

Monitor's Seventh Report on the Conditions of Confinement  
for 16- and 17-Year-Old Adolescent Offenders  
at the Horizon Juvenile Center

Seventh Reporting Period  
July 1, 2024 - June 30, 2025

**The Monitoring Team**

Steve Martin, J.D.—*Monitor*

Elly Davis—*Junior Analyst*

Kelly Dedel, Ph.D.—*Subject Matter Expert*

Anna Friedberg, J.D.—*Deputy Monitor*

Dennis Gonzales—*Director*

Pat Hurley—*Subject Matter Expert*

Alycia Karlovich—*Associate*

Emmitt Sparkman—*Subject Matter Expert*

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## Section I: Introduction, Background & Executive Summary

This is the Monitoring Team’s seventh report on the conditions of confinement for 16- and 17-year-old Adolescent Offenders at the Horizon Juvenile Center (Horizon), as required by the Voluntary Agreements (“the Agreements”) between the Monitor, the City of New York (the “City”), and the Administration of Children Services (“ACS”) (dkt. entries 364, 502, 672, and 810 of 11-cv-5845 (LTS)). This report provides a summary and assessment of the good faith efforts and work completed by the City and ACS to achieve compliance and advance the reforms required by the Agreement from July 1, 2024 to June 30, 2025 (“current monitoring period”) as well as a summary of data, trends and patterns from the entire 54-month period during which the Agreements have been in effect (January 1, 2021 to June 30, 2025).

This report has three sections.

- **Section I** includes the background on the Monitoring Team’s work with respect to 16- and 17-year-old incarcerated youth, followed by a description of the Agreements and an executive summary of the report.
- **Section II** discusses Horizon’s management, safety and operation, which provides important context for discussing the progress that has occurred since the Agreement went into effect, and ACS’ capacity to address the challenges it will face in the future.
- **Section III** includes a detailed compliance assessment for each of the three provisions of the Fourth Voluntary Agreement followed by a Conclusion.

### *Background*

The Monitoring Team first began to evaluate the conditions of detained 16- and 17-year-olds under the *Nunez* Consent Judgment (dkt. entry 249, 11-cv-5845 (LTS)).<sup>1</sup> When the Consent Judgment went into effect in November 2015, incarcerated 16- and 17-year-olds were legally classified as adults and detained in an adult jail on Rikers Island, which is managed by the New York City Department of Correction (“the Department”). The Consent Judgment includes specific provisions regarding the management of this age group (§ XV (“Safety and Supervision of Inmates Under the Age of 19”) and § XVI (“Inmate Discipline”)) and separately requires the Department to seek off-island housing for youth younger than 18 (§XVII “Housing Plan for Inmates Under the Age of 18”, ¶1-3)). In 2017, New York State passed the Raise the Age law (“RTA”) that raised the age of criminal responsibility to 18-years-old and created a new legal status for youth called “Adolescent Offenders,” (AOs), defined as 16- and 17-year-olds who are

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<sup>1</sup> See Monitor’s First *Nunez* Report at pgs. 87 to 111, Second *Nunez* Report at pgs. 123 to 155, Third *Nunez* Report at pgs. 196 to 238, Fourth *Nunez* Report at pgs. 203 to 252, Fifth *Nunez* Report at pgs. 140 to 180, Sixth *Nunez* Report at pgs. 149 to 196, Seventh *Nunez* Report at pgs. 192 to 207, Eighth *Nunez* Report at pgs. 218 to 247, Ninth *Nunez* Report at pgs. 253 to 282, Tenth *Nunez* Report at pgs. 221 to 237.

charged with a felony-level offense. RTA was implemented in stages, with the AO category applying to any 16-year-old charged on or after October 1, 2018, and any 17-year-old charged on or after October 1, 2019. RTA also prohibited housing 16- and 17-year-olds on Rikers Island as of October 1, 2018.

By October 1, 2018, all 16- and 17-year-olds who were incarcerated on Rikers Island were transferred to the Horizon Juvenile Center, which, at the time, was jointly operated by the Department and ACS, where the Department was responsible for the care and custody of the 16- and 17- year-olds and ACS was responsible for programming and managing the provision of medical and mental health services. All 16- and 17-year-olds who were charged prior to the RTA effective dates for their age group were called, collectively, “Pre-Raise the Age (RTA) Youth.” All Pre-RTA Youth remained at Horizon until they were sentenced, released to the community or residential programs, or they turned 18-years-old, at which time they were transferred to Rikers Island. The day-to-day management of Horizon also gradually shifted to become the sole responsibility of ACS. Since October 1, 2019, all 16- and 17-year-olds prosecuted pursuant to RTA are held in ACS custody if detained by the courts.

By the end of 2019, ACS had assumed full operational control of Horizon, save for a small number of Department staff who operated the front security gate and held transportation positions.<sup>2</sup> By July 27, 2020, the last Pre-RTA Youth was transferred out of Horizon, and the Monitoring Team suspended its monitoring activities under the Consent Judgment while the City, ACS, the Monitoring Team, and the Parties to the *Nunez* litigation determined the appropriate path forward given the change in circumstances.

### *The Voluntary Agreements between ACS & the Monitoring Team*

In 2021, the City and ACS voluntarily entered into an agreement with the Monitoring Team concerning the supervision of 16- and 17-year-old AOs at Horizon during an 18-month period, January 2021 through June 2022 (“First Voluntary Agreement”). The First Voluntary Agreement included 10 substantive areas. In late 2022, the City and ACS extended the work with the Monitoring Team and entered into a second agreement for an additional 12 months (through June 2023) for continued monitoring of a subset of six of the original 10 substantive provisions (“Second Voluntary Agreement”). In late 2023, the City and ACS extended the work with the Monitoring Team and entered into a third agreement for an additional 12 months (through June 2024) for continued monitoring of a subset of four of the original 10 substantive provisions (“Third Voluntary Agreement”). In late 2024, the City and ACS extended the engagement with the Monitoring Team to continue the work on the remaining three provisions

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<sup>2</sup> As of August 2021, no DOC staff were deployed to Horizon.

("Fourth Voluntary Agreement), through June 30, 2025—the period of time addressed by this report. The Fourth Voluntary Agreement is attached to this report as Appendix A.

During the time that the Voluntary Agreements are in effect, the Monitoring Team does not assess compliance with the *Nunez* Consent Judgment's provisions pertaining to 16- and 17-year-olds. In addition, while the Voluntary Agreements are in effect, the *Nunez* Plaintiffs and the United States have agreed not to seek judicial action to enforce the portions of the *Nunez* Consent Judgment pertaining to this age group (*see* *dk.* entry 810).

Per the terms of the Fourth Voluntary Agreement, the Monitoring Team is required to file a single report describing ACS' efforts during the reporting period, July 1, 2024 to June 30, 2025. The Fourth Voluntary Agreement includes three substantive provisions, each of which is discussed in detail in this report. For each provision, the Monitoring Team assessed current practice and applied a compliance rating.

### *Executive Summary*

Since January 2021, the Monitoring Team has worked closely with ACS and facility leaders at multiple levels to assess compliance, to discuss the various dynamics and potential obstacles that make reform challenging, and to supply information and examples from other jurisdictions that have confronted similar problems. ACS has worked in good faith with the Monitoring Team, and the collaboration has been both transparent and productive.

During the current monitoring period, ACS and the facility achieved substantial compliance with each of the remaining three provisions of the Fourth Agreement.

- ❖ **Protection from Harm (¶ 2(a)).** This provision requires ACS and the facility to protect youth from an unreasonable risk of harm. A lower frequency of youth violence was sustained during the current monitoring period, with rates of youth-on-youth assault and youth-on-staff assault that, respectively, are 34% and 58% lower than the rates at the time the Voluntary Agreement went into effect. In addition, the rate at which both youth and staff are injured via youth violence has been substantially reduced. In the vast majority of incidents reviewed by the Monitoring Team, staff generally continue to exhibit patience and to use force safely and appropriately. Recent improvements to the incident review process (discussed below) have aligned the facility's practices for identifying errors in staff practice and misconduct with the generally accepted practice, bringing the facility into substantial compliance. Recent improvements to the facility's behavior management approach to assessing youth behavior, providing incentives and applying consequences (discussed below) have

brought the facility into substantial compliance with the relevant provision. Although the Monitoring Team remains concerned about the volume of contraband, particularly sharp weapons, and some of the more intractable poor security practices (such as allowing youth to congregate in individual rooms), the facility has implemented the tools needed to address these issues independently. Overall, ACS has taken the required steps to protect youth from an unreasonable risk of harm and has achieved substantial compliance with this provision.

- ❖ **Incident Review (¶ 2(b)).** This provision requires ACS to timely and thoroughly review incidents that involve physical intervention by staff to assess whether the intervention was appropriate and whether staff complied with policy. During the current monitoring period, ACS revised its policy for Incident Review and submitted it to OCFS for approval, introduced a new tool for managers to document the findings of their incident reviews, and demonstrated a consistent, internal ability and willingness to identify a range of poor practice and misconduct related to the use of physical intervention. ACS has achieved substantial compliance with this provision, but the Monitoring Team encourages additional vigilance regarding the timeliness of the reviews and attendant documentation.
- ❖ **Behavior Management Program (¶ 2(c)).** When the Agreement first went into effect in 2021, ACS designed and implemented a behavior management program (STRIVE) that incentivizes positive youth behavior and responds appropriately and proportionately to negative youth behavior. Over the years, ACS has added multiple layers of support for this essential task, beginning with assistance from a nationally recognized consulting group (NPJS) that gradually transferred knowledge and skills to those holding key roles in ACS and the facility, including ACS' Assistant Commissioner of Behavioral Management, Horizon's Senior Director of Practice and Behavioral Supports, and Horizon's Practice Improvement Coordinators. ACS is now capable of supporting and monitoring the STRIVE program independently. During the current monitoring period, ACS improved staff's practice for completing the point cards, resulting in documentation that is largely complete and that leads to logical movement up and down the incentive levels in response to youth's behavior. The facility improved the certainty, relevance and proportionality of sanctions for youth misconduct, although the Monitoring Team recommends continued emphasis on the entry of specific sanctions and their duration into the newly developed Restorative Status Tracker. Various oversight mechanisms are now in place to ensure that STRIVE is central to the facility's operation, the system is oriented around teaching and

motivating positive behavior, and additional supports are deployed for youth who struggle to succeed. ACS has achieved substantial compliance with this provision.

The reality of a correctional facility that houses impulsive young people with deep histories of trauma and violence is that staff and youth will unfortunately always be at *some* risk of harm. The fundamental question with respect to the work under this Agreement is whether ACS has taken reasonable steps to eliminate an *unreasonable* risk of harm. As described in detail in this report, since the Agreement went into effect in 2021, ACS has focused on the many aspects of facility operations that can be modified to enhance safety. As a result, compelling reductions in the frequency of youth violence and resulting injuries have occurred. Many of the reforms were required by the original 10 provisions of the Agreement and ACS has now achieved substantial compliance with all 10 provisions, including safe practices for the use of physical intervention and procedures for reviewing incidents to identify poor staff practice, sufficient numbers of well-trained staff, limitations on the use of isolation, robust behavior management practices to incentivize prosocial behavior and respond to negative behavior, and an array of programs to reduce idle time and address youth's rehabilitative needs. Importantly, ACS has also made essential improvements to practices that were not specified in the Agreement that were equally important for protecting youth from harm. These include installing multi-disciplinary teams with consistently assigned staff on each unit, deepening the leadership and supervisory ranks and equipping them with skills to support staff working on the housing units day-to-day, supporting new staff so they master the necessary skills for a most difficult job, collaborating effectively with ACS Police, enhancing search protocols, and enriching and expanding behavioral health and education services, among many other improvements.

## Section II: Overview of HOJC Operations

During the current monitoring period (July 1, 2024 to June 30, 2025), facility safety and stability continued to benefit from the vision and approach of ACS leadership. These leaders expanded the responsibility for reform to a set of committed and capable facility leaders, managers and supervisors. During the current monitoring period, ACS demonstrated its commitment to staff development in numerous ways, one of which is the involvement of facility managers in a broader array of tasks that used to be the purview of only the top tier of the facility's leadership. Staffing levels have improved and progress in addressing the incidence of very serious violence and youth's access to contraband weapons and drugs is evident. The dynamics surrounding these issues are discussed in more detail below.

### *Facility Management, Staffing and Youth Population*

Over time, the Agreements between ACS and the Monitoring Team have narrowed considerably. Although the Monitoring Team now oversees only a discrete set of issues, ACS ensured the Monitoring Team was aware of the many dynamics that impact ACS' approach and the facility's overall trajectory toward improving its conditions. ACS' successes in addressing many of the issues discussed below has undoubtedly had a positive impact on its ability to achieve substantial compliance with the provisions included in the current Agreement. Similarly, its ongoing struggles in certain areas will require ACS to rely on the tools it developed to achieve compliance with the Agreements in order to sustain its forward trajectory.

- **Agency and Facility Leadership**

An important aspect of any reform effort is ensuring that the right leaders are in place, those who possess a safety- and youth-focused vision and those who recognize that staff wellness is an essential underpinning to achieve that vision. Horizon's operation has benefitted from consistent leadership at the agency level—and from the significant expertise and deep compassion of those leaders—for over three years. ACS leaders have a consistent and constructive presence at the facility and know most of the staff and youth by name. In February 2025, the Associate Commissioner (i.e., Superintendent) of the facility resigned and shortly thereafter, the Executive Director of Operations went on extended work-related injury leave. Fortunately, the facility's operation was capably sustained via the efforts of the Associate Commissioner who oversees the Crossroads Juvenile Center<sup>3</sup> and Horizon's Executive Director of Administration (who previously served as the Executive Director of Operations). ACS reported

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<sup>3</sup> Crossroads Juvenile Center is the other secure detention facility operated by ACS.

that a candidate for Horizon’s Associate Commissioner role has been identified and is expected to start in late October, 2025.

The presence of highly capable leaders has permitted the deepening and broadening of the vision for reform across facility managers, supervisors and line staff. In addition, deeper collaboration between Group Services (e.g., Youth Development Specialists, “YDS,” Associate Youth Development Specialists, “AYDS,” Tour Commanders, “TC,” and Operations Managers, “OM”) and ACS Police has helped to push various security initiatives forward. Not only have various facility initiatives been sustained over time, but they have gradually brought staff at other levels into the fold—this is the essence of culture change and Horizon has demonstrated important improvements in this area.

During the Monitoring Team’s site visit in July 2025, the breadth and depth of this culture change were abundantly clear. ACS has made a real effort to equip staff to succeed in their specialized roles by investing significant resources in refining training for managers at all levels. Managers of various titles have taken on new responsibilities and continue to add new tools to the facility’s array of strategies for supporting youth. In several areas, Horizon’s managers have assumed the duties formerly addressed by nationally recognized experts from NPJS, which is a sign of healthy development. YDS reported that they routinely receive feedback—from a variety of people—that helps them to engage with youth and each other more effectively. The many people involved in staff’s skill development discussed the delicate balance they must find between the effectiveness of side-by-side coaching and the risk of undermining staff’s authority on the housing units. This consideration made clear the emphasis that ACS has placed on cultivating the talents and skillset of its workforce. Assistance from ACS’ Workforce Institute has taken a particularly innovative approach to working with managers on how to cultivate staff identified as having particular promise. ACS’ many steps to support and cultivate its workforce bodes well for the sustainability of reform.

- **Staffing Levels**

Throughout the years that the Agreement has been in effect, ACS has gradually addressed its staffing shortage, which was initially at a crisis level. As discussed in more detail below, ACS has made significant progress in reducing attrition and reducing the number of staff who are on the payroll but on some type of leave and thus unavailable to work. YDS vacancy rates are at an all-time low since an Agreement has been in effect, with about 20% of budgeted positions vacant. The facility’s primary staffing-related challenge is absenteeism, which causes most staff to be mandated to work overtime hours multiple times per week.

The constant staff turnover that characterized the early years of the Agreement not only presented a significant recruitment/training burden for the agency but also undercut efforts toward a gestalt of skill mastery and teamwork among Horizon's staff. While turnover has subsided somewhat, absenteeism continues to cause many staff to work overtime, which undercuts staff wellness and compromises staff's energy for the individualized coaching needed to foster the development and refinement of essential skills. ACS's recent efforts to implement a "Hall-based model," featuring staff at all levels consistently assigned to specific halls and a multidisciplinary approach to managing and supporting youth, has reportedly reduced absenteeism in the housing units where the Hall-based model has been fully implemented.

ACS has 300 budgeted YDS positions for Horizon.<sup>4</sup> During the current monitoring period, July 2024 to June 2025, Horizon averaged about 238 YDS on the payroll (79% of the budgeted 300 positions). This is a significant increase from the previous monitoring period (July 2023 to June 2024), where Horizon had only 207 YDS on the payroll, which was 69% of the 300 budgeted positions. Every Monitor's Report to date has discussed the significant proportion of YDS on the payroll who were "inactive" (mostly work-related injury leave, but also sick leave) and thus were unable to work. This, combined with a significant number of vacancies, further stretched the workforce thin. However, for the past two years, the increasing number of YDS on the payroll combined with slightly fewer staff going on injury/sick leave has decreased the proportion of inactive YDSs. During the 5<sup>th</sup> monitoring period, 34% of staff on the payroll were inactive, compared to 27% during the 6<sup>th</sup> monitoring period, and 17% during the current monitoring period. These improvements have led to greater YDS availability day-to-day (e.g., in August 2023, the facility had 142 active YDS, compared to 180 in July 2024 and 196 in July 2025).

The supervisory ranks previously had similar issues with vacancies and availability, but both have improved over time. As of July 2025, 37% of the facility's budgeted AYDS 1 positions,<sup>5</sup> 82% of the facility's budgeted AYDS 2 positions, and 70% of the facility's Operations Managers

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<sup>4</sup> In early 2021, ACS identified 337 as the target number of YDS needed to fully staff the facility, but this included YDS who were not assigned to group services/supervising youth on the housing units. The 300 budgeted positions first cited in the Monitor's Fifth Report focuses specifically on group services staff. ACS reports it has sufficient budgeted positions for ongoing hiring and will reevaluate its needs should the facility approach its budgeted headcount and as the planned expansion of the physical plant nears completion.

<sup>5</sup> These data overstate the issue of vacancies among AYDS 1s. During the previous monitoring period, ACS added additional budgeted supervisory positions in an effort to increase the intensity of coaching and guidance provided to its relatively new workforce. ACS does not intend to fill all of the AYDS 1 positions immediately, but instead gradually and over time as existing YDS gain the experience and skill set needed for the AYDS 1 position and have the opportunity to take and pass the promotional exam.

positions were filled. Although the situation has improved over the years, these vacant supervisory positions, coupled with call-outs by those who are scheduled to work, continue to cause the facility’s supervisors to work significant amounts of overtime. That a segment of Group Services staff remains committed to the job even under these difficult conditions is laudable and speaks to the commitment and culture that ACS and facility leaders have built. Notably, ACS reported that, for the first time in many years, the Department of Citywide Administrative Services (DCAS) offered an exam for those wishing to promote to AYDS1. Previously, a significant number of AYDS were operating in their roles “provisionally,” making additional promotions challenging. Many staff took the exam and AYDS1 will be selected and promoted based on their passing scores and a structured interview process. A total of 14 staff from Horizon/Crossroads were promoted in September 2025, with reported additional promotions to follow. In addition, ACS reported that the number of OMs will soon increase from 7 to 9, meaning that 90% of the budgeted OM positions will be filled. ACS continues to monitor its staffing levels to ensure capability to meet emerging needs.

ACS’ staffing data offers insight into the number and reasons for attrition among YDS. As shown in the table below, about 23% fewer YDS left ACS during the current monitoring period compared to the previous monitoring period (n=84 versus n=109). This contributed positively to the number of YDS available to work day-to-day. The reasons for attrition have been consistent over time: about 56% resigned, about 20% were terminated, and about 24% were separated for other reasons. ACS attributes the improvements in retention to the facility’s focus on staff coaching, guidance and supervision and the resulting increase in staff morale. Also, ACS continues to offer a retention bonus to staff with consistent attendance (\$5,000 twice annually for YDS/AYDS staff who meet the 90% attendance threshold for the duration of the current labor agreement).

Attrition Among YDS, July 2023 to June 2025				
Month	Total #	# Resigned	# Terminated	# Other*
<b>TOTAL Jul 23-Jun 24</b>	109	60	22	27
<b>% of total</b>	100%	55%	20%	25%
July 2024	6	5	1	0
August 2024	7	4	1	2
September 2024	8	2	1	5
October 2024	9	7	1	2
November 2024	7	4	3	0

Attrition Among YDS, July 2023 to June 2025				
Month	Total #	# Resigned	# Terminated	# Other*
December 2024	11	5	2	4
January 2025	4	2	1	1
February 2025	10	4	1	4
March 2025	8	5	2	1
April 2025	5	2	3	0
May 2025	5	3	1	1
June 2025	4	4	0	0
<b>TOTAL Jul 24 – Jun 25</b>	<b>84</b>	<b>47</b>	<b>17</b>	<b>20</b>
<b>% of total</b>	<b>100%</b>	<b>56%</b>	<b>20%</b>	<b>24%</b>
*Includes Workers Compensation terminations (n=9), title changes (n=7), promotions (n=2) and individuals determined as not qualified for title (n=2).				

ACS reports that staffing remains a key priority, and several initiatives reported in previous monitoring periods have continued:

- ACS revised the YDS job description to depict the job more accurately, particularly the unique combination of security and counseling skills required. This new job description is now used in ACS' recruiting materials.
- ACS administrators have refined a new training curriculum for supervisors to develop their hard skills (e.g., incident reviews, effective rounds), soft skills (e.g., managing subordinates, addressing staff wellness) and administrative skills (e.g., documenting operational activity in various software/apps) in order to improve the on-the-job supervision and coaching received by YDS. The curriculum was piloted in September 2025 and will be used to train the next cohort of newly promoted AYDS1s in October 2025.
- ACS is working with the Academy to update the simulations and role plays utilized in new recruit training. Learning exercises will focus on developmental tasks, behaviors and effective responses for 18 to 20-year-olds, rather than those associated with much younger adolescents. Additionally, these hypotheticals will focus on the more challenging tasks and situations that YDS are likely to confront, such as Hall management (e.g., posting/positioning, situational awareness, door security), navigating and resisting requests from youth to transport contraband, facility movement, and boundaries/undue familiarity.
- The facility's Senior Director of Practice and Behavioral Supports continues to bridge the gap in recruit training by focusing on acclimating new staff to the facility and facilitating skill

mastery. During On-the-Job Learning (OJL), the Director checks in with new staff throughout their shift and helps them to practice new skills (e.g., searching, youth movement, securing doors), offering guidance to refine technique. Recently, the facility began assigning other exceptional staff members to various OJL roles in order to increase the number of staff the recruits have contact with and to provide additional informal resources for guidance. Facility leadership has also added an additional week of on-site onboarding after graduation from the Academy to support the successful integration of the YDSs into the facility. Several veteran staff commented to the Monitoring Team that the onboarding process is much better now than when they began working at the facility.

- The facility has deepened its efforts to develop a sense of ownership and teamwork among staff. A team of NPJS consultants are facilitating the transition to a “Hall-based model” by first consistently assigning YDSs, AYDSs, TCs and an OM to the same housing unit day-to-day. When the living units transition to a Hall-based approach, staff set behavioral expectations and responsibilities for youth, are trained to deliver a cognitive behavioral therapy (Power Source), and are provided additional incentives for youth and new resources focused on staff wellness. The Group Services staff assigned to each Hall work collaboratively with the Hall’s dedicated mental health clinician, Case Manager, Program Counselor, Education Associate, and (STRIVE) Practice Improvement Coordinator. Together, the team of staff assigned to each Hall develop individualized approaches, strategies and plans to support the youth assigned to their care. This has reportedly created an opportunity for rapport to develop among staff, which helps them to better support the youth on their Hall since staff can collaborate on the support being delivered. This cohesiveness among staff was also identified as an important avenue for staff becoming more comfortable exercising their authority, enforcing rules, and holding youth accountable. Early impressions suggests that the Hall-based model produces more consistent attendance among staff because staff feel a sense of responsibility to their youth and colleagues.

It is notable that ACS’ various strategies to improve staff retention have been sustained and refined over several years when in other jurisdictions, such initiatives often lose steam and are abandoned. Furthermore, Horizon’s steady progress toward compliance with the provisions of the Agreement is particularly impressive considering that the improvements have been made by a workforce that regularly works double shifts in an incredibly difficult job. Addressing staff absenteeism continues to be an essential task for ACS to fully realize its leaders’ vision toward best practice with youth in custody.

## ▪ Youth Population

When Horizon first re-opened, it was operated in partnership with the NYC DOC. Initially, its youth population was very low (approximately 25 youth). Its low census was a product of several factors, including the way in which Raise the Age legislation was phased in, the impact of COVID, and various choices about the target populations and functions of Horizon and ACS' other detention center, Crossroads. Over time, Horizon's population steadily increased to reach and then exceed the facility's capacity of 123 (individual rooms). ACS first obtained a waiver from OCFS to increase capacity in August 2023. The waiver is regularly extended and adjusted, with the most recent (February 2025) increasing capacity to 154 youth. Notably, the size of the facility population is not a product of ACS or facility procedures, but is instead a product of macro forces (e.g., trends in youth offending; the seriousness of their offenses; slow court processing times which leads to long lengths of stay; prosecution of gang indictments that bring large numbers of youth into the facility).

At the time of the Monitoring Team's site visit in July 2025, the facility housed 154 young people, and the facility was unable to provide 33 of them with an individual room. Instead, these youth—called "travelers" in the facility's vernacular—sleep on portable bunks in classrooms and unit dayrooms. While this situation is certainly not ideal, ACS has been conscientious about addressing the negative effects of overcrowding, particularly by assigning an OM and a Case Manager to the group of "travelers," ensuring consistent access to telephones and showers, and ensuring that "travelers" are integrated into the various housing units' daily programming whenever possible. ACS reported that the sheer number of youth in the facility, the fact that many of them have preexisting, serious conflicts with their peers from the community, and the facility's challenging physical plant all contributed to slight increases in violence during the current monitoring period. ACS has been proactive in working with its system partners (court, prosecutors and defense counsel) to develop strategies to reduce the number of youth in custody, as discussed in more detail below.

### *Facility Safety*

This section first discusses data related to protecting youth from an unreasonable risk of harm, including important reductions in the rates of youth-on-youth assault and youth-on-staff assault and the increasing proportions of incidents in which no injuries occurred among youth. The average monthly rate of physical restraint has also decreased, although it began to trend slightly upward toward the end of the current monitoring period for the reasons discussed above in the Youth Population section. These improvements in facility safety are very encouraging and are evidence of ACS' ability to sustain and build upon incremental improvements over a period

of years. Both ACS and the Monitoring Team remain concerned about incidents of serious violence, particularly those involving weapons and recognize that the staff response to large-scale events could be better organized. The types of serious violence that continue to occur at Horizon are described generally below (*e.g.*, youth's use of weapons, group assaults, assaults on staff). Various management challenges are also discussed including those presented by youth's increasing length of stay, the presence of contraband, and the relatively infrequent but serious signs of correctional fatigue among staff. This section is followed by a discussion of ACS' work to confront these various challenges.

- **Data on Youth Violence and Injuries to Youth and Staff**

The data on youth violence and restraints is encouraging, with significant, sustained decreases evident across most of the key metrics.

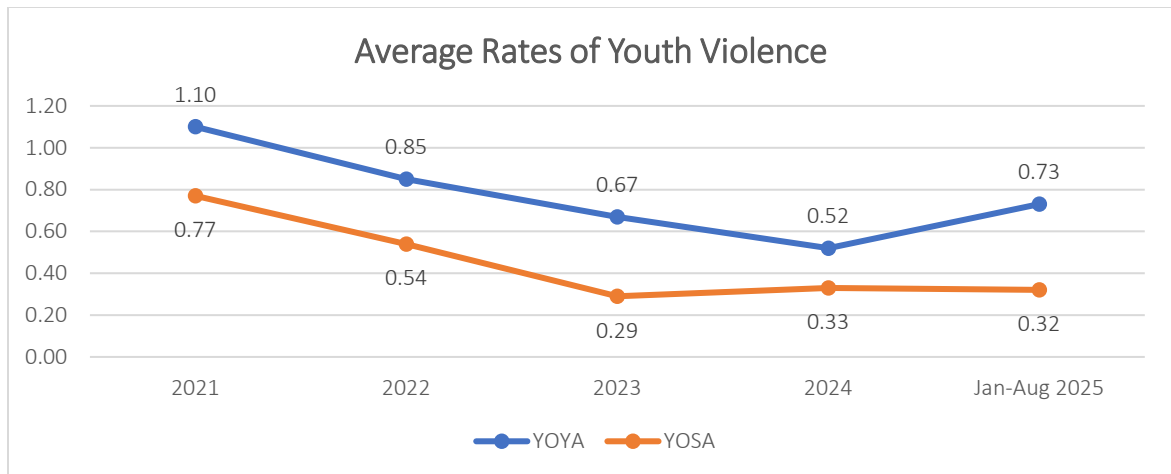
- *Youth-on-Youth Assault and Youth-on-Staff Assault*

As shown in the graph below, the average monthly rate of **youth-on-youth assault** has significantly declined since the Agreement went into effect. To date in 2025 (January-August), the average monthly rate of youth-on-youth assault is **34% lower** than it was during the first year of monitoring (2021; 0.73 versus 1.10).<sup>6</sup>

Further, the average monthly rate of **youth-on-staff assault** has significantly declined since the Agreement went into effect. To date in 2025 (January-August), the average monthly rate of youth-on-staff assault is **58% lower** than it was during the first year of monitoring (2021; 0.32 versus 0.77).

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<sup>6</sup> Rate = ((# of incidents/# days in month)/ADP) \* 100. Although the use of a rate neutralizes the impact of changes in the size of the youth population, this is purely mathematical. High populations can exacerbate the risk of violence due to crowding, logistical complications in safely moving more youth through facility spaces, more youth with pre-existing conflicts, etc. That Horizon's rate of violence has decreased while its population has significantly increased is noteworthy.



The reduction in the frequency of youth violence is the result of various improvements to the foundation of the facility's operation and subsequent layers that deepened and broadened the reform. These include expansions of operation and security protocols and direct services far beyond what is required by the Agreement, a sharpening of strategies to review incidents and provide feedback to staff, a multidisciplinary strategy for supporting youth, and improving the fidelity of STRIVE implementation. These developments are discussed throughout this report.

When interviewed, most youth remarked on the care and support they receive from Horizon staff, believing that staff had their best interest in mind. When interviewed, staff commonly reported that certain aspects of the facility, particularly the improved security practices, introduction of Power Source and improvements to STRIVE's consequences, have made them feel safer and have made their work with youth more interesting and less reactive.

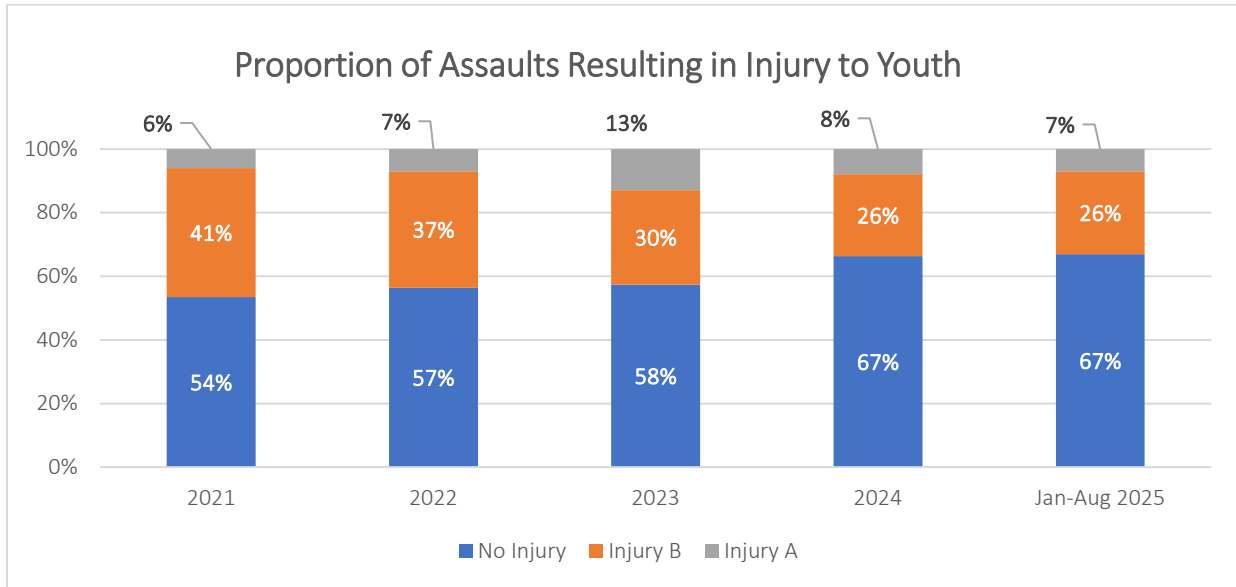
#### o *Injuries Among Youth*

The intersection between the frequency of violence and the severity of violence is illustrated in the charts below. The first chart shows the proportion of assaults that resulted in each level of injury to AOs housed at the facility.<sup>7</sup> The different colored bars represent the type of injury (blue = no injury, orange = less serious/Injury B, grey = more serious/Injury A).<sup>8</sup> Over

<sup>7</sup> This injury data is *incident based*, meaning that it shows the number of incidents in which a certain type of injury occurred, not the number of youth who sustained each type of injury. It also includes only incidents/injuries involving AOs and does not include incidents/injuries among youth of other legal statuses.

<sup>8</sup> Injury A includes injuries requiring clinical treatment beyond what can be provided by a layperson with over-the-counter products. Injury B includes injuries that are treatable by a layperson with over-the-counter products such as ibuprofen, antibiotic ointment, ice packs, etc. All injury classifications are made by medical staff.

time, the proportion of assaults involving *no injury* increased from 54% during the first year that the Agreement was in effect (2021) to 67% thus far in 2025.

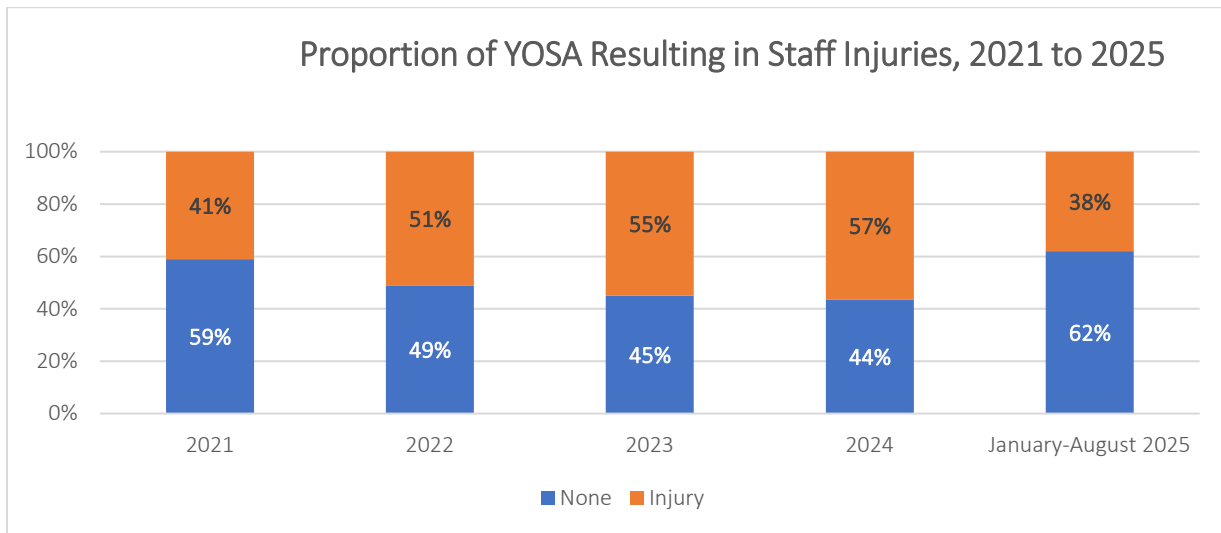


The Monitoring Team tracks the number/rate of Injuries as one measure of the risk of harm. As shown in the table below, data on the rate of youth-on-youth assaults where an injury was sustained shows a significant reduction. The rate of injury to date in 2025 (January-August, 0.24) is **52% lower** than the rate during 2021 when the Agreement first went into effect (0.50). This reduction is the result of the significant decrease in the rate of B injuries, which decreased from 0.46 during 2021 to 0.19 thus far in 2025. The rate of A Injuries has been approximately the same throughout the time the Agreement has been in effect. Although serious injuries can and do result from physical altercations that do not involve the use of a weapon, ACS’ continued efforts to prevent and detect the presence of contraband in the facility are essential. Concerns about the use of sharpened weapons notwithstanding, these data provide evidence that the facility has become safer for youth.

Rate of All Injuries to Youth from YOYA, including Injury A and Injury B 2021 to August 2025					
Date	Rate All Injuries	Number A Injuries	Rate A Injuries	Number B Injuries	Rate B Injuries
2021	0.50	8	0.05	83	0.46
2022	0.37	14	0.06	81	0.32
2023	0.28	26	0.08	61	0.20
2024	0.17	13	0.04	46	0.13
January-August 2025	0.24	11	0.05	41	0.19

o *Injuries Among Staff*

As noted above, the rate of youth-on-staff assault has declined significantly (57%) compared to the earliest monitoring periods. The proportion of those assaults resulting in injury also declined significantly in 2025 (from ~55%, to 38%). Although less frequent, some of these injuries appeared from the incident descriptions to be quite serious.<sup>9</sup>



The table below shows staff injury data from a slightly different perspective. The average monthly rate of staff injury per capita (youth) **decreased 61%** since the Agreement went into effect—from 0.31 in 2021 to 0.12 so far in 2025.

Number and Average Monthly Rate of YOSA with Injury 2021 to August 2025		
Date	Number of Injuries	Rate of Injuries
2021	52	0.31
2022	70	0.28
2023	50	0.17
2024	64	0.19
January-August 2025	31	0.12

In summary, compared to 2021 when the Agreement went into effect, both youth and staff were injured via youth violence significantly less often thus far in 2025, and for several

<sup>9</sup> ACS does not collect data on the severity of staff injuries, so this statement is based on anecdotes gleaned from the facility’s incident reports.

years prior. This has obvious benefits for youth and staff wellness and also allows the facility to operate in a more predictable fashion given the increased order and safety.

- **Incidents Involving Serious Youth Violence**

While the overall rate of youth violence has been significantly reduced since monitoring began, the facility continues to be challenged by acts of serious violence, particularly incidents involving dangerous weapons and serious assaults on staff. The facility's continued efforts to prevent multiple youth from congregating in youth rooms, to reduce the availability of weapons and to prevent group disturbances by better controlling door access and youth movement should have substantial preventative value.

- Multiple incidents occurred in which youth used sharp weapons to slash or stab the victim. The victims of these assaults required stitches to treat lacerations to their faces, necks, ears and/or arms. Staff attempted to intervene in each event, often attempting to shield the victim at substantial risk to their own safety.
- Youth continued to attack staff to access keys and/or aggressively pushed past staff when housing unit and hallway doors were unlocked in order to access rivals from other housing units. Although the facility appears to have reduced the frequency of these events compared to previous monitoring periods, they continue to occur, and some have led to large scale disturbances in which both staff and youth were injured.
- Serious assaults on staff continued to occur. Youth have assaulted staff during youth's attempts to get staff's keys or to breach a door and during staff's attempts to break up an altercation. At times, youth have deliberately targeted staff and assaulted them without warning. Staff have been punched, headbutted, kicked and thrown to the floor. At times, youth have used strangulation holds during their assaults on staff, which are particularly dangerous. While many staff were not seriously injured by the assault and remained on shift, a significant number of others needed to leave work to seek medical attention, and some remained on injury leave for a significant period of time.

All juvenile facilities with which the Monitoring Team is familiar confront the problem of youth violence. Although the frequency of violence has been significantly reduced at Horizon, some of the incidents are quite serious, particularly those in which youth utilize sharpened weapons in their altercations, group assaults of a single victim, and incidents in which staff were deliberately assaulted. The frequency of serious injury would likely be higher without the heroic efforts of some staff to protect the youth who are the targets of the assaults. The Monitoring Team observed video footage of multiple events where large numbers of staff responded quickly

and jumped into the fray to shield the victim(s) from further attack, often jeopardizing their own safety in the process of protecting youth. That staff continue to prioritize youth safety in the face of very challenging conditions and correctional fatigue is an important facet of the Monitoring Team’s optimism for the sustainability of reform.

During the current monitoring period, ACS has again layered additional tools to combat these problems, including efforts to strengthen the milieu on each unit via the Hall-based model, to increase the likelihood of contraband detection, to strengthen staff’s security practices, and to equip youth with the skills needed to manage interpersonal conflict (all discussed in more detail in the section “ACS’ Efforts to Increase Facility Safety” below). Although youth violence continues to occur, ACS is making concerted and sustained efforts to address its underlying causes.

#### ▪ Restraints

The facility achieved compliance with the provision related to the appropriate use of physical intervention/restraints in early 2023. The provision was not included in the Third or Fourth Agreements and the issue is not actively monitored. However, the need for physical intervention by staff continues to be part of the ethos of the facility and provides important commentary on changes to the facility’s level of disorder.

Average Monthly Rate of Physical and Mechanical Restraint January 2021-August 2025 <sup>10</sup>		
Date	Physical Intervention	Mechanical Restraint
2021	2.10	0.36
2022	1.04	0.28
2023	0.42	0.19

<sup>10</sup> Rate = ((# of incidents/# days in month)/ADP) \* 100. Accurately interpreting the data regarding the use of restraints requires some important context and considerations. First, ACS maintains restraint data that tabulates the number of *youth* who were restrained (in contrast to data on youth violence reviewed in the Introduction above, which tabulates the number of *incidents*). This means if six youth were involved in an assault and all six were restrained, the data related to that incident would include one assault and six restraints. Second, it is also important to recognize that not all acts of violence lead to a restraint (*e.g.*, the youth involved could cease their activity based on staff’s verbal commands). Further, restraints are also used to respond to youth behaviors other than acts of violence (*e.g.*, a youth who is physically aggressive and posing an imminent risk of physical harm to another’s safety may be restrained prior to an assault actually occurring). Finally, ACS’s physical restraint data only includes a very specific category of physical intervention used by staff on residents—known as Emergency Safety Physical Interventions (“ESPIs”) under the Safe Crisis Management (“SCM”) framework

2024	0.71	0.30
January-August 2025	0.62	0.37 <sup>11</sup>

As shown in the table above, the recent average monthly rate of **physical intervention** remains significantly lower than it was during the first year of monitoring (CY 2021). Thus far in 2025, the average monthly rate was 0.62 which is **70% lower** than the average monthly rate in 2021 (2.10). The average monthly rate of **mechanical intervention** has fluctuated only slightly during the time the Agreement has been in effect.

Notably, the monthly average rate of physical intervention increased slightly in 2024/2025, compared to 2023. ACS attributes this increase to increasing housing density and staff becoming more confident in the assertive application of restraints in order to interrupt an incident, rather than passively observing an incident unfold without intervention. The Monitoring Team's routine review of incidents continued to reveal that staff generally used physical restraint only when necessary and in a manner that was proportional to the risk of harm in order to regain operational control. Further, the review of incidents also revealed that staff use physical intervention only when a youth is exhibiting significantly combative or violent behavior that, if not controlled, would endanger youth and staff. Restraints are removed as soon as the youth has demonstrated a reasonable level of self-control, and the youth is counseled during the de-escalation process and after the restraints are removed. During the current monitoring period, ACS reported that only seven youth sustained injury (all minor) during the application of mechanical restraints and none of the youth involved in physical restraints were injured by the restraint. Finally, when viewed from the broader perspective of assessing improvement during the time the Agreement has been in effect, the overall decreasing rates of physical restraint are another indicator that the facility's environment is far less chaotic than the tumultuous times of 2021. That said, the Monitoring Team encourages ACS to consider that the facility's trained use of force curriculum, SCM, may be insufficient to address some events, and that staff occasionally resort to techniques that could be dangerous. Further, large groups of responders are present at every event, but often lack coordination and direction. ACS reports that it is examining options to supplement the SCM trained techniques and has developed a new policy for a Rapid Response Unit with clearly defined roles.

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<sup>11</sup> ACS reported that the increased rate of mechanical restraints may be a product of better collaboration with ACS Police, who are the only staff authorized to utilize mechanical restraints. For many reasons (improved staffing, better collaboration, better communication), ACS Police now routinely respond to calls for assistance and are present at the scene of most incidents.

- **Ongoing Challenges**

ACS continues to face a number of challenges to the safe operation of the facility resulting from both external and internal dynamics. First, COVID-related delays in case processing persist and the severity of most youths' charges result in extended stays in detention, with many youth remaining at Horizon for more than one year.<sup>12</sup> Youth's long lengths of stay have pushed the facility's population higher which directly impacts the density, composition and interpersonal dynamics on the housing units, restricts flexibility in housing and youth movement, and presents challenges for providing services to a larger number of youth.

Second, a significant volume of contraband continues to be detected/recovered at the facility, including razors/scalpels/sharpened objects, drugs, and cell phones/chargers. ACS reports that both visitors and staff are complicit and that several arrests/terminations have occurred as a result. The presence of weapons and drugs in any facility—particularly when staff are responsible, even in part—has serious consequences for the quality of supervision, staff-youth dynamics, and the extent to which staff trust each other and are able to work as a cohesive unit. As discussed in more detail below, the facility has taken important steps to decrease the introduction of contraband and to detect and seize contraband present in the facility. Interviews with staff during the Monitoring Team's July 2025 site visit revealed that staff believe that the administration takes the issue seriously and takes quick action on intelligence it receives. Facility administrators confirmed that addressing contraband remains one of their top priorities.

Finally, the difficult work of direct care staff cannot be understated and is even more demanding in a facility where so many youth have histories involving perpetrating, witnessing and being the victim of serious violence. This combination leads to complex peer dynamics and challenging behavioral health profiles that can test the patience of even the most skilled staff, all of whom regularly work long hours in a very difficult environment. Some staff are showing signs of corrections fatigue,<sup>13</sup> evidenced by their inappropriate responses to a variety of events, either

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<sup>12</sup> In June 2024, about half of Horizon's youth (54%) were being detained on Murder or Attempted Murder charges, and 36% were detained on Firearms/Weapons, Robbery or Assault charges.

<sup>13</sup> "Corrections Fatigue," or burnout among those who work in correctional settings, refers to staff's loss of regard for the people they work with and inability to sustain the kind of care and commitment that is the essence of the work. Corrections fatigue can manifest in a variety of different ways, commonly including the development of negative attitudes about the work, the failure to act when necessary as well as taking actions that are excessive, unnecessary and/or abusive. The perceived or actual threat of violence increases the risk of burnout.

failing to intervene in situations where decisive action was clearly warranted (e.g., failing to address youth congregating in an individual room or failing to secure room doors) or responding aggressively to youth's provocations. During the current monitoring period, a number of incidents were exacerbated by staff whose frustration and/or antagonistic demeanor led to their mistreatment of youth, and in some cases, led to their employment being terminated.

ACS' steps to address each of these challenges and to improve facility safety and operations more generally are discussed below. In concert with the facility's work to achieve substantial compliance with the issues addressed by the Agreement, these efforts contribute meaningfully to ACS' good faith efforts to protect youth from an unreasonable risk of harm.

### *ACS' Efforts to Address Facility Safety*

One of the Deputy Commissioner's priorities has been to enhance the security operation at Horizon, and ACS and the facility continue to sustain the many initiatives discussed in prior Monitor's Reports. ACS continues to allocate new funds and other resources for tools to combat the challenges posed by the increasing size of the population, youth's long lengths of stay, the presence of dangerous contraband, and the demanding nature of the work.

- **Facility Expansion.** ACS has long recognized the limitations of Horizon's physical plant and the resulting challenges for serving a large number of older youth with very long lengths of stay and pre-existing violent conflicts in their communities. Programming space and housing space is insufficient, particularly recently. The City has allocated \$340 million to expand the facility, adding 48 beds and an array of programming and recreational space. Construction began in July 2025, with completion expected in 2029. The programming and recreational space will be completed first and will bring a welcome expansion to the daily offerings to reduce idle time.
- **Collaboration with System Partners to Reduce Length of Stay.** The Deputy Commissioner has deep legal expertise in court processing, which has enabled her to advocate vigorously for improvements in this area. Agreements with various stakeholders designed to limit adjournments, increase case conferences, and to utilize alternatives to detention when appropriate (e.g., electronic monitoring) are recent examples of efforts to reduce the size of the youth population.
- **Expanded Behavioral Health and Education Services.** ACS has increased funding for the facility's mental health service provider, Bellevue Juvenile Justice Mental Health Service. Beginning in FY25, ACS began to substantially increase Bellevue's \$5.3 million service contract, reaching a \$9.6 million annual investment by FY 2027. The additional funding

will allow Bellevue to sustain a fully staffed, comprehensive mental health service, and to offer competitive wages that support hiring, retention and 24/7 care. Clinicians will have a consistent presence in Hall meetings, participate in development of behavior management plans for youth with persistent behavioral challenges, and engage in other multidisciplinary facility convenings.

Similarly, ACS has made new investments to support youth's academic needs. It recently expanded/created new positions within ACS—School Liaisons, Education Associates and a Senior Education Coordinator—to support youth's school attendance and participation, improve coordination with NYC Public Schools, and to facilitate college programming and workforce opportunities. Children's Village, an external service provider, offers on-site tutoring both during school and after-school, particularly to support those who need to prepare for Regents or GED exams. Agreements with the City University of New York and Hostos Community College allow youth to earn transferrable college credits while in the facilities. These investments have reportedly yielded significant improvements in student attendance, engagement, exam completions and graduation rates.

- **ACS Special Operations Unit.** After reorganizing the ACS Police in June 2023 as discussed in the previous Monitor's Report, the ACS Police developed a Special Operations Unit comprised of supervisors and senior officers with additional training to carry out searches in both secure detention facilities. Owing to the technique, tenacity and skill of the team members, these searches have yielded substantial recoveries of dangerous contraband. ACS also reports it is working to utilize this team as a Rapid Response Unit to improve incident command in the event of large or chaotic disturbances. A policy governing the operation of this team has been issued that limits the size of the response team to only what is needed to manage the incident and to ensure that all responders have defined roles and a clear chain of command.
- **Body Scanners.** During the previous monitoring period, ACS issued an Operations Order for "Enhanced Youth Search Procedures" that requires all youth entering and exiting the facility to undergo a personal search (i.e., strip search), to sit on 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 TC/OM. During the current monitoring period, ACS procured four state-of-the-art Rohde Schwarz millimeter wave body scanners, which use non-invasive millimeter wave technology rather than x-

ray technology to deliver a higher sensitivity in scanning in order to promote improved contraband detection. Two of these scanners were installed at Horizon. This technology avoids the health and privacy concerns of other types of body scanners while still detecting any unusual bulges or appendages indicating the presence of contraband. The respective areas have been remodeled to accommodate the equipment, and scanners were installed in the area where youth enter/exit the facility and at Post One where staff, vendors and visitors enter the facility (both went live September 15, 2025). By increasing the likelihood of detection, these efforts should serve as a deterrent to those seeking to bring contraband into the facility.

- **Tools to Develop Staff's Self-Awareness.** ACS and facility administrators have deep compassion for the demands placed on their staff. ACS continues to work to increase staff's capacity to respond appropriately to aggressive youth within the high-stress environment of a correctional facility. While additional skill-development will improve staff wellness in general, it should also decrease the risk of staff losing their composure and behaving unprofessionally. ACS and facility leaders continue to regularly check-in with staff and to provide additional support, accommodations and respite when they see staff have not arrived to work with the necessary mindset and patience. ACS has also taken steps to introduce the following two new tools.
  - In Fall 2025, ACS will launch EQ2, the staff-facing component of Power Source, the facility's new cognitive behavioral curriculum. The EQ2 component is designed to help staff build social and emotional regulation skills to manage their own responses to the traumatic stress of working in a correctional setting and the challenging behavior of youth in their custody.
  - In addition, ACS has entered a contract for a pilot training of Jumpstart Mastery's verbal de-escalation techniques, which have their genesis in psychiatric emergency response, helping staff to identify their own reactions in the moments when youth become aggressive in order to create space and mental composure for an appropriate response. The pilot training was held in September 2025 and planning for a more complete rollout is reportedly underway.

Together, these two tools will help staff to gain awareness and control of their own emotional reactions. That ACS has sought out and contracted for additional resources in this area demonstrates their continued focus on better equipping staff for the challenging nature of the work.

Each of the Monitor's Reports to date has listed the variety of steps ACS has taken to improve facility safety. Particularly since the arrival of the current Deputy Commissioner and her staff, the steps have become iterative with each new layer both refining previous efforts and adding additional capabilities. Not only have they provided a pathway toward increasing safety but have also supported the facility's efforts to achieve and sustain compliance with the provisions of the Agreement.

### Section III: Compliance Assessment of Provisions of the Fourth Agreement

The Monitoring Team's assessment of compliance is informed by the analysis of a variety of documents, incident reports and video footage; collaborative discussions with ACS leadership who responded to questions and provided important details about their steps toward compliance and facility improvement plans; observations and interviews conducted while on-site in July 2025; and ACS' written assessment of practice in each area. This methodology provides a multi-faceted vantage point from which both progress and any areas in need of continued improvement could be identified. ACS has been both transparent and candid about its journey toward implementing its vision for providing quality care and has demonstrated deliberate good faith efforts to improve its practice (as required by ¶ 1 of the Agreement).

When assessing ACS' level of compliance with the substantive provisions of the Fourth Voluntary Agreement, as required by ¶ 5(c), the Monitoring Team considered and described the broader context for our findings, including any challenges and obstacles presented to implementing the requirements of the Fourth Voluntary Agreement as well as the generally accepted practices for 16- and 17-year-old youth. Further, the Monitoring Team also gave due consideration to ACS' diligent and good faith efforts to implement the requirements of the Fourth Voluntary Agreement within the totality of the circumstances. For each of the substantive provisions enumerated in ¶ 2 of the Fourth Voluntary Agreement, ACS' efforts to implement the required practices are described, generally accepted practices are referenced, and any challenges and obstacles are highlighted. The compliance standard as defined in the Fourth Voluntary Agreement, ¶ 5, is whether "ACS has consistently complied with the relevant requirement and any violations of the relevant requirement are only minor or occasional and not systemic, material or recurring."

**¶12(a). Protection from Unreasonable Risk of Harm.** AO Youth shall be supervised at all times in a manner that protects them from an unreasonable risk of harm. Staff shall intervene in a timely manner to prevent youth-on-youth fights and assaults, and to de-escalate youth-on-youth confrontations, as soon as it is practicable and reasonably safe to do so.

**ACS Policy & Practice.**

- As a Specialized Secure Detention Facility that is authorized to house Adolescent Offenders (AOs), Horizon must abide by OCFS Regulation 9 CRR-NY 180-3.11 “Staffing and Supervision of Youth.”
  - This regulation requires a 1:6 ratio of YDSs to youth and requires a minimum of two staff in each area except when a staff is escorting an individual youth within the building.
  - The regulation also requires a sufficient number of supervisors to adequately supervise direct care staff and to provide relief coverage when needed on the units.
  - The regulation also requires facilities to have a separate unit of staff to respond to emergency situations that require additional de-escalation and crisis intervention. At Horizon, the ACS Police provide reinforcement for the YDSs, as the ACS Police can apply mechanical restraints when necessary and have arrest powers (in addition to other duties such as managing the front gate, live video monitoring, perimeter security, transportation, etc.).
- ACS Policy #2014/10 “Safe Intervention Policy for Secure and Non-Secure Detention” provides guidelines for staff to follow “when they are required to contain the acute physical behavior of youth.” It emphasizes that the primary purpose of emergency interventions is to protect the safety of youth and staff. While staff must utilize the least amount of force necessary, the policy also reinforces that staff have a duty to act to protect youth or staff from harm due to assaultive or violent behavior.
  - ACS utilizes Safe Crisis Management (SCM) to promote safety and to guide physical interventions when needed.
  - SCM’s practice guidelines include more than the use of physical intervention. They also require staff to utilize “primary strategies” to prevent incidents from occurring (*e.g.*, structured daily schedule, behavior management system that teaches necessary skills, etc.); a range of non-verbal and verbal “secondary strategies”; and trained physical intervention techniques.
  - SCM requires both youth and staff to engage in a de-briefing protocol within 24 hours of a physical intervention.
- ACS Policy #2018/09 “Behavior Management in Secure and Specialized Secure Detention” articulates the importance of a pathway toward physical and emotional safety:
  - §V ¶1A “When youth sense that they are at risk of harm, the entire rehabilitative process is undermined.”

- §V ¶C “Staff shall be deployed in a manner that maximizes visibility and maintains a high degree of supervision throughout the facility, maintaining appropriate staff ratios at all times...”
- §V ¶D “Predictability and structure are hallmarks of a safe and therapeutic environment. Staff of multiple disciplines and varying levels of seniority shall work together to develop daily programming and activities that are meaningful to youth and minimize idle time on the living unit.”
- ACS Policy #01/2012 “Reporting of Incidents and Data Management for Group Oriented Analysis Leadership Strategies (GOALS)” outlines procedures necessary for comprehensive, accurate reporting of incidents that occur in ACS facilities. This type of information is essential for creating an accurate record of what occurred, and it is also critical to ensure uniform, valid data on key indicators regarding facility safety.
  - An “incident” is defined as “any event which might adversely affect the health, safety, and/or security of residents, staff, or the communication or with impacts on a facility, the agency, or agency property.”
- ACS maintains quantitative data regarding youth-on-youth assaults, youth-on-staff assaults, physical aggression, threats, physical intervention and mechanical restraints along with narrative summaries of all incidents occurring at Horizon.
- The Deputy Commissioner and facility leadership continue to work to ensure that all direct care staff at Horizon (*i.e.*, YDS, AYDS, TC, OM and ACS Police) collaborate effectively to improve safety and security at the facility.
- ACS received a waiver from OCFS that enabled them to increase the capacity of the facility after submitting a plan that articulates how the health, safety and well-being of the youth will be maintained. The request for the waiver is resubmitted every 60 days.

### Monitoring Team’s Analysis.

Assessing the risk of harm must necessarily examine the totality of the circumstances in the facility. At Horizon, like all juvenile facilities, a risk of harm is present, but ACS has taken many actions throughout the years to address the *unreasonable* risk of harm. Significant reductions in violence and injury provide evidence that the risk of harm has been reduced and sustained over time, even as the number of youth in the facility has increased, as discussed in other sections of this report. The rate of youth violence has remained relatively low for the past 36 months which has reduced the level of chaos, disorder and fear among both staff and youth. Fewer disruptions have also made it more likely that programming, school, and efforts to develop trust and constructive rapport among youth and staff can occur. In making the compliance assessment, the Monitoring Team reflected on the issues discussed the *Facility Safety* section above and the details are not repeated here. As stated in previous Monitor’s Reports, substantial compliance with all provisions of the Agreement is required to demonstrate that the facility’s approach to protecting youth from an unreasonable risk of harm lies within the generally accepted practice in the field. As discussed throughout the remainder of this report, ACS has achieved substantial compliance with the remaining provisions of the Fourth Agreement.

In addition, staffing, the most important aspect of any facility's operation, has slowly improved over time, with July 2025 having the largest number of YDS on the payroll and the largest proportion who are "active" since the Agreement went into effect. Staff at all levels frequently work overtime, but the facility leaders' focus on staff wellness appears to be well received by staff and may be reducing staff turnover. Newly expanded ranks of supervisors (AYDSs, TCs and OMs) are providing shoulder-to-shoulder guidance to the relatively new corps of YDSs, which is helping to increase their skill set and confidence. A more thoughtful approach to on-the-job learning and onboarding by the facility's Senior Director of Practice and Behavioral Supports appears to be reducing the frequency of turnover among new recruits. In short, the facility's staffing situation has gradually become an asset to the facility's safe operation, rather than an obstacle to achieving compliance as was the case in the past.

While improvements have been made, to be certain, there are ongoing challenges to the facility's operation that directly relate to the risk of harm that require ongoing vigilance by ACS. The Monitoring Team has found ACS is taking reasonable, well-informed and sustained approaches to addressing them as outlined below.

- **Quality of youth supervision by YDSs:** Namely some staff's *inaction* or failure to address circumstances on the housing units that led directly to the risk of harm (e.g., unsecured cell doors, obstructed cell door windows, permitting multiple youth to congregate in a cell). This passivity by staff is not uncommon among those newer to the job, as they must develop the skills and confidence to properly exercise their authority. Staff inaction is one of the main practice problems that the facility's new incident review process (discussed in ¶ 2(b) below) has been consistently identifying and addressing with appropriate corrective action.
- **Assaults by Youth with Sharpened Weapons:** ACS has implemented a prevention strategy with several security-related components (e.g., more extensive searches by specially trained staff, the planned introduction of body scanner technology), also described in other sections of this report. Staff's actions when an episode of violence does erupt are reasonable and appropriate, including heroic protective actions when staff put themselves in harm's way by shielding the intended victim with their own body. The facility's recent improvements to the system for applying appropriate, proportional consequences (discussed in ¶ 2(c) below) have strengthened the approach to deterring such behavior by restricting privileges following acts of violence, facilitating mediation, and requiring youth to complete both restorative and skill-building tasks.
- **Aggressive Staff Actions:** Although rare, instances of aggressive staff responses to youth have occurred at Horizon. ACS took corrective action in each case, but vigilance to avoid unnecessary delays in the application of corrective action, beginning with the timeliness of the incident review, is encouraged (discussed in ¶ 2(b) below). Further, even when deference to correctional fatigue is warranted, corrective action must still be sufficient to change staff's behavior,

signal accountability for inappropriate responses, and reduce the risk of subsequent harm to youth. ACS appears to have reliable protocols, practices and oversight tools to prevent, detect and respond to excessive uses of force.

In summary, ACS has demonstrated its ability and commitment to improving staff's skill and willingness to supervise youth in a manner that protects them from an unreasonable risk of harm. Its practices are aligned with generally accepted practice for the safe operation of juvenile facilities, and ACS has clearly demonstrated its ability to both sustain and refine these practices. ACS has achieved substantial compliance with this provision.

**Compliance Rating.** Substantial Compliance

**¶12(b). Incident Report Review and Referral.** ACS shall conduct timely and thorough reviews of incidents involving Physical Restraints to determine whether the intervention was appropriate and whether ACS staff complied with the ACS Physical Restraint Policies.

**ACS Policy & Practice.**

- ACS Policy #01/2012 "Reporting of Incidents and Data Management for Group Oriented Analysis Leadership of Strategies (GOALS)" creates a procedure for comprehensive, accurate reporting of incidents that occur in ACS facilities. GOALS reports are created for every incident occurring in the facility, including physical restraints, mechanical restraints, etc. as noted in ¶ 2(a), above.
- ACS Policy #2014/10 "Safe Intervention Policy for Secure and Non-Secure Detention" requires that:
  - (1) any use of an ESPI on a resident must be immediately reported to a supervisor or Tour Commander, and each staff member involved in or who witnessed the event must submit an Incident Report form.
  - (2) a supervisor must complete the "Supervisory Follow-Up" portion of the Incident Report Form.
  - (3) Executive Directors must review all Incident Report Forms involving an ESPI within 48 hours.
- ACS Policy #2025/(date pending) "Incident Review in Secure and Specialized Secure Detention" was originally revised and submitted to the Office of Children and Families for approval in mid-July 2023. Throughout 2024/2025, ACS and OCFS refined the incident categories and definitions in order to clarify those that must undergo various levels of review. The new policy:
  - Requires staff who were involved in or who witnessed the event to complete an incident report. The Incident Report Form has required fields including basic information such as date, time, location, and youth and staff involved; a general narrative section; and an ESPI-specific portion where staff must identify the type of physical restraint utilized, its duration, and other information specific to the physical or mechanical restraint.

- Identifies responsible parties and provides guidance for the compilation of incident report packages.
- Particularly relevant to this provision of the Agreement, policy §I. ¶ C. requires that “Each incident must be thoroughly reviewed to ensure compliance with reporting requirements, adherence to all applicable policies and procedures, and implementation of any necessary staff disciplinary actions.”
- Establishes layers of supervisory review for all incidents, and heightened scrutiny for “critical” incidents.<sup>14</sup>
  - AYDS
    - As an initial step, an AYDS must assemble the incident report package and verify that the required notifications have been made. For critical incidents, the AYDS must complete a supervisory section that includes any recommended follow-up, including disciplinary actions.
  - Tour Commanders
    - A TC must review all staff incident reports to ensure they are detailed and complete and must complete a Critical Incident Report. This report must include identifying information, details of the incident, and any recommendations and follow-up. Tour Commanders must collaborate with the Behavior Management Team to ensure that youth and staff debriefings are completed.
    - Facility leadership/supervisors (AYDS, TC or OM) are responsible for reporting the incident to MCCU before the end of their tour, providing details of the event, injuries, and follow-up actions taken, among other things.
  - Operations Managers
    - OMs must review video footage in Genetec and the TC’s package, must obtain any additional information or clarification needed, and ensure youth and staff debriefings have occurred in collaboration with the Behavior Management Team.
    - Importantly, OMs must complete a Manager’s Report that documents staff coaching, training, disciplinary actions or recommendations when applicable. This information must be

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<sup>14</sup> The new policy definition added several incident types and removed/combined others (e.g., birth, fractures, group action, head injury, loss of consciousness, lost keys/shields and physical assault with no injury). These incident categories are aligned with generally accepted practice. A “critical incident” is defined as “any occurrence or event in a facility involving staff, volunteers, youth or visitors that has a serious negative impact on the safety, well-being, functioning or security of the facility or staff, volunteers, youth or visitors.” Critical incidents are documented on a Critical Incident Report and are required to be reported to external oversight agencies.

submitted to the Associate Commissioner, Executive Director of Operations or the Executive Director of Administration.

- This information must be entered into the respective electronic system, the Incident Review Tracker (discussed below) within 48 hours for facility leadership’s review.
- Facility and Agency Leadership
  - Facility leadership must review all paperwork and video footage in Genetec, review and approve all staff counseling and disciplinary recommendations or actions taken, review the electronic system to ensure accuracy, and make any additional disciplinary recommendations, including referrals to the Employment Law Unit for discipline of tenured staff when appropriate.
  - If any corrective action is recommended, the Executive Director of Operations or the Associate Commissioner must approve and then document any facility-based corrective actions and must prepare the necessary Employment Law Unit (“ELU”) referrals for formal discipline. All ELU referrals must be approved by the Deputy Commissioner. The Deputy Commissioner must also review incidents involving child abuse allegations, other egregious acts or injuries and must approve any arrests (of youth or staff) related to an incident.
- The policy provides information on the specific types of corrective actions and discipline that may be imposed, including staff coaching and debriefing, staff training, verbal reprimands, documented discussions and conferences, and ELU referrals for tenured staff/administrative disciplinary actions for probationary staff.
  - The Executive Director of Administration must maintain staff records including proof of training, conference memos, etc.
  - The Executive Director of Administration must maintain a facility-level discipline tracking sheet.
  - The Associate Commissioner must maintain records and track all ELU referrals.

### **Monitoring Team’s Analysis.**

Since the Agreement went into effect in 2021, ACS has demonstrated that it has an adequate mechanism for reporting incidents internally, including all physical restraints, via staff incident reports and the GOALS/FITS<sup>15</sup> summaries of those incidents. Since 2021, ACS has worked through several iterations of an Incident Review policy to meet the requirements of this provision. The draft policy submitted to OCFS for approval does so and conforms to the

<sup>15</sup> In April 2025, ACS transitioned from its legacy Goal Oriented Analysis Leadership Strategies (GOALS) system to a new electronic platform the Facility Incident Tracking System (FITS).

generally accepted practice for meaningfully evaluating whether staff's intervention was appropriate and consistent with policy. Even prior to the policy's formal approval, the facility implemented the key steps required for a robust incident review process to assess staff's use of physical intervention. Documentation of these reviews indicate that they typically go beyond an assessment of the physical intervention itself and identify staff practices pertaining to youth supervision and basic security protocols that contributed to the event. ACS's work in this area has created an *internal* ability to recognize and address staff's policy violations and potential mistreatment of youth, thereby making *external* oversight by the Monitoring Team unnecessary. As described below, the facility's practices have demonstrated substantial compliance with this provision.

ACS' newly revised policy requires a multi-step process for reviewing incidents, beginning with the AYDS/TC who compile the incident report packages, make required notifications, ensure youth receive medical care, and offer initial recommendations regarding corrective action, based on the information available (which notably does not include video review).

Most pertinent to the requirements of this provision is the OMs/facility leadership's critique of the incident via video review and consultation with the staff involved. As discussed in the previous Monitor's Report, ACS has long reported that these reviews occurred reliably but, until the current monitoring period, they were not documented in a systematic fashion. In the past, information provided to the Monitoring Team regarding corrective actions/discipline for staff suggested that reviews were occurring regularly, but the specific findings by the reviewer were not documented. The Monitoring Team encouraged ACS to create a system that could provide evidence that the reviews occurred timely and the substance of those reviews. As noted in the previous Monitor's Report, ACS' electronic incident review system was implemented in July 2024,<sup>16</sup> which for the first time, permitted the Monitoring Team to assess whether timely and thorough reviews of incidents involving physical restraints occurred and whether they reliably identified whether staff utilize physical intervention in accordance with ACS policy.

The Monitoring Team's assessment of HOJC's incident reviews clearly demonstrates that ACS has an internal ability to detect staff's poor practice when using physical intervention. In particular, the Monitoring Team reviewed 70 incidents that occurred during the 12-month monitoring period.<sup>17</sup> In nearly all cases, the Monitoring Team found that ACS's assessments of the incidents to be reasonable and to accurately identify problematic practices when present. In the majority of cases, Horizon reviewers found that staff's physical

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<sup>16</sup> OMs and facility leaders access a digital form either on a computer or smartphone and enter a range of information including the staff and youth involved, whether and what type of restraints were used, whether staff and youth debriefing occurred, and any staff behaviors requiring corrective action. The information is recorded in a digital spreadsheet accessible to various incident review stakeholders.

<sup>17</sup> Incident packages and video were requested for a total of 74 incidents, but missing angles of the video footage for four incidents prevented a complete analysis. As a result, these four incidents were excluded from comparisons to ACS' incident reviews, for a total sample size of 70 incidents.

intervention was appropriate/properly executed, which aligned with the Monitoring Team’s assessment of the same incidents. In a smaller group of cases, Horizon reviewers identified an issue with staff’s physical intervention, which was consistent with the objective evidence available. ACS identified problems with a range of severities, including minor technique problems, the use of unsafe holds, hyper-confrontational behavior, and the excessive uses of force, with the most egregious problems observed in a relatively small proportion of incidents. It must be emphasized that the identification of a problem with staff practice does *not* mean that each of these incidents included the unnecessary or excessive use of force—instead, ACS reviewers identified a host of relatively minor issues, which is essential for cultivating overall skill mastery among staff. In a very small number of cases, ACS did not appear to identify a poor practice that was visible in the objective evidence (e.g., unsafe techniques, horseplaying that escalated to an altercation, aggressive reactions to provocations, or excessive use of force). The Monitoring Team provided feedback to ACS about each of these cases to ACS to ensure that any issues not previously identified could be addressed with staff.

The Monitoring Team’s review also involved an assessment of the timeliness of the incident reviews by reviewing entries in Horizon’s Incident Review Tracker from February to June, 2025 by comparing the date the incident report was entered into FITS to the date the review was entered in the system by the reviewer. About two-thirds of incidents (64%) that occurred during this period were reviewed within 7 days. When interviewed, multiple ACS/Horizon staff reported a consistent practice of close-in-time incident review but conceded that some of the reviews may not be documented in the Incident Review Tracker contemporaneously, so the data may not reflect that the reviews occurred close-in -time.

In May/June 2025, ACS shifted the assigned responsibility for incident reviews. Rather than relying solely on facility leadership, for a variety of very sound reasons, ACS shifted primary responsibility for the reviews to the OMs assigned to each housing unit/Hall. OMs are expected to review all significant incidents and those involving the use of physical restraint that occur on their tour. Facility leadership continues to conduct secondary reviews as needed. Throughout the first half of 2025, ACS conducted training in executing the review itself and navigating the technology to enter the review into the digital platform, made enhancements to the user interface, and developed several tools to facilitate timely reviews. For example, the incident reporting system generates an updated list of the incidents requiring review each business day, making it easier for the OMs to identify which incidents occurred during the days/times that they worked. The system tracks the date the incident review is submitted by the reviewer and clearly indicates which incidents still “Need Review.” Finally, a link for users to send an email to IT to receive support in using the system was recently added to the platform. The Monitoring Team shared some feedback with ACS on some additional features it may wish to include in future updates to the system.

Horizon’s leadership and managers have demonstrated considerable skill in detecting poor practice while reviewing video footage. Significant congruence with the Monitoring Team’s assessment of each incident clearly demonstrates that ACS has an internal ability to utilize incident review to protect youth from an unreasonable risk of harm.

○ *Response to Identified Misconduct*

Although not required for substantial compliance with this provision, the Monitoring Team reviewed ACS' response to identified misconduct and found it to be an important commentary on ACS commitment to developing the skills of its workforce and equipping staff with the skills needed for the difficult job they are asked to do. Coaching, mentoring, and training are important tools for enhancing staff skill in response to less serious policy violations. This type of response may enhance staff morale and may also help to stem the tide of staff turnover. ACS and facility leaders have emphasized cultivating skill development in response to less serious departures from policy, rather than imposing punitive disciplinary measures. ACS reports that it wants to maximize the use of facility-based corrective actions to support improved staff practice and does not simply want to default to immediately terminating staff (particularly probationary staff) if it appears that staff are in a position to improve their practice going forward. ACS attributes some of the perceived improvement in staff morale to the administrators' philosophy.

Most of the facility's incident reviews conducted during the current monitoring period led to a corrective action recommendation, such as coaching, conferences, documented discussions, retraining, roll call reminders and reissuing policy. That guidance and corrective action is offered in such a large number of incidents suggests vigilance in assessing staff practice. When serious policy violations were identified, ACS often imposed discipline that appeared to be proportional and appropriate (e.g., suspensions, terminations). At times, ACS also recognized pressures that were bringing otherwise skilled staff to the point of making poor choices (e.g., overreliance on certain staff to restore order when unit staff had let a situation get out of control) and took steps to protect those staff from this type of pressure. The Monitoring Team consulted with ACS several times about incidents that involved serious misconduct to determine whether ACS had also detected the poor practice and if so, what considerations were involved when determining the corrective action or discipline. In each case, ACS and facility leaders articulated a thoughtful, individualized strategy that appropriately balanced the need to protect youth from harm at the hands of staff with its focus on skill development and mentoring to maximize the potential of its workforce.

○ *Conclusion*

Incident reviews provide an opportunity to detect systemic operational vulnerabilities that need to be addressed and procedures that need to be fortified. Both the process and the skillset for incident review are essential components of a system that possesses an internal capacity to protect youth from an unreasonable risk of harm at the hands of staff.

The skillset of ACS' reviewers produces substantive and valid assessments of the extent to which staff's actions conform to policy requirements, including both minor and significant departures from sound practice. With the development and implementation of the incident review digital platform, ACS now has a robust process for documenting the substance of its reviews of incidents that involve physical intervention, as required by this provision. This system collects the required information in an easy-to-use format, but it also serves an important quality assurance function to ensure that all incidents involving physical

intervention are reviewed timely, as required by this provision of the Agreement. Continued vigilance regarding the timeliness of review is strongly recommended to ensure, most importantly, that corrective action can be imposed close-in-time to the incident, when it has the most impact on staff skill mastery. Overall, the substance of the reviews indicates that reviewers have the necessary skills for the task and the ability and willingness to identify poor practice among their subordinates. ACS has achieved substantial compliance with this provision.

**Compliance Rating.** Substantial Compliance

**¶12(c). Behavior Management.** ACS shall maintain systems, policies and procedures for AO Youth that: (i) reward and incentivize positive conduct and (ii) sanction negative conduct. The application of these procedures shall be individualized, consistent with any treatment needs for AO Youth and shall not compromise the safety of other AO Youth or ACS staff.

**ACS Policy & Practice.**

- ACS Policy #2018/09 “Behavior Management in Secure and Specialized Detention” remains in effect. It guides the delivery of a multi-tiered behavior management system that cultivates a “therapeutic institutional culture.” The policy states that staff interactions with youth should teach youth self-regulation and problem-solving skills and emphasizes that youth with aggressive behaviors are the ones most in need of positive relationships with staff rather than punitive approaches to behavior management. These are important philosophical underpinnings to the facility’s approach to behavior management. The policy specifically requires:
  - Safety Plans for individual youth.
  - A Level System with incentives and consequences, that is consistent with each youth’s Safety Plan (which is consistent with the requirements of this provision).
  - Therapeutic groups, individual interventions and opportunities for youth empowerment and self-advocacy.
- In 2020, the National Partnership for Juvenile Services (NPJS) helped ACS to strengthen its behavior management system’s design (called “STRIVE”), particularly regarding youth skill development, the reliability of incentives for desirable, prosocial behavior and ensuring meaningful consequences for negative behavior. ACS reports it has convened a multi-disciplinary group to update the STRIVE manual to make it more age-appropriate and to align its contents with current practice.
- ACS developed an excellent manual to guide staff in implementing Restorative Justice activities that include restorative circles, an array of group-based activities, and individual worksheets. Important improvements to the process and substance of Restorative Status have been made, discussed in more detail below.
- Previously, ACS relied on NPJS consultants to facilitate in-service staff training sessions and to train instructors at the Academy for new recruits. During the current monitoring period, ACS assumed these training responsibilities and shifted the consultants’ focus

to facilitating the development and implementation of the “Hall-based model” that relies on consistently assigned staff from all disciplines to support and manage youth behavior, with STRIVE as its overarching framework.

- Staff training includes the mechanics of the program (strategies to increase appropriate behaviors such as praise, point cards and privilege levels; strategies to decrease inappropriate behaviors using a continuum of interventions that are calibrated to the severity of misconduct) and Restorative Justice activities. Scenario-based activities are included to facilitate the application of the various concepts.
- Nearly all Horizon leaders, managers, supervisors and staff have been trained in STRIVE (95+ %). Training is delivered to newly hired YDS as part of Academy training, and full training is delivered regularly to newly hired managers and staff returning from leave. At Roll Call before each shift, key concepts are reviewed (*e.g.*, behavior expectations, point cards, circle-ups, tier infractions, restorative status). Individual and small group coaching is also provided by Practice Improvement Coordinators.
- In November 2024, ACS hired an Assistant Commissioner of Behavioral Management who currently supports both facilities. At Horizon, his work has focused on strengthening the implementation of STRIVE and refining the facility’s response to youth who frequently engage in negative behavior. The onboarding process is underway for an additional Assistance Commissioner of Behavioral Management who will be assigned to support Horizon full-time. As is typical in most juvenile facilities, a small group of youth are responsible for a disproportionate number of incidents. The AC now convenes a multidisciplinary group to develop individualized supports for each youth in this subset. The plans include measurable goals for determining progress and are intended to help these youth experience success and access the many incentives associated with increasing privilege levels on STRIVE.
- Horizon’s Senior Director of Practice and Behavioral Supports leads the incident review process as related to STRIVE, models and co-facilitates circle ups with staff and youth to debrief tensions on the housing units, works closely with the Academy for new recruit training, and leads On the Job Learning with new staff, among other things. The Senior Director also supervises the team of Practice Improvement Coordinators.
- The Practice Improvement Coordinators review and compute daily point cards for their assigned units, coach staff to implement the program with fidelity, determine the sanctions imposed for youth’s behavioral infractions and create and implement plans for each youth’s Restorative Status (with input from the Senior Director) that address the nature of the misconduct with relevant and meaningful tasks. The Practice Improvement Coordinators also engage the YDS on their assigned halls to refine their skills in utilizing STRIVE and general behavior management principles.
- The Senior Director of Practice and Behavioral Supports and the Practice Improvement Coordinators attend the weekly hall-based meetings, updating team members on each youth’s STRIVE level, any individual or group behavioral challenges, and the youth’s overall progress. When individual youth are struggling, the assigned Practice Improvement Coordinator solicits strategies to assist the youth in positive engagement.

- The Practice Improvement Coordinators, in collaboration with the facility’s Programs team, continually refresh the array of incentives and rewards available through STRIVE to increase their power in shaping youth behavior. Youth are particularly enthused about changes to the goods available through Commissary and have expressed a desire for additional group incentives (rather than individual incentives). The facility encourages staff to offer their own ideas for rewarding the positive behavior of youth on their units and urges them to consider interactive activities rather than the simple delivery of a food item. New incentives include activities that involve the entire Hall, such as youth preparing breakfast or treats as a group in the Elite Lounge and attending movie nights with the Practice Improvement Coordinators to watch and discuss films of interest.
- In summer 2025, ACS implemented the “Power Source” group intervention, which is an evidence-based social and emotional learning curriculum that teaches youth mindfulness skills, focuses on processing trauma, and helps youth to recognize their own resilience. During the current monitoring period, ACS trained over 70 staff of various job titles to facilitate the groups. The Associate Commissioner for Behavioral Management oversees the training and facilitation of the Power Source groups. By August 2025, all 10 halls will offer weekly Power Source groups.
- During the current monitoring period, the facility made significant enhancements to the consequences implemented in response to negative behaviors, via STRIVE’s Restorative Status. Relying on interactive tasks, the Senior Director of Practice and Behavioral Supports and Practice Improvement Coordinators work with youth who have engaged in misconduct to acknowledge the harm they have caused, take responsibility and engage in meaningful repair. The response to misconduct also includes skill-building activities to help youth develop tools for better self-regulation. The typical process for a youth on Restorative Status includes:
  - A youth debriefing where a Practice Improvement Coordinator guides the youth through a reflective conversation to explore triggers, their level of involvement and the broader impact of their behavior on others.
  - A targeted plan, developed collaboratively among the Senior Director for Practice and Behavioral Supports, a Practice Improvement Coordinator and, more recently, an OM. Plans are tailored to the youth’s individual circumstances and the specific misbehavior. During the period the Restorative Status plan is in place, youth’s point-earning status is temporarily paused, and they are restricted from various incentives and activities. The plan also includes steps for accountability, learning and restoration such as mediation, written apologies, reflection assignments, and participation in restorative circles. Consequences for Tier 3/3A misconduct (i.e., serious, violent incidents) tend to be longer and more involved than those for Tier 2 (less serious misconduct).
  - A new Daily Behavior Tracker for youth on Restorative Status identifies the skill the youth is working to develop and the youth’s goal for that day. Staff on each of three shifts then rate the youth according to their progress (e.g., appropriate interactions, following expectations, engagement, using identified coping

strategies, etc.) and any inappropriate behaviors (e.g., arguing and aggressive communication, holding/moving contraband, delaying group movement, bullying, property destruction, physical aggression, etc.). Importantly, the Daily Behavior Tracker also requires staff to identify the interventions they implemented to support the youth during their shift (e.g., 1x1 check in, group checking, goal setting, referral to mental health, facilitate program, refer for BMP, etc.). This tracking provides objective measures about whether a youth is increasing his positive behaviors and decreasing negative behaviors and engages YDS more directly in the restorative process.

- The behavior management team now utilizes a digital tracking system (i.e., the Restorative Tracker) to capture and display which youth are on restorative status, what their restorative status entails, and when the youth will be eligible to return to point-earning status.
- The Assistant Commissioner for Behavioral Management developed a format and process for Behavior Modification Plans for youth with persistent negative behaviors and multiple stays on Restorative Status and those whose mental health issues interfere with their ability to maintain the self-control necessary to achieve the higher incentive tiers. These plans describe behaviors of concern, identify triggers, set goals and identify the interventions that each discipline (e.g., mental health, programs, unit leadership, case management, Practice Improvement Coordinators, etc.) will implement to support the youth.
- In January 2025, the “Hall-based model” was introduced on a small number of housing units to facilitate a shared, collective responsibility for facility safety and sense of community on each housing unit. The key features of the model include an assigned leadership team (OM, TC and Supervisors) and YDS who are consistently assigned to the hall. Each hall-based housing unit also has a dedicated mental health clinician, Case Management, Program Counselor, Education Associate, and Practice Improvement Coordinator. Collectively, these hall-based teams provide individualized support to the youth on their unit, using STRIVE as a framework and also attends to their service needs, family support, program and education engagement. NPJS consultants, in partnership with ACS and facility leadership, train the teams in their specific responsibilities to reinforce expectations and shape youth’s behavior. At the end of the monitoring period, five of the 10 housing units had implemented the model, with the others eagerly awaiting their transition to the model. Early results suggest important improvements in safety, decreases in negative behavior among youth and important improvements to staff’s interdependence and morale.

### **Monitoring Team’s Analysis.**

A robust behavior management program is an essential element of a safe facility. Such a program should teach skills that promote prosocial behavior (e.g., skills for resolving interpersonal conflict, managing anger and resisting impulsive actions) and should incentivize

and reinforce positive behavior with an array of meaningful rewards. A behavior management program should also provide for appropriate, proportional, skill-based responses to negative behaviors that hold youth accountable in an effort to reduce the likelihood of subsequent misconduct. In addition to having a sufficient number of well-trained staff and an engaging array of programming, a well-designed and consistently implemented behavior management program is a cornerstone of a safe facility.

Previous Monitor's Reports described the facility's success in implementing the foundational components of STRIVE. These include:

- Setting clear **behavioral expectations** for each component of the youth's day. Notably, the Hall-based model asks staff to refresh these expectations to ensure buy-in and consistency with the way in which points are awarded, and to ensure youth are continually reminded of the expectations prior to key activities.
- **Tiered incentive levels** (e.g., Bronze, Silver, Gold and Independent) that provide an array of rewards and incentives in response to sustained positive behavior. These include phone calls, commissary, special activities and events, among others.

Previous Monitor's Reports also identified core components that needed to be strengthened to bring integrity to STRIVE implementation. During the current monitoring period, ACS made substantial progress in each area, and the model is now fully implemented. Improvements made during the monitoring period are discussed below.

- **Overarching skill development.** As noted above, ACS recently implemented a group intervention, Power Source, which is a cognitive-behavioral based intervention and is rated as a Promising Program on the NIJ Crime Solutions website.<sup>18</sup> The intervention is designed to assist youth in modulating their physiological responses to stressful and risky situations and to encourage prosocial responses—in other words, it is focused on emotional regulation and resilience. Exposing youth to a skill-based curriculum is an essential part of a behavior management program, as it allows staff to cue youth to utilize these skills to refrain from violence and to reward/reinforce their use. By August 2025, all 10 Halls were implementing this program and, when interviewed, both staff and youth were enthusiastic about the new curriculum.
- **STRIVE Point Cards.** Point cards are the foundation of STRIVE in that when staff accurately rate youth's behavior throughout the day, they provide an indicator of whether youth are meeting behavior expectations. The accumulation of points is the pathway for youth to promote to higher incentive tiers. In previous monitoring periods, the Monitoring Team found that cards were not completed consistently, revealed inconsistent standards across staff, and suffered from apparently rote and uniform entries by staff that did little to individualize the understanding of youth's behavioral strengths and weaknesses. During the current monitoring period, the Monitoring Team assessed point cards from January 2025 and found them to be largely complete, with only about 15% of the hundreds of cards reviewed having

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<sup>18</sup> See <https://crimesolutions.ojp.gov/ratedprograms/641>.

blanks or other obvious errors. When interviewed, staff indicated that youth's point totals more closely reflected their behavior, and they found them to be a valid estimate of the extent to which youth are meeting expectations. While the observed patterns suggest consistent application of this component of STRIVE, the facility is encouraged to ensure that staff record all misconduct on the cards (both Tier 2 and Tier 3 misconduct) so that the point cards provide a more complete record of the youth's behavior in a central location. This information does reside elsewhere, but ensuring complete entries on the point cards will make it easier for staff coming on duty and the Practice Improvement Coordinators to obtain a holistic view of youth's behavior by reviewing the point cards, without having to rely on secondary sources of information.

- **Response to Negative Behaviors.** STRIVE's design includes a component for addressing youth's negative behaviors with a combination of individualized sanctions that are proportional to the severity of youth's misconduct. These sanctions begin with verbal corrections to minor misbehavior and awarding fewer points to encourage compliance with verbal directives or expected conduct in activities, and extend to more significant measures like reducing the youth's incentive tier (thus restricting access to privileges), suspending youth's ability to earn points for a specified period, and assigning skill-based and restorative tasks to address more serious misconduct. In previous monitoring periods, the Monitoring Team found that consequences were not consistently applied and often did not align with the type and severity of the youth's behavior. For example, youth received similar consequence packets and were only excluded from earning points for a few days, even when they engaged in very serious misconduct. Additionally, the documentation related to these consequences was inconsistent, making it difficult to identify both the sanctions imposed and their durations.

During the current monitoring period, the implementation of sanctions via STRIVE became more consistent, relevant, proportional and better documented. Each of the staff of various job titles who were interviewed by the Monitoring Team reported confidence that the youth's misconduct was taken seriously, that youth's levels were an accurate representation of their behavior and that the process for imposing consequences was more thorough and certain than it had been in the past. These improvements were achieved via coaching from the Assistant Commissioner of Behavioral Management, the Senior Director of Practice and Behavioral Supports, and the Practice Improvement Coordinators who collaborated with the OMs assigned to the Halls to identify and administer appropriate sanctions. Importantly, by increasing ownership of behavior management across the many people involved with youth on each Hall, the system for consequences no longer relies on the efforts of a single individual and instead is a shared responsibility that is far more durable. These efforts appear to have brought consistency, fairness, proportionality and transparency to the facility's response to youth misconduct.

In terms of documentation, a version of a Restorative Status Tracker used in the beginning of the monitoring period revealed some improvement in documenting

the types of consequences imposed (e.g., skill-building, restorative, mediation, etc.) but it did not capture all of the youth who committed assaultive misconduct. In early 2025, the tracker was refined and expanded via the development of a digital tracking system that identifies which youth are on Restorative Status, what their restorative process requires, which staff are involved, and when the youth is eligible to resume earning points. A list of youth on Restorative Status is updated and distributed by email each day. Tools like this serve an important function for ensuring that consequences are consistently applied, identifying youth who struggle to succeed and identifying the interventions that have been tried in the past.

The Monitoring Team compared a report from the new digital platform containing incidents from May/June 2025 to the FITS reports for that time period and found that youth's assaultive behaviors warranting a consequence were consistently entered into the Restorative Tracker. Improvement to documentation is needed to ensure that the substance and duration of the consequences are also entered consistently. Given the new quality assurance tools available for tracking this element of STRIVE, the Monitoring Team encourages continued vigilance, especially as the responsibility for administering consequences moves more deeply into the Hall-based teams, described above.

- **Tools for Youth Who Need Additional Support.** As described in the "ACS Policy & Practice" section above, the newly added tools of Daily Behavioral Trackers and Behavioral Modification Plans round out Horizon's tools for supporting youth to develop the skills they need to manage conflict and stress without violence. The Daily Tracking Form provides objective measures about whether a youth is increasing his positive behaviors and decreasing negative behaviors and, for the first time, engages staff more directly in the restorative process. The Monitoring Team reviewed two Behavioral Modification Plans recently implemented for youth at Horizon and found them to have a useful and appropriate level of specificity, objective measures for assessing youth progress, and tangible actions to be taken by each discipline. Notes from follow-up meetings summarized youth's progress/continued struggles and reminded staff from each discipline of the things they had committed to do in support of the youth. Both of these tools are examples of best practice approaches for youth who frequently engage in serious misconduct.
- **Multi-Disciplinary Collaboration.** While various strategies for multi-disciplinary collaboration have existed at Horizon for several years, ACS' implementation of the Hall-based model fortified the framework for these discussions, using STRIVE as their foundation.

In summary, during the current monitoring period, the facility addressed the various "loose ends" that have undercut STRIVE's effectiveness over the years. Point card accuracy and completion have improved, the Restorative Process has better proportionality, relevance and integrity, and multi-disciplinary teams have been effectively deployed to support youth who are struggling to succeed in STRIVE. Importantly, with the addition of the overarching skills-based group, Power Source, the program will evolve in important ways, from one based on the observation of behavior to one grounded in teaching the youth the skills they need to

navigate the difficult circumstances they confront. The AC of Behavior Management has further expanded the facility's resources for youth who struggle to succeed at Horizon by creating Behavior Modification Plans and other supports that individualized goals, measurements and rewards for these youth. In short, the facility's implementation of STRIVE now addresses each of the core components of a robust behavior management strategy in a sustainable, thoughtful manner, and is in substantial compliance with the requirements of this provision.

**Compliance Rating.** Substantial Compliance

## Conclusion

The various reforms implemented by ACS have decreased violence and improved safety and have showcased ACS' and facility leadership's commitment to design and sustain a durable vision for the facility's operation that addresses youth's individual needs and supports the staff who work at Horizon. Sustaining its vision will require ACS to closely monitor the facility's operation to identify new obstacles to reform and areas in which the intended results are not yet being achieved. New protocols were implemented to monitor youth's behavior and staff practice such that dynamics undercutting the goal of safety can now be quickly identified and strategies can be refined. Fundamentally, the Monitoring Team's goal is to become unnecessary, and ACS has demonstrated its internal capacity to identify and address its problems and challenges without the need for external oversight.

In the short term, one of these challenges is likely to be the facility's population/overcrowding. As discussed in Section II of this report, the facility has taken several steps to mitigate the impact of crowding on the youth at Horizon, ACS has met with various stakeholders to devise strategies to speed case processing, and the City has allocated significant resources to expand the physical plant/bed capacity of the building. That said, many of the underlying causes of the high population are outside ACS' control and will demand the attention of various City stakeholders.

Now that ACS has achieved Substantial Compliance with the three final provisions in the Fourth Voluntary Agreement, it appears that the Monitoring Team's work with ACS is complete. Given these findings, the Monitoring Team recommends that the Parties to the *Nunez* Court Orders immediately convene and proceed pursuant to the terms of Paragraph 3 of the Court's January 23, 2025 Order (dkt. 810) which requires the *Nunez* Plaintiff Class, the United States, and the City to file with the Court a stipulation and proposed Order within 30 days of the issuance of this report stating that the *Nunez* Consent Judgment shall not apply to Adolescent Offenders going forward.