

January 28, 2025

City Council Members
New York City Council
250 Broadway
N.Y., N.Y. 10007

Re: Memorandum of Support for Intro 1020-2024

We, the undersigned organizations, urge the Council to pass [Intro 1020-2024](#) to strengthen the NYPD Office of the Inspector General (the OIG) so that it can fulfill its purpose of providing independent and effective oversight of the NYPD.

The NYPD Office of the Inspector General was [established](#) in 2014 to provide independent oversight of the police, prompted in part by the department's racially discriminatory stop-and-frisk program and its broad surveillance of Muslim communities. The office falls within the Department of Investigation (the DOI) and is charged with conducting systematic investigations of NYPD policies and practices and reporting on the results of these reviews. Since its inception, the office has undertaken groundbreaking [investigations](#) that led to real improvements: better enforcement against police chokeholds, stronger safeguards for sexual violence victims, and stronger rules on police surveillance of political activity.

However, the OIG has faced [significant challenges](#) which have caused inconsistencies in the number and quality of the office's investigative reports – its main oversight tool. This may be attributable to a lack of consistent leadership in the office and the NYPD's failure to provide information needed for OIG investigations. After producing approximately three investigative reports per year from 2015 to 2019, the OIG issued only three in total from 2020 to 2022. The office improved its performance in 2024, publishing three high-quality reports. However, the underlying issues facing the OIG remain unchecked. These shortcomings must be addressed by the City Council so that the OIG can serve as a strong check on the police. Intro 1020 addresses these issues by providing transparency into the OIG's investigations, including any lack of cooperation by the police, and by ensuring consistent leadership.

Transparency on Police Cooperation: To consistently publish thorough investigative reports on pressing issues, the OIG must have access to all relevant NYPD information and personnel. Intro 1020 requires the OIG to disclose in its annual report any instance in which the police have interfered with the OIG's access to information. Systematically making this information public would bring to light the extent of any problems and contribute to resolving them by giving City Council members and civil society groups the information necessary to raise concerns.

The NYPD has, at times, [refused](#) to cooperate with the OIG, undermining the office's ability to investigate certain issues, delaying investigations, and limiting the OIG's ability to publish thorough reports. In the past, the department has prevented the OIG from interviewing officers and retaliated against police officers who complied with the office's requests. More recently, the NYPD has

impeded the OIG's legally required audits of the police department's compliance with the Public Oversight of Surveillance Technology (POST) Act by failing to provide information about the [outcomes](#) of the NYPD's K5 robot pilot program and [documents related](#) to police use of drones.

There currently is no requirement that the OIG officially document these instances, leaving police interference unchecked. The reporting required by Intro 1020 will provide much needed transparency into any stonewalling. Nor should this pose a significant burden for the OIG. In previous reports, the office has alluded to the NYPD's reluctance to provide requested documents, suggesting that they already track such issues.

Transparency on Investigations: Intro 1020 requires the OIG to provide information on investigations, allowing the City Council and civil society to track the progress of the office's work and ask questions about slowed activity. Essential reports have faced major delays. For instance, the OIG's investigation of the NYPD's gang database – which has long been criticized for racial bias – continued for five years. The report was only [released](#) after multiple [requests](#) from lawmakers and civil society. Given these issues, the OIG's office must do better to keep the public and policymakers apprised of its activities.

Currently, the OIG does not share the topics of open investigations. The bill requires the OIG to indicate in its annual report the subject matter of investigations that have been pending for more than three years. The bill's language allows the OIG to decide the level of detail it provides, giving the office the level of discretion necessary to protect any information that may inhibit ongoing investigations.

The bill also requires the office to report the number of investigations it closed without issuing a report within the past year. Reporting on the *number* instead of the *subject matter* of short-lived investigations strikes the right balance: it shields the OIG from public pressure to continue investigations that may not warrant a report (e.g., small policy issues easily resolved by the police department) while also providing the Council with transparency into the efficiency of the OIG's activities. As the OIG is already required to compile comprehensive annual reports, publishing short summaries of years-old open investigations and a number count of closed investigations does not add significantly to its reporting load.

Other inspector general offices already provide this reporting. Many [federal inspectors general](#) make public their open assessments of agency policies and practices, as do some city inspectors general (e.g., [Seattle](#) and [Washington D.C.](#)).

Ensuring Office Stability: A permanent inspector general is critical to ensuring that this important office has the leadership necessary to navigate relationships with the police and to provide the direction and support to staff necessary for more consistent reporting. Up until 2023, the OIG underwent 3 years of interim leadership. Intro 1020 promotes consistency in leadership by requiring the prompt replacement of the inspector general if they are to resign or be removed – a [requirement](#) already in place for the New York City Department of Correction Inspector General.

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Intro 1020-2024 is just common sense. The City Council and the public must know if police are cooperating with the NYPD OIG, keep track of the work that the office is doing, and should be able to rely on stable leadership. The Council should adopt this bill to help ensure that the OIG is set up to fulfill its important mission of overseeing the policies and practices of the largest police department in the United States.

We strongly urge the City Council to swiftly pass Intro 1020-2024.

Sincerely,

The Brennan Center for Justice at NYU School of Law

Center On Race, Inequality, and the Law at NYU Law

Citizen Action of NY

Citizens Union

Families & Friends of the Wrongfully Convicted

LatinoJustice PRLDEF

Legal Action Center

The Legal Aid Society

New York Civil Liberties Union

Perlmutter Center for Legal Justice at Cardozo Law

Policing Project at NYU School of Law

The Policing and Social Justice Project

Surveillance Technology Oversight Project