



The City of New York
Department of Investigation

MARGARET GARNETT
COMMISSIONER

180 MAIDEN LANE
NEW YORK, NY 10038
212-825-5900

June 1, 2020

Hon. Corey Johnson
Speaker
The Council of the New York City
New York, NY 10007

Hon. Ritchie Torres
Chair, Committee on Oversight and Investigations
New York City Council
250 Broadway, Room 1759
New York, NY 10007

Re: Investigation of the NYPD's Response to Recent Protests

Dear Speaker Johnson and Councilmember Torres:

I am in receipt of your letter dated May 31, 2020.

I agree that this investigation – and any investigation undertaken by the Department of Investigation – must be independent, fair, and thorough. And I assure you that I will exercise my independent and professional judgment to ensure that this investigation meets those expectations. That was my commitment to you at the time of my confirmation, and I remain committed to those values and grateful for the trust that you and the Council placed in me, then and now. Over the last 18 months, I have never allowed political interference, from any quarter, to affect the Department's work and I have no intention of abandoning that core principle.

As it relates to the Corporation Counsel, it is my independent and professional judgment that the best way to conduct this investigation expeditiously, and get New Yorkers the answers they deserve, is to welcome his partnership rather than exclude him. Mr. Johnson's experience and background in both law enforcement and in civil rights and police reform issues are an invaluable asset to the larger project. I am confident in my ability to ensure the independence of this investigation, for these reasons, among others:

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- The Department of Investigation will maintain independent and final control of any fact-finding related to incidents between police and protestors as part of this review.
- The facts as found by the Department of Investigation will be made public, without influence from either the Mayor or the Council.
- Corporation Counsel Jim Johnson has recused himself from any litigation or other legal matters involving the NYPD or individual police officers arising out of these protests, and has put in place other ethical “walls” to ensure there is no conflict between the Law Department’s defense of protest-related litigation and Mr. Johnson’s role in this review.

I will be leading this investigation personally, and will draw on the resources and expertise of my entire Department, including personnel assigned to the Office of the Inspector General for the NYPD.

Sincerely,

A handwritten signature in black ink, appearing to read 'Margaret Garnett', written in a cursive style.

Margaret Garnett

cc. Jim Johnson, Corporation Counsel



THE COUNCIL OF
THE CITY OF NEW YORK

CITY HALL

NEW YORK, NY 10007

COREY JOHNSON
SPEAKER

TELEPHONE
(212) 788-7210

May 31, 2020

Hon. Margaret Garnett
Commissioner
New York City Department of Investigation
180 Maiden Lane
New York, NY 10038

Dear Commissioner Garnett:

Pursuant to section 803 of the New York City Charter, as Speaker of the New York City Council and Chair of the New York City Council's Committee on Oversight and Investigations, respectively, we are hereby directing the Department of Investigation (DOI) to immediately undertake an investigation into the mishandling of protests that emerged in the wake of George Floyd's murder and the general policies and practices of the New York City Police Department (NYPD) relating to mass demonstrations.

Witnesses and reporters describe, and in several cases videos show, alarming instances of misconduct by the NYPD during these protests. These instances include the use of pepper spray against two State elected officials (Senator Zellnor Myrie and Assembly Member Diana Richardson), two NYPD vehicles ramming a group of people, a police officer forcefully shoving a woman to the ground, and a police officer removing the mask of a man with his hands in the air to pepper spray him.

Any investigation by the City should be conducted independently, not in coordination with or under the supervision of the Corporation Counsel or any other office or agency directly controlled by the Mayor. The public must have confidence in our response. That will not happen unless we ensure that there is no possibility of political interference. This can be done by requiring that the investigation is led by the Office of the Inspector General for the NYPD (OIG-NYPD), which was established by the Council for the express purpose of independently investigating, reviewing, studying, auditing, and making recommendations relating to the operations, policies, programs, and practices of the NYPD.

DOI's investigation should in no way interfere with the investigation currently being conducted by the New York State Attorney General. The Department should cooperate fully with the Attorney General and provide whatever assistance her office may request. In addition, any finding by DOI related to criminal conduct should be referred to the appropriate prosecuting attorney.

Sincerely,

COREY JOHNSON
Speaker

RITCHIE TORRES
Chair, Committee on Oversight &
Investigations

cc: Philip K. Eure, Inspector General for the NYPD