

COMMITTEE ON OVERSIGHT AND INVESTIGATIONS

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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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TUESDAY, MARCH 15, 2022

Start: 10:04 A. M.

Recess: 11:40 A. M.

HELD AT: REMOTE HEARING (VIRTUAL ROOM 2)

B E F O R E: HON. GALE BREWER, CHAIR OF THE
COMMITTEE ON OVERSIGHT AND
INVESTIGATIONS

COUNCIL MEMBERS:

DIANA AYALA

RITA C. JOSEPH

SHEKAR KRISHNAN,

RAFAEL SALAMANCA, JR.

NANTASHA M. WILLIAMS

JULIE WON,

MARJORIE VELÁZQUEZ

KALMAN YEGER

COMMITTEE ON OVERSIGHT AND INVESTIGATIONS

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

Jocelyn e. Strauber,
Commissioner of the New York City department of
investigations

Kelly Grace Price,
Founder of Close Rosie's

Dianna Prashad,
Public Testimony, Homeowner

2 SERGEANT KOTOWSKI: Pc started.

3 SERGEANT HOPE: Cloud is rolling.

4 SERGEANT PEREZ: Back up is rolling.

5 SERGEANT LEONARDO: Good morning, and welcome to
6 today's remote Fiscal 2023 Preliminary Budget Hearing
7 for The Committee on Oversight and Investigation.

8 At this time, we ask that members and staff
9 please turn on their video for verification purposes.

10 To minimize disruptions throughout the hearing,
11 please place all cell phones and electronic devices
12 to vibrate or silent mode.

13 If you have testimony you wish to submit for the
14 record, you may do so via email and

15 testimony@council.nyc.gov, once again that is

16 testimony@council.nyc.gov .

17 We thank you for your cooperation, Chair we are
18 ready to begin.

19 CHAIRPERSON BREWER: Thank you very much. Good
20 morning, and welcome to the Fiscal 2023 Preliminary
21 Budget Hearing for The Committee on Oversight and
22 Investigations.

23 I am Gale Brewer; I am the Chair of the
24 committee. And, today we will review the Department
25 of Investigations Fiscal 23 budget to understand how

2 it addresses the needs of New Yorkers to improve the
3 way New York operates. Not an easy task.

4 The Department of Investigation, also known as
5 DOI, promotes and maintains integrity and efficiency
6 in government operations across New York City.

7 DOI's Fiscal 2023 Preliminary Budget totals \$49.2
8 million, including \$28 million for personal services
9 to support 330 positions, and \$21.2 million for other
10 than personal services. I always say this is an
11 agency that works with people.

12 I would like to welcome and congratulate
13 Commissioner Strauber on her appointment as
14 Commissioner. She did a great job when she testified
15 before us as part of the Advice and Consent of The
16 City Council. And, the City and the department are
17 in a unique position to proactively attack
18 corruption, fraud and waste in many areas, including
19 The City's increase in federal funds throughout the
20 pandemic, which is something that comes up often.

21 As City employees continue to return to in-person
22 work, there is an opportunity to educate the
23 workforce on DOI's role in this area, as well as
24 workers' rights as whistle blowers, because we want
25 to people to understand what the agency does, and we

2 want people to use it if appropriate, but we hope
3 that there is not any corruption, fraud, and waste.

4 I look forward to continuing our fruitful
5 discussions with beneficial Oversight hearings; we
6 have a lot of work ahead. We all have to hold public
7 officials accountable -- ourselves-- ensuring public
8 money is spent lawfully, and building faith in honest
9 government. That is actually a hard task.

10 I am interested today in learning about The
11 Commissioner's plans with the department, potential
12 challenges, and DOI's role within the City as an
13 oversight entity, as well as how we could work
14 together to improve the department's staffing. This
15 plan did not include any new needs --and if there
16 are, we should hear about them -- and, decreased the
17 department's Fiscal 23 Budget by \$1.5 million and 33
18 positions. I remain concerned that the budget is not
19 sufficiently funded, and would like to further
20 discuss this at the hearing today.

21 The committee would also like to discuss this and
22 other budgetary changes in the Adams'
23 administration's first budget to understand the vision
24 the administration has for the department.

2 It is my first budget hearing as Chair of the
3 committee, but it is not my first committee chairing
4 in The City Council. That is a long story. I look
5 forward to learning more about the department and the
6 important role the DOI plays in New York in the first
7 of many successful hearings.

8 I want to thank our committee staff, Senior
9 Finance Analyst, Jack Kern; Deputy Director Eisha
10 Wright; Senior Counsel CJ Murray, Senior Policy
11 Analyst Noah Meixler; and my Chief of Staff, Shulamit
12 Puder.

13 And, now, I would like to thank Commissioner
14 Strauber, the department's Investigator, Background
15 Investigators, and Inspectors General for the work
16 that they do. I am looking forward to hearing from
17 The Commissioner and I know there are some very
18 special colleagues, and I appreciate everybody who is
19 on this committee.

20 I saw Council Member Yeger, I see Council Member
21 Joseph, Council Member Velázquez, and Council Member
22 Ayala. I believe that is it at this time, and I am
23 sure others will be joining us.

2 So, I will turn it back over to you, Sergeant,
3 because I am sure you want to swear in the wonderful
4 Commissioner.

5 Thank you.

6 COMMITTEE COUNSEL: Thank you, Chair. My name is
7 CJ Murray, I am the counsel to The Committee on
8 Oversight and Investigations. Before we begin, I
9 want to remind everyone that you will be on mute
10 until you are called on testify, at which point you
11 will be unmuted by a member of our staff.

12 Please note that if you mute yourself after we
13 have unmuted you, we will need to unmute you again,
14 before you are able to speak, and there may be a
15 slight delay as we work to do so.

16 Council members, if you would like to ask a
17 question during the hearing, please use the Zoom
18 Raise Hand Function, and I will call on you in order.
19 We will be limiting council member questions to five
20 minutes, which includes the time it takes the
21 panelists to answer your questions.

22 I will now administer the oath.

23 Commissioner Strauber and Deputy Director
24 Morales, please raise your right hand, I will read
25

2 the oath once and then call on each of you
3 individually for a response.

4 Do you affirm to tell the truth, the whole truth,
5 and nothing by the truth, before this committee, and
6 to respond honestly to council member questions?

7 Commissioner Strauber?

8 COMMISSIONER STRAUBER: I do.

9 Deputy Director Morales?

10 DEPUTY DIRECTOR MORALES: (NO RESPONSE)

11 COMMITTEE COUNSEL: Do we have Deputy Director
12 Morales?

13 NOAH BRICK: I don't believe we were expecting the
14 Deputy Director.

15 COMMITTEE COUNSEL: Okay, Commissioner Strauber,
16 you may begin your testimony.

17 CHAIRPERSON BREWER: Just before you start,
18 Commissioner, I just wanted to welcome, uh, Council
19 Member Williams. And, I think Council Member Won is
20 not here, because I believe she had a baby yesterday,
21 and I think that is a legitimate excuse.

22 Commissioner it is all yours.

23 COMMISSIONER STRAUBER: Thank you, and good
24 morning, Chair Brewer and members of the Committee on
25 Oversight and Investigations. My name is Jocelyn

2 Strauber and I am the Commissioner of the New York
3 City Department of Investigation (DOI). As you know,
4 I have been in this role just over two weeks, but in
5 that short time I have been able to meet members of
6 the staff, to familiarize myself with the structure
7 of the agency, and to begin to dig into the many
8 ongoing investigations. I have much more to learn,
9 but I am already inspired by the people that I have
10 met here and the important work that they are doing.

11 I want to emphasize to this committee how honored
12 and humbled I am to have an opportunity to lead this
13 agency that has been serving New York City,
14 protecting it from corruption and misconduct, and
15 safeguarding public funds for nearly 150 years. That
16 mission has never been more critical, as the City
17 continues to grapple with the social and financial
18 impact of the pandemic.

19 DOI's investigations, as you know, can result in
20 various civil and criminal enforcement actions. DOI
21 also makes policy and procedure recommendations to
22 improve City operations and to address corruption
23 vulnerabilities that we have identified through our
24 investigations.

2 The New York City Charter establishes DOI's
3 independence; and the dedicated DOI staff ensures
4 that we act with independence, in the investigative
5 work that we do every day.

6 At DOI we follow the facts wherever they lead,
7 without fear or favor and regardless of the nature or
8 identity of the subjects involved, and we strive to
9 maintain the highest standard of ethics and fairness
10 in the conduct of our investigations.

11 We seek to be as transparent as possible with the
12 public about our work without compromising our
13 investigative mission. As a former federal
14 prosecutor, like many of the DOI Commissioners before
15 me, a commitment to DOI's crucial independence and to
16 doing the right thing, in the right way, for the
17 right reasons guides my leadership of this agency.

18 Today I would like to speak with you about the
19 reductions DOI has made to its budget, in Fiscal Year
20 2022 and 2023, and the impact of those reductions.

21 I will also highlight some of DOI's high priority
22 work and I'll share with you my preliminary plans for
23 the agency, which include building our investigative
24 ranks and strengthening our organizational structure
25

2 to improve retention of our investigators - a key to
3 our success.

4 After consulting with my executive team, I
5 believe these improvements are necessary for DOI to
6 best accomplish its mission. I want to be up front
7 with you that these improvements will require
8 additional staff and a new promotional structure for
9 investigators that will cost approximately \$1.3
10 million dollars. This additional funding would make a
11 very significant contribution to DOI's ability to do
12 its work at an optimal level, both now and in the
13 future.

14 Please know that I appreciate the tough financial
15 times that we are in and that virtually all agencies
16 are being asked to cut back. But I believe it is
17 important for this Committee to understand from DOI's
18 perspective what we feel is needed to best meet the
19 City's needs.

20 I would like to start with a review of DOI's
21 budget numbers as they now stand, which provide
22 essential context for the budget reductions we have
23 made and our requests for additional funding - and
24 there new needs requests as Chair Brewer alluded to.
25 And, I will go through those with you today.

2 DOI's current expense budget for FY 2022 is \$58.2
3 million dollars; \$29.4 million of that number is
4 Personal Services - as you know that is salaries for
5 DOI staff - 517 employees report through DOI's chain
6 of command; about half of those positions are funded
7 by DOI's budget, and the remainder through financial
8 arrangements with other City agencies or public
9 authorities.

10 The Fiscal Year 2022 budget includes \$28.8
11 million dollars for Other Than Personal Services -
12 essentially our expenditures other than salaries - \$3
13 million of that funds a mayoral initiative to conduct
14 a comprehensive review of City-funded non-profit
15 homeless service providers - the funds are used to
16 hire two Integrity Monitors. And I will speak more
17 about that in a moment.

18 The Fiscal Year 2022 budget numbers I just
19 discussed include reductions to DOI's budget of
20 nearly \$1.2 million, made in connection with the
21 City's most recent Program to Eliminate the Gap.
22 That reduction is in addition to DOI's previous
23 reduction commitment in Fiscal Year 2022 of \$490,000,
24 for a total savings of approximately \$1.7 million in
25 FY 2022. As The Chair alluded to, DOI has no programs

2 to cut, so to meet the bulk of our budget reductions
3 over the years we had no other choice but to cut
4 staff. And in Fiscal Year 2022, we therefore achieved
5 savings by cutting our full-time staff positions from
6 385 to 352, eliminating 33 positions that were vacant
7 due to staff attrition, but that we had otherwise
8 planned to fill, and that is on top of the 20
9 additional positions we lost due to other reduction
10 requests in 2022. So, that means in the past two
11 years, DOI has lost a total of 53 positions. These
12 cuts will result in reductions to our budget until at
13 least 2026. And, along with other surpluses realized
14 in our budget, these reductions will help us meet our
15 savings goals in Fiscal Years 2023 through 2026.

16 In Fiscal Year 2023, DOI will reduce our budget
17 by approximately \$1.97 million. That reduction will
18 come in part from the 33 positions we have eliminated
19 already, and we will evaluate other discretionary
20 spending that we can cut, such as re-negotiating some
21 contracts. Our proposed budget for Fiscal Year 2023
22 is \$49.2 million; \$28 million for Personal Services,
23 and \$21.2 million for Other Than Personal Services.

24 When the fiscal year starts in July, DOI
25 anticipates receiving \$4 million in forfeiture funds,

2 principally federal forfeiture that resulted from the
3 criminal investigations and which can be used for law
4 enforcement purposes other than salaries, and \$1.8
5 million dollars in Intra-City funds that support
6 staffing. These additional funds would supplement
7 DOI's budget, bringing it to \$55 million for Fiscal
8 Year 2023, and would allow us maintain our staffing
9 at about the same level as it was in Fiscal Year
10 2022.

11 DOI worked hard to make these budget reductions
12 and we are proud to do our part to help the City
13 close the deficit. But I cannot emphasize enough the
14 deep impact that the loss of staffing has on DOI's
15 ability to fully meet its mission and mandate. It is
16 my belief the City receives an invaluable return from
17 each DOI investigator, namely in the identification
18 and prevention of corruption, waste, fraud, and
19 abuse.

20 I would like now to speak a bit about our work
21 over the past year. Our investigations in the past
22 year demonstrate the important role we play in
23 ensuring that New Yorkers have the honest government
24 they deserve. To give just a few examples, in 2021 we
25 investigated construction-related misconduct, alleged

2 attempts to bribe City employees in connection with
3 procurement, and individuals who took advantage of
4 vulnerable New Yorkers in need of housing. We also
5 focused on schemes related to the COVID pandemic,
6 including the submission of fake vaccination cards to
7 City agencies. One matter that we worked with the
8 United States Attorney's Office for the Southern
9 District of New York and the Office of Inspector
10 General for the U.S. Department of Labor resulted in
11 charges against four individuals who falsely claimed
12 to be healthcare workers and sold hotel rooms
13 intended for COVID isolation to ineligible
14 individuals, defrauding the government of
15 approximately \$400,000. COVID-19- related fraud
16 remains an active area of investigation for DOI.

17 Now let me turn to a few specific priority areas:

18 The flow of contraband into the City's jails has
19 long been a DOI focus, an illegal trade facilitated
20 by visitors, tainted mail and in some cases,
21 employees and officers of the Department of
22 Correction. This illegal activity not only damages
23 the reputation of the Department and the vast
24 majority of its employees who are honest public
25

2 servants, it also makes their jobs even more
3 dangerous and challenging.

4 Most recently, in partnership with the U.S.
5 Attorney's Office for the Southern District of New
6 York and the FBI, our work led to arrests of nine
7 current and former Correction employees and officers
8 charged with taking cash bribes in exchange for
9 smuggling scalpels, drugs, and cellphones to inmates.

10 DOI has sought to improve conditions in the City
11 jails in other ways as well. When concerns were
12 raised about correctional staff missing work without
13 a legitimate reason, leaving their fellow officers in
14 a dangerous situation due to under-staffing, DOI
15 conducted more than 6,000 home visits to correctional
16 staff to verify the reason for their absence. This
17 examination, which included conducting surveillance
18 and a review of relevant documents, uncovered
19 hundreds of violations of Correction Department
20 regulations and led to suspensions, resignations, and
21 the return of more than 200 officers and staff to
22 their posts.

23 DOI also monitors complaints relating to
24 excessive force, sexual abuse and sexual harassment
25 within the jails - well over 2,000 such complaints

2 per year. These reviews have led to policy and
3 procedural recommendations to rectify systemic
4 shortcomings, administrative enforcement actions, and
5 criminal referrals to prosecuting authorities. One
6 such referral led to an unprecedented prosecution,
7 handled with the Manhattan District Attorney's
8 Office, in which a uniformed Correction supervisor
9 who allegedly issued orders that prevented officers
10 from saving an inmate's life was charged with
11 criminally negligent homicide and making a false
12 filing.

13 Let me take a moment to discuss tackling
14 corruption in the public funding of nonprofits that
15 provide essential services to New York City, which
16 has long been part of DOI's core mission. In November
17 2021, DOI issued a comprehensive report proposing
18 improvements to the City's budgeting, invoicing, and
19 auditing of billions of dollars in nonprofit human
20 service contracts that the City awards. And, just
21 last month, the former CEO of the City-funded Bronx
22 Parent Housing Network pleaded guilty to conspiracy
23 to enrich himself in a bribery and kickback scheme,
24 in connection with an investigation we conducted --
25 again -- with the U.S. Attorney's Office for the

2 Southern District of New York. Because the nonprofit
3 provides critical services, and the City wanted to
4 continue working with it, DOI recommended and secured
5 an Integrity Monitor to oversee its operations,
6 reporting to DOI.

7 In light of that criminal investigation and
8 ongoing concerns about City-funded homeless service
9 providers, in February 2021 DOI embarked on a
10 comprehensive review of these providers, a herculean
11 and unprecedented task. The City Department of Social
12 Services worked with DOI to identify almost 70
13 Department of Homeless Services shelter providers for
14 review, and DOI procured two integrity monitors to
15 provide forensic accounting as well as investigative
16 support.

17 DSS is leading a review of the providers' sexual
18 harassment policies, also with the monitors' support.

19 DOI's review is intended to identify any issues
20 that may reflect on the provider's integrity or
21 violate City contracts, such as conflicts, related
22 party transactions, nepotism, or financial
23 mismanagement. As DOI reviews the materials obtained
24 from these providers, it will determine the
25

2 appropriate next steps, driven as always by the facts
3 we find.

4 I would like to turn now to the NYPD, and as this
5 committee is aware, DOI conducts investigations and
6 makes recommendations related to the policies and
7 practices of the New York City Police Department
8 through DOI's Office of the Inspector General for the
9 NYPD.

10 In December 2020, as part of DOI's investigation
11 of the NYPD's response to the George Floyd protests,
12 we also examined the history and current state of
13 affairs of police oversight in New York City. Among
14 other things, we recommended that the Mayor and City
15 Council consider consolidating existing police
16 oversight functions into a single agency, headed by
17 an independent board. I believe consolidating these
18 currently overlapping functions has merit, and I
19 continue to study the new structure that the report
20 proposed, recognizing that change along these lines
21 must have the support of the Mayor's Office and the
22 City Council, and will take considerable time to
23 thoughtfully implement.

24 In the meantime, I want to assure the Council and
25 all New Yorkers that DOI will continue to provide

2 robust oversight of the NYPD. To that end, I have
3 already met with the Acting Inspector General for
4 that Unit and am in the process of reviewing their
5 ongoing matters.

6 Prior to my arrival, DOI began taking steps to
7 fill the Inspector General position, and I am
8 committed to hiring a high-quality candidate with
9 relevant law enforcement experience who understands
10 the complexities of police oversight in New York City
11 as well as how to advance investigations.

12 I would like to spend a minute on DOI's
13 background investigations backlog. You are aware of
14 DOI's backlog and our extensive efforts to address it
15 in recent years. I am proud to report that those
16 efforts have been successful. We began tackling
17 these backlogged investigations in the summer of
18 2019. We hired additional investigators with extra
19 funding provided by the City and supported by City
20 Council. DOI re-structured the background unit and in
21 just over two and a half years, we have cut the
22 backlog by 75% from 6,500 open backgrounds in the
23 summer of 2019 to approximately just under 1,600
24 currently open. We expect to complete the remainder
25 in the next 18 months.

2 And, with respect to new background applications
3 that we have received, in Fiscal Year 2022 our
4 average time to completion is 73 days.

5 Let me speak for a moment about DOI's use of
6 monitors. Our Integrity Monitorship Program has been
7 used in dozens of oversight matters, and allows DOI
8 to expand its oversight of critical contracts and
9 large infrastructure projects and thereby help
10 prevent and deter wrongdoing. This program also
11 enables companies with integrity issues to continue
12 to do business with the City if they fund an
13 independent monitor to oversee their projects --
14 reporting to DOI.

15 Currently, there are 11 integrity monitorships
16 that report to DOI, seven paid for by the vendors and
17 four paid by the City. DOI maintains regular contact
18 with the monitors to stay informed of any issues
19 identified, to plan next steps, and to ensure the
20 monitors' work aligns with DOI's expectations.

21 Let me now turn to address our "New Need"
22 Requests. Over the last two weeks I have worked with
23 my executive team to better understand the challenges
24 that DOI is currently facing and the improvements we
25 need if we are to maintain and strengthen our ability

2 to pursue our core investigative mission. Simply put,
3 to do our work as well and as thoroughly as possible,
4 we need to hire and train more people, and we need to
5 retain those people that we hire. That is
6 fundamentally the basis for the majority of our
7 funding requests which I'll walk through now.

8 While all of DOI's staff is critical to our
9 success and supports our investigative mission, the
10 investigators themselves are foundational to our
11 mandate.

12 While we recognize the need for budget cuts in
13 the current environment City-wide it is important to
14 note that these cuts impact our agency differently.
15 They have left many of our squads seriously
16 understaffed limiting our investigative capabilities.
17 DOI can and will continue to adapt to our current
18 staffing to the best of our ability, but we will need
19 to make very hard choices without additional
20 personnel.

21 As I said at the outset, we request an additional
22 \$1.3 million dollars to make certain improvements to
23 both staffing and structure. We will use these funds
24 to hire 12 additional investigators at the entry
25 level and six other investigative staff comprised of

2 three auditors, two attorneys and an engineering
3 auditor -- and to fund the promotion of certain
4 existing staff.

5 First, DOI seeks funding to implement a title
6 structure and path to promotion within the agency
7 that we believe will reduce the current rate of
8 attrition.

9 Over the last 20 months, due both to attrition
10 and hiring restrictions, our staff was reduced by
11 approximately 16%. That attrition we think is due in
12 part to the lack of a transparent and consistent
13 title structure for investigators across the agency
14 and thus an absence of clear opportunities for
15 advancement.

16 Furthermore, with respect to some of our
17 investigators, their experience does not currently
18 align with their title and salary. Therefore, we plan
19 to create a consistent three-tier title structure and
20 to bring experience, title, and salary into
21 alignment. This plan will require that we promote and
22 give raises to certain members of our staff, and thus
23 will require approximately \$200,000 in additional
24 funding. We anticipate that this shift will directly
25 and positively impact retention and recruitment.

2 Second, we seek funding to hire additional
3 investigators. To meet these needs we are seeking
4 approximately \$1.1 million for a total of 18
5 additional investigative lines.

6 Twelve of those, as I mentioned, will be entry-
7 level investigative hires. We want to train them
8 together as part of a new program that aims to
9 provide a common understanding of investigative best
10 practices and to prepare these new investigators for
11 assignment to any squad within DOI.

12 Six additional investigators will join one of our
13 recently established squads that focuses on the
14 large, infrastructure agencies within the City,
15 including the Department of Environmental Protection
16 and the Department of Design and Construction.

17 We note that DOI also seeks funding to meet the
18 City's requirements and best practices concerning
19 confidential and sensitive data storage, as well as
20 to comply with the newly enacted Executive Order 86
21 concerning the retention of an outside auditor to
22 review DOI's compliance with certain data access
23 procedures. To meet these requirements, we are asking
24 for an additional approximately \$709,000.

2 DOI's mission and its investigations transcend
3 any one administration or commissioner, and over the
4 last two weeks, I have seen the importance of DOI's
5 legacy as well as its day-to-day impact on New York
6 City. I am committed to continuing its vital work,
7 and I am grateful for this Committee's support.

8 Thank you for your time and I am happy to take
9 any questions that you may have.

10 CHAIRPERSON BREWER: Thank you very much,
11 Commissioner.

12 We have been joined Council Member Won, Council
13 Member, I believe you had a baby yesterday or
14 recently, so we are very impressed. I want to say
15 that. Thank you so much for joining us.

16 I am going to start some questions, and then I
17 hope my colleagues will jump in, because I have no
18 reason to believe that I have all of the questions
19 that need to be asked.

20 So, I think one of the questions, of course, is
21 the monitor program. And, you talked about police,
22 corrections, and certainly homeless.

23 And, I know... I just want to ask a little bit
24 more about that, because the monitors are surely

2 something that are confused probably with other kinds
3 of monitors that exists in the City of New York.

4 So, I believe you have created to the program to
5 work with companies that may not be able to do
6 business with the City due to integrity issues or...
7 And, uhm, the companies can be awarded contracts if
8 they agree to this outside independent monitor -- and
9 you mentioned that in your testimony.

10 So, do you believe that this program has
11 accomplished the mission and the goals over the last
12 two Fiscal Years? And, it is great that we have
13 these wonderful staffs, but many of us are new, and
14 the staffs continue to talk about what happened in
15 the past in a very realistic and honest fashion. And
16 I just wanted to know how the program has been...
17 Has it made progress, and what is the sum of the
18 budget implications?

19 So, the monitor in general I think is an ongoing
20 issue, that the public and all of the council -- we
21 are all interested in. And, thank you.

22 COMMISSIONER STRAUBER: Thank you for that
23 question, Chair.

24 So, I do think the program has been very
25 successful. And, I want to emphasize, as you noted,

2 that there really is sort of two components to the
3 kind of monitoring that we do.

4 So, the first type, uh, as you noted, is actually
5 funded by the vendor that wants to provide services
6 to the City, but that has had integrity issues in the
7 past.

8 And there are circumstances in which some of
9 those vendors are uniquely situated to provide those
10 services, and it is for that reason that, despite the
11 integrity issues, the City wishes to continue working
12 with them. And, those situations, we are able, at no
13 expense to the City, because the expense is borne by
14 the monitor, to appoint a monitor that DOI's selects
15 through a competitive bidding process that DOI
16 oversees and that DOI closely works with to ensure
17 that the monitor is fulfilling its responsibilities.

18 Uh, and so that is I think a very successful model
19 that is both cost effective and also ensures to the
20 extent possible that any integrity issues will be
21 promptly identified and addressed, so that the City
22 can continue to do business with those providers.

23 There are a number of other situations where DOI
24 will retain and fund the monitor. One of them, uh,
25 in this case is a monitor that oversees a review of

2 homeless service providers. And, the funding in that
3 case; although, it appears it is part of DOI's
4 budget, is actually provided by The Mayor. That is a
5 \$3 million monitorship project, and that actually
6 arose out of DOI's observation in connection with the
7 criminal prosecution that I mentioned... arose out
8 of our observation that there were service providers
9 that might have integrity issues. And, this monitor
10 is conducting a comprehensive review of that. Now,
11 that is funded by the City. But, identifying, uh,
12 this is sort of a systemic issue that we want to
13 identify and address immediately. Uhm, and, so yes,
14 it is our view that that is also a productive and
15 ultimately cost effective approach for the City to
16 take. We are going to continue possibly to work with
17 a number of these homeless service providers. We
18 want to make sure that we are strengthening their
19 contracting and that we are identifying any integrity
20 issues that might have.

21 CHAIRPERSON BREWER: Okay, I mean, I don't want to
22 belabor it, because it is not a 100% a budget issue,
23 but in the first case, how often, when the company
24 pays, do you get reports? And, how do you get them?

2 And, in the second case, I must admit, homeless
3 services is something that I know really well, it
4 does seem to me, and this may not be your decision,
5 that as time goes on, we should just switch companies
6 who are providing the support services for those who
7 are homeless, because then we save the money for the
8 monitor. But, I guess that may not be your decision,
9 but to me, if somebody is not providing the services,
10 I want to get rid of them.

11 But, in the first case, how do you communicate?

12 And, in the second case, how long do these monitors
13 last, or maybe there's no time period?

14 COMMISSIONER STRAUBER: So, our Inspector General
15 teams, as I understand it, are in direct contact with
16 the monitor. I actually cannot give you... I know
17 that it is regular contact, I cannot give you, you
18 know, a specific figure in terms of frequency. I am
19 sure I could get that number for you. But, there is
20 a robust and ongoing dialogue that I would imagine
21 occurs as often as it needs to. So, with some of
22 the... So, the specifics of how long the monitorship
23 is, I believe is determined by a specific arrangement
24 with each monitor. Again, I could get you more
25 granular details on that. And, I think to some

2 extent they go with the length of the project at
3 issue.

4 Just to speak briefly to your second point, my
5 understanding, because in fact I had the same
6 question of -- why would we continue to work with
7 folks who we think might have integrity issues? -- it
8 is my understanding that there are circumstances
9 where certain service providers may be the only ones
10 who can provide those particular services in that
11 particular context, uhm, and that is why a decision
12 is made ,you know, to continue working with them. I
13 obviously cannot speak to all of them, there may be
14 some exceptions there and room for reconsideration,
15 but that is my understanding. And, I believe that is
16 a decision, as you noted, that is made by the City.

17 CHAIRPERSON BREWER: Right. And, I will work on
18 that later. So, I appreciate those answers.

19 Uh, just in terms of headcount, because I know
20 you brought it up, and certainly I did, uh, you have
21 a headcount that is on loan to other agencies, uh,
22 and I know this is not uncommon in the city of New
23 York, so can you talk, as you did a little bit in
24 your testimony, about the agencies that you
25 collaborate with, the details of the responsibility,

2 and I think you mentioned this, but just to, again,
3 how many staff are currently on loan to other
4 agencies?

5 COMMISSIONER STRAUBER: okay, so, in terms of on
6 loan to other agencies, just to be clear, the way I
7 understand is that we actually have staff from other
8 agencies that are quote/unquote "on loan" to us.
9 And, will note that they make up the total headcount
10 figure that I gave you. But when we talk about
11 reducing positions, we are not talking about reducing
12 those positions, we are talking reducing positions
13 that either funded by our budget or are funded
14 through funds provided by other agencies -- just to
15 make that clear -- as distinct from agencies like
16 NYCHA or Health + Hospitals -- agencies is not
17 exactly the right term for those entities, but that
18 provide us with personnel, whom they pay, but who are
19 part of our Inspector Generals' squads and report up
20 through the DOI chain. So, that is how that...

21 (CROSS-TALK)

22 CHAIRPERSON BREWER: So, those are the...

23 COMMISSIONER STRAUBER: breaks down...

24 CHAIRPERSON BREWER: Yeah, those are the ones I
25 was talking about. So, those are the ones that I was

2 mentioning. I guess the issue is, you've got some
3 that you... that loan to you, and then you, in
4 sense, loan to others. It is sort of like back and
5 forth? Am I right about that?

6 COMMISSIONER STRAUBER: I don't think so, uh,
7 Chair Brewer that we actually loan back to other
8 agencies. Those folks that come to us, uh, are
9 really part of... they are full members of our IG
10 squads. They, you know, report up through the same
11 chain; they do the same work, and they are sort of
12 fully a part of DOI. We don't, uh, as far as I am
13 aware sort of loan out folks to other agencies. We
14 do have certain offices that are onsite-- where we
15 have folks onsite, at particular agencies. But, they
16 are still very much a part of DOI.

17 CHAIRPERSON BREWER: Okay, that's clear.

18 Uh, another question, what makes you special, is
19 that you are independent from The Mayor, from the
20 City Council, and that give the public lots of hope,
21 uh, that you will do what I think is correct, which
22 is not be impacted by elected officials. So, how do
23 you as Commissioner value this independence, plan to
24 make it clear, so that you can do your work
25 independently? And, again, this is somewhat of a

2 budget issue, but also somewhat of a making clear
3 exactly what your agency does so the public
4 understands it.

5 COMMISSIONER STRAUBER: I think it is... I think
6 it is absolutely critical. And, thank you, it is
7 always nice to get this question and to have some
8 time to talk a little bit about how important this
9 is.

10 I think fundamentally the best way to show that
11 we are independent is not so much by saying that we
12 are independent, which I am happy to say over and
13 over again, and which we do say internally and
14 externally, but by the way we do our work. Right?
15 Which means that when a complaint come sin,
16 regardless of who it might reflect poorly on, or what
17 agency it might involve, we just follow the facts.
18 We take a look at what the allegation is, and then we
19 take the standard necessary steps to investigate it.
20 And then, depending on what we find, that will
21 dictate where the investigation goes. Is it a
22 criminal referral? Does it go back to the agency?
23 Is it potentially an issue that warrants a broader
24 investigation that might result in a public report?
25 Something that propose some systemic changes, but all

2 of that is dictated by the facts that we find. And I
3 think that is the best... And then making those...
4 those investigations and those reports public to the
5 extent that we can, is the very best way to be
6 independent and to show that we are independent.

7 CHAIRPERSON BREWER: Oh, good, I appreciate that,
8 because I think that is what people want to
9 understand is the role of your agency.

10 And, one other question, again, something budget
11 related and somewhat to understand. I don't know how
12 many city agencies there are, but I believe you have
13 45 mayoral agencies that you have oversight. And,
14 then of course there are the city boards, not to
15 mention, uh, all of the other what I call the, uhm,
16 quasi city... you mentioned NYCHA, Health +
17 Hospitals, certainly Department of Education. So, my
18 understanding is that you do not have oversight over
19 the Department of Education. You could explain that.
20 That has come up in the past in different forums, uh,
21 so can you talk about the ones that, you know, making
22 it clear, am I right about what you do have
23 oversight, and are there other public organizations
24 or areas in the City that you, you know, expect for
25 DOE that you do not have oversight on that would be

2 thought be... that you should or that you do, so
3 that the public understands?

4 COMMISSIONER STRAUBER: Right, so... So, there
5 are a broad range of mayoral agencies and non-agency
6 entities that we do have oversight of. I have to say,
7 I do not want to... I do not want to sort of presume
8 to speak compressively here or to identify those that
9 we do or we don't that folks might quite not be aware
10 of, because I am frankly still, as you know, doing
11 the learning process myself. But I certainly think
12 that to the extent that I or others here become aware
13 of areas where we think perhaps we should be
14 exercising oversight, or perhaps we should have
15 oversight where we don't, that is the sort of thing
16 where I would want to be in a continuing dialogue,
17 you know, with this committee and others about. So,
18 we are certainly thinking all of the time, not just
19 about doing the work in front of us, but are there
20 other areas where we should be active? And, so I
21 appreciate the opportunity to think more about that
22 and to continue that discussion.

23 CHAIRPERSON BREWER: But does the Department of
24 Education that is its own, uhm, integrity discussion,
25

2 Commissioner. So, am I right about that? That is a
3 separate entity?

4 COMMISSIONER STRAUBER: Yes as configured, the
5 Special Commissioner for, uh, there is a Special
6 Commissioner of Investigations for the school system.
7 And, that role serves as the Commissioner
8 Investigation for the Department of Education, that's
9 right.

10 CHAIRPERSON BREWER: Okay, and then you talked
11 about, I think, again people... (CROSS-TALK)

12 COMMISSIONER STRAUBER: And, just... Just to be
13 clear, we do have... We do have some oversight of
14 that function, but it is also... It also functions
15 independently of us. So we receive annual reports,
16 we receive other reports of substantiated closed
17 investigations, but it is a very different
18 relationship, and the today the relationship, and
19 today the relationship have obviously with our
20 Inspector Generals, who we supervise directly.

21 CHAIRPERSON BREWER: Right, and, I know, uh, an
22 issue about asset forfeiture, we often hear about the
23 District Attorneys having ask the forfeitures. I do
24 not think people understand that you do also. So,
25 that was very helpful when you mentioned it.

2 So, again, the November plan added \$4.7 million
3 in federal funding from the Department of Justice for
4 federal asset forfeiture. And, I think in the past,
5 there have been varying values. So, just generally,
6 how do you use federal asset forfeiture funding, and
7 what causes variation in the amount received? And,
8 then if you want to talk a little bit more just
9 generally about assess forfeiture, I think people
10 would appreciate that, because it does have an
11 impact, hopefully positively on your budget or least
12 you cannot use it for personnel, I know that is very
13 clear. But, there may be other things you can use it
14 for.

15 COMMISSIONER STRAUBER: Right, so, uhm, this is
16 really... This is an important, too. I am happy to
17 speak a bit about this. Uhm, cases that in result
18 in... There are state and federal cases that can
19 result on asset forfeiture, uh, forfeiture is really
20 the return of ill-gotten gains. Forfeiture is
21 different from restitution, just so folks are clear
22 on that. If there is a victim of a crime, and the
23 fund... If someone has been defrauded, for example,
24 or an agency has been defrauded, funds could be
25 returned to that agency that is called restitution as

2 part of the resolution of a criminal or civil case.
3 There is actually civil forfeiture, but we can keep
4 it simple for the moment and stick to criminal
5 forfeiture.

6 So, funds can be returned to the victims.
7 Restitution is really ill gotten gains that come back
8 to the government. There may be no identifiable
9 victim, or there may be other reasons why the funds
10 should be returned through the forfeiture channel as
11 opposed to a restitution. When our investigations
12 result in forfeiture under the federal forfeiture
13 program, we can get a share of those forfeiture
14 funds. Uhm, and so what determines how much
15 forfeiture we have, is really what our cases
16 generate. So, the \$4 million that is going to become
17 part of our budget, uhm, comes from historical cases.
18 I believe that funding is principally from the City
19 time, uh, case that we did with the Southern
20 District, which was a very significant case a number
21 of years ago involving fraud in the City's... In the
22 building out of The City's payroll system. And, we
23 are... We have additional forfeiture funds from that
24 investigation that we may draw down in recent years,
25 and we can really use those funds for any law

2 enforcement purpose other than salaries. We can use
3 it for training. We can use it for equipment. We
4 can use it for vehicles. Uhm, it is quite a long
5 list. What we cannot use it for is salaries. And,
6 the other thing that is really important for this
7 committee to understand in the budget context, ns the
8 forfeiture program rules say explicitly it is not
9 supposed to be used to supplant other funding that we
10 get, because the foal of the program is to
11 incentivize agencies like ours to participate in
12 these investigations that may generate these
13 significant returns that we can then share in. So,
14 you can see how, if those funds were used to allow to
15 get less budget money from the City, for example,
16 that would really defeat the purpose of the program.
17 Uh, but it is... It is obviously a source of
18 important funding. You know, we can use to improve
19 our computers systems. We can use it to do training
20 we might not otherwise be able to do. So, it is very
21 valuable and significant for us. But, it is not
22 intended to replace what our budget... other
23 budgeted items that we would otherwise be entitled
24 to.

2 CHAIRPERSON BREWER: One suggestion; although, it
3 is... I hopes this gets us to make sure... find a
4 way to, the word I would use is *advertise* -- there is
5 probably a better one -- City employees and the
6 public about how not to be corrupt and to do the
7 right thing, because that would help improve
8 government in general. That might be something to
9 think about, because... in a creative way.

10 Uhm, I know that there is a policy procedure
11 recommendation portal basically to, uh, inform the
12 public on recommendations, sort of picking up on what
13 I just said, and how is this portal updated? And how
14 do agencies... Did they have requirement to respond
15 to the recommendations? Because I know, we... I
16 assume others know that the way that you operate is
17 to hopefully figure out what has been corrupt, waste,
18 fraud, uh, you cannot always make the recommend...
19 You can make the recommendation, and then we hope the
20 agency follows it. That is sometimes up to us to get
21 the agency to do the right thing in terms of
22 following and doing the updating of what they have
23 done wrong and fixing it.

24 But, I just want to know how often is the portal
25 updated, and how do you, uh, respond to some of these

2 recommendations in terms of getting the agency --
3 doing what you can -- to get the recommendations
4 followed up on.

5 COMMISSIONER STRAUBER: So, the portal is
6 regularly updated with the issuance of policy and
7 procedure recommendations. So, again, I cannot... I
8 cannot give you sort of the hour or days, but it is
9 promptly updated every quarter with the
10 recommendations that we issued.

11 Uh, we then also track, and this is available on
12 our public website, the agency's implementation of
13 those recommendations. Because, as you say, we do
14 not sort of have an enforcement arm in the sense that
15 we cannot otherwise force them to comply, but we do
16 make public whether, you know, they have complied,
17 whether they are planning to comply, whether they
18 have rejected our recommendations, uhm, and then we
19 also, you know, work closely with the agency. I think
20 this is where, you know, having collaborative
21 relationships with the various city agencies is very
22 important, uh, because it is our goal to have our
23 recommendations implemented, and also to make
24 recommendations that are realistic and can be
25 implemented. Those agencies of course have their

2 own limitations budget wise and otherwise. So, we
3 both want to make sure that what we are proposing is
4 useful and rigorous but realistic. And, the
5 agencies, I think are incentivized in part, uh, to
6 comply with our recommendations, because it is made
7 public -- how they respond.

8 CHAIRPERSON BREWER: Okay.

9 I think a lot people are interested, because
10 the... It hits us, uh, just in the backlog, and I
11 know you mentioned that it is in much better shape
12 that it has been in the past. Obviously, uh, those
13 who are trying, uh, get people hired, we want to make
14 sure that is something they can do in an expeditious
15 fashion. So, one thing that I was not familiar with,
16 but that is probably me, is when we talk about
17 Executive Order 86 concerning the retention of an
18 outside auditor to review certain data access
19 procedures, you are requesting \$700,000, so can you
20 talk, uhm, a little bit more about this role within
21 the Executive Order? What does this data access
22 procedures... Does DOI need to support... And,
23 obviously this is not directly related to hiring, but
24 we are all trying to figure out, uhm, both about data
25 and about hiring.

2 So, let's just talk about the \$700,000. I'm not
3 familiar with the order. So maybe you could talk
4 about that, too.

5 COMMISSIONER STRAUBER: Sure, so the Executive
6 Order, as I understand it, requires us, and... And,
7 there are really two components of the \$700,000
8 request, I believe. But, one of them, uh, relates to
9 the Executive Order's requirement that we retain a
10 monitor to essentially audit our handling of other
11 agencies' data that we access and store. And, you
12 can understand given our role, that there is lot of
13 information that we are getting. Uhm, and, we need
14 to make sure that we are handling it appropriately.
15 Uhm, and given that it is a City requirement that
16 retain and auditor for that purpose, uh, that is an
17 additional needs for request for which we are seeking
18 funding.

19 CHAIRPERSON BREWER: Good, uhm, and then I wanted
20 to... Just, uh, one more question, also about the
21 City Marshals, because that does come up quite a bit.
22 And, then I will turn it over to my colleagues,
23 because I go on forever, and I know they have
24 questions.

2 So, the issue of City Marshals, most of us in the
3 community, when we hear City Marshals, we know they
4 have a job to do, but when we hear City Marshals, we
5 think about housing and evictions, and we get
6 concerned, because we do not want people to get
7 evicted, obviously some people do not pay the rent,
8 and there are challenges, but we try to keep people
9 in their homes. Uhm, and, so they are regulated by
10 you, appointed by The Mayor for five years. And I
11 wanted to know how you are as The Commissioner
12 oversee the Marshals, what recourses are there
13 allocated to do oversight? Are there vacant
14 positions? I know the difference between a marshal
15 and a sheriff, but maybe others may not, and so you
16 might want to talk about for a minute.

17 COMMISSIONER STRAUBER: Sure, uh, first of all, I
18 don't know exactly how many positions, and whether
19 there are any vacant positions allocated to City
20 Marshal oversight. I can certainly back to you on
21 that. Uhm, and I also want to make clear that we do
22 not have oversight over the eviction process. That
23 is a Housing Board process. But, to speak to what I
24 think, you know, is a concern of this committee, and
25 we are... where we do have oversight is in the

2 context of an eviction, uh, the Marshals may learn,
3 sometimes not until they show up at someone's home,
4 that the person to whom eviction order pertains, is
5 someone who is not really able to advocate for
6 themselves. They may be disabled. They may have
7 other limitations. They may not be able to move.
8 And, they may not really be in positions to take
9 advantage of the City's services that might otherwise
10 be provided to them. And, one of the things that we
11 do, uh, is that we facilitate the marshals referring
12 those folks to adult protective services, where they
13 can get the kind of support that they need. And,
14 that referral also delays the eviction process. So,
15 I think that is a particularly significant type of
16 oversight that we provide.

17 Now, as far as I am aware, and I believe this is
18 for Fiscal Year 2022, but do not quote me, I could be
19 per calendar year. There have been relatively few
20 evictions. I think we are looking at a number in the
21 low 300s, whereas you know, in years past, it was
22 much higher, and in the intervening years during the
23 pandemic, it has gone down almost to zero.

24 But, you know, I can certainly get back to you on
25 the funding and fines issues. But, certainly, we, I

2 think, have been successful in facilitating these
3 referrals to Adult Protective Services, and then
4 dealing with Adult Protective Services as they go
5 through the process of evaluating whether or not
6 someone should be evicted and what support they need.

7 CHAIRPERSON BREWER: I appreciate that. And,
8 those of us on the committee, we know how great the
9 marshals are. We know how great APS is. In both
10 cases, they send, as you say, red flags in to all of
11 us and the fear of God, because APS has challenges
12 also, just FYI, for those of us who do constituent
13 work.

14 I have many more question, but why don't I see if
15 any of my colleagues have questions? Just jump in.
16 I know could raise the flag, but feel free to jump in
17 if you have any questions. Anybody have questions?

18 COMMITTEE COUNSEL: Chair, I see Council Member
19 Ayala has her hand raised.

20 CHAIRPERSON BREWER: Go right ahead, Council
21 Member.

22 COUNCIL MEMBER AYALA: Good morning everyone. Uh,
23 I have a couple of questions.

24

25

2 First, I wanted to know if you could share with
3 us what the number of cases that are currently on
4 backlog are. And, how are new cases prioritized?

5 COMMISSIONER STRAUBER: And, let me just clarify
6 that when you are talking about cases, you are
7 talking about investigations, like... (CROSS-TALK)

8 COUNCIL MEMBER AYALA: Yes.

9 COMMISSIONER STRAUBER: Are you talking about
10 complaints really?

11 COUNCIL MEMBER AYALA: Yes.

12 COMMISSIONER STRAUBER: Okay, uh, that seems like
13 the right number. Let me see if I... What I can
14 tell, uh, is that in terms of complaints that we have
15 received, I can give you the number of complaints
16 that we have received, uh, in the first four months
17 of fiscal year 2022, uh, and that was \$4,308
18 complaints, which if you annualize that number, we
19 are looking to be higher for this Fiscal Year than we
20 were for Fiscal Years 2021 and 20. Which is what we
21 would expect given that we are coming out of the
22 pandemic. Complaints are only one way that we obtain
23 of course. So, just to be clear, there are many other
24 ongoing investigations, uhm, that come from other
25 sources. So, it is a bit difficult to sort of give

2 you a figure in terms of you know completed matters
3 versus complaints. But, that's is the number of
4 currently, uhm, pending complaints at least for those
5 first four months.

6 COUNCIL MEMBER AYALA: I mean, it is a pretty
7 significant number. And, my concern is, you know, if
8 we have staffing issues, if the agency is not
9 adequately staffed at the moment, then does this...
10 I would imagine, extend the length of time that it
11 takes to remediate complaints and look in to... And,
12 you know, and... And to further, you know, I guess,
13 fully investigate, uhm, more serious complaints that
14 are coming in to the agency.

15 COMMISSIONER STRAUBER: So, I very much appreciate
16 that concern, and it is a concern that we have also
17 in terms of staffing. I will say that it is my
18 understanding that where we are really affected, in
19 the decrease staffing, is not so much in our ability
20 to review and act on complaints. Although, I think
21 it is a good point that there certainly could be some
22 delay. I don't have a precise answer to that right
23 now. But, I think the bigger issue that we are
24 focused on is our ability to do the kind of systemic
25 investigations that take more time, that take more

2 people. And, that is where I think we are more
3 likely to see a decrease if we cannot have the
4 staffing that we need. Uhm, so, I think there is
5 certainly a possibility that overall when you have
6 fewer people, your response time is delay to some
7 extent. But, I see the real impact is limiting our
8 ability, let's say to take a particular complaint and
9 say, "Okay, we have addressed complaint, but is there
10 some broader issue here? Let's get more data. Let's
11 get an auditor involved. Let's take a look this
12 issue more broadly." And it is not every complaint
13 that rises to that level of course, but there are
14 going to be many that do. I think that is where we
15 have to make those hard choices that I have alluded
16 to. And, that is where I do think it is important
17 that we get the additional staffing that we are
18 seeking.

19 COUNCIL MEMBER AYALA: What does the headcount
20 now? I think I missed it.

21 COMMISSIONER STRAUBER: I'm sorry?

22 COUNCIL MEMBER AYALA: What is the head... your
23 headcount now? I... I missed it.

24 COMMISSIONER STRAUBER: So, our current headcount
25 is 581. And, half of those positions approximately

2 are funded through our budget, and half of them are
3 funded through either other... as we discussed other
4 entities for whom we have folks on loan, or positions
5 that are funded through what we will call inter-City
6 funds.

7 COUNCIL MEMBER AYALA: Got you.

8 COMMISSIONER STRAUBER: And, just to be... To
9 give you another, you know, figure, uhm, the
10 reduction in our staffing since Fiscal Year 2020
11 until Fiscal Year... And through Fiscal Year 2022,
12 has been a total reduction in staffing of 40 lines.
13 So, that is quite a significant number relative to
14 our total.

15 CHAIRPERSON BREWER: It is, and then the other
16 problem, uh, Council Member, is that OMB is very slow
17 on 11 positions, which they have not filled, which
18 could be filled -- takes forever. And, then, she has
19 listed some new needs, which are desperately needed
20 in addition to the cuts. So, I think... I hope...
21 I will certainly be advocating for more, uh, funding.
22 And, you and I agree that they do need them.

23 COUNCIL MEMBER AYALA: I agree. I agree. Thank
24 you.

25 CHAIRPERSON BREWER: Alright.

2 COMMISSIONER STRAUBER: Thank you... (CROSS-TALK)

3 CHAIRPERSON BREWER: Thank you. Any other
4 questions from members, uh? Otherwise I will keep
5 going.

6 Okay, the other question I have, just picking up,
7 I think if you want to talk a little bit more about
8 the new needs that would be helpful. I know you
9 talked about it in your testimony, but if there is
10 something that you wanted to add to that and
11 something more about the 11 positions that I
12 mentioned -- that are not filled by... thanks to OMB.

13 COMMISSIONER STRAUBER: So... So, those
14 positions, uhm, are I believe principally for new
15 investigators. Let me... Let me speak, uhm, a
16 little bit about that. So, we have got... We have
17 got so many new investigative positions that we are
18 able to fill i.e., we do have those lines available,
19 but due to the hiring restrictions, which at one
20 point, we were limited to hiring one person for every
21 three people who left. We are now at hiring one
22 person for every two people. So, we have, in
23 addition to the vacant lines that we have to cut. We
24 also have open positions that we are entitled to
25 fill, but there is a delay in doing that. So, that

2 is one... That is certainly one issue. Uh, but let
3 me just sort of give a little more color to the
4 positions that are the subject of the New Needs
5 requests. Uh, so, I have spoken a bit about the
6 promotional structure that we want... that we want
7 to put in place. And, that is very straight forward.
8 There are already three tiers in terms of salary
9 within our entry level investigator group. And, we
10 just need to appropriately align the experience and
11 title of those with their salaries. And, I do think
12 that for incentivizing our investigators to remain
13 with us so that the training that we give them and
14 the work that we do to get them up to speed isn't
15 wasted. It is very important for people to see it
16 path to promotion and a path to advancement. Uh, and
17 so that is a relatively small change budget wise,
18 \$200,000, but I think important.

19 Uhm, of course equally important are the
20 additional investigative lines that we want to add
21 back as part of the... of the New Needs requests,
22 add back from what we have had to cut. Uhm, and
23 those fall in to two areas. We have the entry level
24 investigators, and it is critical, obviously, that we
25 bring new people in, that we train them. One of the

2 reasons that we want to bring them in as a cohort, as
3 a group, is that that enables us to much more
4 efficiently put them through a training program that
5 will then set them up for success while they are
6 here, so that they understand what the best practices
7 are, their various, you know, things to learn when
8 you become an entry level investigator. It is very
9 important, as I said, that we work also to the
10 highest standard in the way we conduct ourselves --
11 the training is designed to ensure that. And, then,
12 we are able to deploy those investigators to the
13 squads where they are... they are most needed.

14 The other area that makes up the remainder of the
15 additional line, uhm, is also I think quite
16 important. We have a relatively newly established
17 investigative squad intended to expand oversight over
18 the City's main capital project agencies. And, I
19 mentioned that is Department of Environmental
20 Protection, Design and Construction, and also DET,
21 they are responsible for the majority of New York
22 City's major capital projects. So, that is
23 construction of public buildings and facilities,
24 water mains, sewers, and tunnels, transportation
25 infrastructure. There are billion dollar projects,

2 and what we want to be able to do is get out of ahead
3 of them with an engineering auditor, with other
4 auditors, and with more staffing so that we can
5 really play a proactive role in ensuring that those
6 projects are not subject to waste, fraud, and abuse.
7 And, that is an area where I think we will more
8 directory be able to see the impact of our work.
9 Because, on this massive projects, there are
10 significant opportunities for corruption if we are
11 not watching closely. And, so really those are the
12 critical aspects of the New Needs requests.

13 CHAIRPERSON BREWER: Alright, that makes sense to
14 me. And, think, uh, picking up on that, one of the
15 concerns that I know, again, the public is interested
16 in, is we would certainly need such, uhm, I think
17 more staff to do systemic investigations. And, maybe
18 you could talk about that, so that people know what I
19 am talking about, which is the... uh, you know,
20 maybe something where there is a... a "red flag" as
21 you talked about. And, then again, and of course
22 those that are, you know, the individual who is, uhm,
23 stealing money on a... you know, at an agency basis.
24 They are two different types of investigations.

2 So, picking up on Council Member Ayala, uh, will
3 this New Needs, you think, be able to also enable you
4 to do the systemic investigations as well as
5 everything else?

6 And, we have been joined by I believe Council
7 Member Krishnan, and thank you very much for joining
8 us.

9 Go ahead, uh, Commissioner.

10 COMMISSIONER STRAUBER: Thank you.

11 Yes, I think it will. I mean, that is... That
12 is part of the point of making sure that we have
13 sufficient staffing.

14 And, when we talk about systemic investigations,
15 I would say that they are different, but often
16 related to sort of responding to complaints and
17 whistleblower allegations that could be very
18 discreet. And, let me explain what I mean by that.
19 Uhm, it may be that there is a particular complaint
20 that we get, uhm, you know, from an agency, let's say
21 relating to an issue with procurement, and although
22 it does... The complaint may be quite discreet, we
23 may see when we really press on that issue, that
24 there are problems in contracting and budgeting, and
25 invoicing more broadly. And, a good example, is this

2 is the report that we did concerning nonprofits and
3 the billions of dollars that nonprofits are receiving
4 from City agencies to perform the vital services?

5 Right? That is the kind of investigation that I
6 would describe as systemic and that we need
7 significant personnel in order conduct. They are
8 more time consuming. They require sometimes
9 extensive review of records, interviews of numerous
10 people involved in the process. So, there is a lot
11 of work involved in not just responding to a discreet
12 complaint that may result in a criminal prosecution
13 for example. Uhm, but, in then looking broadly at
14 the issue identified in that narrow case, and seeing
15 whether it... it really poses a broader concern or
16 application.

17 The other thing that I want to mention, uh, is
18 how I hope to use data analytics also to identify
19 areas that, again, may result in more narrow examples
20 of fraud and abuse, but I think also could help us
21 identify systemic areas for reform. Uh, and that is
22 basically to take the vast amounts of data that the
23 City agencies generate, and find, uh, apply
24 algorithms and searches that we can run over vast
25 amounts of data to look for anomalies, to look for

2 spending that looks out whack, to look for services
3 that for various reasons do not seem to be being
4 performed or could not be performed at the dates and
5 times that the invoices would suggest. Uh, and this
6 is also something that requires not just the data
7 analytics team, which we have recently stood up, and
8 who are really well-positioned to do this work, but
9 very close collaboration with our investigative squad
10 who know the agencies and know the types of data that
11 they maintain -- and also know the way procurement,
12 or grants, or other, you know, acts that those
13 agencies undertake are supposed to work. You have to
14 know both things to know when something you are
15 seeing in the data is an anomaly. And, that is an
16 area where, you know, that also takes time and
17 personal, and it is something that very much want to
18 pursue. And, I have wanted to peruse this for some
19 time. And, we now have the data analytics
20 capability, but we need to make sure we have
21 sufficient investigative staff in order to move those
22 types of projects forward. And, this is at a very
23 preliminary stage, but I think it is a very promising
24 and efficient for us to get to areas that we might
25 not otherwise see, that might not for a long time be

2 the subject of a complaint, that we can hopefully
3 sort of proactively identify and then address.

4 CHAIRPERSON BREWER: I am a big believe in data
5 analytics, and I think all agencies should be doing
6 the same, so I appreciate your understanding of it.

7 Uh, we talked about some of the, you know, uh,
8 the Department of Education and what you are able to
9 get out them. But, you do have oversight over the
10 police department in this realm -- The Office of
11 Inspector General. That's probably the most
12 interesting to the public I would have to say. Uhm,
13 and I know you talked a little bit about maybe a new
14 way of looking at the agencies that comprise
15 overnight of the police department. That probably is
16 somewhat controversial.

17 But, it is not controversial obviously to have
18 fully funded Office of Inspector General for the
19 police department. I know you mentioned that you are
20 working to staff it up. But, I wanted to know, uh,
21 about the ,you know, uh, a little bit more about what
22 you are doing to staff it up, because there are an
23 awful lot of vacancies there in addition to the
24 leadership. I believe that the, uh, staffing is 39
25 budgeted positions that as of January only 19 of the

2 39 were filled. And, I know that we want to make
3 sure, too, that in addition to what you talked about
4 for your agency, that these, too, uh, people, stay,
5 they come in at entry level, they, goodness knows,
6 get trained. Uhm, and I do not think they are
7 particularly highly paid, so obviously what you might
8 want to do is some hire higher paid, more skilled
9 investigators. So, I just wanted to know if you
10 could talk a little bit more about this portion of
11 your work.

12 COMMISSIONER STRAUBER: Absolutely, so, you know,
13 as you know, they, the IG squad for the NYPD plays a
14 very important role. They really are focused
15 principally on systemic investigations. Right?
16 Identifying area of improvement and reform for the
17 NYPD. And, we do have fewer... Or, as you pointed
18 out, we do have significant vacancies in that squad.
19 And, that is in part because of the hiring
20 restrictions that I mentioned. We certainly are
21 actively seeking hires in those positions. We are
22 also mindful that since we are in the process of
23 finding a new Inspector General as you know, uh, Phil
24 Eure previously had that position last at the end of
25 last year. We are also mindful that that person will

2 have some thoughts about hiring, and so we want...
3 We do, now that we are actively looking for someone
4 to fill that role, we do want to allow some
5 flexibility so that that person, you know, can
6 have... Can have a say in the staffing, but it is
7 definitely a priority. Uh, we are... We have posted
8 for the IG position, and we are actively looking at
9 resumes. We have got some excellent candidates. It
10 is a very important position. So, it certainly, you
11 know, at the top of my list in terms of vacancies to
12 fill absolutely.

13 CHAIRPERSON BREWER: Okay, and of course within
14 the DOI world you would, I assume, work a little bit
15 with IAB and NYPD uhm, and also CCRB. So, I am just
16 wondering even though we are not necessarily talking
17 about your vision, how do you work with them now in
18 their context -- if at all.

19 COMMISSIONER STRAUBER: Sure, so there are some
20 overlapping functions that where there is some
21 overlap in the mandate that our IG has with these
22 entities. And, one of the things that we do, is we
23 frequently get claims that for that reason do the
24 overlap are more aptly suited for them. And, so
25 there is a referral process that we are actively

2 receiving complaints and giving them out to those
3 entities where appropriate. So, that is one of the
4 main ways in which we work together. I think one of
5 the issues with the overlap, and this is something
6 that... that we flagged in our report on the George
7 Floyd protests, is that ,you know, the NYPD is
8 receiving requests for documents and other
9 information from multiple entities at once. And,
10 that has made, I think, their job more difficult in
11 getting out information, and it has made our job more
12 difficult getting information. And, this is
13 something that ,you know, I look forward to speaking
14 the police commissioner about and trying to move
15 forward, because I think it has made things, to some
16 extent, more challenging for us. But, the structure
17 of these three different entities also makes it more
18 challenging I think for the NYPD to provide
19 information. So, I think there is... There is work
20 to be done to make that process, you know, smoother
21 and more efficient, uh, whatever the right structure
22 ultimately may be.

23 CHAIRPERSON BREWER: Okay. Just thinking on that
24 topic, I am always thinking about the public. So, in
25 some cases either the IG, uh, police department, or

2 just generally with DOI, some cases you can publish a
3 report and some cases you cannot. Can you just talk
4 about under what circumstances you can or cannot
5 publish a report, because, I know that there is a
6 difference?

7 COMMISSIONER STRAUBER: Well, I mean, typically we
8 publish reports when the issue that we are dealing is
9 a report of significant public interest. There are
10 other situations where we may make reports and
11 recommendations that we make public but that do not
12 warrant a report. Uh, the NYPD OIG squads work
13 really is principally to identify, you know, systemic
14 problems and issue reports. That is largely what
15 they do. Uhm, I could envision the situation where
16 there is some law enforcement sensitive or
17 confidential issue that might limit out ability.
18 But, generally that is the work that that squad is
19 doing.

20 CHAIRPERSON BREWER: Okay, uhm, alright, I
21 think... Okay, the background investigations, I
22 mentioned this just earlier, but this is obviously of
23 interest to City agencies in addition to, I guess,
24 the public. And, I know have... You and your
25 predecessor did cut the time that it takes to do

2 background investigations, so two questions, even
3 though I believe according, it is... You know, it is
4 a lot less, is there some way to get it to be even
5 more expeditious, because we are all trying to ,you
6 know, it just helps... you do get a lot of
7 complaints in the sphere that "it takes so long to
8 join the City agencies" you hear about that all of
9 the time. And, I don't know if it is DOI or if it
10 just the way that the agencies operate. So, can that
11 be cut? Does the extra funding for fingerprinting
12 help, or is that just something that is completely
13 separate?

14 So, my question is, how could we cut the time
15 that it takes to get people background checked?
16 Although, you never want to compromise, obviously,
17 the investigation of any individual. Is there some,
18 uh, discussion that could be take there about
19 background investigations?

20 COMMISSIONER STRAUBER: You know, I think there is
21 almost nothing that cannot be improved, but I have to
22 say, in terms of the amount of time it how takes for
23 us to review and complete a background investigation,
24 we are in an average of 72 days, obviously for some
25 it is less, uh, and that means for some it may be a

2 little more. I think that is... You know, I think
3 that is a fairly prompt number. And, often depending
4 on the position, the person can begin work while
5 their background investigation is still pending. So,
6 I think at least for some positions, we are not a log
7 jam in terms of people, you know, beginning to work
8 at the agencies that are employing them.

9 Uhm, in terms of the fingerprinting work that we
10 do, we are on a very fast turnaround as I understand
11 it. I was just looking in to the numbers this
12 morning. At least for childcare workers, for
13 example, I believe our turnaround is less than seven
14 days. And, just to be clear, we do not actually do
15 the fingerprinting, that is done elsewhere. What we
16 are doing is processing the information that we
17 receive from those fingerprint checks. And, we are
18 able to do that in a very... It is a matter of days
19 that we are able to turn that around at present. So,
20 I am certainly open to hearing about any complaints
21 or concerns about time limits, and to making any, you
22 know, changes that we can make. But, I do think our
23 process has improved to the point that I would
24 certainly be surprised and concerned and want to hear
25 about any areas where we are the holdup.

2 CHAIRPERSON BREWER: Okay, I mean, the
3 fingerprinting, I just noticed this, and it may not
4 be an issue, but always concerned, childcare workers
5 do not get paid very much, as we know, and I noticed
6 that they have to \$101.00, you know, for that
7 process. We all have to pay something when we get
8 hired. But, I just thought that was quite a bit.
9 Maybe that is not a red flag, as we say, in terms of
10 concern, but it is something that we should look at,
11 because I know childcare workers get paid so little.
12 But, maybe I am the only one complaining; I do not
13 know. I worry about those workers all of the time.

14 So, uhm, one of the uh, I would say sister or
15 brother agencies, of course, The District Attorney,
16 uh, ,you know, all of the Southern Districts, Eastern
17 District, NYPD, so, how do you... We talked about
18 NYPD, but how do work with the other agencies, or any
19 others that are, uh, might be appropriate to discuss
20 at this hearing. District Attorney and the Southern
21 District in particular, how do you work with them?

22 COMMISSIONER STRAUBER: So, I would describe all
23 of the prosecutor offices that we work with , and
24 that would be all of the DA's offices in the City,
25 the USA Attorneys' offices for the Southern and

2 Eastern Districts of New York, I would describe them
3 as our law enforcement partners. And, what I mean by
4 that is, when we have an investigation that it at the
5 appropriate stage where we recognize that might be a
6 matter that could lead to a criminal prosecution and
7 exactly when that is and how you make that decision
8 varies by investigation, but we liaise with the
9 appropriate office, and the appropriate office
10 depends on the nature of the case, the location of
11 the potential criminal conduct, our historical
12 relationships with each of those offices, because
13 some have experience with certain types of cases.
14 So, that is how we decide which office to work with.

15 But, my goal has been, you know, my predecessor's
16 practice is to have excellent relationships with
17 those officers to bring them in, I would say, early
18 and often. Because the best criminal cases are made,
19 in my experience, when law enforcement agents like us
20 partner with prosecutors early on in a case. Uh, and
21 those are excellent relationships. I think it is
22 very important to maintain them and strengthen them,
23 and that is what I intend to do.

24 CHAIRPERSON BREWER: Okay. Uh, a little bit more
25 on the... I know you talked about the technology and

2 how you are going to use some of the data analytics,
3 uh, is that something that, uh, how would, when you
4 have a red flag, as an example, how would data
5 analytics play a role? How would that work in terms
6 of the, uh... Or maybe the data analytics is the way
7 that the red flag gets developed? Can you just
8 clarify that?

9 COMMISSIONER STRAUBER: Yes, I think it is the
10 latter. I think the idea is, uhm, that ideally what
11 I would like to do is to be able to take large
12 amounts of data for any particular agency or even a
13 cross agencies, and there are a lot steps we have yet
14 to go through before we are able to do that, and run
15 programs that could identify anomalies in invoicing,
16 uh, something unexpected in terms of payment
17 patterns. Uh, and some of these examples, I sort of
18 cannot even imagine, but I know that that they are
19 going to be out there where in the absence of a
20 complaint, in the absence of a press report of
21 misconduct, we could see something in the data where
22 we can say, *that does not look right, it does not*
23 *make sense that this should costs this and that*
24 *should cost that or that this vendor is invoicing for*
25 *this and not for this*, whatever the patterns are that

2 we would be looking for, and like I said, that is
3 very dependent on the individual agencies and the
4 work that they do. But, the idea would be even in
5 the absence of a complaint or some other red flag,
6 that the data itself can give us window in to
7 something that is not right, and we can then seek
8 documents, conduct interviews, take all of the normal
9 steps that we would when we got let's say a
10 whistleblower type complaint. But, we are doing it
11 just based on patterns in data.

12 CHAIRPERSON BREWER: Okay. Again, if there are
13 Council Member questions, let me know. I will be
14 glad to participate with you.

15 So, uh, outreach and educational, I mentioned
16 this one when I spoke, because I am concerned about
17 the City, uh, contracts, certainly City employees,
18 making sure they understand what your agency does, so
19 that they do the right thing. So, I know you do,
20 uhm, outreach and corruption prevention. I assume
21 you do lectures, e-learning and so on, and so I am
22 wondering, uhm, DOI offered 449 of these lectures
23 apparently in 2019 compared to 67 in 2021,
24 understandably because there was a pandemic.

2 But, we wanted to know how many are you planning,
3 and can you describe the courses? How do they
4 differentiate perhaps between contractors and City
5 employees? Are they, uh, required by City employees,
6 should they be? And, uh, certainly, for the... the
7 same thing for contractors?

8 COMMISSIONER STRAUBER: So, with respect to City
9 employees, we have a module that we distribute, I
10 believe it is through DCAS, it goes out to the
11 varies, you know, to I think all of the agencies that
12 we cover, which is all of the agencies. And, we
13 have... Are actually in the process now of getting
14 that out. We do this on a regular basis. I don't
15 think it is annually at the moment. But it is on a
16 periodic bases, and we are in the process now as
17 people are coming back to work, and we do not have
18 the sort of connection issues that as you say
19 interfered with our ability to deliver these lectures
20 during the pandemic. We are getting these out now,
21 and we are seeking, as we always do, uh, the agency
22 has support in ensuring that agency personnel are
23 ,you know, are participating in this module and are
24 getting the training that they need. We cannot
25 require it, but it is something that we partner with

2 the agencies to get compliance on. There are, I
3 think, other opportunities for us to give lectures.
4 So, I think that this is an area where we are going
5 to continue to be active. We have been very active
6 in the past with it during the pandemic. I think it
7 is important not only for educating City employees,
8 uh, but it can also be something that prompts
9 complaints. Because, as people hear from us,
10 sometimes they come to appreciate something that they
11 may not have realized was something about which they
12 should or could make a complaint, is in fact
13 something they should be speaking up about, and that
14 is part of what the lectures are designed to
15 encourage.

16 What I cannot speak to, uh, although I could
17 certainly get back to you on it, is what kind of
18 training we do for contractors. I do know that when
19 there is a monitor in place, the monitor plays a role
20 in ensuring that the contractor, the vender, has the
21 right code of conduct, has the right policies and
22 procedures in place. So, that is a form of training,
23 but in terms of training we give to non-City
24 employees who are contractors or vendors, I would
25 have to get back to you on that.

2 CHAIRPERSON BREWER: Right. Or even if it is
3 necessary. And, I do think we do probably need to
4 talk more about maybe making it more mandated --
5 sexual harassment, etc., is mandated. Something to
6 think about. And, I want to mention, I have just
7 come from The National League of Cities in
8 Washington, D. C. where I am on boards and speaking
9 at different committees, and the amount of money that
10 is coming, thanks to the Biden administration, to
11 entities around the around the United States, if they
12 apply, is phenomenal. Obviously we dealt with the
13 issues of money for the pandemic, and now this is
14 another sort of followup. It is something to think
15 about, because there will be a lot more federal
16 funding either on a competitive or as of rights basis
17 that would in fact need, I would think, some training
18 along the lines that you have just described.

19 Council Member Yeger, go ahead?

20 COUNCIL MEMBER YEGER: (NO AUDIO)

21 CHAIRPERSON BREWER: Council Member Yeger, yeah,
22 go ahead. Can we [INAUDIBLE 01:20:09] ask a
23 question? (CROSS-TALK)

24 COUNCIL MEMBER YEGER: Waiting for the magical
25 mute button to... Madam Chair, since you left the

2 Council, we have a new process here where staff can
3 mute Council Members, and we are not allowed to talk
4 unless the staff allows us. So...

5 CHAIRPERSON BREWER: We hear you, Council Member,
6 go ahead.

7 COUNCIL MEMBER YEGER: Thank you very much.

8 Uhm, Commissioner, I just want to go back to what
9 Madam Chair, uh, spoke about in her first round when
10 she was briefly talking about the marshals.

11 I wanted to just explore a little something with
12 you. As you know the, unlike the Sheriff's Office,
13 which is an agency of the City and, uh, an officer of
14 the City, the marshals are an essence solo
15 practitioners, uh, who eat what they kill. And, uh,
16 while you have oversight over them, it is a complaint
17 driven process where somebody who feels they have
18 been mistreated can file a complaint with DOI, uh,
19 you will surely dispatch investigators, and ,you
20 know, within due course it is looked and a resolution
21 of some sort... But, that is not the immediate
22 assistance I think that most New Yorkers who
23 encounter a marshal problem need. You know, because
24 something happens at seven o'clock at night, and you
25 need to deal with The Marshal, if you call the

2 Marshal's Office, you are going get ,you know, a 1982
3 answering machine, uh, that is going to tell that you
4 that they are not there, and call back when you feel
5 like it or not at all. Uh, and this particularly an
6 issue with regard to yes, evictions, which may start
7 up again, but is also, uh, with regard to booting and
8 towings, uh, particularly bootings, uhm, ,you know,
9 they scoot around town uh, ,you know, in the middle
10 of the night throwing boots on cars and if you get to
11 the boot, uh, five minutes after they are gone, there
12 is nothing for you to do, and if it is a problem and
13 you cannot reach anybody, you are told, "call back
14 tomorrow morning", uh, and maybe they will answer and
15 maybe they won't.

16 I am wondering if you have ever explored, of if
17 you had the chance, I know you are brand-new there,
18 to the idea of maybe having some kind 24-hour
19 helpdesk where New Yorkers can call DOI, since there
20 really is no agency that is in charge of marshals
21 other than you -- that New Yorkers can get answer and
22 not just, uh, file a complaint, but actually get case
23 worker who can reach out to a marshal, uh, call their
24 cell phone. You know, marshals are not giving out
25 their cell phones to regular New Yorkers, but surely

2 your office has them all -- to resolve problems on an
3 emergency basis?

4 COMMISSIONER STRAUBER: So, I have... That is not
5 something that I have thought about. I am not sure I
6 have to say just listening if that sort of fits
7 within sort of fully within wheelhouse, but I am very
8 happy to think more about it. This is not an area,
9 you know, that I have really any extensive knowledge.
10 And, so I would be happy to think more about whether
11 that is appropriate for us to do and how it would
12 work.

13 COUNCIL MEMBER YEGER: Okay, if... If you think
14 that it may not be, I am wondering if you can instead
15 of giving a no, give a suggestion. Because, there is
16 no other agency in the City that can do this, because
17 no other agency is empowered by law to oversee the
18 marshals. And, they really are rogue agents. Uh,
19 they, once they get their badge, they are on there
20 on, and nobody watches over them. They don't have a
21 boss. So, you know, you have marshals who have been
22 doing this for 10, 20, 30 years, the same marshals,
23 and they have, you know, it's like the Wild West.
24 Without DOI establishing some kind of office, and I
25 am not saying that you can do with existing

2 resources, you may need more, and there may need to
3 be something that really gets ,you know, fully
4 thought out, perhaps with DoITT, perhaps with ,you
5 know, some kind of 3-1-1 interplay, but it... I do
6 not think that there is another agency that can do it
7 other than DOI. Uh, and it is really the reason that
8 I wanted to bring that up to you.

9 COMMISSIONER STRAUBER: Well, I am very happy to
10 think about it. I don't think I am... I am not in
11 the position to give you an informed answer at the
12 moment, but I will definitely think about I, and we
13 can have a further discussion.

14 COUNCIL MEMBER YEGER: Okay and, while we are on
15 the topic, I am wondering if you know, uh, at your
16 fingertips, how many complaints to get filed against
17 marshals on an annual basis? If you are aware?

18 COMMISSIONER STRAUBER: I do not know that number.
19 But, if... (CROSS-TALK)

20 COUNCIL MEMBER YEGER: [INAUDIBLE 01:24:18]

21 COMMISSIONER STRAUBER: If it exist somewhere,
22 which it might, I would be happy to track it down.

23 COUNCIL MEMBER YEGER: Okay, just curious, alright
24 thank you very much. Thank you, Madam Chair.

2 CHAIRPERSON BREWER: Thank you very much. And, we
3 have been joined by Council Member Rafael Salamanca.
4 Thank you very much.

5 Uhm, I talked a little bit about the, uhm, portal
6 uhm, but I was just wondering, according to The
7 Mayor's Management Report, the MMR, uh, your portal,
8 uh, has, obviously talked about it, as we said, all
9 of the decision making, uh, compliance and
10 recommendations, according to the MMR, it included
11 information that indicates of the 573 recommendations
12 issued in Fiscal Year 2019, 85% have been accepted,
13 76% of the 85% have been implemented, and 11% are
14 still pending an outcome, and four have been
15 rejecting. So, I am wondering, in addition to the...
16 Relating to the 11% still waiting for an outcome, how
17 do you talk to the agencies about recommendations
18 that should be taking place -- in my opinion. And,
19 what is the sort of usual time period for an agency
20 to respond to your policy procedure recommendations?
21 Do you follow up? I think we know that in the past
22 that it has taken a long time, uh, perhaps for the
23 agencies to implement. Obviously there are new
24 agency heads. They may not know about past. You are
25 new. But, I think that ,you know, there are many

2 people in the agencies who, thank goodness, continue,
3 and we want to make sure that what is suggested gets
4 implemented, because that is how... how, uh,
5 agencies perform, uh, at their best. So, with that
6 11% and also I guess, in the future, how are you
7 going to work on this really important issue?

8 COMMISSIONER STRAUBER: So, my understanding is
9 that when we make a recommendation, we typically,
10 although it may vary, and I... I cannot speak for
11 all of the ones we have made historically, I think we
12 typically ask the agency to notify us within a
13 limited period of time -- I think it is often 30 days
14 -- Uhm, as to whether or not they are going to comply
15 with our recommendations. And, that can be sort of
16 the starting point for a dialogue if there are
17 issues. Uh, I think the 85% rate given that they
18 are, you know, that they are not required to comply
19 is good. It obviously could be better. And, I
20 understand that there is a very regular dialogue
21 between the Inspector Generals who have the most
22 direct and close line to the agencies. That is a key
23 part of their job. And, that the dialogue around
24 recommendations occurs principally with through them

2 obviously, if there is an issue then that matter can
3 be elevated.

4 You had some very specific questions about the
5 time it typically takes for implementation I don't
6 have answer to that. I don't know whether we have an
7 answer to that; as an agency we may, and if we do, I
8 would happy to get it to you. I don't know that off
9 the top of my head.

10 CHAIRPERSON BREWER: Okay. Alright, I think those
11 are mostly my questions. I think what we should do
12 now is go to the public.

13 I want to thank you very much. I think that that
14 as Council Member Ayala said, and I certainly agree,
15 we definitely need to have a support mechanism for
16 getting you the New Needs that you have suggested,
17 and certainly working with OMB to fill those 11
18 positions, and we, uh, know that the job that you are
19 doing has to be something that is really known to the
20 public. I think that is one area -- takes some
21 staffing -- but takes some thinking outside of the
22 box. There are ways in which we can, uh, understand
23 what your agency does, and that it is there for the
24 best of all of us. But, it is not, I think known
25 what exactly, uh, Department of Investigation does

2 except, it's like ,you know, the public understands
3 that it deals with corruption, it deals with fraud,
4 it deals with waste, but what does that mean for us
5 individuals so that we do the right thing? And, that
6 is where... And, I think we should be looking, given
7 the vast amounts of federal money, as indicated
8 earlier, I was blown by the amount of money that the
9 Biden administration is making available. The
10 infrastructure you talked about, if you are talking
11 about DEP, if you are talking about DDC, and you're
12 talking about infrastructure. And, that is... And,
13 DOT. They are all going to be getting vast amounts
14 of federal money. And, I think... So, we talked
15 about the contractors in addition to City agencies, I
16 think there needs to be a wholesale review of how we
17 tell people what is or is not permitted in our City
18 government. And, that needs to be something that I
19 hope we can focus on together.

20 COMMISSIONER STRAUBER: Well, we thank you; I
21 thank you very much for your support with respect to
22 our staffing and our mission. I agree completely
23 that of the money that is coming to the city it would
24 be, I think a benefit to the City as a whole for us
25 to be able use that to enhance what we do. And, I

2 look forward to working with you and with this
3 committee on making that happen.

4 CHAIRPERSON BREWER: Thank you very much,
5 Commissioner.

6 And, now I will turn it over to the staff to
7 invite people who would like to testify.

8 And, thank you very much to my colleagues who
9 have joined us. Unless there are any other questions
10 from council members?

11 I do not see any raised hands, but if anybody
12 would like to chime in, feel free. It does not seem
13 like it.

14 Okay, go ahead staff for the public.

15 Thank you very much, Commissioner.

16 COMMITTEE COUNSEL: Thank you, Chair.

17 We will now turn to public testimony. Please be
18 advised that for this portion of the hearing, we will
19 be calling on individuals one by one to testify.

20 Each panelists will be given two minutes to speak.

21 Please begin once the sergeant has started the timer.

22 Council members who have question for a
23 particular panelists, should use the Zoom Raise Hand
24 Function, and I will call on you after the panelists
25 has completed their testimony.

2 For panelists, once your name is called, a member
3 of our staff will unmute you, and the Sergeant At
4 Arms will set the timer and give you the go ahead to
5 begin.

6 Please wait for the sergeant to announce that you
7 may begin before delivering your testimony.

8 And, as a reminder, all hearing participants may
9 submit written testimony --of any length-- to
10 testimony@council.nyc.gov up to 72 hours after the
11 hearing.

12 I would now like to welcome, Kelly Grace Price to
13 testify, followed by Dianna Prashad.

14 Kelly Grace Price, you may begin upon the
15 sergeant's announcement.

16 SERGEANT AT ARMS: Time starts now.

17 KELLY GRACE PRICE: Hi, good morning. I am sorry
18 my internet connection is spotty. I will be very
19 brief.

20 Thank you so much, uh, Committee Chair Brewer,
21 every time I attend a committee hearing chaired by
22 you, it is like a master class in government. This
23 one of course reached the same results.

24 Thank you, Commissioner Strauber, again,
25 listening to you was educational today. My

2 organization, Close Rosie's, is aimed at untwining
3 the problems that women returned to the criminal
4 legal system in situations of abuse face, and
5 specifically, I have gone to The Department of
6 Investigation over the last decade several times
7 seeking help. And, I want to quickly talk about
8 those instances. I will turn in copiously detailed
9 written testimony. But, I want to talk about three
10 main things, uh, very quickly in my minute remaining.

11 I had gone to The Department of Investigations
12 back in 2014 alleging that a large swath of victims
13 were being shooed by the criminal legal system and
14 not getting justice. I was really whispering, uh,
15 foreshadowing the #Metoo movement. My reports, I am
16 sure, are still with The Department of Investigation.
17 A lot of the issues that I brought up are still
18 unanswered. I would very much like to work with you,
19 Commissioner Strauber.

20 Also, I want to talk about The Department of
21 Investigation's working with the district attorneys
22 while I was on Rikers Island as an innocent person.
23 I was victimized by "Doctor Handsey," uh, an
24 investigation that Mark Peters brought to The Bronx
25 DA. A criminal indictment was brought down on the

2 physician's assistant to much fanfare in the press
3 about the physician's assistant raping and sexually
4 abusing and removing hundreds of uteruses and
5 creating circumstances for unnecessary kolposkopies
6 for tens of dozens of women on Rikers.

7 Those criminal charges were dropped mysteriously
8 last year. And, I am wondering what kind of
9 collaboration on the back end... (CROSS-TALK)

10 SERGEANT AT ARMS: Time expired.

11 KELLY GRACE PRICE: Thank you. I think you
12 understand my point. There is no recourse for
13 district attorneys that drop DOI investigation. This
14 one in particular, I would like to shine a light on.
15 And I hope to work with you.

16 Please read my written testimony.

17 Thank you so much, Kelly Grace Price of Close
18 Rosie's.

19 CHAIRPERSON BREWER: Thank you.

20 COMMITTEE COUNSEL: I would now like to welcome
21 Dianna Prashad to testify.

22 Dianna Prashad, you begin upon the sergeant's
23 announcement.

24 SERGEANT AT ARMS: Time starts now.
25

2 COMMITTEE COUNSEL: I see that we have unmuted
3 Dianna's phone. Uh, Dianna, if you are at your phone
4 and can hear us, you are invited to testify.

5 DIANNA PRASHAD: Hi, can you hear me? Good
6 morning.

7 CHAIRPERSON BREWER: Yes.

8 DIANNA PRASHAD: Hi, Good morning Committee
9 members and Chair. I finally have the opportunity to
10 address this committee for the first time. My name is
11 Dianna Prashad. I am a private citizen, taxpayer and
12 homeowner who has been dealing with dangerous
13 situation. My wife and I are being discriminated and
14 retaliated against by HPD/DSS while being blackballed
15 by DOI from reporting corruption and fraud as
16 perpetuated by these agencies.

17 In 2007 I purchased my home through a HPD's first
18 time homeowners program. Homeowners in my development
19 are bound by a 25 year owner occupancy contract,
20 which means that we are contractually and legally
21 obligated to remain in these homes as our primary
22 residence until 2032. Per our contract, HPD is
23 supposed to monitor and enforce these covenants;
24 however, they have not done so since January 2010.
25 Moreover, due to this failure a number of homes on my

2 block that are part of this housing initiative have
3 been illegally converted into rental properties in
4 violation of the owner occupancy clauses in our
5 contracts as well as the grant funding we received.

6 From March of 2020, to present my wife and I have
7 been dealing with safety and quality of life issues
8 stemming from one of these illegal conversions where
9 this first time homeowner home is being illegally
10 rented to DSS via CityFHEPS program.

11 This means that HPD---the very agency that we are
12 in contact with---is party to this breach. Since
13 this illegal registration, the home owner was able to
14 submit to the City to receive rental vouches while
15 simultaneously breaching her contract.

16 We as contractees' in compliance whose home is
17 attached to this illegal conversion are left to deal
18 with not only the consequences of this illicit scheme
19 that affects our safety, uh, we are also dealing with
20 quality of life issues from the displacement of DSS
21 clients... (CROSS-TALK)

22 SERGEANT AT ARMS: Time expired.

23 DIANNA PRASHAD: and precluded from renting,
24 essentially what is going on is that there our active
25 city contracts are being mismanaged by DSS and by

2 HPD. DOI is aware of it. They are not doing
3 anything about it. We have reported it. They are
4 blocking [LOST CONNECTION] [INAUDIBLE 01:36:01]
5 complaints against these agencies.

6 CHAIRPERSON BREWER: Okay, Miss Prashad, I just
7 want to say thank you, because I know you have been
8 covered in the press and I am hoping that DOI will
9 follow up, and we will follow up.

10 And, thank you very much for testifying.

11 DIANNA PRASHAD: Thank you. We will submit our
12 testimony shortly, thank you so much, Miss Brewer.

13 COMMITTEE COUNSEL: Thank you. I believe we have
14 heard from all of the registered witnesses who are on
15 the call, but at this time, if you wish to testify,
16 and your name has not been called. Please raise your
17 hand using the Zoom Raise Hand Function.

18 Seeing no hands raised, I will now turn it over
19 to Chair Brewer for her closing remarks.

20 CHAIRPERSON BREWER: Well, I certainly want to
21 thank the staff and my colleagues who have joined us.
22 I think we have an exceptional Commissioner who is
23 focused on this agency. And, want to... I
24 appreciate her testimony and her staff. I have to
25 say that is an incredibly important agency. And, I

2 think it needs to do more outreach. As I said
3 earlier, I certainly support the increases in funding
4 that she has requested and hope that OMB fulfills
5 their commitment to allow the, uh, 11 spots that need
6 to be funded in addition to the New Needs. And,
7 perhaps in the future, she needs even more staff.

8 So, I want to thank everybody for joining us
9 today, and there is lots of work to be done.

10 Thank you very much, everyone, and this hearing
11 is now concluded.

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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 MARCH 31, 2022