Since December 2019 when Inspector General Carolyn Pokorny appeared before the MTA Board, the Office of the Inspector General (OIG) has: (a) published 6 reports, including the [2019 Annual Report](#) which offered unprecedented transparency to the Office’s work; (b) announced, together with law enforcement partners, 2 criminal prosecutions relating to bid rigging; and (c) devoted significant staff time to assist New York State in the all-hands-on-deck effort to battle the pandemic.

- Last week OIG released a report ([#2020-13 Homeless Outreach Activities: Transformation Needed](#)), highlighting the results of an 11-month investigation and audit that found weaknesses in MTA’s previous, pre-pandemic homelessness initiatives. Despite MTA’s sincere efforts to connect individuals sheltering in transit facilities to the services they need, and after spending millions annually, its outreach programs were not showing improvement in reducing disruptions resulting from the homeless population, and its goals, metrics and data were lacking. **Even more fundamentally, the report finds that most of what is needed to move homeless people out of the transit system and into more appropriate settings is beyond the MTA’s control, expertise and mission.**

- **The OIG supports the overnight shutdowns** to conduct increased cleanings because keeping the trains operating 24/7 was a major obstacle to cleaning and addressing homelessness before coronavirus struck. Shutting down subway service between the hours of 1 a.m. to 5 a.m. for cleaning is aggressive, but imperative in the midst of a pandemic. Realistically, even recognizing the disruption and inconvenience caused by the overnight closing, there are few options other than an overnight shutdown if NYC Transit wants to reduce the presence of the virus and allow riders to feel confident returning to the subway system in the coming months. Riders should have no fear returning to their daily commutes; the MTA simply cannot afford it. Nor can the City or the Tri-State area. The **overnight shutdown must also seize on any available opportunities** to get crucial maintenance and construction work done, save money, and ensure long-term safety and good service to MTA riders and taxpayers. While New York State has been “**on PAUSE**” pursuant to Governor Cuomo’s Executive Order, its transit system continues to age and requires continual investment. For the foreseeable future, the most cost-effective means to maintaining and expanding our public transportation system needs to be the focus.
The MTA must take advantage of this overnight shutdown to advance its core mission to ensure that when the public returns to the system, it finds one that is clean, safe, and strong. Where feasible, the IG urges all branches of the MTA, especially NYC Transit and Construction & Development, to maximize this once-in-a-lifetime occasion to pursue critical infrastructure projects, maintenance work, and key upgrades during this period of low ridership and nightly shutdowns.

In fact, this model has been successfully implemented elsewhere—through the MTA’s FASTRACK program, which halts late-night and early morning service on discrete line segments to allow for maintenance work in tunnels, stations, and on tracks. My team has examined this program, in effect since 2012, and was impressed at how well it enables important maintenance work and cleaning to happen cost-effectively thus reducing commuter delays and preventable incidents.

All of us hope the MTA finds a way to keep the capital program funded. Making vital repairs and improvements to keep our public transit running smoothly, quickly and frequently is more vital than ever—especially in an era where avoiding delays and overcrowding is a public health imperative.

- Even as New York became the epicenter of the pandemic we continued our work while members of our staff served as part of the State’s response to the outbreak.

Some IG staff worked on the Department of Labor hotline to assist New Yorkers filing for unemployment benefits, and the Department of Health hotline to help those in need of Covid testing.

Others worked with the State Inspector General’s office providing real-time monitoring and oversight of inventory of Covid-related materials, with the goal of giving prompt feedback on ways to improve and help keep these critical supplies secure.

And we helped the State conduct vendor integrity checks in connection with Covid-related procurement.

- OIG’s law enforcement partners made public 2 criminal matters involving bid-rigging. In January, the Manhattan District Attorney’s Office and OIG announced the indictment of a former contract manager at Metro-North Railroad, for corrupting the request-for-proposals procurement process in exchange for more than $70,000 in kickbacks. In March, the U.S. Attorney for the Southern District of New York and OIG announced that a former MTA supervisor pled guilty to obstructing a federal investigation into bid-rigging and fraud in connection with contracts awarded by the MTA for Superstorm Sandy-related subway repairs.

- In January, OIG released its 2019 annual report, revamped from prior years to provide unprecedented transparency of OIG data and statistics. Notably, the report detailed the significant monetary impact the OIG had in 2019: the OIG questioned over $275 million
in MTA costs and lost revenue, recouped over $7 million, and our monitoring efforts with the MTA agencies during the response to Superstorm Sandy have saved the MTA more than $20 million for current construction projects, and up to $48 million for total construction projects. As the annual report states, in 2019 OIG received a record number of complaints, conducted more site visits than ever before, and released groundbreaking audits that exposed dangerous working conditions, led to overtime reforms, and helped guide the agency away from wasting and mismanaging millions of dollars.

- In February 2020, OIG released 2 safety related reports. One report #2019-24 (LIRR's Post-Incident Investigative Practices) found Long Island Rail Road’s post-incident investigative practices did not reflect industry best practices, particularly by not having a central railroad official with the authority to ensure the collection of investigative evidence at the accident scene. The other report, #2019-29 (NYC Transit Escalators: February 2019 Wreck And The Preventative Maintenance Program For Escalators), found that the root cause of the February 2019 escalator wreck at NYC Transit’s Fifth Avenue/53rd Street subway station was due to worn mechanical parts that went unnoticed when preventive maintenance visits were cancelled or left incomplete by NYC Transit maintainers.

- To protect MTA workers from false accusations of fraud, the OIG reviewed the risk that Bridges & Tunnels (B&T) officers could accept kickbacks from towing companies for preferential treatment, report #2019-23 (Removal of Unsafe Commercial Vehicles From Bridges & Tunnels Facilities). While OIG’s review—which B&T management proactively requested—found no evidence of wrongdoing, the audit concluded that B&T’s insufficient recordkeeping practices leave commercial motorists at risk of being over charged by unauthorized towing companies, and innocent employees at risk of being falsely accused. To address these deficiencies, B&T accepted the OIG’s recommendation and revised its operating procedures accordingly.

- OIG continues to monitor overtime reforms at the MTA, as the Morrison & Foerster LLP report on overtime policies and procedures (“the M&F Report”) recommended. The 15 recommendations made in the M&F Report, together with the recommendations in OIG’s audit report #2019-19 (MTA’s Deficient Overtime Verification), highlighting MTA’s deficient overtime verification procedures, guide the MTA’s current efforts to transform the way it processes, budgets, reconciles, and monitors overtime work. OIG staff monitor the work of the MTA Overtime Task Force and its respective working groups to ensure improvements will enable the MTA agencies to meaningfully rein in overtime spending and safeguard against waste, fraud, and abuse. We soon will release the latest monitoring report covering the first and second quarters of 2020.

- Finally, we will be collaborating with the MTA to monitor how the federal CARES Act money is being spent and other aspects of the Covid crisis so that Congress, taxpayers, riders and other stakeholders can feel comfortable there is an independent watchdog in place to ensure the Authority has sound management systems in place. Although the pandemic is unprecedented, OIG previously partnered with MTA’s Audit
Services to monitor billions in aid received following Superstorm Sandy (the most similar event to date).