

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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January 29, 2025
Start: 10:05 a.m.
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HELD AT: COUNCIL CHAMBERS - CITY HALL

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

COUNCIL MEMBERS:

Diana Ayala
Nantasha M. Williams
Julie Won

OTHER COUNCIL MEMBERS ATTENDING:

Yusef Salaam

A P P E A R A N C E S

Jocelyn Strauber, Commissioner of the New York City Department of Investigations

Jeanene Barrett, Inspector General for the New York City Department of Investigations

Andrew Carboy, pro bono co-counsel for 9/11 Health Watch

Matthew McCauley, pro bono co-counsel for 9/11 Health Watch

Thomas Hart, President of the Operating Engineers of Local 94

James Brosi, New York City Fire Officers Association

Andrew Ansbro, President of the Uniformed Firefighter Association of Greater New York

Nicholas Papain, general counsel to the Uniform Firefighters Association of New York

Ivey Dyson, counsel in the Liberty and National Security Program at the Brennan Center for Justice

David Siffert, Legal Director of the Surveillance Technology Oversight Project

Ben Weinberg, Director of Public Policy at Citizens Union

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

Mariama James, Self

Kevin Scullin, self

Julienne Jack, self

Timothy Pena, Veterans Justice Project

Joel Kupferman, New York Environmental Law and
Justice Project, Environmental Justice Initiative

Christopher Leon Johnson, self

Barbara Manu, self

Charlotte Dennett, self

Kimberly Flynn, founding member of 9/11
Environmental Action

Marianne Pizzitola, President of the New York
City Organization of Public Service Retirees

Thomas Maguire, self

Chris Magnotta, self

2 SERGEANT-AT-ARMS: This is an audio test
3 for the Committee on Oversight and Investigations.
4 Today's date is January 29, 2025. Located in the
5 Chambers. Recording is done by Rocco Mesiti.

6 SERGEANT-AT-ARMS: Good morning and
7 welcome to the New York City Council Committee on
8 Oversight and Investigation. At this time, please
9 place your phone on silent or vibrate mode.

10 If you want to submit testimony, send it
11 to testimony@council.nyc.gov. Once again, that's
12 testimony@council.nyc.gov.

13 Any time during this hearing, do not
14 approach the dais.

15 Thank you for your cooperation.

16 Chair, we are ready to begin.

17 CHAIRPERSON BREWER: Good morning. Thank
18 you. [GAVEL] I'm Gale Brewer, City Council member,
19 and I am calling this hearing to order. I chair, as
20 you know, the Committee on Oversight and
21 Investigations. I want to thank everyone for joining
22 us. We will be examining the Department of
23 Investigation's Office of Inspector General for NYPD.

24 I'd like to thank the representatives
25 from the Administration, members of the public, and

2 my Council Colleagues who have joined us here today.
3 I am honored that Dr. Nan Williams is with us today.
4 She's really smart and a fabulous member of this
5 Committee.

6 This hearing will focus on the Office of
7 the Inspector General for the NYPD and the Inspector
8 General whose purpose is to investigate, audit, and
9 make corrective recommendations to the Police
10 Department. As the police presence continues to
11 increase in our city, the importance of having a
12 strong IG to oversee the NYPD has become even more
13 essential.

14 The purpose of the hearing today is
15 threefold. Number one, to assess the work of the OIG-
16 NYPD under the present leadership, to examine the
17 historic and current relationship between NYPD and
18 the NYPD Inspector General, and finally, to review
19 recent reports from the IG's office, including any
20 recommendations the NYPD has rejected from these
21 reports and the expected impact that they will have
22 on the city, and I want to thank you because you just
23 did a wonderful social media report that I know
24 Speaker Adams was pleased to be able to suggest that
25 it get done, and I'm glad it got done.

1 Much has changed since the last time the
2
3 Committee on Oversight and Investigations took up the
4 topic of the OIG-NYPD in April 2022 alongside the
5 Committee on Public Safety. In August '23, the
6 Department of Investigation Commissioner Jocelyn
7 Strauber appointed IG Barrett, filling a nearly two-
8 year vacancy. I know this is a hard job to recruit
9 for, so I congratulate IG Barrett. Mayor Eric Adams
10 has appointed four police commissioners in three
11 years. According to a ProPublica report published in
12 June '24, one of those commissioners, Edward Caban,
13 routinely derailed investigations into officer
14 misconduct. In this challenging moment for public
15 trust in government, and that is true, public trust
16 in government is challenged, it is critical to have a
17 credible, comprehensive picture of what NYPD is
18 doing. During this hearing, we will ask how the OIG-
19 NYPD is collecting, analyzing, and disseminating this
20 information under the leadership of IG Barrett.

21 As the Committee explored in its April
22 '22 hearing, historically the PD and the OIG-NYPD
23 have had a poor working relationship. Reporting from
24 ProPublica and research from the Brennan Center, and
25 I thank the Brennan Center for all their efforts,

2 have shown that NYPD has restricted the IG's access
3 to records and witnesses, withheld information the IG
4 was legally entitled to, excessively redacted
5 material, and instructed witnesses to cancel
6 interviews and delay IG requests. During the
7 Committee's last hearing on this topic, we heard
8 assurances of improved dealings with NYPD, and that's
9 a good thing. Since then, police accountability
10 organizations and good government groups have
11 spotlighted delayed reporting and deference to police
12 narratives in the OIG's reports on the NYPD's gang
13 database and police recording of public protests. I
14 chair the Committee with oversight over DOI. I look
15 forward to an honest conversation with Commissioner
16 Strauber about her understanding of these issues, the
17 current state of relationship between PD and the IG,
18 and I assume, I'm a big supporter of Jessica Tisch,
19 and I assume it has improved dramatically. I noticed
20 today she let the press come back to 1 Police Plaza,
21 that's a good thing, and the continued independence
22 of the OIG.

23 This hearing will also focus on the IG's
24 public reports. As part of the conclusion of an
25 investigation, the IG issues non-binding

2 recommendations to PD. Although the PD does not need
3 to accept these recommendations, the rejection of a
4 recommendation is worthy of further discussion. Why
5 did it happen? From examining PD over time and the
6 increased risk of negative policing to scrutinizing
7 the NYPD's strategic response group, the SRG,
8 criminal group database, and surveillance and
9 investigative practices directed at political
10 organizations, I'm interested in discussing the most
11 essential recommendations that the IG's office has
12 issued that are yet to be implemented by the Police
13 Department. We will discuss the PD's reasoning in
14 rejecting these recommendations, and whether DOI
15 believes these responses warrant a rejection of their
16 recommendations.

17 I would like to note that the O and I
18 Committee will join the Committees on Public Safety
19 and Technology to examine the Police Department's
20 implementation of the POST Act, including the DOI's
21 most recent POST Act report, in a separate hearing on
22 February 19th. The Committee on Oversight
23 Investigations, my Committee, has oversight over the
24 City's investigatory agency. Our independence and
25 honesty are essential to ensuring good governance,

2 and I think that's what the public wants. Today, more
3 than ever, they want it.

4 The Committee will also hear two bills
5 that I am proud to sponsor. Introduction 1020 would
6 require the Commissioner of Investigation to replace
7 the Inspector General for the NYPD within 90 days
8 after an Inspector General resigns or is removed. The
9 output and influence of this important office depends
10 on having a permanent head of the helm. We don't want
11 to accept a years-long delay in the appointment of an
12 IG. The 90-day requirement already exists for DOI's
13 IG for the Department of Correction. This bill would
14 also require DOI to report on the number of
15 investigations the IG conducts, the subject of each
16 investigation, and a description of each incident
17 where the Police Department did not give timely
18 access to information. This data would help the
19 Council assess the scope and scale of the OIG-NYPD's
20 critical work, and it is critical work.

21 Finally, Resolution 560, which is kind of
22 like an intro., would direct DOI to conduct an
23 investigation to ascertain the knowledge possessed by
24 mayoral administrations on environmental toxins
25 produced by the September 11, 2001, terrorist attacks

2 on the World Trade Center and to submit a report to
3 the Council thereon. This legislation is a direct
4 response to the Adams Administration's refusal to
5 release the documents despite requests from members
6 of Congress, advocates, and the media, and other
7 mayors have refused also. I want to be clear. Using a
8 novel approach, and this is novel, if passed, this
9 Resolution would represent the first time, the very
10 first time, the City Council as a Body has evoked the
11 authority granted by Section 803 of the New York City
12 Charter to direct DOI to conduct an investigation
13 through a binding resolution. DOI would be required
14 to complete a comprehensive public report on the
15 findings no later than two years after the adoption
16 of the Resolution. As I think we know, more people
17 have died in the years since the attack than died on
18 the day itself, from respiratory issues, cancers, and
19 other diseases caused by the toxins on Ground Zero
20 and the surrounding areas. This Resolution would
21 finally reveal what City government knew about
22 environmental toxins produced by the September 11th
23 attacks and when, and I hope California is paying
24 attention to this. This transparency is particularly
25 relevant in this moment when trust in government is

severely lacking. The findings would also inform our City's response to future toxic emergencies.

Before I conclude, I want to thank the following Council staff for their work on this hearing. You'll see to my right Committee Staff, Nicole Catá, who's the attorney, Erica Cohen, an attorney, Alex Yablon, and Owen Kotowski, from the O and I Division staff, Meg Powers, Zachary Meher-Casallas, Kevin Frick (phonetic), and Uzair Qadir, and for my Staff, Sam Goldsmith, and everyone working on, in the background to make this hearing run smoothly, and we also have been joined by Julie Won on Zoom.

Now I want to turn it over to Committee Counsel to administrate the oath.

COMMITTEE COUNSEL CATÁ: Thank you, Chair Brewer. We will now hear testimony from the Administration. We will hear from Commissioner Jocelyn Strauber and IG Jeanene Barrett. Before we begin, I will administer the affirmation. Panelists, please raise your right hand.

Do you affirm to tell the truth, the whole truth, and nothing but the truth before this

2 Committee and to respond honestly to Council Member
3 questions?

4 COMMISSIONER STRAUBER: I do.

5 INSPECTOR GENERAL BARRETT: I do.

6 COMMITTEE COUNSEL CATÁ: Thank you. You
7 may begin when ready.

8 COMMISSIONER STRAUBER: Thank you. Good
9 morning, Chair Brewer and Members of the Committee on
10 Oversight and Investigations. My name is Jocelyn
11 Strauber, and I have the privilege of serving as the
12 Commissioner of the Department of Investigation. I
13 appreciate the opportunity to speak with you today
14 about DOI's Office of the Inspector General for the
15 New York City Police Department, OIG-NYPD, as we
16 refer to it, and to provide you with an update on
17 that unit's work. As you know, DOI oversees the
18 operations, policies, programs, and practices of the
19 New York City Police Department through DOI's Office
20 of the Inspector General for the NYPD. Today, I will
21 give an overview of the work of that office since I
22 last testified in April 2022 on this issue, including
23 an update on our access to records, facilities, and
24 staff, improvements to our internal workflow, the
25 status of our staffing, and also highlight some of

the major reports we have issued over the past two years.

OIG-NYPD's in-depth investigations, public reports, and comprehensive recommendations seek to ensure that the Department's practices and policies are sound and effective, and to provide public transparency with respect to those policies and practices. Our work thus contributes to effective policing and seeks to thereby strengthen the relationship between the Department and the community. We have continued to pursue that work, issuing four reports in 2024 and preparing a fifth that was just issued yesterday, despite a significant decrease in staffing in the OIG-NYPD, a challenge facing all of DOI's units and most City agencies. The unit currently has nine members, a nearly 44 percent decrease from the 16 members in 2023. I note that in 2023 the unit also produced four reports, so our productivity has remained consistent despite those staffing challenges. Today I will discuss some of the efforts I have made to amplify the unit's current staffing so that it can continue to complete investigations and issue reports, a critical

2 responsibility that Inspector General Barrett and I
3 are determined to meet despite our reduced numbers.

4 These efforts include devoting
5 substantial senior executive staff time as well as
6 other supervisory DOI staff to assist in the unit's
7 substantive work and refocusing the team on its
8 mandate to conduct systemic investigations of NYPD's
9 policies, procedures, and practices. I will also
10 provide you with our perspective on two pieces of
11 legislation sponsored by Chair Brewer that are part
12 of today's hearing, one that includes mandates
13 relating to OIG-NYPD and another directing DOI to
14 conduct a historical investigation regarding
15 environmental toxins produced in the wake of the
16 September 11th attacks.

17 OIG-NYPD was created in 2024 in
18 accordance with Local Law 70, which directed the DOI
19 Commissioner to appoint an Inspector General to
20 investigate, review, study, audit, and make
21 recommendations relating to the operations, policies,
22 programs, and practices of NYPD. This mandate is the
23 core of OIG-NYPD's work and, since my tenure in early
24 2022, OIG-NYPD has and will continue to focus
25 primarily on examinations of the Department's

operations, policies, procedures, and practices. To the extent there are potential criminal matters involving individual NYPD personnel, those generally are handled by other DOI squads.

Like other DOI squads, OIG-NYPD's policy and procedure investigations may be based on complaint trends, media reports, community concerns, and information provided by advocacy groups, among other sources. Most of the individual complaints OIG-NYPD receives do not result in investigations because they fall outside the office's mandate and are therefore generally referred to other agencies. For example, complaints relating to an individual's interaction with a police officer or officers would typically be referred to the Civilian Complaint Review Board, the CCRB, although, as I noted, we retain information about all complaints received in order to assess complaint trends, which could lead us to open a systemic investigation. Overall, the percentage of complaints to OIG-NYPD that resulted in investigations are roughly consistent with DOI's overall figures. Since its inception over 10 years ago, OIG-NYPD has issued 35 reports and 263 recommendations, with nine reports issued since the

beginning of Calendar Year 2023 with 61 related recommendations.

It is my responsibility as DOI Commissioner to ensure that OIG-NYPD effectively carries out its mandate. In 2022, I shared concerns with this Committee about issues facing the office, specifically its diminished staff, challenges accessing NYPD records, facilities, and staff, and the need to develop an effective streamlined process to produce comprehensive reports. I am pleased to update you today on these issues, starting first with the question of access. OIG-NYPD cannot do its job without meaningful and timely access to NYPD records, data, facilities, and staff and, early in my tenure, as you noted earlier, Chair Brewer, there were challenges in this area. But for over two years now, communication between our office and NYPD, as well as production of information and records, have markedly improved. The office continues to have biweekly meetings with NYPD to discuss any outstanding requests. NYPD recently has further streamlined its process to respond to our requests by assigning each one to an attorney who is responsible for promptly identifying and locating responsive information

1 within the Department and jump-starting internal
2 discussions to obtain that information. The office
3 has also implemented an escalation process to ensure
4 that delays in production are promptly raised to
5 senior levels at both DOI and NYPD. On the rare
6 occasion where we cannot obtain relevant records, we
7 document those instances in our public reports. For
8 example, in our December 2024 report on the
9 Department's use of drones, we noted that we could
10 not conduct a complete assessment of NYPD's
11 compliance with the policies governing drone
12 operations because we did not receive complete
13 records concerning all drone deployments. However,
14 this one issue did not prevent us from issuing a
15 comprehensive report concerning various other aspects
16 of the drone program, with six findings and ten
17 recommendations.

18
19 With respect to our staff, OIG-NYPD has
20 experienced significant attrition over the past year.
21 As a result, it currently has a staff of nine,
22 including the Inspector General. To bolster the
23 unit's capacity, I have taken several significant
24 steps, tapping senior DOI staff to support OIG-NYPD's
25 work in key ways that allow the office to focus on

and meet its critical mandate to examine systemic policy and procedure issues within the Department. To that end, as I mentioned earlier, I have assigned investigations involving individual NYPD personnel or potential criminal matters to other Inspector General units within DOI that can better serve as leads on these types of investigations and collaborate with OIG-NYPD where necessary. And on occasion, if appropriate, other squads also can conduct investigations involving NYPD policy and procedure, such as our Local Law 6 report that was issued last March, or the recent follow-up report on the Department's policies and practices governing security details for elected officials.

Report writing is a central function of OIG-NYPD. It is a time-consuming process and a critical one to create a public record of the office's findings and the recommendations it has issued. To assist in this effort, as I mentioned, I have assigned senior DOI staff to help in the report writing process, freeing the office to focus on investigative work. These efforts have provided essential support to the team and led to results. As we said, OIG-NYPD issued four reports in 2023 and

four in 2024, and yesterday the first report of 2025.

Each of these reports include important

recommendations that seek to strengthen NYPD policies

and to bring public transparency to the Department's

practices. To give a few examples, over the past two

years, the team has tackled critical topics and

issued reports including the Department's social

media use policy, finding deficiencies in NYPD's

policies, non-compliance with the citywide social

media policy, and a lack of oversight of NYPD senior

executives' social media posts. We issued a report on

the Department's Community Response Team, which has

expanded significantly in the past two years, finding

an absence of written policies and procedures to

guide the unit's actions and providing critical

information to the public about an NYPD unit,

information that had not been previously publicly

available. We issued a report on the Department's

Criminal Group Database, examining a number of

issues, including the Department's processes to add,

remove, and maintain individuals in the database and

public concerns about inclusion in the database,

providing the basis for an important follow-up report

that we are currently working on to assess the

2 Department's compliance with our recommendations, a
3 substantial number of which were accepted. We issued
4 a report on the relationship between Department
5 overtime and negative policing outcomes, finding, not
6 surprisingly, that overtime has a statistically
7 significant relationship with a number of negative
8 outcomes, and those would include things like
9 lawsuits, CCRB complaints, and the like.

10 This last report involving overtime is
11 among the several mandated reports that legislation
12 requires the office to produce. Some of those reports
13 are annual reports. For example, each year the office
14 is required to assess the Department's compliance
15 with the Public Oversight of Surveillance Technology
16 Act, known as the POST Act, and also to produce an
17 annual comprehensive review that discusses all of the
18 office's reports since the inception of the unit in
19 2014 and the current status of each recommendation.
20 The March 2024 annual report discussed 20
21 investigative reports, one statement of findings, and
22 the status of 233 recommendations issued over the
23 office's 10 years. Each report involves a rigorous
24 and thorough process, first obtaining key facts,
25 including policies, procedures, and where

appropriate, relevant data, interviewing witnesses, summarizing the background, and making key findings and conclusions that support our recommendations.

We are making progress, but we want to do more so that we can weigh in more proactively on the issues of greatest impact to our community in a timely fashion. This is a challenge given that thorough investigations take time and resources, but it is a goal we are striving already to meet. As a follow-up to our report on the Community Response Teams, we will be conducting an examination of critical issues relating to CRT, including the disciplinary history of its officers, and the impact of CRT's work on the communities they police through an examination of available data. And as I just mentioned, the office is also working on a follow-up report to the Criminal Group Database that will be issued in the first half of this year, focused on NYPD's review processes for the activation of individuals, the adding of individuals into the database, as well as the implementation of certain recommendations that the Department accepted.

OIG-NYPD also has established valuable working relationships with the City's other police

oversight agencies, including the CCRB, the Internal Affairs Bureau, and the Office of the Community Liaison associated with the Federal Monitor. Over the past two years, OIG-NYPD has met regularly with the Office of the Liaison and, as necessary, with the Monitor. We have participated with the CCRB in two community forums hosted by the Community Liaison and focused on police accountability in Brooklyn and the Bronx, an effort that is ongoing and provides a way for us to educate the public about police accountability and to connect with community members so they know who to contact when they do have a complaint. In addition, the office has worked to strengthen its relationship with IAB through attending training led by IAB and also presenting at those same trainings to educate participants about our office and its mission. We also meet regularly with community policing advocates, including the Brennan Center, the New York Civil Liberties Union, the Surveillance Technology Oversight Project, among others, to better understand the issues and concerns of their constituents and members of the community. These meetings have prompted investigations,

including our assessment of the policies and procedures governing the Department's CRT.

OIG-NYPD has an Outreach Director who is dedicated to connecting with the community at large through in-person and virtual events. Over the past two years, the Outreach Director has attended more than 200 such events at various venues across New York City. While these outreach efforts do not tend to generate leads for investigations, they are important efforts to connect with New Yorkers directly and explain what we do. These outreach efforts and relationships that we have with both government and community entities are integral to staying up to date on issues affecting police accountability in New York City and informing a local resource network in the police oversight arena.

I want to speak for a moment about another related project that DOI is undertaking. We have a mandated oversight role in the settlement agreement relating to NYPD's policing of protests in the wake of the police killing of George Floyd. As part of Phase Two of that settlement agreement, DOI has the primary role of reviewing 12 First Amendment activities, protests, to be selected by a

2 collaborative review committee, which the DOI
3 commissioner will chair. We will conduct that review
4 at specified intervals during a 36-month time period,
5 which will include determining the Department's
6 compliance with settlement terms, reporting findings,
7 and issuing recommendations. To that end, DOI
8 received funding for five additional staff to form a
9 new Protest Settlement Monitoring Unit consisting of
10 an inspector general, two special counsels, and two
11 investigators. Those staff have been hired and will
12 join the agency in March. Due to the discreet and
13 time-sensitive nature of their work, which is also
14 time-limited over a three-year period, they are a
15 separate unit from the OIG-NYPD, but they will
16 operate with guidance and input from Inspector
17 General Barrett, as well as, of course, DOI's
18 executive staff.

19 Let me now turn to the legislation before
20 us today, and I'm going to start with Intro. 1020-
21 2024. This proposed local law has several elements.
22 First, it would amend the City Charter to require the
23 DOI Commissioner to fill a vacancy in the position of
24 the Inspector General for OIG-NYPD within 90 days.
25 While this timeframe mirrors the deadline set in the

1 City Charter for the hiring of the first Inspector
2 General for this unit in 2014, it is not realistic in
3 today's hiring environment. We support expedient
4 hiring for all of our open positions, including, of
5 course, Inspector Generals and the Inspector General
6 for OIG-NYPD. However, a 90-day timeframe is not
7 realistic in light of the challenges we have had and
8 continue to have in hiring new staff. That short
9 timeframe presumes no delays or obstacles arriving in
10 the interview or background process or in the
11 onboarding of candidates. It would also take full
12 budgetary support to ensure that a competitive salary
13 was available for the position. This proposed law
14 would also require DOI to publicly report the
15 following information relating to OIG-NYPD, the
16 subject matter of any investigation related to NYPD
17 open for more than three years, descriptions of
18 incidents where NYPD restricted or significantly
19 delayed access to any information that the office
20 required or if NYPD interfered with the office's
21 duties and, third, the number of investigations
22 related to the Department that were closed without
23 issuing a report during the preceding calendar year.
24 DOI certainly supports as much transparency as
25

possible around the work that we do as long as it will not compromise or interfere with our investigations. We can readily identify the number of investigations open for more than three years, and I am pleased to note that due to the office's efforts, largely in 2023, to complete and close older matters, we currently have no such investigations. However, for the most part, consistent with our practice, we will not be able to identify the subject matter of those investigations. Similarly, we could share instances of interference with our investigations or delays in the receipt of materials, though I note that there have been no such interferences during my tenure. There have been delays, which we have addressed, as I mentioned. However, we may not be able to share the details of our request to the Department because doing so would reveal the subject matter of those investigations. We are also able to share the number of investigations closed without issuing a report during the preceding calendar year, and during the past calendar year there were none, but we likely will not be able to identify the subject matter of those investigations either. I also note that additional reporting does take time away

1 from the other work that we do and, with a limited
2 staff and despite the relatively straightforward
3 nature of the proposed reporting obligation, it may
4 not be the best use of our resources.

5
6 Let me turn now to Resolution 0560. This
7 Resolution calls on DOI to conduct an investigation
8 to ascertain what mayoral administrations knew about
9 environmental toxins produced by the September 11th
10 terrorist attacks and to submit a report to the City
11 Council. The health and safety of New Yorkers is
12 paramount, and DOI understands that the goal of this
13 Resolution is to provide critical answers to
14 lingering questions about the information that was
15 available to New York City government historically
16 about risks to health and safety arising from the
17 9/11 attacks. This type of investigation would
18 require an analysis of materials dating back two
19 decades and therefore would call for a deep dive into
20 archived materials to ascertain the existence and
21 content of relevant records. Individuals who worked
22 in prior administrations would also need to be
23 identified, located, and interviewed, as well as
24 individuals affected by these events. In addition to
25 a substantial investigative staff, a full

1 understanding of the relevant records and witness
2 interviews likely would require environmental
3 experts, medical experts, and possibly others with
4 specialized skills to be part of the staff for such
5 an investigation. To undertake an investigation of
6 this volume and scope, DOI would need funding to hire
7 the sort of team I just mentioned of investigators,
8 attorneys, and experts as well as a dedicated
9 inspector general. At our current staffing levels, we
10 would not be able to undertake the work of this
11 importance and magnitude with the in-depth analysis
12 that it would call for and deserve.

14 Thank you for your time, and I'm happy to
15 take any questions you may have.

16 CHAIRPERSON BREWER: Thank you very much.
17 We've been joined by Council Member Salaam. I will
18 start and then turn it over to my Colleagues.

19 I just want to say about the bills,
20 certainly the Resolution 560, which is a very novel
21 way to try to get the folks who are impacted by
22 September 11th have been trying, as you know, for
23 years to get this information. It exists. It exists.
24 And I have to say I don't think it's as complicated,
25 you'll hear that later, as what you're outlining so I

1 think it's something that's doable with, yes, a few
2 more staff so it's of the utmost importance, I think,
3 to New Yorkers to understand because I think, again,
4 back to what you and I believe, which is government
5 needs to be as transparent as possible, and
6 particularly in today's world, where people are very,
7 very skeptical of their government providing support
8 for their needs. This would be an example so I hope
9 that we're able to come to some agreement on that.
10

11 And the same, I think there's lots of
12 room for negotiation on the other bill regarding the
13 IG office, but I hope that we can work together on
14 that.

15 I know you said nine members, which I
16 know is hard to recruit. Other agencies are having
17 the same problem, but I wanted to know within that
18 number, how many investigators, data analysts, policy
19 attorneys, etc., how do you break down that number?

20 COMMISSIONER STRAUBER: Let's see. So let
21 me run through with you how the current nine divides
22 up. We have two investigative policy analysts, one
23 investigative project analyst, one director of
24 outreach, one executive manager, two deputy
25

2 inspectors general, one first deputy inspector
3 general, and one inspector general.

4 CHAIRPERSON BREWER: Okay.

5 COMMISSIONER STRAUBER: And DOI also has a
6 special counsel, and our special counsels support
7 groups of squads. So we have one special counsel who
8 supports OIG-NYPD, but also supports three other
9 squads.

10 CHAIRPERSON BREWER: Okay. So what you're
11 saying, I know you said earlier you're trying to
12 bolster with some of the other staff members in your
13 office.

14 COMMISSIONER STRAUBER: Right. I haven't
15 obviously identified all of those.

16 CHAIRPERSON BREWER: Right. But that's
17 within the nine. Makes sense. And so what would you
18 like to see that office be in terms of if you're able
19 to hire? I think you gave a number. What was that?

20 COMMISSIONER STRAUBER: Well, when we met
21 in 2022, I said I'd like to see 20 to 25. Now, that
22 was early in my tenure and before the sort of budget
23 environment that we've now been in for several years.
24 I think a more realistic assessment, although not
25 realistic within our current staffing, would be 15 to

2 20. That doesn't mean I think we can get to 15 to 20
3 immediately, but I think that would be a more
4 realistic number now.

5 CHAIRPERSON BREWER: Okay. Have you had
6 people resign in the last couple of years? And how is
7 the average tenure? Because obviously this work, I
8 know from this wonderful staff that we have on our
9 Committee, that it is really helpful to have people
10 stay, get expertise, blah, blah, blah. So have people
11 resigned and what's the average tenure?

12 COMMISSIONER STRAUBER: So, the rate of
13 attrition most recently last year was quite high. It
14 was 46 percent.

15 CHAIRPERSON BREWER: Okay.

16 COMMISSIONER STRAUBER: And the average
17 tenure is approximately four years.

18 CHAIRPERSON BREWER: Okay.

19 COMMISSIONER STRAUBER: So, taking your
20 point, not as high as we would like, institutional
21 relationships and knowledge are obviously very
22 important in this work that we do, but these are
23 challenging times and people also have their own
24 reasons, obviously, professional career and personal
25 for leaving.

2 CHAIRPERSON BREWER: Okay. The 2015 annual
3 report that the office did contain an organizational
4 chart for the office? Does the office continue to
5 maintain such a chart? Is it publicly available,
6 etc.? I think that that's helpful for people to know,
7 understand what exactly is in the office.

8 COMMISSIONER STRAUBER: We do have an
9 organizational chart that currently that lays out the
10 positions that you mentioned. I don't know that it's
11 included in our annual report. I don't believe that
12 it's otherwise publicly available at this time.

13 CHAIRPERSON BREWER: Could you make it
14 publicly available?

15 COMMISSIONER STRAUBER: I don't see why
16 not. I mean, you know, I just want to make sure we're
17 being consistent, and I want to think about if we're
18 going to do it for this squad, we're going to do it
19 across the agency so, before sort of making a
20 commitment to that, I'd like to think about it, but
21 it, you know, the structure is what it is.

22 CHAIRPERSON BREWER: People are asking for
23 the chart who were around in 2015. I'm just letting
24 you know. That's of interest to them.

2 COMMISSIONER STRAUBER: People who saw it
3 in 2015, right?

4 CHAIRPERSON BREWER: Yes. Would like to
5 see it again.

6 COMMISSIONER STRAUBER: Yeah. So, let us
7 consider.

8 CHAIRPERSON BREWER: Yeah. I know people,
9 because I've been around forever. I know people who
10 are around forever and they are asking for it, and I
11 won't mention who they all are, but believe me, I
12 know them.

13 So, what to you would be a highly
14 functioning and effective IG office? What are the
15 metrics you use to measure the success? In other
16 words, I know you mentioned the number of reports
17 pretty consistent as an example, and then the other
18 issue with percentage of recommendations accepted by
19 the Police Department, the range of topics
20 investigated. I know it's hard to know what would be
21 the best measure, but I think we need some measure
22 and, you know, maybe how it compares to other squads,
23 which, you know, you can have other squads.
24 Unfortunately, the Police Department is always going
25 to be the one that people pay most attention to.

2 COMMISSIONER STRAUBER: Yeah. This squad
3 actually, in terms of, since its focus is report
4 writing, it issues more reports on an annual basis I
5 would think than any other individual squad. There
6 may be some that, that come close certain years, but
7 they certainly issue more reports overall than any
8 individual squad in the agency on an annual basis.
9 Certainly, that's true over the last two years. I
10 think to answer your question, and I think this is
11 something that more staffing would help with, I would
12 like us to be able to do more proactive inquiries and
13 issue reports more quickly. And to be clear, this is
14 a challenge across the agency and, you know, there
15 are different, you know, pressures and priorities and
16 sometimes, you know, the timing shifts for various
17 reasons, but I think being able to speak on issues of
18 importance to the public as close in time as possible
19 to when those issues arise is most valuable because
20 public attention tends to move quickly from issue to
21 issue, and I think we have the most momentum when
22 we're able to speak promptly. I think the social
23 media report, you know, is a good example of a tight
24 turnaround. Would we have wanted it to be even faster
25 and issue that report at the end of last year? That

1 was our goal. Early January, you know, I'll take that
2 given the tremendous work that it took on the part of
3 IG Barrett and her staff to make that possible on top
4 of the other reports that they did last year.

5
6 CHAIRPERSON BREWER: I mean, one thing
7 that's going to appear, I think, I mean, we're all
8 trying to figure out ICE. We're all trying to be
9 understanding of what their concerns are, the
10 President, the Governor, the Mayor, the migrants, but
11 there is information flowing. I spend a lot of time
12 with the migrants. I'm even a mentor or whatever the
13 hell it's called, guardian, you know, I go to court
14 and I tell people I'll make sure they don't get
15 deported. I don't know what the hell I'm doing, but
16 I'm doing it. So, my question then is what is, you
17 know, information flowing out sometimes incorrectly.
18 You have to check every piece of information, but the
19 City and the Police Department to their credit are
20 saying this is what the cops are supposed to do, this
21 is what DSS is supposed to do. But this would be an
22 example for me, a timely report. Is that what's
23 happening? Because in some cases, the people at the
24 shelters are telling families to stay home. That
25 means the kids aren't going to school. You get the

2 picture. This is a new realm, a new issue, and I
3 would think would this be the kind of thing that
4 would be proactively you would be thinking about? It
5 would take investigators going into the field because
6 this is a field sort of thing. I'm just asking
7 because this is what's on everyone's mind right now.

8 COMMISSIONER STRAUBER: Look, certainly
9 like that is part of the operations of the Police
10 Department. The one thing I want to be clear about is
11 that it takes, you know, even for something that
12 might seem relatively straightforward, it takes time,
13 particularly if you're talking about doing an
14 operation involving surveillance, which is not
15 typically what this unit does, but this is why we
16 want to have conversations with you and with members
17 of the community. We want to be responsive to the
18 community's concerns. So yes, is that something we
19 could look at within our mandate? Absolutely.

20 CHAIRPERSON BREWER: Okay. I know you did
21 a report, as you mentioned, on, we call it CRT,
22 Community Response Team, indicating that the units
23 lacked a mission statement as well as any written
24 policies or procedures relating selection, training
25 of unit members or policing strategies. Did you look

2 also to review the activities of CRT officers, such
3 as the BWC videos, arrest and summonses data and TRI
4 reports? And, if so, do you have, or will you have
5 any findings about their actions, such as
6 constitutionality, use of force incidents, citizen
7 complaints or effectiveness? I mentioned that because
8 I am no expert here, but the CRT does come up a lot.

9 COMMISSIONER STRAUBER: Well, it does come
10 up a lot. It came up a lot in conversations that we
11 had, and that's why we looked at it. The first report
12 we did, did not get into those areas. It was really a
13 foundational report, given how little public
14 information was available about these units. We
15 wanted to establish, you know, what are the
16 practices, what are the policies, what are they, how
17 do they work? The Phase Two that we're undertaking
18 this year could look into a range of deeper issues,
19 including what are the disciplinary histories of the
20 officers, what can we discern about the conduct that
21 occurs on the street, what is the data about the
22 effectiveness of their work, and what does that show?

23 CHAIRPERSON BREWER: I'm going to call on
24 my Colleague for some questions, and then I'll come
25 back. Council Member Williams.

2 COUNCIL MEMBER WILLIAMS: Thank you,
3 Chair. I guess I'll start here. Are there any
4 permanent measures the OIG's office has put in place
5 to ensure that the office continues to consistently
6 produce quality reports? And I just wanted to ground
7 that question in something I saw earlier today, or
8 was it last night, about the President seeking to
9 fire all of the IGs, which, as you can imagine, is
10 terrible, and we obviously view your office as
11 extremely important and want the work to continue,
12 regardless of, like, who may come and go and whatever
13 administration may exist or may prioritize IG offices
14 over another.

15 COMMISSIONER STRAUBER: So, to take that
16 part of the question first, you know, there are
17 statutory protections in place for the DOI
18 Commissioner. I suppose, if your question is, are
19 there statutory protections in place for specific
20 Inspectors General, there are not, but as the
21 Inspector General Office for the City, I think the
22 protection we have is conferred by the protection for
23 the Commissioner's role, which requires, among other
24 things, a statement of reasons were, you know, a
25 Mayor to choose to terminate a DOI Commissioner.

2 There's obviously also the City Council confirmation
3 process, which is another way of ensuring both the
4 independence, you know, of the Inspector General and
5 also ensuring that the City Council is comfortable
6 with, you know, the qualifications of that person,
7 which could be relevant to the evaluation of any such
8 statement of reasons that might be produced in the
9 event of termination so I think that's the sort of
10 global protection for the office. Obviously, the law
11 needs to be followed for it to be effective so we
12 could have a whole other conversation, you know,
13 about that.

14 In terms of the steps that we've taken
15 internally in the office to address the first part of
16 your question to produce quality reports, it's really
17 a sort of planning and collaborative in-depth process
18 that really starts with Inspector Barrett and I and
19 other members of the Executive Team and members of
20 her team, which is first kind of conceptualizing the
21 topics that we're going to look at, which, as we've
22 said, can come from a variety of sources, and then
23 sort of careful planning from the requests that we
24 need to make, the documents and interviewees we need
25 to access, which we try to make, you know, as

2 tailored and efficient as possible so that we're
3 really getting what we need, both so we can get it
4 quickly and also so that we can issue reports as
5 quickly as possible, and then a pretty in-depth back
6 and forth in terms of, you know, outlines, reviewing
7 together, you know, the information that we're
8 receiving, documentation of the reviews that we do,
9 of records that we get, of people that we interview,
10 sort of building towards, you know, the conclusions
11 and recommendations that we make, which are then, you
12 know, in a public report, and the goal of that is to
13 sort of streamline the reporting process so we're not
14 in a place where, as work is reviewed sort of later
15 stage when a report is already partially drafted,
16 either Inspector General Barrett or I think we need
17 to change it so the idea is let's figure out at the
18 beginning what we're going to do, let's readjust as
19 we learn more, as we see what the facts are showing
20 us, and let's sort of have each step be building
21 towards that final public report.

22 COUNCIL MEMBER WILLIAMS: Thank you. And
23 you mentioned that you gather different forms of
24 sources to determine which cases or, you know, how
25 you would determine different investigations. So,

once you gather that information what is the internal process to determine what to investigate?

COMMISSIONER STRAUBER: You know, I don't know how to describe it other than it's somewhat organic. We have a lot of incoming, and I think we literally sit together and we discuss what are the most important issues that we should focus on right now. That's how CRT emerged last year. Obviously, social media, we were actually already tracking all of that, but getting Speaker Adams' request made clear that we were going to, you know, that we were going to move quickly on that report at the time that we did. So, it's really a process, you know, relying on IG Barrett's expertise, our knowledge historically of what the office has done. We try to keep an eye on what other inspectors general for police departments across the major cities in the U.S. are doing. You know, we have conversations, you know, with advocacy groups, Members of the City Council, and then we really sort of take that information and we think, okay, where can we be most effective here, so there's no formula, and we try to be flexible so that we can respond to what the areas of greatest need and impact.

2 COUNCIL MEMBER WILLIAMS: So, it seems
3 like it's based off of maybe whether or not you see a
4 systematic issue and or whether or not it's a
5 trending issue. Is that fair to say?

6 COMMISSIONER STRAUBER: Well, certainly
7 what we were talking about with complaints, you know,
8 we may get a complaint about a certain type of
9 officer misconduct or we might see one complaint
10 about, you know, the conduct of an entity suspected
11 to be a Community Response team. In that example,
12 people didn't always know, you know, what unit the
13 officers were affiliated with. We wouldn't generally
14 start an investigation off one complaint, but if we
15 were seeing complaints, let's say, that come into our
16 office through phone, email, etc., and we were
17 speaking to advocacy groups and they were mentioning
18 it and we're looking around online and we're seeing
19 there's not a lot of information, all of those things
20 would lead us to think, this is a broader issue than
21 just one complaint. This is potentially a systemic
22 problem, and that's what we're looking for. And then
23 among those, we try to think, you know, what is it
24 that we can really contribute here and move forward
25 on that basis.

2 COUNCIL MEMBER WILLIAMS: Okay. I'm
3 actually going to turn to social media. You released
4 a report yesterday. I'm going to look at it. An
5 assessment of NYPD's use of social media. I actually
6 introduced a bill seeking to curb usage of social
7 media for political type reasons so question for you
8 is how many staff members worked on the report, and
9 then I'll just read, this is very wordy, but in your
10 first finding, you found that certain X posts made by
11 members of NYPD's executive staff on official City
12 accounts were unprofessional and encouraged an
13 unproductive public discourse. They violated
14 Department policies related to being courteous and
15 civil and raised questions with respect to whether
16 they may be deemed prohibited engagement in political
17 activity by City employees. Have any referrals been
18 made to other agencies, including CCRB or the NYPD's
19 Department Advocate's office related to this finding?
20 If not, why not?

21 COMMISSIONER STRAUBER: Okay. So let me
22 take your first question. The number of people who
23 worked on this report, excluding supervisors,
24 excluding IG Barrett and myself and other supervisors
25 in the office, there were six people whose work

2 contributed to this report. That includes, for
3 example, one of our data analysts. So, it wasn't just
4 the staff of the unit. There was a data analyst
5 involved, one of the special counsels assisted, other
6 members of senior staff so we had six people whose
7 work contributed to that report, obviously at
8 different degrees. Some people are spending more time
9 on it. Some people are spending less.

10 In terms of referrals, the report really
11 is the referral, right, so the report goes to the
12 Police Department, they can choose, and to the
13 public, right, so there are issues there that relate
14 to the use of public resources like official social
15 media accounts. Those are there for those
16 organizations should they choose to take action. We
17 didn't make any sort of specific referrals. And
18 whether we do that or not, you know, really varies
19 based on the nature of the report. Our primary
20 findings here related to the lack of policies and
21 procedures to ensure oversight, to ensure that these
22 types of communications, you know, don't happen and
23 won't happen again.

24 COUNCIL MEMBER WILLIAMS: Okay. Another
25 interesting thing that I did not know, because I have

2 not yet read the report, but I'm like increasingly
3 more interested to read the report, you criticized
4 several social media posts from personal accounts of
5 a Council Member claiming that they inevitably
6 intensified tension and mistrust between the
7 Department and communities it services. Why was this
8 included in a report on NYPD's use of social media?
9 In your executive summary for that report, you note
10 that the Mayor's Office publicly requested that
11 investigation look at Council Members' social media
12 as well. Did the Mayor actually direct you to
13 investigate Council Members' use of social media, and
14 does your criticism of the Council Member have
15 anything to do with the Mayor's request?

16 COMMISSIONER STRAUBER: So, we received no
17 request from the Mayor's Office or anyone else at
18 city hall beyond we noted the statement that was made
19 publicly that you just referred to, and that's a
20 quote from an article I think that was quoting one of
21 the Mayor's public statements. The reason that we
22 reflected on the communications by the City Council
23 Member and by other members of the public where
24 appropriate in the report is that these social media
25 posts did not occur in a vacuum. They were part of,

2 at least the ones we focused on, they were part of a
3 dialogue, and there were times where we felt that
4 both parties to the dialogue would have done a better
5 job had they sort of taken the tone down, you know,
6 been more disciplined in their communications, used
7 the social media platform as a way, you know, to have
8 a meaningful discussion on important issues rather
9 than to attack each other, to attack the Police
10 Department, to attack the Council Member, and so we
11 felt to be fair in assessing these conversations, we
12 had to assess them in context, and that means looking
13 at both sides of the conversation.

14 COUNCIL MEMBER WILLIAMS: Yeah, I think
15 it's interesting that the report, that you reach no
16 conclusion on whether or not the tweets made by
17 members of NYPD's executive staff on official City
18 accounts were "political activity." Overall, I think
19 my issue is that, you know, if Chief Chell had like a
20 personal X account and he made those tweets,
21 whatever, it's your personal account. My personal
22 issue with it is the fact that it's like an official,
23 like, government account being used to go back and
24 forth with an individual Council Member I feel is a
25 little egregious because Council Members themselves

2 have, you know, we have dichotomy, right, where we,
3 you know, we're government actors, but then by nature
4 we're also political actors, and so sometimes the
5 line is a little blurred, whereas someone who has a
6 government job using a government account, I think it
7 feels a little gray around the usage of the
8 government account. Like, again, do whatever you want
9 to do on your personal account, have nothing,
10 whatever, free speech, do what you gotta do, but it's
11 the usage of a government account to engage in that
12 exchange is the thing for me that felt a little
13 egregious. But, I mean, I guess I would say, in your
14 view, do you think these tweets accomplish a City
15 purpose or a non-City purpose? Why? And, you know,
16 did Chief Chell agree with this when the
17 investigators asked him about his purpose?

18 COMMISSIONER STRAUBER: So, let me start
19 by saying I totally agree with you that this is a
20 gray area, and that's why what the report finds, and
21 there are really only two tweets that we thought
22 raised the question of whether there was use of a
23 government social media account to engage in
24 political activity, and those were two tweets that
25 related to voting. And while there was no specific

1 candidate mentioned, there's no pending election,
2 primary or otherwise, the statement "vote the change
3 you seek" raised a question as to whether that was
4 political activity or not. We didn't resolve that
5 question because it is a gray area. It's a complex
6 issue, which is why, in this case, we did not take a
7 position on the law. Sometimes we do, sometimes we
8 don't. We didn't here for just the reason you said,
9 that it is a gray area. You know, I think, as I
10 recall from, you know, the interview-related memos
11 that I looked at, the Department's view, at least at
12 that time, was that that was not political activity
13 because there was no pending election, there was no
14 urging to vote for a particular candidate, you know,
15 whether...

17 COUNCIL MEMBER WILLIAMS: That sounds like
18 their internal lawyers came up with a rationale, but...

19 COMMISSIONER STRAUBER: Right, I mean,
20 we're not endorsing any particular, you know,
21 conclusion on that. We sort of put the issue out
22 there so that members of the public and any other
23 body that might want to look into it has the facts
24 that we found.

2 CHAIRPERSON BREWER: Council Member
3 Salaam, you have questions.

4 COUNCIL MEMBER SALAAM: Good morning.

5 COMMISSIONER STRAUBER: Good morning.

6 COUNCIL MEMBER SALAAM: I want to know
7 what are the rates of NYPD agreeing with the
8 recommendations given by the DOI, and how does that
9 compare to other agencies?

10 COMMISSIONER STRAUBER: So, the rates
11 from, let me just get to the actual statistic for
12 you. So, looking at recommendations from 2021 through
13 2025, and I want to note that the last three reports
14 that we did are not included here because the Police
15 Department has 90 days to respond, and I want to also
16 give you a little bit of information about how we
17 calculate this so the numbers, you know, make sense.
18 We had 240 recommendations that we issued from 2015
19 to 2025, and the categories we use are implemented,
20 partially implemented, accepted in principle, which
21 means, yes, we've accepted this, but not necessarily
22 that the Department has taken steps to actually
23 implement it. We group those three categories I just
24 mentioned to you, implemented, partially implemented,
25 and accepted in principle, and that rate is 67.5

1 percent for the Police Department. The other
2 categories are, they're still considering the
3 recommendation, they've rejected it, or it no longer
4 applies. The largest category there is rejected,
5 which is 30.8 percent.

6
7 In terms of how that compares, my
8 understanding is the agency-wide rate, and we could
9 break it down, you know, agency by agency. Well, I
10 shouldn't say that we could, it's probably not as
11 easy as I think. But the agency-wide rate of
12 implementation calculated using those brackets I just
13 gave you is about 85 percent, I believe, at least the
14 last time I ran those numbers, which was not, you
15 know, yesterday, and it does fluctuate depending on
16 we issue a big report with a large number of
17 recommendations, it can really, the numbers can
18 swing. But they are, based on this calculation, they
19 are below other agencies citywide. And if I have to
20 tweak that when I run the other numbers, I'll let you
21 know, but that's my understanding.

22 COUNCIL MEMBER SALAAM: So how many in
23 principle would be the number you said?

24

25

2 COMMISSIONER STRAUBER: 67 percent for the
3 Police Department. More in the 80s for the rest of
4 City agencies to whom we make recommendations.

5 COUNCIL MEMBER SALAAM: Do you know also
6 how often they do get implemented?

7 COMMISSIONER STRAUBER: Do I have the
8 implementation rate specifically? Yeah. 50.4 percent.
9 So, the category that I gave you also includes
10 partially implemented and accepted in principle.
11 Those are at 7.5 and 9.6 percent respectively. That's
12 how we get to a total of 67.

13 COUNCIL MEMBER SALAAM: Also, is there any
14 indication that the NYPD agrees to implement fewer
15 DOI recommendations, and if so, why?

16 COMMISSIONER STRAUBER: Well, I mean, we
17 get an explanation. I don't have sort of a global
18 answer to the question, and I'll note that the data
19 I'm giving you spans a 10-year period, so that's
20 different administrations, different police
21 departments. I think I can categorize some of the
22 common responses for recommendations that are not
23 implemented. One category, for example, we do a
24 report on the POST Act, and particularly our first
25 POST Act report, which was issued in November of

2022, we made recommendations that went outside the statutory requirement because we thought the Department should be doing more than the POST Act required, and a very large majority of those got rejected so that's like one category. If the Department is operating under a legal framework like the POST Act, which as I understand it, was hotly negotiated and debated, recommendations that they do more than the statute requires, you know, those were not well received. We've had other types of recommendations just off the top of my head with our overtime report. We wanted the Department to go to an outside expert to conduct a greater study than we were able to conduct in our report, which was based on a small sample size, on the negative effects of overtime, and I believe, and IG Barrett maybe can correct me if I'm wrong, but I believe the response to that was we have sufficient in-house resources to do that. We don't need to go to the outside. We've got that expertise. Sometimes the response is we are already doing what you ask us to do, even though we may not think it's being done to a sufficient extent. And then for some areas, I'm thinking now about like the Gang Database Report, where the Department

2 actually accepted a significant percentage of our
3 recommendations, there were some areas where they
4 just disagreed with us as a policy matter. We thought
5 there should be reviews of an individual's status in
6 the database more frequently, and the Department
7 disagreed. They said, like, we're not going to do
8 that review as often as you say we should. We wanted
9 other sort of stringent mechanisms in place if the
10 review wasn't done on a timely basis, like dropping
11 people from the database if they hadn't been reviewed
12 on time automatically. The Department said, no, we're
13 not going to do that. So sometimes there's a policy,
14 you know, really what I would describe as a policy
15 disagreement. They don't accept, for whatever reason,
16 our view of, you know, how an issue should be
17 handled.

18 COUNCIL MEMBER SALAAM: And this is my
19 last question. Does the DOI believe City Council
20 should look to enact local laws to enforce
21 recommendations made by DOI and rejected by the NYPD?

22 COMMISSIONER STRAUBER: That's a question
23 I think I would want to answer on a case-by-case
24 basis, because our recommendations really vary. I
25 mean, sometimes they're very specific. Sometimes they

2 involve broader policy change. So, I would want to
3 think about that. The City Council support is very
4 important to us, and I think it plays a very
5 important role, part of the reason that we issue
6 these reports, you know, publicly and in detail, so
7 that there really is a blueprint for what we're
8 proposing, but I would just want to be thoughtful on
9 whether and which aspects of what we propose are best
10 handled through legislation versus some other way,
11 but that is certainly a dialogue we would want to
12 have, and if the Council is interested in doing that,
13 we would very much want to be a part of that process
14 and very much appreciate, you know, the focus and
15 attention to the work that we're doing with the NYPD.

16 COUNCIL MEMBER SALAAM: Thank you.

17 CHAIRPERSON BREWER: Thank you. This is my
18 ignorance, picking up on Council Member's question.
19 So, on the gang database, which was going to be one
20 of my questions, what got accepted and what didn't,
21 and you just sort of listed them so that would be on
22 the website. It would say accepted, rejected, etc.

23 COMMISSIONER STRAUBER: So, I listed some
24 of them.

2 CHAIRPERSON BREWER: Yeah, you did. I'm
3 just saying I want to know how I could, if I wasn't
4 here, know.

5 COMMISSIONER STRAUBER: So, in our annual
6 report, every year we give the most up-to-date status
7 so I think that would be the place I would direct you
8 to.

9 CHAIRPERSON BREWER: Okay. All right.
10 That's helpful. I've always got ideas. So, the City
11 Council enacted legislation, as we know, eliminating
12 jaywalking as a criminal violation because it was
13 selectively enforced. Officers made jaywalking stops
14 sometimes only in certain neighborhoods, mostly
15 against black and brown individuals. So here would be
16 an example. Has the IG reviewed the Police
17 Department's enforcement of any other quality-of-life
18 violations to examine whether they are being
19 selectively enforced, would such a study be helpful,
20 and then just generally looking at the enforcement of
21 disorderly conduct. These are the quality-of-life
22 challenging issues that I want to know. Is that the
23 kind of thing that you might look at?

24 COMMISSIONER STRAUBER: It is something
25 that the office has looked at previously, not during

2 my tenure, but a number of years ago, and that is the
3 kind of work that we could do. It requires data. We
4 have data analysts on staff. These are very
5 complicated questions because a disparity in
6 enforcement raises questions. It doesn't necessarily
7 give you the cause of that disparity, but absolutely
8 that is the kind of thing that we could look at.

9 CHAIRPERSON BREWER: This is where you
10 need your 15 staff members, 15 to 20 staff members.
11 Another idea.

12 COMMISSIONER STRAUBER: At least.

13 CHAIRPERSON BREWER: Okay. I've been out
14 with B-HEARD. I have great respect for the social
15 workers, the EMS workers, the Police Department, and
16 it's hard to know with people with mental illness. It
17 is the number one issue in New York right now. They
18 often have unfortunate lives and outcomes. So, would
19 the IG have the expertise and capacity to look into
20 the Police Department's handling of emotionally
21 disturbed persons? For example, the extent to which
22 officers receive crisis intervention training. I know
23 it's been talked about, but it needs to be looked at.
24 How often there's a co-responder, those are the
25 social workers, and whether the PD tracks and

2 analyzes its encounters with these individuals. Are
3 there any reviews of high-profile incidents? This is
4 the issue in New York City right now. I could do a
5 report a week.

6 COMMISSIONER STRAUBER: It is a very
7 important issue right now. It is also an issue,
8 again, not during my tenure, that the office did a
9 report on, not necessarily addressing all of the
10 things you're mentioning, some of which are obviously
11 current issues, but we did do a report on law
12 enforcement's addressing involvement with people who
13 are in mental health crisis and different responding
14 systems that might be put in place to address those
15 circumstances and, yes, that is another issue that we
16 could look at. As I think these questions show, these
17 are very complicated issues, sometimes involving
18 multiple agencies, a coordinated multi-agency
19 approach. Some of this stuff is happening in real
20 time, and it can take a while to get data, not
21 necessarily just because of delays, but because it
22 takes a while for the data to exist and following
23 people through the system, etc.

24 CHAIRPERSON BREWER: Post-pandemic, that
25 needs to be done. Recently, as you know, there's a

2 change in policies under the current Commissioner in
3 approach to vehicle pursuits, and I think hopefully
4 fewer vehicle pursuits. So, has the inspector general
5 done any review or analysis of this issue? Have you
6 been in contact with the Police Department regarding
7 their change in policy, what prompted it, and have
8 you looked at the vehicle pursuit forms and whether
9 officers are properly completing these forms when
10 they are supposed to?

11 COMMISSIONER STRAUBER: I don't think we
12 have looked at that. CRT is involved in vehicle-
13 related pursuits, conduct, etc., so some of that may
14 have come to us in the course of that review. But no,
15 those are not issues that we've looked at, but
16 they're certainly issues we could look at.

17 CHAIRPERSON BREWER: Okay. And the Stop
18 and Fisk Monitor, which exists, has reported on PD
19 officers' failure to complete stop reports when they
20 are required. It has been noted that officers too
21 often fail to turn in on a timely basis their BWCs,
22 and I know there's a whole issue about filling out
23 forms, and I hope the new Commissioner, because I've
24 seen paper up to the ceiling, and I hope it is pre-
25 populated and online and stopped with this craziness.

2 So that's another topic to look at from your
3 perspective, why is there so much paper and not more
4 technology? So, have you looked at whether officers
5 are properly completing this type of report and other
6 TRI reports? That would be another topic. Is that
7 something that's on your list?

8 COMMISSIONER STRAUBER: Look, it is not..

9 CHAIRPERSON BREWER: I have another 10 of
10 them here.

11 COMMISSIONER STRAUBER: I mean, we can
12 have this conversation now or at any time. These are
13 all good ideas. They're not things we are currently
14 working on. We did do some force reporting and the
15 completion of forms relating to the use of force.
16 Again, not in the last couple years, but a number of
17 years ago, just to show that these are the sorts of
18 things that we certainly have the expertise to do. We
19 have to pick our topics very carefully, given the
20 limited team that we have.

21 CHAIRPERSON BREWER: I know I'm running
22 out of time, but what are you doing to proactively
23 monitor sanctuary city laws, including detainer
24 request laws? A little bit that I mentioned earlier.
25 You've got also your squad and your IG at the

2 Department of Correction. Obviously, there's a
3 connection in here. This is what's on everyone's
4 mind. Is that something that you're going to be
5 looking at?

6 COMMISSIONER STRAUBER: You know, I don't
7 know, and I can't say yet whether that's something
8 we're going to be looking at. We're certainly
9 currently in the process of familiarizing ourselves
10 with the applicable local laws, the policies, our own
11 policies in the first instance, and then, you know,
12 looking closely at what's going on around the city.
13 This is obviously, you know, a very new issue.

14 CHAIRPERSON BREWER: Okay. And I know you
15 mentioned to your credit that getting data is much
16 better. You have somebody who's assigned to work on
17 that. Do you think that's going to be something that
18 will work out, that kind of data?

19 COMMISSIONER STRAUBER: You know, I do. I
20 think it has been working. You know, the new system I
21 mentioned is not just for data, but it's basically
22 having a point person who is an attorney within the
23 Department who can be responsive to our requests.

24 CHAIRPERSON BREWER: Okay. You were saying
25 that the office hasn't examined any issues other than

2 the topics reported on publicly, but there are many
3 more topics to pursue, and I think that's what we've
4 been talking about. What do you attribute the
5 substantial recent attrition that you mentioned, some
6 quite a high number in the Department?

7 COMMISSIONER STRAUBER: You know, I think
8 it's hard to say. I mean, some people, you know, some
9 people have higher education that they've decided to
10 pursue. Some people have left the city. You know, I
11 can't kind of give you chapter and verse on it. It is
12 high. It's certainly concerning to us, but, you know,
13 it's hard to give you a real explanation for each
14 individual's personal experience.

15 CHAIRPERSON BREWER: My staff stays 20
16 years. I just want you to know.

17 What are the formal mechanisms in place
18 to track trends in complaints? That's really
19 important. What are the formal mechanisms to track
20 complaints? In other words, Gale Brewer calls up,
21 says, you know, I have a complaint. How do you track
22 it? I know you mentioned that you track, even if you
23 refer to CCRB or to the federal monitor or whatever,
24 you keep track, but how do you do all that?

2 COMMISSIONER STRAUBER: So, we have a
3 searchable case management system that we've had for
4 many, many years, and we record and document all of
5 the complaints that we receive, whether we refer them
6 out or not. We have recently upgraded to a new system
7 that is about to go live that will give us an even
8 more fine-tuned ability, let's say, to run tags and
9 search terms. So not only could you input a complaint
10 into the system and then, you know, search it in
11 various ways, you'll now be able to tag it as related
12 to one of the Community Response Teams or related to,
13 you know, stop and frisk, and then you will be able
14 to literally push a button and generate stats about
15 that particular type of complaint so that's how we're
16 going to do it going forward.

17 CHAIRPERSON BREWER: And that's not
18 public, right, or is it public?

19 COMMISSIONER STRAUBER: No, it's not
20 public. It's our internal database case management
21 system. It is very much not public.

22 CHAIRPERSON BREWER: Okay. Is DOI aware of
23 any discipline imposed on employees identified or
24 having violated the police policies, per yesterday's,
25

2 as we heard from Council Member Williams, social
3 media report?

4 COMMISSIONER STRAUBER: I'm not aware of
5 that, no.

6 CHAIRPERSON BREWER: All right. I know you
7 mentioned some of the public outreach places,
8 libraries, and so on that you go. Can you talk about
9 it? Because I think that's good. I mean, I think it's
10 good to do that. I think it's also good, though, to
11 go to the field and do the same kind of investigation
12 so are you doing both outreach, in terms of telling
13 people what the office does, which is important, but
14 also do you have enough staff to do investigation in
15 the field?

16 COMMISSIONER STRAUBER: We don't really do
17 investigation in the field, no, with our current
18 staff, meaning, no, we're not out there as observers,
19 you know, for the most part. I do think when we work
20 with this new Protest Settlement Monitoring Unit...

21 CHAIRPERSON BREWER: In March, starting in
22 March.

23 COMMISSIONER STRAUBER: Starting in March,
24 the staff of that unit will be in the field as

2 necessary, and I think that'll be potentially an
3 important part of their work.

4 CHAIRPERSON BREWER: I feel they have to
5 be in the field, FYI. Okay. And so how many outreach
6 events did you do in 2024, approximately?

7 COMMISSIONER STRAUBER: I believe our
8 Director of Outreach attended over 200 events,
9 attended and participated in over 200 events, maybe
10 the number's 230.

11 CHAIRPERSON BREWER: Okay. I know you
12 talked about 1020, the Introduction. I know you have
13 some concerns about it, you listed them, but would
14 you have some amendments to suggest that it could be
15 applicable to what your interests are? Are there
16 suggestions that you have?

17 COMMISSIONER STRAUBER: I mean, I think
18 the suggestions are the ones that I mentioned, so
19 reporting on numbers versus subject matters, or
20 reporting on, you know, instances of, of interference
21 or delays past a certain number of days, but not the
22 subject matter of those requests. The principal
23 concerns with those were just that they not
24 inadvertently reveal the subject matter of
25 investigations.

2 CHAIRPERSON BREWER: Okay. So, you feel
3 that it's possible to have a discussion to try to get
4 at what we're interested in and address your
5 concerns?

6 COMMISSIONER STRAUBER: I do.

7 CHAIRPERSON BREWER: Okay. This Intro.
8 560, which is, I mean, all of us, I have more friends
9 dying now, I think we all do, perhaps than died
10 during that day, it means everything to us, and I
11 think it's great that it was actually to Sam
12 Goldsmith's credit that he came up with Section 803.
13 I can't believe that it's that difficult to come up
14 with the type of data in the archives that would at
15 least give some indication, some memos here and
16 there, and you'll hear later that there are
17 discussions that have taken place. Do you think you
18 have to go to the great extent that you mentioned in
19 your testimony in order to do this kind of
20 investigation and report?

21 COMMISSIONER STRAUBER: I mean, I don't
22 know that what I mentioned was intended to suggest
23 that there was an insurmountable difficulty. My
24 concern is having the staff and expertise to do it
25 justice. I mean I do think that you need a

2 comprehensive effort to identify records that could
3 be, you know, 20 years old, 15 years old. I think you
4 need medical expertise to understand the implications
5 of what people knew. I'm not suggesting that those
6 are not, you know, standard parts of an
7 investigation, not that there's anything standard
8 about that situation, but those are aspects of
9 investigations that we do. We can contract with, you
10 know, outside firms if there's, you know, specialized
11 expertise that we don't have in-house so my point is
12 not that it couldn't be done, it's that it is a
13 significant undertaking to which we would want to
14 devote the right staff and significant staff, and I
15 think you know from the discussions that we've had,
16 including the discussion today, that that's not
17 personnel that we currently have. We would certainly
18 not want to do something like this and not do it
19 right.

20 CHAIRPERSON BREWER: I'm a big believer in
21 you having more staff, as you know. I feel strongly
22 that the public deserves to have investigations that
23 are complete and produce the kind of quality that
24 you're interested in so I'm a big believer and OMB
25 should wake up.

1 I just want to say that another reason to
2 do this, I don't know what the next crisis is, you
3 know, just in terms of people's health, not to
4 mention other issues, but just health, and that's
5 what is of concern in this particular case. I don't
6 know if this bird flu was coming around, I don't
7 know, and I do feel that this would be an example of
8 what the City did or didn't know so that the public
9 feels comfortable the next time, you know, maybe that
10 the City didn't know anything, and that's fine, or
11 maybe they did, but the next time they should be more
12 honest, and that is what I think might show, who
13 knows, but I am concerned about being honest for the
14 next public emergency that we might have.

16 Council Member Williams had a question.

17 COUNCIL MEMBER WILLIAMS: Thank you. So,
18 to your point about like trends and things that you
19 all have been looking into, in 2023 you released a
20 report on NYPD overtime and the increased risks of
21 negative policing. The NYPD accepted two of the six
22 recommendations from the report, and as of the 2024
23 annual report, however, the NYPD has not made any
24 specific policy changes in response to the
25 recommendations. What can you tell us about the

2 status of the NYPD's implementation of those
3 recommendations?

4 COMMISSIONER STRAUBER: Well, I think
5 you're probably getting that information from the
6 annual report, and that's going to be the most recent
7 data that we have about the status. There's a process
8 that we begin probably in the next month or so,
9 right, we issue the annual report generally later in
10 the year, but because it involves extensive back and
11 forth with the Police Department in the next couple
12 months, we will start the conversation with them
13 about the status, and at that point we would have
14 updated information. But right now, what we have is,
15 you know, the information that you just described.

16 COUNCIL MEMBER WILLIAMS: Okay. And you
17 kind of answered another question here, but now I
18 want to ask you explicitly, which is, as you track
19 the implementation of the recommendations from any of
20 your reports, the statuses of the recommendations
21 often change, sometimes from rejected to implemented,
22 or even from partially implemented to rejected. The
23 NYPD, however, only appears to provide an initial
24 response to the report and recommendations, so is it

2 more so like that internal back and forth? And then
3 do you kind of update the status?

4 COMMISSIONER STRAUBER: Exactly. So the
5 process is, there's a statutorily mandated response
6 90 days after we issue a report that goes through
7 each recommendation. To the extent that the
8 Department's position changes, and it can change in
9 the ways that you just described, we would note that
10 in our annual report, and if in the dialogue that
11 we're having with them there is an explanation, we
12 will put that explanation in the report as well so
13 that becomes then the best, you know, summary of the
14 current status.

15 COUNCIL MEMBER WILLIAMS: Okay. And I know
16 you will have your internal conversations coming up
17 soon, but the NYPD rejected four of the six
18 recommendations from the overtime report, including
19 ones that would have required the NYPD to develop a
20 system to track off-duty employment by officers, and
21 that the NYPD hire a consulting firm to identify
22 solutions to mitigate those risks. What do you make
23 of these rejections, and has the NYPD engaged in
24 further discussion about them?

2 COMMISSIONER STRAUBER: Right, as you
3 said, we haven't had further discussion about those
4 yet. We will in the coming months. You know, I'm
5 obviously speculating, to some extent, and going off
6 of the explanations that were given, you know, at the
7 time that those were rejected, but I think for some
8 of them, the view was there was no need for that kind
9 of assessment because the work of analyzing the
10 impacts of overtime was being done in-house. Some of
11 the other ones may fall into the other category I
12 described, which is the Department might take the
13 view they're already doing enough in that area.
14 They've got enough policies and procedures in place.

15 COUNCIL MEMBER WILLIAMS: Okay, and just
16 one question on the Chair's bill, because I know you
17 had stated that you feel, given the challenges, that
18 the 90 days might be too short of a window, and I
19 understand that, but would you agree that like the
20 continuity and accountability that is so important
21 with this office be upheld by kind of like quickly
22 making a replacement?

23 COMMISSIONER STRAUBER: I mean,
24 absolutely. Obviously, it's a critical role in this
25 unit and in all our other units, and whenever we

2 have, you know, the need to fill one of those
3 positions, we try to do that as quickly as possible.
4 It's just not always something where we can promise a
5 particular timeframe. It's not totally within our
6 control, and there can be challenges in filling all
7 the positions that we have right now.

8 COUNCIL MEMBER WILLIAMS: Okay. And then
9 lastly, do you have any current recommendations on
10 like further legislation that, you know, we could
11 introduce as a Council to strengthen the work,
12 whether it's, you know, to strengthen the work around
13 like the reporting and accessibility of information
14 within the Department or, you know, the lack of a
15 particular recommendation being taken up by the
16 Department? Do you have any current recommendations
17 that you feel, you know, should or might require a
18 legislative remedy that we can take up?

19 COMMISSIONER STRAUBER: I don't right now,
20 but I really appreciate the question, and I think
21 that, you know, one of the things that we've been
22 doing sort of across the agency as we look and try to
23 assess the status of implementation of all the
24 recommendations we make is really think about what
25 are the most important, and we would welcome the

1 opportunity to come back to you, you know, as we look
2 back over the work that the unit has done, if there
3 are specific recommendations that we think are
4 critical that are still relevant and that are not
5 implemented so I don't have anything to offer today,
6 but I appreciate that invitation very much, and I
7 know there have been instances in the past where the
8 Council has taken recommendations we've made and
9 those have become legislation, and like I said
10 before, we always appreciate that support very much.

12 COUNCIL MEMBER WILLIAMS: Yeah, I think
13 like, you know, savvy Council Members will like look
14 at the recommendations and think about, you know,
15 potential legislation, but the same way that you like
16 make recommendations to the agencies, I think it
17 would be really good to like make recommendations
18 like to the Chair or like even Members of the
19 Committee around like, hey, you know, the NYPD or,
20 you know, even other relevant agencies that you
21 investigate didn't take up said recommendation, we
22 think it might be useful to potentially introduce
23 legislation to kind of like compel them to do it.
24 That would be helpful.

2 COMMISSIONER STRAUBER: No, I appreciate
3 that.

4 CHAIRPERSON BREWER: Thank you very much.
5 I know you agreed to stay to listen to the next
6 couple of panels. I appreciate that, and now we're
7 going to call the next panel.

8 COMMISSIONER STRAUBER: Thank you.

9 CHAIRPERSON BREWER: We're calling Andrew
10 Carboy, and we're calling Jim Brosi, and we're
11 calling Thomas Hart, and if there are any other
12 leaders of unions who have not filled out a slip,
13 please do so. John, you're not testifying? I wanted
14 to be sure. Okay, because if you want to fill out a
15 slip, I just want to be sure. Go ahead. Go ahead and
16 start.

17 You don't need to be sworn in. Go right
18 ahead, sit down, and whomever would like to start.

19 ANDREW CARBOY: Good morning, Chair Brewer
20 and Council Member Williams. Thank you for having us
21 here today. My name is Andrew Carboy. I'm an
22 attorney, and along with my colleague, Matthew
23 McCauley, we are pro bono counsel for 9/11 Health
24 Watch, a not-for-profit World Trade Center health
25 advocacy organization, and a group of September 11th

1 first responders, residents of lower Manhattan, and
2 surviving family members of those lost because of
3 World Trade Center exposure-related disease. On their
4 behalf, in 2023, we filed a Freedom of Information
5 Law request pursuant to New York State's Freedom of
6 Information Law. Our clients seek no compensation. As
7 their attorneys, we seek no legal fees. The shared
8 goal that we have is strictly to find out what the
9 City knew concerning the dangers of toxic substances
10 released as a result of the terrorist attacks and
11 when the City learned of those dangers. We are here
12 because September 11th continues to make people sick,
13 be they first responders, recovery and utility
14 workers who met the call in those awful, awful times,
15 or simply public school students and residents of
16 Lower Manhattan and Brooklyn. New Yorkers live with
17 the consequences of dust plumes, fires, and smoke
18 that choked our city for months. Our requests to the
19 Mayor's Office and City agencies are simple. We seek
20 answers. What did the City know about air quality and
21 when did it learn it? Why the rush to reopen our
22 public schools just blocks away from the burning
23 debris and fires that raged on for months through
24 early December 2001. What explains the gap between
25

1 the City's messaging that the air quality was safe
2 and it was safe to return to Lower Manhattan, as
3 opposed to the air quality tests the City was
4 receiving in real time from its own sources,
5 including utilities that did private testing? Where
6 are those air quality test results today? Well, we
7 pose these questions by filing our Freedom of
8 Information Act request with the Mayor's Office, the
9 Office of Emergency Management, and the Department of
10 Environmental Protection. In denying our clients'
11 requests and denying the similar requests made
12 earlier by the New York City Congressional
13 delegation, Representatives Nadler, Maloney, and
14 Goldman, (TIMER CHIME) the City denies the most
15 significant day in its history. The City's September
16 11th archives must be thrown open today. The bases of
17 the City's denial to our request are laughable, they
18 are absurd, and I'm going to share them with the
19 assembled Members here today. We cannot believe that
20 records concerning that terrible event created in the
21 days and weeks after September 11th were destroyed on
22 September 11th.
23

24 CHAIRPERSON BREWER: You need to start to
25 wrap up if you can.

2 ANDREW CARBOY: I'm sorry?

3 CHAIRPERSON BREWER: Start to wrap up if
4 you can.

5 ANDREW CARBOY: Yes, I can. And we don't
6 accept that the City's DEP, the City's lead agency in
7 air quality, has none of the requested records. These
8 records simply do not vanish from the archives.
9 Because the City is denying more than that history,
10 it's denying the legacy, the health effects of these
11 terrible exposures. Men and women today live with the
12 consequences each day of that terrible morning.
13 Listen, for all we know, the City didn't genuinely
14 appreciate the consequences of the collapse. But
15 perhaps it did. We're never going to find out the
16 answers to those questions unless we obtain these
17 documents.

18 CHAIRPERSON BREWER: Thank you very much.

19 ANDREW CARBOY: Thank you.

20 CHAIRPERSON BREWER: Who would like to go
21 next? Whoever. Okay, go ahead, sir.

22 MATTHEW MCCAULEY: Good morning. Thank you
23 very much. It's Matthew McCauley. I'm co-counsel with
24 Mr. Carboy. I also present myself as a 9/11 first
25 responder myself, a survivor who worked down there,

2 and as an advocate who's in D.C. with John Field. You
3 know, these particular requests started as
4 information requests by people like yourself who are
5 looking for information. They're not set up as
6 litigation issues. They are truly what we know is
7 that we're trying to get the information as science
8 is catching up to what we already know. The documents
9 that are there and the information that's there from
10 the City's response has been cryptic to concerning.
11 You have on one side of it the City saying it doesn't
12 know if it has any documents, then it says they have
13 documents, and then they're asking for blanket
14 immunity and liability protection if there are
15 documents that are there. These are all things that
16 throw up red flags. There's issues that have been
17 there. It shouldn't even come to a FOIL request. It
18 should have been a presentation of these documents.
19 To go back in time, most of the people here remember
20 Geraldo Rivera opening up Al Capone's vaults. What's
21 in the vault? Is there anything in the vault? And
22 most of us lost two hours of our lives waiting for
23 the answer to that, which was more or less nothing.
24 Here you have a situation where the City has these
25 documents. They've alluded to the documents. Yet at

1 the same time, there's no presentation whatsoever for
2 them. We're now moving to the point of having DOI
3 coming in to actually look and see if there's
4 documents that are there. This is not something that
5 they need to be doing. You know, if these documents
6 are out there, let the city look at it. Right now,
7 really important when it comes to this community is
8 the World Trade Center Health Program has now
9 embarked on what's called the Youth Cohort. The Youth
10 Cohort involves people who are actually in their 40s
11 right now, but there's actually a subsection of that
12 study that involves the in utero population. Those
13 women who became pregnant either while they were
14 working on the pile, working downtown. That includes
15 the police officers, the firefighters, EMS, all
16 emergency workers that were working downtown. But
17 let's not just focus on the responders. You have the
18 survivors. This country turned around within days of
19 9/11 and showed the rest of the world we would not
20 back down to terrorism, we would not cave into
21 anything when it came to terrorists, and they went
22 back to work. And when they went back to work, they
23 went back down to Lower Manhattan. They filled the
24 office buildings. They filled the areas and the areas
25

1 in the buildings around it. They went back to work
2 across the street. The information that's there that
3 we're seeking may be relevant to those particular
4 studies. An in utero study was never done. At this
5 point, the only way your child is eligible, if you
6 were pregnant at 9/11, the only way your child is
7 actually eligible for healthcare is after you gave
8 birth, if you brought the child back into New York.
9 Most medical professionals would balk at that, but
10 somehow this particular program doesn't even at least
11 look at those children that were in utero at the
12 time. The documentation that we have that may come
13 out is something that we'd be looking at to turn over
14 to the scientists. DOI doesn't need scientists. They
15 don't need medical professionals to make those
16 decisions. Those are supposed to be made by people
17 who are undertaking studies. Unfortunately, DOI is
18 being called into a situation where they have to look
19 as to whether or not these documents actually exist.
20 When Louis Alvarez (TIMER CHIME) testified before
21 Congress, he made two very specific statements. One
22 was that there was no place else in the world he
23 wanted to be. There was no race. There was no
24 politics. There was no religion. Everybody was down
25

1 there for the common bond. Well, that was the exact
2 same thing that happened when everybody came back to
3 work. These are people in the community, I'm wrapping
4 up, these are people who are in the community who
5 need to be taken care of. Also, that people's
6 families are not worth more than each other's. Take
7 care of these families. Take care of the responders.
8 Get the information so it can be analyzed. That's all
9 we're asking for.

11 CHAIRPERSON BREWER: Thank you very much.

12 Who would like to go next?

13 THOMAS HART: Thank you, Chair Brewer, for
14 holding this hearing today and sponsoring the
15 Resolution. My name is Thomas Hart. I'm the President
16 of the Operating Engineers of Local 94. I represent
17 over 6,000 members. I'm also a member of the Board of
18 Directors for the 9/11 Health Watch and President of
19 the Citizens for the Extension of the Zadroga Act.
20 Both of these organizations are not-for-profit that
21 have been created by the New York State AFL-CIO that
22 advocate for the 9/11 responders and survivors. We
23 also monitor the programs that were created to help
24 9/11 responders and survivors. Being a 9/11 responder
25 myself, I serve as a member of the Federal STAC

2 Committee, which is the Scientific and Technical
3 Advisory Committee for the Victims of 9/11. At my
4 local, Local 94, we vowed never to forget the
5 horrific attacks that were committed on that morning.
6 Our members were truly the first responders within
7 each and every one of these buildings that they
8 operate within our city. Our day-to-day
9 responsibilities include the safety and the operation
10 of these buildings and to maintain the safety of the
11 tenants within the buildings. On September 11, we
12 lost four members that worked at the World Trade
13 Center site. We have been and still remain at the
14 site and in all the surrounding buildings that were
15 affected. The members of Local 94 have been exposed
16 to these toxins and today we still have members that
17 are falling ill and being diagnosed with cancers as a
18 result of the heroic actions taken on that day and
19 the day since. I'm here today with our pro bono
20 counsels Andrew Carboy and Matthew McCauley to speak
21 in support of Council Member Gale Brewer's binding
22 resolution, Res. 560, which if passed would require
23 the City Department of Investigations to obtain and
24 review the documents the City government has about
25 the environmental hazards of the attack of 9/11 and

1 determine essentially what the City knew about these
2 hazards and when they knew it. Despite requests from
3 members of Congress, Carolyn Maloney and current
4 members Congressman Gerald Nadler and Dan Goldman,
5 Freedom of Information requests, and from the 9/11
6 Health Watch and Article 78 lawsuit to force the City
7 to release documents relating to what the City knew
8 about the dangers to these toxic chemicals in and
9 around Ground Zeroes in these days, weeks and months
10 after the attack, and when did they know it. We still
11 now over 23 years later do not know the answer. We
12 know that based on reporting by Anthony DePalma at
13 the New York Times in his article, Ground Zero's
14 Illness Cloud, Giuliani's Legacy, May 14, 2007, that
15 while City administration was saying the air was safe
16 to breathe, they were privately predicting 10,000
17 liability claims for injuries from these toxic
18 exposures. Whatever they were saying publicly about
19 the safety of the air, it appears that the City was
20 worried. Now it may turn out that the City truthfully
21 did not know and realize the dangers possessed by
22 these chemicals that the terrorists unleashed (TIMER
23 CHIME) on New York when the towers were destroyed,
24 but we now know that based on thousands that have
25

1 gotten sick, both responders and survivors, and that
2 the science since that the toxic chemicals were a
3 hazard. We know that the members of Congress trying
4 to get the answers doesn't work. We know that the
5 FOIL doesn't work with the City, so the only resolve
6 is by a City Council through its power under this
7 Charter order Department of Investigations to look at
8 the issue and report back. The only way my members
9 and other 9/11 responders and survivors are going to
10 know the truth is if City Council acts. Thank you,
11 Chairwoman Brewer.

12
13 CHAIRPERSON BREWER: Thank you very much.

14 JAMES BROSI: Good morning, Chair Brewer.

15 My name is James Brosi. I represent the New York City
16 Fire Officers Association, and I would like to thank
17 you and the Council for taking this very specific
18 issue up on behalf of all of us and all the people
19 who lived and worked in and around Ground Zero. I
20 would also say that I would implore the Department of
21 Investigation to find the resources to take on this
22 investigation. While it may be more difficult based
23 on the amount of time that has passed, it is one of
24 the most important things you can do for the
25 transparency of government. I don't stand here just

1 as a representative of the 7,500 officers that I
2 represent, but also as a person who had lost a family
3 member in 9/11, whose father has succumbed to four
4 cancers associated with 9/11, whose brother has
5 significant respiratory issues, and I myself was a
6 9/11 responder. And I can share with you, as I spent
7 my time on the pile only very few days after 9/11, as
8 I stood on West Street standing on the second floor
9 looking at the pile, as I waited for one of my fellow
10 firefighters to look through a marble notebook to see
11 if his brother had been listed as a killed in action
12 or killed in duty member because that's how
13 rudimentary the process had become. And as I stood
14 there, I was approached by a member in full
15 respiratory protection, something that was nowhere
16 near available to our members while we were down
17 there, and that member came to me without knowing who
18 I was other than being a firefighter and said, you
19 need to get out of this building. I said, why is
20 that? As I stood on four inches of ash and he said,
21 because the toxicity inside the building is very
22 dangerous to your health. We just had a meeting with
23 the Department of Environmental Protection, OEM, and
24 the City, and we're ordering all people outside the
25

2 building without respiratory protection, do yourself
3 a favor, get outside and get respiratory protection.

4 Ironically, by the time I returned to my car about 9
5 o'clock that night, 1010 Wins was reporting that the
6 air quality south of Canal Street was acceptable.

7 Anybody who spent a minute down there knew that it
8 was anything less than acceptable. And anybody who
9 knows what's happened here, when your excuses for not
10 producing documentation, when the New York City Fire
11 Department maintains routine records of who's on duty
12 for over 20 years, and you're telling me the most
13 significant attack on American soil didn't give
14 anybody in City government the wherewithal not only
15 to save the records, but to have those records on
16 file, to know the exposures that we subjected our
17 people to, so we'd better reverse engineer how we
18 would early detect these cancers. We can't underdo
19 the exposure that you've put us under. We can't stop
20 the hundreds of people who've died since 9/11, but
21 what we can do is at least expose these records, find
22 out where the government failure occurred if it did,
23 and if there is further information that could better
24 target the things that are killing our people to
25 increase their lives, to increase their quality of

2 life, then shame on us for not doing it. The reason
3 people don't trust government is because our own
4 government has put 10 obstacles in the way just to
5 see the records. How dare they? We did the work. I'll
6 say as first responders that we knew there was risk.
7 I'll say that we measured that risk and we measured
8 against what our duty was and what you asked us to
9 do. But how dare they not release the records? How
10 dare this become a staffing issue? (TIMER CHIME) And
11 how dare somebody tell me that the records were lost
12 in a building that collapsed in the same day in which
13 the event had occurred? We are reasonable people, but
14 we're expecting a reasonable response from
15 government. I can't thank you enough for taking this
16 up. I know it's a bit of an end around and a very
17 limited use of this tactic if not the first time, but
18 I appreciate your creativity and I appreciate you
19 spearheading this and I appreciate your constant
20 support for the firefighters and first responders in
21 New York City. Thank you.

22 ANDREW ANSBRO: Good morning, Council
23 Chair Brewer. Thank you for holding this hearing. It
24 is very important that this information come out. My
25 name is Andrew Ansbro. I'm the President of the

1 Uniformed Firefighter Association of Greater New
2 York. I represent 20,000 active and retired New York
3 City firefighters. Thousands of retired New York City
4 firefighters are sick from what they're exposed to at
5 Ground Zero. 24 years ago, I joined the FDNY and I
6 left the academy in the summer of 2001. 9/11 was my
7 first fire. I was in the lobby of the Marriott Hotel
8 in the South Tower, collapsed on and I barely
9 survived with my life. Many of those around me did
10 not survive. In December of 2001, I had my first
11 Department medical. My lung capacity went from 95-96
12 percent to 72 percent in three months. My lung
13 capacity has never recovered. I consider myself one
14 of the lucky ones. The World Trade Center collapse
15 and cleanup was my only exposure at the time. I am
16 not special. There are thousands of other stories
17 just like mine. Almost everyone that worked there
18 was affected. Tens of thousands are sick and
19 thousands have died since then. My father, NYPD Chief
20 Michael Ansbro, also survived the collapse. He was at
21 the command post with Mayor Giuliani when the South
22 Tower came down. They and multiple other
23 Commissioners and Chiefs sought refuge at 75 Barclay
24 Street in between collapses, and my father told Rudy
25

1
2 Giuliani, I responded to the '93 bombing, I know that
3 asbestos was inside the Twin Towers. They were also
4 building engineers from Local 94 working at 75
5 Barclay Street. They were in that room. They agreed
6 about the asbestos and went and got the paper
7 painter's masks and handed them out to everyone that
8 was there. That's how Giuliani ended up with his face
9 protection that day. Mayor Giuliani was told about
10 the danger before the second tower even came down. We
11 all knew something was in the air. We just didn't
12 know how bad it was. Eventually, the Mayor and City
13 Hall found out how bad it was and they chose to lie
14 about it. We need to know who lied to us, who
15 knowingly chose to be loyal to the lie and not loyal
16 to New York City residents and civil servants. They
17 chose to expose more people to toxins, many of whom
18 are now dead because of the lies. The question is,
19 will you get to the bottom of this or continue to
20 support the lie? On September 11th, we lost 343 New
21 York City firefighters. Since then, we have lost 386
22 more and we are losing three firefighters a month.
23 Their families deserve to know who lied to them. The
24 1,006 firefighters deserve to know who lied. The
25 130,000 people enrolled in the World Trade Center

2 Healthcare Program deserve to know who lied. Two
3 years ago, my father passed away from his 9/11-
4 related cancer. My family wants to know who lied in
5 the weeks and months that followed and said the air
6 was safe. If you are in a position to expose the
7 truth, please do so. But if not, you're working to
8 continue to lie and it becomes your lie. I implore
9 you, please get us the truth, do everything we can to
10 get these documents out there. All New Yorkers and
11 Americans deserve to know. Thank you for your time.

12 CHAIRPERSON BREWER: Thank you very much.
13 I know you're going to fill out the slip just so. And
14 go ahead. Yes.

15 NICHOLAS PAPAIN: Thank you for welcoming
16 us here today. My name is Nicholas Pepain. I'm a
17 partner at the law firm of Sullivan, Papain, Block,
18 McManus, Coffinas, and Cannavo. We have had the honor
19 to serve as general counsel to the Uniform
20 Firefighters Association of New York for the past
21 four decades. On 9/11, and to this day, our offices
22 are located at 120 Broadway, corner of Broadway and
23 Nassau Street, Lower Manhattan, within Stone's Throw
24 of the World Trade Center, and we've had our share of
25 victims as well. And I would just like to add to the

1 comments that have been made by everyone this
2 morning, when it comes to saying they can't find
3 records, that is an insult of the highest degree. I
4 say that because, as we all know, there was
5 litigation brought against the City for 9/11
6 regarding first responders who were not provided with
7 proper respiratory equipment, and that litigation
8 started in 2002. I know it because my firm filed the
9 first lawsuit. And we were there eight years later as
10 co-liaison counsel for all the claimants, thousands
11 of claimants, when that case settled. As we know,
12 that settlement was funded, and that litigation was
13 funded, not by the monies from the City of New York,
14 but by an insurance company that had been funded by
15 the federal government, up to 1 billion dollars. And
16 in that litigation, the City hired attorneys, not
17 only to defend the case, but also to gather, to take
18 possession of, and to inventory 9/11 related
19 documents. We're talking about this being done within
20 a couple of years of 9/11. Perhaps the City should
21 start by asking its attorneys where those documents
22 are today. You've heard the other comments. I don't
23 want to burden this Committee, this Council, with any
24

2 further comments. But that is the insult of all
3 insults, to say we searched for those documents.

4 CHAIRPERSON BREWER: Thank you all very
5 much. One question I have is, there is always, oh,
6 everybody's going to sue. But people who have part of
7 health-related are not going to sue, because they've
8 already signed. Can you just describe a little bit
9 about who could sue, who can't sue, and what that
10 means? Because that's what I get as a roadblock.

11 ANDREW CARBOY: Sure, Chair Brewer.

12 CHAIRPERSON BREWER: You've got to push
13 the button.

14 ANDREW CARBOY: Yes, thank you, Chair
15 Brewer. I'd just like to speak to that in the near
16 term. For the past 13 years, 80,000 people have
17 applied for compensation from the U.S. Department of
18 Justice for their World Trade Center-related
19 illnesses. The Department of Justice has paid out
20 nearly 16 billion dollars to those individuals. The
21 buy-in to participate in that program is a waiver of
22 all liability against the City of New York. There is
23 no liability anymore with the creation of this
24 program, which will run for the next 70 years.

2 MATTHEW MCCAULEY: I think it's also
3 important to note that when it comes to the health
4 conditions themselves, so as Andy was saying about
5 the VCF, there are also no issues when it comes to
6 coverage for these conditions. And as we get deeper
7 into new conditions coming forward, the World Trade
8 Center Health Program, also funded through the
9 Department of Justice and the Health and Human
10 Services, covers those illnesses. So, you have on one
11 side, you have the compensation side, which people
12 would call pain and suffering and litigation. And on
13 the other side, you have this novel program that
14 covers all of the healthcare aspects of things, which
15 in a personal injury action would lead to, you know,
16 need to be insurance companies being paid back. It's
17 all together. So, anything that comes up that's an
18 illness related to 9/11 is going to be covered by
19 this program that's there until 2090.

20 CHAIRPERSON BREWER: Go ahead.

21 NICHOLAS PAPAIN: And just to add as far
22 as litigation goes, it's important to note that
23 through federal legislation, which was passed in
24 December of 2001 the City was in essence shielded
25 from any personal liability in terms of financial

2 payments. A 1-billion-dollar insurance fund was
3 created and funded by the federal government,
4 limiting the City's liability to that insurance fund,
5 meaning no monies to be paid by the City itself. And
6 that's in addition to the waivers that every victim
7 compensation fund claimant provides when they file a
8 claim with the 9/11 victim compensation fund.

9 CHAIRPERSON BREWER: Thank you. I kind of
10 knew the answer to the question, but I wanted to get
11 it on the record so I appreciate all of you. We're
12 going to do everything we can with your assistance.
13 We've been joined by Council Member Ayala to pass
14 this Resolution. Thank you so, so much.

15 Next, we're going to hear from Ivey Dyson
16 from Brennan, Ben Weinberg from Citizens Union, David
17 Siffert from Surveillance Technology, and Mariama
18 James.

19 Go ahead, whomever would like to begin.

20 IVEY DYSON: Good morning, Chair Brewer
21 and members of the Committee on Oversight and
22 Investigations. My name is Ivey Dyson. I'm counsel in
23 the Liberty and National Security Program at the
24 Brennan Center for Justice. As part of our focus on
25 government oversight and accountability, we advocated

1 for the creation of an Inspector General for the NYPD
2 in 2014. As you know, the Inspector General's mandate
3 is to provide a systematic review of NYPD policies
4 and practices through thorough investigations and
5 reporting. And over the years, the office has
6 undertaken groundbreaking investigations, leading to
7 real improvements at the Police Department. But the
8 office has faced significant challenges, such as
9 NYPD's failure to provide information needed for
10 investigations and a lack of consistent leadership.
11 These issues have contributed to variations in the
12 number and quality of the office's investigative
13 reports, its main oversight tool. City Council must
14 pass Intro. 1020 to address these problems. The NYPD
15 has, on several occasions, hindered the Inspector
16 General's work by withholding documents and blocking
17 access to Police Department employees. Intro. 1020
18 requires that the IG disclose any instances of
19 obstruction or interference by the police. The office
20 has already provided such information in some of its
21 reports, and the bill simply makes this reporting
22 compulsory so that the City Council and civil society
23 groups have the insight necessary to raise concerns
24 and to resolve any issues. Intro. 1020 also provides

transparency into the conduct of IG investigations that have suffered extraordinary delays by requiring the Inspector General to publish summaries of investigations that have remained open for more than three years. This provides a level of transparency already achieved by other Inspectors General, both federal and local, while also giving the IG discretion as to the level of detail it discloses. Intro. 1020 additionally requires that the office publish a number count of investigations closed without issuing a report within the calendar year, which is another way of tracking its performance. Sharing only the number shields the IG from public pressure to continue investigations that might not warrant a report, and neither provision adds significantly to the Inspector General's existing reporting load, and any added effort is outweighed by the need for City Council and civil society to track the progress of the office's work and to ask questions about any delayed activity. And finally, Intro. 1020 ensures that the Inspector General's office has a consistent leader. The office has gone through periods of temporary oversight with no permanent Inspector General at the helm, and Intro.

2 1020 mandates prompter placement in the case of a
3 vacancy to ensure that the office has the leadership
4 required to navigate relationships with the police
5 and to provide the discretion necessary for more
6 consistent reporting. While we are pleased to see
7 that the quality and consistency of the IG's
8 reporting has improved over the recent years under
9 current leadership, the underlying problems facing
10 the office remain unaddressed through binding
11 legislation. City Council must pass Intro. 1020 so
12 that the Inspector General can continue to serve as a
13 strong check on the NYPD. Thank you for your
14 attention. Thank you.

15 CHAIRPERSON BREWER: Whomever wants to go,
16 go next.

17 DAVID SIFFERT: Thank you, Chair Brewer,
18 Council Members Williams and Ayala, and to the whole
19 Committee Staff. Very grateful to be here. My name is
20 David Siffert. I'm the Legal Director of the
21 Surveillance Technology Oversight Project. The first
22 thing I want to say is how grateful we are to OIG-
23 NYPD for the work that they've done, especially their
24 report on the POST Act has made a huge difference.
25 Just next month, this Committee, along with the

2 Committee on Technology and the Committee on Public
3 Safety, will be hearing a couple bills that come
4 directly from the OIG's POST Act report, and I think
5 will hopefully make a really big difference in
6 providing transparency as to the surveillance
7 technology that NYPD uses. I also think it's
8 important to note that OIG-NYPD has done this very
9 good work on a small budget, and I know, Chair
10 Brewer, that you've been an advocate of increasing
11 that budget for a while, and I think that I'm all the
12 more impressed with the work they've been able to do
13 on that budget, and hopefully with more money they'd
14 be able to do even more. It's also important, I
15 think, to note that the output from OIG-NYPD has been
16 variable over time. Originally, they came out with
17 quite a large number of reports in a short amount of
18 time. That number dipped as we saw, at least in our
19 opinion, NYPD becoming less cooperative, and then at
20 least from public statements, it seems like NYPD has
21 become a little bit more cooperative, and the number
22 of reports has gone up. I think this really hammers
23 home that aside from budgetary issues, there does
24 need to be some degree of transparency in terms of
25 how cooperative NYPD is being with the Office of

2 Inspector General. I think that one of the bills
3 we'll be discussing next month, Intro. 168, will
4 require NYPD to have a certain degree of cooperation,
5 but I think those requirements are hard to enforce in
6 the absence of transparency, and I think this bill
7 will go a long way into providing that transparency.
8 The last thing I want to say on the bill is this is
9 an extremely important office, as I think we all
10 know. It's already making a big difference, and so
11 it's important that that office has leadership at all
12 times, and so I do think the provision that requires
13 prompt replacement of leadership is important. This
14 provision is modeled on other sections of the law
15 that requires prompt replacement of leadership, so it
16 should be something that's possible, and we encourage
17 the Council to pass it.

18 CHAIRPERSON BREWER: Next.

19 BEN WEINBERG: Hello, members of the
20 Committee on Oversight and Investigation. Thank you
21 for having us here. My name is Ben Weinberg, and I'm
22 the Director of Public Policy at Citizens Union.
23 Citizens Union is a nonpartisan good government
24 organization dedicated to reforming city and state
25 government by fostering accountability, honesty, and

1 the highest ethical standards. We believe that public
2 safety relies on New Yorkers' trust in law
3 enforcement, which can only be achieved by
4 strengthening oversight and accountability systems.
5 We have supported the establishment of the OIG-NYPD
6 long ago and believe it plays a critical role in
7 ensuring police accountability. It's investigative
8 reports that identify systematic issues within the
9 NYPD and expose how flawed or absent policies enable
10 misconducts are helpful for Council Members, for
11 advocates, and for the public, and an example of that
12 is what we saw yesterday. We want to express our
13 support for Introduction 1020, which is discussed
14 today, which we believe would strengthen the OIG's
15 ability to fulfill its mission. The requirement for a
16 detailed description of incidents where the Police
17 Department intervened in its work would foster an
18 improved collaboration between the NYPD and the OIG
19 as well as the requirement to publish the subject
20 matter of investigation that have been open more than
21 three years. We think that represents a balanced
22 approach between transparency without revealing
23 sensitive investigations. I'll skip to another issue
24 unrelated to the bill. CU has for many years
25

supported merging the three big oversight agencies.

One significant challenge we see all around in terms

of managing police misconduct in the city is that we

do have a fragmented system of oversight. We have a

bunch of agencies doing different things. All of them

have a hard time getting information from the NYPD.

We, for a number of years, have supported

consolidating the OIG, the Mayor's Commission to

Combat Police Corruption, as well as the CCRB into

one unified police oversight board, which we believe

would strengthen their collective capacity and allow

them easy access to NYPD information. This is a major

lift and a large project, but we do believe it will

increase the ability of these agencies to investigate

complaints and obtain relevant information and

prosecute wrongdoing. This was included in the 2021

police reform plan and was then endorsed by Mayor de

Blasio. The Department of Investigation included that

recommendation in their report on the 2020 George

Floyd protest, but it did not make it to the reform

plan that the Council approved way back then so we do

urge the Council Member to revisit that idea. In my

last two seconds, I'll just mention protecting their

2 budget (TIMER CHIME) which I know you are all aware
3 of and are working on. Thank you.

4 CHAIRPERSON BREWER: Go ahead. Thank you.

5 MARIAMA JAMES: Good morning. My name is
6 Mariama James. I am, as described under the Zadroga
7 law, a 9/11 survivor, the mother of three survivors,
8 and the daughter of two now late survivors. On 9/11,
9 I was almost nine months pregnant with my youngest
10 child, and in the days following, because it had been
11 so warm on that day, we had dust that was inches
12 thick inside our home, throughout our home. The
13 window had been opened. We lived just a few blocks
14 down to the east from the then Twin Towers,
15 ironically, on which my grandfather had been one of
16 three Black men part of the construction, which is in
17 part how my family ended up downtown all the way back
18 in the 1970s. I ended up, at almost nine months
19 pregnant, getting on my hands and knees and ripping
20 up my carpeting and disposing of it, all these things
21 myself. My youngest daughter was first obviously
22 exposed in utero, but by the time she was 10 months
23 old, all three of my children were chronically ill,
24 pulmonary issues, and it was through that or because
25 of that that I ended up doing 9/11 advocacy for over

2 the past two decades. In, I believe, 2003, I was
3 quoted in Reuters telling then-President Bush that
4 9/11 could become, you know, America's Chernobyl if
5 he didn't do something, somebody didn't do something.
6 And in 2006, on my birthday actually, June 13, 2006,
7 a friend of mine, neighbor of mine, world-renowned at
8 this point photographer, Alan Tannenbaum, took
9 pictures of myself, my three kids, and my dad in my
10 apartment and published those as part of a Times
11 Magazine online spread, and everybody that was, it
12 was called like 9/11 Still Killing or something like
13 that, and I think he's done a few more in the series
14 since then, but this first iteration of it, everyone
15 in that photo spread montage is dead, with the
16 exception of my children and I, including my own
17 father. All of this happened because we were
18 uninformed, obviously. There was a day in 2003 when
19 people basically in spacesuits showed up at my door.
20 I was on my way to work. I told the babysitter to go
21 home. I picked up my toddler and I took her to work
22 with me because obviously, you know, we didn't have
23 the protections that they did. (TIMER CHIME) I'm
24 sorry. I just wanted to give context as to why I'm
25 here, but quickly, as we approach the 25th

1 anniversary of the attack, it's imperative that we
2 finally disclose what the City of New York knew about
3 the dangers and the toxins at Ground Zero and when
4 they knew it. We have compelling evidence from press
5 reports indicating that in a memo drafted in October
6 of 2001 to then-Deputy Mayor Harding, the City
7 predicted there would be 10,000 claims of toxic
8 injuries by that time. However, the basis for this
9 alarming prediction remains unclear. At the same
10 time, the City, State, and Federal Government were
11 assuring the public that the air was safe to breathe
12 and that it was safe for residents and schoolchildren
13 to return. This raises the critical question, what is
14 the Adams Administration hiding? Furthermore, in
15 response to Freedom of Information requests and
16 subsequent lawsuit aimed at obtaining 9/11 documents,
17 the City claimed that it could find no documents
18 within the entire Department of Environmental
19 Protection concerning 9/11, absolutely nothing. Yet,
20 the Mayor's Office communicated to Congressman
21 Nadler, Congressman Goldman, and former Congressman
22 Maloney that they would release the documents, but
23 only after securing additional liability protection,
24 which implies that such documents do indeed exist.
25

2 Council Member Brewer's Resolution seeks to utilize
3 the powers granted to the City Council under the City
4 Charter to order an investigation into these matters,
5 and this avenue should be pursued. Thank you.

6 CHAIRPERSON BREWER: Thank you very much.
7 I appreciate your story and all the work that you've
8 done.

9 I have a quick question for those working
10 on 1020, which is, you heard from the Commissioner,
11 who kindly is still here, that there is some
12 opportunity to work to come up with something. Are
13 there places, I mean, there's the 90 days, I suppose,
14 are there places where you think absolutely this
15 cannot change, and then there are places where maybe
16 we could negotiate?

17 IVEY DYSON: It sounds to me like one of
18 the Commissioner's concerns is on the issue with
19 transparency into Police Department obstruction or
20 cooperation sharing documents. I think something that
21 could change there is, I believe as the bill is
22 currently written, it doesn't limit that to
23 investigations that have been closed and a report has
24 been issued, and I think that that's a place where
25 the language could change to be limited so that

2 information about ongoing investigations isn't
3 released, because I think that that was one of the
4 concerns. I do think providing information about
5 investigations that have been open for more than
6 three years, I think there are different concerns
7 there with the OIG-NYPD than with investigations for
8 other units and squads within DOI, specifically
9 because these aren't necessarily investigations of
10 misconduct, they're policy and practice
11 investigations, which have, I think, different levels
12 of, just need a different level of discretion.

13 CHAIRPERSON BREWER: Okay. You want to add
14 something?

15 DAVID SIFFERT: I'll just add, by and
16 large, I would defer to Ivey on this issue because
17 she's done so much work on it, but I will say from
18 STOP's perspective, their goals of this legislation,
19 which is to increase transparency to ensure that the
20 OIG can do their job, and the language of the bill is
21 less of our concern than achieving those goals, and
22 we are more than happy to work with your office and
23 OIG to find language that accomplishes the goals
24 without putting them out.

2 CHAIRPERSON BREWER: Okay. Anybody else?
3 Thank you, all of you, for your testimony. Thank you
4 very much.

5 Now, I open the hearing for public
6 testimony. I remind members of the public this is a
7 government proceeding, and the decorum will be
8 observed at all times. Members of the public shall
9 remain silent at all times.

10 The witness table is reserved for people
11 who wish to testify. No video recording or
12 photography is allowed from the witness table.
13 Members of the public may not present audio or video
14 recordings as testimony, but may submit transcripts
15 of such recordings to the Sergeant-at-Arms for
16 inclusion in the hearing record.

17 If you wish to speak in today's hearing,
18 please fill out an appearance card with the Sergeant-
19 at-Arms and wait to be recognized. When recognized,
20 you will have two minutes to speak on today's
21 oversight hearing topic, the Department of
22 Investigation's Office of the Inspector General for
23 NYPD, or on Intro. 1020 or Resolution 560.

24 If you have a written statement or
25 additional written testimony that you wish to submit

2 for the record, please provide a copy of that
3 testimony to the Sergeant-at-Arms. You may also email
4 written testimony to testimony@council.nyc.gov within
5 72 hours of the close of this hearing. Again, audio
6 and video recordings will not be accepted.

7 For in-person panelists, please come up
8 to the table once your name has been called, and if
9 there are those to be called, we will do so now.

10 We have Timothy Pena from the Veterans
11 Justice Project, Joel Kupferman, who is an
12 environmental attorney, Kevin Scullin, Barbara Manu,
13 Julienne Jack, and Christopher Leon Johnson.

14 Whomever would like to go ahead, go right
15 ahead. Go ahead, sir.

16 KEVIN SCULLIN: Can you hear me okay? Yes,
17 my name is Kevin Scullin. I live on West 8th Street,
18 and on the morning of 9/11, I was working two blocks
19 away from here. I ended up witnessing the first plane
20 flying into the North Tower, and then I saw the
21 explosion from the second plane. I eventually, with
22 thousands of others, started running up north here to
23 outrun the dust that was coming from the collapse of
24 the South Tower. I managed to get up to Greenwich
25 Village, where I live, when the North Tower had

2 collapsed. I wanted to speak to the air quality of
3 that day. The air was so acrid and so profoundly bad,
4 the closest I can describe to it would be the smell
5 of burning brakes. It was gag-inducing. You couldn't
6 go for a very long period of time without gagging or
7 retching into a handkerchief. This went on for weeks.
8 And when the piles were still burning, the wind would
9 turn and sometimes push that air back up into the
10 Village, and you would just start gagging all over
11 again. At this point now, I have been diagnosed with
12 respiratory problems. A year ago, February, I had a
13 prostatectomy to remove the prostate cancer that I
14 developed. This year, I'm having two hips replaced. I
15 was 41 years old when those towers came down. I was
16 very physically active and a very busy person. Over
17 the last 24 years (TIMER CHIME) it has altered. I
18 just want to thank you so much for this, and I want
19 to speak in favor of this.

20 CHAIRPERSON BREWER: Thank you very much.
21 Next.

22 JULIENNE JACK: Good morning. I'm Julienne
23 Jack. Hewlin Jack, the first African American Borough
24 President of Manhattan, I'm his daughter. I am also
25 the sister of Hewlin Jack Jr., who was an atomic

1 physicist and was teaching at BMCC. He was teaching a
2 night class. On September 11th, his first and only
3 grandson was dropped off at Stuyvesant. This was the
4 first classes. They were subjected to not only the
5 abominable air, but also seeing the bodies drop out
6 of the buildings. We have been told that there are no
7 reports, none of the paperwork that goes with that
8 horrific event is ridiculous because, not only would
9 the information from the school, BMCC, which is part
10 of the university system, all these paperwork should
11 be available. Also, how the two buildings were put up
12 and how everything else that happened in that area
13 should have paperwork that goes back that far. I
14 worked with airlines, Pan Am, New York Air. I know
15 that the FAA has paperwork on every one of those
16 planes. There is no reason that we cannot find out
17 what went on and what was toxic coming out of those
18 buildings. As it is now, my brother is (TIMER CHIME)
19 demented, horribly demented. He's into the combative
20 part of dementia. His grandson has two children.
21 Another member of the group that was at Stuyvesant
22 also has a new baby. The thing is, what genealogical
23 changes happened due to the toxicity that they
24 ingested.
25

2 CHAIRPERSON BREWER: Thank you very much.
3 Thank you so much. Who wants to go next?

4 TIMOTHY PENA: I'll go. My name is Timothy
5 Pena. I run an organization called Veterans Justice
6 Project. I work with justice-involved and homeless
7 veterans. I've been here for about two and a half
8 years. This is a little off topic from 9/11, but I
9 participated in the point-in-time homeless count last
10 night or early this morning. There were some
11 questions raised, Chair Brewer, where you were
12 talking about engagements with mental health and
13 homeless with NYPD. I came from Phoenix. Phoenix has
14 a much higher crime rate than does New York City. In
15 addition, Phoenix is one of the only cities that
16 purges their Brady violations from officers' records
17 who have been accused of misconduct. I spent five
18 months in Borden Avenue Shelter, which is the
19 veterans' shelter here in New York City. I
20 anticipated a Veterans Affairs program, federally
21 funded by VA and Congress. Instead, I got a violent
22 drug-infested shelter. One of the things that I've
23 noticed, and in speaking this morning to residents
24 during the Hope Walk survey, was that people are on
25 the streets because they're afraid of the shelters.

2 And what I observed and have been told, that the
3 shelters are so dangerous and so violent, with no
4 oversight, no accountability by shelter staff and
5 security, that they take those problems out onto the
6 streets and into the subways. I feel for NYPD having
7 to deal with this. (TIMER CHIME)

8 CHAIRPERSON BREWER: Okay.

9 TIMOTHY PENA: Thank you.

10 CHAIRPERSON BREWER: Thank you very much.
11 Joel.

12 JOEL KUPFERMAN: Thank you, Council
13 Member. Joel Kupferman, New York Environmental Law
14 and Justice Project, Environmental Justice
15 Initiative. The City has a history of not giving
16 accurate information. It does not deliver the truth.
17 Much of this info that we forced out of the City was
18 achieved because we had federally funded, provided
19 facts from the EPA, CDC, and other agencies, but now
20 they've been put out of business so it's even more
21 important that we glean the information from the City
22 and its own facts. Enforcement of these laws must be
23 paramount and prioritized, and there hasn't been a
24 continuing enforcement of the law. Exposure to 9/11
25 from the environment is present to every day.

2 Particularly environmental justice vulnerable
3 communities like Smith Houses, not more than a mile
4 away from here, they're doing reconstruction from
5 Hurricane Sandy. There's World Trade Center dust
6 that's coming up and being exposed. At Riis Houses,
7 there's people that are World Trade Center survivors.
8 Part of the problem is the City has not taken what
9 we've learned from 9/11 and is letting it continue
10 now. There's brownfields, as we actually worked on a
11 case together, where the City employees weren't even
12 apprised of what was there. So, I think it's really
13 important that we look at going forward, and not just
14 the 9/11 victims, but the victims that weren't
15 registered in the World Trade Center, that the City
16 is doing activities now that are putting people in
17 the zone of danger. We FOIL'd the city, the state,
18 and the feds. We were the first ones to get it. New
19 York state said in the beginning, due to ongoing
20 criminal investigation, we're not giving you this
21 data. The city and the feds gave us troves and troves
22 of documents, but only when there's careful analysis
23 that's out there. We're the ones that apprised in
24 detail to the City Council that this building was
25 intruded upon. On the website, the City put up a page

2 that just said ND, which we assumed to be no detect,
3 only when we (TIMER CHIME) got the hard copy that we
4 knew that the monitor was clogged so I think there's
5 a long history of disingenuous information that's
6 given, but we know. And also, I just want to say one
7 more thing. New York state law requires, there's
8 something called an Occupational Lung Disease
9 Registry. The city, every clinic, and every doctor,
10 and every PD surgeon, when they had their offices
11 complaining about the effects of the World Trade
12 Center dust, should have been reported to that
13 registry, and it wasn't. We would have known week
14 three, week four. So, I really urge that the City,
15 not just institute it, but also be..

16 CHAIRPERSON BREWER: Joe, you got to wrap
17 up.

18 JOEL KUPFERMAN: I just want to say one
19 thing. I heard all the testimony, but when the Police
20 Department says that they have to hire medical
21 investigators to figure out if the data that they
22 have is permanent, means that every cop and everyone
23 in the Department is not aware of the dangers that
24 are present now?

2 CHAIRPERSON BREWER: Okay. I got it. I got
3 it. Thank you. Yep. All right. Who wants to go next?
4 Who's next?

5 JOEL KUPFERMAN: And also, I just...

6 CHAIRPERSON BREWER: Quick.

7 JOEL KUPFERMAN: This information was
8 given. There's nine disks of information that tell
9 you the City is looking for it.

10 CHAIRPERSON BREWER: No, you got two
11 minutes. We got to keep moving.

12 JOEL KUPFERMAN: Okay. Thank you.

13 CHAIRPERSON BREWER: Go ahead. Who wants
14 to go next?

15 CHRISTOPHER LEON JOHNSON: Yeah. Hello.
16 Good afternoon. My name is Christopher Leon Johnson.
17 I'm opposed to Intro. 1020, and I'm going to explain
18 why. It's because the Department of Investigation
19 should not be appointing who is the leader of the
20 Office of the Inspector General. That should be sent
21 to the City Council with the help of all five Borough
22 Presidents and the Public Advocate Office. Everybody
23 knows that the Department of Investigation is really
24 compromised and really inept and incompetent as an
25 administration because of the fact that they refuse

1 to investigate Fester Brannon, a.k.a. Fester. They
2 refuse to investigate Brad Pander, a.k.a. Brad
3 Lander, and they refuse to investigate Keithie
4 Powers, a.k.a. Keith Powers. The Department of
5 Investigation does not investigate Fester, Pander,
6 and Powers, but what they do in the City Council so
7 how can we trust the Department of Investigation to
8 put the right person to lead the NYPD when it comes
9 to investigating NYPD? To have the DOI appoint a
10 member for the NYPD Inspector General is like a bank
11 robber appointing a scammer to investigate a fraud
12 scheme so this is what's going on here. So, like I
13 said, the Department of Investigation, the NYPD
14 Office of the Inspector General should be an
15 independent organization. It should not be part of
16 DOI because of the corruption that occurs in the DOI.
17 Everybody that follows Twitter that knows about a lot
18 of people that's calling out the DOI for not
19 investigating Fester, Pander, and Powers, and many,
20 many Members of the City Council, but the truth of
21 the matter of fact is that this bill is ineffective.
22 This is nothing but a bill just to say, oh, we're
23 trying to put the right thing for the City and trying
24 to act like we're transparent with the people, but
25

2 everybody know that these days the City Council is
3 more invested about protecting Pander, Fester, and
4 Powers.

5 CHAIRPERSON BREWER: Thank you very much.

6 CHRISTOPHER LEON JOHNSON: Thank you.

7 CHAIRPERSON BREWER: Go ahead.

8 BARBARA MANU: Hello. Hi, my name is
9 Barbara Manu, and I've been here many, many times.
10 First, I have two disabled sons who are attending
11 school in your city. For the past, since 2018, New
12 York State Agency for People with Disability have
13 claimed my children as ownership and then directed
14 their federal checks into their bank accounts. Also,
15 HRA also switched my address and my children's
16 addresses, stating that my two children are not my
17 children. The last but not the least, how can you
18 allow a religion into government or agencies for them
19 to use a religion to put death and curses on my
20 children and also introduce satanic religion to my
21 son, for my son to take my life? New York State
22 Agency for Disability staff introduced satanic
23 religion to both my son. My last born, 18 years old,
24 has not attended any school. I've been here saying
25 the same thing over and over with no help. I've been

2 to Ms. Brewer's office, Ms. Ayala's office for help.
3 Also, the City also allowed NYCHA to take the Section
4 8 away from us so that HRA can use different
5 addresses on us for third parties to collect
6 insurance on us so I need answers. That's what I'm
7 here for. I'm not here for 9/11 case. I'm here for
8 why the City allow third parties to violate our civil
9 rights. And also, where is my children's SSI checks?
10 Why this agency collected these checks and said that
11 I was dead? And my children are under the City
12 agency's care.

13 CHAIRPERSON BREWER: Thank you very much,
14 ma'am. Your time is up.

15 BARBARA MANU: So I need the answers.

16 CHAIRPERSON BREWER: Thank you very much.

17 All right, now we'll call virtual
18 panelists. For virtual panelists, once your name is
19 called, a Member of our Staff will unmute you and the
20 Sergeant-at-Arms will set the timer and give you the
21 go-ahead to begin. You have two minutes. Please wait
22 for the Sergeant to announce that you may begin
23 before delivering your testimony, and the first is
24 Charlotte Dennett.

2 BARBARA MANU: Council member, I want to
3 speak to so who is going to take this case? I want to
4 know...

5 CHAIRPERSON BREWER: Ma'am, we have a
6 different person speaking now. I'm sorry. Right now,
7 I have to deal with this topic. Thank you.

8 CHARLOTTE DENNETT: Thank you for this
9 opportunity, and I'm so glad that you're looking into
10 additional investigation. I am a lawyer, I am an
11 investigative journalist, and I'm a member of the
12 Board of the Lawyers Committee for 9/11 Inquiry. It
13 was established in 2015. When I hear all the stories
14 of the stonewalling, believe me, we understand and we
15 empathize. That's why we all have to work together. I
16 came to this organization because actually, I'm a
17 Gold Star family member. I lost my father, America's
18 first master spy in the Middle East, in a plane crash
19 after a top-secret mission to Saudi Arabia. The only
20 reason I'm saying that is I sued the CIA under FOIA,
21 and I was eventually able to get some of my father's
22 most sensitive reports. Still, I know the pain of not
23 fully knowing what happened. I'm also, as a
24 specialist in medical malpractice, I came to focus in
25 on the resistance on the part of the City to withhold

2 records on the toxins at Ground Zero and their
3 impact. Some time ago, an individual contacted our
4 Board. He worked across the street from the towers at
5 Deutsche Bank, had been asked to clean it up
6 afterwards, and he contracted COPD and PTSD.
7 Interestingly, he was not able to get all of his
8 medical records. I found this, as a malpractice
9 attorney, astonishing. Why could he not get all of
10 his records, and he couldn't even get an audit? In my
11 investigation, I also learned that the Bellevue
12 Hospital, which he was enrolled with, had been found
13 to falsify medical records. Between 2004 and 2008,
14 the State issued 16 citations... (TIMER CHIME)

15 SERGEANT-AT-ARMS: Your time's expired.

16 Thank you.

17 CHARLOTTE DENNETT: Oh, my God.

18 CHAIRPERSON BREWER: Two minutes. Thank
19 you very much. Thank you.

20 Next is Kimberly Flynn.

21 SERGEANT-AT-ARMS: Starting time.

22 KIMBERLY FLYNN: I'm Kimberly Flynn, and a
23 founding member of 9/11 Environmental Action. We
24 thank Council Member Brewer, who understands why we,
25 as a city, need to know in detail how City officials

and agencies failed to inform and protect responders and the community after 9/11. Downtown and downwind residents, school parents, and local workers were left to struggle on their own to protect themselves and their families from toxic exposures. We had no access to accurate environmental information, public health guidance, or medical screenings. Instead, our concerns were met with official declarations that the air was safe and the WTC dust inside homes, schools, and workplaces was not harmful. These came not just from the EPA, but from the City of New York. As residents reported health effects, the City's Health Department responded that symptoms would disappear when the Ground Zero fires were out. Also, the EPA and the City denied the need for a proper environmental cleanup of the widespread toxic contamination that had permeated indoors. Instead, residents and others were instructed by a now infamous city health advisory to clean the toxic dust themselves "with a wet rag or mop" and were told that no precautions needed to be taken by pregnant women or by parents to protect their children, even though children's risks of being harmed by environmental exposures had been well-documented by decades of

2 research in children's environmental health. Instead
3 of protecting New Yorkers' health, the City
4 administration engaged in an extended campaign to
5 lie, hide information, censor Juan Gonzalez, then of
6 the New York Daily News, and others who were
7 uncovering the truth, and long delay the
8 establishment of a proper health and safety regime to
9 protect responders. Political considerations overrode
10 public health needs at every point.

11 SERGEANT-AT-ARMS: Your time has expired.

12 Thank you.

13 CHAIRPERSON BREWER: Thank you very much.

14 Marianne Pizzitola.

15 SERGEANT-AT-ARMS: Starting time.

16 MARIANNE PIZZITOLA: Good afternoon. This
17 is Marianne Pizzitola. I am President of the New York
18 City Organization of Public Service Retirees,
19 representing 250,000 municipal retirees. Tens of
20 thousands of retirees we have are both first
21 responders and civilian 9/11 survivors with 9/11
22 world traits or health conditions who must rely on
23 their health insurance for care and may or may not be
24 participants within the 9/11 World Trade Center
25 program. Like first responders, these forgotten

1 heroes of 9/11 who kept the city running were also
2 betrayed by the U.S. EPA and then-Administrator
3 Christy Todd Whitman, who said the air in lower
4 Manhattan was safe to breathe. Of course, the
5 Giuliani administration was completely complicit in
6 constructing this false narrative. A subsequent EPA
7 Inspector General report confirmed the agency had
8 absolutely no scientific basis upon which to base
9 that assertion and that the agency actually
10 suppressed data that showed toxic asbestos levels
11 were off the charts. Thousands of civil servants were
12 ordered back to their desks at places like the
13 Dinkins Municipal Building, 1 Center Street, or 250
14 Broadway. There was no Zoom in 2001. Yet these
15 workers, some of whom have since died, were not able
16 to establish that they were first responders and were
17 not eligible for the annual health screening granted
18 to first responders through the 9/11 World Trade
19 Center program. They had to first display symptoms,
20 which first had no doubt had life-altering
21 consequences that the City of New York would like to
22 avoid taking responsibility for. Mayor Giuliani and
23 then Mayor Bloomberg prematurely ordered New York
24 City employees back to work whose work locations were
25

2 in the zone. All the documents that have been kept
3 secret since Giuliani was in office on 9/11 must be
4 released. Every mayor has since hidden these facts
5 from the light of day, most likely because they knew
6 darn well that they made a calculated decision to put
7 our lives at risk to keep the city running and get
8 Wall Street to reopen at the expense of our lives and
9 health. The current administration has said that they
10 are worried about the potential liability of
11 releasing these files. Meanwhile, starting with the
12 de Blasio administration, right up until the current
13 administration, they have compounded the EPA betrayal
14 by attempting to force us off our traditional
15 Medicare and on a predatory Aetna Medicare Advantage
16 plan. If the City Council does not act on Intro.

17 1096... (TIMER CHIME)

18 SERGEANT-AT-ARMS: Time has expired. Thank
19 you.

20 MARIANNE PIZZITOLA: They are compounding
21 the EPA.

22 CHAIRPERSON BREWER: Thank you very much.
23 Next, Thomas Maguire.

24 SERGEANT-AT-ARMS: Starting time.

2 THOMAS MAGUIRE: Thank you. That was an
3 incredible presentation, the last one, and she
4 covered so many things I was going to say. I have to
5 ad lib this. My name is Thomas Maguire, and I'm a
6 volunteer World Trade Center rescue worker. I waited
7 too long to apply for compensation, and as a result,
8 my orthopedic injuries, like the dislocation of
9 kneecaps, were categorically excluded. I then faced a
10 hearing where I was told that I was unable to
11 establish the causal relationship between my injuries
12 and 9/11. You have to understand that every
13 application for benefits must withstand a legal
14 challenge of the causal relationship of these
15 injuries. Withholding the scientific data is flying
16 in the face of being able to establish those causal
17 relationships. Now, I was doing the IPO for my
18 company at the time of 9/11. I had a beach house in
19 Southampton. I had a nice house in Astoria. I lost
20 all of that while I was sequestered, and there were
21 no compensations paid. By the time COVID came around,
22 I had already had a cancer operation that split my
23 chest open twice. I've had six cardiac procedures,
24 and the scientists and doctors at Mount Sinai have
25 been unable to establish the causal relationship

2 between cardiac problems and 9/11 and the poisons
3 that were in there. Now, as a scientist, as an
4 engineer, I knew a lot of what was there (TIMER
5 CHIME) and we were there because we stood up.

6 SERGEANT-AT-ARMS: Time has expired. Thank
7 you.

8 CHAIRPERSON BREWER: Thank you very much.
9 Chris Magnotta.

10 SERGEANT-AT-ARMS: Starting time.

11 CHRIS MAGNOTTA: Okay. I think I was just
12 unmuted. Am I being heard?

13 SERGEANT-AT-ARMS: Your time is starting
14 now.

15 CHRIS MAGNOTTA: Okay. Thank you so much.
16 Thank you for your time today. My name is Chris
17 Magnotta. I am a survivor of 9/11. That day, I was on
18 the 54th floor when the plane came in. I was in World
19 Trade Center 2. My wife was in World Trade Center 7
20 on the 30th floor. She was three months pregnant at
21 the time. I'm giving you those facts because they're
22 going to lead to what I want to talk about.
23 Obviously, it's about releasing the information to
24 the public. So just to give you some tidbit, this is
25 all facts. I went back into Manhattan. So did my

1 wife. We worked in downtown. We were there watching
2 that debris get moved outside of the trade center on
3 a daily basis. What's really important is you know
4 that there were street sweepers very early in the
5 morning cleaning the streets. Why were they doing
6 that? They knew what was going on. I heard the name
7 Todd Christie Whitman for the first time from one of
8 the speakers just before. What does she know? She's
9 apologized for saying that it was safe to go downtown
10 so she knows something. Also, I was forced to drive
11 into downtown Manhattan. It was the only way to get
12 in. Every evening when we went to the car, we had to
13 wipe it clean of dust and debris that was coming from
14 that site. It took eight months for them to remove
15 that debris from the site. So for eight months, it
16 was actively in the air. It's still down there. It
17 was one of the greatest releases of toxic substances.
18 One time event in the history of the U.S. and we have
19 no documentation. If we have no documentation, it's
20 been destroyed. Something needs to be done about
21 this. There are tens of thousands of people who are
22 ill, including my wife, including me, and I also want
23 to say what's also very important about this and
24 getting the information released is there's a Dr.

2 John Howard, who's the program administrator for
3 World Trade Center... (TIMER CHIME)

4 SERGEANT-AT-ARMS: Time has expired. Thank
5 you.

6 CHRIS MAGNOTTA: Who has not, there are
7 petitions before him, please let me just finish this,
8 that will cover autoimmune diseases and other
9 diseases and when the facts come out, you'll have
10 more reason to pass those.

11 CHAIRPERSON BREWER: Thank you very much.
12 Thank you so much.

13 I'll now read the names of those who
14 registered to testify but have not yet filled out a
15 witness slip or appeared on Zoom. Abel Rivera, Gary
16 Smiley, Michael Smith, and Katie Bordenaro
17 (phonetic). I don't think we're hearing from any of
18 them.

19 So, seeing no one else, I would like to
20 note again that written testimony, which will be
21 reviewed in full by Committee Staff, may be submitted
22 to the record up to 72 hours after the close of this
23 hearing by mailing it to testimony@council.nyc.gov.
24 And now this hearing concludes. I want to thank the

2 Staff and I really want to thank Council Member

3 Williams. Thank you very much. [GAVEL]

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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 January 31, 2025