



**NEW YORK CITY COUNCIL  
COMMITTEE ON FIRE AND CRIMINAL JUSTICE SERVICES**

**TESTIMONY OF MARK G. PETERS  
COMMISSIONER, NEW YORK CITY DEPARTMENT OF INVESTIGATION**

**CONCERNING PROPOSED INT 1228-A**

**SEPTEMBER 26, 2016**

Good afternoon Speaker Mark-Viverito, Chairperson Crowley and members of the Committee on Fire and Criminal Justice. I am Mark Peters, Commissioner of the NYC Department of Investigation. Thank you for inviting me here to comment on City Council's proposed bill, Intro 1228-A, a "Local Law to amend the New York city charter, in relation to the investigating, reviewing, studying, and auditing of and making of recommendations relating to the operations, policies, programs and practices of the department of correction by the commissioner of the department of investigation."

I appreciate City Council's concern over the important issue of Rikers Island reform. This issue has been a key focus area for me since I started as DOI Commissioner in 2014. As you know, under current law, DOI possesses the authority to investigate issues of corruption, waste, fraud and abuse in the City's jails. Chapter 34 of the City Charter states that the DOI commissioner "is authorized and empowered to make any study or investigation which in his opinion may be in the best interests of the city, including but not limited to investigations of the affairs, functions, accounts, methods, personnel or efficiency of any agency." Executive Order 16, endorsed by every Mayor since Ed Koch, grants DOI unrestricted access to City documents and employees to carry out these investigations. These broad provisions establish and mandate DOI's role as the independent inspector general for all City agencies and operations.

In the context of our oversight of the Department of Correction, the work of DOI's DOC IG unit has led to the arrest of thirty-four DOC staff since 2014, nearly two dozen staff disciplined and more than three dozen inmates arrested, all on various charges including assault and smuggling contraband. Those arrests included one correction officer who smuggled seven scalpel blades in to be used as weapons, and most recently

a correction officer who sexually assaulted a female inmate. Several more arrests are expected by year end.

Under the current law, our work looks at both broad systemic issues, and individual criminal cases spanning use of force and violence, sexual assault, and contraband. Where appropriate, we issue reports which detail our findings and issue specific recommendations to the Department of Correction for further action and reform. Since 2014, we have issued three such reports which have led to implementation of reforms, including improved recruitment procedures, the introduction of drug sniffing dogs and new enhanced security screening procedures.

Once again, I appreciate and support the Council's intent to focus energy and attention on the issue of jail safety and human rights. I also appreciate the Council's confidence in DOI's work to date and role as the City's independent Inspector General that has led the Council to ask DOI to carry out further work on these issues. My understanding of the intent and purpose of this bill is to not affect or be duplicative of the current robust work of DOI in our oversight of the Department of Correction. The work DOI undertakes to comply with 1228-A will not impede or interfere with DOI's ongoing investigatory functions and will produce reports of a type separate and apart from that work or the work being done by others under the Nunez settlement. That is to say, the reporting requirements stipulated in the bill apply to the new work the office will undertake pursuant to the bill.

This new unit must be fully funded and supported by both the Mayor and City Council in order to carry out its requirements, and the work contemplated by the bill cannot begin until such funding occurs. In order to accommodate council's directive to produce system-wide reports and studies on an ongoing basis, in addition to an annual report, DOI

would require an additional 25 staff, and accompanying OTPS expenses, to bring on auditors, policy experts and analysts of the type contemplated in this bill.

With these understandings, which have been discussed with Council staff, DOI is comfortable executing this bill. Again I want to thank the Speaker both for her understanding of DOI's concerns, for her confidence in our experience as investigators, and for her ongoing attention to this issue.

Thank you again for the opportunity to address the committee, and I'd be happy to take questions at this time.