

STATE OF NEW YORK OFFICE OF THE INSPECTOR GENERAL OFFICE OF THE WELFARE INSPECTOR GENERAL OFFICE OF THE WORKERS' COMPENSATION FRAUD INSPECTOR GENERAL

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September 30, 2020

Ann Marie T. Sullivan, M.D. Commissioner New York State Office of Mental Health 44 Holland Avenue Albany, New York 12229

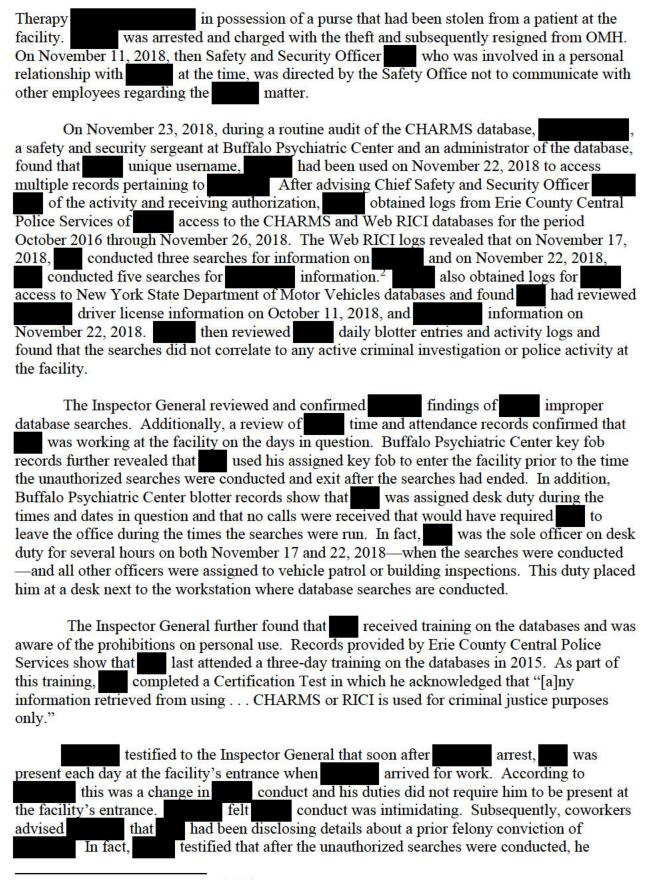
Re: NYS IG 0090-043-2019

Dear Commissioner Sullivan:

On January 11, 2019, the New York State Office of Mental Health (OMH) referred to the Office of the New York State Inspector General a complaint alleging that former OMH, who worked at the Buffalo Psychiatric Center, misused three law enforcement information systems—eJusticeNY, CHARMS, and Web RICI—for personal purposes and without authorization. The Inspector General's investigation substantiated this allegation and also found that acted in an intimidating manner towards an OMH employee.

By way of background, on October 31, 2018, Buffalo Psychiatric Center reported to his direct supervisors that he observed Mental Health

¹ eJusticeNY is an application that provides qualified agencies and users access to federal and New York State criminal justice information. CHARMS is Erie County's Criminal History Arrest Records Management System and Web RICI, the Repository of Integrated Criminalistic Imaging, is a database that contains Erie County arrest and booking information. All require a unique username and password and are to be utilized for official law enforcement purposes only.



² Notably, prior to November 17, 2018, had not accessed Web RICI to conduct any searches since 2016.

overheard state that "was a liar, had his own record, and was unreliable." testified that he believed released this information to discredit relating to the allegations against Finally, testified that when he reported to Buffalo City Court as a witness in the case, was standing outside the courthouse and told that he was a "piece of shit."
refused to provide testimony to the Inspector General regarding this matter.
On November 28, 2018, was placed on administrative leave, and on December 31, 2018, he retired. On January 18, 2019, OMH advised that had been served with a Notice of Discipline and OMH would proceed with discipline against if he sought to return to OMH.
The Inspector General presented the findings of the investigation to the Office of the Erie County District Attorney, which advised it was declining prosecution.
Notably, the investigation found that OMH's internal controls and review processes operated to quickly identify unauthorized access of the databases, and the matter was properly and timely reported to OMH and the Inspector General.
Given the above, the Inspector General has closed its investigation of Should seek to return to State service, the Inspector General recommends that OMH supplement its Notice of Discipline with the Inspector General's findings regarding improper conduct toward
If you require further information, please contact Deputy Inspector General Jeffrey Hagen at 716.847.7102.
Sincerely.

Letizia Tagliafierro Inspector General

Cc: J. Mark Noordsy, Esq. General Counsel and Deputy Commissioner