



**NEW YORK CITY COUNCIL  
COMMITTEE ON OVERSIGHT AND INVESTIGATIONS  
JOINTLY WITH THE COMMITTEE ON PUBLIC SAFETY**

**TESTIMONY OF JOCELYN E. STRAUBER  
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**CONCERNING DOI'S OFFICE OF THE INSPECTOR GENERAL FOR NYPD**

**MONDAY, APRIL 11, 2022  
COUNCIL CHAMBERS**

Good morning Chair Brewer and members of the Committee on Oversight and Investigations, and Chair Hanks and members of the Committee on Public Safety. My name is Jocelyn Strauber and I am the Commissioner of the New York City Department of Investigation ("DOI"). I appreciate the opportunity to speak with you today about DOI's Office of the Inspector General for the New York City Police Department ("OIG-NYPD"), a unit created in 2014 in accordance with Local Law 70, which was enacted in response, in part, to the community's concerns about certain police tactics. The law 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." Consistent with that broad mandate, the OIG-NYPD principally has conducted broad examinations of NYPD policies and practices and issued public reports recommending reforms.

As with all agencies we oversee, our goal with respect to NYPD is to identify policies and procedures that could benefit from improvement and to propose changes we deem necessary in public reports, to improve policing and to increase transparency as well as confidence in the police force. Community engagement is critical to our work. The advocacy community was instrumental in the creation of an Inspector General with oversight of the Police Department. They continue to bring concerns to our attention and to some extent, they inform some areas for review. NYPD is also an important partner in our process. The Department's feedback on our reports helps ensure that our recommendations are achievable and feasible, and that they don't compromise the safety of the public or law enforcement. I am particularly sensitive to these issues at this time, as the City confronts a surge in violent crime that makes NYPD's work especially challenging. Of course DOI, the advocacy community, and NYPD do not always agree on the appropriate reforms but we are committed to a thoughtful process that allows consideration of multiple viewpoints on this very important work.

Since it was formed in 2014, OIG-NYPD has made a total of 185 recommendations for changes and improvements to NYPD policies and procedures, in public reports setting out in detail our investigative steps and explaining our conclusions. These recommendations and reports, like all DOI recommendations, are on our public website, where we also track implementation by the relevant agencies.

I am proud to say that the vast majority of our recommendations have been accepted by NYPD. Over 80% of those recommendations have been implemented, partially implemented, or accepted in principle, meaning that NYPD has agreed to implement them, but has not yet done so. To break down those numbers, 72% of the 185 recommendations have been implemented, or partially implemented; 9.8% of them have been accepted in principle. In addition, 3.3% of the recommendations remain "under consideration" by NYPD, meaning the Police Department has not taken a position on them, and 14.7 % of them were "rejected." A sixth category is "no longer applicable," meaning that these recommendations are no longer relevant, for example because of a procedural change by NYPD.

Before I discuss specifics about OIG-NYPD's work, I want to provide Committee members with important context about how DOI operates, and how OIG-NYPD operates within it.

DOI, created almost 150 years ago, is one of the oldest law enforcement agencies in the country. An independent, non-partisan investigative entity, its mission is to identify and eradicate fraud, abuse, waste and corruption in City government. Our investigations lead to referrals to prosecutors for criminal charges, to the agencies we oversee for disciplinary proceedings, to the Conflicts of Interest Board for violations of the City's conflict of interest laws. We also make recommendations to remedy the vulnerabilities and deficiencies we find, to prevent future corruption and wrongdoing. When we identify systemic issues, we may issue public reports that provide even greater insight into our findings and recommendations. The City Charter and Executive Orders that give DOI its broad jurisdiction and investigative powers provide its authority to obtain City records, including NYPD records. While Local Law 70 created a specific Inspector General for NYPD, it did not change or limit DOI's existing authority over all city agencies, including NYPD. It does give the Mayor authority, in consultation with DOI and NYPD, to determine how "sensitive" NYPD information provided to DOI will be treated.

DOI is organized as 12 oversight units, led by one or two Inspectors General, each with responsibility for an agency or a group of agencies, such as infrastructure, housing and buildings, public

housing, and City-run hospitals, among others. Each unit includes attorneys, investigators, analysts, auditors and administrative personnel. OIG-NYPD is one oversight unit; it focuses on NYPD.

OIG-NYPD is unique among DOI's oversight units with respect to the systemic investigations it conducts of police practices and procedures resulting in public reports. OIG-NYPD receives public complaints from an array of constituents and the public, including community advocacy groups, law enforcement personnel (including NYPD), elected officials, and other units within DOI. Each complaint is reviewed and is either assigned for investigation or, as more often happens given the volume and nature of these complaints, referred to another appropriate oversight agency for review. As you are aware, two other civilian entities also oversee policing: the Civilian Complaint Review Board ("CCRB"), an independent agency that investigates complaints filed by the public concerning police interactions with civilians and the Commission to Combat Police Corruption ("CCPC"), which monitors NYPD's internal efforts, principally handled by NYPD's Internal Affairs Bureau ("IAB"), to detect, remedy and prevent police corruption.

And at the state level, since 2021 the New York State Office of the Attorney General has had authority over local police departments, including NYPD, through its Law Enforcement Misconduct Investigative Office. That office reviews and makes recommendations relating to the operations and policies of state and local law enforcement agencies. Civil litigation and criminal prosecution are two other forms of oversight. For instance, prior federal litigation regarding stop, question, and frisk led to a court-ordered monitor to oversee reforms relating to this law enforcement tactic.

In light of these various forms of oversight of the police department, OIG-NYPD has focused primarily on examinations of operations, policies, procedures and practices within the Police Department. OIG-NYPD considers a variety of inputs in determining what examinations to undertake, including complaint trends, media reports, community concerns and interactions with NYPD.

Today, I want to bring you up to speed on the work of OIG-NYPD, what I have done since I came to DOI six weeks ago to identify the challenges the unit faces, and how I plan to advance the unit's important work and help it reach its full potential.

As I mentioned earlier, since 2015, OIG-NYPD has issued a total of 17 reports containing 185 recommendations; 82 percent of those have been implemented, partially implemented, or accepted in principle. That rate is consistent with rates for DOI recommendations generally for the past several fiscal years, which range from approximately 86 to 93 percent.

OIG-NYPD's investigative and report-drafting process is rigorous, and involves substantial guidance and oversight by the Inspector General and the DOI executive staff. To ensure that we've understood the issues correctly, and to facilitate feedback on our recommendations, we share a draft of our reports with NYPD prior to public release. We incorporate any changes we deem necessary prior to issuance. Other units follow the same practice with the agencies they oversee. While we generally don't change our recommendations, we find that agency input is very valuable to our process.

To give just a few examples of the significant issues that OIG-NYPD has examined since the Unit was created, leading to public reports and recommendations for change which NYPD has adopted:

- We reviewed 10 cases where the CCRB determined that NYPD officers used chokeholds and issued four recommendations that have all been implemented, including furthering transparency with respect to the Police Commissioner's disciplinary decisions and increasing coordination with CCRB to refine the disciplinary system for improper use of force;
- We reviewed NYPD's use of force policies and issued more than a dozen recommendations, the majority of which have been implemented, including that NYPD compile and publish data regarding the percentage of cases in which the Police Commissioner reduces or declines discipline;
- We reviewed NYPD's approach to handling interactions with people in mental crisis. As a result NYPD implemented our recommendations that strengthened its training and procedures for responding to interactions with people in mental crisis;
- We exposed deficiencies in NYPD's Special Victims Division and Adult Sex Crimes unit and issued recommendations that staffing in the unit be increased and training expanded;

- In 2016, we issued a report concerning “quality of life” enforcement, focused on the 2010 to 2015 period. We looked at the narrow question whether an increase in summons and misdemeanor charges for “quality of life crimes” in that period was linked to a decrease in felony crime and found that it was not. We did not address the broader efficacy of quality of life enforcement in general. NYPD implemented four recommendations from that report and rejected several others. We plan to continue to engage with the Police Department with respect to the rejected recommendations, as is our practice.
- We examined NYPD’s investigations, policies and training as they relate to complaints of biased policing in New York City. NYPD implemented our recommendations that included strengthening investigative training on this issue and led to the creation of a new unit at CCRB. While NYPD rejected the majority of the 21 recommendations issued, those recommendations continue to stand and DOI is hopeful that NYPD will engage in further discussion about them.

Furthermore, in my first month and a half at DOI I have reviewed several OIG-NYPD reports, in addition to the annual report, and I expect that we will issue a number of reports this year on topics that I know are of importance to the community and this council, including one relating to the so-called “Gang Database.”

Once a report is issued, OIG-NYPD continues to monitor NYPD practices that are relevant to the recommendations that we have made, including those recommendations that have been rejected or that may no longer be applicable, because policing strategies can shift and provide new opportunities to reconsider past recommendations.

In addition to our in-depth investigations, we stay up to date on police practices through a variety of efforts, including attending NYPD trainings, which we find extremely valuable to our investigators’ ability to better understand NYPD’s practices, which leads to better and more informed recommendations.

In its first eight years, OIG-NYPD has accomplished a great deal. However, for a number of reasons — including, but not limited to, the impact of the pandemic on City resources and on NYPD and DOI in

particular and the related challenges to accessing NYPD records, facilities and staff — fewer reports have been issued by the Unit in the last two years than in prior years. In fact, DOI's numbers are down across the board due to similar issues related to the pandemic and its impact on resources.

As we emerge from the pandemic and I consider how to ensure that units across DOI are as productive as possible, I recognize that there are a number of areas for improvement relating to the work of this unit in particular.

Let me address some of the issues I see and my plans for the future, specifically as they relate to OIG-NYPD access to NYPD records, staffing of OIG-NYPD, and the workflow process within the unit:

- **Access to NYPD Records, Facilities and Staff**

Access to NYPD records, facilities and staff that is both meaningful and timely is paramount for OIG-NYPD to do its job, and I understand that direct and unencumbered access has been a challenge in the past. As a result, I have already had two meetings with NYPD officials since I arrived at DOI, and I have additional meetings planned in the near future. In those meetings, I have received assurances that NYPD is committed to tackle these challenges with us and most importantly to provide clear channels for elevating any delays or limitations on access so that they can be promptly addressed and resolved. I know that the Legal Department, which plays a key role in reviewing our requests and gathering, reviewing and producing the relevant materials, is managing the demands of multiple oversight agencies seeking information as well as discovery-related requests, among other pressures, but I am optimistic that with regular, open communication, we can achieve an improved pace of production from NYPD. This in turn will allow our investigations to proceed more quickly, allowing us to issue our reports more promptly. To that end, DOI and NYPD are in the process of scheduling a series of standing meetings to review DOI's outstanding requests, not only at the Inspector General and Deputy Inspector General level, but also at the executive staff level. I plan to personally participate in these meetings.

- **Staffing**

I want to provide the facts for Committee members so there is a comprehensive understanding of where we are and what we plan to do regarding staffing. OIG-NYPD marked its highest number of staff in 2017 at 38 staff members, and that number declined to its current 20 staff members. The reduction in staffing certainly has contributed to the decrease in reports issued by the Unit, and it is attributable in part to natural attrition combined with the economic realities in the City over the past several years, which led to City-wide hiring freezes or restrictions and presented significant challenges to filling vacancies not just within OIG-NYPD but throughout DOI.

At this moment, we are aiming to fill vacancies and bring OIG-NYPD up to an appropriate level of staffing, which I expect will be somewhere between 25 and 30. This will include hiring a new Inspector General (“IG”); as you know the former IG resigned in December 2021. To that end, DOI has received a number of well-rounded resumes, and has spoken with several qualified and promising candidates. That process is active and continuing. My plan is to have a new IG in place by summer – an individual with broad law enforcement experience, supervisory and management experience in developing and leading investigations, and who can productively engage both with the community and community advocates as well as with NYPD officials. There are of course other vacancies at the unit at various levels which we will also seek to fill promptly, with the input of the new Inspector General once that person is hired.

- **Streamlining Internal Workflow**

Reports are the foundation of OIG-NYPD’s work. I am assessing the report-writing process for all of DOI, including OIG-NYPD. I want to make our reports more readily comprehensible to the public and more concise. I’d also like to streamline the report-writing process itself, so that drafting and editing will be more efficient. Since my arrival at DOI, I



have already reviewed several draft reports from OIG-NYPD and as I noted, I am confident that as we emerge from the pandemic-related challenges we will soon be back to our earlier pace of issuing several reports a year.

Effective policing and public confidence in NYPD are vital to New York City. OIG-NYPD's comprehensive investigations, meaningful recommendations, and public reports play an important role in meeting those critical objectives. I look forward to strengthening the Unit in the coming months, maintaining a robust dialogue with NYPD and streamlining our processes here at DOI so that we can continue to pursue this important work.

Thank you and I am happy to take your questions.