



The City of New York
Department of Investigation

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**DOI Commissioner Mark G. Peters
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"A Matter of Integrity: The Essential Role of Independent Government Oversight"

We may call ourselves by different names – inspectors general, integrity monitors, investigators – but our goal is the same: expose the facts, root out the wrong, and hold accountable those who use their government access for self-profit.

This role is challenging, especially in these highly charged times, where rhetoric and tweets are passed off as truths, and the concept of a neutral, impartial fact – especially when it does not track an individual agenda – can be derided as "fake" or an "alternate" view.

But facts, as John Adams observed, are "stubborn things". Facts are a cornerstone of integrity; they set the record straight; they persist. Facts don't lie.

Facts are also the foundation of the work each of us does. Our duty to the public is unequivocal: find and document the facts.

This work matters now more than ever. Distrust of government, distrust of established facts, has reached new and disturbing levels in this country. And that distrust saps government's very ability to command the respect and resources necessary to *build*, to *regulate* and to *protect*.

Eighty years ago, President Franklin Delano Roosevelt revolutionized the role of government: *building* schools and roads on an unprecedented scale, *regulating* finance and *protecting* the poorest among us. And as he reviewed the first four years of the New Deal in his Second Inaugural address, he explained that this new vision of government required that it "obtain the justified support" of the people governed.

"Justified support." That phrase should be hung on a sign over the entryway of every municipal building in the country. With "justified support" government has done great things: In the 1930's it brought electricity to millions in the Tennessee Valley; in the 1940's it won a world war and re-built Europe; in the 1960's it put a man on the moon.

So, how do we protect, how do we nurture the people's "justified support" going forward? How do we combat the deep distrust that threatens it? President Roosevelt, again in his Second Inaugural speech, argued that the government could "obtain justified support" when "the people receive true information of all that government does."

“True information.” Transparency. The facts. I believe that advice is as good now as it was in 1937. And that “transparency,” is our obligation. Democracy cannot function without it.

DOI’s nearly 144-year history speaks to an unwavering dedication to seek the truth and to present a clear and unimpeachable accounting of the facts. Today, we embody that legacy by attacking corruption, fraud, waste, abuse and incompetence by conducting comprehensive investigations that expose and stop criminal conduct; that result in preventive internal controls and lead to operational reforms that improve the way the City runs. All by staying focused on presenting the facts.

Our historic oversight of this City allows DOI a unique vantage point, where we can truly shape strategy for the individual problems we uncover, where we can demonstrate why and how **integrity matters**, all by providing “true information of all that government does”.

Here are a few ways in which we are doing that:

The City Department of Correction

In the late winter of 2014, our City’s jail system was reaching a boiling point. Inmates were dying, violence was out of control, and contraband smuggling flourished, seemingly unchecked. DOI had long been rooting out corrupt correction officers, and doing a terrific job of putting them in jail.

But the troubles within the City’s main jail complex on Rikers were escalating and capturing regular headlines – one more troubling than the next: “Rikers: Where Mental Illness Meets Brutality in Jail,” another “Rikers Island violence rises — nearly 20 inmates attacked in one month,” and a New York Times editorial summarizes it best: “A ‘Culture of Violence’ at Rikers Island.”

The problem was out of control and DOI had to pull together all the facts so that a new strategy could respond to this crime wave. We focused on the fundamentals: conducting investigations, making arrests, and issuing reports that demonstrated where the City’s Correction Department needed to target its efforts.

- We brought attention to the necessity of strengthening security at DOC’s staff entrances after conducting an undercover operation that showed how easy it was to bring in contraband. We gave an undercover investigator a slew of contraband concealed on him, including a razor blade, a bottle containing vodka, 250 glassine envelopes of heroin, and half a pound of marijuana. He cleared security six out of six times. What we discovered is that between courier fees and resale value, corrupt correction officers stood to make thousands of dollars with these types of trips. Our work led to the introduction of drug-sniffing dogs at staff entrances and a heightened understanding of why screening is so important. More work remains.
- DOI investigators uncovered a flawed system in which more than a third of officers were hired despite numerous red flags for corruption and safety, such as multiple prior arrests and convictions, prior associations with gang members, or relationships with inmates. Equally troubling, the Correction Department’s unit responsible for screening potential recruits, relied on antiquated and haphazardly filed paper personnel documents and had little to no access to software necessary to perform basic background and credit checks. DOI issued a series of recommendations for the agency to strengthen its protocols, because you cannot change a problematic culture without hiring people of integrity. This remains a serious concern that we continue to investigate.
- During the past three years, DOI has arrested 39 DOC staff on an array of criminal charges, including promoting prison contraband, assault and sexual assault.
- Most recently, we uncovered serious lapses by high-level DOC executives, including the Commissioner.

Our investigations have led to a better understanding of what is instigating the problems. Right now, elected officials are discussing closing down Rikers Island in the next decade. Our role as inspectors general is to present the facts for policy makers to use. Regardless of whether Rikers is shuttered, the issues we have found – poor screening for contraband, flawed and deficient hiring and promotion standards and failure to follow the rules at the highest level – are problems that are not resolved by closing Rikers alone. Additional change will be required. Needless to say, our work in this area is not done.

The Administration for Children's Services

When I was young lawyer, I worked for a nonprofit called Children's Rights, Inc., a national organization that uses the law to protect thousands of abused and neglected children, where I saw firsthand dire examples of children in need of protection. It has always been an issue very close to my heart.

Long before I came to DOI, the agency had an active history in overseeing the City Administration for Children's Services, or ACS, conducting a lengthy investigation in 2007 and another in 2011, which both revealed a broken system of investigating child abuse cases, shining a light on the deficiencies in protecting children in imminent danger.

It was not long before a series of child deaths and near deaths occurred early in my tenure as DOI Commissioner and we realized that still more needed to be done:

- One child was severely malnourished and sustained a life-threatening injury during an improperly conducted ACS investigation.
- Another child died suspiciously after years of ACS intervention and repeated earlier ACS findings that the child was neglected.
- A third child was beaten to death after years of ACS intervention and after an ACS provider agency returned the child to a dangerous home.

We all had seen this tragic pattern before and wanted to ensure that reforms would be made. We took the first step and that first step is an important one, publicly outlining our findings and the problem. DOI investigators looked at these cases and found serious deficiencies, including failing to properly investigate allegations of child abuse and neglect and protect children's safety and well-being while the family is involved with ACS.

Simply put, ACS was failing in its mission.

This conclusion was never more evident than when ACS received an anonymous child abuse complaint late last year and, over a two-day period, failed to locate an obtainable address – an address already in the City's own databases – for the three-year old child who was in imminent danger. Ultimately, ACS located the address for the child just hours before he was found beaten into a coma. ACS didn't get to the home in time. The child later died.

DOI investigators worked hard to get at the data and get to the ACS workers who handled the case, so we could best understand where the breakdowns happened. It was a challenge, particularly after DOI found concerns with staff performance, concerns originally dismissed by ACS, concerns ACS only took seriously once our fact finding was made public, once the public had "true information."

What DOI found in its investigation was both stark and disturbing, cutting to the heart of ACS's core mission of protecting children and implicating, high-level systemic problems.

We felt it was essential to have public accountability on this significant case. It was about getting out the facts, outlining what needed to change, and demonstrating government's failure in protecting this child.

A new commissioner has been appointed at ACS since the release of those findings. He appears to be taking these findings quite seriously, and we look forward to working with him. We remain vigilant.

Construction-Related Fraud

There is a powerful connection between integrity and fraud, one that DOI has seen play out in its investigations where contractors file false information with the City, or refuse to pay workers their legal wage, or hire unpermitted professionals to do a job. These acts are not just ethical lapses, but often compromise safety.

These cases run the gamut: We have arrested contractors who turned a deaf ear to numerous safety warnings, resulting in fatal trench and wall collapses and workers' deaths. We have arrested licensed professionals who evaded the rules and allowed their licenses to be used to certify work they would never see, leading to catastrophic consequences such as a fatal gas explosion. We have arrested bosses in Harlem who have falsified payroll records and stolen their workers' wages.

While the scenarios may be different, the implication is the same – these cases undercut safety and endanger the public.

This is an area where DOI has worked on multiple platforms, attacking wrongdoing criminally and administratively, and developing innovative ideas that attempt to change some of the basic problems we see.

For instance, when these worker fatalities occur, getting there early with the right team of people is crucial. To address that need, DOI worked with prosecutors to form a Construction Fraud Task Force that jumps on these cases immediately, looking to see where integrity has been breached, whether any of it rises to a crime, and identifying safety gaps that can be remedied.

We have reached out to workers, establishing a give-back program with the Manhattan District Attorney where workers can turn in fraudulent safety training cards and receive training and a proper safety card. This serves an important purpose, getting the fraudulent cards off the streets and ensuring that workers are adequately trained on safety. So far, through this effort, I am pleased to report that we have trained more than 1,400 workers who now have legitimate cards.

We know our efforts are making an impact: Last year, a case we investigated resulted in a landmark manslaughter conviction of a general contractor who ignored repeated safety warnings. This outcome sends a powerful message that when deaths happen, they will be investigated and if wrongdoing is found, people and companies will be held accountable.

To sum up: as the City's independent Inspector General, DOI's jurisdiction is broad and our impact is equally wide. Our effectiveness rests in our ability to see the systemic problems across agencies and how it impacts the City as a whole.

Throughout, DOI's strength in our long history, our commitment – like each of us in this room – is to go where the facts lead us; without fear, without favor.

Fiorella LaGuardia, one of New York City's greatest mayors, understood the significance integrity has on good governance. In the 1930s he successfully fought the grip of Tammany Hall, a cadre of insiders in New York City who manipulated politics during the 19th and early 20th centuries. He instilled reform and independence into the governance of this City.

It is reported, that among the first words LaGuardia said after being sworn in as Mayor were these: "To the victor belongs the responsibility of good government."

LaGuardia took those words to heart, and so should we. Each of us is a part of that powerful responsibility. We must be a steady force, undeterred by politics, guided only by the facts.

The facts can overcome a din of rhetoric; they endure. In our roles, it is our job to safeguard the facts, to ensure that they see the light of day, to hold our officials accountable to them. Facts are stubborn things; and we must be stubborn in our commitment to them.

We are the guardians of FDR's "true information" that allows government to maintain "justified support."

Because, integrity really does matter.

Thank you.

Criminal complaints and indictments are accusations. Defendants are presumed innocent until proven guilty.

DOI is one of the oldest law-enforcement agencies in the country and New York City's corruption watchdog. Investigations may involve any agency, officer, elected official or employee of the City, as well as those who do business with or receive benefits from the City. DOI's strategy attacks corruption comprehensively through systemic investigations that lead to high-impact arrests, preventive internal controls and operational reforms that improve the way the City runs.

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