



The City of New York  
Department of Investigation

MARK G. PETERS  
COMMISSIONER

80 MAIDEN LANE  
NEW YORK, NY 10038  
212-825-5900

Release #05-2017  
[nyc.gov/html/doi](http://nyc.gov/html/doi)

**FOR IMMEDIATE RELEASE**  
**THURSDAY, JANUARY 26, 2017**

**CONTACT: DIANE STRUZZI**  
**NICOLE TURSO**

**SUMMARY OF DOI'S INVESTIGATION OF THE CITY ADMINISTRATION FOR CHILDREN'S SERVICES' RESPONSE TO ABUSE AND NEGLECT ALLEGATIONS RELATED TO JADEN JORDAN**

Today, Mark G. Peters, Commissioner of the New York City Department of Investigation ("DOI"), sent to the City Administration for Children's Services ("ACS") DOI's Report on its preliminary investigation into ACS's response to allegations of child abuse and neglect related to three-year old Jaden Jordan, who allegedly was beaten to death late last year. The Report is based upon the review of hundreds of documents as well as interviews and computer forensics that allowed DOI to determine what ACS staff knew, when they knew it, and what real-time actions they took in response. The Report also contains a series of recommendations to ACS, many of which ACS has now agreed to implement.

DOI's Report involves information derived from ACS investigative files. Pursuant to Social Services Law ("SSL") 422-a, DOI may not release an unredacted report containing information from those files at this time. However, given the importance of ongoing child safety concerns, government accountability, and public transparency in this matter, we are releasing the attached brief summary of our Report and recommendations we have issued to ACS. The summary of DOI's Report and recommendations do not contain confidential information that violates SSL 422 and therefore omit a number of other ACS policy and practice violations that DOI has reported to ACS.

**Summary of DOI's Preliminary Investigation into ACS's Response to  
Child Abuse and Neglect Allegations Involving Jaden Jordan**

DOI's preliminary investigation is based upon the review of hundreds of documents as well as interviews and computer forensics that allowed DOI to determine what ACS staff knew, when they knew it, and what real-time actions they took in response.

DOI's investigation found that the depth of errors over a two-day period was so significant, and the errors involved the overall implementation of policies so basic, that they go to the heart of ACS's core mission of protecting children and implicate high-level, systemic problems.

The investigation found that despite ACS having the mandate, resources and information to urgently find Jaden, ACS did not find Jaden before he was allegedly beaten into a coma on Monday, November 28, 2016. Specifically, DOI determined that while ACS publicly stated that it only obtained the correct address for Jaden on Monday, November 28th, ACS workers in fact had access to databases that would have provided the correct address for Jaden as early as Saturday, November 26th, when they first received the allegations of abuse and neglect.

During this investigation, DOI expressed to ACS concerns about how particular staff performed their duties. ACS indicated to DOI it had conducted its own close review that revealed none of the staff had improperly handled the case. However, ACS recently advised DOI that it is taking various actions against six staff members, including corrective action plans, retraining and, for some, disciplinary charges up to an including suspension.

ACS's position throughout this investigation has been that any breaches of policy and reasonable case practice are outliers. However, DOI's investigation has confirmed that the vulnerabilities that caused these problems are systemic and require a comprehensive remedy.

Specifically, DOI's investigation exposed systemic issues within ACS's Emergency Children's Services ("ECS") unit, the unit that handles cases during nights, weekends and holidays. DOI found there was inadequate staffing, case practice, supervision, and training within the unit. In addition, DOI determined that the ECS unit is governed by policies that are inconsistent, confusing and contradictory. In particular, DOI found:

- ECS managers were inconsistent on reviewing newly disseminated policies with their employees.
- ECS staff could not recall the last time they received training.
- ECS supervisors reported they do not have time to review the work of Child Protective Specialists ("CPS") to see if essential case work is thoroughly completed.
- Due to high caseloads, CPSs within ECS reported that before going out in the field they cannot wait for various database searches to be completed, such as criminal background and domestic incident checks.

DOI found that if the allegations involving Jaden had come into ACS during normal business hours, they would have gone through ACS's Applications Unit where Child Welfare Specialists ("CWS") are specifically trained in performing critical searches of numerous databases that contain information such as ACS history and Public Assistance data. DOI learned that during nights, weekends, and holidays, those checks are conducted at ECS by CPSs who are not adequately trained in how to perform those database

checks. In addition, ACS acknowledged to DOI that while ECS is understaffed during nights, weekends and holidays, those hours receive an extremely high volume of investigations, 70% of which are high priority. DOI found that poorly trained staff and inadequate staffing in a unit that receives a high proportion of critical cases is a systemic problem. ACS has now agreed to form a new ECS Applications Unit that will be specially trained and responsible for conducting all database searches on all individuals named in Statewide Central Register (“SCR”) reports. ACS has also agreed to conduct a work load analysis at ECS to determine appropriate caseload size and determine staffing needs.

As a result of this investigation, DOI has issued a series of recommendations to ACS, including that ACS should report all allegations of ongoing criminal conduct to the NYPD *immediately* upon receiving them.

While ACS agrees with the vast majority of facts cited in this Report, ACS management has disputed many of DOI’s conclusions. Nonetheless, ACS and DOI’s discussions on recommendations were productive, and agreements were reached on many. DOI looks forward to ACS’s implementation of the recommendations where agreement was reached, and further conversation with ACS in instances where it was not. DOI will institute regular meetings with ACS to address progress until implementation is achieved.

## Summary of Policy and Procedure Recommendations

### **Coordination with NYPD**

1. ACS should work with OCFS to create a protocol for concurrent referrals to ACS and NYPD in every case where there are allegations of criminal activity. Unless and until agreement is reached, ACS should refer all such cases to NYPD.

### **Adequate Staffing**

2. ACS should conduct a comprehensive assessment of all shifts of ECS workloads and work flow, and utilize this information to staff ECS accordingly.

3. ACS should form and appropriately staff a new ECS Applications Unit that will be responsible for conducting all database searches on all individuals named in Statewide Central Register (SCR) Reports. This Unit should be staffed by personnel who are specially trained in conducting these searches and supervised by those with experience in these processes. Staffing of this unit should be sufficient to enable database searches to be conducted before, or in conjunction with, ECS field visits.

### **ACS Audits and Case Practice Reviews**

4. ACS should conduct a comprehensive assessment of case work practice by Child Protective Specialists (CPSs) and Supervisor IIs in ECS and in CPS borough offices to measure compliance with performing database searches of all individuals named in the SCR Report, among other things.

### **Case Practice Policies**

5. ACS should issue a policy memo to assure that all CPS investigations are treated in accordance with ACS policy requirements, regardless of source. Cases with anonymous sources are not to be treated differently.

6. ACS should revise its child protective investigation policy, which requires particular database searches of historical, identifying and location information, to make clear that every individual listed in an SCR report is searched using name variations and combinations. ACS should establish and implement a proactive auditing methodology to determine adherence to the revised policy.

### **Accountability and Transparency**

7. To the extent not covered in the SSL definition of "Case Record," ACS should adopt a policy to include in its definition of "Case Record," texts, emails, notes, recordings such as on voice mails (land line and cell phones), phone call message sheets, flag sheets, forms, transfer memos, etc., which should all be defined as part of the file, subject to all preservation requirements.

8. The ACS Commissioner should publicly release this report upon conclusion of ACS's fatality investigation, in the interest of child safety, transparency and accountability.

## **CONNECTIONS Use Policy**

9. ACS should issue a new policy that all staff who conduct database searches immediately document in CONNECTIONS who was searched and results, even when none.

*DOI is one of the oldest law-enforcement agencies in the country and New York City's corruption watchdog. Investigations may involve any agency, officer, elected official or employee of the City, as well as those who do business with or receive benefits from the City. DOI's strategy attacks corruption comprehensively through systemic investigations that lead to high-impact arrests, preventive internal controls and operational reforms that improve the way the City runs.*

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