



**NEW YORK CITY COUNCIL
COMMITTEE ON OVERSIGHT AND INVESTIGATIONS**

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

**CONCERNING DOI'S OFFICE OF THE INSPECTOR GENERAL FOR NYPD,
INTRO BILL 1020-2024 AND RESOLUTION 0560-2024**

**WEDNESDAY, JANUARY 29, 2025
COUNCIL CHAMBERS, CITY HALL**

Good morning Chair Brewer and members of the Committee on Oversight and Investigations. My name is Jocelyn Strauber, and I have the privilege of serving as the Commissioner of the Department of Investigation ("DOI"). I appreciate this opportunity to speak with you today about DOI's Office of the Inspector General for the NYPD ("OIG-NYPD") and to provide you with an update on that unit's work. As you know, DOI oversees the operations, policies, programs, and practices of the New York City Police Department ("NYPD") through DOI's OIG-NYPD.

Today, I will discuss an overview of the work of DOI's OIG-NYPD since I last testified in April 2022, including an update on OIG-NYPD's access to NYPD records, facilities and staff; improvements to OIG-NYPD's internal workflow; and the status of OIG-NYPD staffing; and highlight some of the major reports we have issued over the past two years.

OIG-NYPD's in-depth investigations, public reports, and comprehensive recommendations seek to ensure that the Department's practices and policies are sound and effective and to provide public transparency with respect to those policies and practices. Our work thus contributes to effective policing, and seeks to thereby strengthen the relationship between the Department and the community. We have continued to pursue that work, issuing four reports in 2024, and preparing a fifth that was issued just yesterday, despite a significant decrease in staffing in the OIG-NYPD, a challenge facing all of DOI's units, and most City agencies. The unit currently has nine members, a nearly 44% decrease from the 16 members in 2023. I note that in 2023 the unit also produced four reports, so our productivity has remained consistent despite our staffing challenges.

Today I will discuss some of the efforts I have made to amplify the unit's current staffing so that it can continue to complete investigations and issue reports, a critical responsibility that Inspector General Barrett and I are determined to meet despite our reduced numbers. These efforts include devoting substantial senior executive staff time, as well as other supervisory DOI staff, to assist in the unit's substantive work, and refocusing the team on its mandate to conduct systemic investigations of NYPD's policies, procedures, and practices.

I will also provide you with DOI's perspective on two pieces of legislation sponsored by Chair Brewer that are part of today's hearing: one that includes mandates related to OIG-NYPD and another, unrelated to OIG-NYPD, directing DOI to conduct a primarily historical investigation regarding environmental toxins produced in the wake of the September 11th attacks.

DOI's OIG-NYPD

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 Department'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.

Like other DOI squads, OIG-NYPD policy and procedure investigations may be based on complaint trends, media reports, community concerns, and information provided by advocacy groups. Most of the individual complaints OIG-NYPD receives do not result in investigations because they fall outside OIG-NYPD's mandate and are therefore referred to another agency. For example, complaints relating to an individual's interaction with a police officer or officers would typically be referred to the Civilian Complaint Review Board ("CCRB"), although as I noted, OIG-NYPD retains information about all complaints received in order to assess complaint trends, which could lead to a systemic investigation. Overall the percentage of complaints to OIG-NYPD that result in investigations are roughly consistent with DOI's overall figures.

Since its inception, OIG-NYPD has issued 35 reports and 263 recommendations, with nine reports issued since the beginning of calendar year 2023 and 61 related recommendations.

It is my responsibility as DOI Commissioner to ensure that OIG-NYPD effectively carries out its mandate. In 2022, I shared concerns with this committee about issues facing OIG-NYPD, specifically its diminished staff; challenges accessing NYPD records, facilities, and staff; and the need to develop an effective, streamlined process to produce comprehensive reports. I am pleased to update you on these issues:

Access to NYPD Records, Facilities, and Staff

OIG-NYPD cannot do its job without meaningful and timely access to NYPD records, data, facilities, and staff. Early in my tenure there were challenges in this area. But for over two years, communication between OIG-NYPD and NYPD and production of information and records have markedly improved. The OIG-NYPD continues to have bi-weekly meetings with NYPD to discuss outstanding requests. NYPD recently has further streamlined its process to respond to those requests by assigning each request to an attorney responsible for quickly identifying and locating responsive information within NYPD and to jumpstart internal discussions to obtain the information. OIG-NYPD has also implemented an escalation process to ensure that delays in production are promptly raised to senior levels at both DOI and NYPD. On the rare occasion where OIG-NYPD cannot obtain relevant records, OIG-NYPD can document these instances in its public reports. For example, in its December 2024 report on drones, OIG-NYPD noted that it could not conduct a complete assessment of NYPD's compliance with the policy governing drone operations because we did not receive complete records concerning all deployments. However, this one issue did not prevent OIG-NYPD from issuing a comprehensive report concerning other aspects of the drone program, with six findings and ten recommendations.

Refocusing OIG-NYPD on its Mandate and Related Supportive Efforts

OIG-NYPD has experienced significant attrition over the past year. It currently has a staff of nine, including the Inspector General. To bolster the unit's capacity, I have taken several significant steps, tapping senior DOI staff to support OIG-NYPD's work in key ways that allow OIG-NYPD to focus on its critical mandate to examine systemic policy and procedure issues within the Department. To that end, as I mentioned earlier, I have assigned investigations involving individual NYPD personnel, or potential criminal matters, to other Inspector General units within DOI that can better serve as leads on these types of investigations and can collaborate with OIG-NYPD when necessary. And on occasion, where appropriate, other Squads can conduct investigations involving NYPD policy and procedure, such as our Local Law 6 report that was issued last March or the recent follow-up report on NYPD's policies and practices governing security details for elected officials.

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. To assist in this effort, I have assigned senior DOI staff to help in the report writing, freeing OIG-NYPD staff to focus on their investigative work. These efforts have provided essential support to the OIG-NYPD team and led to results: OIG-NYPD issued four reports in 2023 and four reports in 2024 and, yesterday, issued its first report of 2025. Each of these reports include important recommendations that seek to strengthen NYPD policies and to bring public transparency to the Department's practices.

Over the past two years, the team tackled critical topics and issued reports including:

- NYPD's social media use policy, 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 has expanded significantly in the past two years, 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, examining a number of issues, including NYPD's processes to add, remove, and maintain individuals in the database and public concerns about inclusion in the database, and providing the basis for an important follow-up report to assess NYPD's compliance with our recommendations.
- The relationship between NYPD overtime and negative policing outcomes, finding that overtime has a statistically significant relationship with a number of negative policing outcomes.

This last report is among the several mandated reports that legislation requires OIG-NYPD to produce, some annually. Each year, OIG-NYPD is required to assess NYPD's compliance with the Public Oversight of Surveillance Technology Act, the "POST Act," and also to produce an annual comprehensive 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. The March 2024 annual report discussed 20 investigative reports, one statement of findings, and the status of 233 recommendations issued over OIG-NYPD's ten years.

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.

We are making progress, but we want to do more so that we can weigh in proactively on the issues of greatest impact to our community in a timely fashion. This is a challenge given that thorough investigations take time and resources. But this is a goal we are already striving to meet. As a follow up to its report on CRT, OIG-NYPD will be conducting an examination of critical issues related to CRT, including the disciplinary history of its officers, the impact of CRT's work on the communities they police, through an examination of available data. And, as I just mentioned, OIG-NYPD is also working on a follow-up report to the Criminal Group Database that will be issued in the first half of this year, focused on NYPD's review process for the activation of individuals in the database, as well as the implementation of certain recommendations accepted by NYPD.

Working with Partner Police Oversight Agencies

OIG-NYPD has established valuable working relationships with the City's other police oversight agencies, including the CCRB, NYPD's Internal Affairs Bureau ("IAB"), and the Office of the Community Liaison associated with the Federal Monitor.

Over the past two years, OIG-NYPD has met regularly with the Office of the Community Liaison and, as necessary, with the Federal Monitor. Additionally, OIG-NYPD and CCRB have participated in two community forums hosted by the Office of the Community Liaison and focused on police accountability in Brooklyn and the Bronx, an effort that is ongoing and provides a way for us to educate the public about police accountability and to connect with community members so they know who to contact when they do have a complaint.

In addition, OIG-NYPD has worked to strengthen its relationship with IAB, through attending training led by IAB and also presenting at these same trainings to educate participants about OIG-NYPD and its mission.

OIG-NYPD also meets with community policing advocates, including the Brennan Center, the New York Civil Liberties Union, and the Surveillance Technology Oversight Project ("S.T.O.P"), among others, to better understand the issues and concerns of their constituents. These meetings have prompted investigations, including our assessment of the policies and procedures governing the Department's CRT.

OIG-NYPD has an Outreach Director who is dedicated to connecting with the community at large through in-person and virtual events. Over the past two years, the Outreach Director has attended more than 200 such events at various venues, including community events, libraries, universities, and the New York City Housing Authority. While these outreach efforts do not tend to generate leads for investigations, they are important efforts to connect with New Yorkers directly.

These outreach efforts and relationships that OIG-NYPD has with both government and community entities are integral to staying up to date on the issues affecting police accountability in New York City and in forming a local resource network in the police oversight arena.

Oversight Mandated by the George Floyd Protest Settlement

DOI has a mandated oversight role in the settlement agreement related to NYPD policing of protests in the wake of the police killing of George Floyd. As part of Phase II of the settlement, DOI has a primary role of reviewing 12 First Amendment Activities to be selected by a Collaborative Review Committee, which the DOI Commissioner will chair. DOI will conduct its review at specified intervals during a 36-month time period, which will include determining NYPD's compliance with settlement terms, reporting findings, and issuing recommendations.

To that end, DOI received funding for five additional staff to form a new Protest Settlement Monitoring Unit, consisting of an Inspector General, two Special Counsels, and two investigators. Those staff have been hired and will join the agency in March. Due to the discrete and time-sensitive nature of their work, they are a separate unit from OIG-NYPD, and will operate with guidance and input from the Inspector General for the OIG-NYPD as well as DOI's executive staff.

Pending Legislation

Intro 1020-2024

This proposed Local Law has several elements to it.

First, it would amend the City Charter to require the DOI Commissioner to fill a vacancy in the position of the Inspector General for OIG-NYPD within 90 days. While this timeframe mirrors the deadline set in the City Charter for the hiring of the first Inspector General for this Unit in 2014, it is not realistic in today's hiring environment. DOI supports the expedient hiring for all its open positions, including the Inspector General for OIG-NYPD. However, a 90-day timeframe is not realistic in light of the challenges we have had — and continue to have — in hiring new staff. That short timeframe presumes no delays or obstacles arising in the interview or background process, or in the onboarding of candidates. It would also take full budgetary support to ensure that a competitive salary was available for the position.

This proposed law would also require DOI to publicly report the following information related to OIG-NYPD:

- The subject matter of any investigation related to NYPD that has been open for more than three years;
- Descriptions of the incidents when the NYPD restricted or significantly delayed access to any information that OIG-NYPD required, or if NYPD interfered with the OIG-NYPD's duties; and
- The number of investigations related to NYPD that were closed without issuing a report during the preceding calendar year.

DOI certainly supports as much transparency around the work that we do, as long as it will not interfere or compromise our investigations. We can readily identify the number of investigations open for more than three years, and I am pleased to note that due to the Office's effort to complete and close older matters, we currently have no such investigations. However, for the most part, consistent with our practice, we will not be able to identify the subject matter of these investigations.

Similarly, DOI could share instances of interference with our investigations — though I note that there have been no such instances during my tenure. However, we may not be able to share details of our requests to NYPD because doing so would reveal the subject matter of the investigations. We are also able to share the number of investigations closed without issuing a report during the preceding calendar year — and during the past calendar year there were none — but we likely will not be able to identify the subject matter of those investigations.

I also note that additional reporting takes time away from our systemic investigations. With a limited staff, and despite the relatively straightforward nature of the proposed reporting obligation, this may not be the best use of our resources.

Resolution 0560-2024

This Resolution calls on DOI to conduct an investigation to ascertain what mayoral administrations knew about environmental toxins produced by the September 11th terrorist attacks and to submit a report to the City Council.

The health and safety of New Yorkers is paramount and DOI understands that the goal of this resolution is to provide critical answers to lingering questions about the information that was available to New York City government, historically, about risks to health and safety arising from the 9/11 attacks. This type of investigation would require an analysis of materials dating back two decades, and therefore would call for a deep dive into archived material to ascertain the existence and content of relevant records. Individuals who worked in prior administrations would also need to be identified, located, and interviewed. In addition to a substantial investigative staff, a full understanding of the relevant records and witness interviews likely would require environmental experts, medical experts, and possibly others with specialized skills.

Given the volume and scope of such an investigation, DOI simply cannot undertake it with its current staffing, which as you know is already stretched in so many ways. To conduct such an investigation, DOI would need funding to hire a team of investigators, attorneys, and the experts I just mentioned, as well as an Inspector General.

Thank you for your time and I am happy to take any questions you may have.