

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON OVERSIGHT AND
INVESTIGATIONS

Jointly with

COMMITTEE ON PUBLIC SAFETY

----- X

April 11, 2022
Start: 10:06 a.m.
Recess: 12:39 p.m.

HELD AT: Hybrid Hearing - Council Chambers
City Hall

B E F O R E: Gale Brewer, Chair, Oversight
Kamillah Hanks, Chair, Public Safety

COUNCIL MEMBERS:

Diana Ayala
Rita C. Joseph
Shekar Krishnan
Rafael Salamanca, Jr.
Natasha Williams
Julie Won
Majorie Velázquez
Kalman Yeger
Joann Ariola
Erik D. Bottcher
Justin L. Brannan
Tiffany Cabán
Carmen N. De La Rosa
Robert F. Holden

Darlene Mealy
Althea Stevens

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

Jocelyn Strauber
Commissioner of Department of Investigations

Candace McCoy
Professor of Criminal Justice at Graduate Center
in John Jay College

Eric Rasmussen [sp?]

Judith Greene
Justice Strategies

Andrew Case
LatinoJustice PRLDEF

Michael Vitoroulis
Legal Aid Society

Frank Dardani

Towaki Komatsu

Elizabeth Daniel Vasquez
Brooklyn Defender Services

AjiFanta Marenah
Muslim Community Network

Naz Ahmad
CLEAR Project

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

Evan Enzer
Surveillance Technology Oversight Project

Simcha Waisman
One Stop Richmond Hill Community Center

Katurah Topps
NAACP Legal Defense and Education Fund

Mohammad Khan
Cityline Ozone Park Civilian Patrol

1 COMMITTEE ON OVERSIGHT AND INVESTIGATIONS WITH
COMMITTEE ON PUBLIC SAFETY 5

2 SERGEANT AT ARMS: Good morning and
3 welcome to today's remote and virtual New York City
4 Council hearing for the Committee on Oversight and
5 Investigations jointly with Public Safety. At this
6 time, would all panelists please turn on their video
7 for verification purposes, and to minimize
8 disruptions, please place all electronic devices to
9 vibrate or silent mode. If you'd like to submit
10 testimony, please do so via email to
11 testimony@council.nyc.gov. Again, that is
12 testimony@council.nyc.gov. Thank you for--

13 UNIDENTIFIED: [interposing] [inaudible]
14 I'm sorry, John. John, we're going to interrupt you
15 for one second, okay?

16 SERGEANT AT ARMS: Okay, I'm rolling.

17 UNIDENTIFIED: You may continue.

18 SERGEANT AT ARMS: We're already rolling
19 as far as recording. So, once again, good morning
20 and welcome to today's remote hybrid Council hearing
21 for the Committee on Oversight and Investigations
22 jointly with Public Safety. Again, all panelists,
23 please turn on your video for verification purposes.
24 If you'd like to submit testimony, please do so to
25 testimony@council.nyc.gov. Again, that is

3 testimony@council.nyc.gov. Thank you for your
4 cooperation. Chairs, we're ready to begin.

5 CHAIRPERSON BREWER: So, good morning. I
6 am honored to be here today. I am Gale Brewer, Chair
7 of the Committee on Oversight and Investigation, and
8 I'd like to welcome everyone here also to the
9 Committee on Public Safety, chaired by my colleague
10 Council Member Kamillah Hanks from Staten Island who
11 is fabulous. Today's hearing will focus on the
12 Office of the Inspector General of NYPD, an Inspector
13 General whose purpose is to investigate, audit, and
14 make corrective recommendations to the Police
15 Department. I think everyone knows that issues of
16 policing and public safety are a priority for Mayor
17 Adams and his Administration, but also for the City
18 Council. As the police presence increases in our
19 city, the importance of having a strong IG to oversee
20 the NYPD has become even more essential. The purpose
21 of the hearing today is two-fold, to examine the
22 historic and current relationship between the NYPD
23 and the NYPD Inspector General and to review recent
24 reports from the IG's Office, including any
25 recommendations the NYPD has rejected from these
reports, and the expected impact that they will have

3 in the city, as well as the recommendations. It is
4 common knowledge that historically NYPD and the NYPD
5 IG have a poor working relationship. According to a
6 ProPublica investigation-- and I love ProPublica--
7 over a dozen former and current employees of the NYPD
8 and NYPD IG have agreed that the NYPD has restricted
9 the IG's access to records and witnesses, withheld
10 information, the IG was legally entitled to,
11 excessively redacted material, and instructed
12 witnesses to cancel interviews and delay IG requests.
13 In August 2018, the IG's Office sent a letter to the
14 NYPD asking its leaders to discipline their own
15 attorneys for telling two Police Department employees
16 to not appear for scheduled interviews with the IG.
17 The letter states that DOI, and I quote, "is
18 obligated to inform you of conduct by NYPD employees
19 that violates at a minimum the New York City Charter
20 and relevant Mayoral Executive Orders. Obstruction
21 and interference with a DOI investigation are serious
22 violations that should not be taken lightly."
23 Obviously, obstruction of the IG's Office is
24 completely unacceptable. No agency is above the law,
25 and this committee relies on the independence of DOI
to alert us of illegal or improper play by NYPD.

3 Former DOI Commissioner Margaret Garnett explained
4 that the NYPD has interpreted the IG's Office to have
5 more limited authority than the IG believes it
6 maintains. As Chair of the Committee with oversight
7 over DOI, I look forward to an honest conversation
8 with the current Commissioner, who is terrific, about
9 her understanding of these issues and the current
10 state of relationship between PD and the IG. This
11 hearing will also focus on the IG's public reports.
12 As part of the conclusion of an investigation, the IG
13 issues non-binding recommendations to PD. While the
14 NYPD does not need to accept these recommendations,
15 the rejection of a recommendation is worthy of
16 further discussion and should be discussed. Why was
17 it rejected? I'm not interested in hearing the
18 percent of total recommendations the PD has accepted
19 in relation to past IG reports. This number matters,
20 but not all recommendations from reports are of equal
21 importance. Less substantive recommendations may have
22 easily been accepted to create the illusion the NYPD
23 is overwhelmingly complying with DOI recommendations,
24 even if PD is refusing to accept the most important
25 recommendations issues. And that's what this
committee is for, to check that out. I'm interested

3 in discussion with the IG's Office today about the
4 most essential recommendations that IG's Office has
5 issued that are yet to be implemented by PD. We will
6 discuss PD's reasoning in rejecting these
7 recommendations and whether DOI believes these
8 responses warrant a rejection of their
9 recommendations. The Committee on Oversight and
10 Investigations has oversight over the City's
11 investigatory agency. Our independence and honesty
12 are essential to ensuring good governance, and I
13 would say particularly today. And I will note that
14 in the daily news today, there is a discussion that
15 an organization that I'm sure will be testifying
16 today talks about some of the work that the CCRB is
17 doing about looking at the lies that cops have made,
18 and whether it is a systemic issue. And I think
19 we'll hear that the role of DOI and the IG is to look
20 at systemic, where CCRB looks at individual issues.
21 I would tremendously like to thank the central staff
22 team, Senior Counsel CJ Murray, Senior Policy Analyst
23 Noah Mixler [sp?], my Chief of Staff Shuler Puter
24 [sp?], Director of Legislation Leah Bolero [sp?] for
25 their hard work in preparing for this hearing. And
now I'd like to turn it over to my colleague, Council

3 Member Hanks, Chair of the Committee on Public Safety
4 for her opening statement. Thank you very much.

5 CHAIRPERSON HANKS: Thank you, Chair
6 Brewer. Good morning. I am Council Member Kamillah
7 Hanks, and I am the Chair to the Committee on Public
8 Safety, and I am joined by my Public Safety Committee
9 Members, Council Member Stevens, Council Member
10 Brannan, Mealy, Holden, Cabán, and Ariola, and the
11 ONI Committee, Velázquez, Yeger, and Ayala. I would
12 like to thank Chair Brewer who's also fabulous and
13 the Committee on Oversight and Investigations for
14 joining us for this important oversight hearing on
15 Office of Inspector General for the NYPD.
16 Established following the Council's enactment of
17 Local Law 70 in 2013, the Inspector General for NYPD
18 serves as an important role in enhancing police
19 oversight and accountability in New York City. As
20 outlined by Local Law 70, DOI must routinely
21 investigate, review, study, audit, and make
22 recommendations relating to the operations, policies,
23 programs, and practices of NYPD. If the goal of
24 enhancing the effectiveness of the Department
25 increasing public safety, protecting civil liberties
and civil rights, and increasing the public's

3 confidence in the police force, thus building
4 stronger police/community relations. Since its
5 inception, OIG NYPD has conducted 17 investigations
6 of the NYPD operations, policies, programs, and
7 practices. Examining topics of significant public
8 interest, its approach to handling incidents
9 involving individuals in mental health crisis and
10 policies related to the access of body-worn camera
11 footage. In total, OIG NYPD 17 investigative
12 reports included 187 recommendations. Of these
13 recommendations, NYPD has implemented 59.8 percent;
14 12.5 percent are characterized as partially
15 implemented, 9.8 percent as accepted in principle,
16 3.3 percent as under consideration, and 14.7 percent
17 as rejected by the NYPD. As we embark on a new
18 Administration in following almost a decade since the
19 operation, the Council is pleased to welcome
20 Commissioner Strauber to discuss OIG NYPD's work. The
21 Committee looks forward to receiving an update on the
22 DOI's ongoing investigative work, examining the
23 relationships between OIG NYPD and the Police
24 Department and OIG's access to information and
25 documents and NYPD's implantation of policy
recommendations. We will also inquire on the NYPD

3 Inspector General's Office within the landscape of
4 overall police oversight in New York City as well as
5 how it engages the public. Thank you, and I would
6 like to now welcome the Administration to testify.

7 CHAIRPERSON BREWER: Thank you. Before
8 we do that, I just want to also thank Council Members
9 Yeger, Velázquez, Stevens, Brannan, Cabán, Powers,
10 and Council Member Bottcher's here with me. Thank
11 you very much, and I'll turn it over to CJ Murray.

12 COMMITTEE COUNSEL: Thank you, Chair.
13 I'm CJ Murray, Counsel to the Committee on Oversight
14 and Investigations. Before we begin testimony, I
15 want to remind all of those participating in today's
16 hearing remotely that you will be on mute until you
17 are called on to testify, at which point you will be
18 unmuted by a member of our staff. I will be calling
19 on panelists to testify periodically throughout the
20 hearing, so please listen for your name as well. As
21 a reminder, all hearing participants may submit
22 written testimony to testimony@council.nyc.gov. The
23 first panelist to give testimony today will be
24 Jocelyn Strauber, Commissioner of the Department of
25 Investigations. There will be time for Council
Member questions after each panel. For Council

3 Members who are participating remotely, if you'd like
4 to ask a quotation during the hearing, please use the
5 Zoom raise hand function, and I will call on you in
6 order. We'll be limiting Council Member questions to
7 five minutes, should include the time it takes the
8 panelist to answer your question. Please note that
9 for ease of this hybrid hearing, there will not be a
10 second round of questioning outside of questions for
11 the Committee Chairs. We will now call
12 representatives from the Administration to testify.
13 Before we begin I will administer the oath.
14 Commissioner Strauber, please raise your right hand.
15 Do you affirm to tell the truth, the whole truth and
16 nothing but the truth before this committee and to
17 respond honestly to Council Member questions?

18 COMMISSIONER STRAUBER: I do.

19 COMMITTEE COUNSEL: Thank you. You may
20 begin your testimony.

21 COMMISSIONER STRAUBER: Thank you. Good
22 morning Chair Brewer and members of the Committee on
23 Oversight and Investigations, and Chair Hanks and
24 members of the Committee on Public Safety. My name is
25 Jocelyn Strauber and I am the Commissioner of the New
York City Department of Investigation. I appreciate

3 the opportunity to speak with you today about DOI's
4 Office of the Inspector General for the New York City
5 Police Department, which we'll refer to as the OIG-
6 NYPD, a unit created in 2014 in accordance with Local
7 Law 70, which was enacted in response, in part, to
8 the community's concerns about policing tactics. The
9 law directed the DOI Commissioner to appoint an
10 Inspector General to "investigate, review, study,
11 audit and make recommendations relating to the
12 operations, policies, programs and practices of
13 NYPD." Consistent with that broad mandate, the OIG-
14 NYPD principally has conducted broad examinations of
15 NYPD policies and practices and issued public reports
16 recommending reforms. As with all agencies we
17 oversee, our goal with respect to NYPD is to identify
18 policies and procedures that could benefit from
19 improvement and to propose changes we deem necessary
20 in public reports, to improve policing and to
21 increase transparency as well as confidence in the
22 police force. Community engagement is critical to
23 our work. The advocacy community was instrumental in
24 the creation of an Inspector General with oversight
25 of the Police Department, and they continue to bring
concerns to our attention and to some extent, inform

3 some areas for review. NYPD is also an important
4 partner in our process. The Department's feedback on
5 our reports helps ensure that our recommendations are
6 achievable and feasible, and that they don't
7 compromise the safety of the public or law
8 enforcement. I'm particularly sensitive to these
9 issues at this time, as the City confronts a surge in
10 violent crime that makes NYPD's work especially
11 challenging. Of course DOI, the advocacy community,
12 and NYPD do not always agree on the appropriate
13 reforms, but we are committed to a thoughtful process
14 that allows consideration of multiple viewpoints on
15 this very important work. Since it was formed in
16 2014, OIG-NYPD has made a total of 185
17 recommendations for changes and improvements in
18 policies and procedures, in public reports setting
19 out in detail our investigative steps and explaining
20 our conclusions. These recommendations and reports,
21 like all DOI recommendations, are on our public
22 website, where we also track implementation by the
23 relevant agencies, and I am proud to say that the
24 vast majority of our recommendations have been
25 accepted by NYPD. With Chair Brewer's indulgence,
just a few statistics. Over 80 percent of these

3 recommendations have been implemented, partially
4 implemented, or accepted in principle, meaning that
5 NYPD has agreed to implement them, but has not yet
6 done so. To break down those numbers, 72 percent of
7 the recommendations have been implemented, or
8 partially implemented; 9.8 percent of them have been
9 accepted in principle. In addition, 3.3 percent of
10 the recommendations remain under consideration,
11 meaning that the Police Department has not taken a
12 position on them, and 14.7 of them were rejected. A
13 sixth category is no longer--

14 UNIDENTIFIED: [inaudible]

15 CHAIRPERSON BREWER: You have to mute
16 yourself.

17 COMMISSIONER STRAUBER: A sixth category
18 is no longer applicable, meaning that those
19 recommendations are no longer relevant, for example
20 because of a procedural change by NYPD. Before I
21 discuss specifics about OIG-NYPD's work, I want to
22 provide Committee members with important context both
23 about how DOI operates, and how OIG-NYPD operates
24 within it. DOI, created almost 150 years ago, is one
25 of the oldest law enforcement agencies in the
country. An independent, non-partisan investigative

3 entity, its mission is to identify and eradicate
4 fraud, abuse, waste and corruption in City
5 government. Our investigations lead to referrals to
6 prosecutors for criminal charges, to the agencies we
7 oversee for disciplinary proceedings, to the
8 Conflicts of Interest Board for violations of the
9 City's conflict of interest laws. We also make
10 recommendations to remedy the vulnerabilities and
11 deficiencies we find, to prevent future corruption
12 and wrongdoing. When we identify systemic issues, we
13 may issue public reports that provide even greater
14 transparency into our findings and recommendations.
15 The City Charter and Executive Orders that give DOI
16 its broad jurisdiction and investigative powers
17 provide its authority to obtain City records,
18 including NYPD records. While Local Law 70 created a
19 specific Inspector General for NYPD, it did not
20 change or limit DOI's existing authority over all
21 city agencies, including NYPD. The Local Law does
22 give the Mayor authority, in consultation with DOI
23 and NYPD, to determine how sensitive information that
24 is provided to DOI will be treated. DOI is organized
25 as 12 oversight units, each led by one or two
Inspectors General, and each with responsibility for

3 an agency or a group of agencies, such as
4 infrastructure, housing and buildings, public
5 housing, and City-run hospitals, among others. Each
6 unit includes attorneys, investigators, analysts,
7 auditors and administrative personnel. OIG-NYPD is
8 one such oversight unit and it focuses on NYPD. OIG-
9 NYPD is unique among DOI's oversight units with
10 respect to the systemic investigations it conducts of
11 police practices and procedures resulting in public
12 reports. We receive public complaints from an array
13 of constituents and the public, including community
14 advocacy groups, law enforcement personnel, elected
15 officials, and other units within DOI. Each
16 complaint is reviewed and is either assigned for
17 investigation or, as more often happens given the
18 volume and nature of these complaints, referred to
19 another appropriate oversight agency for review. As
20 you are aware, two other civilian entities also
21 oversee policing: the Civilian Complaint Review
22 Board, the CCRB, an independent agency that
23 investigates complaints filed by the public
24 concerning police interactions with civilians and the
25 Commission to Combat Police Corruption, the CCPC,
which monitors NYPD's internal efforts, principally

3 handled by NYPD's Internal Affairs Bureau or IAB, to
4 detect, remedy and prevent police corruption. And at
5 the state level, since 2021 the New York State Office
6 of the Attorney General has had authority over local
7 police departments, including NYPD, through its Law
8 Enforcement Misconduct Investigative Office. That
9 office reviews and makes recommendations relating to
10 the operations and policies of state and local law
11 enforcement agencies. Civil litigation and criminal
12 prosecution are two other forms of oversight. For
13 instance, prior federal litigation regarding stop,
14 question, and frisk led to a court-ordered monitor to
15 oversee reforms relating to this law enforcement
16 tactic. In light of these various forms of
17 oversight of the police department, OIG-NYPD has
18 focused primarily on examinations of operations,
19 policies, procedures and practices broadly speaking
20 within the Police Department. We consider a variety
21 of inputs in determining what examinations to
22 undertake, including complaint trends, media reports,
23 community concerns and interactions with NYPD.
24 Today, I want to bring you up to speed on the work of
25 OIG-NYPD, what I have done since I came to DOI six
weeks ago to identify the challenges the unit faces,

3 and how I plan to advance the unit's important work
4 and help it reach its full potential. As I mentioned
5 earlier, since 2015, OIG-NYPD has issued a total of
6 17 reports containing 185 recommendations; 82 percent
7 of which have been implemented, partially
8 implemented, or accepted in principle. That rate is
9 consistent with rates for DOI recommendations
10 generally for the past several fiscal years, which
11 range from approximately 86 to 93 percent. OIG-
12 NYPD's investigative and report-drafting process is
13 rigorous, and involves substantial guidance and
14 oversight by the Inspector General and the DOI
15 executive staff. To ensure that we've understood the
16 issues correctly, and to facilitate feedback on our
17 recommendations, we share a draft of our reports with
18 NYPD prior to public release. We incorporate any
19 changes we deem necessary prior to issuance. Other
20 units follow the same practice with the agencies they
21 oversee. While we generally don't change our
22 recommendations in that process, we find that agency
23 input is very valuable. To give just a few examples
24 of the significant issues that OIG-NYPD has examined
25 since the Unit was created, leading to public reports
and recommendations for change which NYPD has

3 adopted: We reviewed 10 cases where the CCRB
4 determined that NYPD officers used chokeholds and
5 issued four recommendations that have all been
6 implemented, including furthering transparency with
7 respect to the Police Commissioner's disciplinary
8 decisions and increasing coordination with CCRB to
9 refine the disciplinary system for improper use of
10 force. We reviewed NYPD's use of force policies and
11 issued more than a dozen recommendations, the
12 majority of which have been implemented, including
13 that NYPD compile and publish data regarding the
14 percentage of cases in which the Police Commissioner
15 reduces or declines discipline. We reviewed NYPD's
16 approach to handling interactions with people in
17 mental crisis. As a result NYPD implemented our
18 recommendations that strengthened its training and
19 procedures for responding to interactions with such
20 individuals. We exposed deficiencies in NYPD's
21 Special Victims Division and Adult Sex Crimes unit
22 and issued recommendations that staffing in the unit
23 be increased and training expanded. In 2016, we
24 issued a report concerning quality of life
25 enforcement, focused on the 2010 to 2015 period.
Looking at the narrow question whether an increase in

3 summons and misdemeanor charges for quality of life
4 crimes in that period was linked to a decrease in
5 felony crime and found there was no such link. We did
6 not address the broader efficacy of quality of life
7 enforcement in general. NYPD implemented four
8 recommendations from that report and rejected several
9 others. We plan to continue to engage with the Police
10 Department with respect to the recommendations, as is
11 our practice. We examined NYPD's policies,
12 investigations and training as they relate to
13 complaints of biased policing in New York City. NYPD
14 implemented our recommendations that included
15 strengthening investigative training on this issue
16 and led to the creation of a new unit at CCRB. While
17 NYPD rejected the majority of the 21 recommendations
18 we issued, those recommendations continue to stand
19 and DOI is hopeful that NYPD will engage in further
20 discussion about them. Furthermore, in my first
21 month and a half at DOI I have reviewed a number of
22 draft OIG-NYPD reports, in addition to the annual
23 report, and I expect that we will issue a number of
24 reports this year on topics that I know are of
25 importance to the community and this council,
including one relating to the Gang Database. Once a

3 report is issued, OIG-NYPD continues to monitor NYPD
4 practices that are relevant to the recommendations
5 that we have made, including those recommendations
6 that have been rejected or that may be no longer
7 applicable, because policing strategies can shift and
8 provide new opportunities to reconsider past
9 recommendations. In addition to our in-depth
10 investigations, we stay up to date on police
11 practices through a variety of efforts, including
12 attending NYPD trainings of certain kinds, which we
13 find extremely valuable to our investigators' ability
14 to better understand NYPD's practices, leading to
15 better and more informed recommendations. In its
16 first eight years, OIG-NYPD has accomplished a great
17 deal. However, for a number of reasons, including,
18 but not limited, to the impact of the pandemic on
19 City resources and on NYPD and DOI in particular and
20 the related challenges to accessing NYPD records,
21 facilities and staff. Fewer reports have been issued
22 by the Unit in the last two years than in prior
23 years. In fact, DOI's numbers are down across the
24 board due to similar issues related to the pandemic
25 and its impact on resources. As we emerge from the
pandemic and as I consider how to ensure that units

3 across DOI are as productive as possible, I recognize
4 that there are a number of areas for improvement
5 relating to the work of this unit in particular. So,
6 let me now address some of the issues I see and my
7 plans for the future, and specifically as they relate
8 to OIG-NYPD access to NYPD records, staffing of OIG-
9 NYPD, and the workflow process within the unit.

10 First, with respect to access. Access to NYPD
11 records, facilities and staff that is both meaningful
12 and timely is paramount for OIG-NYPD to do its job,
13 and I understand that direct and unencumbered access
14 has been a challenge in the past. As a result, I
15 have already had two meetings with NYPD officials
16 since I arrived at DOI, and I have additional
17 meetings planned in the near future. In those
18 meetings, I have received assurances that NYPD is
19 committed to tackle these challenges with us and most
20 importantly to provide clear channels for elevating
21 any delays or limitations on access so that they can
22 be promptly addressed and resolved. I know that the
23 Legal Department, which plays a key role in reviewing
24 our requests and gathering, reviewing and producing
25 the relevant materials, is managing the demands of
multiple oversight agencies seeking information as

3 well as discovery-related requests, among other
4 pressures, but I am optimistic that with regular,
5 open communication, we can achieve an improved pace
6 of production from NYPD. This in turn will allow our
7 investigations to proceed more quickly, allowing us
8 to issue our own reports more promptly. To that end,
9 DOI and NYPD are now in the process of scheduling a
10 series of standing meetings to review DOI's
11 outstanding requests, not only at the Inspector
12 General and Deputy Inspector General level, which I
13 understand have been meeting regularly historically,
14 but also at the executive staff level, and those are
15 meetings in which I plan to personally participate.
16 With respect to staffing, I want to provide the
17 committee with some facts so that there is a
18 comprehensive understanding of where we are and what
19 we plan to do regarding staffing. OIG-NYPD marked
20 its highest number of staff in 2017 with
21 approximately 38 or 39 staff members, and that number
22 has declined to its current 20 staff members. The
23 reduction in staffing certainly has contributed to
24 the decrease in reports issued by the Unit, and it is
25 attributable in part to natural attrition combined
with the economic realities in the City over the past

3 several years, which led to City-wide hiring freezes
4 or restrictions and presented significant challenges
5 to filling vacancies, as you know, not just within
6 OIG-NYPD but throughout DOI. At this moment, we are
7 aiming to fill vacancies and bring OIG-NYPD up to an
8 appropriate level of staffing, which I expect will be
9 somewhere between 25 and 30. This will include hiring
10 a new Inspector General; as you know the former
11 Inspector General resigned in December 2021. To that
12 end, DOI has received a number of well-rounded
13 resumes, and has spoken already since my arrival with
14 several qualified and promising candidates. That
15 process is active and continuing. It is certainly a
16 priority. My plan is to have a new IG in place by
17 summer, an individual with broad law enforcement
18 experience, supervisory and management experience in
19 developing and leading investigations, and who can
20 productively engage both with the community and
21 community advocates as well as with NYPD officials.
22 There are of course other vacancies at the unit at
23 various levels which we will also seek to fill
24 promptly, although we do want to have the input of
25 the new Inspector General once that person is hired.
And one last point on streamlining our internal

3 workload. Reports are the foundation of OIG-NYPD's
4 work, and I am assessing the report-writing process
5 for all of DOI, including OIG-NYPD. I want to make
6 our reports even more readily comprehensible to the
7 public and even more concise where possible. I'd
8 also like to streamline the report-writing process
9 itself, so that drafting and editing within DOI will
10 be more efficient. Since my arrival at DOI, as I
11 mentioned, I have already reviewed a number of draft
12 reports from OIG-NYPD, and as I noted, I am confident
13 that as we emerge from the pandemic-related
14 challenges we will soon be back to our earlier pace
15 of issuing several reports a year. Effective
16 policing and public confidence in NYPD are vital to
17 New York City. OIG-NYPD's comprehensive
18 investigations, meaningful recommendations, and
19 public reports play an important role in meeting
20 those critical objectives. I look forward to
21 strengthening the Unit even more in the coming
22 months, maintaining a robust dialogue with NYPD and
23 streamlining our processes here at DOI so that we can
24 continue to pursue this important work. Thank you,
25 and I'm happy, of course, to take your questions.

3 CHAIRPERSON BREWER: Thank you very much,
4 Commissioner. We have lots of questions. Before I
5 ask my colleague, Council Member Hanks, I wanted to
6 say we've been joined by Council Member Ossé, De La
7 Rosa, Joseph, and Krishnan. And now I'd love to hear
8 from Kamillah Hanks. She's going to start the
9 questioning. Thank you.

10 CHAIRPERSON HANKS: Thank you, Chair
11 Brewer. Thank you very much, Commissioner. I am--
12 most of my line of questioning is going to be
13 focusing on the NYPD Inspector General Office within
14 the landscape of overall police oversight in New York
15 City. So, to begin, what is the OIG's mandate, and
16 how often does it differ from the role of other
17 police oversight bodies, such as the Commission to
18 Combat Police Corruption and the CCRB?

19 COMMISSIONER STRAUBER: Well, the CCRB,
20 as I mentioned Chair Hanks, is really focused on
21 interactions between the NYPD and the civilian
22 community. That's really their mandate. The IAB's
23 mandate and the CCPC, which really oversees the work
24 of the IAB, is as I understand it principally to
25 examine corruption within the police force, issues
again, with individual police officers. Our mandate

3 is quite broad, and although it in theory encompasses
4 all-- really all practices and policies within the
5 Police Department, it has typically been our practice
6 given the expertise of those entities to refer to
7 them complaints that we receive that really relate to
8 the conduct of individual police officers, and we
9 have found that we are most effective in focusing our
10 attention on, like I mentioned, these broader more
11 systemic issues that relate to police policies and
12 practices.

13 CHAIRPERSON HANKS: Thank you so much.

14 Do you believe that the public is adequately informed
15 on the role of OIG and NYPD? And if not, how can we
16 improve the public knowledge of what these agencies
17 do?

18 COMMISSIONER STRAUBER: Well, I think the
19 public is well-served by the annual report that we
20 issue every year that's required by Local Law 70.
21 That describes the status of all of our outstanding
22 recommendations, and with particular attention on
23 those that have not been implemented and are either
24 in the-- accepted in principle or rejected or still
25 be decided categories, and that report really does
give the public a comprehensive view of our reports

3 to-date and the status of our recommendations. In
4 addition, our public website makes available all of
5 our individual reports, which I believe are also
6 linked in our annual report, should members of the
7 public be interested in sort of digging deeper on the
8 basis for our recommendations and all of the other
9 information in terms of our investigations that we
10 include in our report. To some extent, I always
11 think the public could be better informed about our
12 work, and we're always looking for ways to make sure
13 that folks know that we're out here to receive
14 complaints to consider their concerns, but I do think
15 with respect to the work of this unit, we provide a
16 significant amount of public information.

17 CHAIRPERSON HANKS: Thank you very much.

18 Does the OIG-NYPD receive public complaints regarding
19 the NYPD? And if so, how many public complaints have
20 been received in recent years, and what types of
21 these complaints have been received?

22 COMMISSIONER STRAUBER: Sure. So we do
23 receive complaints from the public, and actually I
24 believe that Local Law requires that we maintain a
25 unit specifically within OIG-NYPD to receive
26 complaints, and we do that. Those complaints come

3 from a number of sources, the public but also elected
4 officials, police reform advocates, criminal defender
5 organizations, as well as the general public. To give
6 you some statistics, in 2021 we received 732
7 complaints. In 2020 we received 618 complaints. And
8 it just may be interesting to note that those numbers
9 actually are relatively consistent with prior years
10 with a dip in 2019. So despite the pandemic, the
11 number of complaints we've received have remained
12 relatively steady at that figure. We refer-- of
13 those-- so going to the 2021 numbers, with respect to
14 the 732 total complaints, we refer 145 of them, and
15 those referrals would go, as I mentioned to IAB, to
16 the CCRB, sometimes to other entities. You know,
17 that could happen or within-- to other units within
18 DOI were that appropriate. We-- with the remaining
19 complaints to the extent the warrant the opening of
20 an investigation, we would open an investigation,
21 either a preliminary investigation to determine what
22 steps might be needed to take-- we might need to take
23 or a full investigation depending on the nature, the
24 nature of the complaint.

24 CHAIRPERSON HANKS: That's-- thank you.

25 So to follow up with that, can the OIG-NYPD provide

3 the Council with a full accounting of public
4 complaints categorized by subject matter?

5 COMMISSIONER STRAUBER: So, I would need
6 to look into that question further. We don't
7 typically-- you know, given that our complaints and
8 the investigations that we conduct, those are not
9 public until we are ready to issue a report. So, I
10 would want to think further about how to provide the
11 Council with more information about the nature of the
12 complaints, but I do not think we would be able to
13 say that we would give you sort of a full accounting
14 of all complaints, because that of course would
15 include complaints that we continue to investigate,
16 and those would be non-public until such time as we
17 were ready to issue a report. And of course, a
18 number of complaints always in any category that we
19 receive are not going to be substantiated, and we
20 would not want to share those complaints because
21 obviously to the extent that they might, you know,
22 indicate that individual or individuals were involved
23 in misconduct and be unsubstantiated. We wouldn't
24 release that sort of information publicly.
25

3 CHAIRPERSON HANKS: So, in theory, you
4 know, you do these investigations. Have you opened
5 any investigations from any complaints?

6 COMMISSIONER STRAUBER: We have opened
7 investigations from complaints, and the trends that
8 we see in complaints also inform our systemic
9 investigations. So the 17 major investigations that
10 we've done over the last eight years, at least some
11 of those were informed by trends that we saw in the
12 complaints that we received, even if we did not
13 actually conduct a specific investigation of some of
14 those complaints.

15 CHAIRPERSON HANKS: Thanks. Lastly, what
16 is the OIG's relation-- NYPD's relationship with
17 other oversight or law enforcement entities? For
18 example, District Attorneys are in unique positions
19 to identify deficiencies in NYPD investigative
20 practices, collection of evidence or credible deter--
21 credibility determinations. Does the OIG-NYPD ever
22 meet with District Attorney Offices regarding
23 systemic issues they may identify regarding police
24 practices?

25 COMMISSIONER STRAUBER: So, we are
certainly in contact with District Attorney Offices

3 with respect to our investigations on a regular
4 basis, and any District Attorney's office that wanted
5 to refer a concern or a complaint to us could
6 certainly do so. Whether-- I don't know that I can
7 name an example as I sit here today that I'm aware of
8 such a referral occurring, but it's certainly
9 something-- there are open channels of communication
10 with DA's offices for them to do that.

11 CHAIRPERSON HANKS: Thank you, and I'll
12 pass it back to Chair Brewer. Thank you very much.

13 CHAIRPERSON BREWER: Thank you very much,
14 and we've been joined by Council Member Williams.
15 So, I know that we're talking a little bit about the
16 future when I ask this question, but I know in the
17 past you have talked about recommending consolidating
18 existing police oversight functions into the CCRB.
19 So, you know me, I call around, see what people
20 think. That's how I am, because I know so many
21 people. And what it turns out is, of course, people
22 want to be sure that if that happens, then the CCRB,
23 whomever's in charge, is as good as the DOI
24 Commissioner, which the City Council has some say
25 about. I would be considered, I'll be honest with
you, that we don't have that same kind of public

3 display of quality. So what is your opinion on this?

4 And the other thing is that obviously you're active,

5 the IG will be active. The Commission doesn't seem

6 to have any staff, so they're not so active. So I'm

7 just wondering if you still think that this is a good

8 idea.

9 COMMISSIONER STRAUBER: Well, let me--

10 let me first clarify one thing about the

11 recommendation that was made, and this was made in

12 our 2020 Protest Report.

13 CHAIRPERSON BREWER: Correct.

14 CHAIRPERSON BREWER: The recommendation

15 was to consolidate the three police oversight

16 agencies in a single independent entity that would be

17 overseen by a board. So just to be clear, it--

18 although it did involve consolidation with the CCRB,

19 the proposal was not that the CCRB would necessarily

20 sort of takeover or subsume the two other

21 investigative agencies. But putting just that

22 procedural point aside, you know, what is appealing

23 to me about the recommendation is that there

24 certainly are many over-- there is overlap as you can

25 see-- excuse me-- in the mandates of these three

oversight agencies, and overlap always leads to some

3 inefficiency. It also means that there are requests
4 for information coming at the Police Department from
5 multiple sources, which presumably is not the most
6 efficient way to do it, and obviously efficiency is
7 something that we think about in this context like in
8 all others. I do think, though, that it's important
9 that if such an entity were to be created that it be
10 structured in the appropriate way so that we could
11 all be assured that it would provide the same robust
12 oversight that's currently being provided. And I
13 would need to give more thought to what exactly that
14 structure should be. So I certainly share the
15 interest in having some certainty in how that entity
16 would work, and I would need to think more about what
17 kind of structure would be appropriate to make a
18 further recommendation on that.

18 CHAIRPERSON BREWER: Okay, I appreciate
19 that, because I think we all feel the same way needs
20 work. Thank you. The issue is, I think you talked a
21 little bit about this earlier. But how does the
22 Inspector General identify issues to investigate? I
23 know for instance Mark Peters [sic] focused on the
24 adult unit, but he never had time to do for instance
25 the Child Unit for sexual assault. So I'm just

3 wondering-- you know, obviously you talked about the
4 gangs. Makes sense. I talked about the work that
5 is-- was done with the CCRB looking at lives [sic]
6 whether it's correct or not, I don't know, but that's
7 another topic. So how do you decide/

8 COMMISSIONER STRAUBER: So, we have an
9 internal process, but let me speak first about sort
10 of the inputs of information we get, and several of
11 them are sort of referenced in what you just said.
12 So there are media reports, right? We're obviously
13 sort of actively aware of what's being reported in
14 the media in terms of police practices. There are,
15 you know, the large volume of complaints that we get,
16 and even though we may refer many of those or many
17 not result in investigations, those can also help us
18 identify trends that we might-- that we might want to
19 focus on. We also have interactions, as I mentioned,
20 with the PD where, for example, we get to sit in on
21 trainings for, you know, the work of certain units.
22 So those interactions and our general familiarity
23 with the work of the Police Department can also be
24 the impetus for an investigation. So I would say
25 there are a variety of inputs, and the unit is sort
of actively looking around and thinking about areas

3 that might be fruitful for investigation, but there's
4 no sort of one, you know,-- there's no one track, and
5 I think we try not to pre-judge these things, right?
6 I think it's important that we, you know, be alert
7 and looking for things, but not necessarily have a
8 specific agenda in mind other than our broad mandate
9 under the statute. And then, you know, the way the
10 process works internally is anyone in, you know, in
11 the unit can make a suggestion about an investigation
12 that sort of filters up to the senior executive staff
13 in the unit, as well as, you know, in DOI as a whole.
14 And then a decision is made about what seems like the
15 most important area to pursue.

16 CHAIRPERSON BREWER: Okay. I know you
17 talked-- because you're new. You have a good
18 relationship so far with the Law Department as part
19 of the NYPD, and I just-- and hopefully that will
20 help you get documented information because obviously
21 relationships matter. So I'm just wondering, in the
22 past I assume there were requests denied. We heard
23 about those. And has DOI ever issued a subpoena to
24 NYPD, do we know?

25 COMMISSIONER STRAUBER: I think there-- I
think there may be situations where we have. I don't

3 have the details on that. Sometimes-- and I'm
4 speaking generally-- it can be helpful for an entity
5 to receive a subpoena. Sometimes that can just
6 facilitate the flow of information in a sort of what
7 you might call a friendly way. But look, I think
8 certainly there have been issues in the past. My
9 understanding is that principally, although I'm sure
10 there may be some exceptions to this, those were
11 timing issues more than, you know-- there may be
12 situations where we just didn't get information, but
13 I think more often the problem was it took more time
14 than we would have liked, and I think, you know, I
15 have already had some conversations to try to address
16 that, but in my experience to the extent that we can
17 be clear at the outset about what it is we're looking
18 for, have a discussion about what's feasible, and
19 then stay sort of closely on top of our progress--
20 which is not to say this hasn't been tried in the
21 past, but I think particularly trying to elevate
22 issues very promptly, sort of-- so before things get
23 too far long or too delayed. You can have a
24 conversation and try to move things forward is how I
25 plan to pursue this, and from the meetings that I've
had, I have every indication that the Police

3 Department is receptive to that and would like to
4 work with us in that way.

5 CHAIRPERSON BREWER: Okay. I assume
6 that's what would help that kind of relationship, to
7 be sure that there's no slow walking of
8 investigation, that kind of relationship and staying
9 close to it would hopefully make sure there is no
10 slow walking. Is that correct?

11 COMMISSIONER STRAUBER: I mean, that's
12 certainly the goal, and I do think, you know, we are
13 mindful of the realities of the pressures for
14 information that many agencies are under right now,
15 including the PD, but yes, I think that as opposed to
16 sort of a deliberate slow walking, but yes, it think
17 that that hopefully is going to help move things
18 forward, and I want to be quickly kept in the loop
19 and will be on any issues that we have, and I will
20 deal with them personally. And like I said, I've had
21 several meetings already, and I've been here a little
22 bit more than a month with the PD. This is certainly
23 a priority for us.

24 CHAIRPERSON BREWER: Local Law 70, as you
25 know, provides the Mayor with authority to establish
protocols for handling of sensitive information, and

3 I didn't know if these protocols have been
4 established. What was the process? What are the
5 protocols? And this whole issue of sensitive
6 information certainly comes up regarding CCRB, which
7 is an agency that I know even better. So I want to
8 know if you believe that the right balance has been
9 met to protect sensitive information which does have
10 to be protected without undermining the ability of
11 DOI and the IG to do-- to fulfil your mandate. It's
12 always a challenge.

13 COMMISSIONER STRAUBER: It is always a
14 challenge. My understanding is actually to-date,
15 although the Mayor certainly has that authority.
16 That authority is intended to address situations
17 where we have sensitive information and there's a
18 question of like how it can be handled. Could it be
19 made public and in what form? How could it be
20 protected? I don't think, at least in recent memory--
21 - and you know, as you know I may not have the full
22 history fully absorbed yet-- I don't think there has
23 been occasion to use that, you know, that portion of
24 the statute. I don't think that there is any sort of
25 standing protocol. I think that provision is
intended to allow for a situation where we would

3 receive that kind of information, and we would then
4 have to make sure that we were handling it
5 appropriately.

6 CHAIRPERSON BREWER: Who decides what is
7 sensitive? Is that the NYPD, DOI? Who decides what
8 is sensitive?

9 COMMISSIONER STRAUBER: That is decided
10 in a sort of, you know, collaborative process between
11 the Mayor, the PD, and DOI.

12 CHAIRPERSON BREWER: Okay. So, I mean,
13 again, this is into the future, but do you feel that
14 OIG is granted sufficient access to information
15 needed to conduct an investigation, not exactly clear
16 what is sensitive or not?

17 COMMISSIONER STRAUBER: I do. That's not
18 to say that there haven't been examples, and
19 occasionally we've noted them in our public reports
20 where we felt we needed more information that we
21 couldn't get, but overall, we've issued a sub-- you
22 know, we've created a substantial body of work over
23 the last eight years. The only way we can do that is
24 through getting information from and access to the
25 PD, and I think we've done that. So, I think it's an
area we need to stay alert to and focused on, but I

3 would say yes, overall we have gotten the information
4 that we need.

5 CHAIRPERSON BREWER: I know you heard a
6 little bit about this from Council Member Hanks,
7 because she talked about the DA's, but what is the
8 OIG's process for making criminal referrals? What
9 level of sign-off is required before a matter can be
10 referred to a prosecutor's office? You heard about
11 this a little bit.

12 COMMISSIONER STRAUBER: But for any
13 criminal referral, the executive staff would be
14 involved. So, obviously that would be the senior
15 level of the unit itself in consultation with the
16 executive staff before we would make a criminal
17 referral.

18 CHAIRPERSON BREWER: I think we know from
19 former Commissioner Garnett there was a little bit of
20 an interpretation difference whether the OI-- what
21 kind of limited authority OIG had, different than
22 what she felt was necessary. And so have those
23 issues been resolved, or is it still open for
24 interpretation?

25 COMMISSIONER STRAUBER: So, I haven't yet
confronted a situation where that has been in play,

3 but certainly my understanding as I stated earlier is
4 consistent with Commissioner Garnett's, which is that
5 our access to NYPD records is the same as our access
6 to the records of any other agency. We're granted
7 access, including through our authorities under the
8 Executive Orders and the City Charter. That's no
9 different with NYPD than it is with any other agency.
10 Local Law 70 did not change that in any way. So to
11 the extent that the Police Department has a different
12 understanding, and like I said, I have not addressed
13 a situation so far where that's been the case. I
14 would expect to have a further dialogue with them
15 about that to determine what the issue was, and more
16 importantly what-- how that might limit the
17 information that we would receive because it's my
18 understanding there should be no such limitation.

19 CHAIRPERSON BREWER: Hopefully, you--
20 that will continue. We talked a little bit about the
21 ProPublica investigation, present and past OIG
22 [inaudible] have kept binders for collecting
23 instances of PD obstruction with a cover letter
24 addressing the Council in the event a stand-off [sic]
25 required Council intervention. If PD is obstructing
the work of the Inspector General, can you commit to

3 keeping the Council informed on a more consistent
4 basis of problems between PD and the IG?

5 COMMISSIONER STRAUBER: Well, look, I
6 would hope that we would-- first of all, I would hope
7 that to the extent issues relating to access came up,
8 we would be able to address those through a dialogue
9 with the PD, and-- I'd hope that we'd be able address
10 those issues through a dialogue with the PD. If
11 necessary, we could involve City Hall if we needed,
12 you know, to have a further dialogue on, for example,
13 the nature of this sensitive information provision if
14 that was the issue. I would hope it is a rare
15 situation where we would need to involve the Council,
16 and we would be taking the position that the PD
17 engaged in some kind of obstruction, but if we felt
18 that that was necessary, if we had reached that
19 point, then that is certainly something we would
20 consider among all of our other options, yes.

21 CHAIRPERSON BREWER: Okay. I know you
22 talked earlier about some of the policy
23 recommendations that might come up. Again, you don't
24 know. Could be other ones in the future. So, do you
25 discuss potential recommendations with PD prior to
issuing its reports? Obviously you do afterwards,

3 get their input as you indicated. And if so, what
4 are those conversations? And just talk a little bit
5 about the proposed recommendations and how you go
6 about it.

7 COMMISSIONER STRAUBER: Sure. So we
8 provide copies of our draft reports to the PD for
9 their input. They are really final drafts at that
10 point. They're not sort of mid-way through the
11 drafting process. So at that point, our
12 recommendations are really fully baked, and the
13 purpose of that discussion is first of all, to make
14 sure that we haven't gotten any facts wrong, that we
15 haven't, you know, miss-stated anything about the
16 underlying issue. It's also to get the PD's input on
17 the recommendations. Although, obviously, after the
18 report is issued they also have an opportunity to
19 respond to our recommendations. Like I said, it's
20 very rare that we would change a recommendation based
21 on that dialogue because we fully fought through the
22 issue and what we think is best and made our own
23 independent judgement by that point, but it's always
24 valuable to understand, you know, the agency's
25 perspective, again, in all of the work that we do for

3 our own knowledge and for future work and all of
4 that. So that's how that process works.

5 CHAIRPERSON BREWER: Okay. Perhaps most
6 important are the recommendations made by the IG that
7 have not yet been implemented. And I know you were
8 good with your data. I love data. Partially,
9 somewhat, maybe, could do-- that was a high number.
10 But there were quite a few that were not completed.
11 And so obviously-- I think there were 17 reports. I
12 can't remember. Some number like that. In the past--
13 - I think I have it memorized. I read so much. But
14 the issue is are you going through them, figuring out
15 what has or has not been, and even those that have
16 been "rejected" why? Obviously this topic is-- I
17 think every single of the City Council has signed up
18 to be here today, just to give an example of how much
19 this topic is of interest. So how are you
20 approaching the partially, the maybe, and the
21 rejection of the last 17 reports? Sure. So that is
22 very much the function of the annual report, and that
23 requirement sort of makes sure that everyone stays on
24 track every year in having a check-in on the status
25 of those recommendations. And typically, that
process begins in August, and we essentially

3 communicate to the NYPD in written form our
4 understanding of the status of the recommendations.
5 Are they, you know, partially implemented? Have they
6 been rejected, and we then have what I would describe
7 as a dialogue in which the NYPD informs us of steps
8 that it has taken in the past year towards those
9 recommendations. And there are some examples of
10 situations where recommendations let's say are
11 initially rejected. So I believe this is the case
12 with some of the recommendations we made in our use
13 of force reporting report where we made certain
14 recommendations. Initially, those were rejected, but
15 over time, the PD made certain changes to its
16 processes, and although some of those changes may
17 have been ones that we proposed, some of those may
18 have been changes that were slightly different than
19 what we proposed. But in the dialogue that I'm
20 describing, we came to decide those changes satisfy
21 our recommendations. They may be slightly different,
22 but they get at the spirit of what we-- of the change
23 we were intending. And those are situation where we
24 would change in the annual report the status of the
25 recommendation from let's say rejected to
implemented, or partially implemented. That-- so

3 that process really-- although it starts, you know,
4 in the summer time which is as we move towards the
5 issuance of the annual report, that's really an
6 annual process. One of the discussions, one of the
7 issues I've raised with the PD whether-- and they are
8 open to this-- whether we couldn't have those
9 discussions more often throughout the year. So we're
10 staying, you know, up to speed on what's going on
11 with their policies and procedures. We have an
12 opportunity to discuss these recommendations more
13 frequently, and that's something that I think would
14 be productive to do. But that is essentially the
15 process that we go through.

16 CHAIRPERSON BREWER: Okay. I mean, I
17 think that's something that is perhaps at the core of
18 the interest from the public, is what-- how that
19 works. So we obviously have biased policing
20 complaints, which was a 2019 report. IG
21 investigation found that PD had not substantiated a
22 single allegation of biased policing in its four
23 years investigating such complaints. So what was so
24 wrong with PD's process that it could not
25 substantiate even a single allegation out of a 2,000+
complaints it received? What was your primary

3 recommendation for resolving this problem and how any
4 of these recommendations been implemented? That's
5 sort of what we were talking about earlier, but more
6 specific.

7 COMMISSIONER STRAUBER: So, I'm going to
8 refer to the annual report here, because I certainly
9 don't-- I don't have all of this information sort of
10 at my fingertips. But--

11 CHAIRPERSON BREWER: [interposing] I have
12 it right here, too. Go ahead.

13 COMMISSIONER STRAUBER: But as we
14 explained in that report, we had a number of
15 recommendations relating to the reporting of biased
16 policing, and also what types of complaints would be
17 viewed as biased policing. So one of our
18 recommendations was an amendment to the Patrol Guide
19 so that complaints alleging the use of offensive or
20 derogatory language associated with an individuals'
21 protected status such as racial slurs would be
22 classified as biased policing if there was a
23 discriminatory intent. So that is one of the
24 recommendations that was rejected, and as we
25 explained in our report, the NYPD takes the position
that those types of discriminatory statements or

3 language doesn't satisfy the Administrative Code's
4 requirement, because bias policing in their
5 interpretation requires an action, as opposed to
6 simply the use of language. So that's just one
7 example of a recommendation that we made that was
8 rejected. However, there are other recommendations
9 that we made such as that the NYPD should make
10 records of complaints and investigations of bias
11 policing allegations available to the CCHR for
12 analysis and review. That was accepted in principle,
13 but as I mentioned initially, this is one of the
14 reports where the majority of our recommendations
15 were rejected. Now, they remain-- you know, they
16 remain publicly available so the public can see what
17 it is that what we thought and what the NYPD's
18 response was. I do want to say that in addition to
19 the rate of acceptance or implementation, we think
20 one of the significant powers in the work that we do
21 is getting out to the public what recommendations we
22 made even if they weren't accepted. That obviously
23 allows this council to take action if they wish or,
24 you know, other bodies that might be able to create
25 some change in that context, but that's just one of
the examples, but one of the benefits of the annual

3 report is it really does lay all this out, both our
4 recommendation and the reason for the Police
5 Department's response.

6 CHAIRPERSON BREWER: Yeah, I think one of
7 the issues, because obviously biased policing is huge
8 concern. Offensive language is a huge concern. In my
9 world there's no reason for it, but it does exist.
10 And I think one of the issues, CCRB's jurisdiction is
11 limited to uniformed officers. So does this policy
12 mean that there's no recourse for non-uniformed
13 personnel who make derogatory statement? I don't
14 know if that came up. I should know.

15 COMMISSIONER STRAUBER: No, no, you're
16 quite right. We did make that point. So one of the-

17 CHAIRPERSON BREWER: [interposing]
18 Exactly.

19 COMMISSIONER STRAUBER: One of the
20 changes that was accomplished based on the City
21 Council's legislation clarified that the CCRB does
22 have the authority to investigate bias policing.

23 CHAIRPERSON BREWER: Correct.

24 COMMISSIONER STRAUBER: And that was, I
25 believe, one of our recommendations, or at least

3 consistent with our recommendations. However, as you
4 note, their authority is only for uniformed members
5 of the NYPD. There are about 20,000 non-uniformed
6 members of the PD. Those would not be referred to
7 CCRB for discipline but would remain within the
8 Police Department's process. So those issues
9 continue to persist with respect to that group.

10 CHAIRPERSON BREWER: So would that be
11 something systemic enough for IG or DOI to look at?

12 COMMISSIONER STRAUBER: Well, I mean, I
13 parts of our existing recommendation. So, I don't
14 know that there's something further for us to look
15 at, but it's certainly something that we continue
16 monitor, the fact that even after this change and
17 even after CCRB now has jurisdiction over these
18 complaints with respect to uniformed officers, there
19 are these civilian members of the Police Department
20 who are not subject to that discipline.

21 CHAIRPERSON BREWER: Okay. With the
22 passage of Local Law 47 in 2021, CCRB is now
23 responsible for investigating most bias policing
24 complaints as we just said.

25 COMMISSIONER STRAUBER: Right.

3 CHAIRPERSON BREWER: So, does the IG
4 intend to review the processes for investigating
5 biased policing complaints, and are the
6 recommendations that were originally made to PD that
7 should now be made to CCRB as well? Now, maybe this
8 also goes back to your suggestion about thinking
9 about all these agencies could work better together.
10 That's another topic. But while we're not in that
11 realm at this moment, again, how do we look at this
12 investigation?

13 COMMISSIONER STRAUBER: So, I-- look, I
14 certainly think that is something that in theory that
15 we could look into if we thought that there were
16 issues with how CCRB was handling those complaints.
17 You know, sitting here, I don't know whether, you
18 know, there is concern about that or not. Obviously,
19 we don't generally speak about our ongoing
20 investigations, but certainly that is the sort of
21 issue that if there were complaints or other reasons
22 to think that that process wasn't working as
23 intended, that we could look at, yes.

24 CHAIRPERSON BREWER: Okay. My guess is
25 that even though you can't say it, things like this
are going to pop up. Okay, now George Floyd protest

3 was a December 2020 report. It's probably your best-
4 known at IG. And what was the IG's role in this
5 investigation? I think it was-- you know, there was
6 a lot of-- it was so-- it was very complicated. So
7 why wasn't the IG completely in charge of the
8 investigation? Doesn't it fall within the IG's
9 jurisdiction? Were there unique circumstances
10 specific that warranted broader DOI involvement?
11 Obviously, there were a lot of different agencies
12 involved in this situation. What were some of the
13 systemic issues that you identified through this
14 investigation?

15 COMMISSIONER STRAUBER: Sure. So well,
16 let me start with the first part of your question
17 because as you can-- let me just, to pick up on your-
18 - the point you just made about sort of what were the
19 issues. You know, they were quite broadly. We were
20 looking at how the Police Department handled the
21 protest, the kinds of training they had, who was
22 deployed to handle it, the kinds of information they
23 gathered, and how they responded to it in the context
24 of handling, year these unprecedented protests in the
25 summer in 2020. In terms of who handled that report,
I obviously was not here at the time, but my

3 understanding is that there was sort of a full team
4 effort involved in that one. So the IG was involved,
5 and members of that unit were involved in the
6 preparation of the report. I think frankly given the
7 fact that it was a referral from, as I understand it,
8 this Council and the Mayor, it was a-- it was done on
9 a short, very tight timeframe. I was a top priority,
10 and the feeling was we should sort of bring the
11 maximum resources to bear on it so that it could get
12 done quickly. Obviously, the OIG-NYPD unit had a
13 number of other ongoing things that it was working
14 on. They certainly were involved, but I think that
15 was the reason that perhaps that one was structured a
16 little differently in terms of how it was staffed.

16 CHAIRPERSON BREWER: okay. Were there
17 some systemic issues, as far as you know, that DOI
18 identified through its investigation? I know there
19 were about 20 recommendations that were mentioned,
20 but I just didn't know if there were some-- again,
21 you weren't there-- any systemic issues that came
22 about as a result? I know there's certainly a
23 Federal Monitor. That came about. Go ahead.

24 COMMISSIONER STRAUBER: Well, I think if
25 we're talking about the-- again, the protests, I

3 think you could describe the issues relating to
4 training around how to handle protests and how to
5 gauge information about threats in connection with
6 protests. I think I would describe those as systemic
7 issues. I mean, they're limited perhaps to a
8 particular type of, you know, police responsibility
9 or concern, but I would call those systemic, yeah.

10 CHAIRPERSON BREWER: Okay. My
11 understanding was that the DOI made 20
12 recommendations aimed at approving PD's handling of
13 the protests that we just described. So why doesn't
14 the IG's most annual report provide any detail on the
15 status of these recommendations? We know that the
16 online portal includes some basic information, but
17 why not include them in the report, and why not?

18 COMMISSIONER STRAUBER: I think that's
19 really because the report is limited to those reviews
20 that are headed and handled solely by the OIG-NYPD
21 unit, whereas we track our other recommendations from
22 other reports in a different way. And that's--
23 there's really I think nothing more to it than that.

24 CHAIRPERSON BREWER: Can you explain that
25 a little bit so that I understand what you just said.

3 COMMISSIONER STRAUBER: Oh, sure. So the
4 annual report and the statute, as I understand it,
5 requires this annual report and the tracking of
6 recommendations that are made by the OIG-NYPD.

7 CHAIRPERSON BREWER: Correct.

8 COMMISSIONER STRAUBER: Because the
9 protest report was handled by sort of the broader, a
10 broader team at DOI, it just is deemed procedural not
11 to fall into that bucket.

12 CHAIRPERSON BREWER: Okay.

13 COMMISSIONER STRAUBER: And that's the
14 reason. So, the status of those recommendations you
15 can find on our website. That information is
16 publicly available just like these. It's just not in
17 the sort of box of the annual report.

18 CHAIRPERSON BREWER: Okay. I mean, it's--
19 it's fine. I'm always one of these folks who wishes
20 government could be less siloed [sic]. So even
21 though it's not supposed to be somewhere, the more
22 places information is the better. That would be my
23 recommendation as somebody cares that agencies talk
24 to each other, which I think you do also. Even a
25 footnote that says, "This is not normal, but we are
including everything that everybody is suggesting."

3 COMMISSIONER STRAUBER: Well, and
4 actually--

5 CHAIRPERSON BREWER: [interposing]
6 Something--

7 COMMISSIONER STRAUBER: [interposing] let
8 me just correct myself for one minute if you don't
9 mind.

10 CHAIRPERSON BREWER: Sure.

11 COMMISSIONER STRAUBER: Because we do
12 include in our annual report--

13 CHAIRPERSON BREWER: [interposing] I have
14 it right here.

15 COMMISSIONER STRAUBER: a description
16 about our investigation into the protests, and an
17 overall discussion of our findings, and then we refer
18 to-- we refer the audience to a link--

19 CHAIRPERSON BREWER: [interposing] Right.

20 COMMISSIONER STRAUBER: in another part of
21 our website where they can find the recommendations.
22 So, they aren't tracked the same way for the reasons
23 that I said, but at least readers of the report who
24 are interested in the work that this unit is doing
25 would be made aware of the protest report through the
annual.

3 CHAIRPERSON BREWER: Okay. For this very
4 important issue, but in general, how often does DOI
5 and the IG follow-up with PD about their
6 recommendations that they make?

7 CHAIRPERSON BREWER: Obviously, this
8 report particularly important, and also because this
9 is more general, I don't know who's in charge of
10 following up with the non-PD recommendations. You see
11 what I'm saying?

12 COMMISSIONER STRAUBER: I do--

13 CHAIRPERSON BREWER: [interposing] I'm
14 back to this silo problem.

15 COMMISSIONER STRAUBER: I do see what
16 you're saying. So you're asking specifically. So, I
17 have to say, since it's not part of this process, I
18 don't know the answer to that. I would have to--

19 CHAIRPERSON BREWER: [interposing] Okay.

20 COMMISSIONER STRAUBER: get back to you.

21 CHAIRPERSON BREWER: Okay. It would be
22 something that would be helpful to know.

23 COMMISSIONER STRAUBER: But I would
24 imagine just as we do with other agencies, there is
25 periodic follow-up on the status of our
recommendations in an effort to ensure that they're

3 implemented. So that would be my guess, that it's
4 handled through our normal process.

5 CHAIRPERSON BREWER: Okay.

6 COMMISSIONER STRAUBER: But--

7 CHAIRPERSON BREWER: [interposing] I'm a
8 little cynical with the glass half full, but I will
9 appreciate what you just said. I got too many years
10 of not happening. Sharing of body-worn camera
11 footage, which is as you know, a 2021 report. The
12 investigation from the IG showed that NYPD does not
13 give CCRB sufficient access to body-worn cameras. We
14 talked about this earlier. I've certainly heard this
15 complaint from folks at CCRB.

16 COMMISSIONER STRAUBER: Yep.

17 CHAIRPERSON BREWER: So, I guess talk
18 about why it's important, and I think, who knows if
19 even since that report which wasn't that long ago,
20 2021 November. We're in 2022, technology is changing
21 dramatically, even as we speak. It's probably
22 changing as somebody who follows it. And so, you
23 know, this is the issue of, nothing personnel [sic],
24 no personal, etcetera, etcetera. So how can we make
25 sure that I hope CCRB does get sufficient access?

3 COMMISSIONER STRAUBER: So, the issue
4 here is in part whether production to CCRB is as
5 efficient as it can be. I think the issue is not so
6 much that they aren't getting it. It's that because
7 there needs to be a review process within the PD
8 first, in part because that footage can be co-mingled
9 with footage that is sealed and can't be released.
10 There are sort of logistical and administrative
11 challenges in getting the information shared. You
12 know, it's important that all of these things move
13 promptly. I think because investigations to some
14 extent are time sensitive, and as they drag on, you
15 know, memories are lost, information is lost. It's
16 harder to do an investigation. So promptness is
17 certainly important. And there is, as I understand
18 it,-- and this is in our report as well, a Memorandum
19 of Understanding that CCRB and the PD have entered
20 into which we think does have the potential, you
21 know, to improve the exchange of information,
22 although it's still not the same thing as granting
23 direct access.

24 CHAIRPERSON BREWER: Right, and I think--
25 but I'm just saying, as we speak with the technology
change, and it seems to me there might be ways of the

3 sealing and the unsealing and making sure that it is
4 possible to have what I consider a firewall, if
5 that's what's needed.

6 COMMISSIONER STRAUBER: Right. There
7 might be--

8 CHAIRPERSON BREWER: [interposing] That
9 really needs to be looked at.

10 COMMISSIONER STRAUBER: Right. There
11 might be a technological solution, which I think is
12 one of the things that we were suggesting that would
13 isolate or wall off the sealed material that allowed
14 transmission of other material.

15 CHAIRPERSON BREWER: Right. I think
16 that's something that definitely should be looked at.
17 And then, you know, be the database could be made in
18 an opportunity for everybody to be a win/win
19 situation. Do you have access to this footage as
20 differently than CCRB?

21 COMMISSIONER STRAUBER: That's a good
22 question. I'll have to get back to you on what-- you
23 know, how easy our access is and what it consists of.
24 I just don'' know.

25 CHAIRPERSON BREWER: Versus CCRB. That
would be helpful. Thank you. Special Victim's

3 Division, adult sex crimes was a march 2018-- I know
4 it was done by Mark Peters when he was there, and
5 this was quite challenging. According to Deputy
6 Chief Michael Osgood, he was then head of the
7 Victim's Division, and you know, there was a lot of
8 drama when he left. But the NYPD withheld documents
9 from the IG, delayed handling pending documents
10 turned over to the IG, and then there was lying and
11 apparently restricted IG's access to information.
12 Was PD's participation in this investigation typical
13 of the manner which they participate? I hope not.
14 Or was there more obstruction? This was really-- all
15 in the papers every day, if I remember, and also led
16 to unfortunately Mr. Osgood being transferred to
17 Staten Island and then he resigned. Very unfortunate
18 circumstance. So how do we make sure it doesn't
19 happen in the future? And what do you think was a
20 way in-- what happened here is what I'm trying to
21 find out?

22 COMMISSIONER STRAUBER: Right. So other
23 than, you know, what I've also read publicly, I
24 really can't say what happened here. Obviously, like
25 that's not-- that's not something I can speak to, but
I think what I can say is that I do think having a

3 regular dialoged and having, you know, building trust
4 with the agencies that we work with is a critical
5 part of what we do. And I am optimistic, and as you
6 pointed out, I'm recent here, so I can be optimistic,
7 and I hope I'm going to be able to, you know, put
8 some foundation under that optimism. If we have a
9 dialogue that is productive, where it's clear what
10 we're looking for, we can move past some of these
11 issues of the past. And so I too hope that the
12 issues that occurred with that investigation or with
13 others are going to remain in the past and that we're
14 going to have a new chapter moving forward in terms
15 of our relationship with the Police Department.

16 CHAIRPERSON BREWER: Okay, but
17 particularly this unit, which is really an important
18 unit, as we know. My understanding is there are two
19 remaining barriers that have prevented full
20 implementation of your recommendations, and we want
21 to know are how do we make sure that: A, they're
22 implemented; B, codified; and C, why have they not
23 been codified by the Police Department? This is of
24 concern.

25 COMMISSIONER STRAUBER: And you're
talking about the recommendations specifically--

2 CHAIRPERSON BREWER: [interposing] I am.

3 COMMISSIONER STRAUBER: with respects--

4 CHAIRPERSON BREWER: [interposing] To the
5 adult sex crimes.

6 COMMISSIONER STRAUBER: to the SVD [sic]
7 Unit?

8 CHAIRPERSON BREWER: Yep.

9 COMMISSIONER STRAUBER: Well, look, we
10 have the power to do investigations. We have the
11 power to make recommendations. We have the power to
12 make the public aware of those recommendations, this
13 council aware of those recommendations, but
14 ultimately as with all of our agencies, we don't make
15 their policies. They make their policies. They
16 determine if they're going to implement our
17 recommendations or not. So, you know, at some point,
18 you know, we will continue to have dialogue. We will
19 continue to check in on the status of these
20 recommendations annually and to make these reports,
21 and that's one of the ways that we sort of get
22 transparency and sunshine into this process, but I
23 don't know that I can answer the question like well
24 what will do if they don't-- if they don't get
25 implemented? I think there are perhaps other bodies

3 that could take steps, for example, to codify things,
4 but that's not something in our power.

5 CHAIRPERSON BREWER: I hear you. I think
6 we can certainly do that, and I know pointing the
7 finger at us is absolutely appropriate. I guess what
8 I'm saying is new DOI, new Police Commissioner,
9 important area-- adult sex crimes, very important.
10 Not to mention these other ones aren't also, but I do
11 know in this particular case there's some outstanding
12 issues. And of course, I would talk about looking
13 too at the child unit, sex crimes unit is separate,
14 and that would be another-- again, you know better
15 than I, but I believe there are issues there. And
16 funding is incredibly important for these units.
17 Almost done. Can you walk us through your approach
18 or the IG's approach to community engagement? I know
19 you talked a little bit in your presentation.

20 COMMISSIONER STRAUBER: sure. You know,
21 this is a very important part of the work that we do.
22 We mentioned, you know, the critical role that the
23 advocacy community played in creating this office.
24 So there are a variety of different ways in which we
25 engage publicly, principally in-person. You know, we
meet in-person with members of the advocacy

3 community. I have actually reached out, and I think
4 have a meeting set up-- I don't-- it's sometime later
5 this month. So having, you know, in-person
6 conversations and creating an opportunity for folks
7 to bring issues to our attention I think is the most
8 important way that we do that. And so we do that
9 through in-person meetings. We, obviously, also are
10 available for, you know, the receipt of complaints,
11 which members of the advocacy community can also
12 submit. You know, it's a very important part of the
13 work that we do.

14 CHAIRPERSON BREWER: It might make sense
15 to do Town Halls, either with elected officials,
16 Community Boards--

17 COMMISSIONER STRAUBER: [interposing] We
18 do participate in those types of events as well, as
19 well as meetings that the PD has, you know, with
20 members of the community. So there are a wide range.
21 There have been fewer of these events, far few
22 obviously over the past two years. But the hope is
23 now that we're back somewhat in-person, there'll be
24 more opportunities to do these again. But yes, we
25 participated in those types of events as well.

3 CHAIRPERSON BREWER: Something that
4 included you and CCRB at a public event would
5 probably be very helpful to the public, A, to
6 understand the difference, and B, to get information
7 solicitation. Something to think about.

8 CHAIRPERSON BREWER: Local Law 65 of 2020
9 requires DOI to conduct audits on the new
10 surveillance technologies. Again, back to
11 technology. It comes up a lot. So which unit at DOI
12 is responsible for conducting these audits? How many
13 have been conducted, and do you public their results?
14 And I can say that unfortunately or fortunately this
15 is part of our times, this issue of surveillance, but
16 it has to be done correctly.

17 COMMISSIONER STRAUBER: That is within
18 the responsibility of the OIG-NYPD. They prepare--
19 they do the work to prepare those reports, and as you
20 said, those are required by Local Law, and I believe
21 there is one that will be issued relatively soon.

22 CHAIRPERSON BREWER: Okay, so that will
23 be the first-- I should know this. Will that be the
24 first audit, because the law was passed fairly
25 recently?

3 COMMISSIONER STRAUBER: I believe that
4 will be the first audit.

5 CHAIRPERSON BREWER: Okay, and that-- and
6 when do you think that'll be available?

7 COMMISSIONER STRAUBER: You know, in the
8 coming months, maybe sooner than months, but--

9 CHAIRPERSON BREWER: [interposing] Okay.

10 COMMISSIONER STRAUBER: I don't want to
11 put too fine of point on it yet.

12 CHAIRPERSON BREWER: Okay. And then just
13 finally, DOI is certainly an independent agency.
14 Again, given everything we've been talking about
15 today, what concrete steps are you taking to make
16 sure that the IG-NYPD and all other units stay
17 independent, and obviously this is a very general
18 question, but I think it's on the utmost-- of utmost
19 concern to New Yorkers.

20 COMMISSIONER STRAUBER: And I think we've
21 talked about this before, and I think the answer is
22 the same for this unit as it is for all other units.
23 It's taking the information that we have, whether
24 it's complaints from the public, from the advocacy
25 community, from this Council, from other officials,
and following the facts. We take a look at the

3 information that we have. We make an unbiased,
4 independent judgement about whether it warrants
5 further follow-up. We-- if we engage in that follow-
6 up, we follow the facts where they take us. We don't
7 start with a predetermined view of what the outcome
8 should be, and we certainly don't take the position
9 that will stay away from or avoid certain topics,
10 certain individuals, and that's how we ensure our
11 independence and do our job.

12 CHAIRPERSON BREWER: Thank you. We're
13 going to take questions from my colleagues. I want to
14 thank you. I'm sure there'll be more questions. I
15 think my takeaway is we'll have a fresh start, but I
16 think that there's still going to be a systemic
17 issues regarding what's available in terms of
18 information, and one of the ways to address it, I
19 think, is to look at some of the recommendations in
20 the past that have or have not been implemented or
21 been rejected, and to see if there's time now to
22 maybe make some of those changes. It might set a
23 pattern for the future. Thank you very much, and
24 we'll take questions from my colleagues.

25 COMMITTEE COUNSEL: I'll turn it over to
Council Member Bottcher for questions followed by

3 Council Member Cabán. Just a reminder to all Council
4 Members who are participating remotely to use the
5 Zoom raise hand function if you'd like to ask a
6 question. Council Member Bottcher?

7 SERGEANT AT ARMS: Time starts now.

8 COUNCIL MEMBER BOTTCHER: thank you very
9 much, Chair Hanks and Chair Brewer. It feels good to
10 be here in person. Hi Commissioner, how are you?

11 COMMISSIONER STRAUBER: I'm well, thank
12 you. How are you?

13 COUNCIL MEMBER BOTTCHER: I'm good.
14 Thank you. In the Council District I represent on
15 the west side of Manhattan, we get a lot of calls
16 from residents and small business owners about
17 placard abuse, people blocking curb access, using
18 counterfeit placards, hand-made parking placards,
19 sometimes putting construction vests on the dash, and
20 for example, we had a printer in the Garment District
21 who came to us because he and his employees were
22 unable to gain curb access, because so many people in
23 the neighborhood using fake placards. And despite
24 all the efforts that have happened, all the work by
25 the previous Council and others, it's still clear
that for some reason NYPD Traffic Enforcement Agents

3 are not issuing tickets to many people using
4 counterfeit placards. Has the Office of the
5 Inspector General for the NYPD issued a report on the
6 NYPD's enforcement of placard abuse, and if not,
7 could one be generated, and what are your views as
8 the Commissioner of this agency towards the NYPD's
9 enforcement of placard abuse?

10 COMMISSIONER STRAUBER: so we have not to
11 my knowledge issued a report on that topic. Whether
12 a report would be appropriate, you know, would have
13 to follow an investigation of the issue, what are the
14 problems with enforcement? What are the reasons for
15 those problems? You know, the type of things that we
16 would collect the type of data that we typically do,
17 and at that point I think we would be in a position
18 to determine whether or not the issue is one that
19 would warrant a report. I can certainly understand
20 based on what you're saying why that's the type of
21 thing that we might want to look into.

22 COUNCIL MEMBER BOTTCHE: Outside of the
23 issuance of a formal report, does your agency look
24 into this issue, look at the numbers of Traffic
25 Enforcement Agents who are enforcing this or not
enforcing this. Do you know if your agency is

3 currently looking into it outside of the issuance of
4 a formal report?

5 COMMISSIONER STRAUBER: Yeah. I can't
6 say whether we're actively looking into it at this
7 time. I do want to just note that Local Law Six,
8 which was passed in 2020 to address the parking
9 placard misuse issue, which called for weekly
10 evaluations by the NYPD of particular areas of the
11 City experiencing a prevalence of improper use of
12 parking permits. Those evaluations were supposed to
13 commence in January of 2020, and DOI under that
14 statute, as I understand it, was required to conduct
15 an investigation and prepare a report based on the
16 information gathered in those sweeps by the NYPD, and
17 that report was to be submitted to the PD, to DOT,
18 the Mayor, to a variety of other folks. As we
19 informed the Council, and this was back in 2020 just
20 to give you the context, the NYPD and DOI were unable
21 to perform those tasks due to the pandemic. And so
22 those reports, as far as I understand it, have not
23 yet been made, that maybe something, you know, at
24 the-- as we merge from the pandemic, that we want to
25 take up again, but it's not something that actually
ever came to fruition given the other issues that the

3 PD and the City were dealing with. But certainly
4 given that that statute, it would be the type of
5 thing pursuant to that, that we could look into in
6 the way that that Local Law required.

7 COUNCIL MEMBER BOTTCHEER: I'd very much
8 like to see the agency look into this and exercise
9 increased oversight over the NYPD about this. I know
10 my constituents would appreciate it a lot also.
11 Thank you very much.

12 COMMISSIONER STRAUBER: Thank you.

13 COMMITTEE COUNSEL: Next we'll hear from
14 Council Member Cabán followed by Council Member
15 Holden. Council Member Cabán?

16 SERGEANT AT ARMS: Time starts now.

17 COUNCIL MEMBER CABÁN: Thank you. Good
18 morning. Thank you to both of our Chairs here today.
19 Thank you to the Commissioner and all the folks that
20 help make this hearing happen. I have a couple of
21 questions on reports or potential reports, and I also
22 want to upfront apologize because I stepped away for
23 a few minutes, so I don't know if this has been
24 addressed yet. I specifically want to ask about the
25 gang database report. I know that the investigation
was opened in 2018 partially in response to City

3 Council oversight hearings. So, is there-- I mean,
4 it's been four years. We haven't seen this report.
5 Is there an update? When can we expect to see the
6 report?

7 COMMISSIONER STRAUBER: Yes. There is
8 an update, and I mentioned this in my testimony, but
9 only briefly. As I said, there are a number of
10 reports that I received virtually on arrival in
11 drafts for my review. That is one of them, and
12 although I typically would not speak about
13 anticipated reports because this has been the subject
14 of so much public attention, I wanted to just mention
15 it upfront, and I can say that I expect that we will
16 issue this report within this year. And I realize
17 that the end of the year seems quite far off, and it
18 may well be sooner, but I try to not over promise in
19 terms of timing. But that is the update on that.

20 COUNCIL MEMBER CABÁN: Okay, thank you.
21 And then has OIG opened an investigation into the
22 Vice Unit? I mean, I-- particularly, because after
23 Legal Aid and several electeds including-- well, now,
24 Mayor, but former Brooklyn Borough President Eric
25 Adams at the time back in 2018. So I'm wondering if

3 an investigation has been opened there, and if not,
4 why so?

5 COMMISSIONER STRAUBER: So, again, I want
6 to be careful not to speak about whether-- I don't
7 want to speak about what may be an ongoing
8 investigation. I can say that if that is something
9 of interest to this council, it is certainly
10 something that we can consider.

11 COUNCIL MEMBER CABÁN: Okay, so just-- so
12 you can neither confirm or deny that there is one,
13 but I get-- you know, I can certainly say as a
14 member, I am certainly interested in that and happy
15 to have conversations with my colleagues to see if
16 they're interested as well, but it's definitely an
17 area of interest and would like to know what's going
18 on with Vice. So thank you, and I'll yield the rest
19 of my time. Thank you.

20 COMMITTEE COUNSEL: Next we'll hear from
21 Council Member Holden. Council Member Holden?

22 COUNCIL MEMBER HOLDEN: Thank you. Thank
23 you, Chairs for this hearing, and thank you
24 Commissioner for your testimony. By the way, I share
25 Council Member Bottcher's concerns over placard
abuse. That's been one of the most difficult areas

3 to address historically, and we have to start, you
4 know, working on that, and I think she would work on
5 that together. Unlike prepared questions, it seems
6 that NYPD is over 80 percent compliant is my math
7 with DOIs recommendations. Can you compare that
8 percentage of compliance with other agencies?

9 COMMISSIONER STRAUBER: Sure. It is--
10 there are different ways to calculate this depending
11 on whether you include accepted, implemented,
12 accepted in principle, but generally I can tell you
13 that that is sort of within the range of acceptance
14 of other agencies, and if you calculated it in
15 certain ways, it's actually slightly higher. But
16 it's certainly sort of within the heartland of the
17 high acceptance rate that we are proud to say that we
18 have.

19 COUNCIL MEMBER HOLDEN: Yeah, because we
20 want a good level of cooperation, I think, with city
21 agencies. So your recommendations, which you
22 mentioned earlier in the testimony, that DOI and OIG-
23 NYPD and NYPD have meetings to discuss areas of
24 concern. Have any meetings taken place yet?

25 COMMISSIONER STRAUBER: well, there are
regular meetings with our team with the heads, you

3 know, the IG, now the Acting IG, and the PD on a
4 regular basis to discuss the status of our request
5 for information and to try to move those along. So
6 those meetings have already been happening. I'm
7 talking about having meetings, you know, at the
8 executive level as well with more senior folks at the
9 PD to make sure that those are moving along. Those
10 meetings-- I've had several meetings with them
11 already, and the idea is to set up a standing meeting
12 to review the pace of the production of information
13 in response to our request, which would happen in the
14 future. Those meetings haven't happened yet. The
15 other thought that we discussed was to have more
16 regular meetings on the status of our
17 recommendations, to not necessarily just do it
18 annually, but to do it-- we'll figure out the right
19 among of time, whether it's quarterly or twice a
20 year, but to have more frequent meetings on that
21 issue as well.

22 COUNCIL MEMBER HOLDEN: Yeah, I think the
23 idea of a standing meeting is probably the best idea.
24 This is where they take place. This is-- they're
25 regularly scheduled. And I think you'll see
obviously more cooperation on both ends. So, just a

3 minor thing on staffing, because I was surprised that
4 there's-- you mentioned in your testimony 20-- you
5 only have 20 staffers in DOI, right?

6 COMMISSIONER STRAUBER: Right now, the
7 OIG-NYPD unit has 20 staff, that's right.

8 COUNCIL MEMBER HOLDEN: right. So, and
9 was there-- you said something about 38 originally?

10 COMMISSIONER STRAUBER: The highest
11 number that the unit has had, which I believe was
12 back in 17 or 18 was 38 or 39, and I think the
13 appropriate number is somewhere in the high 20's, 30,
14 low 30's, something that. I don't think we needed
15 quite as many as we had originally, but I think we
16 need more than we have now.

17 COUNCIL MEMBER HOLDEN: Okay, thank you.
18 Thank you, Commissioner. Thank you, Chairs.

19 CHAIRPERSON BREWER: Thank you very much.
20 I don't believe there are any other members of the
21 City Council who are testifying. So I certainly want
22 to thank you, Commissioner, for your remarks, and we
23 look forward to working with you, and Council Member
24 Bottcher we're not going to forget the placards. I
25 will make sure-- and certainly, for the other
suggestions that were made today, they will all be

3 considered and followed up on. Now, I'd like to turn
4 it over again to CJ Murray and call members of the
5 public to come and testify. Thank you very much.

6 COMMITTEE COUNSEL: Thank you, Chair.

7 We'll now turn to public testimony. Each panelists
8 will be given three minutes to speak. For panelists
9 participating remotely, once your name is called, a
10 member of our staff will unmute you and the Sergeant
11 at Arms will set the timer and give you the go ahead
12 to begin. Please wait for the Sergeant to announce
13 that you may begin before delivering your testimony.
14 I'd now like to welcome Candace McCoy to testify,
15 followed by Eric Rasmussen [sp?], and then Judith
16 Green [sp?].

17 SERGEANT AT ARMS: Time starts now.

18 CANDACE MCCOY: Very good. Oh, thank
19 you. I am Candace McCoy. I'm Professor of Criminal
20 Justice at the Graduate Center in John Jay College of
21 the City University of New York. Thank you so much
22 for inviting me here today. I think probably you
23 invited me because I served as Director of Policy
24 Analysis at the Office of the Inspector General for
25 the years 2016 to 2018 which you were just
discussing. I am here today, though-- the opinions

3 I'm going to give are my own and not those of the
4 former staffers with whom I worked and with whom I
5 have the highest-- and for whom I have the highest
6 regard. On March 25th of 2021, 14 former staffers
7 sent a letter to Mayoral appointees and to Adrienne
8 Adams, then Chair of the Committee on Public Safety.
9 It's attached to testimony. In it we called for the
10 City to have a very transparent process to determine
11 the best structure for the OIG-NYPD going forward.
12 In so far as this hearing right now is part of that,
13 I very much applaud Council and hope that this can
14 continue. There are various avenues that Council in
15 its wisdom can choose and think about it and push for
16 assuring the independence of the Office of the
17 Inspector General for the NYPD. We urged in that
18 letter to understand the various aspects of
19 independence that are at issue here. I gave three
20 aspects of that in my remarks, my written remarks.
21 Let me say here that they are-- the Office of the
22 Inspector General's problems within the Department of
23 Investigation as an independence problem. Secondly,
24 the OIG's power to choose what to investigate, which
25 is a somewhat separate issue. And the third aspect
would be the OIG's power or access, again, to NYPD

3 materials, data, documents, which you've already
4 discussed in some detail, and thank you very much for
5 that excellent questioning, Chair Brewer. As to
6 these three aspects regarding DOI, my personal
7 opinion is that the OIG should stay as an agency in
8 DOI, but not report to it. DOI would not participate
9 in producing any of the OIG's reports. There's a lot
10 to be said about this and I won't because I only have
11 a few minutes. But I would say I have no doubt-- oh
12 dear.

13 CHAIRPERSON BREWER: Keep talking.
14 You're okay. Go ahead.

15 CANDACE MCCOY: Okay, thank you. Chair
16 Brewer, you said that Commissioner Strauber is
17 awesome right now and I agree. There is no doubt
18 about that, but will the next Commissioner be? This
19 is a concern. It's a structural question, and I
20 remind Council of DOI's own report, the protests
21 report, in which DOI itself pointed out that mayoral
22 authority is the ultimate source of DOI, DOI's power,
23 and the Commissioner Strauber herself today in her
24 written remarks points out, "While Local Law 70
25 created a specific Inspector General for the NYPD, it
did not change or limit DOI's existing authority over

3 all city agencies, including NYPD." It does give the
4 mayor authority in consultation with DOI and NYPD to
5 determine how "sensitive" NYPD information provided
6 to DOI will be treated. This authority over
7 investigative materials and in general over the
8 operation of OIG is of concern over time. Maybe not
9 right now, but it's really something to think about
10 deeply and work on now while we can for the future.
11 I'd like to say that--

12 CHAIRPERSON BREWER: [interposing] You
13 need to start to wrap up if you can.

14 CANDACE MCCOY: Absolutely. Regarding
15 the NYPD itself, it must accept that it will be
16 regulated. When asked for data, documents,
17 interviews, it must provide them. This again, if
18 this is improving, I applaud it, but again for the
19 future NYPD must understand the role of OIG is
20 essentially regulatory. It's not prosecutorial,
21 which is what DOI's mindset is. DOI has a
22 prosecutorial approach. The regulatory approach that
23 OIG has calls for its complete independence. And I
24 certainly would like to take any questions you may
25 have. Thank you so much for inviting me.

3 CHAIRPERSON BREWER: Thank you very much.

4 We appreciate it, and we will read your full
5 testimony carefully. Thank you.

6 COMMITTEE COUNSEL: I'd now like to
7 welcome Eric Rasmussen to testify, followed by Judith
8 Green, and then Andrew Case [sp?]. Eric Rasmussen.

9 SERGEANT AT ARMS: Time starts now.

10 ERIC RASMUSSEN: I'm going to email my
11 recommendations. Thank you for your time. That's
12 all.

13 COMMITTEE COUNSEL: Thank you. I'd now
14 like to welcome Judith Greene to testify followed by
15 Andrew Case, and then Michael Vitoroulis. Judith
16 Greene?

17 SERGEANT AT ARMS: Time starts now.

18 JUDITH GREENE: Good afternoon. Thank
19 you so much, Chair Brewer and Chair Hanks, for the
20 opportunity to speak to you today about the gangs--
21 aforementioned, gangs database issue. I'm here
22 representing Grassroots Advocates for Neighborhood
23 Groups and Solutions, which is a citywide coalition,
24 the membership of which includes Brooklyn Defender
25 Services, the Immigrant Defense Project, my own group
Justice Strategies, Latino Justice, the Legal Aid

3 Society, the Policing and Social Justice Project at
4 Brooklyn College, and the Surveillance and
5 Technological Oversight Project. my own personal
6 concerns with effective accountability by law
7 enforcement began back in the 1970s as Director of
8 Women's Resources for the San Francisco Sheriff's
9 Department when I led an investigation of the
10 physical and sexual abuse of women by police officers
11 in that city. Subsequently, I served for 15 years as
12 Director of Court Programs at the Vera Institute of
13 Justice, a research fellow at the University of
14 Minnesota Law School, research associate for the Rand
15 Corporation, and a senior Soros Justice fellow. I
16 founded Justice Strategies in 1999, becoming a member
17 of the Gangs Coalition in 2017. It was in May 2017
18 that the Coalition sent a letter to Phillip Yur
19 [sp?], then Inspector General, expressing concerns
20 about various aspects of police enforcement of--
21 against gangs in the city. We expressed particular
22 alarms about the gang database, the so-called
23 criminal group's database. Investigations and audits
24 in other cities such as Chicago and Los Angeles have
25 consistently found that the criteria for inclusion in
such databases are vague and overdrawn. Database

3 entries include wild inaccuracies, and the
4 information is broadly shared, jeopardizing the
5 status of immigrants and adversely affecting access
6 to public services and employment opportunities.
7 Subsequent meetings that we had with Commissioner
8 Yuri and his staff were both substandard and cordial,
9 but more than a year passed when we got word that
10 Mark Peters, then the Commissioner of Investigations,
11 had blocked the investigation. In August of 2018,
12 Brad Lander and Jumaane Williams, then both members
13 of your City Council, sent a letter to Commissioner
14 Peters and Yuri requesting that the investigation be
15 taken up. These letters, by the way, are appendixes,
16 exhibits to my written testimony. The august 2018
17 letter seemed to help to move things forward, and yet
18 many more months passed by with no indication about
19 when or if a report would be forthcoming. In
20 December 2019, an additional letter was sent. This
21 one cited the then two-and-a-half year delay, and it
22 was signed by 16 members of the New York State
23 Assembly, three members of the New York State Senate,
24 and three more members of the New York City Council.
25 I'm before you today, five years later. I appreciate
the references made to the report by the new

3 Commissioner, but nonetheless I'm here to express our
4 dismay as well as our anger that it is taken so long
5 to have completed an investigation. We understand
6 that the investigation was undertaken and a report
7 has been compiled. We know that ours is not the only
8 experience that indicates how OIG has been obstructed
9 from performing its duties. Facing these
10 difficulties, Mayor de Blasio proposed to relocate
11 the OIG by merger with the CCRB. We strongly oppose
12 that idea. We'd be happy to provide you with more
13 information about why that would be.

14 CHAIRPERSON BREWER: You need to start to
15 wrap up if you can.

16 JUDITH GREENE: I will try to be quick.
17 New York stands at a pivot point in regard to police
18 policies and practices. Mayor Adams and Commissioner
19 Sewell [sic] are making every effort to move our city
20 backward to Giuliani time. They revised and
21 rebranded the violent and deadly street crime unit
22 that upgraded stop and frisk to stop and shoot. They
23 are reinstating the failed broken windows
24 criminalization of poverty. They're arousing [sic]
25 unhoused people from the streets. They plan to
increase the level and scope of surveillance in an

3 already bloated panoptic on [sic] turning our entire
4 city into 24/7 police line-up. They're intensifying
5 NYPD cooperation with federal crime control
6 taskforces that are impervious to local oversight and
7 unfettered by federal consent decrees such as
8 Handschu. I conclude by just making a point about
9 the need for you to not only watch closely, take
10 action to ensure the proper operations of the OIC in
11 the future, but we urge you to consider re-
12 establishing the OIG-NYPD as a completely independent
13 city agency, separate from either the DOI or the CCRB
14 with sufficient power to compel compliance by the
15 NYPD and access to all relevant city employees,
16 facilities, documents, files, records, and data that
17 are necessary for it to perform its duties. Thank
18 you very much.

19 CHAIRPERSON BREWER: Thank you very much.

20 COMMITTEE COUNSEL: I'd now like to
21 welcome Andrew Case to testify, followed by Michael
22 Vitoroulis, and then Frank Dardani. Andrew Case?

23 SERGEANT AT ARMS: Time starts now.

24 ANDREW CASE: Dear members of the City
25 Council, my name is Andrew Case. I am Senior Counsel
at LatinoJusticePRLDEF. In its first two years the

3 Inspector General issued revelatory reports on Broken
4 Windows policing and NYPD surveillance. The OIG's
5 data-driven analysis showed definitively that
6 arresting people who engage in low-level quality of
7 life offenses such as riding your bike on the
8 sidewalk offers no impact on felony crime. But today
9 the NYPD is bringing this failed program back. And
10 the OIG found that 95 percent of political
11 surveillance was directed against Muslims and that
12 the NYPD "routinely" violated the Hanschu guidelines
13 in conducting such operations, and just weeks ago the
14 NYPD would not even acknowledge its Muslim
15 surveillance program to this Council. The City's
16 response to the OIG's aggressive reporting was to gut
17 the independence of the agency. On the DOI org
18 chart, the IG has been demoted to simply one of the
19 DOI's 12 squads. Today you heard the Commissioner
20 continually refer to the OIG as a unit within the
21 DOI, and we now know the gang database report, which
22 is already four years delayed, it may not come out
23 for another nine months while it is revised, likely
24 to comport with the Administration's pro-policing
25 agenda. The current job listing for the OIG lists a
salary of \$130,000 a year and requires only four

3 years of post-college experience. Phil Yur [sp?],
4 the first NYPD IG had 20 years of experience,
5 including 10 running an oversight agency in DC. He
6 was paid \$223,000 a year. New York cannot attract a
7 national figure such as Mr. Yur to run an independent
8 IG office that has been demoted to a unit within DOI
9 for a hundred thousand dollars lower salary, but that
10 of course is the entire point. Independent groups
11 can try to fill the gap left by a hobbled IG. As
12 Council Member Brewer noted at the beginning of this
13 hearing, today LatinoJustice released the reports of
14 144 investigations featuring 181 officers who lied to
15 the NY-- the CCRB and were not punished or were only
16 mildly punished. A truly independent IG could follow
17 up on such a report using its subpoena power, its
18 authority as a city agency, but we are not optimistic
19 in the current environment. Without action from the
20 City Council, New York's brief experience with an
21 independent Inspector General may be over.

22 CHAIRPERSON BREWER: Thank you very
23 much. I appreciate your comment. Thank you.

24 COMMITTEE COUNSEL: I'd now like to
25 welcome Michael Vitoroulis to testify followed by

3 Frank Dardani and then Towaki Komatsu. Michael
4 Vitoroulis?

5 MICHAEL VITOROULIS: Good afternoon. I'd
6 like to start by thanking the Chairs Brewer and Hanks
7 for holding this hearing on OIG-NYPD. My name is
8 Mike Vitoroulis and I'm testifying on behalf of the
9 Legal Aid Society today. We supported the creation
10 of this office in 2013 because we believe that
11 civilian oversight can shed light on many of the
12 harmful practices experienced by the communities that
13 we serve. OIG-NYPD reports have certainly shed light
14 on many issues such as the Special Victims Division
15 issues and the report on the George Floyd protests.
16 Despite this, we ultimately feel that OIG-NYPD has
17 failed to meet its potential and be meaningfully
18 responsive to community concerns. We've been
19 frustrated by the inordinate amount of time that OIG-
20 NYPD investigations take to complete, as well as a
21 lack of issue-based reports from the office.
22 According to its most recent annual report, over one-
23 quarter of OIG-NYPD investigations have taken more
24 three years to complete. This does not demonstrate
25 the urgency that many of these issues require, and
26 compared to many other civilian oversight agencies

3 and other Inspectors General in other cities, OIG-
4 NYPD has accomplished relatively little. I'm
5 speaking to the Chicago Public Safety Inspector
6 General and the Seattle Office of the Inspector
7 General, both of which are actually newer agencies
8 than OIG-NYPD and they have published a greater
9 number of reports than OIG-NYPD. Over the years we
10 have filed many complaints with OIG-NYPD and provided
11 information to support their investigations. For
12 example, in 2018 we sent two letters to OIG-NYPD
13 detailing patterns of sexual misconduct experienced
14 by several of our clients during interactions with
15 NYPD's Vice Unit. Several elected officials have
16 also called on OIG-NYPD to investigate the Vice Unit.
17 Nearly four years have since passed, and to our
18 knowledge, this investigation is still ongoing. It is
19 disappointing that we have learned more about the
20 Vice Unit from a ProPublica reporting than we have
21 from this office, which is uniquely positioned to
22 investigate these particular issues. Similarly, as
23 many others have mentioned, the report on the NYPD
24 gang database has taken way too long to complete.
25 This is an issue that affects predominantly young men
of color, and is one that this council and many

3 community organizations have been sounding the alarm
4 over for years. These delays in producing these
5 reports reduce our collective ability to respond to
6 these urgent issues and allow these harmful practices
7 to continue unabated and without public scrutiny. In
8 our written testimony we'll detail a number of issues
9 that we believe have inhibited OIG-NYPD's ability to
10 be responsive to community concerns, but I just want
11 to raise two. The first one is NYPD's long track
12 record of obstruction and non-cooperation with
13 civilian oversight agencies. As detailed in DOI's
14 George Floyd protest report, OIG-NYPD has faced
15 significant challenges obtaining documents,
16 scheduling interviews with NYPD Executives and
17 gathering the data necessary for its investigations.
18 Many OIG-NYPD special issue-based reports refer to
19 some form of non-cooperation or non-responsiveness
20 that had reduced the agency's ability to conduct
21 timely and thorough investigations. A recent report
22 by the National Association for Civilian Oversight of
23 Law Enforcement identified timely and unfettered
24 access to records, cooperation, and the ability to
25 discuss issues with law enforcement executives as
pre-conditions for effective civilian oversight. We

3 urge the Council to take this issue seriously and
4 work with the mayor and Police Department to ensure
5 NYPD cooperation. The second issue that this Council
6 has raised, and this is something that Professor
7 McCoy and Andrew Case have raised in their
8 testimonies is the role of DOI and the work of the
9 Inspector General. In observing the OIG-NYPD over
10 the years, we have developed the perception that
11 previous DOI Commissioners have at times interfered
12 with the work of the Inspector General by either
13 closing investigations or discouraging them, delaying
14 them, unduly influencing office reports and
15 recommendations, and otherwise exhibiting
16 inappropriate influence over an agency that is
17 intended to provide independent oversight of the
18 NYPD. Reporting on this issue by BuzzFeed in 2018
19 revealed that a previous DOI Commissioner frequently
20 involved himself in OIG-NYPD's work in concerning
21 ways such as allegedly shelving a report on NYPD's
22 failure to discipline officers who made false
23 statements, as well as discouraging investigation to
24 the gang database. Following the events of summer
25 2020, we were very surprised to see that the DOI
Commissioner had led the investigation rather than

3 the previous Inspector General who has over 20 years
4 of experience in police oversight and as a subject
5 matter expert in this field. While we cannot, of
6 course, confirm these reports of interference, we do
7 know that there's a fundamental tension here that
8 contributes to this perception that DOI Commissioner
9 is an appointee of the Mayor who leads a Department
10 that is responsible for overseeing a Police
11 Department that was also led by a Mayoral appointee.
12 As Ms. McCoy raised in her testimony, we urge the
13 Council to broaden its conceptualization of
14 independence beyond mere independence from the Police
15 Department. We believe the Council should look into
16 this to determine whether it is a real issue or mere
17 perception and obtain clarity over the role of DOI
18 and the work of the Inspector General for the NYPD.
19 This may require limiting the role of DOI in
20 influencing the operations and work product of OIG in
21 establishing safeguards that ensure the independence
22 of the Inspector General. At a time when NYPD
23 leadership--

24 CHAIRPERSON BREWER: [interposing] You
25 need to wrap up if you can.

3 MICHAEL VITOROULIS: I'm doing right now.

4 At a time where the Mayor and NYPD leadership are
5 doubling down on antiquated and aggressive policing
6 tactics, ensuring that independent civilian oversight
7 agencies such as NYPD are appropriately resourced and
8 is capable of carrying out its mandate effectively
9 and without obstruction and interference should be a
10 priority of this Council. Thank you.

11 CHAIRPERSON BREWER: Thank you very much.

12 The one point I want to make, having watched this
13 process over the years, is don't forget the DOI
14 Commissioner comes with advice and consent of the
15 City Council. SO we don't like somebody, we send
16 them back to the Mayor. So I just want to point that
17 out. We don't have that oversight over the IG. So,
18 I guess I'm-- do think they need more resources. The
19 earlier comment about a salary was not a good one,
20 higher salary, more experience. I worry just not
21 having some say over what is happening, and our one
22 way we have it is advice and consent, just to point
23 that out in your testimony.

24 MICHAEL VITOROULIS: Noted. Thank you,
25 Council Member.

CHAIRPERSON BREWER: Thank you.

3 COMMITTEE COUNSEL: I'd now like to
4 welcome Frank Dardani to testify, followed by Towaki
5 Komatsu, and then Elizabeth Daniel Vasquez. Frank
6 Dardani?

7 SERGEANT AT ARMS: Time starts now.

8 FRANK DARDANI: Good morning, everyone.
9 Good morning everyone. I just want to start by
10 saying I'm a life-long New Yorker, born and raised in
11 Brooklyn, New York. I'm 75 years old. I have worked
12 in every area of this city. I have seen many, many
13 police encounters with the public. I have only seen
14 scuffles between police when people they're arresting
15 decided that they didn't want to be handcuffed. I
16 have been involved in ride-alongs in police cars. I
17 have gone to the Citizens Police Academy. I've been
18 involved with Civic Associations. I'm a Community
19 Board Member for over 25 years. I'm involved with
20 the Precinct Counsel, and I believe I have seen many
21 more than most people in police encounters. And I
22 can honestly say that I do not see what I'm hearing
23 from people on the news and from this board and from
24 my understanding as Council Member Holden had
25 mentioned, 80 percent of the NYPD is being
cooperative. I'm just trying to figure out how the

3 law makers of New York are going to be able to
4 correct the problem that they've created by allowing
5 the bad guys to be the most important part of this
6 city. How do we prevent them from taking over our
7 city? All we hear about is what are we going to do
8 to stop the police from doing their jobs. And you
9 know, how do we undo what we've done to the men and
10 women in law enforcement, that they have to come to
11 work every day and worry about losing their job
12 because they're backed [sic]--

13 SERGEANT AT ARMS: [interposing] Time
14 expired.

15 FRANK DARDANI: So, you know, this is my
16 one and only question. How do we reverse what we've
17 done to our law enforcement agencies and to be able
18 to do their job and make us feel safe? Thank you
19 very much.

20 CHAIRPERSON BREWER: Thank you very much.

21 COMMITTEE COUNSEL: I'd now like to
22 welcome Towaki Komatsu to testify, followed by
23 Elizabeth Daniel Vasquez, and then AjiFanta Marenah.
24 Towaki Komatsu?

25 TOWAKI KOMATSU: I am Towaki Komatsu.
DOI was in this room previously. To start off, DOI

3 is totally useless. I've been to its office
4 repeatedly, reported numerous complaints to them.
5 They've done nothing about that. CCRB, same story.
6 Reported numerous complaints with them. They
7 defended members of the NYPD that I legally whipped
8 in court. As I apprise you, Ms. Brewer, I currently
9 federal litigation. You're a defendant in one of
10 them. I had a conversation with you on September 26th
11 and September 28th, 2017. I told you then I was
12 being illegally prevented from attending Town Hall
13 meetings that you were inside of. There was one on
14 28th-- September 28th where people got kicked out.
15 You were there. I was not allowed in. For today's
16 hearing, I tried coming into this room while all of
17 you were in it. A member of the NYPD at the guard
18 house by the Broadway entrance, he didn't let me
19 inside. He made me wait while all of you were in
20 this room. So, the point is all of us have first
21 amendment and 14th amendment rights to come to a
22 public forum which it certainly is. He didn't let me
23 inside. Also,-- I don't mean to waste your time.
24 But the point is, the first time you and I shared a
25 public forum was on March 15th, 2017. The Mayor had
a Town Hall in Chelsea. And so bottom line is about a

3 month after that was another Town Hall meeting--
4 sorry, public resource fair [sic] meeting in Staten
5 Island. I wasn't allowed in. I got discovery
6 material with regards to Howard Redman [sp?], DOI's
7 Commissioner, the predecessor. I made remarks about
8 him, the fact that he's a liar. He engaged in
9 obstruction of justice. So the point is, he was a
10 primary culprit that was keeping me out of these
11 public meetings. And so with regards to DOI's
12 mandate, OIG Inspector General is about systemic
13 abuse. So if I'm being repeatedly kept out of public
14 meetings, that's systemic. The point is, I filed
15 numerous complaints to the DOI, CCRB. They didn't do
16 anything about it. So, what Mr. Redman had to say in
17 an email that he sent on April 13th, 2017 at 5:13
18 p.m. to Chair Avina [sp?] was, "If this guy shows up,
19 alert City Hall staff. Do not let him in. Worst
20 case, we will put him in overflow." So, the point
21 is, I never even registered to attend that public
22 resource fair on April 13th. So, point is, if I
23 didn't RSVP for that public forum, why are they
24 taking measures to preemptively prevent me from
25 attending public forum, when I never even bothered to
register, to attend it. I mean, you're now the

3 Chairwoman of this Oversight Committee. We've had
4 conversations previously. So with regards to
5 systemic issues, not isolated to me, what exactly are
6 you going to do about this problem?

7 CHAIRPERSON BREWER: I can't answer it
8 right now. We're listening to your testimony and we
9 will follow-up. But I can't answer that right now.

10 TOWAKI KOMATSU: Thank you.

11 COMMITTEE COUNSEL: I'd now like to
12 welcome Elizabeth Daniel Vasquez to testify, followed
13 by AjiFanta Marenah and then Naz Ahmad. Elizabeth
14 Daniel Vasquez?

15 SERGEANT AT ARMS: Time starts now.

16 ELIZABETH DANIEL VASQUEZ: Good
17 afternoon. My name is Elizabeth Daniel Vasquez, and
18 I'm the Director of the Science and Surveillance
19 Project at Brooklyn Defender Services. I want to
20 thank City Council and Chairs Hanks and Brewer for
21 holding this joint oversight hearing on the DOI's
22 Office of Inspector General for the NYPD. Today,
23 unsurprisingly what I want to focus on is the role of
24 the DOI and the Office of the Inspector General for
25 the NYPD in surveillance oversight of the NYPD
surveillance capabilities. As Council Member Brewer,

3 Chair Brewer, referenced, it is a critical moment in
4 our history at this time to consider carefully how we
5 go about engaging in comprehensive and universal
6 oversight of the surveillance practices of our law
7 enforcement. One of the ways in which this council
8 went about putting in place structures for oversight
9 was the passage of the Public Oversight and
10 Surveillance Technology Act of 2020. The post-act
11 passage in 2020 put in place some requirements for
12 public disclosure on the part of the NYPD and for the
13 first time designated clearly to the OIG for the NYPD
14 the obligation of reviewing those disclosures. Those
15 disclosures were made by the NYPD a year ago now.
16 The compliance with the structures of the Post Act
17 was at best dismal, and yet we still do not have the
18 required report from the OIG for the NYPD on those
19 disclosures and what those disclosures reveal about
20 what the NYPD is up to with surveillance technology.
21 One thing that those disclosures did uncover,
22 however, is a stark fact related to the need for
23 surveillance oversight itself. Review of those
24 disclosures in the body shows that the NYPD does not
25 believe that a warrant or any court oversight is
required before using over 85 percent of the

3 technologies they identify. This puts us in a space
4 where court oversight is not a measure of oversight
5 for surveillance, and instead we are left to
6 governmental and civilian oversight in the form of
7 oversight by bodies like the OIG for the NYPD.
8 That's why it's extremely disheartening to hear today
9 that one of the few areas in recent memory where the
10 OIG has actually been looking into a surveillance
11 technique, specifically the gang database which they
12 have been investigating for almost five years at this
13 point is still not coming time for the publication
14 report in the next month or so. Another nine-month
15 delay on the publication of the five-year
16 investigation is simply uncalled for, and we would
17 call for the IG to release its findings and publish
18 this report now. There's no reason that we need to
19 wait another nine months when the report is indeed
20 complete and is at the executive level of the DOI. In
21 addition to this already completed investigation,
22 however, we would call on the OIG to start looking
23 into surveillance more broadly, not merely in its
24 role as oversight for the Post Act but also its role
25 as oversight for the NYPD itself. One place that is

3 troubling that it would be time for the OIG to look
4 into--

5 SERGEANT AT ARMS: [interposing] Time
6 expired.

7 ELIZABETH DANIEL VASQUEZ: is the
8 development of the domain awareness system which is
9 the NYPD's comprehensive data warehouse of all data
10 streams that the NYPD has access to. The NYPD-OIG
11 existed at the time that the NYPD made the choice to
12 turn the domain awareness system into a mobile
13 application on cellphones and the tablets that are in
14 officer's cars, made the domain awareness system
15 available now to every NYPD officer on the street.
16 That change happened with the OIG existed, and yet,
17 the only governmental entity that has conducted any
18 oversight or audit of the domain awareness system was
19 the Comptroller's Office in 2015. The OIG needs to
20 be looking carefully into the uptake of surveillance
21 technologies by the NYPD. They also need to be
22 examining what we're hearing about the recent uptick
23 in NYPD seizure of cellphones from young people.
24 We've been raising this issue for a number of years,
25 but the problem has become even more pressing. Where
our young clients, particularly those that appear to

3 be included in the faulty gang database I've already
4 discussed and had been referenced by a number of
5 people here today, are having their cellphones taken
6 by the NYPD at an alarming clip. Those phones are
7 getting categorized as investigatory evidence, even
8 in cases where the relevant DA's office declines to
9 prosecute. We have concerns that the contents of
10 those phones are being accessed without a warrant in
11 violation of the constitution in Reilly [sp?] versus
12 California, and we are calling on the IG's Office to
13 investigate the NYPD's property seizure practices,
14 specifically as it relates to cellphones, but more
15 broadly we're calling on the City Council to act to
16 address the NYPD's antiquated system of property
17 seizure overall. The time to get a handle on
18 oversight of surveillance technology is now, and we
19 thank the Council for its hearing today looking into
20 the role of the IG's Office and how they are
21 effectuating the investigations.

22 CHAIRPERSON BREWER: Thank you very much
23 for very specific testimony. Deeply appreciate it.
24 And we will follow up.
25

3 COMMITTEE COUNSEL: I'd now like to
4 welcome AjiFanta Marenah to testify followed by Naz
5 Ahmad, and then Evan Enzer. AjiFanta Marenah?

6 AJIFANTA MARENAH: [inaudible] honorable
7 Chairperson and the entire committee on Public
8 Safety, Oversight and Investigations. I want to
9 thank you for scheduling this very important hearing.
10 My name is AjiFanta Marenah. I'm here on behalf of
11 Muslim Community Network. MCN was founded in 2003
12 with a focus on civic education and advocacy
13 following the September 11th attacks to shape the
14 public's understanding of Islam and what it means to
15 be Muslim in the United States. MCN continues to be
16 concerned about the NYPD's alarming history of
17 surveillance and profiling members of the Muslim
18 community in New York City. Muslim New Yorkers who
19 come from various ethnic backgrounds and make up
20 religious and community leaders, students, healthcare
21 workers, business owners, taxi drivers, and part of
22 the larger New York City community continue to feel
23 discriminated against, unsafe, and traumatized by the
24 heavy and unlawful surveillance in our community
25 since the roll-out of the NYPD's Muslim surveillance
program. MCN is calling on OIG to investigate the

3 serious complaints of profiling based on religious
4 and ethnic background and to make sure that it does
5 not happen again under Mayor Adams' Blueprint to End
6 Gun Violence. The Blueprint's tough approach on
7 crime, it knows the root causes of crime instead of
8 solving the issue might actually become the problem
9 in increasing wrongful arrest and violation of our
10 civil liberties and rights-- Muslims who continue to--
11 - of Muslims who continue to be discriminated
12 against. For instance, as recently as January 31st,
13 we all witnessed how NYPD Officer Rick [inaudible]
14 brutally attacked a middle-aged Muslim man by sitting
15 on him, calling him a terrorist and other offensive
16 Islamophobic slurs, punching him multiple times, and
17 then falsely reporting it. This is absolutely
18 unacceptable for officers of the Department that is
19 tasked with protecting us. This will continue is
20 there is no oversight under NYPD. Secondly, having
21 cultural-- some of our recommendations include having
22 cultural competency, language access, and sensitivity
23 is crucial in the NYPD's work to report and
24 investigate anti-religious hate crimes not just
25 against Muslim community but also Jews, Sikhs and
other religious minorities. Unfortunately, the

3 NYPD's annual hate crime report fails to account for
4 the many incidents of hate and bias experienced by
5 Muslims in New York City. Our experiences with hate
6 are often disregarded, minimized, and never
7 investigated. OIG investigations needs to question
8 why CBOs have larger reports of hate crimes than the
9 NYPD's report. MCN has continued to do a hate crime
10 prevention report since 2019 and found that over 42.4
11 percent of our survey-- people who took the survey
12 experience anti-religious hate crimes in the form of
13 verbal abuse were harassed based on their religion
14 and ethnicity, and 23 percent experienced hate crimes
15 in the form of dangerous threats. It's alarming to
16 us that the NYPD reports only show 11-- in 2021, only
17 report 11 Muslims experiencing hate crimes. In just
18 2022, we have collected up to 26 reports from
19 community members who have been victims of anti-
20 Muslim hate crimes within the past two years. In
21 addition to this alarming data about the many ways
22 hate crimes are experienced in our communities, the
23 survey results also revealed that the majority of
24 Muslims who experience hate crimes in New York City
25 are young people. this is very alarming to us and we
want to continue to urge OIG to investigate and

3 provide adequate oversight over NYPD's [inaudible]
4 and band use-- to continue to collect data from the
5 NYPD regarding its participation in the Joint
6 Terrorism Taskforce and to be more engaged in our
7 community so that they can hear recommendations from
8 CBO's that are actually working with the communities
9 and knowing the issues. Thank you, Chairpersons and
10 all members of the committee, again for this very
11 important hearing and for your time.

12 CHAIRPERSON BREWER: Thank you, and of
13 course, our best regards to Doctor Debbie Almontaser
14 [sp?]. Thank you very much.

15 COMMITTEE COUNSEL: I'd now like to
16 welcome Naz Ahmad to testify followed by Evan Enzer
17 and then Simcha Waisman. Naz Ahmad?

18 SERGEANT AT ARMS: Time starts now.

19 NAZ AHMAD: Good afternoon everyone.
20 Thank you to the City Council for hosting this
21 important hearing. I'm Senior Staff Attorney at the
22 CLEAR Project at CUNY School of Law for [inaudible]
23 services [inaudible] CUNY, and CLEAR's mandate is to
24 serve communities and movements [sic] targeted by so-
25 called national security law enforcement practices.
And we serve as co-counsel in Rassa [sic] versus City

3 of New York, challenging NYPD suspicion [sic]
4 surveillance of Muslims in the New York City area.
5 So, I would just like to echo and amplify other
6 things that have been said today in terms of how OIG-
7 NYPD serves a distinct and important function
8 separate and apart from the CCRB to investigate
9 policies and programs and practices of the NYPD. I'd
10 like to call the Council's attention specifically to
11 a report that OIG-NYPD released in 2016, August 2016,
12 concerning NYPD's compliance with the rules governing
13 investigations of political [sic] activity. Those
14 rules are laid out in the settlement agreement in
15 Handschu versus Special Services Division. At the
16 time, OIG conducted its investigation, they were
17 operating under an older version of the rules.
18 Within less than a year of their issuance of their
19 report, the rules were amended pursuant to a
20 settlement agreement, but I again want to focus on
21 one specific finding that actually OIG relegated to a
22 footnote, but I think it's-- we all think it's very
23 important. So, in addition to finding that the
24 Intelligence Bureau is often non-compliant with
25 several of the rules governing the conduct of these
investigations, OIG-NYPD also noted that more than 95

3 percent of all the targets under investigation were
4 Muslim or engaged in political activities associated
5 with Islam. So, it affirmed the impact-- the report
6 affirmed the impact that the NYPD's investigations
7 into political activity disproportionately affected
8 Muslim communities in New York City. Since then,
9 NYPD has not released any updated statistics
10 concerning the targets of NYPD investigations. And
11 as of now, it is reasonable to believe that the
12 Intelligence Bureau's activities still overwhelmingly
13 target Muslims, Muslim communities and/or political
14 activity associated with Islam. You know, as the
15 OIG-NYPD correctly noted in its 2016 report, in the
16 past investigations have focused on others including
17 black and Latino activists, student groups,
18 socialists, and political protestors. So, more than
19 six years-- or nearly six years has passed since that
20 report was issued. In that time, the position of the
21 civilian representative was created again through
22 that settlement approved in 2017. The civilian
23 representative has issued four annual reports
24 concerning compliance with the Handschu rules. But
25 he also has not released any updated information
about demographics of the target--

3 SERGEANT AT ARMS: [interposing] Time
4 expired.

5 NAZ AHMAD: And I would just urge the
6 City Council and the OIG to continue to focus on
7 this. In particular, given that some high ranking
8 members of the NYPD, including John Miller who
9 testified just last-- this month-- seemed to discount
10 the effects of the surveillance program, and so just
11 urge that renewed investigation be done to this very
12 specific issue, because it has disproportionately
13 affected Muslim community. Thank you for your time.

14 CHAIRPERSON BREWER: Thank you very much.
15 Excellent testimony.

16 COMMITTEE COUNSEL: I'd now like to
17 welcome Evan Enzer to testify, followed by Simcha
18 Waisman, and then Katurah Topps. Evan Enzer?

19 SERGEANT AT ARMS: Time starts now.

20 EVAN ENZER: Hello, I'd like to start
21 just by thanking Chair Brewer, Chair Hanks, and all
22 the members of the committee. I'm Evan Enzer. I'm a
23 legal fellow at the Surveillance Technology Oversight
24 Project, and I'm thankful for the opportunity to
25 testify on my organization's behalf today. STOP is a
New York-based civil rights organization. Our work

3 largely focuses on the discriminatory impact
4 [inaudible] for surveillance has on BIPOC New
5 Yorkers. We're concerned about the state of OIG's
6 investigations into the NYPD's surveillance systems
7 and OIG's independence from DOI and the Mayor's
8 Office. First, I'd like to touch on an OIG-NYPD
9 delay on publishing the report about the so-called
10 gang database. The gang database is comprised of
11 individuals, often children, who NYPD suspects are
12 members of a gang or crew. People can find
13 themselves in this database for all kinds of
14 innocuous reasons, including what they wear, who they
15 know, or where they spend time. And NYPD is much
16 more likely to find clothing or acquaintances
17 indicative of gang membership when an individual
18 lives in a BIPOC neighborhood. In fact, about 98
19 percent of people in the database are black or Latin-
20 x. According to OIG-NYPD, the offices investigating
21 this database since about 2018, and as we've heard
22 from many people today, that four years should have
23 been more than enough time to issue a report on this
24 database. But while we're waiting, NYPD continues
25 expanding the database, causing irreparable harm to
New Yorkers. Second, I want to echo concerns about

3 the report on the Post Act. It's been over a year
4 since the first surveillance audits went into effect,
5 but OIG-NYPD has still not published that
6 surveillance audit. In fact, it's been six years
7 since OIG-NYPD issued a specific report on NYPD
8 surveillance, and that was that 2016 report that NYPD
9 failed to comply with, surveillance rules regarding
10 political activity. Additionally, STOP thinks some
11 of these problems could be due to OIG-NYPD's ties to
12 the Police Department and the Mayor's Office. OIG-
13 NYPD is a part of DOI, so it answers to Mayoral
14 appointees in the Office of the Mayor. This subjects
15 into the influences of politics. We've heard before
16 several years ago that DOI leadership shelled several
17 OIG-NYPD reports, including reports about the gang
18 database. Additionally, occasionally OIG or DOI
19 partners with NYPD and other law enforcement agencies
20 to investigate crimes and refer them for prosecution,
21 and it can be hard to be truly critical of a partner
22 when your other investigations do rely on their
23 cooperation. So, New York [sic] do several things to
24 make this situation better. OIG-NYPD needs to
25 publish the delayed reports on the gang database and

3 Post Act. Additionally it should begin new
4 investigations into other surveillance technology.

5 SERGEANT AT ARMS: Time expired.

6 EVAN ENZER: With that, I can rest the
7 rest of my time. I want to emphasize the importance
8 of making sure that OIG-NYPD is a truly independent
9 agency.

10 CHAIRPERSON BREWER: Thank you very, very
11 much.

12 COMMITTEE COUNSEL: I'd now like to
13 welcome Simcha Waisman to testify, followed by
14 Katurah Topps, and then Daniel Hill. Simcha Waisman.

15 SERGEANT AT ARMS: Time starts now.

16 SIMCHA WAISMAN: Thank you very much for
17 inviting me. My name is Simcha Waisman. I'm the
18 President of One Stop Richmond Hill Community Center
19 in 102nd Precinct Community Council. I'm involved in
20 the policing for something like 41, 42 years, and I
21 saw a lot of things change good. Some change to bad.
22 And I just want to-- I'm sitting here and hearing
23 more investigation of more-- for NYPD and more to
24 investigate this. You're taking all the tools from
25 the officers, that's the way I understand it, and
that's the way I see it. I'm in contact with them. I

3 have excellent relationship with everybody in our
4 command, in our [inaudible] command, too. We're
5 meeting weekly, twice, three times a week. In
6 institute the program that's called Build Up the
7 Bleachers [sic]. It's people from the community
8 every couple weeks come and meet with officer of
9 local people and say what they got, whatever, just to
10 break the ice, because a lot of times the police get
11 the short end of the stick. People take all the
12 tools from them. I want to ask a simple question.
13 Now you send a surgeon to do surgery with no tool?
14 You're taking all the tools from the Police
15 Department. It doesn't matter if it's right or
16 wrong. For the last eight years, I never saw
17 something like this, and I just cannot believe what's
18 going on. People talk about a lot of stuff instead
19 of talking about how to save the city, how to take
20 the gangs, the guns. Everybody else talk about--
21 it's important to them, I understand, but for us to
22 win, we have to have the law and people have to-- you
23 break the law, you pay the price. That's the bottom
24 line. You let it go, that's what happen. Nobody
25 respect anything, no stop sign, no headlight, no
nothing. That's what's going in the city, and I

3 think that this have to stop. The police-- 24/7 I'm
4 out at night. For 18 years I had a civilian patrol,
5 and believe it or not, we did excellent. We went and
6 took calls. We [inaudible] out between 11:00 and
7 four in the morning. We did excellent job until one
8 day--

9 SERGEANT AT ARMS: [interposing] Time
10 expired.

11 SIMCHA WAISMAN: a new captain came and
12 said, "We don't need you anymore. Everything is
13 fine." Well, we listen. We closed that and that's
14 it. You know, I just want to say we have to do
15 better what we do to build the bridges between the
16 community and the police to the community. Thank you
17 very much for inviting me. Again, thank you.

18 CHAIRPERSON BREWER: Thank you very much
19 for testifying.

20 COMMITTEE COUNSEL: I'd now like to
21 welcome Katurah Topps to testify followed by Daniel
22 Hill, and at this time, if you are participating via
23 Zoom and you wish to testify and your name has not
24 been called, please use the Zoom raise hand function.
25 Katurah Topps?

SERGEANT AT ARMS: Time starts now.

3 KATURAH TOPPS: Good afternoon,
4 Chairwoman Brewer, Chairwoman Hanks, members of the
5 Committee. My name is Katurah Topps. I'm a Policy
6 Counsel at the NAACP Legal Defense and Educational
7 Fund, also known as LDF, and on behalf of LDF I'd
8 like to thank you for holding this critical hearing.
9 Since its inception, LDF has worked to address police
10 violence and misconduct-- I can hear somebody
11 speaking-- has worked to address police violence and
12 misconduct. Our Justice and Public Safety Project
13 uses litigation, policy advocacy, public education,
14 and community organizing to ensure accountability
15 from police misconduct, criminal public safety
16 practices that eliminate racial biases, and
17 drastically reduce the presence of armed law
18 enforcement in communities of color. In 2018 and
19 again in 2019, LDF testified before this Council that
20 the NYPD maintains a gang database that uses overly
21 broad criteria to designate thousands of New Yorkers
22 as gang-- members of gangs or local street crews.
23 The NYPD disproportionately confers [sic] these
24 affiliations to black and Latin-x and New Yorkers and
25 then subjects them to heightened surveillance and
criminalization using violent and aggressive policing

3 tactics and failing to provide due process protection
4 for the individuals on that database. Again, as I
5 testify in 2022, this remains true today. Last year,
6 the OIG confirmed that it began investigating the
7 NYPD's gang policing practices and database in 2018,
8 and after three years, its investigative review was
9 in its final stages. However, as others have noted
10 before me, to date we still have not received this
11 report, and then NYPD's problematic gang policing
12 practices continue. We urge the OIG to promptly
13 complete its investigation into the NYPD's gang
14 policing practices and publish a thorough report of
15 its findings. In June 2020, when this Council passed
16 the Public Oversight of Surveillance and Technology
17 Act, also known as POST Act, it mandated that the
18 NYPD publicly disclose its surveillance technology
19 policy, including descriptions of its surveillance
20 technology capabilities, rules on data retention and
21 more. In its initial disclosure, the NYPD failed to
22 comply with the POST Act with a full range of its
23 requirements, prompting the LDF and other advocates
24 to write public comments in February 21 highlighting
25 these omissions. Nevertheless, when the NYPD
published its final policy, it still failed to

3 rectify these omissions, and in the meantime has
4 continued to use and access a number of powerful
5 surveillance tools, including military-grade
6 equipment and thousands-- a network of thousands of
7 cameras across the City with minimal oversight or
8 public awareness. The POST Act requires the OIG to
9 conduct and release an annual audit of the NYPD's
10 compliance with this act, but to date, the OIG has--

11 SERGEANT AT ARMS: [interposing] Time
12 expired.

13 KATURAH TOPPS: I'll be quick. In fact,
14 the OIG's office has not released a report on NYPD
15 surveillance practices or its effects in over six
16 years. We strongly urge the OIG to thoroughly
17 investigate the full range of NYPD's expansive use of
18 technologies that facilitate surveillance and failure
19 to comply with the POST Act. And finally, I'll note
20 quickly that Mayor Adams' Blueprint to End Gun
21 Violence and the NYPD's Quality of Life Enforcement
22 initiative both mandate increased significant--
23 significant increased police presence in the City's
24 most resource-deprived neighborhoods. But as
25 research makes clear, including the OIG's own report,
these practices are often discriminatory and

3 ineffective at reducing violent crime. Moreover, as
4 was demonstrated by the NYPD's own practices and
5 efforts to address gun violence through stop and
6 frisk, and through the use of specialty units like
7 its plain clothes unit and Strategic Response Group
8 with documented histories of violent practices that
9 have harmed countless New Yorkers of color.

10 Increased policing methods like these have been shown
11 to only contribute to the disenfranchisement and over
12 criminalization of black and brown communities.

13 Finally, to close I'll just note, rather than
14 repeating the mistakes of the past, this Council must
15 prioritize the methods that have been proven as
16 successful in reducing gun violence and increasing
17 public safety without the risk of police harm, such
18 as community-led violence prevention methods,
19 economic stability, and affordable housing. We call
20 upon this Council and OIG to take immediate action to
21 ensure that NYPD does not repeat its problematic
22 history of implementing harmful practices with little
23 to no transparency, oversight, or accountability. We
24 address these issues in more detail in our written
25 testimony which I will submit for the record. And as
usual, we welcome the opportunity to meet with

3 Council Members and discuss this more at length.

4 Thank you for your time.

5 CHAIRPERSON BREWER: Thank you very much.
6 Great testimony.

7 COMMITTEE COUNSEL: I believe that's
8 everyone we have signed up to testify via the Zoom.
9 We'll just do-- I'd now like to welcome Daniel Hill
10 to testify.

11 SERGEANT AT ARMS: Time starts--

12 COMMITTEE COUNSEL: [interposing] Daniel
13 Hill?

14 SERGEANT AT ARMS: Time starts now.

15 MOHAMMAD KHAN: Hi, my name is Mohammad
16 Khan. I'll be representing Daniel Hill today. He is
17 occupied with some other work. I'm the Executive
18 Director for the Cityline Ozone Park Civilian Patrol.
19 I was a former Director for Communications for
20 another civilian patrol in Brooklyn. We've helped
21 with many different incidents around New York City
22 and dealt with many of what was discussed today from
23 the investigations done by the NYPD and spying on the
24 Muslim community to other incidents that has taken
25 place, and whether that's the Sikh community, the
Hindu community, and so on. What we've done in

3 Brooklyn and Ozone Park and Queens and around New
4 York City is built a relationship with the NYPD to
5 build better neighborhoods. Some of these initial
6 steps has to be with discussions within our
7 communities. This-- the review board here, if
8 they're not providing us with updates with local
9 reporting and what the community's concerns are, the
10 where is the community supposed to go? And if they
11 do not provide us with resources, how to improve our
12 relationship with the NYPD or how to improve our
13 relationship with the community so that the community
14 gets better. Because we're not existing [sic]
15 without the NYPD. There is no way that we can live
16 in New York City without the police resources that we
17 have. So how can we improve those relationships,
18 that's what the community maybe should be looking
19 into improving, maybe helping us get to that. We
20 have a civilian patrol that makes the relationship
21 better. We have the Community Board, the Precinct
22 Council that helps us make it better. What can the
23 elected officials and City Council help each
24 community locally to do better now? You know, each
25 area has their own precinct. How can those community
members, how can those mosques, those churches, those

3 temples make a better relationship with the NYPD?

4 Let's get to those discussions as we're figuring out
5 what has happened in the past, because now we'll have
6 to find new ways-- we need to find ways to improve
7 those relationships so these past incidents do not
8 continue to happen. I encourage, just like we have
9 done with our Councilwoman Joann Ariola, meeting with
10 each precinct individual, you know, having them
11 involved in our religious affairs, involved in our
12 daily affairs so they can understand what we do, and
13 we don't have to spies amongst us. We don't have to
14 have people dressed up in a way to reflect or to look
15 like us just to get intel on us. Sometimes it's just
16 going back to the basics and just educating our
17 precinct, our people around us, just like everyone--
18 anyone needs education. You know, I seriously think
19 that we should think again how we can improve this
20 relationship with the NYPD and help those community
21 members that doesn't speak the language, help by
22 having commanding officers that reflect that
23 ethnicity or background within that precinct
24 majority. We need to come up with other ways so the
25 past does not repeat itself. Thank you.

3 CHAIRPERSON BREWER: Wonderful conclusion
4 of our hearing. Thank you very much. So, without
5 further ado, I want to thank everyone who testified.
6 I want to thank my colleagues, and I want to promise
7 you as is my work in the past shows with this great
8 staff, we will make sure to follow up on each and
9 every aspect of this hearing. This is not the end.
10 This is the beginning. Thank you very much. This
11 hearing is now concluded.

12 [gavel]

13

14

15

16

17

18

19

20

21

22

23

24

25

COMMITTEE ON OVERSIGHT AND INVESTIGATIONS WITH
COMMITTEE ON PUBLIC SAFETY

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

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 June 2, 2022