DOI and CAPI
A Presentation for Visiting Delegates

September 17, 2014
Columbia Law School
What is CAPI?

• New research center
• Partnership between NYC Department of Investigation and Columbia Law School
• Dedicated to improving the capacity of practitioners to deter, identify, and combat public corruption
CAPI Activities

• Building and supporting a vibrant public integrity community
• Providing practitioners with more helpful resources and tools
• Hosting events that bring together scholars, practitioners, and policymakers
• Advancing research with practical implications
CAPI Focus Areas

• Bridging the gap between practitioners, scholars, and civil society groups
• Corruption in cities worldwide
• Public integrity issues in New York State
CAPI’s Work

• State by State Oversight Survey
  – Comprehensive analysis of emerging trends and oversight gaps

• Transparency and corruption in Bell, CA
  – Policy recommendations following city manager corruption scandal, with lessons for other small cities

• Educational Events
  – Speaker series: Perspectives on Public Integrity

• Community Contributions
  – MTA Inspector General: legal issues around the investigative use of GPS devices

• Website Resources
  – http://web.law.columbia.edu/capi
DOI: Origins

• Created in 1873, in the wake of the William “Boss” Tweed regime
• Tweed stole over $200 million, exposed by whistleblower.
• Public outcry led to creation of DOI
DOI: Authority

• The City Charter (Chapter 34) establishes DOI and sets forth its powers and jurisdiction.

• Broad authority to investigate city office holders, employees (300,000), agencies (45), vendors, city business operations, and beneficiaries of city services (e.g. public assistance).

• Vets candidates for high-level office and bidders for city contracts.

• Has subpoena power, can examine all city agency records, can confer immunity, and take sworn testimony.
DOI: Structure

• The Mayor appoints the DOI Commissioner, with City Council approval
• 210 employees
  • Investigators, auditors, forensic computer specialists, and lawyers
• Roughly $20 million budget
• Independent of agencies it investigates
• Added a group to investigate nonprofits, after scandals involving criminal use of city council funds intended for legitimate nonprofits
Deciding Whether to Investigate

- Approximately 14,000 public communications per year
  - City employees obligated to report corruption (E.O. 16)
  - City has whistleblower statute to protect employees against retaliation

- Investigative arm of NYC Conflict of Interest Board
  - Ex. fine for Brooklyn Borough President for accepting free travel for his wife

- Investigations are prosecuted in partnership with:
  - US Attorneys offices
  - District Attorneys offices
  - NYS Attorney General’s office
CompStat

- Followed example of NYPD
- Executive staff meets weekly to discuss cases under each IG (rotating)
  - Clears backlog
  - Fosters inter-office coordination and synergy
Arrests and Forfeiture

- Over 5,000 arrests under tenure of Cmr Rose Gill Hearn (2002-2014)
- DOI recovers stolen funds for taxpayers through asset forfeiture
Deterrence by Education and Outreach

- Lectures at city agencies (over 500/year)
- Policy & Procedure Recommendation Program
  - Over 2,500 issues since 2002
  - 80% implementation rate
- Integrity Monitor Program
- DOI issues reports on investigations
Major Recent Cases

- CityTime scandal
- City Councilman Larry Seabrook
- Day Care Fraud Ring
- Failure to address fire code violations
Types of Cases

• Housing fraud in public housing programs
• Prevailing wage cases
  • City contractors not paying required wages
• Theft
• Bribery
• Medicaid and public assistance fraud
Sample Output Statistics: FY 2012

- 834 arrests
- Recovered assets worth $500M in CityTime case
- 12,200 complaints
- 1,370 cases closed
- 342 Policy and Procedure Recommendations
- More than 350 corruption prevention lectures
- More than 43,000 vendors vetted