tier)

March 7, 2019

There was one (1) Upper Tier young adult in Level I; he refused all afforded out-of-cell time.

March 14, 2019

There were four (4) young adults in Level I; their out-of-cell times on this audit date were:

1. 4 hours (Upper Tier)
2. 4 hours (Upper Tier)
3. 4 hours 45 minutes (Upper Tier)
4. 3 hours; young adult refused the majority of afforded out-of-cell time (Upper Tier)

March 19, 2019

There were three (3) young adults in Level I; the out-of-cell times for those present on this audit date were:

1. 6 hours 45 minutes (Upper Tier)
2. 7 hours (Upper Tier)

On this audit date, one (1) Upper Tier young adult was out to court for most of the day and, as a result, his out-of-cell time was not included in the out-of-cell time reporting.

Level II

Young adults in Level II are afforded seven (7) hours of out-of-cell time each day. Listed below is individualized data related to each young adult's total out-of-cell time in Level II, based on a manual review of the logbook, for the audit dates. The out-of-cell time is the hours each day that a young adult chooses to be out of his cell during institutional lock-out periods. The data reflects the young adults present in the unit for institutional lock-outs on each audit date.²

¹ On any given day, a young adult may be out to court or transferred in or out of the ESH Unit. These young adults may not be included in the out-of-cell time reporting.

² On any given day, a young adult may be out to court or transferred in or out of the ESH Unit. These young adults may not be included in the out-of-cell time reporting.

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March 1, 2019

There were seventeen (17) young adults in Level II; the out-of-cell times for those present on this audit date were:

1. 3 hours 20 minutes (Upper Tier)
2. 3 hours 55 minutes (Upper Tier)
3. 7 hours 35 minutes (Lower Tier)
4. 3 hours 45 minutes (Upper Tier)
5. 8 hours (Lower Tier)
6. 6 hours 35 minutes (Lower Tier)
7. 4 hours 15 minutes (Upper Tier)
8. 5 hours 15 minutes (Upper Tier)
9. 4 hours 15 minutes (Upper Tier)
10. 3 hours 15 minutes; young adult was out to court for a portion of the day and, as a result, his out-of-cell time was affected (Lower Tier)
11. 5 hours 15 minutes (Upper Tier)

On this audit date, five (5) Upper Tier young adults' out-of-cell time was affected by a housing area lockdown that occurred during a portion of the day. In addition, one (1) Lower Tier young adult was out to court for most of the day and, as a result, his out-of-cell time was not included in the out-of-cell time reporting.

March 7, 2019

There were nineteen (19) young adults in Level II; the out-of-cell times for those present on this audit date were:

1. 2 hours 45 minutes; young adult refused the majority of afforded out-of-cell time (Lower Tier)
2. 6 hours 45 minutes (Lower Tier)
3. 7 hours (Upper Tier)
4. 7 hours (Upper Tier)
5. 4 hours (Upper Tier)
6. 7 hours 30 minutes (Lower Tier)
7. 6 hours 45 minutes (Upper Tier)
8. 6 hours 55 minutes (Lower Tier)
9. 2 hours; young adult was transferred out of the unit (Upper Tier)
10. 4 hours 45 minutes (Upper Tier)
11. 7 hours 15 minutes (Lower Tier)
12. 5 hours 45 minutes (Upper Tier)
13. 6 hours 15 minutes (Upper Tier)
14. 6 hours 15 minutes (Upper Tier)
15. 6 hours 15 minutes (Upper Tier)

On this audit date, three (3) Upper Tier young adults were out to court for most of the day and, as a result, their out-of-cell times were not included in the out-of-cell time reporting. In addition, one (1) Lower Tier young adult was out to a hospital for most of the day and, as a result, his out-of-cell time was not included in the out-of-cell time reporting.

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March 14, 2019

There were sixteen (16) young adults in Level II; the out-of-cell times for those present on this audit date were:

1. 6 hours 55 minutes (Lower Tier)
2. 7 hours 38 minutes (Upper Tier)
3. 7 hours 38 minutes (Upper Tier)
4. 4 hours 55 minutes (Lower Tier)
5. 7 hours (Upper Tier)
6. 7 hours 20 minutes (Lower Tier)
7. 7 hours 12 minutes (Upper Tier)
8. 6 hours 27 minutes (Upper Tier)
9. 7 hours 12 minutes (Upper Tier)
10. 7 hours 12 minutes (Upper Tier)
11. 7 hours (Lower Tier)
12. 7 hours (Lower Tier)
13. 7 hours (Lower Tier)
14. 3 hours 15 minutes; young adult refused the majority of afforded out-of-cell time (Upper Tier)
15. 1 hour 15 minutes; young adult was out to court for a portion of the day and, as a result, his out-of-cell time was affected (Lower Tier)

On this audit date, one (1) Lower Tier young adult refused all afforded out-of-cell time.

March 19, 2019

There were fifteen (15) young adults in Level II; the out-of-cell times for those present on this audit date were:

1. 6 hours 5 minutes (Lower Tier)
2. 7 hours 50 minutes (Lower Tier)
3. 7 hours 50 minutes (Lower Tier)
4. 1 hour 45 minutes; young adult was transferred out of the unit (Lower Tier)
5. 7 hours 30 minutes (Lower Tier)
6. 6 hours 55 minutes (Upper Tier)
7. 6 hours 55 minutes (Upper Tier)
8. 4 hours 55 minutes (Upper Tier)
9. 6 hours 55 minutes (Upper Tier)
10. 2 hours 15 minutes; young adult refused the majority of afforded out-of-cell time (Lower Tier)
11. 7 hours 8 minutes (Upper Tier)
12. 4 hours 15 minutes (Lower Tier)
13. 4 hours 15 minutes (Lower Tier)
14. 7 hours (Upper Tier)

On this audit date, one (1) Lower Tier young adult was out to court for most of the day and, as a result, his out-of-cell time was not included in the out-of-cell time reporting.

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Level III

Young adults in Level III are afforded fourteen (14) hours of out-of-cell time each day. Listed below is individualized data related to each young adult's total out-of-cell time in Level III, based on a manual review of the logbook, for the audit dates. The out-of-cell time is the hours each day that a young adult chooses to be out of his cell during institutional lock-out periods. The data reflects the young adults present in the unit for institutional lock-outs on each audit date.³

March 1, 2019

There were six (6) young adults in Level III; their out-of-cell times on this audit date were:

1. 8 hours (Upper Tier)
2. 7 hours (Upper Tier)
3. 9 hours 15 minutes (Upper Tier)
4. 8 hours (Upper Tier)
5. 8 hours 15 minutes (Lower Tier)
6. 7 hours 40 minutes (Lower Tier)

March 7, 2019

There were six (6) young adults in Level III; the out-of-cell times for those present on this audit date were:

1. 4 hours 15 minutes; young adult was out to court for a portion of the day and, as a result, his out-of-cell time was affected (Upper Tier)
2. 9 hours (Upper Tier)
3. 2 hours; young adult was out to court for a portion of the day and, as a result, his out-of-cell time was affected (Upper Tier)
4. 7 hours (Upper Tier)
5. 6 hours 15 minutes; young adult was out to court for a portion of the day and, as a result, his out-of-cell time was affected (Upper Tier)

On this audit date, one (1) Lower Tier young adult was out to court for most of the day and, as a result, his out-of-cell time was not included in the out-of-cell time reporting.

March 14, 2019

There were seven (7) young adults in Level III; their out-of-cell times on this audit date were:

1. 9 hours 45 minutes (Upper Tier)
2. 9 hours (Upper Tier)
3. 10 hours 45 minutes (Upper Tier)
4. 9 hours (Upper Tier)
5. 10 hours 45 minutes (Upper Tier)
6. 7 hours (Upper Tier)

³ On any given day, a young adult may be out to court or transferred in or out of the ESH Unit. These young adults may not be included in the out-of-cell time reporting.

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7. 8 hours 30 minutes (Lower Tier)

March 19, 2019

There were eight (8) young adults in Level III; their out-of-cell times on this audit date were:

1. 8 hours 41 minutes (Upper Tier)
2. 2 hours 23 minutes; young adult was transferred out of the unit (Upper Tier)
3. 8 hours 3 minutes (Upper Tier)
4. 3 hours 30 minutes; young adult's out-of-cell time was affected by a housing area lockdown that occurred during a portion of the day and, as a result, his out-of-cell time was affected (Lower Tier)
5. 3 hours 35 minutes; young adult's out-of-cell time was affected by a housing area lockdown that occurred during a portion of the day and, as a result, his out-of-cell time was affected (Lower Tier)
6. 3 hours 30 minutes; young adult's out-of-cell time was affected by a housing area lockdown that occurred during a portion of the day and, as a result, his out-of-cell time was affected (Lower Tier)
7. 3 hours 30 minutes; young adult's out-of-cell time was affected by a housing area lockdown that occurred during a portion of the day and, as a result, his out-of-cell time was affected (Lower Tier)

On this audit date, one (1) Upper Tier young adult was transferred out of the unit and, as a result, his out-of-cell time was not included in the out-of-cell time reporting.

§1-08(f) Access to Courts and Legal Services, including Law Library

Law Library Coordinator

In ESH, there are four (4) Law Library Coordinators assigned to areas in which young adults were housed.⁴ A manual review of the housing area logbooks indicated that the Law Library Coordinators were in these areas to provide assistance on all four (4) days audited.⁵ On March 1, due to inconsistencies recorded in the Law Library Logbook and housing area logbook, it could not be determined whether the Law Library Coordinator was in one (1) of the housing area, labeled B, during one (1) tour. (The Law Library Coordinator signed in the Law Library Logbook, but did not sign in the housing area logbook.) In addition, on March 1, due to a housing area lockdown, one (1) housing area, labeled C, was not provided a morning session of law library.

Except for the issues noted above, the duration of each Law Library Coordinator's time in ESH areas during the dates audited were in compliance with the provisions of the applicable Minimum Standards. On average, based on each Law Library Coordinator's schedule, a Law Library Coordinator was available to assist young adults within the housing areas for approximately four (4) hours on each of the dates audited.

⁴ To facilitate the provision of Law Library services, within their assigned areas, Law Library Coordinators provide services to all individuals regardless of whether it is during the individual's lock-out period.

⁵ This is evidenced by the Law Library Coordinator signing in and out of the logbook on each of the audit dates.

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During the reporting period, on the dates audited, Law Library Coordinators offered assistance to all young adults in ESH. On some of the audit dates, some young adults did not request Law Library assistance.

Listed below is a total count of young adults housed in ESH, for each audit date, and the total number of young adults that were assisted by the Law Library Coordinators.

March 1, 2019

There were twenty-five (25) young adults in ESH on this audit date. Of the twenty-five (25) young adults, seventeen (17) young adults requested and were provided Law Library services.

March 7, 2019

There were twenty-six (26) young adults in ESH on this audit date. Of the twenty-six (26) young adults, ten (10) young adults requested and were provided Law Library services.

March 14, 2019

There were twenty-seven (27) young adults in ESH on this audit date. Of the twenty-seven (27) young adults, ten (10) young adults requested and were provided Law Library services.

March 19, 2019

There were twenty-six (26) young adults in ESH on this audit date. Of the twenty-six (26) young adults, thirteen (13) young adults requested and were provided Law Library services.

Kiosks and Typewriters

During this audit period, young adults were housed in seven (7) housing areas in ESH, labelled A-G. Young adults in ESH are provided with access to a minimum of one (1) kiosk and one (1) typewriter. Listed below are the numbers of kiosks and typewriters in each ESH housing area, including the status of their operability for the dates audited:

March 1, 2019

On this audit date, young adults were housed within the seven (7) young adult ESH housing areas, labelled A-G. The number of kiosks and typewriters in each area and their operability were as follows:

- A: One (1) Typewriter (**inoperable**) / One (1) Kiosk (operable)
- B: One (1) Typewriter (operable) / One (1) Kiosk (operable)
- C: One (1) Typewriter (operable) / One (1) Kiosk (operable)
- D: One (1) Typewriter (operable) / One (1) Kiosk (operable)
- E: One (1) Typewriter (operable) / One (1) Kiosk (operable)
- F: One (1) Typewriter (operable) / One (1) Kiosk (operable)
- G: One (1) Typewriter (operable) / One (1) Kiosk (operable)

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March 8, 2019

On this audit date, young adults were housed within the seven (7) young adult ESH housing areas, labelled A-G. The numbers of kiosks and typewriters in each area and their operability were as follows:

- A: One (1) Typewriter (operable) / One (1) Kiosk (operable)
- B: One (1) Typewriter (operable) / One (1) Kiosk (operable)
- C: One (1) Typewriter (operable) / One (1) Kiosk (operable)
- D: One (1) Typewriter (operable) / One (1) Kiosk (**inoperable**)
- E: One (1) Typewriter (operable) / One (1) Kiosk (operable)
- F: One (1) Typewriter (operable) / One (1) Kiosk (operable)
- G: One (1) Typewriter (operable) / One (1) Kiosk (operable)

March 15, 2019

On this audit date, young adults were housed within the seven (7) young adult ESH housing areas, labelled A-G. The numbers of kiosks and typewriters in each area and their operability were as follows:

- A: One (1) Typewriter (operable) / One (1) Kiosk (operable)
- B: One (1) Typewriter (operable) / One (1) Kiosk (operable)
- C: One (1) Typewriter (operable) / One (1) Kiosk (**inoperable**)
- D: One (1) Typewriter (operable) / One (1) Kiosk (operable)
- E: One (1) Typewriter (operable) / One (1) Kiosk (operable)
- F: One (1) Typewriter (operable) / One (1) Kiosk (operable)
- G: One (1) Typewriter (operable) / One (1) Kiosk (operable)

March 22, 2019

On this audit date, young adults were housed within the seven (7) young adult ESH housing areas, labelled A-G. The numbers of kiosks and typewriters in each area and their operability were as follows:

- A: One (1) Typewriter (operable) / One (1) Kiosk (operable)
- B: One (1) Typewriter (operable) / One (1) Kiosk (operable)
- C: One (1) Typewriter (operable) / One (1) Kiosk (**inoperable**)
- D: One (1) Typewriter (operable) / One (1) Kiosk (operable)
- E: One (1) Typewriter (operable) / One (1) Kiosk (operable)
- F: One (1) Typewriter (**inoperable**) / One (1) Kiosk (operable)
- G: One (1) Typewriter (operable) / One (1) Kiosk (operable)

§1-06 – Recreation

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All young adults in ESH are afforded a minimum of one (1) hour of recreation per day, seven (7) days per week in the outdoor recreation area, except in inclement weather when the indoor recreation area is used.

The audit reviewed recreational data for each of the four (4) audit dates – March 1, 7, 14 and 19, 2019 – to ascertain the total number of young adults that participated in recreation and the length of time that each young adult participated in recreation.

March 1, 2019

There were twenty-five (25) young adults in ESH on this audit date. Please note the following:

- Two (2) young adults were in court during afforded recreation.
- Five (5) young adults were not provided recreation due to a housing area lockdown.
- Eighteen (18) young adults refused to participate in afforded recreation.

March 7, 2019

There were twenty-six (26) young adults in ESH on this audit date. Please note the following:

- One (1) young adult participated in 45 minutes of recreation.
- Seven (7) young adults were in court during afforded recreation.
- Eighteen (18) young adults refused to participate in afforded recreation.

March 14, 2019

There were twenty-seven (27) young adults in ESH on this audit date. Please note the following:

- One (1) young adult was in court during afforded recreation.
- Ten (10) young adults' total afforded recreation time could not be calculated because staff did not record the time in the housing area logbook when the young adults completed recreation.
- Sixteen (16) young adults refused to participate in afforded recreation.

March 19, 2019

There were twenty-six (26) young adults in ESH on this audit date. Please note the following:

- Four (4) young adults participated in one (1) hour of recreation.
- One (1) young adult participated in forty (40) minutes of recreation.
- Two (2) young adults were in court during afforded recreation.
- Four (4) young adults' total afforded recreation time could not be calculated due to conflicting and incomplete housing area records.
- Fifteen (15) young adults refused to participate in afforded recreation.

§ 1-02(c)(2) (Classification), Provision of Programming

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Young adults in ESH are placed in housing units exclusively with other young adults (18 to 21 years old) or in co-mingled units with adults (22 years old and older).⁶ Programming is provided to all young adults. In the young adult exclusive housing area within ESH, tablets are utilized in the provision of programming and offered to young adults regardless of whether it is during the individual's lock-out period. When young adults collect their tablets, they also have the opportunity to request an additional component of programming during that time. In addition, in the young adult exclusive housing area, on days when support programming staff are present, young adults may request individualized counseling while other programming components are being held. In the co-mingled housing areas, the provision of programming is provided to each tier separately through two programming sessions. The hours of programming afforded may vary by tier within a housing area.

The audit reviewed programming attendance data on each of the four (4) dates to ascertain the number of programming hours offered to each young adult and the number of hours each young adult participated in programming. Program participation hours are based on the number of hours each young adult chooses to participate in programming. The data reflects the young adults present in the housing area during programming on each audit date.

Listed below are the numbers of programming hours offered based on housing areas and their assigned levels.

March 1, 2019⁷

On this audit date, up to nine (9) hours of programming were offered to the young adults housed within the seven (7) young adult ESH housing areas, labelled A-G.

- ❖ A: Level II – There were three (3) young adults housed in this area.
 - Tier 1 was offered two (2) hours and thirty-five (35) minutes of programming in the morning session:
 1. Young adult participation: 2 hours 35 minutes
 2. Young adult participation: 2 hours 35 minutes
 - Tier 2 was offered two (2) hours and ten (10) minutes of programming in the afternoon session:
 3. Young adult participation: 2 hours 10 minutes
- ❖ B: Level II – There were two (2) young adults housed in this area.
 - Tier 1 was offered two (2) hours and thirty-five (35) minutes of programming in the morning session:
 1. Young adult participation: 2 hours 35 minutes
 - Tier 2 was offered two (2) hours of programming in the afternoon session:
 2. Young adult participation: 2 hours
- ❖ C: Level II – There were six (6) young adults housed in this area.

⁶ Young adults who are eighteen (18) years old are not housed in ESH co-mingled units with adults (22 years old and older.)

⁷ On any given day, a young adult may be out to court or transferred in or out of the ESH Unit. These young adults may not be included in the programming reporting. It is important to note that young adults returning from court during programming hours are offered the opportunity to participate in programming upon their return.

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- Tier 1 housed five (5) young adults. Programming was not offered due to a housing area lockdown.
- Tier 2 was offered two (2) hours of programming in the afternoon session:
 1. Young adult participation: Refused all afforded programming
- ❖ D: Level II – There were six (6) young adults housed in this area.
 - Nine (9) hours of programming were offered inclusive of the provision of the self-guided tablets.
 1. Young adult participation: 8 hours
 2. Young adult participation: Refused all afforded programming
 3. Young adult participation: Refused all afforded programming
 4. Young adult participation: Refused all afforded programming
 5. Young adult participation: Out to court
 6. Young adult participation: Out to court
- ❖ E: Level I – There were two (2) young adults housed in this area. No programming was scheduled.
- ❖ F: Level III – There were four (4) young adults housed in this area. No programming was scheduled.
- ❖ G: Level III – There were two (2) young adults housed in this area.
 - Three (3) hours and fifty (50) minutes of programming were offered:
 1. Young adult participation: 3 minutes
 2. Young adult participation: 15 minutes

March 7, 2019⁸

On this audit date, up to nine (9) hours of programming were offered to the young adults housed within the seven (7) housing areas, labelled A-G.

- ❖ A: Level II – There were six (6) young adults housed in this area.
 - Tier 1 was offered forty (40) minutes of programming in the morning session:
 1. Young adult participation: 22 minutes
 2. Young adult participation: 22 minutes
 3. Young adult participation: 22 minutes
 - Tier 2 was offered two (2) hours and ten (10) minutes of programming in the afternoon session:
 4. Young adult participation: 5 minutes
 5. Young adult participation: 5 minutes
 6. Young adult participation: 5 minutes
- ❖ B: Level II – There were two (2) young adults housed in this area and both young adults refused to participate in all afforded programming.

⁸ On any given day, a young adult may be out to court or transferred in or out of the ESH Unit. These young adults may not be included in the programming reporting. It is important to note that young adults returning from court during programming hours are offered the opportunity to participate in programming upon their return.

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- ❖ C: Level II – There were six (6) young adults housed in this area.
 - Tier 1 was offered two (2) hours and fifteen (15) minutes of programming in the morning session:
 1. Young adult participation: 10 minutes

On this audit date, three (3) young adults refused to participate in all afforded programming. In addition, one (1) young adult was out to court during programming.
 - Tier 2 was offered two (2) hours and thirty (30) minutes of programming in the afternoon session:
 2. Young adult participation: 45 minutes

- ❖ D: Level II – There were five (5) young adults housed in this area.
 - Nine (9) hours of programming were offered inclusive of the provision of the self-guided tablets.
 1. Young adult participation: 40 minutes
 2. Young adult participation: 20 minutes

On this audit day, one (1) young adult refused all afforded programming. . One (1) young adult was out to court during programming and the remaining one (1) young adult was out to a hospital during programming.

- ❖ E: Level I – There was one (1) young adult housed in this area.
 - Five (5) hours of programming were offered.
 1. Young adult participation: 5 hours

- ❖ F: Level III – There were five (5) young adults housed in this area.
 - Five (5) hours of programming were offered.
 1. Young adult participation: 5 hours
 2. Young adult participation: 3 hours
 3. Young adult participation: 5 hours
 4. Young adult participation: Out to court
 5. Young adult participation: Out to court

- ❖ G: Level III – There was (1) young adult housed in this area and he was out to court during programming.

March 14, 2019⁹

On this audit date, up to nine (9) hours of programming were offered to the young adults housed within the seven (7) housing areas, labelled A-G.

- ❖ A: Level II – There were five (5) young adults housed in this area.

⁹ On any given day, a young adult may be out to court or transferred in or out of the ESH Unit. These young adults may not be included in the programming reporting. It is important to note that young adults returning from court during programming hours are offered the opportunity to participate in programming upon their return.

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- Tier 1 was offered one (1) hour and fifty-one (51) minutes of programming in the morning session:
 1. Young adult participation: 15 minutes
 2. Young adult participation: 10 minutes
 3. Young adult participation: 45 minutes
- Tier 2 was offered two (2) hours and twenty-two (22) minutes of programming in the afternoon session:
 4. Young adult participation: 10 minutes
 5. Young adult participation: 15 minutes

- ❖ B: Level II – There were two (2) young adults housed in this area.
 - Tier 1 was offered two (2) hours and ten (10) minutes of programming in the morning session:
 1. Young adult participation: Refused all afforded programming
 - Tier 2 was offered two (2) hours and fifteen (15) of programming in the afternoon session:
 2. Young adult participation: Refused all afforded programming
 -

- ❖ C: Level II – There were four (4) young adults housed in this area.
 - Two (2) hours and forty-five (45) minutes of programming were offered:
 1. Young adult participation: 45 minutes
 2. Young adult participation: 1 hour 30 minutes
 3. Young adult participation: 1 hour 15 minutes
 4. Young adult participation: 1 hour 15 minutes

- ❖ D: Level II – There were five (5) young adults housed in this area.
 - Tier 1 was offered nine (9) hours of programming inclusive of the provision of the self-guided tablets in the morning session:
 1. Young adult participation: 9 hours
 - Tier 2 was offered up to six (6) hours of programming inclusive of the provision of the self-guided tablets in the afternoon session:
 2. Young adult participation: 1 hour
 3. Young adult participation: 1 hour
 4. Young adult participation: 1 hour – upon his return from court
 5. Young adult participation: 1 hour

- ❖ E: Level I – There were (4) young adults housed in this area.
 - Five (5) hours of programming were offered.
 1. Young adult participation: Refused all afforded programming
 2. Young adult participation: 5 hours
 3. Young adult participation: 5 hours
 4. Young adult participation: 5 hours

- ❖ F: Level III – There were six (6) young adults housed in this area.
 - Five (5) hours of programming were offered.
 1. Young adult participation: Refused all afforded programming
 2. Young adult participation: 5 hours
 3. Young adult participation: 5 hours
 4. Young adult participation: 5 hours

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5. Young adult participation: 5 hours
6. Young adult participation: 5 hours

- ❖ G: Level III – There was one (1) young adult housed in this area.
 - Seven (7) hours and five (5) minutes of programming were offered.
 1. Young adult participation: 17 minutes

March 19, 2019¹⁰

On this audit date, up to eight (8) hours of programming were offered to the young adults housed within the seven (7) housing areas, labelled A-G.

- ❖ A: Level II – There were four (4) young adults housed in this area.
 - Tier 1 was offered two (2) hours and five (5) minutes of programming in the morning session:
 1. Young adult participation: 15 minutes
 - Tier 2 was offered three (3) hours of programming in the afternoon session:
 2. Young adult participation: 5 minutes
 3. Young adult participation: 45 minutes
 4. Young adult participation: 45 minutes
- ❖ B: Level II – There were two (2) young adults housed in this area.
 - One (1) hour and thirty-one (31) minutes of programming were offered.
 1. Young adult participation: Refused all afforded programming
 2. Young adult participation: Transferred out of the unit
- ❖ C: Level II – There were four (4) young adults housed in this area. All four (4) young adults were out to recreation during afforded programming.
- ❖ D: Level II – There were five (5) young adults housed in this area.
 - Tier 1 was offered eight (8) hours of programming inclusive of the provision of the self-guided tablets in the morning session:
 1. Young adult participation: Refused all afforded programming
 2. Young adult participation: 8 hours
 3. Young adult participation: 8 hours
 - Tier 2 was offered seven (7) hours of programming inclusive of the provision of the self-guided tablets in the afternoon session:
 4. Young adult participation: 5 hours
 5. Young adult participation: 5 hours
- ❖ E: Level I – There were three (3) young adults housed in this area.
 - Five (5) hours of programming inclusive of the provision of the self-guided tablets were offered.

¹⁰ On any given day, a young adult may be out to court or transferred in or out of the ESH Unit. These young adults may not be included in the programming reporting. It is important to note that young adults returning from court during programming hours are offered the opportunity to participate in programming upon their return.

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1. Young adult participation: 5 hours
 2. Young adult participation: 5 hours
 3. Young adult participation: 5 hours
- ❖ F: Level III – There were four (4) young adults housed in this area.
- Five (5) hours of programming were offered.
 1. Young adult participation: 5 hours
 2. Young adult participation: Transferred out of the unit
 3. Young adult participation: 5 hours
 4. Young adult participation: Transferred out of the unit
- ❖ G: Level III – There were four (4) young adults housed in this area. Programming was not afforded due to a housing area lockdown.

Education

The NYC Department of Education offers educational services to all young adults in ESH. A young adult can enroll in educational services by completing and submitting the “Request for Educational Services” form upon admission. In addition, a young adult can enroll in educational services by completing the aforementioned form and submitting it to any programs office in the facility after admission. Eligible young adults are provided educational services Monday through Friday, for a minimum of three (3) hours of instruction per day. Classroom instruction is provided both in the morning and afternoon.

The audit reviewed educational data for each of the four (4) audit dates – March 1, 7, 14 and 19, 2019 – to ascertain the total number of young adults brought to school, as well as the time that each young adult arrived to school and the time each young adult departed school.

March 1, 2019

There were twenty-five (25) young adults in ESH on this audit date. Of the twenty-five (25) young adults, sixteen (16) were enrolled in educational services. Please note the following:

- Fourteen (14) young adults refused educational services.
- One (1) young adult was out to court.
- One (1) young adult was out to a visit.

March 7, 2019

There were twenty-six (26) young adults in ESH on this audit date. Of the twenty-six (26) young adults, thirteen (13) were enrolled in educational services. Please note the following:

- Seven (7) young adults refused educational services.
- Six (6) young adults were out to court.

March 14, 2019

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Young Adult ESH Compliance Audit – March 2019

There were twenty-seven (27) young adults in ESH on this audit date. Of the twenty-seven (27) young adults, fifteen (15) were enrolled in educational services. The arrival and departure times for those present on this audit date were:

1. Arrived 9:40 am / Departed 11:30 am
2. Arrived 1:10 pm / Departed 3:30 pm
3. Arrived 1:55 pm / Departed 3:30 pm
4. Arrived 2:05 pm / Departed 3:30 pm
5. Arrived 2:00 pm / Departed 3:30 pm
6. Arrived 1:40 pm / Departed 3:30 pm
7. Arrived 1:25 pm / Departed 3:30 pm
8. Arrived 2:15 pm / Departed 3:30 pm

For the remaining seven (7) young adults, all refused educational services.

March 19, 2019

There were twenty-six (26) young adults in ESH on this audit date. Of the twenty-six (26) young adults, fourteen (14) were enrolled in educational services. The arrival and departure times for those present on this audit date were:

1. Arrived 1:10 pm / Departed 3:30 pm
2. Arrived 12:45 pm / Departed 3:30 pm

For the remaining twelve (12) young adults, please note the following:

- Eleven (11) young adults refused educational services.
- One (1) young adult was out to court.