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SPEECH

A FORMER COMMISSIONER'S VIEW ON INVESTIGATING CORRUPTION*

BENJAMIN WARD**

The topic of police and municipal corruption is a strange one. What can we expect? I know I should not say this, but I expect in twenty years we will have another commission doing another investigation with much of the same old thing, maybe with a different spin on it. But I do not think that anything that has been offered by the Mollen Commission¹ was unheard of before. I do not even think the level of corruption that the Mollen Commission looked at nearly approximated that which the Knapp Commission² investigated.

Nick Scoppetta and his commission³ will find less corruption because of what has been done since the Knapp Commission, which includes the Mollen Commission and its focus on the problem. Hopefully in twenty years when they look again, while they will find something, I think they will find less than prior commissions found.

I want to touch on two topics, a little bit out of order. The first topic is how accountable and responsible New York City's Mayors should be

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** New York City Police Commissioner from 1984 to 1989.

1. N.Y. COMM'N TO INVESTIGATE ALLEGATIONS OF POLICE CORRUPTION AND THE ANTI-CORRUPTION PROC. OF THE POLICE DEP'T, COMM'N REP. (July 7, 1994) (Milton Mollen, Chair) [hereinafter MOLLEN COMM'N REP.]. The Mollen Commission was headed by Judge Milton Mollen. *Id.* The Commission investigated the Police Department's ability to deal with corruption and was established by Mayor Dinkins following newspaper reports alleging that the Police Department's Internal Affairs Division had failed to expeditiously arrest former Police Officer Michael Dowd, an officer deeply involved in corrupt activities. *Id.*; see Daniel J. Haggerty, *Don't Make Us Scapegoats For Corruption*, N.Y. NEWSDAY, Aug. 2, 1994, at 34.

2. *Preface to THE KNAPP COMM'N REP. ON POLICE CORRUPTION I, I-II* (George Braziller, Inc. 1972) [hereinafter KNAPP COMN'N REP.]. The Knapp Commission was established in May, 1970 by an Executive Order of Mayor John V. Lindsay. It investigated the extent and patterns of corruption in the New York Police Department, held public hearings, and issued recommendations and findings in a report submitted to Mayor Lindsay on December 26, 1972. *Id.*

3. N.Y., N.Y., Exec. Order 18 (Feb. 27, 1995) (establishing a Police Commission consisting of five members appointed and removable for cause by the Mayor).

for Police Department corruption. It is a bit unrealistic to say that the Mayor should hold himself responsible.

When you ask the Mayor to be totally responsible, you either have to have a very naive Mayor or someone that just thinks he can conquer all and is willing to take on the kind of pressure that will come to him if his Commission fails to control corruption.

Because what is the Mayor going to investigate? What is Nick Scoppetta and his committee going to be looking at?⁴ They're going to be looking at William Bratton's⁵ and Patrick Kelleher's⁶ attempts to control and suppress corruption. When they find it, the Mayor's Police Commissioner, i.e. Bratton, is going to be sitting in the driver's seat. Thus we see the conflict of interests at hand when asking the Mayor to investigate his own appointees: he could look bad.

Questions over the corruption will be difficult. How did it start? How long was it going on before Commissioner Bratton learned about it? Where did he learn about it? Did he find out about it from some Suffolk County policeman, who stumbled accidentally onto some City cop engaged in corruption?⁷ Thus when arrests are made, it makes the New York Police Department look inept and incompetent because they did not find it themselves; instead it was found in East Cupcake and not in the big City. Is the Mayor going to be up there in the Blue Room saying that he picked Commissioner Bratton? Edward Koch⁸ criticized Mayor Giuliani, saying that if he wants praise, he should stand next to his Commissioner.⁹

4. *See id.*

5. Current New York City Police Commissioner.

6. Patrick Kelleher is the Chief of the New York Police Department's Internal Affairs Bureau. William K. Rashbaum, *Cop 'Stings' in Place*, N.Y. NEWSDAY, May 18, 1995, at A8. Mr. Kelleher took over the Internal Affairs Bureau in January, 1995. He said that his agency's increased focus on stings and Commissioner William Bratton's new anti-corruption philosophy of inclusion—bringing precinct commanders in on probes—is at the heart of the New York Police Department's more proactive, aggressive approach to fighting corruption. *Id.*

7. Police Officer Michael Dowd was widely known to have a drug and alcohol problem since 1988, but the Internal Affairs Division of the New York Police Department failed to either catch him dealing drugs or to test him for drug use. David Kocieniewski, *Copping a Plea*, N.Y. NEWSDAY, May 16, 1992, at 3. When Suffolk County police arrested Dowd, along with five other Brooklyn police officers, they found cocaine in his pocket and his precinct locker, and he tested positive for cocaine use. *Id.*

8. Edward Koch was a three-term Mayor of New York City, from 1977 to 1989. Frank Lynn, *Mayor Offers Help*, N.Y. TIMES, Sept. 13, 1989, at A1.

9. Mr. Koch, who remains a supporter of the current mayor of New York, Rudolph Giuliani, said that Mr. Giuliani was making a mistake by getting involved in running the police press office and effectively "humbling" his police commissioner. David Firestone,

Is Giuliani going to stand next to Commissioner Bratton and say that he picked Bratton and this happened because Bratton cannot control all of the corruption that occurs in the City? Although it is a noble thing, Rudy Giuliani is not naive. He certainly is a tough guy and willing to take on tough chores, however he does not always win. For example, the City is investigating the Fulton Fish Market for the third time.¹⁰ I worked two years there with Rudy Giuliani,¹¹ and now we are in there again.¹²

I attended a press conference during the earlier Fish Market investigation, which was going to be the criminal indictment of those fishmongers, and it was switched without notice into a civil case with a monitor.¹³ The federal government, after years of investigation and thousands of dollars spent, said that it was New York City's problem, and they did not want a civil monitor. The federal investigator left the City

For Bratton, An Echo of Battles in History, N.Y. TIMES, Mar. 6, 1995, at B3.

10. Federal authorities trace mob influence at the Fulton Fish Market to the nineteen twenties, when Joseph Lanza, a capo in the Genovese crime family, ran a protection racket by using the Local 359 of Seafood Workers Union as a base. Anemona Hartocollis, *A History Of Mob's Influence At Market*, N.Y. NEWSDAY, Dec. 24, 1990, at 3. He was convicted of antitrust violations in 1938. *Id.* In 1980, a joint city and federal task force concluded that the market and Local 359 continued to be "captive organizations" of the Genovese family. *Id.* In 1981, that investigation led to the conviction of Carmine and Peter Romano for extorting payoffs from wholesalers. *Id.* In 1988, fish handlers finally agreed to settle a federal case brought against them by signing a consent decree. *Id.* A fire that destroyed two main commercial buildings in the Fulton Fish Market on March 29, 1995, was believed to be deliberately set. Joe Sexton, *Fulton Market Fire Investigators Find Blaze Was Deliberately Set*, N.Y. TIMES, Mar. 31, 1995, at A1, B4. The charge of arson only deepened the concerns among members of Mayor Giuliani's administration that people from organized crime had set the fire, and the city officials quickly seized on the incident to press their efforts to take control of the market the City claims is under the grip of mobsters. *Id.*

11. It was Mr. Giuliani's investigation and court actions in 1986 that exposed crimes and indirectly created the difficulties that his administration must now tackle. Selwyn Raab, *Fish Market's Problems Revert to New York City*, N.Y. TIMES, Mar. 27, 1994, § 1, at 1. Nine years ago the top Federal prosecutor in Manhattan, Rudolph W. Giuliani, began a crackdown against the Mafia that led to extensive Federal oversight of the Fulton Fish Market. *Id.* Now the headaches of running the market and combating the mobsters have come full circle to the former prosecutor, Mayor Giuliani. *Id.*

12. See Sexton, *supra* note 10.

13. In 1988, 25 defendants, most of them fish handlers, agreed to settle a federal case brought against them for racketeering by signing a consent decree. The consent decree gave the government what it wanted—including a long-term presence in the market in the form of a court-appointed monitor. Hartocollis, *supra* note 10.

with its organized crime problem and wisely pulled back from further activity.¹⁴

John Lindsay¹⁵ is a wonderful man in his own right, and he certainly gave me many starts. When Mayor Lindsay got into office, he had this idea that he could run this City with all these lovely little kids from California. People all over the country saw in him a charisma that was going to make him President, and they showed up en masse in the City.¹⁶ Two of Lindsay's followers were sent to the Police Department.¹⁷ They were nice, wonderful young people. However, they came up against the old chiefs whom Pat Murphy talked about.¹⁸

Well, in no time at all, they were riding these two young assistants around in the radio cars, letting them blow the sirens, taking them to the Police Museum and doing other wonderful things with the young assistants. And when they finally came to believe that these cops were all their friends, they began to send the cops for their coffee. The cops then called the press and said the reasons they were not catching the bad guys was because they were not on patrol. Instead, they are getting coffee for the Mayor's special assistants. As a result, the special assistants got someplace else to camp, farther away from the Police Department.

I do not believe that Mayor Lindsay interfered very much in the Police Department, but he certainly had the notion that he was going to be around. And don't forget, as we talk today about corruption and while the

14. The federal court appointed Frank H. Wohl to be the administrator of the Fulton Market. Raab, *supra* note 11, at 36. Mr. Wohl and his staff's investigation of the market was phased out by the end of 1992 because of Federal budget cuts. In 1993, the Business Services Department replaced the Federal Monitors with 10 uniformed market agents to police the area. *Id.*

15. John Lindsay was the Mayor of New York from 1966 through 1973. He was also Vice Chairman of the Kerner Commission whose presence on the streets of Harlem in the nineteen sixties helped prevent riots from spreading across the city. *Id.*

16. Timothy Noah, *It's Not Easy Being Mayor*, WASH. POST, May 27, 1990, at W12 (Magazine) (recounting that Mayor Lindsay was seen as a potential candidate for President).

17. A select group of Mayor Lindsay's aides became known as the "Kiddy Corps" in the Police Department. BARBARA GELB, VARNISHED BRASS 178 (1983).

18. See Patrick V. Murphy, Speech: *Police Corruption and the Need for Oversight*, 40 N.Y.L. SCH. L. REV. 65 (1995).

Knapp Commission is still in our minds, where did Frank Serpico¹⁹ go when he wanted to talk about corruption?

Did he go to Centre Street and talk to the Police Commissioner, Sid Cooper,²⁰ Pat Murphy or Howard Leary²¹ before him? He went to City Hall.²² Does anyone in this room know to whom in City Hall Serpico went with his story about corruption being endemic in the Police Department? Not at all.

Serpico knows, Nick Scoppetta²³ knows, I know, a few others know, and I shouldn't say I know, because the press will all be gathered around us. Go to Scoppetta, he's closer to it, he knows better.

Instead, he went to City Hall and the Mayor, who stood so forcefully behind his Police Commissioner and sent him back to the Police Department.²⁴ Mayor Lindsay sent him to the Police Department and put as much space as possible between himself and Police Commissioner Howard Leary. Howard Leary finally saw the wisdom of resigning the

19. Frank Serpico went before an anti-corruption panel in 1971, forcing the New York Police Department to clean up an entrenched system of corruption in which large networks of officers took bribes from illegal gambling operators and passed them up to superiors. Clifford Krauss, *Police Corruption in N.Y.: As Expected, a Blight Returns*, N.Y. TIMES, Mar. 21, 1994, at B3.

20. Sydney Cooper was chief of inspectional services, the bureau that policed the police, under Police Commissioner Murphy. GELB, *supra* note 17, at 142. Cooper categorized corrupt police officers into three groups: (1) "meat-eaters" (hard core corrupt), (2) "grass-eaters" (those who would take if the opportunity came up), and (3) "birds" (those who saw the "meat-eaters" and "grass-eaters", but looked away). *Id.* at 142-43.

21. Howard Leary was the Police Commissioner of New York City from 1966 through 1970, which was a turbulent period marked by the exposure of corruption within the department and social strife in the city. Richard Lyons, *H.R. Leary, 82, A Commissioner of Police, Dies*, N.Y. TIMES, Feb. 2, 1994, at D21.

22. In 1970, Frank Serpico and a colleague on the police force, David Durk, were unable to get anyone in the Police Department or the Mayor's office to listen to their accounts of police units methodically collecting and divvying up bribes in order to overlook crimes. Joseph B. Treaster, *Knapp Commission Reunion Has An Unexpected Currency*, N.Y. TIMES, June 28, 1992, § 1, at 25. Only after the officers took their story to *The New York Times* and a reporter wrote a series of articles detailing the corruption and noting that the city's leaders had failed to respond, was an investigation begun. *Id.*

23. Nicholas Scoppetta is chairman of the Mayor's Commission to Combat Police Corruption, the purpose of which is to create a citywide database to help track corruption patterns and profile corrupt officers. Jonathan P. Hicks, *Giuliani's Panel on Police Gets Off to a Running Start*, N.Y. TIMES, Mar. 1, 1995, at B2. The system was created by the office of Manhattan District Attorney, Robert Morgenthau. *Id.*; see also N.Y., N.Y., Exec. Order 18 (Feb. 27, 1995).

24. Treaster, *supra* note 22.

day before he was asked to resign, and he left.²⁵ I do not really blame him for doing that. The Police Commissioner had the obligation to carry out that responsibility.

There was also Edward Koch who had a big mouth, and still can not stop it now. It is wonderful; he talks, he talks, and he talks. If you're not close to New York City, you may think that he is interfering in everything because he has an opinion on everything. But Koch probably left his commissioners alone more than any other Mayor. Koch is only a year older than I and it turned out that I was there the longest with him at the time his administration was winding down.²⁶

I can talk up to anybody, and I would tell Mr. Koch the things that he was doing wrong. One of the things I told him, in no uncertain terms, was that he was not appointing his own commissioners and that if he did not appoint these commissioners very carefully or let anybody else have any opinion in who is going to be a Commissioner, he was going to be left holding the bag. Mr. Koch's opinion, which he stated publicly, was that he would appoint the Commissioners and the Commissioners could appoint their deputy commissioners.²⁷ I told him that that does not make sense because, except for the Police Department, the Mayor should appoint the deputies in all the other City agencies. If you do not, you are going to find yourself in a lot of trouble, which occurred at the Parking Violations Bureau, but we do not have time to go into where that system wound up.²⁸ We do the best we can in the time, place and space that we find ourselves. The Knapp Commission did a wonderful job. I think the

25. Mr. Leary resigned as Police Commissioner of New York in August of 1970. See *Preface to KNAPP COMM'N REP.*, *supra* note 2, at I.

26. On September 25, 1989, Police Commissioner Benjamin Ward announced plans to end his six-year tenure, citing asthma as the reason for his departure, three months before the end of Mayor Koch's term. Elaine Rivera, *Ward Resigns After Six Years as Top Cop, Citing Asthma*, N.Y. NEWSDAY, Sept. 26, 1989, at 3.

27. Mayor Koch stepped back and directed his Commissioners to name their own staffs, though from the beginning, he reserved the right to name or approve the selections of deputy commissioners. Joyce Purnick, *Doling Out Jobs Under Koch: The Mayor Kept His Distance*, N.Y. TIMES, Apr. 22, 1986, at A1, B4.

28. Mr. Koch was criticized for ceding control of city agencies to political party leaders. Michael Oreskes, *The Power of Patronage*, N.Y. TIMES, Mar. 27, 1986, at A1, B4. He allowed his Transportation Commissioner, Anthony R. Ameruso to appoint Lester N. Shafran as director, and Geoffrey G. Lindenauer as deputy of the Parking Violation Bureau where they turned the agency into a "money-making machine." *Id.* Mr. Shafran and Mr. Lindenauer turned the bureau into a criminal racketeering enterprise that collected at least \$542,000 in bribes and payoffs. Arnold H. Lubasch, *Two Ex-City Aides Indicted In Graft At Parking Agency*, N.Y. TIMES, Mar. 27, 1986, at A1.

Mollen Commission tried to do a great job, and only time will tell us whether or not they were successful.

The Knapp Commission left a flawed plan, a bifurcated system of investigating corruption within the New York City Police Department.²⁹ Patrick Murphy accepted, adopted, and implemented it. I do not know if he could have done anything else.

That bifurcated system said we are going to have two internal affairs divisions, one is going to be a central office and handle the heavy and big cases.³⁰ The other one is going to be centralized and hold people accountable at the precinct level by having field associates. Everybody knew that a system with two bosses would not work. If the bifurcated system was so wonderful, we would be able to force Commissioner Bratton to report to the Department of Investigation and to the Mayor. This would not work because he would have two leaders. However, that system stayed in place since the Knapp Commission.

Why did such a system survive all those years? It survived because in the final analysis, it always comes down to the people that are in place. And the people around were John Guido, Sid Cooper, and a few others whom Pat Murphy already named.³¹

I have confidence in Nick Scopetta and believe that the Mollen Commission worked hard on this investigation. However, I believe that if we are going to avoid another corruption scandal in the next twenty years we need to find some way to pull the investigators out of the normal chain of operation of the Police Department. If this is not done, you are not going to succeed in preventing corruption.

Has it ever occurred to you that somehow or another the Federal Bureau of Investigation is able to get by without many corruption investigations?³² They have one secret weapon: no civil service.³³

29. The first level involved the use of "field associates," selected officers working in internal affairs whose function was to seek out and report corrupt officers. They worked undercover to provide a feeling that any officer's partner could be a "field associate." GELB, *supra* note 17, at 234. The second level investigated complaints against the highest ranking officers in the department. See KNAPP COMM'N REP., *supra* note 2, at 214. The Inspectional Services Bureau handled these cases from its central offices. *Id.*

30. Big cases were considered to be complaints or indications of corruption against high ranking police officers. *Id.*

31. See Murphy, *supra* note 18.

32. Corruption within the Federal Bureau of Investigation is such a rare event that the Bureau was characterized as being "stunned" when a veteran agent, Dan A. Mitrone, Jr., confessed to selling cocaine in 1985. Philip Shenon, *Enemy Within: Drug Money Is Corrupting the Enforcers*, N.Y. TIMES, Apr. 11, 1988 at A1, A12.

They get rid of you. At a certain level, you do not have civil service protection, you are called in and asked to resign.³⁴

The city needs a separate line of command that starts at the investigative level which has its own chain of promotion right up to the rank of captain. It should not be dependent on passing some civil service exam produced by some agency outside of the Police Department.³⁵ Instead, officers should be selected from a pool of people who have proved by their ability to become captains that they have found jobs in which they could excel.

Otherwise, we get a situation similar to built-in tenure after they get promoted to that rank of captain. This is counter-productive. Pat Murphy correctly tried to rid the department of the "tenured" officers because he found dead wood. He developed a promotion board and eliminated most of these "tenured" Police Chiefs.

Pat Murphy also got himself involved in a large lawsuit based on age discrimination because most of the chiefs fired were older officers.³⁶ Pat ousted "tenured" officers and they got themselves a lawyer and sued. Although it took a long time to resolve, the Police Department eventually won the lawsuit.³⁷

We need more flexibility, starting at the bottom. Kelleher's people³⁸ should not be people who are going to be on patrol, make sergeant and then go back to patrol; they are going to make lieutenant and then go back to patrol under the person they investigated. We need a separate way,

33. See 5 U.S.C. § 7511(b)(8) (1988) (exempting employees of the Federal Bureau of Investigation from seeking civil service remedies).

34. See *id.*; see also *Carter v. United States*, 407 F.2d 1238, 1241 (D.C. Cir. 1968) (noting the FBI's exemption from the civil service laws that allows the agency to discharge its employees for any reasons it chooses).

35. Police officers wishing to qualify for promotions to sergeant, lieutenant, and captain must write a civil service qualifying examination. See GELB, *supra* note 17, at 117-18. These examinations are given on an as-needed basis to fill positions. *Id.*

36. The president of the Captains Endowment Association, on behalf of one of its members, sought to restrain the Police Commissioner from reducing the rank of Deputy Inspector James McEvoy to Captain, claiming that this rank reduction was an attempt to force his retirement, thereby representing age discrimination. See *Foran v. Cawley*, 77 Misc. 2d 809, 810-11 (N.Y. Sup. Ct. 1973).

37. *Id.* at 813-14 (dismissing the plaintiff's petition).

38. Patrick Kelleher is the Chief of the Internal Affairs Bureau. Clifford Krauss, *Inquiry on Washington Spree Is Seen as Test of Police Resolve*, N.Y. TIMES, May 24, 1995, at B1. His focus in fighting corruption has been on the use of intra-departmental "sting" operations. *Id.*

similar to the Internal Revenue Service (IRS).³⁹ For example, you go into the IRS to become an accountant or you go in there to become an investigator. There is a separate chain of command by which you promote your way up, right up to just under the top without having to go back and fall under the very people that you investigated.⁴⁰

Had I known what the Police Department was like, I would never have become a police officer. The corruption at the time of the Knapp Commission was endemic.⁴¹ It was everywhere. We probably did not catch it going into the police headquarters because of the inadequacy of the investigative bodies. There was no question that corruption went up to the high ranks.

When I was Deputy Commissioner for Pat Murphy, I was the hearing officer; the administrative judge on inspectors and deputy inspectors who were involved in corruption.⁴² Some of these deputy inspectors, even if they tried, could not remember seeing the Easter Bunny on Christmas Day in a gas station on Tenth Avenue and talking to the biggest gambler in the country. That was the kind of people that we had there, and I was the administrative judge on that and Pat was pressing charges against it. It was all over the place. The Mollen Commission picked up the loose ends of some of the Internal Affairs Division cases, got a lucky break, and found corruption in the 30th Precinct.⁴³ I have seen corruption more expansive than that which the Mollen Commission uncovered. I know of a sergeant, who was promoted by Kelly, and then promptly quit, and got himself a job in Internal Affairs where he could collect his pension, and he spent five years looking for one low-level uniformed precinct cop who owned six houses, hung out in a crack dispensing den, drove a red Corvette and allegedly was sticking up bodegas. Now, what kind of an investigator do you have to be to catch that type of corrupt officer? Bring me back, I'll catch him.

I have no opposition, nor concern about having a permanent oversight committee. In fact, since I believe we will probably have another

39. The Internal Revenue Service recruits employees through its Office of Personnel Management. 2 INTERNAL REVENUE MANUAL, ADMINISTRATION, 1303-7, P-0-3 (1973).

40. *Id.* at 1303-7, P-0-40.

41. There were charges of widespread police corruption and indifference on the part of the Department in dealing with it. *See KNAPP COMM'N REP.*, *supra* note 2, at I.

42. Benjamin Ward became Deputy Commissioner in charge of trials in 1970. Sam Roberts, *A Law-Enforcement Veteran for Top Police Post*, N.Y. TIMES, Nov. 8, 1983, at B4.

43. On April 14, 1994, Mollen Commission Investigators arrested police officers from the Thirtieth Precinct in Harlem on charges of drug dealing, conspiracy, and attempted murder, all while on duty. Clifford Krauss, *Bratton Says Corruption Sweep Involves Dozens More Officers*, N.Y. TIMES, Apr. 17, 1994, at 1.

corruption scandal in twenty years, I think we should have a statute that says every five, four or three years, the Police Department must have an investigation similar to the Mollen Commission.

I think what Nick Scoppetta has done with the Mayor's Commission⁴⁴ can be done at any time, since Mr. Scoppetta does not get paid and is not looking to run for any particular public office. I do not think he is going to use it for a platform to propel himself any place that he does not want to be, at least in the political arena. He can investigate on his own, or you could do it by statute and require that there be a complete internal review.

I also think that most of you do not know that the police commissioner has a contract for a fixed, five year term, which is in the administrative code.⁴⁵ However, it still appears to be the Mayor's prerogative to decide who his police commissioner will be. Don Cawley is the only Commissioner in modern times who has tried to enforce it; nevertheless, he was still fired.⁴⁶

I had a year plus to go when I left.⁴⁷ I did not like being fired. But if I had tried to stay, I still would have been fired. In addition, I would have embarrassed Mayor David Dinkins⁴⁸ for trying to push me out. I felt he had a right to have whoever he wanted. Merely having someone who knows and can work with the Mayor is not the problem, provided that the appointed commissioner is committed to rooting out corruption and there has been a dual system of command established, one for the police and one for those who watch the police.

44. The Mayor's Commission was established in February, 1995 by Executive Order. *See* N.Y., N.Y., Exec. Order 18 (Feb. 27, 1995). All investigations of the police by this Commission must be approved by the Mayor. *Id.*

45. The Police Commissioner is appointed to a five-year term. *See* GELB, *supra* note 17, at 143. The purpose of this is to remove the politics from this position, since the mayor is elected to four-year terms. *Id.*

46. Donald Cawley was appointed Police Commissioner by Mayor John Lindsay in May, 1973. *Id.* at 144. In November, 1973, Mayor-elect Abraham Beame asked Cawley to submit his resignation, effective January 1, 1974. *Id.* at 145. Cawley refused on the ground that he was appointed to complete the five-year term of Patrick Murphy, which did not expire until 1976. *Id.* After Beame became angered, Cawley resigned in December, 1973. *Id.*

47. Benjamin Ward began his term as Police Commissioner in January, 1984 and he resigned on September 25, 1989, ending his six year term as Police Commissioner.

48. David Dinkins was inaugurated on January 1, 1990 as New York's first black mayor. Sam Roberts, *Every Day a Test*, N.Y. TIMES, Apr. 7, 1991, § 6, at 27.