



The City of New York
Department of Investigation

MARK G. PETERS
COMMISSIONER


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MEMORANDUM

Date: May 24, 2018

To: Ganesh Ramratan, Deputy Commissioner for Operations
Mark McGuigan, Executive Director of Facilities
Inspector Raymond Festino, Commander, DOI NYPD Squad

cc: Sadie Boursiquot, Associate Commissioner
Andrew Brunsten, Associate Commissioner
Paul Cronin, Associate Commissioner
James Flaherty, Associate Commissioner
John Carroll, Deputy General Counsel
Chantal Senatus, Deputy General Counsel
Christopher Tellet, Assistant General Counsel

From: Michael B. Siller, Deputy Commissioner and General Counsel 

Re: Guidance for DOI Implementation of Local Law 246 of 2017

Local Law 246 of 2017 limits access to non-public DOI areas by non-local law enforcement personnel. The purpose of this memorandum is to provide guidance for DOI facility reception and other personnel who may encounter non-City law enforcement personnel and to advise you as to signage to post in reception areas where non-DOI affiliated individuals enter DOI facilities. This memorandum is based on guidance provided by the Office of the New York City Corporation Counsel.

Signage

DOI should post signage in DOI reception/elevator areas stating that: (1) all visitors to DOI must check in with the receptionist on the 17th floor; (2) only persons with business with DOI and those accompanying them may enter and remain in

waiting rooms, lobbies or other open areas; and (3) visitors may not enter DOI office areas unless authorized, and accompanied or invited by a staff member.

Guidance for Receptionists and Others Who Are Responsible for Public Visitors, Including Law Enforcement

When receptionists or other agency staff are approached by non-local law enforcement personnel (referred to below as “officers”) seeking admittance to DOI facilities, they should:

1. Direct the officer(s) to the 17th Floor reception area. Reception area staff should then ask such officers which DOI staff they are here to see specifically and notify such staff. DOI staff will escort such officer(s) who have business with DOI staff into DOI office areas.

If a visiting officer refuses to go to the 17th Floor reception area or, having reported to the 17th Floor reception area, is denied admission into DOI offices by reception area staff and insists on being admitted, the Commander of the DOI NYPD Squad, the DOI General Counsel and the Facilities Director should be notified.¹ DOI staff should not attempt to physically bar the officer’s entry if the officer insists on attempting to enter DOI facilities.

2. If a visiting officer is not here to see a specific DOI employee, the receptionist or other DOI staff should: (a) obtain the officer’s identification (name and badge/ID) and business card(s); (b) determine the purpose of the visit; (c) ask for any relevant documentation (e.g., subpoena, warrant, accompanying affidavits, other documents); and (d) notify the General Counsel or a member of the General Counsel staff and the Director of Facilities.
 - a. The officer should be asked to wait in the reception area while the receptionist receives instructions from the General Counsel’s office.
 - b. If the officer(s) objects, the receptionist should provide the officer(s) with the name and telephone number of the General Counsel and ask them to communicate directly with the General Counsel or a member of the General Counsel staff.
 - c. The General Counsel or a member of the General Counsel staff will review all documentation provided by the officer(s) and make a determination about whether access is required by law, or otherwise permitted by § 4-210.

¹ Throughout this policy, to the extent anyone to whom a required notification must be made, or from whom instructions or authorization must be sought, is not available, notification shall be made to, or instructions or authorization shall be sought from an Associate Commissioner in the Investigations Division.

- d. The receptionist should not consent to the officer(s)' entry without first obtaining authorization to consent from the General Counsel's office.
3. If further guidance is necessary in light of the particular circumstances, the General Counsel will consult with the Law Department.