



The City of New York
Department of Investigation

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**KEYNOTE REMARKS FOR DOI COMMISSIONER MARGARET GARNETT
CITYWIDE SEMINAR ON ETHICS IN GOVERNMENT
NEW YORK LAW SCHOOL**

It's an honor to be with you all today to kick off the 25th Citywide Seminar on Ethics in New York City Government. As the Commissioner of DOI, I'm particularly happy to open an event co-sponsored by the Conflicts of Interest Board, which is one of our primary partners in fighting corruption and providing oversight of New York City Government. Thank you, Dean Crowell, for hosting us at New York Law School, and for all you are doing here to forge the next generation of lawyers with a particular connection to the City and to City government service.

I want to talk today about ethical leadership, and share some thoughts with you about how you create an ethical institutional culture in your agencies or organizations. Whether or not you are in a leadership role by title, I think all of you who are lawyers or compliance professionals can play an important role in providing ethical leadership and promoting an institutional culture that takes ethics seriously. We are living in a difficult time for ethics in government, but I continue to believe deeply in the value and dignity of public service, with fidelity to the truth, and to the public interest above personal advantage, at its core.

I want to talk today about three related concepts in ethical leadership and a strong ethical culture – I'll shorthand them as, first, the freedom to correct wrongs; second, building a community of conviction; and, third, your obligation to be a credit.

So, I've been the commissioner of DOI for almost six months now, and even though I've been in significant leadership roles before, I'm finding it quite different to be the head of an organization. And that difference was really illustrated for me by an experience I had relatively early in my tenure. There is an office at DOI that is responsible for our statistics and is run by two women who I'll call Donna and Alice. I met both of them in my first few weeks as Commissioner, but I don't interact with them regularly. Early this year, I had a meeting to help prepare me to answer questions at the City Council about DOI's statistics from the previous year. Members of my senior staff were at this meeting, and of course one of the women from this statistics office, whom I proceeded to refer to as "Donna" probably dozens of times over the course of a 90-minute meeting. Now, that was not Donna at the meeting. It was Alice. In my defense, we have about 600 employees at DOI. But the point of this story is not that I am bad at remembering people's names. The point is that **NO ONE CORRECTED ME**. I called Alice "Donna" again and again, and **NO ONE SAID ANYTHING**, not even Alice! After the meeting was over and the group was dispersing, one of my senior staff quietly mentioned to me that the woman who'd been briefing me at the meeting was actually Alice, and not Donna. When I asked why no one had said anything, I got various answers like they didn't want to embarrass me, or that it would be disrespectful to correct the Commissioner, or that they tried to subtly signal but I didn't notice, and so on. In the end this was a minor lapse, I was mortified and apologized to Alice later. But this experience was an incredible lightbulb moment for me --- a glaring reminder that people would defer to me even when I was obviously wrong, and

more

obviously wrong about an objective fact. And that this scenario could easily repeat itself on something much more consequential.

What I took from it is that I could not necessarily take for granted that people will speak up, on matters both large and small, and also that I would have to be careful not to become comfortable with this level of deference. I realized that I would have to take affirmative steps to make sure that I was consciously creating and modeling a culture where it is not only okay to be wrong, but okay – even encouraged – to disagree, to challenge, to raise concerns and issues, even those that might go against the initial instincts of people in power. We can all think of examples of catastrophic ethical failures at organizations – whether Enron, or Harvey Weinstein, or clergy abuse in the Catholic Church. It is common in the aftermath of these scandals for people to ask, how could people not have known? How is it that no one spoke up or objected? And I think part of the answer lies in a defective culture in which it was understood that authority could not be questioned.

There is a quote from Judge Learned Hand that I love – “the true spirit of liberty is the spirit that is not too sure that it is right.” The lesson for ethical leadership is to make sure you are keeping a corner of your own heart that is not too sure that it is right. That you are creating, modeling, and encouraging a culture in which your people feel free to raise concerns, to disagree, to speak freely. That you are actively and visibly rejecting a culture of “yes men” (or women), even when it feels good or is easier to manage in the moment.

Encouraging a culture of correcting wrongs, or, rather, shared responsibility for doing right, doesn't mean that you as a leader are indecisive, or that your people are disrespectful of your authority. Of course someone has to make decisions, and part of leadership is making those decisions and taking responsibility for them. What I am talking about is a culture that is truth-centered, where you make decisions based on the best input from your people, which I think depends fundamentally on everyone in your organization understanding that they have the freedom to correct.

Empowering everyone in your organization with the freedom to correct wrongs, and the freedom to speak up, is also about creating a sense of shared responsibility for ethical conduct and ethical culture. Which leads me to my second touchstone for ethical leadership – build a community of conviction. Many years ago I worked with a woman named Kaye Ashe, who was the head of a community of Dominican religious sisters. Kaye was a visionary leader, who lifted up everyone around her and made them better. Her farewell speech when she stepped down as prioress was so memorable that a portion of it was made into cards, and I have kept my card in a drawer of my desk at every job I've had since then. It reads, “The search—for self, for wisdom, for love, for truth, for justice, for God—is strenuous and unending. We need good companions in order to persevere in it. In good company, in a community of conviction, the quest never loses its relevance, its urgency, or its savor.”

The people who make up your organization are going to be at the heart of your ability to create a culture that values ethics, truth-telling, and serving the public interest above personal advantage. Your role in that as a leader is to both value your colleagues and choose colleagues with values. Part of making people feel valued relates back to my first point – making sure people know their opinions matter and they have the freedom to speak up. But it is also important to “choose colleagues with values” --- to place weight on values and ethics when you are hiring and promoting. Many ethical questions are HARD, without obvious answers. It will not always be easy to know what is the right thing, what is just, what is fair – even when you are deeply committed to doing only what is right, fair, and just. Engaging in a deep way with hard questions requires that you have people around you who are “good companions”, to use Kaye Ashe's term --- people who are also committed to arriving at decisions that are right, fair, and just; people who will speak up and give you frank advice; people in whose own ethical compass you have confidence.

Once you get into management and have a role in hiring and promotion decisions, there is often a lot of talk about skillsets and competencies and other corporate buzzwords about human capital. Equally important for successful, ethical leadership is working to build a community of conviction, to surround yourself with people who are committed to these values and then conveying to them that we are all in this together. Ultimately, ethical leadership is not about putting yourself forward, it is about bringing your people IN – putting yourself in the background and creating a sense of collective responsibility for what happens here. In a funny twist, putting yourself in the background requires being proactive --- affirmatively saying to people in your organization that you want their honest input and feedback, and then showing that you mean it by engaging with dissenting views

and modeling a collective journey to a decision that reflects that considered advice. Building this community of conviction is particularly important in law enforcement – when you have such tremendous power over other people’s lives, you have to work extra hard to be careful, to be thoughtful, to be fair. You need everyone’s best judgment and advice for those decisions.

So when you’ve got the right people around you, and you’ve succeeded in building a sense of community with them, how do you then work to ensure you are building an ethical culture that will endure and continue on after the specific people that you have hired and promoted are gone? For my third point, I’m going to rely on grandmotherly wisdom.

My grandmother was larger than life, and an incredible role model and mentor to her seven children and 19 grandchildren. And she had an oft-repeated phrase that sent all of us off to school, to camp, to college, on dates, on pretty much every life event, no matter how major or minor: be a credit. To this day I can hear her voice in my head saying “be a credit” when I’m about to embark on a new venture, or feeling nervous about something. Now, you may be asking yourself what the heck that means, “be a credit.” And I can tell you that it was so ingrained in my family that I don’t think anyone ever asked, or thought to ask, my grandmother what exactly it meant.

But over the course of my life, I’ve come to think of it as having two important, and related, meanings -- first, be a good steward of the legacy you inherit, and, second, try to add more than you subtract. So how can you put those two principles into practice in building a strong ethical culture in your organization? I feel incredibly fortunate to have “grown up” professionally as a prosecutor in the Southern District of New York – a place that I think has a tremendously strong and enduring ethical culture. And since I left that office I’ve had a lot of opportunity to reflect on what it is about that place that makes it so good at maintaining and perpetuating a culture of doing the right thing, in the right way, for the right reasons, every day. And here’s part of it: when you are a new and inexperienced AUSA, you get told, repeatedly, that when you walk across the street to the federal courthouse, you are going to benefit from a credibility and an assumption of good faith that you did not earn for yourself. Other people, the generations of Southern District AUSAs who came before you, earned that reputation for you, and you are going to be the beneficiary of it. Whatever you achieve, you are standing on their shoulders to do it. And what is drilled into you is not only that you should accept that benefit with some humility, but that you are also a steward of that legacy – that you, in turn, have an obligation to not blow it for the generations of the AUSAs who will come after you and who will need that mantle of institutional credibility just as much as you did. Ethical leaders foster a culture that makes people feel responsible for maintaining the ethical reputation and credibility of your organization – a culture in which everyone feels they are caretakers with a duty to build, maintain, and then pass on this legacy.

I feel a particular obligation to be a credit to the long and storied history of DOI — one of the oldest law enforcement agencies in the country, with a 145-year history of fighting government corruption. We have such an honorable and important mission — to hold public officials accountable, to ensure public money is spent lawfully and not wasted, to push city agencies to work better for the people they serve, and to build faith in honest government. But that mission carries with it special burdens, to ensure that we ourselves are above reproach, and that we are holding ourselves to the high standards we expect of our fellow agencies and employees in City government. I hope I’m putting the principles I’ve talked about today into practice at DOI: to cultivate a spirit that is not too sure that it is right, to build a community of conviction, and to add more than I subtract to the legacy of this great agency. I love the work I do, and I feel so grateful to be entrusted with it --- for me, the quest for truth and for justice has definitely not lost its relevance, its urgency, or its savor. I wish the same for all of you. Thank you again for having me, Carolyn and Dean Crowell.

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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