THE CITY OF NEW YORK
DEPARTMENT OF CORRECTION

DIRECTIVE

[ ] NEW [ ] INTERIM* [X] REVISED			SUBJECT Office of Inspector General Investigative Procedures	
EFFECTIVE DATE 8/5/91	*TERMINATION DATE			
CLASSIFICATION # 7000R	SUPERSEDES Directive #7000	DATED 10/01/79	DISTRIBUTION A	PAGE 1 OF 4 PAGES
RECOMMENDED FOR APPROVAL BY REVIEW BOARD MEMBER SIGNATURE			AUTHORIZED BY THE COMMISSIONER SIGNATURE	

I. PURPOSE

To explain the role of the Department of Investigation's Inspector General for the Department of Correction and to detail the responsibilities of Department of Correction employees regarding investigations and studies conducted by the Office of the Inspector General.

II. POLICY

Pursuant to Executive Order No. 105, issued December 26, 1986, the Department of Investigation has assigned an Inspector General to the Department of Correction who reports directly to the Commissioner of Investigation and who is responsible for investigating and eliminating corruption or other criminal activity, gross mismanagement, conflicts of interest, or other misconduct within the Department of Correction. The policy of the Department of Correction is to cooperate fully with the Inspector General.

III. APPLICABILITY

This directive applies to all employees of the Department of Correction.

IV. DEFINITIONS

Office of the Inspector General: The Inspector General and all persons under his or her supervision, including uniformed members of the Department of Correction assigned to the Office of the Inspector General and employees of the Department of Investigation participating in studies and investigations of the Department of Correction.

V. PROCEDURES

A. Every employee must report, directly and without undue delay, to the Inspector General any and all information concerning conduct which he or she knows or should reasonably know to involve corruption or other criminal activity, conflicts of interest, gross mismanagement, abuse of authority, unethical conduct, or misconduct by:

(1) Officers and employees of the Department of Correction or other City agencies;

(2) Persons or businesses dealing with the City.

During normal business hours employees should make the required notifications directly to the Inspector General's office at (212) 26[illegible]-1900. During non-business hours, employees should leave these reports on the answering machine at that number; if the information requires the Inspector General's immediate attention, employees should contact the Inspector General's on-call supervisor through CCC. The failure of any employee to report as required above is cause for removal from employment or other disciplinary action.

B. The Inspector General, in connection with his or her investigations and studies, has full power to compel the attendance of witnesses as well as the production of records, to administer oaths and to examine such persons as he or she deems necessary. The Inspector General may require any employee to answer questions concerning any matter related to the performance of his or her official duties or violations of DOC directives or rules and regulations, or any dealings with the City, if the answers to such questions would not tend to incriminate the employee. An employee has the right to refuse to answer any question if such answer might tend to incriminate him or her, unless first advised that neither his or her statements nor any information or evidence derived therefrom can be used against him or her in a subsequent criminal prosecution other than for perjury or contempt arising from such testimony. The refusal of an employee to answer questions under these conditions is cause for removal from employment or other disciplinary action.

V. PROCEDURES (cont'd)

C. Every employee must cooperate fully with the Inspector General and must provide all information requested by the Inspector General and known to the employee regarding any allegation of corruption, criminal activity, or other misconduct. Failure to voluntarily provide all requested information shall be deemed to be obstruction of the Inspector General's investigation. Interference with or obstruction of any study or investigation conducted by the Inspector General is cause for removal from employment or other disciplinary action.

D. No employee shall take an adverse personnel action against another employee in retaliation for his or her reporting information concerning corruption or other criminal activity, conflict of interest, gross mismanagement, or abuse of authority to the Commissioner of Investigation or the Inspector General, or for otherwise cooperating with the Office of the Inspector General. Adverse personnel action includes, but is not limited to, dismissal, demotion, suspension, transfer, reassignment, failure to grant a requested transfer or reassignment, disciplinary action, negative performance evaluation, or any other action resulting in loss of staff, office space, equipment, or other benefit.

E. The Inspector General shall be informed of and have unrestricted access to all regular meetings of Department of Correction executives and managerial staff as well as to all records and documents maintained by the Department of Correction. The Inspector General has the authority to examine, copy or remove any document prepared, maintained or held by the Department of Correction or any Department of Correction employee relating to his or her official duties.

V. PROCEDURES (cont'd)

F. The Inspector General, after presentation of official identification, shall have immediate and unrestricted access to all areas of Department of Correction jails, offices, or other facilities. This right to immediate access cannot be restricted for any reason and failure to provide immediate access is cause for disciplinary action. No Department of Correction employee shall make a special notification to any superior officer or any other announcement regarding the entry or presence of the Inspector General in any facility. The Inspector General shall comply with Department of Correction regulations regarding the relinquishment of firearms before entering secure areas.

VI. SUPERSEDES

Directive #7000 Office of Inspector General Investigative Procedures 10/01/79.