

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON OVERSIGHT
AND INVESTIGATIONS

Jointly with

COMMITTEE ON CRIMINAL JUSTICE

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March 5, 2026
Start: 10:18 a.m.
Recess: 1:51 p.m.

HELD AT: Council Chambers - City Hall

B E F O R E: Shekar Krishnan
Chairperson

Selvena N. Brooks-Powers
Chairperson

COUNCIL MEMBERS: David M. Carr
Linda Lee
Kevin C. Riley
Sandra Ung
Nantasha M. Williams
Susan Zhuang
Gale A. Brewer
Tiffany Cabán
Oswald J. Feliz
Frank Morano
Mercedes Narcisse
Yusef Salaam

A P P E A R A N C E S (CONTINUED)

Rosa Cohen-Cruz
Bronx Defenders

Sarah Vendzules
Legal Aid Society

Sophie Dalsimer
Brooklyn Defender Services

Christopher Ryan
Department of Investigations Acting Commissioner

James Conroy
Department of Correction Deputy Commissioner of
Legal Matters

Jason Taper
Surveillance Technology Oversight Project

Tania Mattos
Unlocal

Benjamin Remy [sp?]
NYLAG

Michael Loeb

Christina Garrity
Pro Se Plus Project

Lucky Ho
Asian American Federation

Y Jennings

Nour Soubani
Surveillance Technology Oversight Project

Christopher Leon Johnson

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3 SERGEANT AT ARMS: Good morning, good
4 morning. Welcome to the New York City Council hearing
5 on the Committee on Oversight and Investigations,
6 joint with Criminal Justice. At this time, please
7 silence all electronics and do not approach the dais.
8 I repeat, please do not approach the dais. If you are
9 testifying today, have them fill out a slip, or have
10 any other questions or concerns, please contact the
11 Sergeant-at-Arms. Thank you for your cooperation.
12 Chair, you may begin.

13 CHAIRPERSON KRISHNAN: [gavel] Good
14 morning, everyone. This hearing is called to order,
15 and thank you all so much for joining today. My name
16 is Shekhar Krishnan. I'm the Chair of the Committee
17 on Oversight and Investigations. First and foremost,
18 I would like to thank Speaker Julie Menin for
19 entrusting me with chairing this crucial committee,
20 and my colleagues for serving on this committee and
21 joining us today. I'd like to thank my co-chair for
today's hearing, Council Member Selvena
Brooks-Powers, who is the Chair of the Committee on
Criminal Justice. And additionally, thank you to the
representatives from the Department of Investigation,

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3 the Department of Corrections, the members of the
4 public, the advocacy group, legal services lawyers
5 who are here, and my council colleagues who have
6 joined us today. Joining us from the council, my
7 colleagues, are Council Member Sandra Ung, Council
8 Member David Carr, Council Member Frank Morano,
9 Council Member Gale Brewer, and we've also been
10 joined by our Public Advocate Jumaane Williams- and
11 former Council Member Jumaane Williams. And Council
12 Member Cabán has joined us online as well. This
13 hearing comes for us at a perilous moment in our
14 country right now and right here in New York City.
15 Donald Trump and the federal government are testing
16 over and over again in an egregious way the limits of
17 our city's sanctuary laws. They have tried all
18 different tactics, from Tom Holman appearing on Fox
19 Friends with former Mayor Eric Adams, promising to
20 be, "in his office, up his butt" if Adams didn't
21 deliver on his promise to let ICE agents operate in
Rikers Island, to raids on Canal Street, to the
horrifying conditions of 26 Federal Plaza, and the
incident just last week where a Columbia University
student was taken from her dorm after five DHS agents

3 entered under false pretenses and no warrant. In
4 addition, we have seen over and over again from
5 communities across our city the raids and enforcement
6 actions from ICE spreading fear and terror in our
7 neighborhoods. These are all actions of a federal
8 administration trying in every way possible, at any
9 cost, to erode our sanctuary protections. Every
10 single story of escalating force has been an attempt
11 by the federal government to undermine our laws and
12 to cause fear in our communities. Our sanctuary laws
13 protect immigrant New Yorkers. They help them feel
14 safe coming to city government for services, from
15 health care to help with housing to care for their
16 children. It's for that reason that city agencies
17 should be working for us, focusing on the needs of
18 our city, delivering for New Yorkers' needs, and
19 keeping us safe. And they should not be taking on
20 federal immigration responsibilities, collaborating
21 with ICE, and increasing the fear that we all feel
every day. When our sanctuary laws are violated, as
the Adams administration did and tried to do
repeatedly, they leave immigrant New Yorkers
terrified, afraid to seek out help from the very city

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3 government that exists to serve them. And let's be
4 clear about what our sanctuary laws do in our city.
5 Our sanctuary laws are designed to make sure that
6 city agencies do not assist with the enforcement of
7 federal immigration laws. City agencies are
8 prohibited from using city resources to cooperate
9 with federal immigration authorities. And law
10 enforcement agencies like NYPD, DOC, and the
11 Department of Probation, DOP, are prohibited from
12 complying with detainer requests from ICE except when
13 there are a limited number of public safety
14 circumstances. But we are a city government focused
15 on carrying out city responsibilities and keeping New
16 Yorkers safe. That is distinct and apart from the
17 purpose of the federal government and immigration
18 enforcement by the federal government. If New Yorkers
19 feel like their city agencies are aligned with Donald
20 Trump's mass deportation campaign, if New Yorkers
21 feel like our city government is simply an extension
of the federal government when it comes to
immigration enforcement, New Yorkers and especially
immigrants will not trust our government and they
will not accept help from emergency services, for

3 example. I have seen this in my district alone, where
4 residents displaced from their homes were too scared
5 to speak with government offices or city agencies
6 that were ready to help them. Where New Yorkers were
7 too scared to leave their homes, take their children
8 to school, attend parades for Lunar New Year, or
9 breakfast in- or break fast, sorry, in their masjids
10 during Ramadan because they may be harassed or taken
11 by ICE. These are very, very real fears, and they are
12 playing out every single day in our city, and it is
13 unacceptable. Today's hearing is about reaffirming
14 that our city agencies should be working for New
15 Yorkers, not for ICE. This hearing builds on the work
16 of prior Council Speaker Adrienne Adams and Council
17 Member Gale Brewer and to them I am grateful. Today
18 we will be examining the Department of
19 Investigations' reports on agency compliance with New
20 York City's sanctuary city laws, and holding agencies
21 that have collaborated with ICE accountable for when
they have violated those laws. The report found
deeply concerning instances of DOC impermissibly
collaborating with ICE enforcement. Corrections
officers, as the DOI report found, violated the

3 city's sanctuary laws through information sharing
4 with federal immigration authorities about at least
5 two individuals in DOC custody. In fact, this
6 collaboration went so deep between DOC and ICE that
7 one individual whose information was shared and who
8 was apprehended by ICE was featured on a White House
9 X post where they bragged about, "making America safe
10 again," with his deportation. This report from DOI
11 finds that corrections officials had unwittingly
12 breached the law because they also had not been
13 properly trained on when and how to share information
14 with federal authorities. Another report found that
15 an NYPD officer had violated New York City sanctuary
16 laws and that the NYPD does not fully comply, "with
17 documentation and reporting requirements," regarding
18 interactions with federal law enforcement. The DOI
19 report made seven recommendations as to how DOC and
20 NYPD could improve its compliance with the city's
21 sanctuary laws. NYPD accepted all of those
recommendations. DOC, however, accepted some but not
others. It is time, under a new mayoral
administration, that we correct the dangerous course
charted under Eric Adams, our former mayor, when it

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3 came to the treatment of immigrants in this city. A
4 crucial part of breaking from that past is to make
5 sure the egregious actions of the recent past, the
6 violations of city sanctuary laws, or the close calls
7 never happen again. I know that this administration
8 under Mayor Mamdani shares this vision, as does his
9 newly appointed Corporation Counsel Steve Banks. So
10 at today's hearing, our committees will question DOI
11 about its findings, the status of the agency's
12 implementations of DOI's recommendations, and DOI's
13 assessment of whether the NYPD and DOC are complying
14 with legally mandated documentation, upholding
15 reporting requirements, and properly training
16 officers on how to handle interactions with
17 immigration authorities. Our committees will also
18 question DOC about the steps it is taking to comply
19 with the city's local laws, to train its officers on
20 relevant legal requirements, and to correct the
21 violations of the past. We need to know what the
agencies are doing. Today, we will learn two things.
One, is New York City prepared on paper and in
practice to defend to the fullest extent of the law
our sanctuary laws against a lawless federal

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3 administration? And two, are our agencies prepared on
4 paper and in practice to protect immigrant New
5 Yorkers? We must be ready to meet this moment. We
6 must correct the serious transgressions of the prior
7 administration and make sure they never happen again.
8 And above all, we must defend our rights and protect
9 immigrants in our city so they feel safe. Before I
10 conclude, I would like to thank the following council
11 staff for their work on this hearing. From our O&I
12 committee staff, Nicole Cata, Erica Cohen, Alex
13 Yablan, and Owen Kotowski. From the O&I division
14 staff, Meg Powers, Kevin Frick, Zachary
15 Mayer-Casillas, Brian Parcone, and Yoni Kurtz. And
16 from my staff, Chanel Martinez, Hunter DiVinegracia,
17 and Victoria Opperman, and to everyone who's working
18 in the background to make this hearing run smoothly.
19 And I— no new council members have joined yet, but
20 I'll make sure to recognize them when they do. I will
21 now turn it over to my co-chair, Council Member
Brooks-Powers, for her opening statement. Thank you.

CHAIRPERSON BROOKS-POWERS: Thank you and
good morning. I am Council Member Selvena
Brooks-Powers, Chair of the Committee on Criminal

3 Justice. I want to thank Chair Krishnan for
4 co-chairing today's joint oversight hearing on the
5 Department of Investigation's report on agency
6 compliance with sanctuary-related local laws, and
7 thank everyone for being here. I know that our
8 colleagues have already been acknowledged, so— New
9 York City has enacted a series of sanctuary-related
10 local laws over the past decade to establish clear
11 boundaries on how city agencies interact with federal
12 immigration enforcement. These laws were adopted to
13 protect civil liberties, ensure that city resources
14 are used appropriately, and maintain trust between
15 government institutions and the communities we
16 represent. The reports issued by the New York City
17 Department of Investigation review how agencies,
18 including the New York City Police Department and the
19 New York City Department of Corrections, have
20 implemented and complied with these local laws in
21 practice. The findings highlight areas where policies
were followed, but also where gaps in training,
oversight, and reporting may have created risks of
improper cooperation with the federal immigration
authorities. Today's hearing is an opportunity for

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3 the council to better understand the scope of the
4 Department of Investigation's work, including the
5 methods used to identify incidents and the measures
6 taken to ensure that city agencies fully comply with
7 the law going forward. We will also be examining the
8 policies under the Department of Correction regarding
9 sanctuary protections and their compliance under the
10 law. Oversight is a core responsibility of this
11 council, and it is important that we examine not only
12 individual incidents, but also the systems and
13 safeguards in place to prevent future violations. We
14 will be asking the Department of Investigation about
15 how these investigations were conducted, whether
16 additional reviews may be necessary, and how agencies
17 like the Department of Corrections are implementing
18 the recommendations outlined in the reports. We will
19 also hear from agency representatives and advocates
20 to understand how policies, training, and internal
21 controls can be strengthened to ensure consistent
compliance across departments. This hearing is not
only about reviewing past incidents, it is about
ensuring clarity in how our sanctuary laws are
interpreted and applied, improving coordination

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3 between agencies, and reinforcing accountability when
4 civil liberties are violated. I would like to thank
5 my staff and committee staff for their hard work,
6 Chad Benjamin, Policy Analyst, Jeremy Whiteman,
7 Senior Counsel to the committee, Casey Lyski,
8 Financial Analyst, Julian Martin, my Deputy Chief of
9 Staff, and Renee Taylor, my Chief of Staff. I thank
10 everyone who is joining us today and look forward to
11 a thoughtful and constructive discussion about how we
12 can strengthen compliance with sanctuary-related
13 local laws and maintain public trust in our
14 institutions. Thank you, and I'll return it back to
15 Chair Krishnan.

16 CHAIRPERSON KRISHNAN: Thank you so much,
17 Chair Brooks-Powers. And now we are going to hear an
18 opening statement from our Public Advocate, Jumaane
19 Williams.

20 PUBLIC ADVOCATE WILLIAMS: Thank you, Mr.
21 Chair. As was mentioned, my name is Jumaane Williams,
Public Advocate for the City of New York. I want to
thank Chair Krishnan and Brooks-Powers and the
members of the committee for holding this important
hearing. New York City is home to more than 3 million

3 immigrants, and it's this diversity of tapestry of
4 people that makes our city so special. That doesn't
5 include most New Yorkers who were born from people-
6 who were born from immigrant parents. That number is
7 even higher. If you go to grandparents, even higher,
8 more than that. Immigrants are our friends and
9 families, our teachers and business owners and civil
10 servants, our neighbors and friends and so much more.
11 And right now they are under unprecedented attack on
12 their civil and human rights, and each of us have a
13 responsibility to protect. Similarly, city sanctuary
14 laws are also under attack. New York City has had
15 laws in place that limit how the city can interact
16 with federal immigration enforcement since 1989, when
17 Executive Order 124 was first enacted by then-Mayor
18 Ed Koch. City agencies are prohibited from sharing
19 information about immigrants with federal officials
20 unless they are suspected of criminal activity. ICE
21 is not allowed to arrest immigrants at a courthouse
or other state court facilities, and the NYPD and DOC
are barred from honoring, "detainer requests" from
ICE except in certain limited circumstances. Despite
all of the fearmongering about sanctuary cities,

3 these laws make us all safer. These protections allow
4 immigrants to report crime and serve as witnesses
5 without fear. They do not protect criminals. They
6 don't now. They never have. It has never been about
7 protecting criminals. It is about protecting New
8 Yorkers who live here. Despite New York City's clear
9 policies about when and how local law enforcement can
10 cooperate with federal immigration enforcement,
11 several recent incidents where it appeared the NYPD
12 violated our sanctuary city laws have raised serious
13 concern. In response to City Council requests for an
14 investigation, the Department of Investigations
15 published a report in December of last year. In one
16 of those instances, DOI included that the NYPD had
17 violated sanctuary city laws by accepting a request
18 from the Department of Homeland Security to set up a
19 system where the officer would be alerted if a person
20 facing deportation interacted with the NYPD. Though
21 the information remained internal to the NYPD, this
is still a violation of the law. Further, DOI found
that in all of the instances, the NYPD did not fully
comply with documentation and reporting requirements
for their interactions with federal law enforcement.

3 The new details included in the report highlight some
4 of the gray areas in the city sanctuary laws. Though
5 it is naive to think that no local enforcement
6 officer would knowingly violate the law, the other
7 four instances in the report where DOI concluded
8 there was no violation show that this is not a black
9 and white issue and there are potentially even more
10 incidences that we do not know about. DOI has issued
11 seven recommendations to the NYPD in this report,
12 which the department thankfully has accepted. And
13 still, with the ever-present threat of full-scale
14 federal invasion, as we have seen in Minnesota,
15 looming over us, the administration and NYPD must
16 ensure that they provide clear information,
17 protocols, and training to its officers and
18 supervisors on how to comply with sanctuary laws and
19 try to eliminate gray areas as much as possible. Gray
20 areas at this time is— creates fear for folks and is
21 dangerous. This must also be paired with real
consequences for officers who violate the law.
Interaction with federal law enforcement is
inevitable, and the NYPD, as well as DOC and other
city agencies, should be fully equipped to follow

3 sanctuary laws, and supervisors should be equipped to
4 assist when officers have questions. As DOI points
5 out in the report, all federal law enforcement
6 agencies now have some hand in immigration
7 enforcement. So there must be additional scrutiny on
8 all collaborations with federal law enforcement. As I
9 have often said, now more than ever we must hold
10 tightly to each other and not let go of anyone's
11 hands. While we're seeing abhorrent behavior from the
12 federal government, it is imperative that we hold
13 ourselves at a high standard. Just as importantly,
14 hold each other accountable when there are missteps
15 or willful acts of bad faith, as we've seen in the
16 last week with the Columbia kidnapping of a student.
17 There's no lows that this administration won't— the
18 federal administration won't step to, including
19 lying. Every person in our city and in our country
20 has inalienable human and civil rights, and we cannot
21 let the inhumanity of this president erode our own
humanity. And I'm very thankful that we have a new
administration. The last administration was morally
and ethically bankrupt in my opinion, and was trying
to welcome this federal invasion into our city. I'm

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3 very thankful that we have a new administration, a
4 new mayor who has a more moral and ethical thought
5 and agrees that we should be protecting New Yorkers.
6 And I'm hoping that we can get agencies to back that
up with actions and accountability. Thank you.

7 CHAIRPERSON KRISHNAN: Thank you so much,
8 Public Advocate. We've also been joined by Council
9 Member Alexa Avilés. As with my prior committee, I
10 believe with this one as well, that in our public
11 chambers when we have a hearing, it is important to
12 hear from members of the public. And not only for us
13 as a City Council to do so, but for the agencies and
14 government officials who come to testify as well. I
15 think that is an important part of making sure our
16 government works better and serves all New Yorkers
17 the way that we should. And I think it's a crucial
18 component of oversight as well. So on that note,
19 before we hear from our city agencies, I'd like to
20 call up our panel of legal services lawyers who are
21 doing this work on the ground every single day to
hear from them what they are seeing, what they are
hearing. That panel, before we go over to our
agencies, are from the Bronx Defenders, Rosa

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3 Cohen-Cruz, Sophie Dalsimer from Brooklyn Defender
4 Services, and Sarah Venzules from the Legal Aid
5 Society. Thank you all so much. Each of you has two
6 minutes, and Rosa, we can start with you.

7 ROSA COHEN-CRUZ: Thank you so much. Chair
8 Krishnan, Chair Brooks-Powers, all the committee
9 members here today, thank you for having us here, and
10 thank you, Council Member Brewer, for initiating this
11 investigation. And thank you for allowing those of us
12 on the front lines to testify so that the Department
13 of Corrections can perhaps greater understand just
14 how harmful their conduct has been over the years. My
15 name is Rosa Cohen-Cruz. I'm the Director of
16 Immigration Policy at the Bronx Defenders. And in
17 2014, the City Council enacted these laws in
18 recognition of a fundamental truth that when local
19 law enforcement collaborates with ICE, It erodes
20 trust and undermines public safety for all New
21 Yorkers. And if you look at the hearing record from
2014, you hear from domestic violence survivors,
gender justice organizations, public defenders, and
members of the public who all shared how critical it
is to have these protections to ensure fairness, due

3 process, and make sure that all residents can access
4 agencies without fear. These laws have existed for
5 more than a decade without real oversight and
6 meaningful enforcement, and unfortunately they have
7 been routinely violated, and one of the worst actors
8 has been the Department of Corrections, which appears
9 before you today. In February 15th, 2023, and again
10 in December of just last year, we, along with my
11 defender colleagues, testified about the many ways
12 that the Department of Corrections not only has
13 blatantly violated the law, including, you know,
14 information obtained through the FOIL which showed
15 them illegally communicating with ICE using the
16 hashtag #teamsendthemback, but also acting in ways
17 that undermined the spirit of the law or obscuring
18 their actions to violate the law. For example,
19 undertaking the practice of slow walking our clients
20 out when they had notified ICE that someone was going
21 to be released. So even though under state law
they're not allowed to hold people past the time that
they would be released, they take on these actions to
create delays. And when called— when asked by the
council or when submitting testimony about these

3 delays, they repeatedly said that accounting for
4 those for the timing would be too arduous for them.
5 Just to make one last point, you know, they've asked
6 us to just believe them, that they're going to follow
7 the law. And the council has kind of continued to do
8 so. And yet again and again we see violations. And
9 the- you know, at the 2025 hearing where we were
10 aware of violations, the department failed to even
11 show up to account for them. So we're at a moment
12 where we need clear guidance. We need, you know, this
13 kind of oversight to continue to really investigate.
14 And I'm hoping that with this new administration, we
15 will see the agency really act under the values that
16 the new mayor has put forward. But I also do hope
17 that this council will put forward an accountability
18 measure like Intro 209, the New York City Trust Act,
19 because unfortunately these assurances fall flat.
20 We've been here year after year telling the same
21 stories, the real harm to our clients. Last, my very
last point, and I know I'm at time, is there are two
questions, or two interpretations of law that I hope
this council will ask the Department of Corrections
to examine. One is what is the process that- what is

3 their interpretation of law that allows them to
4 transfer custody of individuals with the qualifying
5 convictions without a judicial warrant being
6 presented. They have testified in the past that they
7 have transferred individuals but never been presented
8 with a judicial warrant. That's from their own words,
9 and I would like to know if that's still the case.
10 And number two, they seem to read Admin Code 9131 to
11 allow them to make transfers of people based on the
12 instant arrest, even though the language, the plain
13 language of the statute says that the person shall
14 not be considered to have been convicted of a violent
15 or serious crime unless that person has a judgment
16 entered against him on the crime within five years
17 prior to the date of the instant arrest. So those are
18 two interpretations that they enact, the two ways
19 that they seem to be violating the plain text of the
20 statute that I think demands greater inquiry. Thank
21 you. Apologies for going over time. I appreciate all
of your attention this morning.

CHAIRPERSON KRISHNAN: Thank you.

SARAH VENDZULES: Thank you all so much.

My name is Sarah Vendzules. I'm the Director of the

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3 Immigrant Justice Team of the Criminal Defense
4 Practice at the Legal Aid Society. I'd like in my
5 testimony to explain through the story of one of our
6 clients why the recommendations in the DOI report are
7 insufficient and why true accountability is needed.
8 Because this client's been deported to a country
9 where he feared harm and persecution, I'll refer to
10 him with a pseudonym. Our client Byron—

11 CHAIRPERSON KRISHNAN: [interposing]

12 Sorry, sorry, do you mind moving the mic a little bit
13 closer?

14 SARAH VENDZULES: Of course.

15 CHAIRPERSON KRISHNAN: Thank you.

16 SARAH VENDZULES: Sorry. Our client Byron
17 was a young man seeking asylum. He was arrested after
18 a fight between him and some other young people. His
19 defense attorney negotiated a plea that would leave
20 him with a youthful offender adjudication. The goal
21 of this plea was to preserve his ability to seek
humanitarian relief in the form of asylum and special
immigrant juvenile status. While Byron was at Rikers
with pending criminal court charges, ICE lodged a
detainer against him. But despite the detainer, he

3 was eligible for release from Rikers because the
4 detainer law specifically exempts YO adjudications
5 from the definition of a violent or serious crime.
6 When Byron's defense attorney reached out to DOC for
7 assurances that he would be released as the law
8 requires, they were non-responsive. The attorney even
9 specifically asked DOC if they were aware that YO
10 adjudications do not count as violent or serious
11 crimes, and DOC's response was merely, "We will
12 follow the law." Relying on that, we advised Byron
13 that he was getting out of Rikers, and soon, since he
14 was almost done serving his sentence. But rather than
15 follow the law, DOC turned Byron over to ICE a day
16 before he was to be released, and we still don't know
17 why. Of course, we requested all the applicable
18 files, documents, and communications between ICE and
19 DOC, and any determination relating to his
20 eligibility for release, but there was nothing in the
21 file that explained why they turned him over. There
was no judicial warrant, and there were no gang or
terrorism markers, nothing. The two things that this
exemplifies are lack of transparency and lack of
accountability. First, there was a complete lack of

3 transparency from DOC the whole time. He was never
4 even served with his ICE detainer, which is
5 especially problematic because the detainer itself on
6 its face says that it should be personally served on
7 the person affected. In fact, DOC has never been
8 willing to give us as counsel a copy of our client's
9 detainer without a lengthy FOIL request. So when DOC
10 is even less transparent than ICE, that's a problem.
11 Also it's extremely problematic that DOC refused to
12 do any analysis of whether or not they were going to
13 cooperate with ICE until the day of release. This
14 left us no time to intervene on his behalf and
15 advocate for a proper application of the law. And
16 unfortunately, this problem is also not unique to
17 Byron. You know, in Byron's case, DOC refused to even
18 engage with us about what the law means and what
19 they— how they interpret it, and completely ignored
20 our analysis. We even asked them to confirm that they
21 were aware that YO adjudications were protected, and
they told us, "Oh, you can file a FOIL request to get
our guidance." So as you are aware, those take months
to be processed. So, you know, if we had known that
this is going to happen, we would have done things

3 completely differently. You know, we would have been
4 able to inform Byron what to expect when he was
5 detained. We would have been able to tell his family
6 that he wasn't coming home that night. We would have
7 been able to make sure that he had phone numbers
8 memorized and that his family knew how to get in
9 touch with him and track him. We'd have gotten him to
10 sign releases so we could figure out why he was
11 transferred, and we would have worked to make sure
12 that he had a lawyer. So, you know, every step along
13 the way is the opposite of transparency. So
14 additional training and reporting are not enough. And
15 finally, one really, really quick point I want to
16 make is that, you know, in his case, we were lucky.
17 He stayed in the New York City area. He was able to
18 get an attorney. Most clients, you know, will be
19 transferred now to Texas, to Florida, and you know, I
20 was able to get him to sign releases. I got the DOC
21 file, you know, confirmed that DOC violated the law.

18 CHAIRPERSON KRISHNAN: Just ask that you
19 conclude.

20 SARAH VENDZULES: Oh, yeah. But the point
21 is there's no incentive for Byron to do anything

3 about this. He's in another country. If his name gets
4 in the media and the news on Fox News- it could end
5 up on Fox News. He's at risk. He's putting himself at
6 risk. He's putting his family at risk. So, you know,
7 when I speak to him- I'm hoping to get in touch with
8 him- I won't be able to say, listen Byron, let's
9 investigate this. Let's find out what went wrong.
10 Let's find out, you know- let's hold them
11 accountable. There's nothing in it for him. And so I
12 think there are more Byrons out there because there's
13 no true accountability when DOC violates. Thank you,
14 and I apologize for going over time.

15 CHAIRPERSON KRISHNAN: Thank you.

16 SOPHIE DALSIMER: Good morning. My name is
17 Sophie Dalsimer. I'm an Associate Director of the New
18 York Immigrant Family Unity Project at Brooklyn
19 Defender Services. Thank you to the committee chairs
20 for the opportunity to testify today. New York City's
21 sanctuary laws are intended to limit local
involvement in federal immigration enforcement, but
the DOI reports highlight deeply concerning incidents
in which these laws have been violated. The reports
should serve as a warning that city agencies are

3 unable to consistently comply with laws that have
4 been in place for a decade. A central concern is the
5 persistent lack of understanding among city workers
6 about what sanctuary laws require and what conduct is
7 prohibited. Frontline staff are often placed in
8 situations involving immigration authorities without
9 clear direction. This confusion is not incidental. It
10 is the result of agencies failing to provide adequate
11 guidance, training, and internal protocols to ensure
12 compliance. Our experience representing New Yorkers
13 reflects these gaps in implementation. We have
14 encountered repeated situations in which Department
15 of Corrections staff incorrectly refused to release
16 individuals after bail is paid based on the mistaken
17 belief that the existence of an ICE detainer requires
18 continued detention, even where the individual is
19 clearly protected under city detainer laws. As a
20 matter of law, an ICE detainer alone does not provide
21 a valid basis for continued detention once a person
has met the conditions of release. And this
misinformation can deter families from posting bail,
unnecessarily prolong incarceration, and increase the
risk of immigration enforcement. This example and

3 those shared by my colleagues highlight the need for
4 consistent compliance and greater training and
5 guidance to all agency staff. Another critical issue
6 raised by the DOI reports is the need for greater
7 data privacy protections. City agencies routinely
8 collect and maintain large amounts of personal data
9 through everyday operations, including benefits,
10 housing, through NYCHA, and law enforcement
11 databases. Our policing technologies also generate
12 detailed records about New Yorkers' movements and
13 activities. These systems often contain inaccurate or
14 incomplete, unverified information, yet they can have
15 significant consequences when relied upon by law
16 enforcement or federal authorities. And I'll just
17 conclude by noting that the NYPD's gang database is a
18 striking example of the overcollection leading to
19 harm. It's well documented that this database
20 disproportionately targets Black and Latino youth and
21 that the criteria to justify placement are
unscientific, pretextual, and racially coded. Despite
these serious flaws, it's been documented—

CHAIRPERSON KRISHNAN: I'm just going to
ask you to conclude soon, sorry.

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3 SOPHIE DALSIMER: that NYPD has shared
4 this information with Department of Homeland
5 Security, essentially ensuring that a racially biased
6 and error-prone database has become a vehicle for
7 exposing New Yorkers to federal immigration
8 enforcement. This council should enact new and
9 strengthen existing policies that keep communities'
10 personal data private. Thank you for your time, and I
11 welcome questions.

12 CHAIRPERSON KRISHNAN: Thank you for your
13 testimony. Just one brief question for Rosa, and you
14 know, I'm assuming speaking collectively for the
15 entire panel here. Is it your testimony that these
16 violations, both reported in the DOI reports, the
17 ones that you've seen with your clients as well, does
18 it make your clients— do you feel it makes immigrant
19 New Yorkers feel unsafe coming to city government to
20 access services far beyond, you know, whether in the
21 criminal justice system but everyday services from
government?

ROSA COHEN-CRUZ: Absolutely. I think
that's really at the core of what these laws are all
about. We also— you know, we know that there has, for

3 example, been a decrease in reporting like wage theft
4 violations, because a lot of construction workers in
5 particular may have vulnerable immigration status.

6 And so even where the city tries to enact measures to
7 make everyone, you know- to make for affordability-
8 to make everyone feel safer, those measures can't
9 always land with immigrant communities because they
10 hear about agencies violating the law. They hear
11 about agencies like DOC, NYPD, and others sharing
12 information, and it makes them afraid to go and
13 report crimes and report harms against themselves.
14 So, not only is it undermining, you know, public
15 safety and our ability- and everyone's ability to
16 sort of engage in civic society, but it also is
17 undermining some of the very critical agendas that
18 this administration has put forward.

19 CHAIRPERSON KRISHNAN: Great. Thank you so
20 much for your testimony, and we appreciate all of
21 your work in the city, too. Thank you. Oh, sorry,
does anyone else have questions for this panel? I
just realized- sorry. Okay, we're good. Thank you. I
also want to note that we've been joined by Council
Member Yusef Salaam and Council Member Kevin Riley.

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3 And now we will call up the representatives from
4 Department of Investigations and the Acting
5 Commissioner for their testimony, and I'd ask the
6 Committee Counsel to swear in the witnesses once
they're seated.

7 COMMITTEE COUNSEL: Thank you, Chair
8 Krishnan. We will now hear testimony from the
9 administration. We will first hear testimony from the
10 New York City Department of Investigation Acting
11 Commissioner Chris Ryan. Before we begin, I will
12 administer the affirmation. Please raise your right
13 hand. Do you affirm to tell the truth, the whole
14 truth, and nothing but the truth before this
committee, and to respond honestly to council member
questions? Thank you. You may begin when ready.

15 ACTING COMMISSIONER RYAN: Good morning,
16 Chair Krishnan and the Committee on Oversight and
17 Investigations, and Chair Brooks-Powers and the
18 Committee on Criminal Justice. My name is
Christopher-

19 CHAIRPERSON KRISHNAN: [interposing]
20 Commissioner, if you mind just moving your mic a
21 little bit closer. Thank you.

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3 ACTING COMMISSIONER RYAN: How's that?

4 Better? My name is Christopher Ryan, and I'm the
5 Acting Commissioner of the New York City Department
6 of Investigation. I appreciate the opportunity to
7 provide testimony on the two reports DOI issued in
8 2025 regarding the City Department of Corrections and
9 the New York City Police Department's compliance with
10 the sanctuary city laws, the local laws that limit
11 how and when city officials can assist with the
12 enforcement of aspects of federal immigration law.
13 These laws and related city policies restrict local
14 authorities' ability to share information about an
15 individual's immigration status, bar city law
16 enforcement from honoring ICE detainers unless
17 specified conditions are met, and prohibit city
18 agencies from assisting with immigration enforcement.
19 It is important to note that following DOI's report
20 in 2025, the city's sanctuary laws and policies were
21 updated earlier this year through Local Law 63, which
broadened some key definitions such as federal
immigration authorities and immigration enforcement,
and barred federal immigration authorities from
maintaining offices on Rikers Island for any

3 purposes. And through mayoral Executive Order 13,
4 which prohibited the use of city lots as staging
5 grounds for non-local law enforcement operations,
6 among other changes. DOI's investigation resulted in
7 two public reports focused on specific allegations
8 involving DOC and the NYPD, and presented New Yorkers
9 with our findings and the details of the violations
10 that DOI substantiated. These reports also explained
11 the the importance of the recommendations we issued
12 to strengthen agency policies and training around
13 these laws, which were passed to encourage
14 undocumented immigrants to report crimes, seek
15 medical help, and access other essential services
16 without fear of deportation. DOI's investigation
17 relating to the NYPD began in response to a letter
18 from then-Speaker Adams and then-Chair of the
19 Oversight and Investigations Committee Brewer on June
20 9th, 2025, which raised questions about potential
21 violations of the sanctuary city laws in two
incidents. DOI reviewed these two incidents and found
a third incident during a review of media stories
raising similar fact patterns to the initial two. The
NYPD alerted DOI to a fourth incident, and a fifth

3 incident was uncovered during DOI investigations.

4 Collectively, these incidents provided a diverse
5 survey of how the city's sanctuary city laws are

6 implicated in the work of the NYPD. The DOC

7 investigation resulted— began as a result of a

8 February 2025 complaint received by DOI. These

9 results— the results of DOI's limited review of

10 officer conduct and the broader findings of the

11 investigation determined that one DOC task force

12 member assisted with immigration enforcement but was

13 not aware that the information provided to federal

14 authorities was in furtherance of civil immigration

15 enforcement and thus impermissible. DOI also found

16 that DOC was not training personnel on how to engage

17 with immigration enforcement or officials, or issuing

18 sufficient guidance about the city's sanctuary city

19 laws. For both reports, DOI conducted focused

20 investigations and issued recommendations to the NYPD

21 and DOC so those agencies could take any necessary

corrective actions and implement any needed measures

to ensure compliance with sanctuary city laws that

would prevent further violations. DOI also

recommended that DOC and the NYPD conduct internal

3 audits of their interactions with federal immigration
4 authorities. I believe the findings of our reports
5 lay the groundwork for the audit effort announced in
6 EO 13, titled Protecting New Yorkers from Abusive
7 Immigration Enforcement, which, among other
8 provisions, requires six city agencies to develop and
9 publicly communicate policies and protocols regarding
10 their interactions with immigration enforcement
11 authorities on their websites, and to implement
12 training for their employees, contractors, and
13 subcontractors. These agencies, specifically the
14 Administration for Children's Services, DOC, the
15 Department of Health and Mental Hygiene, the
16 Department of Probation, the Department of Social
17 Services, and the NYPD are also directed to conduct
18 compliance audits of relevant sanctuary laws and to
19 produce a report on their findings. In addition, the
20 EO supports employee and public education efforts on
21 the laws and regulations surrounding the city's
interaction involving immigration enforcement, an
important element raised in our report. If the audits
uncover wrongdoing or allegations that sanctuary laws
and/or policies have been violated, they should be

3 referred to DOI for further investigation. Let me
4 turn to the findings of DOI's reports. In September
5 2025, DOI issued its reports on an investigation into
6 a DOC Intelligence Bureau investigator assisting
7 federal agents with immigration enforcement that was
8 prompted by a complaint to DOI. The complaint to DOI
9 alleged that DOC officers assigned to a joint task
10 force provided assistance to Immigration and Customs
11 Enforcement agents in February 2025 in connection
12 with the arrest of an individual in DOC custody who
13 is believed to have entered the country illegally. It
14 is important to note that except in very limited
15 circumstances, DOC staff cannot consent to a request
16 from a non-local law enforcement agency for
17 assistance or support to further civil immigration
18 enforcement or to provide assistance or support.
19 However, it is permissible for DOC staff to
20 participate in task forces with other goals, such as
21 bringing charges, even if that work has the potential
to have impact on an individual's immigration status.
DOI's investigation found that a DOC investigator
assigned to the Homeland Security Investigations
Violent Gang Task Force did, in fact, provide

3 assistance in violation of city law and DOC policy.

4 During the investigation, DOI uncovered a second

5 incident where the same DOC investigator provided

6 information to federal immigration authorities about

7 a second person in DOC custody, also in violation of

8 city law and DOC policy. In both instances, DOI

9 determined that the DOC investigator was not aware

10 that the information provided to federal authorities

11 was in furtherance of civil immigration enforcement,

12 rendering the DOC officer's actions impermissible, as

13 opposed to the inquiry actually being in furtherance

14 of a federal criminal investigation, which would have

15 been permitted pursuant to local law and DOC policy.

16 DOI also found that DOC had not provided adequate

17 guidance or training to DOC personnel with respect to

18 DOC's rules and procedures for interacting with law

19 enforcement agencies involved in immigration

20 enforcement. DOC was also not providing any training

21 to its officers or staff about city sanctuary city

laws or DOC's policies issued pursuant to those laws.

Moreover, the requests for immigration enforcement

assistance related to the two persons in custody were

not reported to the Mayor's Office of Immigration

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3 Affairs or posted on DOC's website as required by
4 law. DOI issued seven recommendations to DOC to
5 strengthen their practices including providing
6 updated guidance to DOC employees on the city's
7 administrative law relating to immigration
8 enforcement and on how to respond to requests from
9 law enforcement partners, instructing DOC staff to
10 direct any immigration-related requests from other
11 law enforcement authorities to DOC's ICE— excuse me,
12 ICE unit and the general counsel's office; conducting
13 a department-wide audit to determine any other
14 identifiable instances where DOC unintentionally or
15 otherwise assisted in immigration enforcement; and,
16 in accordance with New York City's Administrative
17 Code, reporting any previously unknown or unreported
18 immigration enforcement-related requests to the
19 Mayor's Office of Immigrant Affairs. DOC accepted
20 four of the recommendations, implemented two of them,
21 partially accepted two recommendations, and is still
considering one recommendation. DOI will continue
working with DOC to ensure implementation of the
recommendations that DOC is accepting. In December
2025, DOI issued its report into the NYPD's

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3 compliance with law enforcement with laws restricting
4 city assistance with immigration enforcement. DOI
5 examined five incidents and identified one instance
6 where an NYPD officer violated local law by providing
7 assistance to federal authorities in connection with
8 enforcement of the federal civil immigration law;
9 found that the NYPD does not fully comply with
10 documentation documentation and reporting
11 requirements set forth in the sanctuary city laws,
12 and also found gaps in the NYPD's current policies
13 and practices that increase the risk of improper
14 assistance to federal authorities for purpose of
15 civil immigration enforcement. Broadly, DOI found
16 that the NYPD has been working diligently to ensure
17 that its policies comply with local laws while still
18 permitting critical partnerships with federal law
19 enforcement on criminal investigations. DOI concluded
20 that the NYPD's current policies and procedures,
21 particularly as strengthened and enhanced by a series
of policy reforms that the NYPD implemented in 2025,
both before and after DOI began its investigation,
comply with city law. As a result of the
investigation, DOI issued seven recommendations to

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3 improve the NYPD's policies and practices, which the
4 NYPD agreed to implement. We appreciate that the
5 council has shown its commitment to the same goals
6 embodied in our recommendations in its recent
7 enactments as well, for example, by requiring that
8 the NYPD scrutinize requests for custodial transfers
9 from all federal agents who could be enforcing
10 immigration laws, not just from immigration
11 authorities. The NYPD recently reported that they are
12 moving forward with their effort to implement our
13 recommendations. On the recommendations that call for
14 the NYPD to require enhanced review of all custody
15 transfers to federal agents, to adopt a standalone
16 policy on requests for custodial transfers, to
17 improve policies for processing requests for
18 assistance from federal agents, and to adopt
19 guidelines to implement Local Law 246, which
20 restricts non-local law enforcement officers from
21 city property under its control. NYPD has established
a working group that is in the process of drafting
new policies. On the recommendation that the NYPD
provide further training to its officers and
employees on how to comply with sanctuary city laws,

3 the NYPD is currently discussing the correct
4 structure for its supplementary training. And
5 finally, to better understand the NYPD's compliance
6 with local laws, DOI recommended that the NYPD
7 conduct an email audit of NYPD members assigned to
8 federal task forces to ensure their compliance with
9 local law. The NYPD has reported the audit, and a
10 proper structure for that audit, is under active
11 discussion. Our reports provided much-needed
12 transparency on incidents of concern involving two
13 city agencies' compliance with sanctuary city laws
14 and offered numerous suggestions as to how compliance
15 could be improved moving forward. I thank you, and
16 I'm happy to answer any of your questions.

17 CHAIRPERSON KRISHNAN: Thank you so much,
18 Commissioner, for your testimony. I have a few
19 questions, then I'm going to turn over to my
20 colleagues as well and come back- my co-chair and my
21 colleagues, and we'll come back to me as well. Um,
you know- oh, and we've also been joined by Council
Member Oswald Feliz on Zoom and Council Member Susan
Zhuang as well. I read both reports that you, the
agency, put out last fall, and I thought they were

3 both excellent and really went through what had
4 happened. And what was also shocking to me too is
5 we've had hearings on this issue, we've known this
6 has been an issue, uh, but sometimes I don't think
7 it's fully known in the public just the extent of the
8 violations and how close we came to violations by-
9 yes, those within the agencies unwittingly, but also
10 because of a city hall under the prior administration
11 that was eager to cooperate with ICE in any way
12 possible. And so there were some serious, serious
13 instances there that you all documented and those
14 that we know about or, or that were stopped along the
15 way. But stepping back for a moment, I think it's
16 also important to really ensure that our public has
17 an understanding of what our sanctuary laws are. They
18 are complicated. They operate in different ways, but
19 they serve a very crucial purpose. So my first
20 question is, just taking a step back, can you explain
21 for everybody what are the sanctuary laws in New York
City and why are they important?

19 ACTING COMMISSIONER RYAN: So there a,
20 there are a combination of both laws and mayoral,,
21 executive orders that comp- that constitute what we

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3 refer referred to as the sanctuary city laws. And
4 broadly speaking, these are laws enacted to prevent
5 city law enforcement and other city agencies from
6 cooperating with federal law enforcement for the
7 purpose of civil immigration. Exactly as I, as I
8 think you said in your opening statement, to
9 encourage New Yorkers whose document status may not
10 be compliant with federal law, to feel free to come
11 forward, to use city services, to engage in— with law
12 enforcement, and to become, you know, to be full
13 participants in the life of the city without fear
14 that some interaction with city government will
15 compromise their ability to live their lives here in
16 New York. It's obviously— as to the second part of
17 your question, it's obviously very important. I was a
18 prosecutor for 20 years here in Manhattan. If, in the
19 criminal context, if witnesses do not feel
20 comfortable coming forward, that would be a terrible
21 consequence of people's fear of, of federal
immigration law.

19 CHAIRPERSON KRISHNAN: And that was my
20 follow-up question, is conversely, when the sanctuary
21 laws are violated, uh, by city agencies, you would

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3 agree, right, that they would have a chilling effect
4 on New Yorkers, immigrant New Yorkers coming forward
5 to- if they're victims of crimes, to report to law
6 enforcement crimes, uh, if they need help accessing
7 emergency medical services from government. You would
8 agree that those violations would have a broader
9 chilling effect on New Yorkers in the city, am I
10 correct?

11 ASSISTANT COMMISSIONER RYAN:

12 Unquestionably.

13 CHAIRPERSON KRISHNAN: Now, understanding
14 that framework and the report that you all, did your
15 investigation reveal- let's start with the Department
16 of Corrections, for example- whether DOC had any
17 written protocols for handling unsolicited requests
18 from federal agents prior to your recommendations?
19 Because part of what we're seeing here is there
20 wasn't- despite the guidance, there was not training,
21 that line officers may not have known what the laws
were. Did they have protocols in place? And what did
your investigation reveal about that for both DOC and
for NYPD?

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3 ACTING COMMISSIONER RYAN: Yes. And so
4 both agencies had protocols in place. The point of
5 failure was the dissemination of that— of those
6 preexisting protocols down through the agencies to
7 the people who would be the ones who really needed to
8 know. It's fine for executives to, you know, to know
9 the law, but the people on the front lines of the
10 agencies who are most likely to interact with and
11 need this information were not— that information was
12 not being disseminated effectively down through the
13 ranks. And I think our recommendations, what— part of
14 the purpose of the recommendations was to make sure
15 that preexisting policies and any new policies that
16 comply with city directives, when they get developed,
17 are pushed down through the agency to everybody who
18 needs to know them.

19 CHAIRPERSON KRISHNAN: And what are the
20 timelines the agencies have shared with DOI about
21 implementing these recommendations?

22 ACTING COMMISSIONER RYAN: So I don't
23 believe we have necessarily— we're in continued
24 communication with both, with both agencies. We are—
25 I don't believe we have any specific timeline for

3 them. I- NYPD has broadly accepted all of the
4 recommendations and has made significant, as I said,
5 very diligent changes to their policies and the
6 manner in which they disseminate those policies
7 through the rank and file. That has been a- that has
8 been a very effective to date. DOC, we're in
9 communications and a constant continued dialogue both
10 with the outgoing administration and now with the
11 incurring DOC executive staff to clarify any points
12 of our recommendations that perhaps were not
13 particularly- that weren't- they weren't either
14 understood or, you know- any further guidance we
15 could give on why DOI thinks those recommendations
16 were important, and that is also a continuing
17 dialogue. I don't have any particular timeframe.

18 CHAIRPERSON KRISHNAN: Does DOI have- have
19 you all given consideration to creating some sort of
20 mechanism to ensure the agencies are reporting back
21 to you all on a more concrete timeline of when
they're making these recommendations and how they're
doing so?

22 ACTING COMMISSIONER RYAN: We- yes. We
23 are- again, we are speaking with the agencies as- on

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3 an ongoing basis. We are- you know, have been talking
4 to the administration as well to provide some other
5 perhaps structure to- for all of our policy and
6 procedure recommendations that DOI issues across the
7 board to all agencies to come up with perhaps
8 enhanced mechanisms for follow-up and implementation.
9 So the answer is yes.

10 CHAIRPERSON KRISHNAN: And you noted- oh,
11 sorry, and I also want to recognize that we've been
12 joined by Council Member Lee as well. And we- you
13 also noted before, too, that the different agencies
14 adopted the recommendations to different degrees.
15 NYPD, all recommendations. DOC, I believe you had
16 said, four accepted, implemented two. I also noted
17 that recommendation number six, for example, in the
18 DOC report, the recommendation was the agency conduct
19 a department-wide audit to understand the extent of
20 potential violations or violations in the agency. And
21 DOC responded that such an audit would be impractical
and that the agency would consider targeted reviews.
Now that was classified as a partial acceptance, not
a rejection, but I do want to understand a bit more
of which agent- which recommendations by DOC were

3 implemented, the two that were implemented, and this
4 one that was rejected or partially accepted, how you
5 characterize it, what was the reason given for that?
6 Don't you believe that's an important one to- for
7 them to do as well?

8 ACTING COMMISSIONER RYAN: Yes. So the two
9 that were- that were accepted and implemented was
10 DOI's recommendation that DOC instruct all DOC staff
11 to direct any immigration-related requests from other
12 law enforcement agencies to the ICE unit and the
13 General Counsel's office. That was both accepted and
14 implemented. The second is DOC's- DOI's
15 recommendation that DOC instruct senior officials to
16 confer with senior officials at the federal partner
17 agencies with whom DOC staff regularly collaborates
18 to remind them that DOC staff is bound by city law
19 and cannot assist in civil immigration enforcement
20 under very limited circumstances. Those were both
21 accepted, and I believe those conversations have
happened. The- as to number six, the recommendation
for a broader audit, I mean, I would re- I would
refer you to DOC's General Counsel for a specific
answer to that. I believe it was something to do with

3 the manner in which that audit would be rolled out.

4 And I think in many ways that recommendation has been

5 supplanted— might not be the word— but overtaken by

6 the work that we know Senior Advisor Mostofi is going

7 to be doing at the mayor's request for all six

8 agencies. So DOI's recommendation was again a

9 recommendation to DOC, but I believe the Senior

10 Advisor Mostofi's audit, which will— is essentially,

11 I believe, this is what DOI had originally

12 recommended for DOC, will be conducted. And so in

13 some ways that will accomplish the recommendation

14 that DOC— that DOI issued.

15 CHAIRPERSON KRISHNAN: And just a few more

16 questions before I turn it over to my Co-chair. You

17 know, what— DOI had its investigative reasons for

18 targeting certain limited circumstances that were

19 reviewed. I believe five email accounts, or at least

20 one, and finding one correction officer had

21 improperly assisted federal agents. You had your own

process too for what you reviewed for NYPD as well.

From what you all reviewed, first, why were those

incidents chosen? And number two, from your findings,

do you all have reason to believe or reason to be

3 concerned that the violations or potential violations
4 may be broader and more pervasive within both
5 agencies, particularly DOC, given the lack of
6 training that you all found?

7 ACTING COMMISSIONER RYAN: Yeah. Hold on,
8 one moment. So, the staff at DOI, we are New Yorkers,
9 and we read the same media reports that all of you do
10 and your constituents do. And so both professionally
11 and personally, we are as concerned about what we are
12 seeing nationally as anyone else, both I think as
13 individuals and as an agency. To your question of- I
14 think the the manner in which we approached the
15 investigations in both instances were to provide
16 substantive response to the Council, both responsive
17 to Councilmember Brewer's letter and Speaker's
18 letter, and to give the Council a- as substantively
19 valuable and expeditious response to give an insight
20 as to what's going on in both agencies. As opposed
21 to doing- incorporating, for instance, the type of
audit that Special Advisor Mostofi will be
conducting, which will take a significant period of
time. So, we were balancing a substantive response to
the council that would provide immediate- or

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3 immediate, but reasonably quick insight into what's
4 going on in both agencies, and to make
5 recommendations in, you know, near real time while we
6 were seeing the situation in the country devolve as
7 it go- as it goes to, you know, in relation to
8 immigration enforcement. So there was a- there was-
9 there was a balance there. One of the reasons why we,
10 we didn't- we realized we don't know what we don't
11 know, and the purpose of our recommendations to both
12 the NYPD and to DOC to conduct their internal audits
13 was to learn whether or not there are other instances
14 that we don't know about. I will say that DOI
15 receives 13,000 to 14,000 complaints every year. We
16 have not been receiving these complaints along this-
17 in this subject matter. So that's potentially a good
18 thing. But we really- the reason we- the reason we
19 asked for or recommended the audits was to answer
20 exactly the question that you're getting at. Is
21 there- are there instances that we don't know about?
And the audit seemed like the most appropriate way to
filter through. However, we didn't wanna wait to
issue reports until that time, because that would
have taken a lot of time, and given what's happening

3 on the streets in all of your districts right now, we
4 felt that getting you the best information we could
5 in the most expeditious period of time that would
6 still be useful to you was the balance that we
7 thought we would strike.

8 CHAIRPERSON KRISHNAN: I think that makes
9 a lot of sense. And I guess to put a finer point on
10 that, one thing you just testified to that was very
11 important is we don't know what we don't know. And
12 from what you all revealed, even with the limited
13 instances, showed larger systemic problems, which for
14 example, a department-wide audit by DOC could address
15 when there's lack of training. So I guess I will put
16 the question a bit differently. Does your report give
17 you any reason to believe that these instances of
18 violations of our sanctuary laws, particularly with
19 respect to DOC, where there was lack of training and
20 lack of an audit- do your findings give you any
21 reason to believe that these were isolated instances?

18 ACTING COMMISSIONER RYAN: The- we
19 conducted a targeted invest- I mean, I'm not trying
20 to avoid the question- it's a very hard question.

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3 CHAIRPERSON KRISHNAN: You're a former
4 prosecutor, so I know that you know exactly how to
5 answer the questions and ask them.

6 ACTING COMMISSIONER RYAN: I mean the odds
7 that any inquiry conducted similar to ours would
8 capture every incident- instance. I couldn't come
9 before you and say- I mean, just, that that would,
10 that that's- that that's likely. There are very
11 likely other instances that either that possibly the
12 agencies don't even know about. I mean, we're- what
13 we were looking at, and, and a lot of the information
14 we were drawing was from relating to, you know, what
15 was in some ways known within the agencies. But
16 there's possible possibilities that, that is- there
17 were other incidents that were happening that have
18 not been- that have not been captured. I think our
19 goal was to give the agencies as much information as
20 we could and as much guidance up front, notifying
21 them of what we were seeing so they could see where
the points of failure within their own agencies were
and correct them immediately. So hopefully at this
point in time, wherein- when I'm speaking before you,
that the incidents of any further incidents would be

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3 either less or none currently. At the time— but I
4 could I— at the time our reports were issued, I could
5 not tell you that we had captured the universe of
6 incidents. But I'm— the efforts so far made,
7 particularly by the NYPD, have been really robust to
8 get a handle on this and to make sure that they're as
9 confident as they can be that these incidents are not
10 happening.

11 CHAIRPERSON KRISHNAN: Thank you. I'll now
12 turn it over to my co-chair, Councilwoman
13 Brooks-Powers.

14 CHAIRPERSON BROOKS-POWERS: Thank you.
15 Hello, Commissioner. Just a few questions for you.
16 Has DOI evaluated whether there are technological
17 safeguards such as systems access controls or logging
18 that could prevent unauthorized information sharing
19 by the Department of Corrections or NYPD with outside
20 agencies?

21 ACTING COMMISSIONER RYAN: The focus of
our report was on the personnel element, that human
element using the technology and knowing not to— you
know, if you have access to that information in your
day-to-day work to know to whom you can disseminate

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3 it and to whom you cannot. We did not look at the
4 technology or the systems themselves.

5 CHAIRPERSON BROOKS-POWERS: Has DOI
6 considered recommending periodic compliance audits or
7 spot spot checks to ensure ongoing adherence to
8 sanctuary laws?

9 ACTING COMMISSIONER RYAN: Absolutely. In
10 both of our reports that- exactly that type of audit
11 that the Chairperson is suggesting was included.

12 ACTING COMMISSIONER RYAN: And did DOI
13 identify any systemic vulnerabilities that could
14 allow federal agencies to obtain information
15 indirectly through criminal investigations?

16 ACTING COMMISSIONER RYAN: One moment. Oh,
17 so the sanctuary city laws as written prohibit the
18 city from directly assisting federal authorities with
19 immigration enforcement. The laws do not regulate the
20 federal government's secondary use of information for
21 another purpose where that information was initially
provided to the federal government for a permissible
purpose. So there's no control over that downstream
use of information or secondary use of that

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3 information in both practice or in the laws that
4 exist on the books today.

5 CHAIRPERSON BROOKS-POWERS: Oh, thank you
6 for that. That's a big gap that should be looked at.
7 Thank you for that. What safeguards exist to ensure
8 that officers assigned to federal task forces within
9 NYPD and Corrections are not inadvertently
10 facilitating civil immigration enforcement.

11 ACTING COMMISSIONER RYAN: Yeah. And
12 that's certainly, as you have seen in the report,
13 something that we— something that we saw based on a
14 lack of certainty as to what information could be
15 disseminated and to who. There is a much— and it's—
16 think it's based on the work of the Council, the new
17 administration's focus on this issue, and what is
18 being reported in the media. There is a newfound—
19 both— I think, actually, an urgency within both
20 agencies to make sure that their frontline staff are
21 fully educated, fully trained on these issues, so as
to not— so as to prevent any further instances. So I
think it's— I think it's largely a training, a
training exercise that both agencies are in some
degree of a process. I think they're focusing on the

3 most likely- like the task force officers are
4 typically the first ones who would be encountering
5 this. So I think in terms of rolling that out in both
6 agencies, that's where they have both started. And-
7 but I think it's- they're both committed to training
8 their entire staffs on these issues to prevent the
9 exact type of concerns that the council- that the
10 Chair member has.

11 CHAIRPERSON BROOKS-POWERS: Thank you. Um,
12 does DOI stand by the recommendations in its two
13 reports as comprehensive and sufficient for the
14 Department Department of Corrections and NYPD, or do
15 you agree with the mayor that additional review is
16 needed to suggest further revisions?

17 ACTING COMMISSIONER RYAN: I think based
18 on the investigations we did at the time, our
19 recommendations reflect the reports and the
20 investigations at that moment in time. Obviously,
21 that is September and December respectively. A lot
has happened in the world since then. And, you know,
the mayor has, has certainly committed to, to, um,
ensuring every city compliance with this. So I would
think like any other good policy with an ongoing

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3 situation, a constant review to make sure that the
4 policies are current and up to date and the
5 recommendations are up to date given changing
6 circumstances. I never want to say anything is
7 sufficient. I think we can always, certainly as city
8 government, always do better, and should be— keep
9 trying to do better and better, and, and maybe set
10 periodic increments where we reconsider, and but, but
11 nothing is ever sufficient. We should always be
12 trying to do better. But I think the recommendations
13 we made, we certainly stand by them, and at the time,
14 they were— they were the starting point of, I think,
15 of this, of this conversation.

16 CHAIRPERSON BROOKS-POWERS: Thank you for
17 that. I want to pivot to the Fusion Center on Rikers
18 Island. City law bars federal immigration authorities
19 from maintaining an office or quarters on property
20 over which the Department of Corrections exercises
21 jurisdiction for any purpose. However, ICE may still
have access to the jail's massive audio surveillance
database through a Fusion Center, an intelligence
sharing hub conceived and partly funded by the
Department of Homeland Security, that the city does

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3 not acknowledge. Did your review of the Department of
4 Corrections policies and incidents consider the
5 existence of the Fusion Center?

6 ACTING COMMISSIONER RYAN: The Fusion
7 Center was not a- it was not a subject of our report,
8 no.

9 CHAIRPERSON BROOKS-POWERS: Considering in
10 Local Law 228 of 2017, where it is mandated that no
11 city resources, including but not limited to the use
12 of city property, shall be utilized for immigration
13 enforcement, if the fusion center exists, do you
14 believe it would violate the city's sanctuary laws?

15 ACTING COMMISSIONER RYAN: I would not be
16 in a position today to give you an opinion on that,
17 and having not examined the presence or nature of any
18 Fusion Center on Rikers. Right, but what I'm saying
19 is, considering that law, Local Law 228 of 2017, if
20 there was a Fusion Center on Rikers Island, would
21 that be a direct violation of the city sanctuary law?
If it existed.

ACTING COMMISSIONER RYAN: If, if a
federal facility that was facilitating the improper,
or, well, not even facilitating the improper use. I

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3 mean, the answer is probably yes, but without knowing
4 more of the hypothetical, it's very difficult to
5 answer. But if there is- if there is a facility
6 that's operating on city property, that is operating
7 by violation of current city law, then yes, that
8 would be a violation.

9 CHAIRPERSON BROOKS-POWERS: And I think
10 we could agree that that would be a violation of city
11 law considering that the law says that no city
12 resources, including but not limited to the use of
13 city property, shall be utilized for immigration
14 enforcement. And so if we suspect, and if it did- if
15 it does exist, a Fusion Center that is doing
16 immigration enforcement, I would argue that, that
17 means that it's in violation.

18 ACTING COMMISSIONER RYAN: Yes.

19 CHAIRPERSON BROOKS-POWERS: Do you agree?

20 ACTING COMMISSIONER RYAN: Yes.

21 CHAIRPERSON BROOKS-POWERS: Okay. Thank
you for that. Chair?

CHAIRPERSON KRISHNAN: Thank you, Chair.
I'll now turn it over to Council Member Carr.

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3 COUNCIL MEMBER CARR: Thank you so much,
4 Chair Krishnan. Commissioner, good to see you. Thank
5 you for coming today and discussing your report. I
6 just want to sort of get into a little bit of what
7 you were talking about earlier. You talked about the
8 supposed virtues of the sanctuary city policies with
9 respect to people being comfortable coming forward in
10 a law enforcement context as witnesses and perhaps in
11 other scenarios. But surely those sorts of— those
12 sorts of benefits don't apply when we're talking to
13 people who are coming into contact with the criminal
14 justice system from the other end, right? People who
15 are arrested, people who have trials pending and
16 they're in Rikers, or people many of whom may have
17 actually been convicted in prior proceedings. So what
18 is the harm to the city in cooperating with ICE in
19 those circumstances in your view?

20 ACTING COMMISSIONER RYAN: The current
21 state of city law is that— is that cooperation with
on matters of criminal immigration is permissible by—
with city agencies. So the NYPD can cooperate with,
federal agencies on matters of criminal enforcement.

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3 COUNCIL MEMBER CARR: But not immigration
4 civil enforcement, right? That's what I'm talking
5 about, is that what is the virtue of not engaging
6 with ICE constructively in response to their detainer
7 requests?

8 ACTING COMMISSIONER RYAN: That is a
9 matter that was outside of DOI's report. It's not
10 something we studied. It's not a- it's not a matter
11 that's-

12 COUNCIL MEMBER CARR: Well, you felt
13 comfortable venturing a potential benefit in another
14 portion of your testimony. Why not venture one now?
15 What is the virtue of shielding these individuals
16 from civil immigration enforcement when they've come
17 into contact with the criminal justice system in a
18 way that is not positive, right? These are
19 individuals that are arrested, they're awaiting
20 trial, some of whom may have been convicted of past
21 offenses. What is the virtue of the city shielding
those individuals from federal immigration
enforcement, in your view?

ACTING COMMISSIONER RYAN: Well, I think
if you're talking about individuals have- who have-

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3 who are, who are actively within the criminal justice
4 system who have committed c-c-criminal offenses that
5 could potentially lead to deportation, that that
6 falls within a widely a-already recognized area of
7 permissibility with cooperation. If you're talking
8 about simply someone who is- I mean, you're talking
9 about it within the criminal justice process, so that
10 puts it potentially squarely within within federal
11 criminal enforcement. That would not- that would not
12 be civil enforcement.

13 COUNCIL MEMBER CARR: Yeah, but the
14 reason-

15 ACTING COMMISSIONER RYAN: [inaudible]

16 COUNCIL MEMBER CARR: I'm- no, no, you're
17 not. I'm saying that ICE is seeking detainer requests
18 for people for a civil immigration enforcement
19 matter. These individuals have come into contact with
20 the state criminal justice system, right, or city
21 agencies. So they're not- the federal government's
not per se enforcing a criminal matter, but they have
an opportunity to engage with our law enforcement
entities and take these folks into custody and then
engage in immigration enforcement. And those folks

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3 have- can have their day in immigration court as to
4 whether or not they should be removed or not. What is
5 the virtue in the city shielding these people from
6 that eventuality?

7 ACTING COMMISSIONER RYAN: That is
8 ultimately a policy discussion for the council. That
9 is a- that is a balancing- the Council will set the-
10 will set, and the administration will set the
11 parameters of what city law will be. The Council and
12 the city have set forth the laws as they are, and
13 that's the law of the land, whether- certainly we
14 could debate, you know, the virtue of one versus the
15 other. We are looking at city law as it applies, or
16 as the NYPD and the DOC complied with existing city
17 law. We did not look at potential- anything relating
18 to what the- respectfully, what the council member-

19 COUNCIL MEMBER CARR: [interposing] Yeah,
20 no, I respect that you're not a policymaker in this
21 particular instance, but you know, you ventured forth
a benefit of the process or of the sanctuary city
policy in another matter, and you're straining to
come up with one now because frankly there isn't one.
And these folks who come into contact with the

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3 criminal justice system should be handed over to ICE.
4 And the legality of this local law that you're giving
5 your report on is being litigated currently. The
6 Department of Justice has sued the city in order to
7 enforce the Supremacy Clause of the Constitution,
8 rightly in my view. And so I think that, you know,
9 the situations that New Yorkers are rightly
10 concerned. And again, I'm not talking about the
11 situations that you referenced earlier where folks,
12 you know, may be going to school or engaging in city
13 services or— when I'm talking about the people who
14 come into contact with the criminal justice system
15 because they've been arrested for crimes. And there's
16 absolutely no earthly reason, good earthly reason,
17 why the City of New York should be resisting federal
18 detainer requests in those situations for civil
19 immigration enforcement, right? So that's the point
20 I'm making today, Commissioner. And unfortunately, I
21 agree that you're not going to be the one to give
22 give us the answer. The federal courts are going to
23 do that hopefully soon. Thank you, Chairs.

CHAIRPERSON KRISHNAN: Thank you, Council
24 Member Carr. Before turning over to Council Member
25

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3 Brewer, just a couple quick questions. Isn't it the
4 law in this city that New York City agencies are not
5 to assist federal— with federal immigration
6 enforcement, barring limited circumstances?

7 ACTING COMMISSIONER RYAN: Correct.

8 CHAIRPERSON KRISHNAN: And isn't your role
9 as the agency to ensure that the law is being
10 followed?

11 ACTING COMMISSIONER RYAN: That's correct.

12 CHAIRPERSON KRISHNAN: And isn't it also a
13 matter of separation of powers between local and
14 federal government, that it is the responsibility of
15 the federal government to carry out civil immigration
16 enforcement?

17 ACTING COMMISSIONER RYAN: That's correct.

18 CHAIRPERSON KRISHNAN: And it is the
19 responsibility of city government to carry out
20 everyday city functions and services, correct?

21 ACTING COMMISSIONER RYAN: That's right.

CHAIRPERSON KRISHNAN: And in those
instances where there may be sharing of information
between the city and federal government, the
sanctuary laws that we in the city have passed years

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3 ago define explicitly those limited public safety
4 circumstances, but they do exist, but limited public
5 safety circumstances where such cooperation will be
6 permissible. Isn't that correct [inaudible]

7 ACTING COMMISSIONER RYAN: Yes,
8 absolutely, there are. There are areas delineated in
9 the law- to many ways to just to provide for the
10 cooperation should it be necessary. Yes, that is in
11 the law that's written.

12 CHAIRPERSON KRISHNAN: And isn't it also
13 correct that your report, DOI's report, identified
14 instances where those laws were violated? In other
15 words, where instances outside of those limited
16 public safety circumstances, information was
17 impermissibly shared between city and federal
18 agencies. Isn't that right?

19 ACTING COMMISSIONER RYAN: Yes, we saw
20 that in the- that is detailed in the report.

21 CHAIRPERSON KRISHNAN: And so isn't it
also true that that raises a serious concern and risk
that DOI also highlighted, that that when the law is
not being followed, even with these limited
exceptions, there are instances that have occurred

3 where outside of those exceptions, information has
4 been impermissibly shared. Isn't it true that it also
5 raises a concern for DOI in your report that there
6 may be additional instances? There could be
7 additional instances where such information was
8 impermissibly shared outside of those exceptions, and
9 your role is to ensure that that does not happen. Is
10 that correct?

11 ACTING COMMISSIONER RYAN: Yes, the
12 recommendations we made relating to the audits were
13 to capture exactly that, to determine whether or not
14 there are any other instances that can be deterred,
15 that can be identified in the past based on that type
16 of audit. Yes.

17 CHAIRPERSON KRISHNAN: Thank you. On that,
18 oh- Chair Brooks-Powers also had one more question
19 that she wanted to ask as well.

20 CHAIRPERSON BROOKS-POWERS: Commissioner,
21 you also said a structure for an NYPD task force
audit is under discussion. It's more than four months
after your report came out and about a year since
most events described in the reports. Do you consider

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3 that kind of delay- do you consider that kind of
4 delay the NYPD accepting DOI's recommendation?

5 ACTING COMMISSIONER RYAN: Yes, my

6 understanding is that the NYPD has been preparing and
7 coming up with a methodology for doing that work, and
8 I think, like, as I testified earlier, I think new-
9 that this will all- this work will also dovetail with
10 the new audits that the mayor has ordered happen at
11 all six agencies. NYPD will be one of them. So any-
12 whatever preparatory work they've already done for
13 the audit will be included in the work that the mayor
14 has detailed should be done, I think, under Senior
15 Advisor Mostofi's office.

16 CHAIRPERSON BROOKS-POWERS: And at what
17 point do you consider delays a practical rejection,
18 if at all?

19 ACTING COMMISSIONER RYAN: I guess it's
20 kind of a you know it when you see it situation. I
21 don't think- I don't think we are- I don't think
that's even close to being the case. And even- and a
lot of the preparatory work that the NYPD- for an
NYPD audit had already been underway even I think at
the time that DOI issued its report. There's a-

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3 there's an understanding of the work that needs to be
4 done, and I believe there it's being done diligently
5 and in good faith. I don't think there's any
6 foot-dragging or delays at all. Certainly not the DOI
7 has seen either in any of our conversations with
8 NYPD.

9 CHAIRPERSON BROOKS-POWERS: Thank you.

10 CHAIRPERSON KRISHNAN: Thank you so much,
11 Chair. Now turn over to Council Member Brewer.

12 COUNCIL MEMBER BREWER: Thank you. I think
13 two things could be true. We can love David Carr and
14 sanctuary city at the same time. So I just want to
15 point that out.

16 CHAIRPERSON KRISHNAN: Agreed.

17 COUNCIL MEMBER BREWER: Question is- first
18 of all, congratulations also on your NYCHA report,
19 which you just issued. Congratulations. With the
20 issue of contracts, now that's not necessarily
21 something that you looked at, but I'm interested, and
I think the Chair is also, the role of private
contracts in all of this, because obviously ICE
probably works with companies. I know, for instance,
there are ICE rentals in our city. Those are with

3 companies. So I just was wondering In the
4 investigation, although I didn't see it here, was
5 there any situation where you found contracts, city
6 contracts, ICE contracts, in any way, shape, or form
7 playing a role either through the audits, your
8 investigation, and so on?

9 ACTING COMMISSIONER RYAN: There was not,
10 no.

11 COUNCIL MEMBER BREWER: Okay. Second
12 question is, I think maybe you discussed this a
13 little bit, to the— we're talking about Correction
14 and NYPD. Any other agencies that have come to light
15 in this investigation working with ICE?

16 ACTING COMMISSIONER RYAN: No, these were
17 very tailored to those two agencies, both based on
18 the report— the refer— the referral from your office—

19 COUNCIL MEMBER BREWER: [interposing] Yep.

20 ACTING COMMISSIONER RYAN: and from the
21 former Speaker and from a DOC complaint. We did not
look at any other agencies.

COUNCIL MEMBER BREWER: Okay. And so I
know we talked about the audits quite a bit. So what
is— but with both agencies, again, We don't know the

3 timeline, that's what you said, but is there— what do
4 you hope to get out of the audits? What do you think
5 they should be included, et cetera?

6 ACTING COMMISSIONER RYAN: I mean, I
7 think both audits were intended to be a review, a
8 retrospective review, to see if there's any evidence
9 as of what the Chairperson had, like, alluded to
10 earlier. Could there be other instances that simply
11 no one has uncovered yet? And I think the first— one
12 of the ways that DOI thought would be an effective
13 approach to that would be to look at email, for
14 instance, in the NYPD context, within the
15 communications between task force members to see if
16 there were any requests being made, or anyone in the
17 NYPD had received either an email request or a
18 reference in email requests from the federal
19 government that they were either concerned about or
20 that were improper. I think that was a kind of a
21 first step that would be a very discernible way of
approaching, you know, that type of investigation,
whether or not there's any email traffic relating to
investigations.

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3 COUNCIL MEMBER BREWER: And Corrections,
4 same thing, or-

5 ACTING COMMISSIONER RYAN: [interposing]
6 Corrections-

7 COUNCIL MEMBER BREWER: [interposing]
8 same idea?

9 ACTING COMMISSIONER RYAN: Corrections,
10 same, the same thing. I think the Corrections audit,
11 um- we didn't necessarily mandate how the audit was
12 to be affected. I think the NYPD focused on the email
13 of task force officers as its first phase. I don't
14 think the- I don't believe that DOC has concluded
15 exactly what the focus of the audit will be, and I'm
16 not quite sure what the new audit as mandated by the
17 mayor, exactly how that's being structured, whether
18 that's similar or broader, narrower. We hope to learn
19 more about that once that begins to get up and
20 running, and hopefully DOI can be an effective
21 partner.

22 COUNCIL MEMBER BREWER: So how- I mean,
23 when I'm on the street, the officers- PD I'm mostly
24 with- they know for sure, do not coordinate with ICE.
25 I got that. These federal task forces have existed

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3 for a long time because you have to collaborate,
4 coordinate, blah, blah, blah. So how do they operate?
5 I mean, this is a different time. How do they operate
6 now? How are they the- far as you know, similarly to
7 how they in the past? Obviously there's a different
8 president, for lack of a better word, who is
9 conducting this- I consider them raids. Do they
10 operate differently to the best of your knowledge,
11 similarly? I mean, when you're talking to your friend
12 who's an ICE employee and you're a PD, you know, you
13 have to keep your distance, but you still have to
14 coordinate, I guess, for safety of the country. So I
15 don't know how- how do you think- is it different?
16 Does it work similarly? Do you have any
17 recommendations how these task forces should work? I
18 know it's not necessarily PD to do this, but I just
19 didn't know if you had any suggestions.

20 ACTING COMMISSIONER RYAN: Well, I mean,
21 obviously not part of the reports that the DOI
issued.

COUNCIL MEMBER BREWER: Right.

ACTING COMMISSIONER RYAN: My
understanding generally is that the task forces that,

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3 as you said, have been in place— Joint Terrorism Task
4 Force, Joint Robbery Task Force— have been around
5 forever.

6 COUNCIL MEMBER BREWER: Yep.

7 ACTING COMMISSIONER RYAN: The hope is
8 that the, you know, the purpose that is in the name
9 of the task force, or HSI's Violent Crime Task Force,
10 that they are true to the name of the task force and
11 don't stray from that mission to keep the country
12 safe from all sorts of different— from different
13 topics that they were established for. I think the
14 concern is, are they— are they doing that? But the
15 structure, the structure is the same, and I can say
16 that the NYPD has put in place safeguards to ensure
17 that their officers and detectives are not being
18 asked to do— to engage in practices that would be in
19 violation of any city sanctuary city law. And those
20 safeguards were both very intelligently designed and
21 seem to be implemented well.

22 COUNCIL MEMBER BREWER: Okay. Just one
23 last question. Ongoing, because this is obviously not
24 ending in terms of the concern. So, I assume the
25 audits will bring up whatever they bring up. But do

3 you have some suggestions as to ongoing? Maybe it's
4 the mayor's executive order. What is it they can make
5 sure that what you provided, what you found gets, A,
6 addressed, but, B, doesn't happen again in the
7 future? Is it more audits? Is it more- in my opinion,
8 people don't have a clue what sanctuary city means.
9 That's relevant. But any suggestions along those
10 lines? How do we maintain the recommendations that
11 you made and others that probably will maybe be
12 discovered in the audits?

13 ACTING COMMISSIONER RYAN: I think we'll
14 know- I think we'll know more about that after the
15 results of the audits. As I- as in my response to the
16 Chairperson, you know, we don't know what we don't
17 know. Hopefully the audits will fill in any gaps in
18 our collective knowledge about what is happening
19 right now, and I think that will be depending on what
20 is uncovered, if anything, in the audit, I think will
21 give us a better sense of the intensity or severity
of the problem and whether or not, you know, if we
see the- if we see, you know, a problem persisting
and then since, you know, DOI's reports have been
issued, the agency's taking corrective action. If we

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3 kind of see, you know, some change in practice or
4 change in frequency. I mean, I'm just- I'm kind of
5 speculating.

6 COUNCIL MEMBER BREWER: Right.

7 ACTING COMMISSIONER RYAN: But I think
8 we'll know more once we see the audits and can see if
9 we can see the patterns going in the right direction.
10 I think that would be a good sign.

11 COUNCIL MEMBER BREWER: Okay. I mean, one
12 of the issues is that they lie. I mean, the situation
13 at Columbia with lying about a child in the dorm was
14 challenging. So, I mean, I don't- you know, if the
15 cops are told X is a child there and it could be
16 something that they need to be involved in because it
17 is relevant to them, but you're getting false
18 information from ICE, it makes it hard to blame the
19 cops for that. But so that's an example of just the
20 worst of the worst. I obviously- hopefully that
21 doesn't happen all the time.

CHAIRPERSON BROOKS-POWERS: Thank you. I'd
like to acknowledge that we've also been joined by
Council Member Narcisse. And next we have Council
Member Zhuang.

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3 COUNCIL MEMBER ZHUANG: Thank you, Chair.

4 Thank you, Commissioner, to be here. I have a
5 question. Probably a lot of people in the public are
6 curious about this situation also. The Canal Street
7 raid last year in November, NYPD and ICE showed up at
8 the same time, and a lot of reporters, actually
9 journalists, confirmed to my team that they got
10 tipped off by NYPD about the Canal Street raid. Is
11 that any coordination between NYPD and ICE in that
12 situation? Did you guys do any investigation about
13 that situation?

14 ACTING COMMISSIONER RYAN: That was not
15 the subject of our investigation. We did not look
16 into- we did not look into that incident.

17 COUNCIL MEMBER ZHUANG: Okay, that's my
18 question.

19 CHAIRPERSON KRISHNAN: Thank you, Council
20 Member Zhuang.

21 COUNCIL MEMBER ZHUANG: Thank you.

CHAIRPERSON KRISHNAN: Oh, sorry, did you
have more? No? Oh, thank you. And we've been joined
by Council Member Narcisse, which was probably
already said. I just have a few more questions, then

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3 we turn it over to Department of Corrections for
4 their testimony. Council Member Brewer and Chair
5 Brooks-Powers also hit this point too. But Local Law
6 228 of 2017 prohibits the use of city property for
7 immigration enforcement, and there are concerning
8 instances where that might be happening or is
9 happening. The Hudson River Park Trust— this has been
10 reported in the news too— operates on city-owned
11 land. Has the DOI considered investigating whether
12 their contracts allowing ICE use of the piers
13 violates the spirit or the letter of the city's
14 sanctuary protections?

15 ACTING COMMISSIONER RYAN: We are aware of
16 that situation, and it is something that if DOI has
17 the jurisdiction to review, we will do so. We are
18 aware of it, and we're considering what our proper
19 role in that would be.

20 CHAIRPERSON KRISHNAN: Thank you. And I
21 understand that the Hudson River Park Trust is a
state city authority, but I do think the city's piers
are city resources and land, and that would be
something I would hope the DOI would be considering.
And I should also add that we are hearing my

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3 legislation soon in the Immigration Committee about
4 prohibiting the city from contracting with ICE,
5 because there are clearly gaps that are coming up
6 that I'm- we're seeing very clearly need to be
7 closed, especially at this moment. I wanted to go
8 back to the joint task forces subject, and I bring
9 that up because one thing that became clear from the
10 DOI reports too is- and especially now, the way in
11 which there are certainly, you know, state- sorry,
12 city, federal task forces around criminal
13 enforcement. But there's a real concern that those
14 task forces, as we saw in these instances too, can
15 bleed into impermissible information sharing around
16 immigration enforcement. Instances where, for
17 example, individuals were turned over impermissibly
18 after they pled to misdemeanors even though they were
19 originally char- and they were not pleading to or
20 convicted of any of the serious felonies or otherwise
21 that would qualify for information sharing. So
there's a real question of how to ensure that
criminal enforcement and cooperation there does not
turn into something that it should not be turning
into. You know, one question, and we've reviewed, you

3 know, at length DOC and what needs to happen there.

4 But with NYPD task forces, do you all have a sense of
5 how many NYPD officers are currently assigned to
6 federal task forces that involve agencies that also
7 have immigration enforcement authority?

8 ACTING COMMISSIONER RYAN: I don't have
9 that number. That is certainly something we could get
10 back to the council with or- you refer to the NYPD as
11 well.

12 CHAIRPERSON KRISHNAN: If you do have that
13 information, it'd be helpful. Otherwise, you can
14 track it from NYPD as well. And do you all know, has
15 NYPD conducted any internal reviews following your
16 report about task force assignment, the risk
17 assessment there, and what safeguards to put in place
18 so there is no inadvertent facilitation of civil
19 immigration enforcement?

20 ACTING COMMISSIONER RYAN: Yes, certainly
21 the NYPD could give you a better understanding of
the- with exactly what they're doing. But our
understanding from our- is that the NYPD has put in a
series of controls elevating requests for information
from the NYPD, elevating it from the task force

3 officer up to a supervisor. So before any information
4 is shared between a federal- potentially federal
5 immigration authority and the NYPD, there is a
6 conversation between a NYPD supervisor with the
7 supervisor from the federal authority, asking- as far
8 as we can tell- the right questions to kind of- as
9 opposed to task force officer and task force officer
10 from different agencies, that is both- the NYPD has
11 proactively elevated that up to a supervisory level,
12 which is a very, you know, intelligent and
13 well-considered risk management measures. Obviously,
14 they're trying to manage the risk and reduce the
15 risk, but elevating it up to that management level is
16 a- seems like a very- seemingly very intelligent
17 control to put in place.

18 CHAIRPERSON KRISHNAN: And on the topic of
19 agency reporting requirements, is your- is it your
20 interpretation that Local Law 228 of 2017, that NYPD,
21 DOC, DOP, are required to report the same information
as every other city agency on an annual basis, above
and beyond the reporting required in the detainer
laws? Would you agree that they're all subject to the
same reporting requirements?

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3 ACTING COMMISSIONER RYAN: So my
4 understanding is that the- as the law is written,
5 there is no explicit exception for any of those
6 agencies. So, they are without- without such an ex-
7 without such an exception, they are- the law is
8 applicable to them as any other agency. There doesn't
9 seem to be anything special about that.

10 CHAIRPERSON KRISHNAN: Have those agencies
11 agreed with this interpretation or sent you notice
12 that they agree as they've adopted the policy and
13 procedure recommendations?

14 ACTING COMMISSIONER RYAN: I don't believe
15 we've had those conversations. That would be- we'd
16 have to refer that back to the agencies.

17 CHAIRPERSON KRISHNAN: Sure. Well, that
18 concludes our questioning for you. Thank you,
19 Commissioner. Oh, sorry, Council Member Narcisse has
20 questions. Thank you. Almost done.

21 COUNCIL MEMBER NARCISSE: Very quickly.
I'm not going to take you long.

ACTING COMMISSIONER RYAN: Of course.

COUNCIL MEMBER NARCISSE: Knowing the
City of New York, how complex that we are, right? We

3 want our community to be safe. We want the immigrants
4 to be safe. And we need for— I mean, fair treatment.
5 How your agency balance those priority in practice,
6 those priorities in practice?

7 ACTING COMMISSIONER RYAN: I mean, as the
8 city's Inspector General, DOI provides oversight
9 over, you know, the agencies on a variety of
10 different matters. We take referrals very seriously,
11 whether they're complaints from communities and in
12 our outreach efforts, or, you know, or through the
13 council as your constituents raise issues to you.
14 But I think the man— the way we manage our oversight
15 responsibilities across the city, across all all the
16 agencies, we try to find, you know, that proper role
17 of working with the agencies to make their service
18 delivery better, to examine how they're engaging with
19 their communities, and to make sure that everything
20 is done in a professional, fair way that avoids risks
21 of corruption and fraud and abuse. So we are
22 certainly supportive of all the city agencies, and at
23 the same time, we provide meaningful oversight. If we
24 see any issues beginning to brew, we try to provide,
25 you know, the kind of guidance and— to the city

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3 agencies to get them, you know, through our policy
4 and procedure recommendations to get them effectively
5 working for their constituents. I don't know if that
6 answers your-

7 COUNCIL MEMBER NARCISSE: Sort of. I know
8 that my colleague, Gale Brewer, probably talk about
9 the agency, how many- do you have enough staff to
10 actually do the work? As a matter of that, one of the
11 biggest supporters you have in here, always talking
12 about the importance of giving you the support that
13 you need, I mean, to do your job. So, sanctuary city
14 always are very confusing things for a lot of people.
15 From your perspective, can you describe it from your
16 understanding? What is there and what is specific
17 that you do?

18 ACTING COMMISSIONER RYAN: What what we
19 do-

20 COUNCIL MEMBER NARCISSE: [interposing]
21 No, for sanctuary cities.

22 ACTING COMMISSIONER RYAN: Oh. So, sure.
23 So-

24 COUNCIL MEMBER NARCISSE: [interposing]
25 Sorry, I apologize.

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3 ACTING COMMISSIONER RYAN: When we refer
4 to sanctuary cities, we're talking about a series of,
5 of City Council laws and mayoral orders that govern
6 the manner in which city agencies are able to
7 interact with federal immigration authorities and
8 limit the city's ability to participate in any
9 activities that would be considered prohibited
10 activities relating to crimin- to civil immigration
11 enforcement. It's a body of laws that govern this
12 entire area, and we periodically see, you know, new
13 laws added and new mayoral executive orders added,
14 but it is that body of law that safeguards
15 communities and allows people whose document- whose,
16 immigration status may be either in flux or otherwise
17 from, you know, enjoying the life here in New York
18 that we all want to, you know, enjoy without the fear
19 of you know, an interaction with a city- a necessary
20 city agency causing them to be impacted with their-
21 with federal immigration enforcement.

18 COUNCIL MEMBER NARCISSE: That's where
19 things collide for us right now. So I'll yield back
20 to my Chair. Thank you, Chair.

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3 CHAIRPERSON KRISHNAN: Thank you so much,
4 Council Member Narcisse. Thank you, Commissioner.
5 Appreciate all your great work-

6 ACTING COMMISSIONER RYAN: [interposing]
7 Thank you.

8 CHAIRPERSON KRISHNAN: and your testimony
9 today, too.

10 ACTING COMMISSIONER RYAN: Thank you. I
11 appreciate it.

12 CHAIRPERSON KRISHNAN: Thank you. Now
13 we'll be calling up representatives from the
14 Department of Corrections to testify, and I'd ask the
15 committee counsel to swear them in once they are
16 seated.

17 COMMITTEE COUNSEL: Thank you, Chair
18 Krishnan. We will now hear testimony from the New
19 York City Department of Correction, specifically
20 James Conroy. Before we begin, I will administer the
21 affirmation. Panelists, please raise your right hand-
Mr. Conroy, do you affirm to tell the truth, the
whole truth, and nothing but the truth before this
committee and to respond honestly to councilmember
questions?

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3 DEPUTY COMMISSIONER CONROY: I do.

4 COMMITTEE COUNSEL: Thank you. You may
begin when ready.

5 DEPUTY COMMISSIONER CONROY: Good
6 morning, Chair Brooks-Powers and Chair Krishnan and
7 members of the Committees on Criminal Justice and
8 Oversight and Investigations. My name is James
9 Conroy, and I'm the Deputy Commissioner of Legal
10 Matters and General Counsel for the New York City
11 Department of Correction. I appreciate the
12 opportunity to testify today regarding the
13 department's policies governing interactions with
14 federal immigration authorities, the findings of the
15 recent Department of Investigation report concerning
16 DOC interactions with federal immigration
17 authorities, and the steps the department has taken
18 in response to DOI's findings and recommendations.
19 The department has largely accepted DOI's
20 recommendations and will detail how they have been
21 implemented to-date to safeguard against an incident
of this nature occurring again. This is the issue—
this issue is one of importance to Commissioner
Richards, and our goal today is to be clear and

3 transparent around our process and the steps we have
4 and are taking to address this matter. The
5 department's longstanding policies regarding
6 interactions with federal immigration officials are
7 grounded in New York City sanctuary city laws. In
8 accordance with these laws, the department does not
9 engage in immigration enforcement and does not
10 subject its officers or employees to the direction of
11 federal immigration enforcement authorities. As a
12 matter of policy, the department does not honor
13 Immigration and Customs Enforcement detainers absent
14 a judicial warrant. In accordance with local law, if
15 the department receives a detainer from ICE, in some
16 circumstances ICE will be notified of an individual's
17 discharge, but only if the individual in custody has
18 a qualifying conviction as defined in local laws,
19 meaning a conviction for a violent or otherwise
20 serious crime within the past five years, or is
21 identified as a possible match on a federal terrorist
screening database. The request also must be
supported by documentation establishing probable
cause that the individual is subject to removal
proceedings. This notification can be made in advance

3 of or when the discharge process begins. Importantly,
4 the Department will not detain an individual beyond
5 the time that the individual is authorized to be
6 released from custody. Perhaps most significantly, if
7 any of the required criteria are not met— meaning no
8 qualifying conviction or no match in a terrorist
9 screening database— DOC will not communicate with ICE
10 about the individual in question. The Department's
11 public reporting for the fiscal year reflects that
12 cooperation under these in narrow circumstances is
13 infrequent relative to the number of detainers that
14 are lodged. Between July 2024 and June 2025, federal
15 immigration authorities lodged 595 detainers and 19
16 individuals were transferred to federal authorities.
17 This may be better illustrated through our calendar
18 year statistics, however. In calendar year 2024, the
19 Department recorded 403 detainer requests. Of those,
20 there were 18 transfers. In the calendar year 2025,
21 the Department recorded 895 detainer requests, and of
those, 25 individuals were transferred. In September
2025, DOI issued a report that examined conduct by an
investigator in the Correction Intelligence Bureau
who was assigned to a joint federal task force. DOI

3 found that in two instances, the investigator
4 inadvertently provided information about individuals
5 in custody to federal immigration authorities in
6 furtherance of civil immigration enforcement, despite
7 that no detainer meeting the statutory criteria had
8 been presented in connection with the individual. DOI
9 further concluded that this assistance violated city
10 law and DOC policy. In its findings, DOI found that
11 the investigator did not understand that the
12 assistance was being used for civil immigration
13 enforcement rather than a federal criminal
14 investigation, and that the Department had not
15 provided sufficient training, guidance, or oversight
16 to ensure that staff, particularly those assigned to
17 federal task forces, could reliably distinguish
18 between permissible coordination and impermissible
19 civil immigration assistance. While DOI found that
20 the investigator did not intend to violate the law
21 and did not appreciate that the assistance was being
used for civil immigration purposes, the fact remains
that city resources were used in a manner that is
inconsistent with the local laws. The conduct
described in the report, although inadvertent, should

3 not have happened. The sanctuary city laws are clear,
4 and the Department is bound and complies with them.

5 We agree that clear guidance and robust training are
6 necessary to ensure that these types of incidents do
7 not occur again in the future. DOI issued several
8 recommendations to prevent this type of incident from
9 recurring. Recommendations include that DOC provide
10 updated guidance and in-person training on applicable
11 city law and department policy, clarify and

12 streamline internal procedures regarding
13 communication with federal partners, and assess
14 whether any other instances of unauthorized
15 assistance occurred, among other things. The

16 Department has accepted the core recommendation and
17 has already taken concrete steps to implement them.

18 The first three recommendations made within the
19 report relate to providing updated guidance and
20 training on city law and policies and specific
21 guidance on how to respond to requests from law
enforcement partners and immigration-related
requests. In response to those recommendations, the
department's legal division conducted in-person

training for relevant units that are most likely to

3 have contact with federal law enforcement partners.

4 Training was conducted in April and May of 2025. The

5 training reiterated obligations under local law and

6 DOC policy, as well as proper communication protocols

7 with federal immigration authorities. Additionally,

8 since that time, the Legal Division has provided a

9 training on this topic at each of the Department's

10 leadership training courses for newly promoted

11 captains and assistant deputy wardens. DOC is

12 continuing to explore opportunities to expand

13 training to additional personnel. In addition to the

14 trainings, an agency-wide teletype was issued which

15 was read to personnel over 21 consecutive roll calls,

16 reiterating the internal policies regarding

17 interactions with federal immigration authorities

18 remain full and effective and must be strictly

19 followed, and that any immigration-related requests

20 must immediately be referred to the DOC ICE Unit and

21 the DOC Legal Division. DOI also recommended that

senior DOC officials coordinate with senior federal

agency officials about limitations set forth in the

city laws. DOC leadership has already met with senior

officials and other agency liaisons at federal

3 agencies with whom its staff regularly collaborate.

4 DOC will continue to engage federal agency partners

5 on these issues and reiterate its commitment to

6 ensure practices comply with all applicable laws and

7 policy. As recommended, DOC also reported previously

8 unknown interactions with appropriate city partners

9 for public reporting purposes. Finally, DOI

10 recommended certain policy changes as well as an

11 agency-wide audit. While DOC has partially accepted

12 these recommendations at the time of the report's

13 publication, the Department is currently working to

14 implement Mayoral Executive Order 13, which requires

15 an audit and review of all agency policies and

16 practices as it relates to interactions with federal

17 immigration authorities. The work is underway, and

18 the outcome of this collaborative assessment will

19 guide future policy and training, which will be made

20 publicly available on the department's website. The

21 Department of Corrections is committed to the goals

of upholding public safety and protecting the safety

and security of all individuals in custody, as well

as those working within the city jails. To be clear,

those goals do not include enforcement of immigration

3 laws or in any way engaging in conduct that is
4 inconsistent with this city's sanctuary city laws. We
5 are grateful that these incidents were reported to
6 help us ensure that we are addressing any gaps in the
7 implementation of our policies, and we remain
8 committed to the implementation of these laws and
9 open to hearing from families, lawyers, elected
10 officials, and others about issues and challenges as
11 they arise. Thank you. I will- available to take
12 questions. Thank you.

13 CHAIRPERSON KRISHNAN: Thank you so much,
14 Deputy Commissioner, for your testimony, and for
15 appearing before us today. I have a few questions,
16 and I'm going to turn it over to my co-chair, and
17 then I'll come back and ask more after my colleagues
18 ask questions, too. I appreciate your testimony today
19 because, yeah, I think we are at a very crucial and
20 concerning moment now. One of the themes that we keep
21 hearing from advocates, and we're seeing in the
Council is that this is not a new issue with DOC as
well. There have been instances in the past, in the
recent past, those reported, those likely not
reported too, and I think, you know, what is new now

3 is a mayoral administration and leadership at DOC
4 that is committed and shares our vision of addressing
5 these issues. So we have this conflict here between
6 what's happened in the past repeatedly without seeing
7 change despite our hearings, but new leadership that
8 shares our vision. And what I'd like to do in a
9 constructive way is see how we can once and for all
10 address these issues so that what happened under the
11 prior mayoral administration, we break from that past
12 and it does not happen again. But we make concrete
13 efforts to do so. So on that note, can you just
14 restate again— you did so in your testimony, but with
15 new leadership, with Commissioner Richards there,
16 with Mayor Mamdani and the new executive order as
17 well— can you just restate how has the new leadership
18 at DOC changed the agency's perspective about
19 sanctuary law compliance?

16 DEPUTY COMMISSIONER CONROY: Thank you.

17 You know, as you know, Commissioner Richards is only
18 in place for a few weeks now. And as you also know,
19 the Department of Correction has a lot of things that
20 we have on our plate and have to address. This is one
21 of them. Um, obviously with Executive Order Number

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3 13, it required us, and we have already begun to
4 engage with City Hall and the Interagency Response
5 Committee- if I misstated the name of that- but with
6 the committee to begin the steps to enter into this
7 audit and figure out how to do that more robustly.
8 Commissioner Richard is clear that his vested
9 interest in this agency, in collaboration with our
10 city partners, is in accountability and transparency.
11 And that is his mission statement, you know, to
12 everyone in the department and to you know, city
13 partners, and including the council. So that is what
14 we are going to be doing and working towards. And
15 again, we've already begun the work of conducting
16 this audit to be in compliance not only with the, you
17 know, emergency order- excuse me, Executive Order 13-
18 but also just to look at our current policies and
19 practices, as both the Department of Correction and
20 City Hall will be doing, to see how it informs, uh,
21 adjustments.

18 CHAIRPERSON KRISHNAN: And, you know, I'm
19 glad to hear that because I do think, as we saw and
20 you probably heard with that prior question with DOI
21 as well, these instances are likely not- we know not

3 isolated instances because there was a pervasive lack
4 of training within DOC. And, you know, officers that
5 are part of, you know, these larger efforts that are
6 communicating unbeknownst to supervisors, you know,
7 in violation of the law. They may not know the law
8 themselves. You know, it's just what we see from all
9 of the DOI investigation, which was not that long
10 ago, it was just in the fall, was that these are
11 systemic issues within the agency. And so, and again,
12 that DOI report came out in September of 2025. So,
13 you know, DOC is a very big agency, knowing
14 government well, these things take time. So I suspect
15 that these issues are still present as they were back
16 in September and they will be now too for for you all
17 to address. Uh, my question is, given the recent
18 executive order, is it your testimony today that DOC
19 will accept in full recommendation number six,
20 requiring the agency from DOI to conduct a
21 department-wide audit? Because one thing that really
stood out to me, it was very concerning, was the
prior administration's leadership at DOC refusing to
accept that audit. And it seems to me that is the
crux of what we're getting at here. So is it your

3 testimony today that DOC under this new
4 administration will accept recommendation number six
5 in conducting a department-wide audit?

6 DEPUTY COMMISSIONER CONROY: If I may
7 just first, Chair, clarify our acceptance or,
8 position on that. The issue with the acceptance of
9 that specific recommendation of a Department-wide
10 audit was not that we are unwilling. What it really
11 comes down to is the practicality of how our agency
12 operates and functions. The reality for us is that
13 agency-wide, the vast, vast majority of our officers
14 up until very recently did not even have an email
15 address, a department email address. When they are on
16 post and on staff, they do not have access to
17 computers or phones. So when we contemplated how and
18 what we can do to do a department-wide audit, we
19 thought most practically it would be, the most
20 productive also to focus on the areas in which there
21 is, and we know to be, this interaction. The reality
is in our facilities, federal officials from any
agency do not have direct access to just come onto
Rikers Island and go to a facility so that you'd
have, you know, direct interactions with the line

3 officers, you know, and there's a lot of different
4 protocols and approvals that have to allow anyone to
5 come onto Rikers Island. So, our not full acceptance
6 of that is not, again, as an unwillingness. It was
7 more we don't want to overpromise and underperform in
8 that area. So that's, that's the nature of our
9 response to that. Nonetheless, whatever we come up
10 with with our- you know, the, Committee as to how to
11 conduct an agency-wide audit, if it can be done, or
12 what the recommendations are on how to more broadly
13 encompass or review, we would accept that. And I'm
14 hopeful that once we get to that point, we'll raise
15 that, as the commissioner of DOI indicated, that we
16 have a good working relationship and communication
17 with them. So, uh, you know, I would be hopeful that
18 we would be moved into full acceptance and
19 implementation of that. That. But again, very
20 long-winded way of saying yes, but I did want to
21 clarify our position on the previous partial
acceptance.

19 CHAIRPERSON KRISHNAN: Understood, and
20 thank you for the clarification. You know, I think
21 the very- the challenging thing, and we'll go into

3 it, you know, more in a bit too, is that, you know,
4 the- despite that perspective from DOC, there are
5 always in the details of it the cracks, the gaps, and
6 things that happen. So when the agency doesn't commit
7 to it, especially in a moment where you had a prior
8 administration, um, that was overtly wanting to
9 cooperate with the Trump administration, and for
10 reasons we don't- you know, this is not germane to
11 this hearing, but I've made very clear that part of
12 it had to do with the corruption, indictment and the
13 plea and- I'm sorry, the dropping of the indictment.
14 All of those things are extraordinarily grave, uh,
15 concerns. And mixed up with that was Mayor Adams
16 overtly, publicly wanting that cooperation wanting to
17 have ICE on Rikers Island in contravention of our
18 very clear, well-settled law. So not accepting that
19 requirement in that context signaled a lot more that
20 I would hope is gonna change now and, you know, it
21 would be it would be our expectation that both in
compliance with the executive order that DOC is also
communicating with DOI that we can get to a place
where you all are fully accepting that
recommendation, because that is, I think, necessary

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3 given the, the systemic issues we've seen here. My
4 other question was, has the appointment of a federal
5 receiver changed DOC sanctuary law compliance
6 practices or response to DOI's recommendation? How do
7 you see that interacting?

8 DEPUTY COMMISSIONER CONROY: The
9 Remediation Manager versus receiver- that's the, the
10 formal name.

11 CHAIRPERSON KRISHNAN: Right, yeah

12 DEPUTY COMMISSIONER CONROY: Their
13 oversight into the, the Department of Corrections is
14 very limited in focus, specifically on 18 provisions
15 of the Nunez consent decree and remedial orders that,
16 uh, the judge found us to be in violation of, in
17 contempt of. So none of those remedial orders or the
18 provisions, contempt provisions, are related to any
19 type of immigration enforcement or even partnerships
20 with federal agencies. Policies. It's, it's very
21 squarely on internal investigations and use of force
policy. So my answer is no, um, because again, the
limited purview over which the remediation manager
will have authority.

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3 CHAIRPERSON KRISHNAN: Sure. Thank you. I
4 do have more questions as well, but I'm going to turn
5 it over to our Co-chair first Council Member
6 Brooks-Powers, for her questions.

7 CHAIRPERSON BROOKS-POWERS: Thank you, and
8 thank you for the testimony. In response to DOI six
9 recommendation, you state that an agency-wide audit
10 is impractical but would consider targeted reviews of
11 emails. Since you have declined a full audit, how can
12 the council, the public, and even DOC leadership
13 itself be confident that more violations haven't
14 already occurred?

15 DEPUTY COMMISSIONER CONROY: Thank you.
16 You know, as I stated earlier, the focus of the
17 audits and the targeted audits and the training, to
18 be quite honestly, that we've initially rolled out is
19 on those personnel that we have that would really
20 have direct interaction or even the risk of
21 interaction with any federal officials, particularly
those in immigration enforcement. So it's not- again,
I do want to reiterate that it's not a declination of
the desire to do a full audit. It really becomes the
practicality of it and, you know, how do we

3 accomplish that? We're going to do- you know, our
4 plan is to do much more robust training that will
5 eventually capture all DOC employees, even in those
6 areas where it's complicated. So, you know, we do
7 think that the limited look that we did into the
8 specified agencies and what DOI did for us identified
9 those, as we said earlier, gaps or instances, and we
10 don't know that necessarily expanding out to- I guess
11 the only practical way would be to go to each officer
12 and say, "Have you had an interaction? Have you
13 interact-" You know, it's just impractical. So it
14 really does- I don't want to characterize it as a
15 declination to conduct this. It just is getting to
16 that point of how we do it most effectively to
17 capture what everyone, you know, including ourselves,
18 is looking for.

19 CHAIRPERSON BROOKS-POWERS: What resources
20 would you need to conduct the suggested agency-wide
21 review?

DEPUTY COMMISSIONER CONROY: It's hard to
say right now, and I would really like to have
further conversations with the committee and City
Hall before we do that. I don't know that any are

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3 necessary really right now. So we could look into
4 that. But again, I would reiterate that, you know,
5 audits are very often done by email searches and, you
6 know, other access to computers, most of which our
7 uniformed staff do not have or only received
8 recently.

9 CHAIRPERSON BROOKS-POWERS: So you had-
10 just going back to something you said about, like,
11 everyone not having an email, which is kind of
12 strange for an agency, but how do correction officers
13 communicate with each other typically?

14 DEPUTY COMMISSIONER CONROY: Verbally.

15 CHAIRPERSON BROOKS-POWERS: Why has the
16 department not been able to provide email addresses
17 to everyone?

18 DEPUTY COMMISSIONER CONROY: What we have
19 now- I mean, I think it was just a matter of, you
20 know- again, in the nature of our- in the nature of
21 our work and what our limitations are regarding
electronic devices and otherwise. I can't speak- this
kind of precedes my tenure in the Department as to
why it historically had not been done. But the idea
is that everyone gets an email address, but if you

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3 have no mechanism to access it, I don't wanna say
4 what's the purpose. We've now since given it so we
5 could do the- more effectively roll out DCASH [sic]
6 trainings, like the online trainings, and you know,
7 informational kind of flyers or informational emails.
8 But again, still at the same time that the officers
9 are not assigned- unlike NYPD, everyone is not
10 assigned a department phone and doesn't have access.
11 There's not an individualized terminal and computer
12 to which they could access anything. It's really a,
13 you know, a physical hands-on in the housing area
14 job. So that, that's the reason.

15 CHAIRPERSON BROOKS-POWERS: So if officers
16 are communicating through phone or in person, as you
17 stated, does that mean that those conversations would
18 not have been captured in the audit?

19 DEPUTY COMMISSIONER CONROY: Well, I bet-
20 I think we're saying that they're not emailing and
21 phoning. So, right, that-

CHAIRPERSON BROOKS-POWERS: [interposing]
Right, so it's not captured.

DEPUTY COMMISSIONER CONROY: I mean, we
can't do it. Again, we can't do a practical, quick,

3 easy assessment into those communications because
4 there is no electronic capturing of that. You can't
5 look at the phone records to see who communicated
6 with whom because there are none. Same thing, emails,
7 you couldn't- there's no assessment on a
8 department-wide, you know, basis. Again, I don't want
9 to imply that we're not doing that for the people who
10 have that and who have these interactions. But on a
11 wide-scale method it's just impossible. So, yes, I'm
12 sorry.

13 CHAIRPERSON BROOKS-POWERS: I mean, I
14 think that's a bit alarming just in itself because
15 that means that there's a lot of information that
16 when you think about the need for transparency from a
17 legislative perspective and from the public in terms
18 of advocates, there's a glaring vacuum that exists
19 right now where we're not able to do a full audit if
20 there's no way to track or trace or report this
21 stuff.

18 DEPUTY COMMISSIONER CONROY: I'm sorry, I
19 would- you know, I would add that even in the DOI
20 investigation, when these violations were found, they
21 were through email. So by proxy, if the officers do

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3 not have email and can engage in email communications
4 with anyone outside of DOC, you know, that prevents
5 that inadvertent, unintentional, or even purposeful
6 communication outside. So I mean, I appreciate what
7 you're saying about accountability and looking into
8 it, but if the ability to make that communication was
9 not there and we don't have people in the facilities
10 without prior authorization, then, you know, we're
11 confident that there is not this communication on
12 that line-level officer, kind of, you know, rank and
13 structure.

14 CHAIRPERSON BROOKS-POWERS: Is body cam
15 footage captured in the audit?

16 DEPUTY COMMISSIONER CONROY: In the audit
17 relating to this, no, because, an interaction of that
18 nature would not be under our current policy, a
19 mandated activation. Nonetheless, I mean, we do have,
20 you know, a very robust camera system
21 department-wide, but we've not found an instance that
would warrant, you know, such a wide-scale review,
again, because that's covering our facilities, and we
don't allow these federal partnerships to come into

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3 our facilities without some collaboration with one of
4 our other investigative units.

5 CHAIRPERSON BROOKS-POWERS: And just for
6 point of clarification, are you saying now that all
7 DOC employees have access to an email account?

8 DEPUTY COMMISSIONER CONROY: I believe
9 that to be so. I don't want to make that affirmative
10 representation. I know we were rolling out to all
11 members, but yes, the intention is for all members of
12 DOC to have an email address. I just don't know if
13 we're at full implementation, but we're largely-

14 CHAIRPERSON BROOKS-POWERS: [interposing]
15 What's the timeline for full implementation?

16 DEPUTY COMMISSIONER CONROY: I think it
17 should be done, but I don't want to make that- right,
18 you know, we're under oath, so I don't make the
19 representation and say we still have, you know, 10
20 percent to go. But I believe that to be the case. We
21 should be imminent if it's not done already.

CHAIRPERSON BROOKS-POWERS: Okay. And have
you conducted any email audits prior to the report to
determine whether your staff is complying with

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3 relevant sanctuary city laws or you know, was this
4 not like a thing?

5 DEPUTY COMMISSIONER CONROY: We did do an
6 email search relating to- there was federal testimony
7 I think that was supposed to be given by the previous
8 administration, and in furtherance of that, because
9 it was an inquiry from Congress, we did do an email
10 audit. We did not find anything of this nature, but
11 it preceded the report that we had.

12 CHAIRPERSON BROOKS-POWERS: And have you
13 made a final decision on recommendation four where
14 you said you would "consider" mandating Department of
15 Corrections ICE unit or legal division to ask other
16 units if they have received civil immigration
17 requests?

18 DEPUTY COMMISSIONER CONROY: We've not
19 made a decision, and that's going to be part of the
20 recommendations, hopefully from the committee's
21 recommendations during that part of the audit. I will
say this much, however, we actually- the
consideration for that is not in its concept or the
benefit to it. It actually- if ICE unit or legal are
the ones to be making those inquiries. You know, we

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3 have other units that might be better positioned and
4 considered to do that, but nonetheless we still have
5 to get to a policy place where that's implemented. I
6 think we will be there. Again, I don't think that
7 certainly will not be a rejection. We'll get to a
8 point where there's some level of acceptance on that.
9 It's just a matter of how we do it and who does it.

8 CHAIRPERSON BROOKS-POWERS:

9 Recommendation seven asks you to "report any
10 previously unknown or unreported civil immigration
11 enforcement-related requests to the Mayor's Office of
12 Immigrant Affairs." But DOI found in finding number
13 nine that the federal requests relating to Concepcion
14 and Villanueva were in fact not reported to MOIA. How
15 will you ensure that the Department complies with
16 reporting requirements going forward?

16 DEPUTY COMMISSIONER CONROY: So the timing
17 of these two incidents was a little awkward, because
18 we did have some communication engaged in the
19 training in the reporting, and I forget exactly when
20 our reporting obligations and the communication with
21 MOIA- we do that on a quarterly basis- on a quarterly
basis. We did recently call MOIA to make sure that we

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3 had made that notification and they reminded us that
4 we had had conversations about this when the report
5 was released publicly, but at the time DOI concluded
6 their report, we had not had— you know, I don't know
7 if the quarter had ended. So, nonetheless, we are
8 continually— we always do this when we have this
9 quarterly reporting— we do inquire with those units
10 that we— I have identified as the most primary and
11 likely to be in interaction with any federal
12 immigration authorities, and we do inquire on these
13 targeted kind of inquiries to ensure that anything
14 that we've missed in the other reporting is captured.

15 CHAIRPERSON BROOKS-POWERS: And is any
16 specific unit or senior official responsible for
17 overseeing compliance with sanctuary laws and DOI
18 invest— recommendations?

19 DEPUTY COMMISSIONER CONROY: That's me,
20 yeah, the Legal Division, the General Office of the
21 General Counsel. So, again, all immigration-related
inquiries, you know, go through and should go through
my office, and we are the primary responders and
communicators with DOI.

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3 CHAIRPERSON BROOKS-POWERS: Perfect. Thank
4 you, Chair. Back to you.

5 CHAIRPERSON KRISHNAN: Thank you, Chair.

6 Just a few more questions from my end before going to
7 another colleague. I wanna go back to the issue of
8 emails, and I do understand the circumstances of the
9 job and how the considerations are different. But the
10 fact of the matter is, you know, we're talking about
11 communications and communications with ICE that— when
12 there were emails, because I know the DOI, as we
13 heard before in testimony, they were reviewing emails
14 and they found direct, you know, communication
15 between DOC employees and ICE that were impermissible
16 and violated the law, and that was just in emails.

17 But if many of the employees don't have emails,
18 raises a real concern of what communication is
19 happening that is not checked or ensured that is not
20 violating sanctuary laws. So my first question is
21 just how many DOC employees actually have email
access?

DEPUTY COMMISSIONER CONROY: Again, as I
represented, I think it's everyone now. So I forget
what our total headcount is. It's— I think we're at

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3 5,800 officers and another 1,600 civilians. My
4 impression is right now I believe everyone to have
5 access to email, but again, that's only within 2025.

6 CHAIRPERSON KRISHNAN: Right, got it.

7 Okay, I think- so there's email access, but there's
8 also the question of how are employees communicating
9 with ICE. Is that- which employees are communicating
10 with ICE and how are they doing so? Is it by email?
11 Is it by phone?

12 DEPUTY COMMISSIONER CONROY: Yeah. So most
13 of the circumstances, the vast, vast majority of
14 circumstances in any communication is occurring from
15 our- the DOC ICE unit, which is a subunit of our
16 custody management division, and it's in relation to
17 the receipt of detainers and the anticipated release
18 date of anyone who has or may have a qualified
19 conviction or meets the criteria under 9-131. So that
20 is an email communication.

21 CHAIRPERSON KRISHNAN: Because my concern-
and have you all seen this within the DOC as well? I
reviewed it- is what mechanism is there to track any
phone calls between DOC employees and ICE? We saw
some instances over email, and because that- there

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3 was a written record, and that was why a written
4 record was important, was, you know, DOI was able to
5 identify these flagrant violations happening. But if
6 there are phone calls that are happening, what
7 mechanism does DOC have in place to ensure that there
8 are not impermissible phone calls happening between
9 between DOC employees and ICE agents. And, you know,
10 obviously we're talking about an agency that does
11 record phone calls between those who are incarcerated
12 and otherwise. So what can we do here to ensure that
13 there are not those impermissible phone calls
14 happening?

15 DEPUTY COMMISSIONER CONROY: I think, you
16 know, we do have the ability to look at phone
17 numbers. You know, we don't record employee phone
18 calls. Uh, we do- would have the opportunity to look,
19 and that might be part of what we perceive, as a good
20 next step in the audit process when we engage with
21 the city and the committee on this. But I- you know,
again, I would say this: the answer to the issue that
you're raising is primarily, and I think should be
driven by training and robust training as to the
limitation obligations with respect to the city laws

3 and our policy. That's where we had gaps initially,
4 and, you know, I've really undertaken this mission to
5 change that, you know, in a lot of ways. And again,
6 to figure out how to get this training out robustly.
7 So that's the first thing, is we need to have the
8 staff in its entirety understand what the limitations
9 and obligations are under the sanctuary city laws.
10 Nonetheless, I do think we can do that, you know, a
11 look into the phone numbers and otherwise, but you
12 know, we're still talking about a very large agency.
13 So, you know, we have to look and be very measured
14 and targeted at how we look at that. I don't think
15 it's necessarily an easy answer, but again, we are,
16 are more than willing and will work with, you know,
17 the Interagency Response Committee to figure out if
18 that's a prudent measure to do or if we could expand
19 on that.

20 CHAIRPERSON KRISHNAN: I think that's
21 gonna be an essential step, and there's no question
that training is gonna be, you know, very important
going forward. But on the other side of it is just
the accountability measures in place too. You know,
we can come back to this in more detail in a little

3 bit, but one of the instances here, as you well know,
4 Deputy Commissioner, was an employee that had- was
5 literally coordinating with ICE when the bus left
6 Rikers Island, when it dropped off the individual on
7 the other side on Hazen [sp?], and, you know, it-
8 there's so much unmonitored communication that was
9 happening in that instance, but those were serious
10 legal violations of a regime we put in place. I do
11 think it's gonna be critical that DOC also look at
12 what to do, because it's in those everyday instances
13 that these flagrant violations are happening. And
14 understanding an agency this big, too, there has to
15 be ways to ensure that employees, you know, if they
16 get the training, that's important, but they may
17 forget that training, or, you know, it may happen-
18 they're not aware of it, or whatever it may be, in
19 that moment there are these real-time instances
20 happening that, you know, it's gonna be crucial that
21 the agency look at much more carefully now than under
the last administration.

19 DEPUTY COMMISSIONER CONROY: And we agree
20 with that. We do agree with that. But I would say,
21 and, you know, I don't in any way intend to mitigate

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3 the instance itself, you know, because it is a
4 violation of the local laws. But, you know, what
5 really happened there was what even DOI classified as
6 an inadvertent cooperation. These communications in
7 approved type of ways in a criminal investigation or
8 intelligence gathering would have been fine. But what
9 happened here is because of what was classified and
10 rightly classified as a lack of training for those
11 officers and guidance, there was not an awareness of
12 what might have been happening. And that's what I
13 think primarily we need to correct and what my
14 intention is to correct with training. So that's a
15 starting point. So you know, I do think that you're
16 not wrong in identifying those areas where there are,
17 but in this instance, I firmly believe, and I believe
18 the OI believes, that if there was the appropriate
19 training and guidance, that that might have been a
20 trigger for that officer to more communicate with
21 the, you know, General Counsel's office or someone
else in the agency.

19 CHAIRPERSON KRISHNAN: Right. And I would
20 also just add that there's the known knowns, right,
21 where there's inadvertent communication and training

3 can help, but there are also the known unknowns too,
4 which is we're seeing now, as I highlighted before
5 too, this federal government is resorting to any
6 means possible to test in any way possible at any
7 cost the boundaries of our sanctuary laws. In taking
8 advantage of the fact that there are these criminal
9 task forces and trying to slide in through the
10 criminal way immigration issues, even if that— when
11 they clearly fall outside of the criminal public
12 safety exceptions in the laws. So that just raises
13 the burden now of not just the inadvertent instances,
14 but also a federal government that may deliberately—
15 has shown deliberately, will do what they can to try
16 to undermine and erode our laws.

14 DEPUTY COMMISSIONER CONROY: I do want to
15 represent one thing, to the council so that we do—
16 we're talking about federal task forces and
17 otherwise, and you know, I know that PD has— NYPD has
18 a robust amount of those. Right now, actively, we
19 only have three officers in our agency assigned to
20 federal task forces. Two of them are assigned to the
21 ATF or with the ATF, and one is assigned to the U.S.
Marshals Office. So, we don't actively have any

3 officers with HSI or any other agencies. We are
4 considering other ones such as the Postal Service and
5 things like that. So, yeah, you're right that we have
6 to make sure that the training and the information
7 and the oversight is robust, but it's not necessarily
8 a pervasive assignment throughout the island. It is
9 very limited as it exists right now.

10 CHAIRPERSON KRISHNAN: And what have been
11 the conversations with DOC leadership about
12 specialized training for those individuals who are
13 part of those federal task forces? Because that's a
14 big concern too.

15 DEPUTY COMMISSIONER CONROY: Yeah, we
16 went- we- I did that training myself. It was
17 developed based off of a prior training that had been
18 in existence, which I believe was built with MOI's
19 cooperation. I added to it, and I could represent to
20 you that it is unequivocal as to what the obligations
21 are. And I stress that, that even to the point that I
say if you're uncertain as to what the interaction is
or the question is, ask legal. If you're really
certain about what the interaction is or the question
is, ask legal. I really want the, you know, the onus

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3 to be on me and my attorneys that work there to
4 ensure that we're protecting everyone here, the
5 individuals in custody as well as the officers and,
6 you know, everyone else in the city to to make sure
7 that that's, you know, adequate.

8 CHAIRPERSON KRISHNAN: Another question,
9 you know, shifting gears a bit, too. In December, the
10 Department of Corrections had failed to testify at
11 the request of the immigration hearing following the
12 release of these DOI reports. Now, I understand now
13 that we are in a different administration, and so I
14 have two questions. One is, has the DOC attended to
15 testify in person regarding immigration in the past
16 six months, and will that policy change now going
17 forward.

18 DEPUTY COMMISSIONER CONROY: I'm sorry,
19 could you repeat the question?

20 CHAIRPERSON KRISHNAN: Sure.

21 DEPUTY COMMISSIONER CONROY: I apologize.

CHAIRPERSON KRISHNAN: In December,
following the DOI- DOI report came out in September.
In December, there was a hearing by the Immigration
Committee. It's my understanding that the Immigration

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3 Committee had requested DOI's presence to testify,
4 and DOI did not show up. Has DOC attended any
5 immigration hearing in the last six months and
6 testified? And and what will be the department's
7 position going forward should they be asked to
8 testify at an immigration hearing?

9 DEPUTY COMMISSIONER CONROY: Yeah, no, we
10 did not appear then and we have not testified within
11 the last six months, but I mean, to answer your
12 question, we're present now. You know, so it is our
13 intention to appear. You know, obviously that's in
14 collaboration and communication with the mayor's
15 office, but nonetheless we're present and ready to
16 answer questions. And that would hold true for any
17 Immigration Committee hearings as well?

18 DEPUTY COMMISSIONER CONROY: I have no
19 reason to believe otherwise.

20 CHAIRPERSON KRISHNAN: Sure. Yeah,
21 because I do think that will be an important way to
22 have these conversations and ensure that the
23 compliance is happening too on an ongoing basis as
24 well. So at the February 15, 2023 oversight hearing
25 on the New York City detainer laws, DOC testified

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3 that ICE had never presented the department with the
4 judicial warrant. Is that still the case? And if it's
5 not the case, how many judicial warrants has DOC been
6 presented with in the last year?

7 DEPUTY COMMISSIONER CONROY: The- I
8 believe that to still be the case. I have not, in my
9 experience in working in this agency, seen a judicial
10 warrant associated with a civil immigration detainer.
11 I have seen- I'm sorry, we have had criminal arrest
12 warrants, but they're distinct. That's not what's
13 contemplated in the law. That's separate. And that
14 was only two or three times. But, judicial warrants
15 associated with a detainer, we've not seen.

16 CHAIRPERSON KRISHNAN: So my question is
17 then, how do we ensure compliance? Because part of
18 those sanctuary laws requires, in the limited
19 instances where one of the convictions that qualifies
20 for, honoring a detainer request, it does require the
21 presentation of a judicial warrant. And my
understanding from legal services organizations
otherwise is that sometimes ICE will be- will come to
Rikers to take custody of someone because they have a
qualifying conviction based on a request of

3 notification but without presenting a judicial
4 warrant. Is that happening, one? And two, given the
5 serious requirement in the law of a judicial warrant
6 even for those qualifying convictions what will DOC
7 do going forward to ensure that ICE is only
8 presenting it— oh sorry, that DOC is honoring
9 detainee requests when a judicial warrant is
10 presented?

11 DEPUTY COMMISSIONER CONROY: So the
12 answer to your question is— well let me go back. The—
13 yeah. It's long-winded answer probably. Our
14 longstanding policy does not rely on the first part
15 of 9-131 regarding detaining someone and
16 quote-unquote honoring a detainer, where we detain
17 someone longer than their—

18 CHAIRPERSON KRISHNAN: Correct, that's
19 right.

20 DEPUTY COMMISSIONER CONROY: normal
21 custody time.

CHAIRPERSON KRISHNAN: Yes.

DEPUTY COMMISSIONER CONROY: So what our
policy is based on is the subdivision H of 9-131,
which is a permits communication of a discharge date

3 when you have a detainer that doesn't have a— even if
4 it doesn't have a judicial warrant, and there is
5 either a qualifying conviction or the terrorist watch
6 list, those qualifiers. That's the communication that
7 happens in limited circumstances. And in that
8 instance, that's where we do a review. It comes to
9 the Legal Division. Does someone have this detainer
10 request? Yes. Is it supported by an administrative
11 warrant that establishes probable cause that the
12 person is subject to removal proceedings? Yes. And
13 then further assessments. Do they have a qualifying
14 conviction? Is there any other qualifiers, or is
15 there some other circumstance that we should not make
16 the notification? So when I talked about in the
17 testimony about the 18 transfers in 2024, the 25 in
18 2025, those were the circumstances. Our policies are
19 clear, and our guidance from our attorneys and myself
20 when we respond back to the ICE unit and or anyone
21 who inquires of us, it's that the individual is not
to be detained any longer than the normal discharge
procedures. And that's our policy and that's our
Legal Division mandate and guidance to that. So in

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3 those circumstances, we are not conventionally
4 honoring a detainer. Honoring a detainer means—

5 CHAIRPERSON KRISHNAN: Correct, yes.

6 DEPUTY COMMISSIONER CONROY: You know
7 what it means.

8 CHAIRPERSON KRISHNAN: Yes.

9 DEPUTY COMMISSIONER CONROY: It's where we
10 keep someone longer than we should.

11 CHAIRPERSON KRISHNAN: Which is
12 prohibited, yes.

13 DEPUTY COMMISSIONER CONROY: And that's
14 not what our policy dictates and our practices are.

15 CHAIRPERSON KRISHNAN: Well, thank you for
16 that clarification. That important. And yes, it's not
17 about honoring a detainee request, but it's the
18 communication information in those instances about
19 discharge day. What is your understanding of the
20 warrant requirement there? Is it— are you— is it an
21 adminis— it is an administrative warrant or is it a
judicial warrant? What is your understanding of the
law as to when that communication about a discharge
happens, and how do you ensure that that requirement
is being met? That warrant requirement.

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3 DEPUTY COMMISSIONER CONROY: So under the
4 communication, it is a detainer request, which is a
5 formal form that's submitted to us, and it's also
6 supplemented universally- I've never seen it without
7 it- an administrative warrant that, that is signed by
8 an immigration official that establishes the probable
9 cause. That's in opposite of the judicial warrant.
10 The judicial warrant would, in coordination with all
11 the other qualifying convictions and otherwise, allow
12 us to detain someone. So our practice is when we
13 review the paperwork, if any of those aspects
14 paperwork-wise is missing, we will not make a
15 communication. We will deny or direct the ICE unit or
16 anyone else to not make this communication or other.

17 CHAIRPERSON KRISHNAN: Thank you. I'm
18 trying to look for questions. I think Council Member
19 Brewer has questions.

20 COUNCIL MEMBER BREWER: Thank you. You
21 talked about training, and it's great that you're
doing it. So do you do it for everybody? Do you hire
outside, internal? And then of course, if people- you
know, some situations may be after nine to five, so

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3 who would people complain to, you know, if they had a
4 situation? So just generally training.

5 DEPUTY COMMISSIONER CONROY: So, training
6 in general so far has been done primarily by myself
7 or other members of the Legal Division. And so I have
8 attorneys and I have two Deputy General Counsels. So
9 we've both and all have presented again mostly at the
10 promotional trainings. How we roll this out more
11 widespread, we're actually- we're working with our
12 Deputy Commissioner of Training now to- two things:
13 to get into the recruit classes. So, that's most
14 important because you get people fresh and coming
15 into the Department so they don't have a
16 misunderstanding from day one as to what our
17 limitations are.

18 COUNCIL MEMBER BREWER: You have a class
19 coming up?

20 DEPUTY COMMISSIONER CONROY: There's one
21 in now, and I'm actually trying to get- we're
22 figuring out and coordinating when we could get in to
23 speak to them about that. So there's 260-something,
24 new recruits that are going through the academy.
25 Subsequent to that, we'd also, again, we want to-

3 what the Deputy Commissioner of Training is building
4 out is an in-service training course that we require
5 on an annual basis officers come for- I forget
6 exactly what the term is- maybe a three, four,
7 five-day training, something along those lines. And
8 we're going to work with him to ensure that we are
9 part of that, and this is part of that, you know,
10 somewhere within the block, to make sure that
11 everyone's getting an annual refresher on what the
12 laws are and updates, right? Because it could be
13 updated and changed, and we want to make sure in
14 addition to just issuing a teletype, which is
15 important because that is intended to reach all
16 members of the service, that it's also this
17 in-person, you know- we give you the guidance and let
18 you know even the nuances in terms of what you may
19 encounter.

16 COUNCIL MEMBER BREWER: And if people use-
17 if people see something, an infraction, but it's
18 after hours, you said normally they would call you.
19 So how would they do that if you're not there?

20 DEPUTY COMMISSIONER CONROY: Well, we have
21 a 24-hour legal line. We have an attorney of the day

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3 who's on call. I'll just be candid, my phone is never
4 off. So if it's something that has to come directly
5 to me, I will answer it. In addition to that, we have
6 a legal intake email address that is often used. And,
7 you know, it's not that somebody will not be
8 available. We do have the availability for that. And
9 also our grievances, if that was another avenue to
10 make a complaint. But I think we're more talking
11 about a, you know, someone from the outside or a
12 legal person, and we are available. We do have
13 attorneys on call seven days a week.

14 COUNCIL MEMBER BREWER: And then, do you
15 also— because the situation we heard earlier from
16 Legal Services, obviously post- pre-administrative no
17 transparency, etc. So it sounds to me like that's not
18 going to happen again, but do you talk to legal
19 services about these issues, or is that a no-no?

20 DEPUTY COMMISSIONER CONROY: No, I've,
21 I've had a number of conversations, you know, in
special circumstances, or even allaying fears. You
know, people think that we might be honoring
something and we're not, and as it turns out, the
people, you know, the individuals were released. So

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3 I've been accessible, yeah, and again, we can, we can
4 have these conversations. You know, I think we want
5 to gauge the defenders on different things, you know,
6 particularly as we've talked about, Council Member
7 Brewer, the visits, you know, attorney visits. So I'm
8 not opposed to having this be one of the
9 conversations.

10 COUNCIL MEMBER BREWER: Okay. And then I
11 should know this, but in social services we never ask
12 people their immigration status. Is that also true in
13 correction?

14 DEPUTY COMMISSIONER CONROY: Yes, that is.
15 We don't inquire about the legality or illegality of
16 their presence here.

17 COUNCIL MEMBER BREWER: Okay. And then,
18 how would- I guess what I'm trying to think of, how
19 would any interaction, you know- I guess the way
20 you're trying to prevent what has happened in the
21 past is by training. Is that sort of what you're
saying?

DEPUTY COMMISSIONER CONROY: That's a
start. That's the start.

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3 COUNCIL MEMBER BREWER: Okay, are there
4 any other places where you could be more transparent
5 or that in addition to the training so that ICE
6 doesn't have any input?

7 DEPUTY COMMISSIONER CONROY: Well, I think
8 that what DOI recommended and we started to do with
9 at least whoever we're in a partnership with now is
10 communicating with their leadership as to what our
11 limitations and obligations are and making clear that
12 we are only able to do whatever the enforcement is—
13 criminal enforcement, intelligence gathering. So
14 that's another avenue. So it's the training,
15 communications with the partnerships, and then
16 supervision, right? You know, so making sure that the
17 supervisors are aware and that this obligation to
18 notify the legal division or to notify particularized
19 units is complied with. It's part of policy, and that
20 there's multiple levels of oversight, not only from
21 us on the legal side and the administrative side, but
direct supervision of the officers themselves and in
communication with agency partners.

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3 COUNCIL MEMBER BREWER: And is the union
4 leadership aware of what you're doing and also
5 hopefully supportive?

6 DEPUTY COMMISSIONER CONROY: I- we haven't
7 spoken to them about it. I mean, you know, we do the
8 trainings, and I could certainly communicate that if
9 we think that's beneficial. But I've not been- I've,
10 never encountered a union leader that would be
11 opposed to more robust training for any of its
12 members. So I think that's not- wouldn't be a
13 concern, but I'll certainly convey that to the union
14 leadership.

15 COUNCIL MEMBER BREWER: Thank you.

16 CHAIRPERSON KRISHNAN: I'd like to note
17 that the Deputy Speaker Natasha Williams is on Zoom.
18 And now we'll turn it over to Council Member Aviles.
19 Or is Council Member Avila not here? Okay. When she
20 comes back, we'll turn it over to her. So I just want
21 to go back to something, Deputy Commissioner, which
I, you know- this was on my mind too, because we
talked about administrative warrants, but I just
checked on the administrative code, and in Section
9-131 requires that department may only honor a civil

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3 immigration detainer by holding someone beyond the
4 time or by notifying federal immigration authorities
5 of such a person's release when the immigration
6 authorities present the department with a judicial
7 warrant for the detention of the person. So there is
8 a judicial warrant requirement, and I'm not
9 understanding why notification is happening without
10 the presentation of a judicial warrant as opposed to
11 administrative.

12 DEPUTY COMMISSIONER CONROY: Yeah, the
13 policy is based on Subdivision H of 9-131, which
14 doesn't contemplate the honoring of the- So, it's
15 persons not to be detained and talks about the
16 communications. So what it says is shall not
17 communicate about a discharge or, you know, there's
18 other provisions. I'm sorry, I don't have the
19 language memorized, but it's in that Subdivision H
20 unless- and then it has the qualifying conviction and
21 the person's appearance on entire watch list. So you
have the presence of the detainer and we're not
permitted to honor the detainer, right? That clear.
We don't honor the detainer absent a judicial warrant
and the qualifiers, but in the communication aspect

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3 pursuant to Subdivision H, there is that, you know,
4 ability to communicate about the discharge date,
5 which is pri- I mean, not primarily, that's what
6 these interactions are, and it requires, you know,
7 the detainer essentially and does not require the
8 judicial warrant for the communication, and then the
9 qualifiers as far as the convictions and otherwise.

10 DEPUTY COMMISSIONER CONROY: But what I'm
11 having a hard time understanding is how does Section
12 8 operate? If you look at Section B1, right, it says-
13 I'm going to read it again. The Department may only
14 honor a civil immigration detainer by holding a
15 person beyond the time when such person would be
16 otherwise released from custody, which you all don't
17 do, or by notifying federal immigration authorities
18 of such person's release. So it's the notification of
19 release in Section B1 that is only supposed to be
20 happening with the judicial warrant. And I'm also
21 wondering, how does Section- Subsection H override
that?

DEPUTY COMMISSIONER CONROY: I still do
believe and think that- and again, this is
longstanding policy that's been over two mayoral

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3 administrations and through MOIA and also, you know,
4 the City Law Department as its interpretation. My
5 understanding and longstanding understanding is that
6 that first subdivision really specifically applies to
7 continued detention. So it's not just as about the
8 notification as to the release date, it's the
9 existence of the person's presence in custody, which-
10 and also honoring it, meaning keeping the person in
11 custody beyond their normal discharge time. The
12 subdivision H is merely the notification of the
13 discharge time without any honoring or continued
14 detention pursuant to the detainer absent a judicial
15 warrant. And I'm not trying to be coy. I mean, that's
16 the-

17 CHAIRPERSON KRISHNAN: [interposing] No,
18 I- yes.

19 DEPUTY COMMISSIONER CONROY: Yeah.

20 CHAIRPERSON KRISHNAN: And I think if you
21 all can provide some guidance to this committee too
22 about that, because I'm also trying to understand. I
23 understand it's been longstanding policy, but
24 notification is written in the statute above, and it

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3 seems that, you know, we're in the interpretation
4 reading out that section.

5 DEPUTY COMMISSIONER CONROY: Right. I'd be
6 curious to see, and if you can provide this committee
7 with the-

8 DEPUTY COMMISSIONER CONROY: [interposing]
9 We'll certainly have a follow-up where we outline
10 that better. It's hard to do, you know, sitting here
11 without paper and stuff.

12 CHAIRPERSON KRISHNAN: Back and forth,
13 right. Yep. We'll turn over to Council Member Avilés
14 to have questions.

15 COUNCIL MEMBER AVILÉS: Thank you so much,
16 chairs. I'm sorry, give me one second. I had it open.
17 I- apologies, since I've been in and out, you may
18 have answered this question 17 times, so forgive me
19 if that is in fact the case. But can you tell me the
20 DOC ICE unit, how many people are in this unit, and
21 what is exactly the unit does?

DEPUTY COMMISSIONER CONROY: So it's- it's
a subdivision of our- a subunit I'd say of our
custody management unit. It's comprised of- it's very
few people. I think it's three or four captains that

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3 are active permanently and/or temporarily assigned
4 there that assist with this. We need, you know- we
5 need to stand up a unit in these circumstances to see
6 and have a main point of contact for whenever there
7 is an ICE detainer or there needs to be an inquiry
8 for someone to call and see if any communication or
9 if the ICE detainer is, you know, valid or in place
10 or what the obligations are. So it's just merely a
11 subunit, very small subunit of the custody management
12 division that deals with these, reviews them, gives
13 us the paperwork, communicates with the legal
14 division as to, you know, again, the paperwork
15 processes, qualifying convictions or otherwise. And
16 then they will clear- "clear the warrant," meaning to
17 have the person discharged normally, or otherwise,
18 you make this communication directly with immigration
19 officials that we've been discussing.

16 COUNCIL MEMBER AVILÉS: Got it. Thank you.

17 And in terms of- we understand NYPD has a much more
18 extensive guidance. What is the guidance that DOC has
19 provided in terms of how they're documenting requests
20 that are coming in and that process?
21

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3 DEPUTY COMMISSIONER CONROY: Yeah. So, I,
4 I mean, the guidance- we actually have what I'd
5 consider pretty extensive guidance on this. I mean,
6 it's a 19-page policy. There's multiple forms. The
7 ICE unit has its own internal protocols where they do
8 track, you know, this is where we get the information
9 for our local reporting, the local law reporting, and
10 also, you know, our own edification of what the
11 process and numbers look like. So they have their own
12 internal protocols, and then our policy is pretty
13 robust when it comes to what the obligations are,
14 where things are documented, and where they have to
15 go. So I wouldn't say that it's more limited. I mean,
16 by their very nature, the PD has a much broader scope
17 of what they have to do while ours is narrow and
18 focused. But I do think, again, a 19-page directive
19 plus our teletypes which outline the obligations- and
20 that's written guidance that's independent of
21 whatever we do for, you know, again, what we're
building out is training.

COUNCIL MEMBER AVILÉS: Great. Would you
be able to provide that to the council for review?

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3 DEPUTY COMMISSIONER CONROY: I think it is
4 in the D-

5 COUNCIL MEMBER AVILÉS: [interposing] It
6 is?

7 DEPUTY COMMISSIONER CONROY: We certainly
8 will, but it's in the DOI report as attachments.

9 COUNCIL MEMBER AVILÉS: Great. Okay. In
10 terms of- would the recommendations adopted by DOC
11 have prevented DOC from sharing information about Mr.
12 Villanueva?

13 DEPUTY COMMISSIONER CONROY: I do think
14 primarily the one main recommendation, as I mentioned
15 to the Chair earlier, is the training aspect. I do
16 believe in the nature of this interaction and the
17 seeming misunderstanding or just lack of guidance
18 that was given to the CIB officer that was involved,
19 officers that were involved, I think stems from a,
20 you know, primarily the absence of or lack or not
21 adequate enough training, which we look to fix. So I
think there's multiple layers here.

COUNCIL MEMBER AVILÉS: Yeah.

DEPUTY COMMISSIONER CONROY: You know, the
other recommendations go towards, you know, finding

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3 out other incidents, but I think on these specific
4 incidents, the training would have really made a
5 difference.

6 COUNCIL MEMBER AVILÉS: Do you think the
7 guidelines of the framework and guidelines of the law
8 are too confusing? If we were to simplify the law to
9 make it more straightforward, would that help in this
10 regard?

11 DEPUTY COMMISSIONER CONROY: I think quite
12 candidly, to me they're not. I mean, it's nuanced and
13 it could be difficult for the layperson to
14 understand, and I do appreciate that. But we do make,
15 and it's my job to make the training and the guidance
16 internally unequivocal and clear. And I think we're
17 able to do that within the boundaries of the law. So
18 I really can't speak on how other people interpret.

19 COUNCIL MEMBER AVILÉS: I appreciate
20 that. But we've had these laws on the books for well
21 over a decade, and there seems to be some level of
confusion. So it seems like perhaps streamlining the
law and making it clearer would help both our
employees ensure that they can follow it, as well as
the public to be able to articulate where the bounds

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3 of the laws potentially fail. So, it feels like we
4 should be looking at the policies and making sure if
5 they seem to be confusing for anyone that we clarify
6 that. Because we're going to train forever, and
7 clearly we're seeing violations continuing to happen.
8 So, something is wrong with the pie. In terms of the
9 purpose- excuse me. We've seen this with NYPD. In
10 terms of the recommendation around asking federal law
11 enforcement to identify the purpose of the
12 immigration request to ensure that it's legitimate
13 law enforcement purpose, can you talk to us a little
14 bit about that? That was a problem with NYPD as well.
15 There were not real verifications because this
16 engagement we see is based on relationship, you know,
17 just a courtesy, law enforcement to law enforcement.
18 So how are you training, and what is the guidance to
19 make sure there is an actual real law enforcement
20 immigration issue?

21 DEPUTY COMMISSIONER CONROY: Sure, yeah.

22 We- I mentioned earlier that we do have a very
23 limited group of people that are actively engaged. I
24 mean, right now it's three and it doesn't go much
25 beyond, you know, several more whenever we have these

3 federal partnerships. So obviously the primary focus
4 of that is to get to those individuals. Our personnel
5 have a clear understanding as to what their
6 limitations and obligations are, what our policy and
7 the laws of the City of New York are. Additionally,
8 we do, again, we've engaged now the leadership in
9 those task forces from the federal agencies, which
10 gives the guidance. And I've been, again, unequivocal
11 with them as to what we cannot be doing, and they've
12 been receptive to that. So we do have those two
13 guardrails, but I also think there's, you know,
14 again, any other types of things that we can do. The
15 scripted- I think one of the recommendations here was
16 like the scripted questions- becomes a little
17 unwieldy, and obviously has been mentioned here, does
18 that necessarily give us the answer? I want our
19 officers to be able to appreciate and understand on
20 their own without asking the questions as to, wait,
21 what's happening here? And if there's a tinge of
hesitance on their part, to communicate with their
supervisors and leadership within the agency to make
sure that this interaction, communication, and
working arrangement is compliant with the local laws.

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3 COUNCIL MEMBER AVILÉS: So, how do the
4 officers— a small unit, obviously— how do they verify
5 that what they are being told is in fact the case?

6 DEPUTY COMMISSIONER CONROY: Yeah, they go
7 through us. I'm sorry, Council Member, I apologize.

8 COUNCIL MEMBER AVILÉS: Can you walk me
9 through? What does an officer do? Receives a call
10 from DHS in Arizona, says, hey, I need this,
11 whatever. What are the protocols that— what does the
12 officer do then to verify that that is in fact the
13 case and it is within the of the law? What are their
14 next steps?

15 DEPUTY COMMISSIONER CONROY: Yeah, so that
16 scenario doesn't really happen in that way. The
17 interactions that we've had here are where there was
18 a working relationship in the task force, and there
19 was an understanding, at least what the initial
20 purpose of the task force was, this criminal
21 enforcement. It was an operation that they actually
named, and that was what DOI found to be the
understanding of the correction officer. So in those
circumstances, it's— if there's an understanding and
something kind of lends outwards from that, that, you

3 know, seemingly is in furtherance of any immigration
4 enforcement. Our instruction now, particularly since
5 we've trained those individuals in the wake of the
6 DOI report, is clear: contact the legal division. So
7 that is- if there's any uncertainty or ambiguity in
8 what the nature of the enforcement is, or it's- the
9 scope seems to be outside of what the criminal or
10 intelligence gathering purpose is, they have to make
11 that communication. That's actually the process. Any
12 other communication, I would say, is squarely limited
13 and prohibited without the consent and advice of the
14 ICE unit and the legal division. That's what our
15 policy dictates.

16 COUNCIL MEMBER AVILÉS: So, in the
17 context of NYPD, and maybe this is outside here, an
18 officer calls another officer in a task force, they
19 have a relationship. They claim a legitimate
20 criminal activity, which would immediately- you'd
21 assess that is within the bounds of the law, the
officer takes it, because they have a relationship,
They work together all the time. We found, in fact,
there was no criminal basis. How- and there was no
protocol for that officer to then verify that that

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3 criminal basis that was told to them was, in fact,
4 not legitimate. So I guess my question is, within the
5 bounds of these relationships, right, where there's
6 trust and colleagues, how do officers verify that the
7 stuff that they are being told, the context for, for
8 a detainer, is in fact true?

9 DEPUTY COMMISSIONER CONROY: So you're
10 asking- it's actually a really difficult question.

11 COUNCIL MEMBER AVILÉS: Yeah, no,

12 DEPUTY COMMISSIONER CONROY: I don't know
13 that there's an answer all around. I mean,

14 COUNCIL MEMBER AVILÉS: We've seen it.
15 We've seen it happen-

16 DEPUTY COMMISSIONER CONROY: [interposing]
17 Yeah.

18 COUNCIL MEMBER AVILÉS: So I was just
19 curious, like, what kind of, what kind of protocols
20 NYPD asserts it saw that instance and is trying-
21 added an additional layer of guardrails there.

DEPUTY COMMISSIONER CONROY: Right.

COUNCIL MEMBER AVILÉ: So I guess in the
same context, given the nature of these
relationships, what are the additional guardrails do

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3 you think would be apropos to ensure that officers
4 are not getting caught in that scenario?

5 DEPUTY COMMISSIONER CONROY: I mean, I
6 hate to repeat myself in this-

7 COUNCIL MEMBER AVILÉS: [interposing]
8 Yeah.

9 DEPUTY COMMISSIONER CONROY: but I think
10 it is the interaction with, with supervisors, the
11 legal division, the- you know, the ICE unit, anyone
12 else that has, you know, more knowledge and basis of
13 knowledge of this. I mean, if you're asking me a
14 scenario where they say, no, it's criminal, It's
15 criminal, we're not doing anything else, and then
16 we're just working with them, and then something
17 happens on that end, it's a very difficult- I mean,
18 that may be the time to explore the relationship,
19 right? But I mean, these federal partnerships, we
20 have to have a level- I mean, it's just- I'm just
21 being honest, we have to have a level of professional
trust and ethics in terms of your obligations to
comply with the local laws and otherwise, because
they are fruitful to us.

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3 COUNCIL MEMBER AVILÉS: I mean, if we had
4 a federal government that actually was following the
5 law, I could follow that rationale. But we are in a
6 new context, in a new terrain where the law doesn't
7 actually apply and they're not following it. So I
8 would insert some skepticism and way to verify that
9 what is actually what they're being told is in fact
10 the case. I know that's difficult because there are
11 relationships. However, we are in a very different
12 situation, and I think I would urge the department to
13 really consider if there is an additional layer of
14 verification, both to protect honestly the staffers,
15 who are— whose responsibility it is to follow the law
16 of New York City, um, but also wanna protect their
17 professional relationships. So I would just urge and
18 encourage a little bit more interrogation and
19 placement of guardrails there, because that is where
20 we see the most serious infractions occurring, is in
21 this interpersonal relationships of trust. And I
think we certainly could explore that with the
committee and the audit, you know, the audit that
we're doing with the city partners. So, um, you—

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3 we'll bring that to them and make that part of our
4 assessment.

5 COUNCIL MEMBER AVILÉS: Thank you. Thank
6 you, Chairs.

7 CHAIRPERSON KRISHNAN: Thank you, Council
8 Member. Those are great questions. I wanted to go to
9 some- another topic that Council Member Avilés
10 covered too, but just to go through again. So when
11 was the most recent training that DOC had done for
12 staff, and what is the frequency now that we're
13 doing?

14 DEPUTY COMMISSIONER CONROY: So we've
15 done- we did the trainings immediately subsequent to
16 the DOI- well, becoming aware of the incidents. So
17 that was about April and May. I actually sat down
18 with the individuals involved right away, the- you
19 know, them and the supervisors, and just went through
20 the practices and policies. We developed the training
21 and that was done. We've brought it to- I forget, I'm
sorry, I'd have to get back to you as to the exact
date of it, but when we get into the recruit classes,
that's something that's been done. We've had an
Assistant Commissioner assigned to oversee the

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3 Central Intelligence Bureau, CIB, of which these
4 officers were assigned. We've engaged with him and
5 done some training for him as to our limitations and
6 obligations under this. And then what I would like to
7 do, I would like to have this at a minimum of an
8 annual training with these specialized units. So we
9 are coming up on a year where that would happen. But
10 again, we are also trying to get into the current
11 academy class and then, you know, do some updated
12 training department-wide as soon as we could figure
13 out how best to manage that.

14 CHAIRPERSON KRISHNAN: And for new DOC
15 employees coming in they're- are they required to
16 take the training? Is there a mandated deadline or
17 timeline for new employees to take the training?
18 There is not yet, but as I said, I'm, I'm working
19 with the Deputy Commissioner of Training to get into
20 the recruit classes. Those are the most important
21 people I think we could get at the beginning of their
careers. So that, that's going to be happening. As I
said, we do have a class in now. We're gonna try to
find blocks to get in for this class. At a minimum,
we'll be starting with the all new recruit classes.

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3 CHAIRPERSON KRISHNAN: Got it. Okay. And,
4 going back to the, to the IG- the DOI report. DOI
5 reviewed five emails. They discovered one instance of
6 improper immigration enforcement. Were you all aware
7 of this incident before the DOI report? If so, had
8 you all alerted DOI or other agencies? What was your
9 knowledge, or what was the agency's knowledge of
10 this?

11 DEPUTY COMMISSIONER CONROY: We didn't
12 have an awareness of that until DOI brought it to our
13 attention.

14 CHAIRPERSON KRISHNAN: I see. So how do-
15 going forward, how do we address that, right? Because
16 I think it came up because DOI did the investigation,
17 but I think part of what's critical right now too is
18 to make sure that the agency proactively knows of
19 these instances, ideally before an investigation-
20 investigative agency comes in.

21 DEPUTY COMMISSIONER CONROY: Right. You
22 know, and again this is all what we're talking about.
23 How do we achieve that? Because we do want to achieve
24 it, and what's the best mechanism for it? Will it be
25 targeted email audits? Will it be inquiries? Will it

3 be the training? Will it be exploring the
4 partnerships? You know, there's a lot of ways to do
5 it. I'm sorry that I can't give a real fulsome answer
6 to that. I think it's something that we will be
7 addressing with the administration and the, you know,
8 again, the committee. So I don't want to say
9 affirmatively what we could do. There's a lot of
10 options, I think, that we could explore and figure
11 out and manage what works best in that circumstance.

12 CHAIRPERSON KRISHNAN: And in that sense
13 too, can you— will you all be able to provide the
14 committee with the training materials you all are
15 using now to train employees. I'm assuming you have a
16 set of them already created?

17 DEPUTY COMMISSIONER CONROY: Yeah, I mean,
18 I think we can. Let me bring it back. I want to talk
19 because, again, some of this is developed by the Law
20 Department and some of it—

21 CHAIRPERSON KRISHNAN: [interposing] Sure.

DEPUTY COMMISSIONER CONROY: So let me
consult with those partners that we have and then—
and we'll get it. I don't have personal opposition to

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3 it, but let me just clarify before I make an
4 affirmative representation.

5 CHAIRPERSON KRISHNAN: Sure. And I do
6 think it'd be important because part of this is all
7 oversight and part of this is moving on from what
8 we've seen before. It would be good to have
9 transparency into what's- how employees are being
10 trained.

11 DEPUTY COMMISSIONER CONROY: Absolutely.

12 CHAIRPERSON KRISHNAN: At the time of
13 DOI's report, DOI found that DOC had not reissued
14 Operations Order 919, describing the circumstances
15 about when DOC may, you know, communicate information
16 or assist federal immigration authorities. Has the
17 order now been updated and reissued?

18 CHAIRPERSON KRISHNAN: It- the policy
19 wasn't updated in any way. The policy is still the
20 same. But nonetheless, in May of 2025, we reissued a
21 teletype with the policy reiterating that that's in
effect, it should be complied with. The teletype,
which is kind of a department-wide message, indicated
what the obligations are. If you have any of these
interactions, you must go to legal and ICE. I think

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3 DOI indicated that. So yes, in May of 2025, it was
4 reissued. I think, like I said, I'd like to get on it
5 at a minimum an annual cadence of that. So we're
6 approaching that time when we'd reissue it again and
7 have it read at the roll calls.

8 CHAIRPERSON KRISHNAN: And just a few
9 more questions from my end too. Going back to the,
10 the CIB investigator involved in the cases of
11 Concepción and Villanueva where they were permissibly
12 transferred over to ICE in violation of the law. The
13 investigator's duties were primarily responding to
14 information requests, answering phone calls, and
15 replying to emails, right?

16 DEPUTY COMMISSIONER CONROY: I'm sorry,
17 could you repeat that?

18 CHAIRPERSON KRISHNAN: The investigators'
19 duties were primarily responding to information
20 requests, answering phone calls, and replying to
21 emails. Isn't that what the report stated?

DEPUTY COMMISSIONER CONROY: I mean, in
the context of this, yes, but I mean, that's not our
officers, especially in the Correctional Intelligence
Bureau's functions. They're actually to engage in,

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3 you know, investigation and otherwise. So I don't-
4 Again, apologize with, with the section you're
5 referring to specifically, but I don't know that I'd
6 characterize the main role of those officers just be
7 doing what seemingly is administrative.

8 CHAIRPERSON KRISHNAN: So it was more
9 intelligence and surveillance, I guess, type-

10 DEPUTY COMMISSIONER CONROY: [interposing]
11 Yeah, I mean, that's what their assignment is-

12 CHAIRPERSON KRISHNAN: [interposing] Yep.

13 DEPUTY COMMISSIONER CONROY: as a global
14 matter. You know, again, this might be nuanced and
15 specific to this.

16 CHAIRPERSON KRISHNAN: Right.

17 DEPUTY COMMISSIONER CONROY: But
18 ordinarily we wouldn't waste, you know, that kind of
19 resource of just doing administrative work.

20 CHAIRPERSON KRISHNAN: And then were any
21 of the investigator supervisors aware of what was
happening? Or it sounds like, I would assume not,
because, you know, DOC wasn't aware of it until DOI
came in. But were any of the investigators aware-

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3 was any of the investigator supervisors aware of the
4 communications there?

5 DEPUTY COMMISSIONER CONROY: I think they
6 were aware of the communications, but I do believe
7 that the same issue arose as to the understanding of
8 the nature of it. So they were— the supervisor was
9 interviewed by DOI, and they also found the same
10 issue, that there was the lack of training and the
11 lack of guidance. So, you know, again, that's why I
12 reiterated that the supervisor training is important
13 as anything else. And I just would add again that
14 there's since been an additional layer of supervision
15 added to CIB. So, you know, we're kind of making it
16 more robust all around.

17 CHAIRPERSON KRISHNAN: I see. Okay. And
18 then looking at the DOI second and third
19 recommendations, it seems like— is it now that the
20 policy is to route all questions on civil immigration
21 enforcement to the ICE unit, is that correct?

DEPUTY COMMISSIONER CONROY: ICE and Legal
General Counsel.

CHAIRPERSON KRISHNAN: Licensed General
Counsel, okay.

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3 DEPUTY COMMISSIONER CONROY: Yes, yes.

4 CHAIRPERSON KRISHNAN: And in- had that
5 not happened in the case of both of these
6 individuals, was that part of the reason why they
7 were improperly transferred as well? Or were the
8 communications- were the requests routed to the ICE
9 unit at the time?

10 DEPUTY COMMISSIONER CONROY: No, no, I
11 think this wasn't- you know, again, because of the
12 nature of the cooperation in the task force, it
13 wasn't what we contemplate to be a formal inquiry or
14 something outside of that. You know, again, I want to
15 stress, I'm not mitigating the outcome here, but it
16 was what is deemed to be inadvertent. You know, it
17 was something that there was a misunderstanding of
18 the nature of that. So in that circumstance, when
19 there's a belief that the interaction was in
20 furtherance of some type of criminal work or
21 investigative work or intelligence building, that
wouldn't require notification to us. What we're
requiring and encouraging and stressing is that when
it becomes unclear, or if there's any level of
uncertainty as to what the nature of the

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3 communication or the interaction is, to then come to,
4 you know, raise it up. And that would be through the,
5 the ICE unit and us.

6 CHAIRPERSON KRISHNAN: And recommendation
7 five from the report had talked about informing
8 senior federal officials with whom DOC regularly
9 collaborates with about sanctuary city requirements.
10 Has DOE since the investigation and report
11 communicated with federal partners these are what our
12 sanctuary laws are and these are our policies to make
13 sure we comply with them?

14 DEPUTY COMMISSIONER CONROY: Yes. We met-
15 I have the dates, I just sent it to DOI. We'll follow
16 up with the dates, but it was, I believe, December
17 and this month- I'm sorry, February, not this month.
18 December of 2025 and February of this year, I met
19 myself with supervisors from the Alcohol, Tobacco,
20 and Firearms, with which we have two officers
21 assigned, and I also met in February with the U.S.
Marshals- supervisors from the U.S. Marshals Office,
of which we have one officer assigned. As of October
2025, we don't have participation in task force with
HSI, and we currently don't have active task force

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3 participation. So if and when that is explored and
4 expanded, my intention— not my intention, my
5 obligation and commitment will be to have similar
6 communications at the outset with those supervisors
7 in those units and agencies.

8 CHAIRPERSON KRISHNAN: Thank you. And so,
9 you know, I want to just revisit I think the
10 importance of that discussion we're having before
11 about the 9-131, because I did read quickly
12 Subsection H2, and I'm not seeing— I think it would
13 be helpful for DOC and Corp Counsel, the Law
14 Department to provide, you know, their law on this
15 too, their explanation. But I'm not seeing the two
16 provisions as intention with each other. I mean, H
17 talks about the use of city resources and when that
18 could be allowed for communication, and it says, you
19 know, violent crimes as one of them too. But the
20 prior one, B, that we were talking about, talks
21 about, you know, notification as well and does so in
the context of a judicial warrant. It seems like both
of those two are not inconsistent with each other.
One talks about violent crimes as the time to use
city resources, and one talks about a warrant

3 requirement. And the reason why I bring that up is
4 because the warrant requirement is such an ironclad
5 requirement in the criminal context, in this context
6 too, given— and that's really my concluding point, is
7 given that, you know, there are so many individual
8 instances, and DOC being such a large agency too,
9 there are so many individual instances where— or
10 potential instances where that kind of impermissible
11 collaboration and communication could occur. It does
12 seem like, you know, the legal counsel's office
13 reviewing whether not just administrative warrant but
14 judicial warrant paperwork or things like that could
15 be a very important way, as we were talking about, to
16 ensure that there are not gaps in oversight simply
17 because the agency is so big. And so that may be one
18 way to assist with that, especially if the warrant
19 requirement is a judicial one. So any, you know,
20 guidance there from you all would be very much
21 appreciated.

18 DEPUTY COMMISSIONER CONROY: Yeah, we'll
19 follow up on that point again.

20 CHAIRPERSON KRISHNAN: Yeah.

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3 DEPUTY COMMISSIONER CONROY: Because it's
4 hard to legal brief that issue now.

5 CHAIRPERSON KRISHNAN: Sure, totally.

6 DEPUTY COMMISSIONER CONROY: But we'll get
7 back to you on that.

8 CHAIRPERSON KRISHNAN: Yeah. And likewise,
9 I think the training materials would be very helpful
10 as well.

11 DEPUTY COMMISSIONER CONROY: Sure.

12 CHAIRPERSON KRISHNAN: That concludes the
13 questions from our end. Thank you all for your
14 testimony. And, you know, as I said too, I do think,
15 going forward with the new administration, it's my
16 hope- There's a lot of work to do going forward at
17 the agency as well to correct these transgressions
18 from the past and to put inside really robust
19 training and then accountability to make sure that
20 training is being complied with. So I look forward to
21 continued conversation and discussion and testimony
around these issues going forward.

DEPUTY COMMISSIONER CONROY: Thank you,
Chair. Appreciate the opportunity.

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3 CHAIRPERSON KRISHNAN: Thank you. We are

4 now gonna open up the hearing for public testimony. I

5 remind members of the public that this is a

6 government proceeding and that decorum shall be

7 observed at all times. As such, members of the public

8 shall remain silent at all times. The witness table

9 is reserved for people who wish to testify. No video

10 recording or photography is allowed from the witness

11 table. Further, members of the public may not present

12 audio or video recordings as testimony, but may

13 submit transcripts of such recordings to

14 Sergeant-at-Arms for inclusion in the hearing record.

15 If you wish to speak at today's hearing, please fill

16 out an appearance card with the Sergeant-at-Arms and

17 wait to be recognized. When you are recognized,

18 you'll have two minutes to speak on today's oversight

19 hearing topic, the Department of Investigations

20 report on agency compliance with sanctuary-related

21 local laws. If you have a written statement or

additional written testimony you may wish to submit

for the record, please provide a copy of that

testimony to the Sergeant-at-Arms. You may also email

written testimony to testimonycouncil@nyc.gov within

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3 72 hours of the close of this hearing. Audio and
4 video Audio recordings will not be accepted. For
5 in-person panelists, please come up to the table once
6 your name has been called. And now I will call our
7 first panel, which is Zachary Ahmad [sp?] from New
8 York Civil Liberties Union, Jason Taper from
9 Surveillance Technology Operations Project, and Tanya
10 Mattos from Unlocal. Is Zach Ahmad from NYCLU here?
11 No? Okay, then we'll also call up Ben McCoubrey from
12 NYLAG. Thank you all. You may begin, Jason. And I'm
13 gonna be standing, because I've been sitting for a
14 while, but I'm still listening just as carefully.

15 JASON TAPER: Thank you, Chair Krishnan.
16 Good afternoon. My name is Jason Taper, and I'm a
17 legal fellow with the Surveillance Technology
18 Oversight Project, or STOP. We advocate and litigate
19 for New Yorkers' privacy rights, fighting
20 discriminatory surveillance which is the subject I
21 would like to focus on, but first I'd like to echo
the rest of the ICE Out Coalition and call for this
council to pass the TRUST Act, establish a universal
right to counsel in immigration cases, and abolish
the so-called gang database, because ICE uses

3 presence in a gang database as pretext for
4 deportations. Regarding the previous administration,
5 former Mayor Adams' complicity with ICE was both
6 immoral and illegal. Though we are worried about the
7 incomplete accounting provided by the Department of
8 Corrections earlier, we are thankful that Mayor
9 Mamdani has turned the page and is an ally in the
10 fight against ICE. But unfortunately, the end of
11 Adams' mayoralty was not the end of this problem. The
12 infrastructure that Adams put in place is still here,
13 and every day it still exists. The surveillance that
14 we undergo risks giving ICE our private information.
15 In order to truly be a sanctuary, we need to not just
16 end collaboration with ICE itself, but also to end
17 our city's complicity with the spyware companies that
18 enable the horror that ICE inflicts. Let's name
19 names. Our city public hospitals partner with
20 Palantir. Palantir, as you may know, is an essential
21 part of ICE's dragnet. Our tax dollars and our
sensitive health data should not go to companies that
support ICE. And no one should have to forego
healthcare or any other essential service out of fear
their data will end up with ICE. As another example,

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3 Clearview AI is a facial recognition company with a
4 \$10 million contract with ICE and a contract with
5 FDNY. Again, New York tax dollars supporting a key
6 tool for ICE. It is exactly because ICE needs the
7 collusion of local governments and spyware companies
8 that New York City must end contract with Palantir,
9 Clearview, and big surveillance more generally. And
10 it's not enough simply to stop actively giving ICE's
11 spyware companies our tax dollars. We need to cut off
12 the data pipeline. No more sharing data without a
13 real warrant, cut- assigned by a judge. And
14 importantly, we need to minimize the data we collect
15 in the first place, because the only way to truly
16 make sure ICE doesn't get their hands on our
17 information is not to collect it in the first place.
18 To conclude, we know that ICE's oppression is fueled
19 by the collusion of local governments and spyware
20 companies, but New York City can be a shining example
21 that there are tangible, concrete ways that cities
can fight for our immigrant neighbors. We can tear
down the partnerships with big surveillance that fuel
ICE, and we will not in fact rest until we abolish

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3 ICE and power down our city's authoritarian
4 surveillance. Thank you.

5 TANIA MATTOS: Good afternoon. Thank you
6 to the Committee on Investigations and Oversight for
7 holding this public hearing to address the urgent
8 need to protect our immigrant communities in New York
9 City. My name is Tania Matos. I'm the Executive
10 Director of Unlocal, an immigration legal nonprofit
11 providing immigration legal services. We are also
12 part of the Pro Se Plus Project and the Rapid
13 Response Legal Collaborative. I'm here to express my
14 deep concern for our sanctuary laws and the breaches
15 we have witnessed. Every day we work with individuals
16 and families whose safety depends on whether the city
17 truly holds up its sanctuary laws. We are living
18 through a period of escalating detention and
19 deportation. In this climate, New York City sanctuary
20 laws are not just symbolic, they are life-saving.
21 They prevent more New Yorkers from being funneled
into detention where people face neglect, prolonged
confinement, and in some cases even death. They also
strengthen public safety by ensuring immigrant New
Yorkers can interact with local government without

3 fear that their information will be shared with ICE.
4 When that trust is undermined, the consequences are
5 immediate. We have worked with individuals who are
6 afraid to seek protection because they feared going
7 to court, and court could expose them to immigration
8 enforcement. We have advised parents who hesitated to
9 access services for their U.S. citizen children out
10 of fear it would put their family at risk. Even the
11 perception that city agencies like NYPD and DOC are
12 communicating with ICE and collaborating with Donald
13 Trump and Stephen Miller's unconstitutional policies
14 creates a ripple effect keeping people from reporting
15 crimes, cooperating with investigations, or seeking
16 emergency assistance, and even talking to their
17 teachers within the Department of Education. This is
18 why the passage of the New York City Trust Act is
19 critical, and that is why continued support for the
20 Pro Se Plus Project and Rapid Response Legal
21 Collaborative is so vital. These protections ensure
that safety and due process remain real for all New
Yorkers. Thank you.

BENJAMIN REMY: Good afternoon, and thank
you to the City Council for having this hearing. My

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3 name is Benjamin Remy, and I'm a Senior Coordinating
4 Attorney at the New York Legal Assistance Group. I'm
5 here today specifically to speak a little bit about
6 what is happening inside of our immigration
7 courthouses, which are just down the street from
8 where we sit now. As some of you may be aware, I have
9 been on the ground every single day at the
10 immigration courthouses since ICE began detaining
11 people at two of our immigration courts here in New
12 York City, 26 Federal Plaza and 290 Broadway. My
13 introduction to this phenomenon of ICE enforcement,
14 which was unprecedented in our New York City
15 immigration courts, was a mother who was brutally
16 thrown to the ground right in front of me after her
17 routine court hearing. Despite pleading with ICE
18 agents that she had a child in school that she needed
19 to be home for when her child returned home from
20 school, she was thrown on the ground with a knee
21 placed on her back as she continued to scream for her
children. Little did I know that this was just a very
small preview of the cruelty that I would see only
increase and intensify over the following months.
Months later, I was standing in front of another

3 courtroom surrounded by masked federal agents. As
4 people began leaving the courtroom, the door opened
5 and the first man to walk through naturally took a
6 step back when he saw masked agents in front of him.
7 The agents interpreted this as resisting and began
8 screaming at him and tackled him to the floor,
9 wrestled, and wrestled with him for several minutes
10 while there were small children only feet behind him.
11 I heard him begin screaming in agony and realized
12 that he had been handcuffed so poorly that his wrist
13 was bent at an extreme angle, and there was actually
14 blood coming out of his wrist and onto the floor from
15 the incorrect placement of the handcuffs. When I
16 demanded that those federal agents fix those
17 handcuffs, I was told that he wasn't even on their
18 supposed list for immigration enforcement that day.
19 Today, although the raw number of daily detentions in
20 our courts have decreased, we still see the same
21 level of brutality and cruelty when these detentions
are made. We still see families split apart on a
daily basis. And people who are doing their best to
follow the rules and come to court with the document
that they were instructed- that instructs them to be

3 in court that day are being punished for doing so.

4 Just last week, I walked out with someone who had

5 just finished with their routine hearing, and in the

6 elevator, he confided in me that he had not slept at

7 all the night before. He had just prayed and prayed

8 the entire night that he would make it back home the

9 next day. If there's anything that this evolution in

10 ICE courthouse activity has taught me is that our

11 work is far from done. ICE has demonstrated that they

12 have no respect for our sanctuary laws here in New

13 York City, and we must continue to work tirelessly to

14 ensure that our institutions do not collude with the

15 Department of Homeland Security. Finally, it is also

16 imperative that City Council ensure that our

17 immigrants have places to go for advice and support

18 so that they can make informed decisions about how to

19 best navigate today's treacherous landscape. This

20 includes funding the work of legal service providers

21 and community-based organizations who have proven

their capacity to adapt to meet the needs of the

immigrant community— of our immigrant community

members and have built relationships of trust with

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3 all of the diverse communities across our beautiful
4 city. Thank you.

5 CHAIRPERSON KRISHNAN: Thank you very
6 much. I just have a couple follow-up questions. One
7 is, we- as you all know, we've seen what happened at
8 Canal Street, 26 Federal Plaza, as you testified to
9 as well. How have these recent incidents and the work
10 that you all have done, what have they shown to you
11 about how they've impacted the willingness of the
12 immigrant community to interact with law enforcement
13 when they're the victim of a crime, to reach out to
14 government when they need help or services in other
15 ways? How has this had an effect on immigrant New
16 Yorkers?

17 BENJAMIN REMY: So I think the effect has
18 been profound in a really horrific way. We've seen
19 this climate of fear that has been cultivated by ICE
20 enforcement, and it is now very deeply entrenched
21 within the immigrant community. And I see folks every
day when I go to court that are shaking when they
enter the immigration court, that are oftentimes in
tears before they even make it to their courtroom.
They go online, they see the videos, they see

3 everything that's happening at these courthouses, and
4 they're terrified to show up. And they became— they,
5 they become placed in this impossible situation where
6 they can either continue with their case and do the q
7 “correct thing” and go about things the correct way,
8 but they risk being detained, or they don't show up
9 for court, they're ordered removed in absentia, and
10 they lose any ability in the future to pursue their
11 case. So it's an impossible situation for folks. And
12 I have absolutely seen that extended to city
13 institutions as well. Mothers that are nervous about
14 getting prenatal care at hospitals because of lack of
15 immigration status and a concern that the government
16 will be— the city government will be sharing
17 information with federal authorities. Kids that are
18 afraid to go to school, people that are afraid to
19 even go to a Social Security office to get their
20 Social Security card, which they're entitled to when
21 they have work authorization. So I see this on a
daily basis of people being absolutely terrified,
one, to show up to court, and two, to utilize any
basic services that we have here in the city.

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3 TANIA MATTOS: I'll just add that I've
4 also seen that happen with individuals that have no
5 immigration court hearing coming up, but they've
6 lived here for 30 years, 40 years. They're afraid to
7 go to the hospital. They're asking for accompaniment
8 to go to the hospital because they're afraid or they
9 heard in the news that immigration is outside of a
10 hospital. It doesn't help that immigration is going
11 into Columbia University, is standing outside of
12 Department of Education schools that we've heard in
13 Corona, Queens happen. We've had principals call me,
14 and wave the flag that immigration is outside of
15 their school, although not on the school premises,
16 but, at that moment we have to advise them and tell
17 them to kind of lock down, and make sure that they
18 implement their safety protocol. But families are
19 very nervous to do everyday things, and many- I know
20 many also organizations that are trying to buy
21 groceries for families, again, get the medication for
individuals who are very afraid to step out their
house.

CHAIRPERSON KRISHNAN: Thank you. And my
final question, um, and this may be more for- or any

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3 of you on the panel, frankly. Is civil rights groups
4 have raised concerns about the Fusion Center at
5 Rikers. From a legal defense perspective, how does
6 the real-time sharing of data through these centers
7 undermine the judicial requirement that we've been
8 talking about found in our detainee laws? If you can
9 answer.

10 JASON TAPER: Gladly. STOP has a report
11 out on Fusion Centers, which I can link to in my
12 written testimony, which I will be submitting later.
13 It completely undermines it. It is a direct and
14 opaque process by which essentially there is a
15 deputization of anyone in that Fusion Center for ICE.
16 Any information that is collected by any agency we
17 have to assume is shared between every agency
18 involved in these, you know, joint task forces,
19 Fusion Centers, etc. These are the nexuses, if that's
20 the proper plural, of the information sharing and the
21 ways by which ICE gets a handle on our information.
It makes legal defense or frankly even knowing what
the case is and what's going to happen in the first
place much harder.

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3 CHAIRPERSON KRISHNAN: Thank you, and
4 thank you all for your testimony. The next panel we
5 have is Michael Loeb, Christina [sp?] from- I can't
6 read the last name fully, but from the Pro se Plus
7 Project- oh, Krishna, sorry, from the Pro se Plus
8 Project, and Lucky Ho from the Asian American
9 Federation. You may begin.

10 MICHAEL LOEB: My name is Michael Elan
11 Loeb. I have a lot of friends who are immigrants. I
12 come from a family of refugees and immigrants, and
13 I'm at Federal Plaza at least once a week. Before I
14 begin, I want to mention that in just one season, ICE
15 agents have brought shame and negative attention to
16 all law enforcement. So if I were a law enforcement
17 professional of any type, I would not want to be in a
18 position where my reputation or my safety had to rely
19 on them at all. They're like an ethical negative
20 Midas touch, and if a surge comes, we need to be
21 ready to deal with that. Part two, when you get this
wrong, the consequences can be extremely serious. So
you cannot bring back meaningfully someone who has
been deported and lost their job while they were
detained or whose family is terrified. You cannot

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3 repair those things. And part three, I'd say that

4 DOC, NYPD, and ICE have three basic mandates: to

5 enforce the law, to protect, and to serve. ICE's

6 remit specifically to enforce immigration law. And I

7 challenge any of you here to spend one full morning

8 in an immigration court at Federal Plaza or a pro se

9 asylum clinic and return convinced that U.S.

10 immigration laws are just or transparent or being

11 applied with anything less than caprice, selfishness,

12 shortsightedness, and cruelty. So enforcing very bad

13 law is very bad. And that is the case even before we

14 talk about the tactics deployed by dangerous, hastily

15 trained, and small ICE officers. They enforce bad

16 laws badly. They should be abolished and all

17 associated miscreants investigated. But that's not

18 happening. So until that day, all safety personnel-

19 safety personnel are rewarded handsomely to protect

20 us and that sometimes happens, but many New Yorkers

21 with justification don't trust the NYPD or DOC. We're

rightfully cautious and can't leave anything to the

decision-making of individual officers. And finally,

to serve, the question is whose interests are being

served? We saw disgraced former Mayor Adams take the

3 deal. We saw it. And he was willing to trade his own
4 freedom and a handful of upgrades for our freedom.
5 ICE, EOIR, and DHS officers serve the interests of
6 elites who don't care about any of us at the pleasure
7 of Secretary Noem and felonious Trump. So they're
8 profiteering— profiting from concentration camps. We
9 have sanctuary laws to keep the correct people,
everyday New Yorkers, as the focus of service. Thank
you.

10 CHAIRPERSON KRISHNAN: Thank you.

11 CHRISTINA GARRITY: Good morning. My name
12 is Christina Garrity, and I'm the coordinator for the
13 Pro Se Plus Project, a collaborative made up of four
14 legal service providers and two community-based
15 organizations. In the past three years, the Pro Se
16 Plus Project, otherwise known as PSPP, has worked
17 tirelessly to meet the needs of immigrant New Yorkers
18 who are unable to retain high-quality legal counsel
19 and must navigate our labyrinthine immigration system
20 pro se. As I'm sure many council members are aware,
21 people who are represented can appear in immigration
court online, meaning that it's pro se respondents,
the people our project is designed to serve, who have

3 been detained by ICE when appearing for routine
4 appointments. Thanks to the flexibility of our
5 project's model and the generosity of City Council,
6 PSPP partners have been on the ground at 26 Federal
7 Plaza and 290 Broadway since the courthouse arrests
8 started happening. This has put us on the front lines
9 of the Trump administration's assault on our
10 collective right to due process and the integrity of
11 our city's sanctuary laws. As my colleagues Tania and
12 Benjamin have already discussed, we have seen
13 firsthand the horrific consequences of the Department
14 of Homeland Security's unprecedented expansion of
15 unchecked power. This includes not only the violent
16 unlawful detention of immigrant New Yorkers who are
17 complying with reporting requirements, but a general
18 undermining of our faith in public institutions. The
19 fear created by the president's presence of federal
20 immigration officers in courthouses drives community
21 members who feel they have no other option to miss
hearings and check-ins, precipitating orders of
removal that will soon be impossible to appeal. If
there is anything that our on-the-ground experience
has taught us, it's that we can count on ICE to

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3 willfully push the boundaries created by our local
4 laws. When this happens, it is not only immigrants
5 who lose, but all New Yorkers. To that end, I commend
6 the committee's commitment to ensuring the NYPD and
7 DOC's compliance with sanctuary laws. I close by
8 insisting on the importance of funding services for
9 communities most vulnerable to escalating detention
10 and deportation. This includes not only PSPP, but pro
11 se service providers in the asylum seeker legal
12 assistance network and beyond. Thank you very much
13 for this opportunity to testify.

14 CHAIRPERSON KRISHNAN: Thank you.

15 LUCKY HO: All right. Good afternoon.

16 Thank you, Chair Krishnan, and members of the
17 Committee on Oversight and Investigations for holding
18 this hearing and providing us with the opportunity to
19 testify. My name is Lucky, and I am the Senior Civic
20 Engagement Coordinator at the Asian American
21 Federation where we proudly represent more than 70
member organizations and serve 1.5 million Asian New
Yorkers. We also convene the Rapid Immigration
Support and Empowerment Network, a network of nearly
20 Asian-led and Asian-serving organizations

3 providing immigration case management and legal
4 service support to New Yorkers. As we've all talked
5 about earlier, the current administration has brought
6 drastic policy changes at the federal, state, and
7 local levels. ICE's brute and indiscriminate tactics
8 have shattered families, instilled fear, and
9 prevented New Yorkers from accessing essential
10 services such as law enforcement, public benefits,
11 healthcare, and education. This is verified by our
12 member agencies who have said that many of our
13 community members have stopped accessing public
14 benefits and even things like food pantries. They're
15 just— yeah. And yeah, our New York City sanctuary
16 laws are in place to protect immigrant New Yorkers,
17 yet recent events indicate these protections were not
18 upheld. In September 2025, a New York City
19 corrections officer provided federal immigration
20 officers with real-time information about the release
21 of a man from Rikers. This led to his arrest by ICE.
In late October 2025, ICE conducted a military raid
on Canal Street in Chinatown, arresting nine
immigrant vendors and five protesters. And then on
November 29th, the NYPD helped ICE agents push

3 citizens out of the way while arresting more than a
4 dozen protesters. Raids are only expected to escalate
5 throughout the year, creating fear within our
6 communities in the city. With a threat of militarized
7 violence in our city and the lack of protection and
8 training for NYPD officers, immigrant New Yorkers'
9 rights continue to be violated and individuals with
10 lawful immigration status continue to be detained
11 without due process. As immigrant New Yorkers face
12 heightened threats, we must prevent local and state
13 law enforcement agencies from diverting resources to
14 the federal deportation agenda and sharing sensitive
15 information with federal immigration authorities.

16 Here are our recommendations. We support the
17 following recommendations to protect immigrant New
18 Yorkers. Protect and expand funding for the following
19 initiatives: legal services for AAPI communities,
20 legal services for day laborers and domestic workers,
21 and immigration legal services for survivors of
violence and gender-based harm, expand investment in
language-accessible legal services to include and
prioritize case management as our CBOs act as a
critical bridge, prioritize supporting small and

3 mid-sized CBOs serving emerging immigrant
4 communities, and prioritizing addressing contracting
5 issues that pose barriers for CBOs to promptly
6 receive funding to deliver their crucial services. We
7 must work together to make sure that immigrant New
8 Yorkers are aware of sanctuary city laws and what
9 that means for them. We also need to work to provide
10 protections and options for immigrants to pursue when
11 they are affected by unlawful cooperation between
12 city and state agencies with federal immigration
13 enforcement agencies. This is how we can assure that
14 New Yorkers feel safe in their home. Thank you for
15 allowing me to testify, and we look forward to
16 working with you to make sure our immigrant
17 communities get what they deserve.

18 CHAIRPERSON KRISHNAN: Thank you all for
19 your testimony. We'll now call up our next panel,
20 Gabriel Rivera and Jennings Yusef [sp?]. Jennings,
21 yeah. You may begin.

18 JENNINGS YUSEF: Again, at the wrong spot.
19 I called your office, sir, this week, because I
20 wanted to speak on a topic. It's a stalking issue,
21 and I call the Deputy Speaker's Office because I

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3 wanted to speak on a topic. One got back to me, the
4 other one didn't. May 11, 2006, stalking issue
5 started. Raymond Kelly, the Police Commissioner, and
6 the wonderful Bloomberg, and the wonderful DOI that
7 was here, that I reached out to for 10-15 years, and
8 so many others. And while I was here- I am not well.
9 I'm working on my third heart attack due to this
10 creeping around and whatnot. I don't understand- and
11 you're an attorney. I'm lost at all of this, but it's
12 just about sanctuary cities today. This is what it's
13 about?

14 CHAIRPERSON KRISHNAN: That's the topic of
15 this hearing, so if you have any testimony about
16 sanctuary cities, that'd be very helpful.

17 JENNINGS YUSEF: Yeah, and I tried to get
18 information when I called your office, and another
19 office about- to talk to someone about whatever, but
20 I couldn't get through. So I'll make it brief,
21 because I spent thee hours here. I'm not, not well
now. And it's a stalking issue. I'll make it brief.
And I don't understand it. I don't really understand,
because 5,000 letters have gone to four presidents
about all of this creeping around, and so I don't

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3 understand it. And the wonderful people from the
4 sanctuary city that you're concerned about the people
5 who are here without their green cards? When I go and
6 do my wonderful letters, I'm mobbed by those
7 wonderful people who don't have green cards. But I'm
8 gonna leave now because I'm quite slightly agitated,
9 and I don't understand any of this, because I did
10 reach out to offices to find out what I could speak
11 on, you understand? But it's a stalking issue that I
12 don't understand, and I had a heart attack in 2024.
13 Right after the heart attack, I reached out to
14 somebody named Yusef Salaam. Then I don't hear from
15 him. And then last year-

16 CHAIRPERSON KRISHNAN: [interposing] Thank
17 you very much, Ms. Jennings. Clock has ended, so
18 we've got to unfortunately wrap up.

19 JENNINGS YUSEF: Yeah, I know. Have a good
20 day. Thank you.

21 CHAIRPERSON KRISHNAN: Thank you. We have
now our virtual testimony, too. I'll remind everyone
has two minutes virtually as well. And online we've
got Nour Soubani.

SERGEANT AT ARMS: You may begin.

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3 NOUR SOUBANI: Good afternoon and thank
4 you, committee chairs and council members, for
5 organizing this important hearing. My name is Nour
6 Soubani and I'm testifying on behalf of the
7 Surveillance Technology Oversight Project. I'd like
8 to take this opportunity to highlight two initiatives
9 that go hand-in-hand with strengthening the efficacy
10 of the city's sanctuary laws by limiting the invasive
11 monitoring of our communities by police, as well as
12 information sharing with federal immigration
13 enforcement. First, we must abolish the gang database
14 and prevent data sharing with ICE. As was mentioned
15 by my fellow panelists, the NYPD maintains a
16 notoriously racist gang database that
17 disproportionately profiles and criminalizes Black
18 and Brown youth. One of the most serious concerns is
19 information sharing with ICE. ICE often accesses
20 municipalities' gang databases to conduct raids, then
21 charge or deport the people they detain. A recent
investigation uncovered that the New York State
Police gang database has been merged into a federal
gang database, which is then funneled directly to ICE
and used to identify immigrants for deportation. We

3 urge the City Council to pass laws abolishing the
4 gang database and preventing successor databases from
5 taking its place. And at the very least, we must
6 ensure that ICE is not given access to the
7 surveillance profiles contained within this database.
8 Second, we must dismantle the Domain Awareness
9 System. The Domain Awareness System is a tool of
10 pervasive and intrusive surveillance of New Yorkers.
11 It links citywide camera networks, license plate
12 readers, drone and helicopter feeds, ShotSpotter
13 gunshot alerts, 911 and 311 call records, and other
14 law enforcement databases into a single surveillance
15 network. Every NYPD officer has easy access to the
16 DAS on their smartphone and can share this
17 information with federal immigration enforcement. In
18 2019, Documents revealed that ICE uses the DAS data
19 to create watch lists tracking undocumented
20 immigrants. The DOI's December 2025 report highlights
21 just how dangerous the DAS can be in the case of
Likhad Kurdia [sp?], where NYPD shared with ICE a DAS
report—

SERGEANT AT ARMS: Thank you for your
testimony. Time has expired.

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3 NOUR SOUBANI: That included information
4 on two-

5 CHAIRPERSON KRISHNAN: [interposing] You
6 can finish. If you can finish quickly, be good.

7 NOUR SOUBANI: Yeah, just to say that the
8 DAS report included information on her student
9 protest activities, and ICE used that information to
10 support her immigration detention, which highlights
11 the chilling effect on First Amendment rights that
12 New Yorkers have. Thank you for the opportunity to
13 testify.

14 CHAIRPERSON KRISHNAN: Thank you for your
15 testimony and important words about this issue. Our
16 final online is Christopher Leon Johnson.

17 SERGEANT AT ARMS: You may begin.

18 CHRISTOPHER LEON JOHNSON: Yeah, hello, my
19 name is Christopher Leon Johnson. I saw the pictures
20 outside that you guys posted with the Street Vendor
21 Project and then why I see the Worker Justice Project
about the pre thing, and I'm surprised that none of
you guys really start- are not calling for the firing
of the Commissioner, Jessica Tish. She is the root of
all the- the reason why that Mamdani, our mayor,

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3 cannot even do what he promised to do when he's
4 running for mayor with not collaborating with ICE
5 when it comes to detaining the low-hanging fruit of
6 the city, which are the deliveristas and the street
7 vendors and many of the low-hanging fruit. This— the
8 city council has to— like I said many times last
9 year, last session, and this year, I'll say it again,
10 that this city council need to come out with a
11 statement and tell Mamdani that they need to fire
12 this Police Commissioner. She's the reason that the
13 sanctuary city situation is gonna keep on occurring
14 for the next four years. We're gonna have more
15 migrants in the city getting detained and deported,
16 especially the low-hanging fruit are the deliveristas
17 and the street vendors more because of this Police
18 Commissioner. This Police Commissioner is a pro-cop
19 and she loves Donald Trump. So the city council,
20 like, going forward, I know next week we have the
21 immigration hearing, and then we have the immigration
for oversight, stuff like that. But starting you, Mr.
Krishnan, you got to start calling for the mayor to
fire Jessica Tisch, because once she gets fired, we
will have a better— we'll have a better chance of

3 really making it- the city to the real sanctuary city
4 that it should be. And these nonprofits got to start
5 calling stuff out, have them come together to do the
6 same thing and start calling out Jessica Tisch, but
7 they won't because they scared of- they scared of the
8 backlash, and they know that that lady has a lot of
9 money to make them- get them in trouble, and they
10 don't want to- they don't want to set off the fire
11 from Jessica Tisch. They're scared of her. I'm not
12 scared of her. I mean, but these nonprofits like the
13 WJP and Street Vendor Project and the NYIC, including
14 city council, need to all come together and start
15 saying the right thing is- fire Jessica Tisch, fire
16 the NYPD.

17 SERGEANT AT ARMS: Thank you for your
18 testimony. Time has expired.

19 CHAIRPERSON KRISHNAN: Thank you so much,
20 Mr. Johnson. Appreciate it.

21 CHRISTOPHER LEON JOHNSON: Thank you.

CHAIRPERSON KRISHNAN: Okay, we have now
heard from everyone who has signed up to testify. If
we inadvertently missed anyone who would like to
testify in person, please visit the Sergeant's table

3 and complete a witness slip now. If we inadvertently
4 missed anyone who would like to testify virtually,
5 please use the raise hand function in Zoom and a
6 member of our staff will call on you in the order of
7 hands raised. I will now read the names of those who
8 registered to testify but have not yet filled out a
9 witness slip or appeared on Zoom. It's Zachary Ahmad
10 and Gabriel Rivera. Seeing no one else, I would like
11 to note again that written testimony, which will be
12 reviewed in full by committee staff, may be submitted
13 to the record up to 72 hours after the close of this
14 hearing by emailing it to testimony@council.gov.
15 Thank you all so much, and that concludes our
16 hearing. Thank you, Co-Chair Brooks Powers. [GAVEL]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date April 29, 2026