

## NYC Department of Correction Secure Unit Compliance Audit – October 2017

In July 2017, the NYC Department of Correction (“Department”) commenced an audit of the Secure Unit related to the provisions of the NYC Board of Correction Minimum Standards §1-05 Lock-in and §1-08(f) Access to Courts and Legal Services, including Law Library. Pursuant to the Secure Unit variance renewal granted by the Board on September 12, 2017, the Department is permitted to reduce out-of-cell time afforded to a minimum of ten (10) hours a day and to provide Law Library services within the unit through the assignment of a Law Library Coordinator and the use of Law Library kiosks and typewriters.

### Audit Parameters

As set forth in the Department’s June 9, 2017 compliance plan to the Board, the audit is conducted through a manual review of the housing area logbooks on four (4) random dates each month.

This audit report covers the following four (4) dates in the month of October 2017:

- October 3<sup>rd</sup>
- October 10<sup>th</sup>
- October 27<sup>th</sup>
- October 31<sup>st</sup>

Additionally, on-site inspections of the Secure Unit kiosks and typewriters were conducted on four (4) random dates, listed below.

### **§1-05 Lock-in**

A manual review of housing area logbooks was performed to determine whether ten (10), twelve (12) and fourteen (14) hours of out of cell time was afforded to young adults based on their phase.

### **§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 completed to determine if the four (4) kiosks and four (4) typewriters located in the unit were operational.

October On-site Inspections:

- October 3<sup>rd</sup>
- October 11<sup>th</sup>
- October 20<sup>th</sup>
- October 30<sup>th</sup>

## NYC Department of Correction Secure Unit Compliance Audit – October 2017

### Audit Findings

#### **§1-05 Lock-in**

On all four (4) dates institutional lock-out was consistently recorded in the logbook. The recording of institutional lock-in was not consistently documented in the logbook on the first two (2) audit dates. On those dates, based on the phased lock-in, it was not consistently recorded on one to two tours. On the remaining two (2) dates audited, based on corrective action taken, institutional lock-in was consistently noted in the newly revised and improved logbook. It is important to note that on one (1) of the audit dates, full lock-out could not be afforded due to a facility lockdown during one (1) tour that day.

The audit process has served to identify and address recording issues. As a result, the logbook has been further streamlined. This is reflected by the improvements to documentation of lock-in during the last two (2) dates audited. As mentioned in the September report, the logbook captures individualized data on an hourly basis related to each young adult's time in and out of their cell. Due to the low population within the Secure Unit, it is feasible to record individualized data for options afforded.

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

##### Law Library Coordinator

A manual review of the housing area logbooks reflected that the Law Library Coordinator was in the unit to provide assistance on all four (4) days audited.<sup>1</sup> The duration of the Law Library Coordinator's time in the unit during the dates audited were in compliance with the provisions of Minimum Standards. On average, on the dates audited, the Coordinator was in the unit for approximately three (3) hours.

During the reporting period, the average number of young adults housed in Secure Unit was seven (7). On the dates audited, between one (1) to six (6) young adults received assistance from the Coordinator.

##### Kiosks and Typewriters

As noted above, the kiosks and typewriters were inspected on four (4) dates during the audit period. On each of the four (4) dates, all the typewriters were operational and available for use. During the reporting period, a maximum of three (3) kiosks were operational. On two (2) of the audit dates, three (3) of the four (4) kiosks were operational. On the remaining two (2) audit dates, two (2) of the four (4) kiosks were operational.

---

<sup>1</sup> This is evidenced by the Coordinator signing in and out of the logbook on each of the audit dates.

## NYC Department of Correction Secure Unit Compliance Audit – October 2017

### Audit Recommendations

The following corrective actions are being considered to address the issues identified during this audit period:

#### Lock-in/Lock-out

- While there has been noted improvement in the recording of the afforded lock-in/lock-out through the use of the new tracking logbook, additional training should be conducted to ensure that all facility unit staff are well-versed on the how to properly document lock-in/lock-out afforded by phase.
- To facilitate consistent recording of lock-in/lock-out afforded a Unit Captain should review the logbook at the end of each tour, which shall be documented through a logbook entry. Based on such review, facility administration should address any issues identified.

#### Kiosks and Typewriters

- To facilitate the maintenance and operation of the typewriters and kiosks in the unit, instruct designated facility and Law Library staff to check on a daily basis that all typewriters and kiosks are operational. Additionally, when a typewriter or kiosk is identified in need of repair, facility administration in coordination with the Director of Law Libraries should ensure that repairs are conducted in a timely manner.