

New York City Department of Correction

Young Adult ESH Compliance Audit – February 2020

Pursuant to the six (6) month limited variance granted by the NYC Board of Correction on February 11, 2020 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 up to six (6) ESH housing areas.

This audit report covers the following four (4) dates in the month of February 2020:

- February 6
- February 12
- February 19
- February 25

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

- February 7
- February 14
- February 21
- February 28

§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 audited, institutional lock-out and lock-in were consistently recorded in the Lock-In/Out 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. 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.

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 Lock-In/Out Logbook, for the dates audited. 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

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periods. The data reflects the young adults present in the unit for the institutional lock-outs on each audit date.

February 6, 2020

There were no young adults in Level I on this audit date.

February 12, 2020

There were no young adults in Level I on this audit date.

February 19, 2020

There was one (1) young adult in Level I on this audit date. His out-of-cell time on this audit date was 4 hours (Lower Tier).

February 25, 2020

There was one (1) young adult in Level I on this audit date. His out-of-cell time on this audit date was 6 hours 45 minutes (Lower Tier).

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 Lock-In/Out 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 the institutional lock-outs on each audit date.

February 6, 2020

There were five (5) young adults in Level II; their out-of-cell times on this audit date were:

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

February 12, 2020

There were five (5) young adults in Level II; their out-of-cell times on this audit date were:

1. 6 hours 15 minutes (Lower Tier)
2. 7 hours (Upper Tier)
3. 7 hours (Upper Tier)
4. 6 hours 15 minutes (Lower Tier)

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

February 19, 2020

There were six (6) 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. 5 hours 15 minutes (Lower Tier)
3. 7 hours (Upper Tier)
4. 4 hours 15 minutes (Upper Tier)
5. 7 hours (Lower Tier)

On this audit date, one (1) Lower Tier young adult was out to court for most of the day and, as a result, he did not participate in lock-out options.

February 25, 2020

There were five (5) young adults in Level II; their out-of-cell times on this audit date were:

1. 7 hours 20 minutes (Lower Tier)
2. 7 hours (Upper Tier)
3. 6 hours 15 minutes (Upper Tier)
4. 7 hours (Lower Tier)
5. 7 hours (Lower Tier)

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 Lock-In/Out 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 the institutional lock-outs on each audit date.

February 6, 2020

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

1. 12 hours 15 minutes (Upper Tier)
2. 7 hours 20 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)
3. 12 hours 15 minutes (Upper Tier)

February 12, 2020

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

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1. 11 hours 15 minutes (Upper Tier)
2. 14 hours (Lower Tier)

February 19, 2020

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

1. 9 hours 25 minutes (Upper Tier)
2. 12 hours 15 minutes (Lower Tier)

February 25, 2020

There were three (3) young adults in Level III; their out-of-cell times on this audit date were:

1. 9 hours 15 minutes (Upper Tier)
2. 13 hours 19 minutes (Lower Tier)
3. 10 hours 18 minutes (Lower Tier)

§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.¹ A manual review of the Law Library Logbooks indicated that the Law Library Coordinators were in these areas to provide assistance on all the four (4) days audited – February 6, 12, 19 and 25, 2020.² However, in the case of February 12, 2020, in housing areas labeled A, C, E, and F, due to inconsistencies recorded in the Law Library Logbook and housing area logbook, it could not be determined whether the assigned two (2) Law Library Coordinators were in these four (4) housing areas during the afternoon session. However, these housing areas were provided Law Library services in the morning session. The two (2) assigned Law Library Coordinators signed the Law Library Logbook, but did not sign the housing area logbook. In addition, on February 19, 2020, in housing area labeled E and on February 25, 2020, in housing area labeled A, due to inconsistencies recorded in the Law Library Logbook and housing area logbook, it could not be determined whether the two (2) assigned Law Library Coordinators were in these two (2) housing areas during the morning session, although these housing areas were provided Law Library services in the afternoon session. The two (2) assigned Law Library Coordinators signed the Law Library Logbook, but did not sign the housing area logbook.

The audit reviewed the available records and determined that the duration of each Law Library Coordinator's time, in ESH areas during the dates audited, was in compliance with the provisions of the Minimum Standards i.e., a minimum of two (2) hours. On some of the audit dates, some young adults did not request Law Library assistance.

¹ 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.

² This is evidenced by the Law Library Coordinators signing in and out of the Law Library Logbook on each of the audit dates.

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

February 6, 2020

There were eight (8) young adults in ESH on this audit date. Of the eight (8) young adults, four (4) young adults requested and were provided Law Library services.

February 12, 2020

There were seven (7) young adults in ESH on this audit date. Of the seven (7) young adults, one (1) young adult requested and was provided Law Library services.

February 19, 2020

There were nine (9) young adults in ESH on this audit date. Of the nine (9) young adults, four (4) young adults requested and were provided Law Library services.

February 25, 2020

There were nine (9) young adults in ESH on this audit date. Of the nine (9) young adults, six (6) young adults requested and were provided Law Library services.

Kiosks and Typewriters

During this audit period, young adults were housed in up to six (6) housing areas in ESH, labeled A-F. Young adults in ESH are provided with access to a minimum of one (1) kiosk and one (1) typewriter. Issues in one (1) to two (2) housing areas in each audit dates caused typewriters to be inoperable on the audit dates. Appropriate facility staff were notified to address the issues. Listed below are the numbers of kiosks and typewriters in each ESH housing area, including the status of their operability for the dates audited:

February 7, 2020

On this audit date, young adults were housed within the four (4) young adult ESH housing areas, labeled A-D. The numbers of kiosks and typewriters in each area and their operability were as follows:

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

February 14, 2020

On this audit date, young adults were housed within the five (5) young adult ESH housing areas, labeled A-E. The numbers of kiosks and typewriters in each area and their operability were as follows:

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

February 21, 2020

On this audit date, young adults were housed within the six (6) young adult ESH housing areas, labeled A-F. The numbers of kiosks and typewriters in each area and their operability were as follows:

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

February 28, 2020

On this audit date, young adults were housed within the five (5) young adult ESH housing areas, labeled A-E. The numbers of kiosks and typewriters in each area and their operability were as follows:

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

§1-06 – Recreation

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 – February 6, 12, 19 and 25, 2020 – to ascertain the total number of young adults that participated in recreation and the length of time that each young adult participated in recreation.

February 6, 2020

There were eight (8) young adults in ESH on this audit date. Please note the following:

- One (1) young adult participated in thirty (30) minutes of recreation.
- One (1) young adult was out to court during afforded recreation.

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- Six (6) young adults refused to participate in afforded recreation.

February 12, 2020

There were seven (7) young adults in ESH on this audit date. Please note the following:

- Two (2) young adults participated in five (5) minutes of recreation.
- One (1) young adult participated in thirty (30) minutes of recreation.
- Four (4) young adults refused to participate in recreation.

February 19, 2020

There were nine (9) young adults in ESH on this audit date. Please note the following:

- One (1) young adult participated in fifty-one (51) minutes of recreation.
- One (1) young adult participated in ten (10) minutes of recreation.
- One (1) young adult was out to court during afforded recreation.
- One (1) young adult was out to a medical appointment during afforded recreation.
- Five (5) young adults refused to participate in afforded recreation.

February 25, 2020

There were nine (9) young adults in ESH on this audit date. Please note the following:

- One (1) young adult participated in one (1) hour and fifteen (15) minutes of recreation.
- Three (3) young adults participated in forty-five (45) minutes of recreation.
- One (1) young adult participated in forty (40) minutes of recreation.
- Four (4) young adults refused to participate in afforded recreation.

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

Young adults in ESH are placed in housing units exclusively with other young adults (18 to 21 years old). Young adults who are 19 to 21 years old can also be co-mingled in units with adults (22 years old and older). Programming is provided to all young adults. In the young adult exclusive housing areas 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.³ When young adults receive their tablets, they also have the opportunity to request an additional component of programming during that time. Programs Division is engaging with the vendor to address the tablet security issue and anticipates resolution in the coming months. In addition, in the young adult exclusive housing areas, 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.

³ Based on the programming sign-in sheets, no tablets were issued on any of the four (4) dates audited – February 6, 12, 19 and 25, 2020.

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The audit reviewed programming attendance data on each of the four (4) dates audited 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.

Please note that 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.

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

February 6, 2020

On this audit date, up to five (5) hours of programming were offered to the young adults housed within the four (4) young adult ESH housing areas, labeled A-D.

- ❖ A: Level II – There was one (1) young adult housed in this area.
 - Two (2) hours and sixteen (16) minutes of programming were offered in the afternoon session.
 1. Young adult participation: 25 minutes
- ❖ B: Level II – There was one (1) young adult housed in this area.
 - One (1) hour and fifty-five (55) minutes of programming were offered in the afternoon session.
 1. Young adult participation: 1 hour 30 minutes
- ❖ C: Level II – There were three (3) young adults housed in this area.
 - Tier 1 was offered one (1) hour of programming in the morning session. One (1) young adult was housed on this tier and he refused all afforded programming.
 - Tier 2 was offered two (2) hours of programming in the afternoon session. Two (2) young adults were housed on this tier:
 1. Young adult participation: 2 hours
 2. Young adult participation: 2 hours
- ❖ D: Level III – There were three (3) young adults housed in this area.
 - Five (5) hours of programming were offered in the afternoon session. One (1) young adult refused all afforded programming. For the remaining two (2) young adults:
 1. Young adult participation: 4 hours 45 minutes
 2. Young adult participation: 4 hours 15 minutes

February 12, 2020

On this audit date, up to five (5) hours of programming were offered to the young adults housed within the four (4) housing areas, labeled A-D.

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- ❖ A: Level II – There was one (1) young adult housed in this area.
 - Thirty (30) minutes of programming were offered in the morning session and he refused all afforded programming.
- ❖ B: Level II – There were (4) young adults housed in this area. No programming was offered in the unit due to the coordinator's unexpected absence on this audit date. The Programs Division continues to examine supplementary staffing options in order to provide stronger coverage of programming.
- ❖ C: Level III – There was one (1) young adult housed in this area.
 - Five (5) hours of programming were offered in the afternoon session.
 1. Young adult participation: 5 hours
- ❖ D: Level III – There was one (1) young adult housed in this area.
 - One (1) hour and forty-two (42) minutes of programming were offered in the morning session and two (2) hours and thirty (30) minutes of programming were offered in the afternoon session, for a total of four (4) hours and twelve (12) minutes of programming.
 1. Young adult participation: 2 hours 30 minutes

February 19, 2020

On this audit date, up to ten (10) hours of programming were offered to the young adults housed within the six (6) housing areas, labeled A-F.

- ❖ A: Level II – There was one (1) young adult housed in this area.
 - Two (2) hours and forty (40) minutes of programming were offered in the morning session and he refused all afforded programming.
- ❖ B: Level II – There was one (1) young adult housed in this area. No programming was offered in the unit due to a security concern and a unit search.
- ❖ C: Level II – There were four (4) young adults housed in this area.
 - Tier 1 was offered ten (10) hours of programming in the morning session. Two (2) young adults were housed on this tier and both young adults refused all afforded programming.
 - Tier 2 was offered five (5) hours of programming in the afternoon session. Two (2) young adults were housed on this tier. One (1) young adult was out to court during afforded programming. The remaining one (1) young adult refused all afforded programming.
- ❖ D: Level I – There was one (1) young adult housed in this area.
 - Fifteen (15) minutes of programming were offered in the afternoon session.
 1. Young adult participation: 15 minutes
- ❖ E: Level III – There was one (1) young adult housed in this area.
 - Four (4) hours of programming were offered in the afternoon session.
 1. Young adult participation: 3 hours 45 minutes

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- ❖ F: Level III – There was one (1) young adult housed in this area.
 - Two (2) hours and fifteen (15) minutes of programming were offered in the morning session and two (2) hours and thirty (30) minutes of programming were offered in the afternoon session, for a total of four (4) hours and forty-five (45) minutes of programming.
 1. Young adult participation: 1 hour 51 minutes

February 25, 2020

On this audit date, up to seven (7) hours and thirty (30) minutes of programming were offered to the young adults housed within the five (5) housing areas, labeled A-E.

- ❖ A: Level II – There were two (2) young adults housed in this area.
 - Tier 1 was offered one (1) hour and nineteen (19) minutes of programming in the morning session.
 1. Young adult participation: 24 minutes
 - Tier 2 was offered two (2) hours and fifty (50) minutes of programming in the afternoon session. One (1) young adult was housed on this tier.
 1. Young adult participation: 2 hours 5 minutes
- ❖ B: Level II – There were three (3) young adults housed in this area.
 - Tier 1 was offered seven (7) hours thirty (30) minutes of programming in the morning session. One (1) young adult was housed on this tier and refused all afforded programming.
 - Tier 2 was offered five (5) hours of programming in the afternoon session. Two (2) young adults were housed on this tier.
 1. Young adult participation: 5 hours
 2. Young adult participation: 2 hours
- ❖ C: Level I – There was one (1) young adult housed in this area.
 - One (1) hour of programming was offered in the afternoon session.
 1. Young adult participation: 1 hour
- ❖ D: Level III – There was one (1) young adult housed in this area.
 - Six (6) hours and thirty (30) minutes of programming were offered in the afternoon session.
 1. Young adult participation: 6 hours 30 minutes
- ❖ E: Level III – There were two (2) young adults housed in this area.
 - Two (2) hours and fifteen (15) minutes of programming were offered in the morning session and two (2) hours and thirty (30) minutes of programming were offered in the afternoon session, for a total of four (4) hours and forty-five (45) minutes of programming. One (1) young adult was out to court during the morning session of programming and upon his return he participated in the afternoon session for 1 hour and 5 minutes. For the remaining one (1) young adult:
 1. Young adult participation: 2 hours 5 minutes

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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 – February 6, 12, 19 and 25, 2020 – 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.

February 6, 2020

There were eight (8) young adults in ESH on this audit date. Of the eight (8) young adults, six (6) were enrolled in educational services. The arrival and departure times for the one (1) young adult who attended educational services on this audit date were:

1. Arrived 8:45 am / Departed 10:30 am

The remaining five (5) young adults refused to attend educational services.

February 12, 2020

There were seven (7) young adults in ESH on this audit date. Of the seven (7) young adults, six (6) were enrolled in educational services. The arrival and departure times for the one (1) young adult who attended educational services on this audit date were:

1. Arrived 9:15 am / Departed 10:45 am

The remaining five (5) young adults refused to attend educational services.

February 19, 2020

There were nine (9) young adults in ESH on this audit date. On this audit date, no educational services were scheduled due to the midwinter recess.

February 25, 2020

There were nine (9) young adults in ESH on this audit date. Of the nine (9) young adults, six (6) were enrolled in educational services. The arrival and departure times for the one (1) young adult who attended educational services on this audit date were:

1. Arrived 9:15 am / Departed 11:30 pm

The remaining five (5) young adults refused to attend educational services.

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Audit Recommendations

Recommendations for the ESH Audit Report are reported quarterly rather than monthly per an agreement with the Board of Correction. The ESH Audit Report covering the month of November 2019 was the last ESH Audit Report which indicated recommendations. A quarterly period has transpired since that last audit report with recommendations, and recommendations are therefore included in this audit report.

The following recommendations were indicated in the ESH Audit Report covering the month of November 2019. The status of the efforts to implement each of the recommendations listed below are indicated after each recommendation.

Law Library

- To facilitate the maintenance and operation of the kiosks and typewriters in the housing areas, the facility Warden or designee should re-instruct designated facility staff, and the Director of Law Libraries should re-instruct law library staff, to verify on a daily basis that all typewriters and kiosks are operational. When a typewriter or kiosk is identified as in need of repair, the facility administration in coordination with the Director of Law Libraries should ensure that repairs or replacements are conducted in a timely manner.

Status of implementation:

- The Director of Law Libraries re-issued written instructions to all Law Library Coordinators directing them to inspect daily the kiosks and typewriters to ensure their operability and record their findings in the Law Library Logbook. In the event that any kiosk is inoperable, the Legal Coordinator shall call the appropriate vendor to have the kiosk serviced. In the event that the any typewriter is inoperable, the Legal Coordinator shall call the facility's storehouse and request that the typewriter be replaced. The Legal Coordinator shall document the above corrective actions in the Law Library Logbook.
- The facility issued ESH Memorandum 06/20, entitled ESH Law Library Kiosk/Typewriters Maintenance and Operations, which requires the housing area staff and designated Law Library Officers to inspect daily the kiosks and typewriters to verify their operability. In the event that any typewriter or kiosk is identified to be in need of repair or has been tampered with, the aforementioned housing area staff and Law Library Officer shall immediately notify their supervisor. Supervisors have been instructed to immediately notify the Deputy Warden of ESH and the respective Law Library Coordinator of any inoperable or tampered with kiosk or typewriter. The Deputy Warden and/or Law Library Coordinator will initiate repair and/or replacement of the equipment.
- The Director of Law Libraries should continue to remind each Law Library Coordinator to record his or her signature in the housing area logbook, to document his or her entry into and exit from each housing area.

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Status of implementation:

- The Director of Law Libraries re-issued written instructions to all Law Library Coordinators, directing them to record their arrival and departures times in each housing area logbook in ESH.
- Designated facility supervisory staff shall instruct custody staff to safeguard the housing area logbook at all times.

Status of implementation:

- The facility issued ESH Memorandum 07/20, entitled Securing ESH Housing Area Logbooks, which requires supervisory staff to instruct housing area staff to safeguard the housing area logbook at all times and to secure the housing area logbook in designated cabinets when not in use.

Programming

- Designate supervisory staff to periodically review programming attendance documentation and compare it with housing area logbook records, to determine whether the reasons recorded by Programming Counselors regarding their inability to enter a housing area are consistent with entries recorded by custody staff in the housing area logbooks. When the reasons are not consistent, the designated supervisory staff shall confer with both the Programming Counselor and custody staff to identify the causes for these inconsistencies, and take corrective action as necessary.

Status of implementation:

- Program Services will re-instruct the counselors to record in the housing area logbook the name and shield number of the custody staff person notifying them of the specific event that prevents them from conducting programming.

The findings in the ESH Audit Report covering February 2020 require the following three (3) audit recommendations:

Law Library

- To facilitate the maintenance and operation of the kiosks and typewriters in the housing areas, the facility Warden or designee should re-instruct designated facility staff, and the Director of Law Libraries should re-instruct law library staff, to verify on a daily basis that all typewriters and kiosks are operational. When a typewriter or kiosk is identified as in need of repair, the facility administration in coordination with the Director of Law Libraries should ensure that repairs or replacements are conducted in a timely manner.
- The Director of Law Libraries should continue to remind each Law Library Coordinator to record his or her signature in the housing area logbook, to document his or her entry into and exit from each housing area.

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Programs

- Programming was not afforded on February 12, 2020 in one (1) housing area, because the program counselor had an unplanned absence. The Programs Division should identify alternative staff within the facility or from other facilities to serve as an alternate counselor and cover gaps in staffing in the event there is an unplanned absence.