

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON OVERSIGHT
AND INVESTIGATIONS

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HELD AT: Council Chambers - City Hall

B E F O R E: Gale A. Brewer
Chairperson

COUNCIL MEMBERS:

Diana I. Ayala
Chris Banks
Rita C. Joseph
Shekar Krishnan
Lincoln Restler
Nantasha M. Williams
Julie Won

A P P E A R A N C E S (CONTINUED)

Jocelyn Strauber
Department of Investigations Commissioner

Robert Kraus
Kraus and Zuchlewski LLP

Ricardo Morales
Former Whistleblower

Nadira Pittman

Y. Jennings

Christopher Leon Johnson

SERGEANT AT ARMS: Good afternoon and welcome to today's New York City Council hearing for the Committee on Oversight and Investigations. At this time, please silence all electronic devices and no one may approach the dais at any point during this hearing. Chair Brewer, we are ready to begin.

CHAIRPERSON BREWER: [gavel] Thank you very much. Good afternoon. I am Council Member Gale Brewer, Chair of the Committee on Oversight and Investigations. I thank everyone for joining us. We will be examining how the Department of Investigation encourages city employees to report corruption. I'd like to thank the representatives from the administration, members of the public and my Council colleagues who have joined us here today. I particularly want to thank Council Member Chris Banks who's here and on Zoom, Council Member Ayala and Restler. We will focus on the Department of Investigations' approach to facilitating and investigating and resolving city employees' complaints of corruption. In recent months, I must admit there's been a lot of scandals rocking New York City's government, maybe more than ever in the past. I don't know. I hope to learn whether the number of

1 complaints DOI receives does reflect this level of
2 corruption. And if not, why not. And what role our
3 city's anti-corruption agencies play in encouraging
4 city employees to come forward. It's not easy to do
5 that. DOI is a premier city agency that works to
6 root out municipal corruption. Pursuant to mayoral
7 Executive Order 16 which was passed a long time ago,
8 city employees must report allegations of corruption
9 to DOI. This ensure that DOI investigators will
10 probe the charges confidentially and professionally,
11 independent of the employee's own agency and
12 superiors. The agency recognizes moreover that
13 reporting fraud, corruption, waste, abuse or
14 mismanagement is crucial to the integrity in city
15 government. Accordingly, DOI encourages city
16 employees to report even a suspicion of wrongdoing.
17 The Committee wants to ensure that the City is
18 matching this obligation on the part of municipal
19 employees with robust education and outreach efforts
20 about the full range of whistleblower rights and
21 responsibilities as well as clear messaging about
22 safeguards from retaliation. Retaliation is no joke.
23 Part of this effort includes whistleblower
24 protection. The City's whistleblower law protects
25

city employees from retaliation for reporting misconduct, corruption, criminal activity, conflict of interest, gross mismanagement and abuse of authority. To be protected by the law, the employees must make these complaints to the Department of Investigation or to a member of the City Council, the Public Advocate, the Comptroller, or the Special Commissioner of Investigation for the New York City School District, CSI, each of which must refer the complaint to DOI under most circumstances. I think this is partly confusing to the public, however. We'll talk about it. At this hearing, the Committee on Oversight and Investigations will question DOI about how it encourages city employees to report corruption, the process of investigating employee complaints of corruption, and whether there should be or could be improvements to the process. We will explore whether and how DOI investigates a lack of reporting on corruption, how the agency mitigates concerns about potential retaliation from other employees, and the process of investigating anonymous complaints from city employees. We'll ask questions based on DOI's annual reports on whistleblowers to examine trends. This committee most recently took up

the same topic of whistleblower protections at a January 2020 hearing during which the Committee considered legislation that has since been codified as Local Law 9 of 2021. This legislation remedied-- tried to-- shortcomings in the city's whistleblower law. Among other improvements, it made certain persons who report misconduct to SCI, which is the Department of Education Oversight Agency, eligible for whistleblower protection, required an investigating officer to provide periodic status updates regarding the investigation to the relevant whistleblower which is important, and established a private right of action for certain whistleblowers. I am interested in hearing from DOI, invited witnesses, and the public about whether these changes to the whistleblower law have measurably affected city employees who report corruption and whether they would recommend any additional changes to city, state, or federal law to protect whistleblowers. Encouraging city employees to report corruption is an expression of our commitment to good government. And I want to add it's not just city employees, it's also those who work for agencies with city money, contracted agencies. All of us are supposed to

2 report corruption. I look forward to hearing today
3 about how DOI is fulfilling that commitment. I would
4 like to thank the following council staff from ONI
5 Committee, Nicole Cata, Erica Cohen [sp?], Alex
6 Yablon [sp?], and Owen Kotowski [sp?], and from the
7 Division of ONI, Meg Powers, Zach Meher-Casallas
8 [sp?], Kevin Frick [sp?], Brian Parcon [sp?], Uzair
9 Qadir [sp?], Katie Sinise [sp?], and Amisa Ratliff
10 [sp?], and from my staff, Sam Goldsmith [sp?], and
11 everyone else who's helping to make this possible
12 today. I will now turn over the hearing to the
13 Committee Counsel to administer the oath. Natasha
14 Williams is also here. She is a Stallworth member of
15 this committee. Thank you, Council Member Williams.

16 COMMITTEE COUNSEL: Thank you, Chair. We
17 will now hear testimony from the administration.
18 Before we begin, I will administer the affirmation.
19 Please raise your right hand. Do you affirm to tell
20 the truth, the whole truth and nothing but the truth
21 before this committee and to respond honestly to
22 Council Member questions?

23 COMMISSIONER STRAUBER: I do.

24 COMMITTEE COUNSEL: Thank you. You may
25 begin when ready.

COMMISSIONER STRAUBER: Thank you. Good afternoon. My name is Jocelyn Strauber and I'm the Commissioner for the Department of Investigation. Thank you, Chair Brewer and members of the Committee on Oversight and Investigations for the opportunity to speak about DOI's efforts to encourage city employees to report suspected corruption to DOI. As part of these efforts, DOI educates City employees about their legal obligation to report corruption, as well as the specific requirements of the Whistleblower Law that protects employees who experience retaliation as a result of such reporting. New York City's must report obligation for City employees is part of the 1978 Mayoral Executive Order 16, issued in response to City corruption scandals, in which City employees were aware of wrongdoing but failed to report it. The MEO rightly recognizes the critical role City employees play in combatting municipal corruption and protecting the integrity of City operations and services, as well as public dollars. The MEO directs every City employee to report, directly and without undue delay, to DOI, information concerning conduct they know or should reasonably know to involve corrupt or other criminal

activity or conflict of interest involving the City, its employees, and those doing business with the City. Knowing failure to make such a report can result in penalties, up to termination. New York City's Whistleblower Law provides protections to City employees who report corruption, consistent with their MEO 16 obligations, and who suffer retaliatory adverse employment action as a result. The protections are contingent on following the Law's reporting requirements. Reports made to DOI, a member of the City Council, the Public Advocate, the City Comptroller, or the Special Commissioner of Investigation for the New York City School District, are protected under the Law. Individuals or offices that receive such reports have a duty to refer the information to DOI unless the alleged conduct is within SCI's jurisdiction, in which case the complaint must be referred to SCI, or the alleged conduct involved the SCI Commissioner, or the DOI Commissioner or a Deputy Commissioner, in which case the complaint must be referred to the City's Corporation Counsel. The City Council has periodically expanded the Whistleblower Law's protections for those beyond City employees, to

complainants alleging risk of harm to the health, safety or educational welfare of children and to officers and employees of vendors who have contracts with the City valued at \$100,000 or more. Together, the "must report" MEO and the Whistleblower Law promote integrity in City government by both requiring proactive reporting of corruption, criminal conduct, and conflicts of interest and protecting from retaliation those City employees who comply with their obligations by making such a report. The laws are intended to encourage reporting to DOI, and they work. From Fiscal Years 2022 to 2024, between approximately 14 percent and 16 percent of the complaints DOI received were from people who self-identified as City employees alleging corruption, criminal activity, conflict of interest, gross mismanagement or abuse of authority. It is likely that additional complaints were made by City employees who did not self-identify as such, who wanted to remain anonymous, or who reported through their home agencies or other means. The majority of our complaints come from an array of sources including the public, referrals from other government agencies, such as law enforcement agencies, and from

311. DOI received more than 12,300 complaints in Fiscal Year 2022, more than 13,500 in Fiscal Year 2023, and over 14,600 complaints in Fiscal 2024. It is important to note that many City employees provided valuable information in the course of DOI investigations, even if those investigations originated elsewhere. These numbers are due in part to the outreach and training that DOI provides to City employees annually through both in-person and webinar-based corruption prevention lectures. In these presentations, City employees are educated on DOI's role in City government, best practices for combatting municipal corruption, the obligation to report corruption and fraud to DOI, how to do so, and the protections for doing so in the City's Whistleblower Law. The online training module is distributed through the Department of Citywide Administrative Services, DCAS. Since Fiscal Year 2022, DOI has trained more than 20,000 City employees annually through this module: 23,395 in Fiscal Year 2022, 29,245 in Fiscal Year 2023, and 27,351 in Fiscal Year 2024. So far in Fiscal Year 2025, through May, approximately 11,000 City employees have taken the module. In addition, DOI created a video

presentation that is incorporated into DCAS's employee onboarding materials that they rolled out in 2024. Accordingly, now every new City employee who is onboarded at an agency that uses those materials receives DOI corruption prevention training. These online trainings are enhanced by in-person lectures that DOI staff, including investigators and Inspectors General and members of DOI's Training Unit, provide at the agencies. DOI seeks to meet each individual agency's unique needs, tailoring presentations to real scenarios our agency's employees have seen and providing training at the most convenient times and locations. For example, in FY 2023, DOI piloted corruption prevention lectures at Department of Sanitation garage locations throughout the City, to reach staff who reported to work in those locations. DOI staff trained Sanitation supervisors to present DOI's corruption prevention lectures at these locations, enabling DOI's corruption-prevention message to be delivered to over 9,300 attendees during over 80 lectures. DOI hopes to find other similar opportunities in the future to expand our reach despite our limited staffing. From Fiscal Years 2022 through 2024, DOI has substantially

increased its in person outreach, presenting 72 lectures in Fiscal Year 2022, 240 in 23, and 236 in 24 to various City agencies. And so far in FY 2025, DOI has presented approximately 190 of these lectures. These lectures are resource intensive, particularly given our small Training Division and the staffing challenges in our investigative squads. But we prioritize them because we believe they allow us to connect with City employees and thereby to facilitate reporting of corruption and other criminal conduct. Not only do these lectures prompt complaints to DOI in general, they sometimes result in reporting to the DOI staff member who conducted the training, because putting a face and a name to DOI helps us gain the trust and confidence of City employees. Complaints from City employees have led to successful DOI investigations. To give you just some examples, in July of 2023, a pedicab driver was arrested after he attempted to bribe a City Department of Consumer and Worker Protection employee in exchange for pedicab registration plates that are appropriately assigned only via lottery. The conduct was thwarted by a DCWP employee who had attended a DOI corruption-prevention training and promptly

reported the bribe offer to DOI. Ultimately, the pedicab driver pled guilty to Bribery in the Second Degree, a class C felony. Separately, the sale of dozens of counterfeit safety and training certifications to New York City construction workers was investigated by DOI after a NYCHA employee's report to us. Our investigation led to the indictment of three Brooklyn residents, each of whom pled guilty. Two separate investigations in 2024 were prompted by City Health employees reporting offers they received in the course of their jobs, with the apparent expectation that the employees would take action to benefit the bribe payor. And I should have said cash they received. In one, a Department of Health and Mental Hygiene Sanitarian reported to DOI that a test taker who had failed the agency's Food Protection Certificate exam and wanted a passing grade had offered cash to a DOHMH employee. DOI investigated and bribery charges were brought against the test taker who offered the bribe. In a second instance, a DOHMH inspector reported to DOI that she had found cash in her bag following an inspection of a deli, where the deli owner suggested that in exchange for the cash the inspector should

fail to appear at a court appearance concerning the 67 violations identified at this restaurant. That report led to a DOI investigation and charges against the deli owner who ultimately pled guilty to giving unlawful gratuities. DOI's collaboration with the agencies that we oversee also promotes reporting of wrongdoing or suspected wrongdoing by these agencies and their employees. When we make recommendations for policy and procedural reforms, we further a dialogue with these agencies, which in turn encourages reporting to DOI. For instance, the City's Housing Development Corporation and the Department of Housing Preservation and Development regularly report to DOI income discrepancies identified in affordable housing applications, potential indicators of fraud. DOI has trained HPD to identify and to report to DOI forged Section 8 applications, based on DOI's experience with this type of fraud, allowing DOI to address corruption vulnerabilities and gaps in real time. DOI also regularly communicates with the public about our investigations through press releases and statements, social media, and a robust public website that instructs City employees and members of the public on how to report corruption,

the Whistleblower Law, and even provides a quiz that City employees can take to test their knowledge about corruption and their ability to identify it. DOI has worked to make reporting of corruption more accessible through an easy-to-remember email address: corruption@doi.nyc.gov and through poster campaigns that visually promote our messaging at agencies. On our public website, we publicize the multitude of ways that complainants can reach us: through email, a hotline number, in-person, and through a comprehensive list of all Inspectors General, the agencies they oversee, and their specific contact information. City employees are integral to DOI's anti-corruption mission and are fundamental to creating a culture of integrity in municipal government. DOI cannot accomplish its mission without them. And while there is a "must report" mandate, DOI understands that it takes courage to step forward and report wrongdoing. To those many City employees who speak with us, and work with us, I commend you and thank you for standing up for what is right, and for ensuring that government works for the people of New York City. Thank you for your time, and I'm happy to take any questions.

CHAIRPERSON BREWER: Thank you very much.

I guess one of my questions is in terms of outreach-- because obviously you have limited staff, and that's something that I feel strongly-- you should have more staff and more funding, but a separate discussion.

So, my question is-- I think something close to almost 30,000 people, you have done a great job, particularly I think going to the Sanitation garages as an example. But my question is, how else do you think you could get to the other, what is it, 300,000 employees? And then of course, it's also the individuals who work in the contracted agencies which is a-- goodness knows how many people. So how do you go about-- do you think, or how should we if you had the staff go about getting more people to be trained?

COMMISSIONER STRAUBER: Well, in addition to the modules that we spoke about and to the relatively new video that is now part of, you know, every City employee or every City employee that team from DCAS uses this training, it's part of their onboarding. We have our own process that we use to determine how to give corruption lectures at the agency, and I think those are some of the most effective work that we do because those are done

1 through a partnership between our Internal Training
2 Division and our Inspector General squads where we
3 work to provide training that is not sort of generic,
4 but that is we spoke to each agency. So we can speak
5 to employees of those agencies about scenarios that
6 in our experience their colleagues have, you know,
7 have seen or that we expect they will see that are
8 very specific to the work that they do, and I think
9 doing those and particularly doing those in-person is
10 one of the most effective ways that we train. And
11 the way we currently determine, sort of, where we're
12 going to go and how often we're going to go are
13 through quarterly meetings between our training unit
14 and each DOI investigative squad to assess which
15 agencies and which titles within each agencies need
16 training. And obviously, this is separate from
17 trainings that we do on request or if we see any
18 issue with reporting from any particular agency. And
19 so when we're making that decision in the absence of
20 a request or any, you know, particular issue that
21 might arise, we're looking at trends in complaints
22 and investigations. So, and generally what we're
23 looking there-- looking at there might be if we have
24 a spike in bribery complaints, for example, we're

going to think, okay, we should go to the population at that agency whether they're inspectors at whatever level who we see are being approached more often and make sure they have the training they need to respond appropriately to those kinds of inappropriate offers. We'll also look at how long has it been since we've shown up at that agency to do in-person training, and we try to have each squad do one lecture, whether it's in-person ideally or remotely which is I think to some extent not as personal, but we can reach more people to do one of those per month. We also when we're thinking about how to deploy the in-person lectures which when you think about travel time, time at the agency are some of the most time-intensive, we want to think about those workers for whom the e-learning modules is probably less efficient. Maybe they're only there seasonally. Like the sanitation example, they work in the field, or the numerous City employees who don't have desk jobs, and so they're not regularly at a location where, you know, they can sit at a computer and watch a module. If we had more staff-- we have six people in our Training Division right now. They're incredibly capable, but remember, they are also responsible for training our employees.

2 We have a Peace Officer program. We have an
3 Intensive Investigator training program. So frankly,
4 their hands are pretty full doing internal training,
5 not to mention that they're also partnering with the
6 squads to do outside training. If we could build
7 that unit or frankly if we could build our
8 investigative squads-- as I know a subject you're
9 familiar with and very supportive of-- we'd have more
10 resources to deploy people, you know, into the field
11 to do these trainings more frequently. I mean, I
12 think that's, you know, one main area where we could
13 be doing more, and then we might be able to do more
14 with the training module as well. I mean, you've
15 noted, and I think your Committee's report has noted,
16 that even if it reaches 30,000 people, when you think
17 about the total number of City employees, you know,
18 we could perhaps focus more with DCAS on the
19 deployment of that module if we have more people to
20 kind of monitor that and work on it. All of these
21 things obviously take time, and you know, we have
22 limited staff.

23 CHAIRPERSON BREWER: I should know this,
24 but you obviously-- we always see-- always think of
25 NYCHA, Health + Hospitals as EDC not being

2 "completely City agencies." Are those agencies under
3 your purview in terms of the Whistleblower Law?

4 COMMISSIONER STRAUBER: They are under
5 our purview, and we do training for those agencies.

6 CHAIRPERSON BREWER: You do, okay.

7 COMMISSIONER STRAUBER: Yeah, I mean, we
8 don't-- for DOE is outside of our purview--

9 CHAIRPERSON BREWER: [interposing] No, I
10 know I didn't mention that. That's SCI.

11 COMMISSIONER STRAUBER: because that's
12 SCI. But I believe that's the only agency that is
13 sort of categorically--

14 CHAIRPERSON BREWER: [interposing]
15 Separate.

16 COMMISSIONER STRAUBER: outside of the
17 training that we do and the whistleblower complaints
18 that we receive.

19 CHAIRPERSON BREWER: The reason I ask,
20 because EDC, of course, is somewhat unique in terms
21 of having so many contracted out. Is that an agency
22 that you spend time looking at, because they have
23 sort of a completely different model?

24

25

2 COMMISSIONER STRAUBER: Yeah, that's
3 overseen by Squad Four and that's one of the agencies
4 within our purview as well.

5 CHAIRPERSON BREWER: Okay. The other
6 issue is, obviously, you know, people are supposed to
7 by law report anything that they see, corruption,
8 some of the criminal activity that we talked about.
9 Doo you think that, you know-- have there been any
10 consequences? Have there been situations where
11 people have been-- have failed to report to the best
12 of your knowledge? And if so, have there been any
13 disciplinary actions taken against employees? Maybe
14 that's hard to find.

15 COMMISSIONER STRAUBER: I think it is
16 hard to find. I mean, I can't cite you a specific
17 example. I think it's often the case, you know, when
18 we identify misconduct that the people involved in it
19 have not reported it as frankly you might not expect
20 them to, and those people, you know, are going to be
21 subject to either criminal sanction or administrative
22 referral for discipline for the conduct they were
23 involved in, determining who else knew about it and
24 exactly what they knew at what time, you know, is

2 something that's more difficult to do, and I can't
3 site you a specific example of that.

4 CHAIRPERSON BREWER: Okay. the EO 16
5 which the Koch years, I remember, I was around-- for
6 the Police Department, they make the complaint to DOI
7 as we talked about for other agencies or do they
8 report to their own IAB or CCRB? How does it work
9 for the Police Department. I have to say for the
10 public it's a little confusing, because like for me,
11 as an example, having been Borough President and
12 worked for the agencies and so on and so forth, I was
13 always told you go first to your agency, you know,
14 and then your EEO officer, and then you go elsewhere.
15 It's slightly different for the whistleblower. So, I
16 guess if you could explain the Police Department, if
17 it's any different if at all, and then just generally
18 who the Whistleblower Law may be slightly different?

19 COMMISSIONER STRAUBER: So, the Police
20 Department has, I believe, an obligation to report
21 misconduct that officers become aware of to IAB--

22 CHAIRPERSON BREWER: [interposing] Right.

23 COMMISSIONER STRAUBER: as well as any
24 other reporting obligations that they might have.
25 Certainly, complaints can be made to us by members of

2 the Police Department depending on what they involve,
3 and given that our IG that covers the Police
4 Department really has a policy and procedure focus,
5 we would typically refer complaints that we receive
6 about corruption that involves individual officers to
7 IAB, and then of course, misconduct that involves
8 officers' behavior in the field with respect to
9 civilians generally is going to be referred to CCRB.
10 So, certainly, those complaints can be made to us
11 including complaints of retaliation and we would
12 review them, but the Police Department is slightly
13 different.

14 CHAIRPERSON BREWER: That's interesting.
15 Okay. There are also-- when the DOI staffers, you
16 talked about six, they work on all kinds of these
17 cases? There's nobody focused, for instance, on the
18 retaliation? People--

19 COMMISSIONER STRAUBER: [interposing] Let
20 me just be clear, the six staff that I mentioned are
21 our Training Division who work on, you know,
22 proactive training and lectures. In terms of the
23 staff, sort of allocated to whistleblower complaints,
24 those are all of our investigative staff throughout
25 the agency. So, those complaints when we receive

2 them are handled and sort of, you know, distributed
3 throughout the squads based on the agency that they
4 involve. So, they would go-- just like any complaint
5 about NYCHA would go to the, you know, the squad that
6 covers NYCHA. Whistleblower complaint would be
7 handled the same way. It would go to that squad.
8 The difference is that the review process involves
9 the General Counsel's Office. It involves my
10 personal review of our ultimate--

11 CHAIRPERSON BREWER: [interposing] It's
12 the whole agency, basically. It's the whole agency.

13 COMMISSIONER STRAUBER: Yeah, it's the
14 whole agency.

15 CHAIRPERSON BREWER: Okay. you talked a
16 little bit about-- I'm just going back to getting
17 people to know what the rules are. So, you indicated
18 that the agency created a video that's incorporated
19 into DCAS' employee onboarding materials in 2024, and
20 so now every new City employee who's onboarded uses
21 those materials if, of course, it is using those
22 materials. So which agency to the best of your
23 knowledge are using those materials, and how could
24 DCAS make that universal?

2 COMMISSIONER STRAUBER: So, this was just
3 rolled out last year. I don't have a list. I'm sure
4 I could get that for you, and certainly a list of
5 who's-- you know, which agencies have been using it
6 to date, but I don't have that information today.

7 CHAIRPERSON BREWER: Okay. I know there's
8 been a-- in the past a feeling that interns, we have
9 hundreds of them in my office, and I assume across
10 the state-- I mean across the City there are many,
11 and then previous employees are-- you know, shouldn't
12 be necessarily part of this process, and I just
13 didn't know your comment on that.

14 COMMISSIONER STRAUBER: Yeah, look, I
15 think, you know, as long as an employee is recording
16 misconduct to DOI, if they subsequently suffer some
17 kind of retaliatory action I don't think it should
18 matter if they're an intern or not. The remedies are
19 slightly less valuable for interns, because usually
20 they involve, you know, potentially reinstatement if
21 you've lost your job. Interns are with the City for
22 a relatively short period of time, so it's not clear
23 to me that the remedies would be as valuable, but
24 certainly encouraging anyone at any level to report
25 corruption is something I think we would support. I

2 think with former employees, you got to work through
3 when did they make their complaint. Did they make
4 their complaint while they were a City employee, and
5 then they were terminated? Those people, obviously,
6 qualify. I think it's a little bit trickier if you're
7 talking about folks who did not make reports while
8 they were city employees or subsequently terminated,
9 but then, you know, are-- believed that they were
10 terminated because they had adverse information that
11 they were going to report. I'm not sure people in
12 that category should be covered.

13 CHAIRPERSON BREWER: Okay.

14 COMMISSIONER STRAUBER: But it's-- be
15 happy to think that through more if there's potential
16 changes to the law that you're considering.

17 CHAIRPERSON BREWER: And would you know
18 when there's private right of action, or that doesn't
19 come across your agency? I just didn't know if you
20 knew if there's some number as to those who have gone
21 that route. Because we can do it under the City, but
22 not the state, as I understand it.

23 COMMISSIONER STRAUBER: Right. So at
24 least in my tenure here, we have one substantiated
25 whistleblower complaint that I'm aware of out of all

2 the investigations that we've done, and I believe
3 that that person received the remedy that we
4 recommended which was to be reinstated to their prior
5 position. So, the private right of action could be
6 utilized if the agency had failed to do so. So, I'm
7 aware that that remedy exists, and I think it's a
8 great additional enforcement to the law, but I
9 haven't seen it in my time, sort of, in action.

10 CHAIRPERSON BREWER: I think there've
11 been quite a few resignations from City Hall over the
12 past year, including a top mayoral aid who's still
13 facing charges. Most recently, do you know how many
14 complaints has DOI received from City Hall staffers
15 or from Commissioners?

16 COMMISSIONER STRAUBER: I don't have the
17 numbers broken down like that.

18 CHAIRPERSON BREWER: Okay. Do you
19 believe that DOI's limited staffing has impacted your
20 ability to prevent or detect misconduct sooner?

21 COMMISSIONER STRAUBER: You know, we've
22 talked about this a lot. I hope not. I think we've
23 done a great job with the limited resources we have
24 trying to be more efficient. I think the work we've
25 done over the last year or so has certainly shown

2 that we prioritized, you know, the most significant
3 cases and had success in those cases. Whether we
4 could have done it faster or sooner or probed a
5 little deeper into one area or another, it's hard to
6 say. Perhaps we could have.

7 CHAIRPERSON BREWER: Okay. I mean, there
8 have been-- you know, whether it's a lot of
9 corruption in the press in terms of what the public
10 is reading, and I'm just wondering if you think City
11 employees are less or more willing to report
12 misconduct positively or negatively after reading in
13 the press what has been corroborated? The reason I
14 say that is I think the public unfortunately becomes
15 quite normalized when they read about these things,
16 and to me, they should be paying even more attention
17 and reporting it even more. So, I'm just wondering
18 what you think about this notion of so much
19 misconduct being reported, and whether people are
20 taking that as oh, that's normal, so why should I
21 report it?

22 COMMISSIONER STRAUBER: Well, look, the
23 numbers that we have in terms of the total number of
24 complaints which includes members of the public. It
25 includes obviously City employees, 311, you know, all

2 the different inputs that we have. Those numbers
3 have stayed relatively stable. You know, maybe there
4 was a dip during COVID when people were dispersed and
5 maybe less positioned to observe the conduct of their
6 colleagues, but those numbers have stayed relatively
7 stable. So, it certainly doesn't suggest that people
8 are throwing up their hands. I would hope that
9 particularly our ability to pursue investigations
10 including up to sort of the most senior levels of
11 City government would provide assurance to the public
12 and City employees that there truly is an independent
13 agency that takes its anti-corruption mission very
14 seriously, and that we should-- you know, that they
15 should trust that were to come to us to report a
16 concern, we would investigate it thoroughly and, you
17 know, maintain confidentiality and do the job that
18 we're here to do.

19 CHAIRPERSON BREWER: Explain to me and to
20 the public how the Whistleblower Law and others
21 impact those companies and nonprofits that are funded
22 by the City, because that I think is not as
23 understood as all of us 300,000 employees.

24 COMMISSIONER STRAUBER: Right. So, City
25 contractors that have business with the City

2 contracts valued at over \$100,000 have the protection
3 of the Whistleblower Law if one of their employees
4 makes a report. They--

5 CHAIRPERSON BREWER: [interposing] And
6 they would make it to DOI?

7 COMMISSIONER STRAUBER: They could make
8 it to any of the covered entities. So that would be
9 DOI, the City Council--

10 CHAIRPERSON BREWER: [interposing] Right,
11 to cover that, yeah.

12 COMMISSIONER STRAUBER: Etcetera. They
13 do not right now-- and I just want to double check to
14 make sure that I'm not-- that I'm not flipping these
15 two things. They do not have the same affirmative
16 reporting obligation that City employees have, but
17 they do have protection were they to make a report.

18 CHAIRPERSON BREWER: So, like, a
19 retaliation would be what-- they would be hopefully
20 covered.

21 COMMISSIONER STRAUBER: Correct.

22 CHAIRPERSON BREWER: And not be
23 penalized. That's probably even harder than doing it
24 as a City employee. Do you know if you've had such
25

2 complaints in the numbers that you gave us, or are
3 they all from City employees?

4 COMMISSIONER STRAUBER: So, I don't have
5 that information tracked either. I can say that we
6 do do outreach to, you know, certain nonprofits and
7 other city contractors to educate them about, you
8 know, the protections that they have, but I don't
9 have-- I don't have numbers about whether we've
10 received reports or not. And my hunch would be we've
11 received relatively few, but perhaps some.

12 CHAIRPERSON BREWER: It's just something-
13 - having worked a lot with construction safety in the
14 past, you see those would obviously probably be the
15 kinds of contracts you're talking about, expensive.
16 My question would be, I think, down the line with
17 more staffing if necessary, much more outreach to
18 some of those individuals, because I don't think they
19 do know that they have the right to not be retaliated
20 against at the very least. Something to think about,
21 because that's not well-known even though there may
22 be some discussion that goes on in terms of the law,
23 I don't think people know, so I'm going to bring that
24 as something that absolutely needs to get done.

2 COMMISSIONER STRAUBER: There is outreach
3 that we have done. I know certainly the squad that
4 oversees DOB, I believe that oversees SCA, that we do
5 a lot of sort of site visits to construction sites--

6 CHAIRPERSON BREWER: [interposing] And
7 [inaudible] Design and--

8 COMMISSIONER STRAUBER: [interposing]
9 Correct. Those are all opportunities to educate the
10 folks working on site about what we would be looking
11 for, any issues they might want to report. So that
12 is something that we do do even with the limited
13 staff that we have.

14 CHAIRPERSON BREWER: Okay. I know that you
15 talked a little bit about the NYCHA case, and that
16 was a large case. Were those employees, did they
17 come forward proactively before as EO 16 requires?

18 COMMISSIONER STRAUBER: Did the--

19 CHAIRPERSON BREWER: [interposing] That
20 was a big case. So the question was--

21 COMMISSIONER STRAUBER: [interposing] The
22 Super-- so, of the superintendents who were
23 prosecuted in that case, I do not think that those
24 people or their colleagues were the source of
25 complaints that led to that investigation.

2 CHAIRPERSON BREWER: Okay. As a result
3 of that case, and it was a big one, have you seen or
4 have you done more increase in anti-corruption
5 training? Is it something that you think has perhaps
6 sent a word out that people are serious about
7 corruption?

8 COMMISSIONER STRAUBER: Absolutely. I
9 mean, increased training in addition to many other
10 structural changes to minimize the risk of that kind
11 of corruption were part of the recommendations that
12 while we had made them prior to that case, they
13 weren't all accepted. We made them again when those
14 charges were announced. And NYCHA has implemented all
15 of those changes, and part of those changes included
16 training. We were not necessarily providing all of
17 that training. Some of it NYCHA was providing. And
18 that-- but that's anti-corruption training as well.

19 CHAIRPERSON BREWER: Okay. the
20 Department of Correction, lots of challenges there.
21 Obviously, contraband smuggling takes place. Abusive
22 leave in overtime, at least that's what we read about
23 in the paper. And so my question is do you know if
24 those employees are or have been complying with the
25 Executive Order? That is-- you know, there's just a

2 lot that goes on there. Do you have any sense of how
3 much training goes on? If there are investigations,
4 maybe you can't talk about it, but are there ways
5 that we could be, perhaps, more on top of what is
6 going on at the Department of Correction?

7 COMMISSIONER STRAUBER: Well, I know that
8 the recommendations that we've made with respect to
9 the anti-contraband measures do include training.
10 They obviously include other measures designed to
11 combat, you know, some of the problems that you're
12 talking about. Again, it's hard to say at sort of an
13 individual level. Are we getting reports from, you
14 know, Correction employees? We are getting reports
15 from employees throughout the City, but I'm not in a
16 position to really sort of measure whether we're
17 getting more or less from any particular agency.
18 There could be at some point, and as we develop-- we
19 have a new very sophisticated case management system
20 that we just rolled out and are kind of adjusting to
21 now. I hope that in the future we may have more
22 granular information like that that we'll be able to
23 access more readily, but I'm not quite at that point
24 yet.

2 CHAIRPERSON BREWER: Well, does DOC-- you
3 talked about going to Sanitation. Do you go to
4 Rikers to do the kinds of outreach that you talked
5 about in the Sanitation garages?

6 COMMISSIONER STRAUBER: We definitely do
7 training at DOC, but I mean, that was a specific
8 example with Sanitation, but yes, we do training at
9 DOC as well.

10 CHAIRPERSON BREWER: Can you walk us
11 through the process if I call with a complaint? How
12 does that process move through the agency?

13 COMMISSIONER STRAUBER: If you call with
14 a complaint? Sure. So, your call would first of all
15 be routed based on the nature of your complaint to
16 the squad that oversees the relevant agency. So, if
17 it relates to a buildings matter, it's going to go to
18 the squad that oversees DOB. If you are, you know,
19 willing to engage, we're going to engage with you as
20 opposed to sort of anonymously leaving a message or
21 just providing sort of a small amount of information.
22 We will engage with complainants to get as much
23 information as they're willing to provide. Some want
24 to remain anonymous, but the goal is to get from you
25 as much information as you have, and if you're

2 willing to have an interview with you to follow up,
3 and then it's really very case specific, as you would
4 imagine. But if, you know, the issue relates to some
5 problem internally at the agency, we will utilize
6 sort of the full scope of our-- you know, we can pull
7 records. We can interview employees. We can conduct
8 surveillance. So, depending on the nature of the
9 complaint and the level of detail that you have which
10 will determine how much investigative work we can do
11 at least in the initial matter and what kind, we will
12 follow it through from there. Even if the complaint
13 is one that is really too vague. Maybe, you know,
14 you've got some third-hand information you want us to
15 have, but you don't really have very many details,
16 that's all going to get documented and retained in
17 our files so that if over time we're seeing a trend
18 where multiple people are calling with the same
19 issue, we're then able to sort of amass that
20 information and perhaps pursue it at some point down
21 the line, even if one complaint isn't going to be
22 sufficiently specific for us to follow up on.

23 CHAIRPERSON BREWER: And if one is
24 anonymous, how does that work, same?

2 COMMISSIONER STRAUBER: It's really the
3 same process. The difficulty we have sometimes,
4 particularly if we get a complaint that's left
5 through our internet portal or through a telephone
6 message, if the person is anonymous and does not
7 provide contact information, and sometimes people
8 provide sort of an anonymized email address. If they
9 don't, there may not be much follow-up if any that we
10 can do with the complainant, but depending on the
11 nature of the information they provide, we may still
12 be able to do an investigation.

13 CHAIRPERSON BREWER: And you keep that
14 person-- obviously, if it's anonymous not, but
15 otherwise keep them updated. And if they are
16 retaliated against, you know, within that agency--
17 people do find out that you're reporting stuff, not
18 necessarily from DOI, but from the agency-- how do
19 you handle that?

20 COMMISSIONER STRAUBER: So, in terms of
21 keeping people updated, the 2021 revisions to the
22 Whistleblower Law require that we provide
23 whistleblower complainants updates. Now, that's not
24 just someone who's made a complaint. That's someone
25 who's claiming they've been retaliated against, and I

2 believe it's every three months. A whistleblower
3 complainant gets a communication from our agency
4 about the status high level of our investigation of
5 their complaint.

6 CHAIRPERSON BREWER: And they're usually
7 still on staff at that point or depends?

8 COMMISSIONER STRAUBER: I think it
9 depends, right? It really depends on, you know, the
10 nature of what's happened to them and their
11 circumstances. For other complainants we are in
12 communication with them to follow up on their
13 complaint. We may have had an additional
14 conversation with them. We may need to speak to them
15 multiple times to get more information if they've
16 given us contact information to do that. We don't
17 generally, though, provide them with sort of updates
18 about the status of an investigation which may well
19 need to be kept confidential, even from the original
20 complainant.

21 CHAIRPERSON BREWER: Okay. We've been
22 joined by Council Member Joseph, and now Council
23 Member Williams has questions.

24 COUNCIL MEMBER WILLIAMS: Okay. Hi. I
25 actually had a follow-up question to one of the

2 Chair's questions when she asked about if you have
3 the data on how many complaints DOI received from
4 City Hall, staffers [sic] or commissioners, you say
5 you don't have it broken out that way. So, how do
6 you have-- how is the data currently, and what can
7 you share?

8 COMMISSIONER STRAUBER: So, for example,
9 I can tell you in 2024, you know, how we received
10 complaints. There's email. There's telephone.
11 There's internet. I can tell you also for that year
12 we got 7,000 complaints from the public. We got
13 3,400 complaints from agency employees. I have that
14 kind of information. What I don't have, at least
15 sort of not readily available, is this complaint came
16 from a commissioner, this complaint came from someone
17 at this level. I will say that, you know, we have of
18 course regular communication through our IGs or
19 through our executive staff of senior level members
20 of agencies where they share concerns with us. They
21 may or may not be specific complaints, but they may
22 be areas that they want us to take a look at. So, I-
23 - you know, those conversations which are not
24 specific complaints about misconduct wouldn't
25 necessarily be included here, but of course, those

2 conversations are happening on a regular basis, just
3 as part of our interaction with our agency
4 colleagues.

5 COUNCIL MEMBER WILLIAMS: Thank you.

6 Culture is really hard to change, and New York City's
7 Whistleblower Law protects employees from adverse
8 personnel action for reporting misconduct to DOI.
9 However, beyond formal retaliation, employees may
10 still fear being labeled a rat or a snitch. How does
11 DOI actively combat these fears? What steps is DOI
12 taking to cultivate a culture of where reporting
13 wrongdoing is seen as a duty and is valued, and what
14 steps should agencies take to cultivate that culture?

15 COMMISSIONER STRAUBER: I think it is a
16 really hard problem and I think it-- within the
17 agency it is a tone from the top issue, right? And
18 making clear that you don't tolerate corruption, that
19 you want your employees to report to us, that you
20 want them to do that in an unfiltered way free of any
21 kind of internal, you know, pressure or retaliation
22 is a message that I think is really important for
23 agency leadership to send, and obviously in
24 communications that we have when we do training
25 including with-- and sometimes one way that I think

is very helpful is commissioners can just come to the trainings that we're doing in-person. They can just stop by or they can send a senior staff member or a general counsel to reinforce the idea that this isn't just us talking to a lower-level group of employees, but that this is something that agency leadership really supports. So, I mean, fundamentally, the agencies also have anti-corruption responsibilities and the city law recognizes that, and we're here to reinforce that, and obviously to do investigations. But I agree with you that it's-- it can be a frightening thing and you need the agency to try to create that culture. I also think that when we do these in-person lectures and people can actually see-- they're actually speaking to an Inspector General or a Deputy Inspector General or Investigator, when they hear from that person and they realize that's a real person who's explaining things to them in a way they can understand and answering their questions and providing contact information, our hope is that creates some trust that even if it is difficult to report, there's an agency, you know, a city agency that is there to listen to them to take them seriously, and also to protect their confidentiality

2 which is something that we take very seriously, and
3 although it probably doesn't make the process of
4 picking up the phone, you know, less intimidating,
5 hopefully it gives them some assurance that they're
6 going to have that protection. And then obviously,
7 there is the Whistleblower Law which hopefully you
8 don't get to a point where that's necessary, but it
9 is there to protect those who find themselves subject
10 to retaliation.

11 COUNCIL MEMBER WILLIAMS: Thank you.
12 Back to the data that you shared, do you have it
13 broken out by different city agencies?

14 COMMISSIONER STRAUBER: I don't have it
15 broken out by city agency here, and we don't publicly
16 report it by city agency. As we refine our current
17 case management system, I expect that we are going to
18 have the capability to access an accurate count of
19 that information. So that is something that we will
20 have.

21 COUNCIL MEMBER WILLIAMS: Are you able to
22 share, I guess, high-level or like anecdotally if
23 there are any city agencies that you're seeing more
24 complaints from over other ones?

2 COMMISSIONER STRAUBER: You know, the
3 larger agencies by personnel as you would expect, my
4 recollection is tend to generate more complaints. I
5 mean they have more employees. You would expect to
6 have more reporting, and so I can get you more
7 accurate numbers at some point, you know, after this
8 if you'd like. But certainly, the larger agencies,
9 we tend to get more complaints from which is pretty
10 standard, you know, what you would expect. There are
11 more people to observe things on the ground and to
12 make those reports, and that actually, I think, is a
13 good sign in a sense that employees are complying
14 with the law, right? You would expect to see more
15 reports from larger agencies, because you got more
16 employees.

17 COUNCIL MEMBER WILLIAMS: Since your
18 tenure, do you see an increase in reporting or have
19 you seen like a decrease? Like, since you've started
20 in this position, would you say you're seeing an
21 increase or are you seeing a decrease?

22 COMMISSIONER STRAUBER: The complaint
23 numbers are relatively steady. They've gone up
24 slightly since 2022. Although I think in 2022 we
25 were still coming out of COVID. So, they're in the

2 sort of mid-12,000s in 2022, and now they're up--
3 well, they were in the last two years, up in the
4 14,000 to 15,000 range. So, they've gone up
5 slightly, but not dramatically.

6 COUNCIL MEMBER WILLIAMS: Okay. Thank
7 you, Chair.

8 CHAIRPERSON BREWER: Thank you. Council
9 Member Joseph? And so, we've been joined by Council
10 Member Krishnan.

11 COUNCIL MEMBER JOSEPH: Good afternoon,
12 Commissioner. How are you? Good to see you always.
13 I want to continue-- piggyback off of Council Member
14 Williams. What agency received the most complaints
15 in your office?

16 COMMISSIONER STRAUBER: So, that's
17 information that I would have to get to you after
18 this, because I don't have specific numbers here, but
19 that's information that we can get and provide.

20 COUNCIL MEMBER JOSEPH: Because I do get
21 a couple of folks that do reach out to my office as
22 the protection under Whistleblower Law to seek relief
23 on the state law rather than local. Why would they
24 want to do that?

COMMISSIONER STRAUBER: So, I have to say, I'm not intimately familiar with the details of the stat law protection. I think it-- I think City law may be more protective in certain ways. I don't think the state law provides a private right of action if for example we determine that there was retaliation and we say to the agency, you know, you need to reinstate this person and the agency refuses. I don't think state law provides any legal right of action. I know that the City law requires that you make a report to a designated number of city entities. It may be that the state law, and like I said, I can't really speak to the details of it-- it may have a more flexible view of what it means to be a Whistleblower Law, because under city law, you have to make a report to one of a small number of entities. For example, if you go to the press, that's not being a Whistleblower Law under city law. So it may be that there are some limitations in the City's Whistleblower Law that the state law doesn't have. But unfortunately, I need to know more of the details on that law which we don't work with to tell you the answer to that question.

2 COUNCIL MEMBER JOSEPH: Thank you for
3 that. Have the 2020 changes to the City
4 Whistleblower Law measurably affected city employees
5 who report corruption?

6 COMMISSIONER STRAUBER: You know, in
7 terms of the reporting that we receive, the
8 information that I can give you is really numerical,
9 which is how many whistleblower reports, you know,
10 how many whistleblower investigations do we receive.
11 We actually received more in the years before the
12 legislative change than we have in more recent years.
13 So, it certainly hasn't increased the number of
14 complaints we've received. I should say that it's
15 not entirely clear to us why there are fewer people
16 making whistleblower complaints, although I have some
17 theories on that. But I haven't seen any measurable
18 increase in whistleblower allegations since the
19 passage of the legislation in 2021.

20 CHAIRPERSON BREWER: What are your
21 theories?

22 COMMISSIONER STRAUBER: What are my
23 theories? Well, actually one theory is that we have
24 been better educating our own investigators on what a
25 whistleblower complaint actually is. And so for

2 example, if someone comes to us and says, you know, I
3 made a report to the press criticizing my agency and
4 then I was retaliated against, we can investigate
5 that as a matter of practice, as a matter of like why
6 is that agency retaliating against someone for that
7 conduct, but it's not a whistleblower complaint,
8 because a report to the media is not a recognizable
9 complaint under City Whistleblower Law. So, I don't
10 know this, so I'd have to be speculating a little
11 bit, but it is possible that we are better now at
12 characterizing whistleblower versus non-whistleblower
13 complaints, than we were in prior years. Doesn't
14 mean we don't investigate them. It just means we
15 investigate them as non-whistleblower complaints just
16 as regular retaliation complaints.

17 COUNCIL MEMBER JOSEPH: Would you
18 recommend any changes to city, state or federal law
19 to further protect whistleblowers?

20 COMMISSIONER STRAUBER: You know, I don't
21 feel that I'm in a position to speak to state or
22 federal law. You know, I think the City law--

23 COUNCIL MEMBER JOSEPH: [interposing]
24 [inaudible] on the city level?
25

2 COMMISSIONER STRAUBER: Particularly with
3 the changes from 2021, the private right of action is
4 really important, because DOI's recommendations of
5 course are advisory only. At this time, I don't have
6 specific changes to the law. I certainly-- as I've
7 said, would like us to have the resources to be out
8 there more on education, but the legal framework, I
9 think, actually makes-- you know, I think it makes
10 sense, and I think it works well for what it's trying
11 to accomplish.

12 COUNCIL MEMBER JOSEPH: So, does the City
13 Whistleblower Laws encompass entities like H+H, EDC,
14 NYCHA, New York City Public Schools, and SCA?

15 COMMISSIONER STRAUBER: So, yes, to the
16 first-- yes, to everything, but the City public
17 schools, because complaints relating to retaliation
18 in connection to the City public schools in any
19 matter that requires an IG investigation of City
20 public schools goes to SCI, the Special Commissioner
21 of Investigations for the schools and we don't handle
22 those. Were we to receive a complaint like that, we
23 would refer to it SCI.

24 COUNCIL MEMBER JOSEPH: How about SCA?

2 COMMISSIONER STRAUBER: Yes, SCA's
3 included.

4 COUNCIL MEMBER JOSEPH: It's included in
5 the SCI?

6 COMMISSIONER STRAUBER: I believe they
7 are. They are not part of the Department of
8 Education.

9 COUNCIL MEMBER JOSEPH: Thank you. Should
10 the City law be changed to encompass previous and
11 protective-- perspective employees or interns?

12 COMMISSIONER STRAUBER: Perspective
13 employees, I don't think so. In terms of interns,
14 again, I think that there's no reason why someone at
15 any level, including an intern shouldn't be
16 protected. I think the mechanisms under the law for
17 remedies are less helpful for interns, because they
18 tend to be short term employees. So, reinstatement
19 to an internship by the time an investigation is
20 completed is not a very meaningful remedy. Often
21 interns are not paid, so there's no financial
22 benefit, but I think anything that encourages
23 everyone at every level to report something that
24 concerns them is a positive thing.

2 COUNCIL MEMBER JOSEPH: Thank you so
3 much.

4 COMMISSIONER STRAUBER: Thank you.

5 CHAIRPERSON BREWER: Thank you. I mean,
6 I'm still worried about people not complaining. So,
7 has the agency ever conducted integrity tests to
8 assess whether an employee is reporting misconduct
9 when they observe it? For example, when they witness
10 a city employee soliciting or accepting a bribe,
11 falsifying documents, or violating the law or agency
12 rules, it's a different kind of metric, I guess. But
13 is that something that you're thinking about?

14 COMMISSIONER STRAUBER: I mean, as far as
15 I know, we have not conducted a sort of proactive
16 investigation where we-- I think what-- maybe what
17 you're envisioning, because we wouldn't know what we
18 don't know. So, an integrity test would be to sort
19 of stage some kind of misconduct and see who reports
20 it. I mean, that's not something that we've done, in
21 part because we get a lot of, you know, complaints of
22 actual misconduct that we're investigating. I
23 recognize that it is a concern and it's hard to know
24 what you don't know. And as Council Member Williams
25 was saying, it's a frightening and intimidating thing

2 to report on your colleagues, and something that I
3 think a lot of people may be reluctant to do even
4 with the legal obligations and the protections. But
5 no, we have not-- we have not focused on
6 investigating employees for failure to report. We've
7 really focused on trying to investigate the
8 misconduct that's brought to our attention or that we
9 suspect, and then addressing that misconduct.

10 CHAIRPERSON BREWER: Okay. I mean, the
11 obligation to report is frightening as a concept. On
12 the other hand, as long as you have full backing that
13 you're not going to get fired or hurt or retaliated
14 against, that's what the whole law is all about. And
15 I guess what I'm saying is I think having some kind
16 of a metric along those lines would be helpful to see
17 if people are comfortable making that report as a
18 metric. Again, back to this issue of you will not be
19 retaliated against, but it would be good to know if
20 they're comfortable doing it as a metric.

21 COMMISSIONER STRAUBER: I mean, it also
22 could be something-- you know, we certainly engage
23 with employees about the whistleblower protections
24 and about how to make reports during training. We
25 could perhaps explore even further with them, sort

2 of, are there-- I mean, we try to provide sort of
3 every available mechanism for people to make a report
4 so they can do so quietly and confidently. We could
5 perhaps engage with employees even more about
6 barriers that they see to reporting. Although, like
7 I said, we tried to create a system that's pretty
8 comprehensive.

9 CHAIRPERSON BREWER: I mean, you have
10 some theory, but do you think there's less
11 retaliation today than there has been since 2009? It
12 is surprising to me that the numbers are going down.

13 COMMISSIONER STRAUBER: you know, I
14 wouldn't want to say that there's less-- there's
15 certainly less reported retaliation to us, and I
16 would hope that that means there's less retaliation,
17 but that's just to say I hope the system is working.
18 I don't know.

19 CHAIRPERSON BREWER: Okay. I mean, I--
20 it's surprising to me. I'm just wondering in terms
21 of the-- again, back to this notion of trying to make
22 sure that people know that they can make the reports.
23 When you are doing the training and when people are
24 doing the training, do you get any feedback as to
25 why-- how they think the process is going? Are they-

2 - you know, do they understand what their-- what the
3 training is all about, etcetera? In other words, how
4 do you-- how is the-- it's a whole different world.
5 People are looking. They don't read the papers.
6 They don't look at the news. They look at their
7 phones. I have teenagers in my house that's ready to
8 kill them. You know, you can't get them do to do
9 anything beyond what's right in front of them, and I
10 think city employees are the same. So, my question
11 would be how-- if there are any new ways, maybe using
12 AI to get people to know that they should be
13 comfortable about making these reports. I cannot
14 believe how low your numbers are, I'm just saying,
15 from my limited experience.

16 COMMISSIONER STRAUBER: Yeah, I mean,
17 look, we certainly are using social media to
18 publicize the work that we're doing and whenever our
19 work is based on a complainants report and we can
20 make that public, we do that. So, we're trying to
21 reach people through kind of the devices that maybe
22 they're currently spending more time on. Certainly
23 the-- and particularly the in-person modules and
24 training that we-- the modules as well as the in-
25 person training we do are designed to ensure that

2 there's full understanding of how the process works.

3 You know, I don't-- and certainly to the extent we

4 get feedback from attendees, we try to incorporate

5 that. I'm not aware of sort of specific concerns that

6 people have articulated that are barriers to

7 reporting.

8 CHAIRPERSON BREWER: I think in your

9 letter regarding whistleblower, you reported logging

10 2,083 complaints from City employees alleging

11 corruption, criminal activity; 265 became part of an

12 investigation. I believe that's around 13 percent.

13 So, is that the number that you think is correct, and

14 is-- it's a low number. Is that something that's

15 kind of typical of the percentage that would be

16 investigated?

17 COMMISSIONER STRAUBER: I am not sure I'm

18 following exactly where the numbers are coming from

19 now. You're now not speaking-- we're not speaking

20 about whistleblower complaints--

21 CHAIRPERSON BREWER: [interposing] No,

22 general, general.

23 COMMISSIONER STRAUBER: specifically.

24 CHAIRPERSON BREWER: Well, it's the

25 whistleblower letter of 2024, and you reported

2 apparently 2,000+ complaints from employees talking
3 about corruption. So, it's more general. And 265
4 became existing investigations, and then we thought--
5 that's about 13 percent.

6 COMMISSIONER STRAUBER: Yeah, I mean, I
7 think what that reflects is that, you know, although
8 we get, you know, many, many complaints, not all of
9 them are actionable in the ways that we discussed.
10 They may be too vague. They may not be-- I mean, a
11 complaint, anything we receive, a complaint about a
12 city service, that counts as a complaint, and we log
13 it and we document it. Many of those complaints are
14 not appropriate for us to investigate. They're not
15 DOI-type investigations. They-- we refer them to be
16 handled elsewhere or we simply file them away for
17 future use. So, I mean, I-- those numbers I think are
18 an accurate reflection of the percentage of
19 investigations, you know, the percentage of
20 complaints that we open into full investigations,
21 yes.

22 CHAIRPERSON BREWER: Okay. Again, back to
23 this issue of culture. We want to make sure that ew
24 have a culture of openness in city government so that
25 people do feel comfortable. I know that that's the

1 purpose of either the Whistleblower Law or just
2 regular reporting. So, I guess what I'm saying is,
3 in your training or just generally as an agency, how
4 do you combat the fear of reporting? Obviously, you
5 do everything you can, but I want to know if you are
6 taking extra steps to cultivate a culture of openness
7 so that people do not fear retaliation. And I go
8 back to-- I understand. Again, I'm also concerned
9 about the agencies that have contracts with the City
10 of New York. I'm not sure that if you own a
11 construction site, you are clear that you will not be
12 retaliated against if in fact there's some situation
13 that you feel is uncomfortable or is illegal.

15 COMMISSIONER STRAUBER: Well, so the work
16 that we do, and again, is it-- do we reach every
17 employee of every construction site? No. and are
18 people-- you know, many of the people are moving from
19 site to site on any given day. Those outreaches
20 certainly are designed to make people feel
21 comfortable reporting, but I think we have to
22 recognize the reality is they have a lot of financial
23 pressures and other pressures that may in their mind
24 make the calculation that it is a higher cost to take
25 the risk by reporting than to simply, you know, be

2 silent and let things happen. I think that is a
3 difficult thing, particularly for non-city employees
4 with whom we have less regular contact to combat. I
5 think in terms of city employees, it's most
6 importantly the work that we do in-person, but I also
7 think it's the combination of if you're onboarded and
8 you're being given an anti-corruption message. If
9 your agency head is reinforcing that message by maybe
10 showing up at our training or speaking about the
11 value of anti-corruption or making clear when they--
12 as many agency heads do, when they have reported
13 information to us or someone in the agency has that
14 has led to a criminal case and being supportive of
15 that result. I mean, I think there are multiple
16 factors that help create that culture of compliance.
17 I think we are one piece of that, but not necessarily
18 the whole thing.

19 CHAIRPERSON BREWER: Okay. And then do
20 you know of other entities cities have similar
21 approaches to training? I mean, every city is
22 different, different Whistleblower Laws, different
23 corruption and so on. Do you have any sense of other
24 places around the country that are as effective or
25 maybe more effective.

2 COMMISSIONER STRAUBER: You know, I
3 haven't-- I have not studied the Whistleblower Laws
4 or sort of training approaches of other IGs, so that
5 is not something I think I can really speak to. I
6 mean, I do think, you know, given our history, the
7 nature of the cases that we make and the work that we
8 do, that we stand out among, you know, the other IGs
9 in the country in terms of being a successful example
10 of receiving and addressing, you know, numerous
11 complaints including employee complaints, but I
12 haven't really done a comparison. There certainly
13 could be practices we could learn from, but I have
14 not-- I have not done that.

15 CHAIRPERSON BREWER: Picking up on
16 Council Member-- I think-- Williams who asked this,
17 do you think-- you said that you didn't know any
18 changes that should be made or maybe it was Council
19 Member Joseph. But do you believe that trainings
20 should be mandatory for all city employees,
21 contractors, and subcontractors, if you had the
22 staffing, obviously?

23 COMMISSIONER STRAUBER: My understanding
24 is right now even the module training that we do,
25 strictly speaking, is not mandatory. Although--

2 CHAIRPERSON BREWER: [interposing] No,
3 it's not, that's what I'm saying.

4 COMMISSIONER STRAUBER: I think many
5 agencies do it. I would certainly not be opposed to
6 training being mandatory.

7 CHAIRPERSON BREWER: Okay, because that
8 would make sense, I think, for the contractors,
9 subcontractors, and employees to have that kind of
10 support.

11 COMMISSIONER STRAUBER: But we do have to
12 be mindful particularly if we're talking about
13 contractors, which is like an exponential increase
14 and probably an additional degree of difficulty in
15 terms of just logistically our ability to reach them.
16 We would have to have the resources, as you just
17 mentioned, to provide that training if that
18 obligation is a DOI obligation, and I think it's
19 certainly something that we should be, you know,
20 deeply involved in if not entirely responsible for,
21 but we'd need some support to be able to do that.

22 CHAIRPERSON BREWER: No, I'm big on
23 giving you more money and support as well.

24 COMMISSIONER STRAUBER: I know, and you
25 know I appreciate that.

2 CHAIRPERSON BREWER: Have you and your
3 executive staff given in-person anti-corruption
4 trainings to top City Hall staff in the last few
5 years?

6 COMMISSIONER STRAUBER: Top City Hall
7 staff in the last few years, no.

8 CHAIRPERSON BREWER: No? okay. And when
9 an investigation leads to an arrest at a city agency,
10 do you provide immediate follow-up training to that
11 agency staff on how to identify or prevent for the
12 future? I think you mentioned that earlier that you
13 do. If you see something you continue to follow up
14 on that agency.

15 COMMISSIONER STRAUBER: We do. And
16 sometimes there are particular sort of red flags that
17 we can train the agencies to look for, and you can
18 see that reflected in our recommendations. Sometimes
19 we'll say, you know, you should be looking for X, Y
20 and Z, and when you find that here are things that
21 you should do, and you should create a policy around
22 that.

23 CHAIRPERSON BREWER: Alright. And then
24 the other thing I wanted to know, this is a little
25 bit off. You do have a terrific protest monitor.

2 Again, trying to tie it into whistleblower trainings
3 and follow-up and corruption. God knows how many
4 more protests we're going to have in the City of New
5 York in the next months or so. Got ones coming up
6 every single day. So, obviously, you never know,
7 Police Department, other agencies are out there. How
8 does that protest monitor fit into what we're talking
9 about today?

10 COMMISSIONER STRAUBER: Well, the protest
11 monitoring unit was created out of a settlement of
12 litigation involving the New York City Police
13 Department's handling of the George Floyd protests.

14 CHAIRPERSON BREWER: Correct, correct.

15 COMMISSIONER STRAUBER: And the
16 settlement provides for certain changes to police
17 policy and procedure in terms of how they address and
18 manage protests with various tiers, and at each tier,
19 a different police response is appropriate depending
20 on the size and the nature of the protest. And the
21 settlement in lieu of having an outside monitor-- and
22 we talked about how expansive those outside monitors
23 can be for the City-- has DOI and this new Protest
24 Monitoring Unit that we created to ensure the Police
25 Department's compliance with that settlement. That

1 compliance monitoring work has not formally begun
2 yet. Although we do now have the unit staffed and
3 they are working at DOI. The reason it hasn't
4 formally begun yet is that there is a little bit of
5 ongoing litigation around some of the settlement
6 terms, and also because the Police Department is
7 finalizing some of the policies and training required
8 under what's called phase one of the agreement. 45
9 days after phase one is completed, there is then a
10 process that involves our protest monitoring unit in
11 which DOI co-chairs or chairs with others a
12 collaborative committee. That committee selects
13 protests that have occurred, you know, in recent
14 weeks or months for review by the Protest Monitoring
15 Unit. So, when you see our employees who are part of
16 that unit out at protests as they are in they're
17 identifiable by the clothing that they wear, right
18 now they are there basically as part of their own
19 process of preparation and education so that when the
20 time comes for them to start reviewing and examining
21 records relating to protests that the Committee will
22 select. They may have attended them, and at a
23 minimum they will have a very good sense of how these
24 protests are managed and handled by the Department
25

2 and how things look on the ground. So, there-- their
3 work is not really directly related to what we're
4 talking about today, although we have created a
5 mechanism for them to receive complaints, because of
6 course, even though their work and the hiring process
7 was part of this settlement, we as DOI are not
8 limited in what we can look at and complaints they
9 receive. If they have the bandwidth in addition to
10 their settlement-related work, they can investigate
11 or other squads, you know, within DOI can investigate
12 including obviously RIG that oversees the Police
13 Department. So, that's how they fit in.

14 CHAIRPERSON BREWER: Okay, they
15 definitely are going to be busy.

16 COMMISSIONER STRAUBER: I think that's
17 right.

18 CHAIRPERSON BREWER: Do you consider--
19 just going back to the trainings to be effective, and
20 how are you evaluating them for being effective or
21 not? Because-- and also, are those courses updated?
22 It's one thing to do them. I'm sure they're done
23 well. But how do you know? I guess one way to
24 evaluate it is, there's no corruption in agency or no
25 complaints, but I don't know if that's true. So, my

2 question is how do you evaluate the training and how
3 do you keep them updated?

4 COMMISSIONER STRAUBER: Well, the in-
5 person trainings are updated in the sense of like by
6 their nature we're deciding, you know, each quarter
7 as I mentioned. Which agencies are we going to go
8 to? What are the issues they're currently having?

9 CHAIRPERSON BREWER: I keep mentioning in
10 your testimony about HPD which made sense, a Section
11 8 application.

12 COMMISSIONER STRAUBER: Right. So, we are
13 kind of in real-time setting, you know, the agenda
14 for the training based on what we're seeing. So
15 that's how we keep those updated. You know, the
16 onboarding video we just created last year, so we
17 should at periodic intervals see if that needs to be
18 refreshed. I can't tell you exactly when the online
19 training module was last updated, but that's
20 something obviously we need to be mindful of, that
21 we're making sure. Now, obviously, there have been
22 some legal changes, you know, not I think since the
23 module was put in place, but we got to be mindful of
24 not only changes in the law, but sort of changes in
25 the reality of city employees, you know, situations.

2 CHAIRPERSON BREWER: And how do you
3 evaluate them for whether or not they're efficient
4 though? How do you make that determination?

5 COMMISSIONER STRAUBER: Well, I don't
6 know that there's any sort of external measurement
7 that we can use. I think when the squads sit down
8 with our training division and we say which agencies
9 seem to be having more issues right now? Who are we
10 getting more complaints about, who have we not seen
11 recently? You know, that is our way of making sure
12 that we're not going back over and over again to the
13 same agency that doesn't really need to see us, or an
14 agency who's-- we've just trained at their request.
15 So, I mean, it's a sort of real-time assessment of
16 what the greatest need is and that's where we go, and
17 that's how we try to make the process efficient.

18 CHAIRPERSON BREWER: I know we talked
19 about interns a couple of times. What about seasonal
20 workers, do they get any of this training?

21 COMMISSIONER STRAUBER: Well, that is one
22 of the things-- you know, the Sanitation example is
23 sort of one example of going--

24 CHAIRPERSON BREWER: [interposing] Parks.
25

2 COMMISSIONER STRAUBER: to city employees
3 where they are, or Parks. So, yes, we try to do that
4 and these are the types of employees for whom we
5 would reserve our limited in-person resources,
6 because they're not going to have a computer they can
7 sit down at necessarily to like view a module. So,
8 yes, we factor that in when we make our decisions
9 about who to go and train.

10 CHAIRPERSON BREWER: Because I know the
11 seasonals are being hired right now for Parks, and I
12 know for instance-- I know somebody who's being
13 hired. They have to pay \$105 for fingerprinting.
14 They're very upset about that. I just wanted you to
15 know. And they are not getting any trainings, to the
16 best of my knowledge, about anything to do with what
17 constitutes good behavior. Now, they might be.
18 They're mostly upset about the \$105.

19 COMMISSIONER STRAUBER: Well, I'm told
20 that they will get training. I don't know if there's
21 anything I can do about the \$105.

22 CHAIRPERSON BREWER: I have to pay it is
23 what I'm saying. Go ahead. But they will training
24 on this--

25 COMMISSIONER STRAUBER: [interposing] Yes.

2 CHAIRPERSON BREWER: type of thing?

3 COMMISSIONER STRAUBER: Yes.

4 CHAIRPERSON BREWER: Okay. because I
5 have a feeling that that's a group of people that
6 need it because of their background and because they
7 are not aware of working for city government in a
8 holistic way.

9 COMMISSIONER STRAUBER: Right. I mean,
10 these are the kinds of things we do try to take into
11 account.

12 CHAIRPERSON BREWER: Okay. And
13 obviously, you can't do that same for anybody hired
14 as a contractor or subcontractor, meaning people
15 coming onboard, because there are too many of them.
16 But that would be a-- I keep mentioning that group of
17 people, because I can't believe they're not aware of
18 situations that should be reported.

19 COMMISSIONER STRAUBER: Yeah, I mean,
20 like I said, there's some limited training that we
21 do, but I would not be able to say it's a
22 comprehensive for that group.

23 CHAIRPERSON BREWER: Yeah. All the kinds
24 of money and gifts that go flying around. Well, we
25 thank you very much. We appreciate your work, and I

2 think one of the things we're going to look at is
3 making this more mandatory. Thank you so much.

4 COMMISSIONER STRAUBER: Thank you. I
5 appreciate it.

6 CHAIRPERSON BREWER: I will now call
7 invited witnesses to testify. Each invited witness
8 will have three minutes to testify. If you wish to
9 speak at today's hearing, you may have already, but
10 please fill out an appearance card with the Sergeant
11 at Arm and wait to be recognized. Call on Ricardo
12 Morales and Robert Kraus. Whenever you'd like to
13 begin, go ahead.

14 ROBERT KRAUS: Good afternoon. My name
15 is Robert Kraus. I received an invite to testify
16 today, and I am happy to do so. I thought there was
17 going to be some more inquiry directed at me, but I
18 did prepare some thoughts based on my involvement in
19 representing Mr. Morales when he filed a complaint
20 with the Department of Investigation eight years ago
21 in 2017, I believe. And in terms-- I think there is
22 some lessons to be learned from how that
23 investigation was treated. That was seven or eight
24 years ago, so I'm not sure which--

CHAIRPERSON BREWER: [interposing] I was around.

ROBERT KRAUS: But I say that because with respect to Commissioner Strauber, that was before her and it was a different time. But that investigation was troubling to me, because Mr. Morales, as you know, was a longstanding very well-respected civil servant who had a couple of agencies, won ethics in government award, was involved in a couple of public scandals, and at some point someone filed an ethics complaint that was directed at him and with the Department of Investigation, and an investigation ensued. And it was a very comprehensive investigation. And it took five months to complete. The thousands of documents were reviewed. City computers were cloned. Fifty individual witnesses were interviewed by the DOI, and the result was a 30 or 40-page report which cleared Mr. Morales of any wrongdoing, and actually directed wrongdoing back at City Hall. It has known of what had happened around Rivington [sp?], even though it professed not to in essence, as you well know, Chairman. And then Mr. Morales ended up losing his position and we filed a complaint alleging that he

1 had been retaliated against for essentially standing
2 up to city Hall and enforcing the ethics rules. And
3 that complaint then took 18 months, despite now he's
4 represented by counsel and I'm prodding, but the
5 investigation is not moving. So, you have the first
6 investigation where presumably-- it involved many of
7 the same-- can I continue? It involved many of the
8 same issues. So here they'd already cloned the
9 computers. They interviewed 50 of the same
10 witnesses, reviewed thousands of documents, finished
11 that in five months. Ricardo files the some
12 complaint alleging the same facts. It takes 18
13 months. I was first optimistic about the
14 investigation. I was communicating with an
15 investigator who seemed very helpful and eager to
16 uncover the facts, and then at some point, the
17 communication-- line of communication just changed.
18 And then suddenly another investigator was assigned
19 to the complaint, and it seemed to me quite clear
20 that something had happened behind the scenes to slow
21 this investigation down and steer it in the direction
22 that was adverse to Mr. Morales, and ultimately there
23 was a finding that his complaint was not upheld.
24 There was no wrongdoing, essentially. It was found
25

1 that Commissioner Lisette Camilo had made the
2 decision to terminate Ricardo prior to his
3 involvement in any investigative body, and she-- it
4 was alleged that she made the decision in I think
5 March of 2016. But there was a series of objective
6 facts which just sort of cast that in question. For
7 example, she said at the same time that she could
8 not-- she would not make a final decision without
9 City Hall's approval. City Hall we never were
10 involved. Her assistant said that the decision was
11 not made until the fall of that year. We have
12 documentary evidence in the fall of that year that
13 they were considering a reorganization in which Mr.
14 Morales' employment would continue, although in a
15 different capacity. So how was the decision made to
16 fire him eight or nine months earlier. It is human
17 nature ot try to influence investigations whether
18 it's wrongdoing-- the wrongdoer will try to influence
19 investigations. That's why we have anti-reatliation
20 protections. And I think that, you know, the length
21 that the investigation took by itesmf shows that
22 something was amiss.

24 CHAIRPERSON BREWER: So, one of your
25 recommendate--

2 ROBERT KRAUS: [interposing] Well,--

3 CHAIRPERSON BREWER: [interposing] If you
4 would think, you know, looking at-- I know the case
5 well. So, we're-- looking at the past and the
6 present, you might have some suggestions as to what
7 should change, or do you think there's enough in the
8 retaliation law to-- that it's okay.

9 ROBERT KRAUS: Yeah, so great question.
10 Thank you for asking it. I heard the Commissioner
11 say that now every three months a complainant is
12 invest-- is advised of the status of the
13 investigation.

14 CHAIRPERSON BREWER: By the law.

15 ROBERT KRAUS: I don't know if that was
16 the law back then. It certainly didn't happen.

17 CHAIRPERSON BREWER: It wasn't, yeah.

18 ROBERT KRAUS: Okay. So, I think that
19 that-- you know, justice delayed is justice denied.
20 So, not only should there be, I think, protocols
21 around the speed with which investigation is
22 conducted, if possible, there should be some general
23 rules. You'll identify the witnesses. You'll
24 interview the witnesses. You'll review the documents
25 within certain periods of time, and then if not--

2 excuse me-- if it's not done, a superior-- there
3 should be an alarm that goes off. Oh, hold on.
4 There's something wrong with this investigation, and
5 then someone else can get involved. So that's one
6 thing. Place parameters around the investigations to
7 ensure that they're conducted with due haste.

8 CHAIRPERSON BREWER: Makes sense, okay.

9 ROBERT KRAUS: And then to get to the
10 problem of influence, it's an age-old problem, as
11 I've said. I would suggest that maybe there should be
12 a panel of people who review the investigator's
13 report and issue findings, and that panel of people
14 is assigned randomly, so that they can't be
15 influenced and their identity is not public until the
16 decision is rendered.

17 CHAIRPERSON BREWER: Okay. That's very
18 helpful. Thank you. Mr. Morales?

19 RICARDO MORALES: Can you hear me? First
20 of all, thank you for having this-- the oversight
21 hearing. It's good to hear many things are happening
22 at least in training at DOI. It seems that the
23 Commissioner's trying to do the best that she can.
24 And my message here is that, just piggybacking on
25 what Robert Kraus has said, is that somewhere along

the line--- and I felt like it was déjà vu all over again as Yogi Bear would say, was when I appeared-- the last item I was here in City Hall was for the hearing, similar hearing, and there were 185 applications for whistleblower status and one was given. Obviously, it wasn't mine. I heard, and maybe I heard wrong, that the Commissioner said that there was one application for whistleblower status given. I don't know how many applied for it. I'm not talking about reporting and training. I'm talking about actual people asking for whistleblower protection and that individual getting it. If it is true that in the last 10 years there have been two people who have gotten the protection, I got to tell you, that is disconcerting. So, a couple of things I do want to say about my personal experience here as a person who did not get the protections, who did get fired very publicly. And when one of the Councilpersons said that you get the rat and the sneak [sic], get all this other stuff, those are editorials and newspaper titles that went throughout the City with my name on it, and I had to deal with it with my family, etcetera. Having said that, and I want to be very clear here, I love government, and I

2 beliee that government works. And I believe that the
3 committees work here to make it better. It's
4 admirable. And I also think that people get scared
5 and people get bitter. I am not bitter. If I had to
6 do it all again, I would do it again, because I love
7 government, and I think it's the most noblest thing
8 you can do to help your fellow citizens. I'm going to
9 tell you something. If looking at it, and we find
10 that the same information that I had five years ago
11 is the same now, that only one person has gotten that
12 status, I'm going to tell you something. The
13 chilling effect of people, a person like me-- so just
14 by quick way of background, because the public don't
15 know-- doesn't know. I was the General Counsel at
16 the Housing Authority. I was the Chairman of the
17 Housing Authority. I was a General Counsel--

18 CHAIRPERSON BREWER: [interposing] I know.

19 RICARDO MORALES: at the Comptroller's
20 Office. I was the First Deputy at the Comptroller's
21 Office. I was in charge of all the real estate for
22 the City of New York in DCAS. I loved every single
23 one of those jobs. I am not politically connected. I
24 don't have a county-- if you'd allow me a few minutes
25 for me to finish. All of those things just went up

2 in smoke, right? If you look at that, a guy who has
3 my kind of background-- I won the Ethics in
4 Government Award, etcetera-- doesn't get the status
5 or nobody looks into why I didn't get the status, the
6 chilling effect for people is, this guy, career
7 professional, had all of these things working for
8 him, these awards and all this stuff, and he didn't
9 get it-- I'm going to keep my mouth shut. Because as
10 soon as I found out that a guy like this didn't get
11 it, something's wrong. And before-- a good question
12 you asked, it was an excellent question. You asked
13 whether or not the training was done at the highest
14 level of government, at the highest level of
15 government, mayor, deputies-- if that's not done--

16 CHAIRPERSON BREWER: [interposing] The
17 answer was no.

18 RICARDO MORALES: Of course, the answer
19 was no. Of course, the answer was no. I could tell
20 you, look at all the arrests and people had to be--
21 had to resign. That kind of willful ignorance--
22 that's all I could say-- of not having these people
23 forced to have this kind of training-- if you have
24 the bill, the bill provides for everybody. Tone up,
25 all the way down. So, what I would tell you is

2 people who are in government, and you know
3 something's gone wrong, speak up. You might find out
4 that it might cost you, but if you believe in two
5 things: you have faith in God and yourself and too,
6 faith in the system and the conviction that you're
7 doing the right thing, it would stop. I'm not a great
8 a story, but I'll tell you something. I stopped de
9 Blasio's nonsense, because everybody was now paying
10 attention, right? And once again, I'm not bitter.
11 I'm not trying to get another score. I think it's
12 important that if you really want people to start
13 reporting, those numbers aren't who gets that status-
14 - and I'm not just saying to give it up, give it
15 away. I'm telling you that the City Council has the
16 power to look into that. They have the power to do
17 studies about that. The Comptroller has power to do
18 studies why individuals are not given that status,
19 and why that criteria may have to change to it more
20 broader.

21 CHAIRPERSON BREWER: I agree with you.
22 Council Member Williams has a question. I have to
23 say, I find the numbers to be very low also, which is
24 why I kept asking about the numbers and why the
25

2 trainings and so on-- their numbers are too low for
3 me.

4 RICARDO MORALES: They are too low, and
5 it's a chilling effect [inaudible], but they'll stay
6 quiet [sic]. Once I was fired, that whole agency,
7 DCAS, not a person was saying anything.

8 CHAIRPERSON BREWER: Exactly. Council
9 Member Williams.

10 RICARDO MORALES: Thank you. Any
11 questions?

12 CHAIRPERSON BREWER: Yes, Council Member
13 Williams.

14 COUNCIL MEMBER WILLIAMS: Yeah, I didn't--
15 - I guess I missed that when the Commissioner was
16 here. What is the process? Do you know-- what was
17 your process to apply for a whistleblower status?

18 RICARDO MORALES: When the Rivington
19 portion started, I was working directly with DOI.
20 And just to give you a little bit of background
21 without getting into a long story, at that time, the--
22 - a Corporation Counsel was stalling the information
23 going to DOI. They came to me, and we worked out a
24 system by which I was being helpful to DOI while
25 Corporation Counsel and our General Counsel stalled

2 the information. DOI brought me to the FBI, and
3 through the FBI I got to the Southern District's
4 prosecuting office, the Department of Justice, and
5 then I was served a subpoena for a grand jury. But
6 the process was that I had a relationship, and I had
7 a relationship as General Counsel at the Housing
8 Authority and at the Comptroller's Office with the IG
9 all the time. These are my colleagues-- in the
10 Corporation Counsel and at DOI were colleagues of
11 mine.

12 COUNCIL MEMBER WILLIAMS: Yeah, I guess I
13 just didn't realize. I just thought that if someone
14 reports something, that they would kind of
15 automatically be considered a whistleblower. I
16 didn't know there was--

17 RICARDO MORALES: I wish that was true.

18 COUNCIL MEMBER WILLIAMS: Yeah.

19 ROBERT KRAUS: And Ricardo left out one
20 important fact. We did then file a complaint with
21 the Department of Investigation claiming that we were
22 whistleblowers and had-- he was a whistleblower and
23 had been retaliated against, which then triggered the
24 18-month investigation that led nowhere.

2 COUNCIL MEMBER WILLIAMS: And so, like,
3 whistle-- you're not DOI, so happy to ask DOI
4 directly. But if you know, happy to hear. So, what
5 is the difference? Like, do they categorize? Like,
6 do people get special protections? Obviously, when
7 you are a whistleblower, like what is-- like, how do
8 they even make this determination? If you were
9 granted whistleblower status, are you saying that you
10 wouldn't been fired, or?

11 RICARDO MORALES: I would have been
12 reinstated to my position at DCAS as the Deputy
13 Commissioner. I'd been reinstated at that time. They
14 terminated all of my medical benefits. I had just
15 come out of the hospital with a heart problem. I was
16 not allowed to retire early because I was 60, not 62.
17 So I had to kind of fend for myself on that. The
18 toher cost of retaliation, I want to be very clear
19 here, is once you have that label of rat or anything
20 like that, you're black-listed. You won't find work.
21 You won't. you won't get a govern-- I can't tell you
22 how many jobs I applied to after that horrible
23 experience, and I had-- nothing. I even applied at
24 the Housing Authority at a mid-level job, and they
25 didn't even respond to my application. I didn't even

2 qualify for that. Look, I don't want to go negative.
3 I do not want to go negative, because this is such an
4 important thing. It's important for everybody in the
5 future who wants to make an application for
6 whistleblower who has substantial information to
7 provide to the government, but they're scared because
8 what happened to either Ricardo or anybody else, or
9 that only one or two out of 10 years get the status.
10 That's the real problem. That's the protection this
11 Council or the Comptroller's Office or somebody else
12 has to look into. Is that criteria so high that
13 nobody could qualify and there's no protections?
14 That's what-- that's the real issue here.

15 COUNCIL MEMBER WILLIAMS: Okay.

16 CHAIRPERSON BREWER: Thank you both very
17 much. Thank you.

18 ROBERT KRAUS: Thank you.

19 RICARDO MORALES: Appreciate it, and keep
20 up the good work. We love it.

21 CHAIRPERSON BREWER: Thank you very much,
22 Ricardo. I now open the hearing for public
23 testimony. I remind the public that this is a
24 government proceeding. Decorum shall be observed at
25 all times. Members of the public shall remain silent

2 at all times. The witness table is reserved for
3 people who wish to testify. No video recording or
4 photography is allowed from the witness table.
5 Members of the public may not present audio or video
6 recordings as testimony, but may submit transcripts
7 of such recordings to the Sergeant at Arms for
8 inclusion in the hearing record. You may have already
9 filled out an appearance card, but if not, please do
10 so with the Sergeant at Arms and wait to be
11 recognized. When recognized, you have two minutes to
12 speak at today's oversight hearing, and as you know,
13 it's all about how the Department of Investigation
14 encourages City employees to report corruption. And
15 obviously, we want to say that you may email
16 testimony to testimony@council.nyc.gov within 72
17 hours of the close of the hearing. Again, audio and
18 video recordings will not be accepted. And for those
19 who are in-person, please come up to the table once
20 your name has been called. Now I will, Nadira
21 Pittman and Jennings. Come up to the witness table
22 if you're here. Thank you.

23 NADIRA PITTMAN: Hello. How are you?

24 CHAIRPERSON BREWER: Okay. Thank you for
25 being here. Go ahead.

2 NADIRA PITTMAN: Okay, so--

3 CHAIRPERSON BREWER: [interposing] Your
4 name first, just so we--

5 NADIRA PITTMAN: My name, Nadira Pittman.

6 CHAIRPERSON BREWER: Great.

7 NADIRA PITTMAN: And I have a few, a wide
8 range of scenarios and situations that I have, but
9 today, I'm just going to discuss the Department of
10 Investigation. I did go to them on-- in February,
11 informing them of federal corruption. I went to the
12 office. I spoke to someone. I gave-- email, we have
13 email connection. They said they would reach back
14 out to me. I have not gotten any response. This
15 situation that I'm dealing with is really crucial
16 where it's life-threatening, to which is defamation
17 of character, black-listed as well. There-- I have
18 witnessed so many things with young women being
19 brutal, coercion. It's to the point where it's
20 really difficult for me to go to anyone, because it
21 seems like they already have knowledge of this
22 situation, and a lot of them are already intimidated
23 by the forces that I am trying to combat. So, I come
24 here today because I want to kind of bring forth
25 awareness of what these corrupted federal agents are

2 doing at this point. They are using-- targeting,
3 one. They're targeting myself and my family. They
4 basically destroyed all my support system at this
5 point using warfare, like technical devices, against
6 them. I know it's a very extreme scenario, and it's
7 something that no one would ever understand, because
8 it's normal. It's not a normal situation. So, I have
9 went to the Department of Investigation. I am still
10 waiting, but it's still life-threatening. It's
11 urgent. So I'm looking for someone to respond. It's
12 been months.

13 CHAIRPERSON BREWER: Okay.

14 NADIRA PITTMAN: And no one's responding.
15 I'm dealing with stalking, the harassment. They're
16 tapping my phone.

17 CHAIRPERSON BREWER: Okay.

18 NADIRA PITTMAN: Yeah, so it's very--

19 CHAIRPERSON BREWER: [interposing] We--
20 you need to sum up, but maybe we could talk
21 afterwards.

22 NADIRA PITTMAN: Okay, I appreciate that.
23 I do have questions as far as like when-- they did
24 state that when it's urgent-- when it's urgent do
25 they move forward quickly, because they--

2 CHAIRPERSON BREWER: [interposing] I think
3 it depends on the case.

4 NADIRA PITTMAN: three months.

5 CHAIRPERSON BREWER: It depends on the
6 case, but we should talk afterwards.

7 NADIRA PITTMAN: Okay, I appreciate that.
8 Thank you.

9 CHAIRPERSON BREWER: Go ahead, Jennings.
10 Go ahead, yeah. You need to put the-- push the
11 button and introduce yourself.

12 Y. JENNINGS: Huh?

13 CHAIRPERSON BREWER: Introduce yourself.

14 Y. JENNINGS: Ms. Jennings. Hi, Mrs.
15 Brewer. We met around 10 years ago. I went to your
16 office at 125th Street many times about a stalking
17 issue that started May 11th, 2006-- drug related, I
18 don't do drugs. 2007, I speak to private I. The
19 private I. said to me he couldn't help me, but my
20 phone would blow up. I've had two heart attacks, and
21 when I leave here, people I don't know will grab at
22 me, reach at me, touch me, and I've been assaulted,
23 and I don't understand why. I had a heart attack June
24 of last year. Before the heart attack in February, a
25 precursor, I had a pain across my chest for one hour.

I couldn't move. Went to the emergency room. Stroke? No, sonic attack. When I had the heart attack, I went to the emergency room, and when I went there at three-something in the morning, I was there with a pressure of 216 over one-something. No one was in the emergency room, and the staff marched like the people are marching out front. It is now 19 years of me being stalked, and I do believe I showed you some letters that I then was sending to the Whitehouse. So far, 5,000 has gone, and they were sent the other day to Trump, just the other day. And every bus and train camera's seen them. And I reached out to the wonderful Department of Investigation. I reached out to everyone humanly possible for 19 years, and I got nothing. So, this is a shout out. This is a joke. It's not funny. To Mr. Pre Bahara [sp?]. What did he say? Something about your staff, do you staff have your best interest. Because I reach out to everybody only to meet people, different elected officials. They never got a email or a call from me. Not an email. Mr. Krump, can you help Me? Mr. Jay Johnson and Mr. D. William [sp?], I saw you at-- brain fog now--

2 Sharpton's convention. I reach out to everybody. I
3 don't understand it.

4 CHAIRPERSON BREWER: Thank you very much.
5 And I want to say you can both be dismissed, but we
6 can be in touch. And now we'll turn to--

7 Y. JENNINGS: [interposing] I called you
8 this week a few times.

9 CHAIRPERSON BREWER: virtual panelists.
10 Yep.

11 Y. JENNINGS: Thank you.

12 CHAIRPERSON BREWER: Virtual panelists,
13 once your name is called, a member of our staff will
14 unmute you and the Sergeant at Arms will set the
15 timer and give you the go-ahead to begin. Please
16 wait for the Sergeant to announce that you may begin
17 before delivering your testimony. So now we'll hear
18 from Christopher Leon Johnson.

19 SERGEANT AT ARMS: You may begin.

20 CHRISTOPHER LEON JOHNSON: Hello. Hello.
21 My name is Christopher Leon Johnson and I want to
22 make clear that the only way that people that city
23 employees are able to really report this stuff is by
24 these agencies, the various agencies including DCAS,
25 dedicate a link and a-- and dedicate a block.

2 Dedicate to only reporting public corruption. Now,
3 I'm calling on the City Council to revamp their
4 website to a-- including this committee and the
5 Ethics Committee which is ran by you, Ms. Sandra Ung-
6 - to dedicate a link or a block on the City Council
7 website on the top to where it says report public
8 corruption by City Council staffers and report
9 corruption by City Council employees-- I mean, City
10 Council members. The issue is that we have Council
11 Members that sit in this body, including certain
12 staffers that do a lot of unethical things and
13 illegal acts, and nothing ever happens, and
14 [inaudible]-- and nothing ever happens because when
15 people want to complain, people don't know where to
16 go. So the City Council needs to fix themselves and
17 really hold themselves accountable for what they do.
18 Now, I heard what these guys said at the
19 Comptroller's Office. Now, the Comptroller, Brad
20 Lander, is campaigning on government time, and
21 everybody knows it in the City. Everybody in the
22 City knows that he campaigns on government time. So
23 to expect him to really investigate-- to really
24 investigate this corruption within the City is
25 impossible. Like I said, these employees, they go to

2 a lot of stuff. Like I said, the City-- expect the
3 Comptroller [inaudible] like I said, I think-- like
4 I said, you Ms. Brewer and Ms. Ung need to come
5 together and tell the City Council IT Department to
6 revamp that website, the City Council website, and
7 add a block to the website saying report City Council
8 corruption, because every time you want to file a
9 complaint, they say, oh, you got to go to the General
10 Counsel. But the General Counsel send you this place
11 and that place, and I think it's ridiculous. Like I
12 said, if you want to file a complaint, I think you
13 should be able to go on the City Council website and
14 just click the link on the website and the report you
15 want to report. But it just not-- it just really--
16 it's really [inaudible] when you have to-- when you
17 want to try to do the right thing and you can't go
18 anywhere. It doesn't go anywhere because you didn't
19 file the right person.

20 SERGEANT AT ARMS: Your time is expired.
21 Thank you.

22 CHAIRPERSON BREWER: Thank you very much.
23 Thank you very much. We have now heard from everyone
24 who signed up to testify. If we inadvertently missed
25 anyone who'd like to testify in-person, please visit

2 the Sergeant's table and complete a slip. If we
3 inadvertently missed anyone who'd like to testify
4 virtually, please use the raise hand function in Zoom
5 and a member of our staff will call on you to take
6 the order of hands raised. I will now read the names
7 of those who registered to testify, but have not yet
8 filled out a witness slip or appeared on Zoom:
9 Amanda Rodriguez [sp?] and Alex Stein. Those were
10 in-persons. Seeing no one else, I would like to note
11 again that written testimony which will be reviewed
12 in full by committee staff may be submitted to the
13 record up to 72 hours after the close of this hearing
14 by emailing it to testimony@council.nyc.gov. Okay.
15 Now this hearing is finished and thank you very much
16 to everybody.

17 [gavel]

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COMMITTEE ON OVERSIGHT & INVESTIGATIONS

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COMMITTEE ON OVERSIGHT & INVESTIGATIONS

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date July 26, 2025