# Contents

# The New York City Department of Investigation:
# A Century of Oversight

By Rose Gill Hearn

This article contains a description of the interesting work of the New York City Department of Investigation, my own experiences as Commissioner these past ten years having been appointed in 2002, and a broad range of reflections and experiences from several former commissioners and a former Mayor.
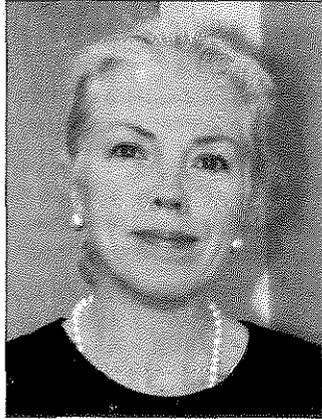
The purpose and role of the New York City Department of Investigation (DOI) is best understood from knowledge of its history. DOI was born from the corruption scandals that took place in the 1870s. The notorious New York City politician, William "Boss" Tweed, joined forces with other co-conspirators to manipulate the checks and balances in City government and skim millions of City taxpayer dollars. They engaged in bribery, inflated and skimmed from municipal projects, including the building of the Brooklyn Bridge.[1] The outrage over the Tweed ring's blatant fraud, which over a three-year period was estimated to have stolen more than $200 million, led officials to recognize they needed to establish an independent and robust oversight agency to investigate corruption—one that had the statutory powers to take on the City establishment without fear or favor.[2]

In 1873, the State legislature responded by establishing the Office of the Commissioner of Public Accounts, DOI's precursor, as the City's first watchdog created to protect the public's interest. The agency was given the investigative tools it needed to be effective, including subpoena power, the power to examine and remove any books and records of City's agencies, and the power to take testimony under oath.[3] The agency has expanded in size over the years and the name became the *Department of Investigation* in 1938.[4] Over its nearly 140-year history, the agency has evolved as the City has too, although DOI's core mandate remained to investigate fraud, waste and gross mismanagement within and affecting New York City government.[5]

DOI was established to serve the City and its taxpayers as a law enforcement agency that exposes and stops corruption-related crimes, and recovers stolen public funds. Indeed, today the Department recoups millions of taxpayer's dollars each year from its investigations. DOI also uses its role and knowledge of City government for deterrence. That is, DOI works with City agencies, sometimes in the wake of corruption arrests, to close corruption vulnerabilities exposed by DOI investigations. Addition-

ally, in recent years, DOI established a comprehensive outreach and education program, conducting over 500 lectures each year at City agencies and with City contractors about their obligation to report corruption, and their ability to do so confidentially. As Commissioner, I have sought to raise the profile of the Department and conduct it in its tradition as an apolitical anti-corruption office. For the past several years people have contacted DOI in record-high numbers, suggesting the Department's presence has been elevated with the confidence that there will be no reprisal, i.e., last year over 13,000 people contacted DOI on a wide variety of matters. I have a professional, arm's-length relationship with Mayor Bloomberg who is very responsive and supportive of the mission of DOI.

DOI's jurisdictional scope covers all City agencies with the ability to initiate investigations wherever the facts may lead in City government. Given that City agencies are interconnected in many ways themselves, e.g., via budget funding, contracts, personnel and disciplinary rules, databases and substantive missions, DOI's ability to cut across agency lines and collect information, documents, and testimony greatly facilitates its investigations and effectiveness. DOI receives dozens of visiting officials from governments in other cities in the United States and abroad each year, and interestingly, this is because relatively few of them have a citywide anti-corruption agency. DOI hosted a best practices conference in 2008 with inspectors general, government representatives and academics from cities around the United States, to undertake a study of comparative statutory authority and procedures for combating municipal corruption. DOI found that it uniquely provides oversight to a large municipality, i.e., over 45 city agencies, hundreds of thousands of City employees and thousands of contractors.[6]

Former DOI Commissioner Susan E. Shepard, who led the agency from 1990 to 1994 with renowned independence and results, observed about DOI that "[t]he agency pays for itself—literally. With that scorecard, the mystery is why every major city doesn't have [a DOI]."[7]

DOI's multi-faceted approach to combating corruption, its wide-ranging docket of cases, and its staff of approximately 400, is made up of investigators, lawyers, forensic auditors, and computer experts. It refers its criminal findings to New York City's fine cadre of prosecutors—five District Attorneys, the State Attorney General, and the offices of United States Attorney in the Eastern and Southern Districts of New York. DOI's criminal investigations have led to nearly 7,900 arrests since Fiscal Year 1990, with nearly 5,000 of them occurring during my tenure. Those arrests include exposing large-scale corruption cases, such

as the recent ongoing *CityTime* probe which found that the multimillion-dollar project to automate the City's time-keeping system was commandeered by fraudsters and consultants, as alleged in the indictment.[8] DOI's investigation of *CityTime* has so far led to charges against 11 defendants and one corporation, the seizing and/or freezing of approximately $50 million, and the return of $2.5 million to the City's coffers. Interestingly, it was the subpoena power imbued on DOI by its forefathers more than a century ago that helped the agency's forensic auditors follow a labyrinthine money trail in today's *CityTime* case and expose the kickback and money laundering schemes that the defendants are charged with concealing through layers of shell companies and sham transactions that reached as far away as India and Latvia.

Last year, DOI also exposed a complex day care fraud ring that reached into three City agencies and resulted in the shuttering of more than 20 day care centers due to safety violations, and nine convictions. The defendants were prosecuted for fraudulently obtaining more than $18 million in benefits intended to help needy families. Separately, investigators found an $8 million food stamp fraud that led to the arrest of four individuals, including two City employees. These notable results produced by the City's own anti-corruption agency would not have been possible in an agency lacking powerful legal authority, independence and support from the City administration.

How DOI has been able to accomplish so much success over the years was explained by former Commissioner Shepard. DOI is the "little agency that could," addressing two of law enforcement's most persistent challenges: how to detect misconduct and how to prevent it from happening again, according to Ms. Shepard. She correctly identifies DOI's great strength as rooted in the expertise of its Inspectors General (IGs) who are fluent in the operations, nomenclature, and inner workings of the City agencies they oversee, and have working relationships with agency employees, giving IGs the in-depth knowledge to identify and understand potential corruption issues in context. Ms. Shepard stated, "DOI embeds Inspectors General in City agencies where they learn the programs and how the agency works and develop relationships with agency employees." Explaining the multi-faceted nature of DOI's role in City government, former Commissioner Shepard added:

> Not surprisingly, Inspectors General are often the first ones to spot problems—and the best qualified to investigate them. At the same time, DOI has developed impressive corruption prevention tools and, with a supportive mayor, the clout to persuade agency commissioners to implement them. If you want to prevent crime, putting the bad guy in jail isn't enough. You have to change agency operational and administrative procedures that invite misconduct.

DOI makes criminal cases, but it also has the expertise to develop internal controls which, had they been in place, might have prevented the misconduct in the first place.

That DOI can be effective and resonate within City government only if it is free from political capriciousness was not lost in the aftermath of the Tweed scandals when the agency was created, and subsequently on those who developed DOI's role over the years. The agency's early creators and those who followed ensured that DOI and its Commissioner were imbued with important checks and balances; thus, while the Mayor appoints the DOI Commissioner, the City Council must confirm that appointment, a distinctive feature that creates a safeguard against a Mayoral appointment meant to undermine agency independence.[9] With regard to dismissal of the DOI Commissioner, the Mayor would have to publicly file reasons for the termination, another statutory feature that reinforces DOI's mission to investigate anyone or anything City-related, all the way to the highest levels.[10]

Former DOI Commissioner Nicholas Scoppetta offered vivid recollections and his thought process on the running of DOI, having first been appointed by Mayor John V. Lindsay, and then subsequently reappointed by his successor, Mayor Abraham D. Beame. That was the first time in the City's history that an incoming Mayor reappointed his predecessor's Commissioner of Investigation. I consider that to be a testament to Mr. Scoppetta's caliber and integrity, because obviously Mayor Beame viewed him as the best person for the job, rather than someone else's appointee who should be replaced. Mr. Scoppetta stated that:

> Neither Mayor Lindsay, nor Mayor Beame, ever exerted any political pressure on my office to affect the progress or outcome of any investigation. Nor did either of them ever send me the resume of anyone with a direction that I hire that person. In other words, during my tenure I never felt the slightest suggestion that any of my official duties should be influenced by political considerations.[11]

Drawing on his prior experiences as a state and federal prosecutor and associate counsel for the *Knapp Commission* that famously investigated corruption in the New York City Police Department in the 1970s, Mr. Scoppetta stated that he tried to model DOI on those prior experiences he had gained from "thoroughly professional, independent offices."

Mr. Scoppetta further stated:

> My relationship with both Mayors I served under was excellent, though perhaps a little professionally distant. My way of meeting the statutory requirement that I report investigations and actions by DOI to the

Mayor was to send over to the Mayor's office a draft copy of the press release announcing an arrest of a city official or a referral to a prosecutor's office. I did this the day before the arrest or referral. I cannot recall an instance in which City Hall made any substantive changes in any of those press releases.

Commissioners Shepard, Scoppetta and I were all prosecutors prior to our respective appointments as DOI Commissioner. As is still very much the case at DOI today, Mr. Scoppetta had close working relationships with area federal and state prosecutors who advance investigations to the next level by, for example, use of grand jury process, wiretaps and filing charges. Specifically, Mr. Scoppetta stated:

> The work of my office was greatly enhanced by partnerships forged with some of the District Attorneys and the two United States Attorneys in New York City. We made frequent and fruitful use of the prosecutor's authority to utilize electronic surveillance in connection with our undercover investigations. In one of those undercover investigations, we created a sham demolition company and had an undercover police officer take the exam for building inspector resulting in [the undercover's] appointment to [the position of building inspector]. That investigation, which stretched over more than 18 months, resulted in more than 100 indictments.[12]

DOI's role has been expanded and shaped by corruption experiences over the years. In the mid-1980s, after a number of corruption cases took place in the City, Mayor Edward I. Koch gave DOI additional legal authorities that strengthened the agency's investigative tools. By Executive Order in 1986, Mayor Koch dramatically changed DOI's composition and power. Up until that point, City agencies had their own internal IGs that reported to and discussed their dockets with the respective commissioners. Recognizing that this arrangement, in part, led to the proliferation of the municipal corruption scandals at several City agencies during his administration, Mayor Koch acted, removing the internal IGs from the City agencies and consolidating them under DOI's supervision. The Executive Order established DOI as the City's single agency to include all the IGs and their staffs, and mandated that all IGs report to the DOI Commissioner. In addition, the Executive Order reiterated that the newly expanded DOI had the discretion to conduct investigations in a confidential matter.

Mayor Koch's insights relating to DOI are grounded in his experiences:

The role of DOI in New York City has been to constantly be looking to uncover fraud and incompetence, so as to make the government function better. The Mayor cannot depend on district attorneys and U.S. attorneys to constantly be examining city agencies for fraud and other dishonest practices. The DOI Commissioner has the essential assistance of Inspector Generals placed in each agency by DOI and is not dependent solely on whistleblowers. The latter, I believe are a major source of information for outside law enforcement authorities.

I believe having a DOI is extremely important for the purpose of alerting the Mayor to problems early on. Success, of course, depends on the abilities of the Inspector Generals and the Commissioner of DOI. Mayor Bloomberg is being well served by DOI Commissioner Rose Gill Hearn.

Former Commissioner Kevin Frawley served as DOI Commissioner from 1988 through 1990,[13] which was shortly after the *Parking Violations Bureau* corruption scandal that resulted in the federal conviction of Bronx Borough President Stanley Friedman, the suicide while under investigation of Queens Borough President Donald Manes and the convictions of several high-ranking appointed City officials. Mr. Frawley said:

> It was a tumultuous time in New York City government in the third term of Mayor Edward I. Koch's administration. The Mayor was devastated by the dishonesty that was uncovered in City government and was completely supportive of my work and that of my immediate predecessor, Kenneth Conboy. We worked even more closely and intensively than ever before with the FBI, US Attorneys, District Attorneys and New York State Attorney General.

During Mr. Frawley's tenure, numerous successful investigations were jointly and publicly announced "to ensure that citizens through the media could be assured that DOI and the City's government were committed to fighting corruption wherever it was uncovered." Moreover, Mr. Frawley echoed some of the thoughts provided by Mayor Koch about developments during the latter half of the 1980s, and the steps taken at DOI by Mayor Koch as a result. Mr. Frawley indicated:

> Major changes were recommended and implemented beginning in 1986, including substantial increases in funding for new staff and equipment, the restructuring and greater independence of the Inspector General system and the strengthening of

the Corruption Prevention Unit. Simultaneously, the Mayor appointed a City Charter Revision Commission that studied the role of DOI among other legal and administrative issues. The Mayor and I supported the recommendation of Chairman Richard Ravitch that future DOI commissioners would be subject to the advice and consent of the New York City Council. I believed then and now that this change was needed to provide even stronger independence of DOI within City government as there existed a perception, despite Mayor Koch's unwavering support, that DOI as a Mayoral agency was simply another department of the Administration. It wasn't treated that way by Mayor Koch and [DOI] enjoyed the trust and confidence of all [law] enforcement agencies mentioned above. Nevertheless, the perception was as important as reality and needed to be addressed.

Lastly, former Commissioner Frawley made reference to the creation of the Office of the Special Commissioner of Investigation ("SCI"), which was newly created during his tenure, to conduct investigations of matters at the Board of Education ("BOE").[14] Mayor Koch had convened a proactive Commission to study the corruption problems in the New York City school system, which in its final public report recommended the creation of an external watchdog office under DOI to provide needed independent oversight of the BOE.[15] The Special Commissioner reports to the DOI Commissioner; Richard J. Condon currently occupies the position.[16] SCI has a staff of approximately 60 people, subpoena power through DOI, and conducts investigations into corruption, misconduct and conflicts of interest involving employees of the DOE, e.g., teachers, principals, administrative personnel, custodians, and vendors who do business with the DOE.

In discussing SCI, Mr. Frawley explained that he "was the DOI commissioner who voluntarily transferred one portion of [DOI's] subpoena power to the newly established [SCI] on the recommendation of the esteemed *Gill Commission.* That subpoena power endures today and of course is ably employed by Commissioner Condon under the aegis of your DOI and leadership."

In New York City, employees have an *affirmative* obligation to report corruption taking place in City government pursuant to Executive Order 16, which established that employees of the City must cooperate with a DOI investigation upon penalty of termination for failure to do so.[17] That "must report" obligation evolved from corruption scandals where it was determined that various employees knew that wrongdoing was taking place, but did nothing. The executive order eliminates any question as to whether employees should step forward—by law

they must—if they know about corruption. Doing nothing is not an option. These employee tips have become important channels of information about matters that should be investigated.

Complementing the "must report" obligation is the City's whistleblower statute that protects employees who report corruption from retaliation. DOI is charged with investigating any whistleblower allegation made by a City employee and if DOI substantiates a claim, it can request an agency it finds has retaliated against an employee to undo the action. If the agency refuses, DOI can go to the Mayor to direct the agency to do so.[18]

While DOI's criminal cases make headlines, they are but one part of a comprehensive approach that the agency employs to expose, stop, and prevent corruption. So, it is not just about making arrests but also about improving City operations and spurring change where needed so corruption vulnerabilities are remedied rather than repeated. This role was so important that DOI appointed an individual several years ago to track all recommendations that IGs make to City agencies, including how and when they are implemented. Since 2002, DOI has issued more than 2,440 policy and procedure recommendations to City agencies, with 77% of those recommendations implemented to date, representing improvements in City operations across agency lines.

In addition, DOI issues public reports—nearly 20 during my tenure—on its investigations, and posts them on its website, giving the public a factual and accessible window into the agency's work. These reports are a powerful and effective tool for exposing problems in any given sector of City government and for mandating reform. The range of topics covered by these reports has included: DOI's investigation into allegations about a possible slowdown by Department of Sanitation workers during the December 2010 blizzard; exposing the manner by which 14 members of the Fire Department submitted bogus on-line educational degrees in an attempt to earn promotions or appointments; the examination of the deaths of 11 children who were in the care of the City's child welfare system; the squalid conditions maintained at buildings belonging to a Section 8-funded landlord; and two separate reports about schemes involving the theft of public funds from City-funded non-profits that were contractually obligated to provide services to senior citizens and vulnerable populations of children.

These reports and the variety of press releases we issue on developments in DOI investigations create transparency and give the public confidence that the system isn't afraid to bare all and make improvements where necessary.

DOI is also nimble enough to spot trends and target areas of concern that arise during its investigations. In that vein, DOI has created several IG offices over the years for

several non-City agencies that have a direct connection to City activities. For example, DOI oversees the large IG offices for New York City's school system, Economic Development Corporation, and the NYC Housing Authority. Additionally, when DOI conducted an investigation involving corruption at the Housing Development Corporation—its then president was convicted and sentenced to prison for defrauding the agency of hundreds of thousands of dollars and child pornography possession—DOI saw the need to establish oversight of the agency, and an IG office was created under DOI's jurisdiction.

Likewise, several years ago, when DOI investigators began uncovering fraud involving publicly funded nonprofits, making numerous criminal cases, we recognized the need for more scrutiny of nonprofits that receive millions of scarce City taxpayer dollars. As a result, DOI formed a nonprofit/vendor fraud unit to focus on the problem and to address the lack of internal controls we discovered in this area. Since its inception in late 2006, the unit has made 37 arrests uncovering fraud and mismanagement at City-funded nonprofits, board members, executives and fiscal employees siphoning hundreds of thousands of taxpayer dollars, and the bogus records about alleged services provided to people in need. In one case, DOI investigated a State Senator and his co-conspirators for financial improprieties at a City-funded Bronx nonprofit. Investigators found hundreds of thousands of dollars paying for personal luxuries for the Senator, who was convicted and sentenced to a prison term.

One powerful example of DOI's impact at an agency can be seen in the Department of Buildings ("DOB"). One of the first problems I faced when I arrived as Commissioner in 2002 was the arrest of 19 DOB inspectors in a large-scale bribery case that wiped out the entire plumbing inspection unit (which inspects gas pipes). Sadly, I learned that event was just one in a series of double-digit arrests of DOB inspectors that had been happening approximately every two years. Indeed, one of the inspectors arrested in 2002 had been previously arrested for bribery and fired from the DOB, then subsequently rehired only to be arrested once again on bribery charges in 2002. The arrest of the 19 inspectors in 2002 caused the City to have to hire a company to conduct scores of re-inspections for safety reasons, at a huge cost.

I chose to have DOI effect change in a number of ways. I asked the Mayor to take the rare step of writing a victim-impact letter to the judge about the real and costly effect of the DOB inspectors' corruption. The judge commented on the letter and sent defendants to jail. Additionally, in every subsequent case DOI sought to arrest not just the City employees who took the bribes, but also the members of the public who offered the payoffs to get around building code regulations. DOI also saturated DOB with anti-corruption lectures informing employees about their obligation to report corruption, and sought termination of an employee who failed to do so.

The emphasis has been working. Since the 19 arrests in 2002, from 2003 through 2010, DOI has arrested another 19 DOB employees on a variety of charges, and more than 270 members of the construction trades on charges relating to DOB matters—and much to our satisfaction, more than 80 of those arrests were the result of DOB employees who turned bribes down and instead *informed* DOI about bribe offers and other illegal conduct. Thus, we had begun to see a change in the culture of corruption, for which we also credit the full cooperation from the DOB and its commissioners. Now, there seems to be a recognition that DOB employees are the first line of defense guarding against corruption and the potential safety hazards that can happen as a consequence.

We also formed the Buildings Special Investigations Unit with the DOB, which is supervised by DOI and staffed with DOB employees. Uniquely formed to identify, investigate, and suspend or revoke buildings licenses of individuals and companies that deliberately violate the City's construction codes causing safety issues, the unit has been successful, investigating and administratively prosecuting more than 390 cases since inception, resulting in $1.3 million in fines and more than 210 revocations or suspensions of licenses of architects, engineers, and others in the construction field.

More than 4,000 corruption prevention lectures have been conducted throughout the City during my tenure, reaching thousands about their obligations and protections in corruption reporting. These lectures are opportunities not just to educate but also to connect with employees on a one-to-one basis and they have also resulted in significant corruption tips. One such tip after a lecture led to a DOI undercover operation that exposed a State Assemblywoman using her official position to obtain a half-million dollar property in Queens. The legislator was charged as a result of DOI's investigation, convicted and sentenced to a prison term. As former Commissioner Scoppetta noted:

> The special knowledge DOI develops about the work and applicable processes within City agencies makes DOI uniquely qualified to investigate activity within those agencies and the people who do business with the City. There is another obligation that DOI has which is to insure the effective delivery of City services. DOI is the Mayoral Agency best equipped to do that.

DOI efforts to make the City whole again from corrupt activity restores services lost to corruption, and addresses illegal activity that have safety implications, including:

- This past year, DOI helped negotiate a $5 million agreement with a large contractor that does business with the City to compensate the City for overcharges on construction projects.
- The agency has been instrumental in exposing and stopping housing tenant fraud, which deprives

those in need of public housing and siphons valuable public housing funds. Since 2002, DOI's housing fraud initiative has resulted in more than 600 tenant fraud arrests and uncovered the theft of more than $13 million in housing benefits. These cases free up scarce public housing units and benefits that eligible people need.

- DOI began an initiative several years ago to track down property owners who had languishing fire code violations, bring those offenders to justice and remedy the violations. This year, DOI expanded that effort to buildings code violations. Together, those initiatives have led to more than 850 arrests resulting in the remediation of the safety violations all around the City, and hundreds of thousands of dollars in fines ordered.

DOI has not only rooted out corruption but has taken on a more expansive role through its corruption prevention lectures, policy and procedure recommendations, and the financial recoveries that are the by-products of its criminal cases. I agree with the collective views of Mayor Koch and former Commissioners Scoppetta, Frawley and Shepard, that DOI should have good working partnerships with area prosecutors; should foster an environment within the City that generates a flow of whistleblower tips; and that our IGs be very vigilant drawing on their knowledge of City agencies to detect and stop corruption in the City.[19] Strengthened by its autonomy, empowered by its authority to look within City agencies, and by virtue of the Administration's support for the mission of integrity in government, DOI has a long history as an anti-corruption agency protecting taxpayers and the public coffers.

## Endnotes

1. Kenneth D. Ackerman, Boss Tweed 66-67 (2005).
2. Richard S. Winslow & David W. Burke, Rogues, Rascals, & Heroes: A History of the New York City Department of Investigation 1 (1992).
3. *Id.* at 5-18.
4. *Id.* at 32.
5. *See, e.g.*, Mayoral Executive Order 16 (July 1978, as amended).
6. Department of Investigation, First New York City National Watchdog Conference (Oct. 2008); *see* New York State Commission on Public Integrity, Symposium, *Watching Local Government: A Comparative Analysis of Inspection and Oversight in American Cities* (2010).
7. Commissioner Shepard was the first woman DOI Commissioner, appointed by Mayor David N. Dinkins. Prior to her appointment, she was an Assistant United States Attorney in the Eastern District of New York, and Chief Counsel to the New York State Commission of Investigation.
8. *U.S. v. Mark Mazer, et al.*, S2 11 Cr. 121 (S.D.N.Y. 2011) (Superseding Indictment).
9. N.Y.C. Charter § 31.
10. N.Y.C. Charter § 801.
11. Commissioner Scoppetta was appointed DOI Commissioner after serving 6 years as an Assistant District Attorney in New York County, under District Attorney Frank S. Hogan, and after serving as Associate Counsel to the Knapp Commission, where he directed

an undercover investigation into corruption in the New York City Police Department with a focus on the Narcotics Division. He then joined the United States Attorney's Office for the Southern District of New York to complete that corruption investigation (that investigation was subsequently dramatized in the film, *Prince of the City*).

12. Commissioner Scoppetta also recollected that his tenure

> was not without its lighter moments. Shortly after Mayor Beame was elected, and pursuant to a Mayoral Directive, I began conducting a series of background investigations on prospective Deputy Mayors, Commissioners and other senior managers. One potential appointee had been dragging his feet responding to my request that he supply me with the documentation he claimed he had that would show he had complied with all applicable laws while he was a state official. Although he was warned that he would not be appointed until he produced the documentation he waited until the night before his swearing in to call me, at about 2a.m., to admit he had no such documentation. I called the newly elected Mayor Beame to tell him that the appointment, scheduled for the next morning, could not go forward. The Mayor's wife, Mary, answered the phone. I told her it was important that I speak with the Mayor. She protested that there was no point in waking him up, that it was 2a.m., and that whatever the problem was he could do nothing about it at that time of the night. She suggested I call him in the morning. While I was insisting that I had to speak to him, I heard Mayor Beame, in the background, asking who was calling. Mary told him it was I and he curtly demanded she give him the phone. As I was apologizing for calling at that hour, I heard Mary Beame, in the background saying, "Oh Abe, Abe, this is going to be a terrible job."

13. Commissioner Frawley was appointed by Mayor Edward I. Koch. Prior to that, he served as the New York City Criminal Justice Coordinator. He noted for this article that his years as DOI Commissioner "were among the best years of my career. I'm very proud of those years, the dedicated men and women who served with me and the contributions we made to fighting corruption in New York City."
14. The Board of Education has been referred to as the Department of Education ("DOE") since 2002 following a change in governance giving the Mayor control of the DOE.
15. N.Y.C. Mayoral Exec. No. Order 11 (1990); N.Y.C. Mayoral Exec. Order No. 34 (1992).
16. Prior to his appointment in 2002 to the position of Special Commissioner, Mr. Condon previously served as New York City Police Commissioner appointed by Mayor Koch, Deputy Coordinator of Criminal Justice for NYC, Commissioner of the Division of Criminal Justice Services for New York State under Governor Mario Cuomo, and Director of Worldwide Security for Paine Webber.
17. N.Y.C. Mayoral Exec. Order No. 16 (1978).
18. N.Y.C. Admin. Code § 12-113.
19. I would like to thank Mayor Koch and Commissioners Scoppetta, Frawley and Shepard for their contributions to this article. While each of us has commented separately over the years about our experiences, this is the first time our views about serving at DOI and/or the importance of role of DOI in City government, were gathered in a single overview.

**Rose Gill Hearn was appointed Commissioner of DOI by Mayor Michael R. Bloomberg and confirmed by the City Council in 2002. She is the longest serving DOI Commissioner in the history of the Department.**