



**NEW YORK CITY COUNCIL  
HEARING BY THE COMMITTEE ON PUBLIC SAFETY**

**WRITTEN TESTIMONY OF JOCELYN E. STRAUBER  
COMMISSIONER, NEW YORK CITY DEPARTMENT OF INVESTIGATION**

**CONCERNING INTRODUCTION 1402,  
IN RELATION TO REPORTING ON POLICE DEPARTMENT  
COMPLIANCE WITH FREEDOM OF INFORMATION LAW REQUESTS**

**WEDNESDAY, NOVEMBER 19, 2025**

Thank you to Chair Salaam and members of the Committee on Public Safety for the opportunity to submit written testimony on behalf of the New York City Department of Investigation (DOI) about Introduction 1402, in relation to reporting on New York City Police Department (NYPD) compliance with Freedom of Information Law (FOIL) requests.

### **DOI's Office of the Inspector General for the NYPD**

DOI's Office of the Inspector General for the New York Police Department (OIG-NYPD) was created in 2014 in accordance with Local Law 70, which directed the DOI Commissioner to appoint an Inspector General to "investigate, review, study, audit and make recommendations relating to the operations, policies, programs and practices of NYPD." This mandate is the core of OIG-NYPD's work and since my tenure in early 2022, OIG-NYPD has and will continue to focus primarily on examinations of the NYPD's operations, policies, procedures, and practices. To the extent that there are potential criminal matters involving individual NYPD personnel, those are handled by other DOI squads.

Report writing is a central function of OIG-NYPD. It is a time-consuming process, but a critical one in creating a public record of the office's findings and the recommendations it has issued. Each report involves a rigorous and thorough process, first obtaining key facts, including policies, procedures and where appropriate relevant data, interviewing witnesses, summarizing the background, and making key findings and conclusions that support our recommendations. Since its inception, OIG-NYPD has issued 37 reports and 276 recommendations, with 13 of those reports issued since I was appointed as Commissioner in February 2022. Some of the critical topics covered in these reports include:

- NYPD's social media use policy, with OIG-NYPD finding deficiencies in NYPD's policies, noncompliance with the Citywide social media policy, and a lack of oversight of NYPD senior executives' social media posts.
- NYPD's Community Response Team (CRT), which expanded significantly during the Adams' Administration, with OIG-NYPD finding an absence of written policies and procedures to guide CRT's actions and providing crucial information to the public about an NYPD unit that had not been previously available.
- NYPD's Criminal Group Database, which examined several issues, including NYPD's processes to add, remove, and maintain individuals in the database and public concerns about inclusion in the database, and an important follow-up report to assess NYPD's compliance with our recommendations.
- The relationship between NYPD overtime and negative policing outcomes, with OIG-NYPD finding that high overtime hours have a statistically significant relationship with various negative policing outcomes.

This last report is among the several mandated reports that legislation requires OIG-NYPD to produce, some annually. In addition to that triannual report, each year, OIG-NYPD is required to assess NYPD's compliance with the Public Oversight of Surveillance Technology Act, the "POST Act." OIG-NYPD is also required to produce a comprehensive annual review that discusses all of OIG-NYPD's reports since the inception of the unit in 2014, as well as the current status of each recommendation. Earlier in 2025, the Council passed legislation expanding the reporting requirements of that annual review.

The current budgeted headcount for OIG-NYPD is 13 staff with an active headcount of 10. One additional candidate has been identified and is expected to start before the end of the year, leaving two vacancies that we are actively recruiting to fill. The budgeted headcount includes one Inspector General, two Deputy Inspectors General, two Assistant Inspectors General, two Special Counsels, one Senior Policy Analyst, and five Investigative Policy Analysts. The vacancies are for one Special Counsel and one Investigative Policy Analyst.

### **Introduction 1402**

While DOI believes both that NYPD should be complying with all FOIL laws and regulations and that DOI could appropriately have a role in overseeing that compliance, DOI opposes Introduction 1402 in its current form.

The investigation and report contemplated by Introduction 1402 would be a massive undertaking for DOI that our existing resources within the OIG-NYPD and the agency at large are insufficient to support.

Specifically, Introduction 1402 would require OIG-NYPD to produce an annual report regarding NYPD FOIL requests. The report would be required to include a table with an entry for every single FOIL request received by the NYPD in the prior year, identifying the date the request was filed, the topic of the request, the date the NYPD first responded, the date on which responsive materials would be due without any extensions, the number of extensions requested by the NYPD, the date on which a decision was issued, the date of any administrative appeal, and the date of the resolution of any administrative appeal. The legislation also would require a “qualitative analysis,” the details of which is not further specified, recommendations about how the NYPD could comply with FOIL more expeditiously, and a data dictionary. The report would have to be redacted to remove any personally identifiable information.

Based on a report issued by Reinvent Albany in April 2025, it is DOI’s understanding that the NYPD received the highest volume of FOIL requests in calendar year 2024, as compared to every other City agency, with 37,537 requests received. That record has been held by the NYPD since at least 2018. DOI estimates that it would need an additional five staff members, at a cost of \$365,000 per fiscal year at today’s salaries, in order to focus on this issue and conduct such an investigation and produce the report mandated by Introduction 1402 based on the current volume of FOIL requests received by the NYPD. To the extent that the qualitative analysis contemplated by the Council includes assessing the NYPD’s handling of FOIL requests from a legal perspective, then additional resources would be required in order to hire one or more attorneys to review the FOIL requests and assist in writing the report. DOI notes that to the extent that a legal review would be required as part of the investigation and report, DOI’s ability to publicly report on the matter could be limited by the City’s attorney-client privilege.

Moreover, the legislation would represent the third annual investigation and report, and the fourth overall investigation and report, that the Council has mandated that OIG-NYPD produce. Since 2015, the number of reports issued each year by OIG-NYPD has ranged from one in 2020 to a high of five in each 2015 and 2017 when the office’s active staffing was at its peak with more than 35 staff. Every report produced by DOI is thoroughly investigated, extensively researched, seriously considered, and rigorously edited to ensure that it is based in fact, accurate and provides critical information to the public without releasing sensitive or confidential information. This is true of both investigations and reports mandated by law, as well as those that we undertake using our broad discretion authorized by the Charter. This obligation, particularly given the other mandated reports, would further limit our available resources and ability to conduct discretionary investigations and issue timely reports on critical policing issues of public interest.

### **Conclusion**

DOI is proud of the work OIG-NYPD has conducted over the past 11 years and recognizes the crucial role that the office plays in police oversight. In the past, where appropriate, DOI has addressed NYPD’s handling of FOIL requests, for example in OIG-NYPD’s April 2023 report titled “An Investigation into NYPD’s Criminal Group Database.”<sup>1</sup> We will continue to do so when it is relevant to an investigation and remain available to receive reports from the Council or the public about concerns with a particular FOIL issue or practice for potential investigation. We will also continue to strive to conduct investigations and issue reports on the topics of greatest importance to New York City so we can weigh in proactively on those issues in a timely

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<sup>1</sup> See, DOI Report, “An Investigation into NYPD’s Criminal Group Database,” April 2023, at pg. 3 and 10, finding that NYPD routinely denied FOIL requests and administrative appeals related to criminal group database-related records and recommending that NYPD create a written policy formalizing its intention, after an individualized assessment, to generally grant FOIL requests by individuals with respect to whether they are in the criminal group database, available at: <https://www.nyc.gov/assets/doi/reports/pdf/2023/16CGDRpt.Release04.18.2023.pdf>.

fashion. Maintaining the ability for OIG-NYPD to devote its staff resources to the most relevant and pressing issues is critical for DOI to meaningfully impact the public discourse about policing in New York City. DOI is happy to answer any questions that the Committee or any Council Members may have about OIG-NYPD and its work. Please reach out to DOI's Director of Intergovernmental Affairs and Special Counsel Rebecca Chasan at [rchasan@doi.nyc.gov](mailto:rchasan@doi.nyc.gov) for further information.