

CENTER *for* JUDICIAL ACCOUNTABILITY, INC.

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TO: New York City Department of Investigation (DOI)

FROM: Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)

RE: FOIL – (1) DOI rules pertaining to investigation of complaints “received” from the public, particularly evidentiary standards; (2) DOI’s interpretation that it cannot inform complainants of the status of their own complaints because of “confidentiality”; and (3) DOI funding, from 2013 to date, of Columbia University Law School’s Center for the Advancement of Public Integrity – and any similar funding to law school centers, etc.

The [Department of Investigation’s website](#) contains a page of “Legal and Executive Authority” pertaining to itself, which identifies and links Chapter 38 of the New York City Charter establishing the Department of Investigation (§§801 *et seq*).

§804, entitled “Complaint bureau”, states: “There shall be a complaint bureau in the department which shall receive complaints from the public” – not identifying what the Complaint Bureau is to do with the “complaints from the public” it receives – and based on what evidentiary standard.

Likewise, §808(a) states that DOI “shall...provide information regarding how the public can submit complaints to the department”, without identifying what then happens to the complaints the public has “submit[ted]” and the evidentiary standard governing same.

As for §808(a), it states that DOI:

“shall post a report on its website by March 1st of each year regarding public complaints received by the department for the preceding year. Such reports shall include the total number of complaints disaggregated by the mechanism through which the complaint was submitted....”

Here, too, DOI is not required to identify by its report what it did with the “submitted” complaints it “received”.

Perhaps the DOI’s procedures and evidentiary standards for complaints “received” from the public are expounded upon in rules that DOI has promulgated. However, I do not see these posted on [DOI’s website](#) – and neither could DOI Special Investigator Evelyn McCorkle find them, when I

called her about it on June 22nd. She suggested that I FOIL for same – and this I hereby do, requesting DOI's procedural rules with respect to complaints "received" from the public – and, in particular, assignment of numbers for each complaint and the evidentiary standards for investigative and prosecutorial actions with respect thereto.

Additionally, this is to request any records establishing that DOI ever:

- (1) notified the city council or mayor that it was interpreting Chapter 34 of the Charter to prohibit it from informing a complaint of the status of his/her own complaint, including of its dismissal and the basis therefor;
- (2) sought the city council's guidance – or that of the mayor – on how it should be interpreting "confidentiality" with respect to a complainant's inquiries as to the status of his/her own complaint; or
- (3) made any recommendation pertaining thereto.

Finally, this is to request records establishing the amounts of money that DOI has provided to [Columbia University Law School's Center for the Advancement of Public Integrity](#), since its inception, announced by an [August 1, 2013 news release](#) which had stated:

"The Center will be funded initially for three years by monies returned to DOI in connection with its anti-corruption investigations that resulted in forfeiture proceedings."

Records of other law school centers, etc. that DOI is funding are also herein requested.

Thank you.