



STATE OF NEW YORK
OFFICE OF THE STATE INSPECTOR GENERAL

Final Report
November 26, 2007

COUNTY WORKER FIRED FOR MISUSE OF DMV DATA

SUMMARY OF FINDINGS/RECOMMENDATIONS

The Office of the State Inspector General determined that Deidra Tyrone, an employee of the Auto License Bureau of the Monroe County Clerk's Office, misused her access to the New York State Department of Motor Vehicles (DMV) computer database for a non-business purpose. The Inspector General recommended that the Monroe County Clerk's Office and DMV review Tyrone's conduct and take appropriate action. The Monroe County Clerk advised the State Inspector General that Tyrone's employment was terminated.

ALLEGATIONS

On December 4, 2006, the Inspector General's Office received a complaint alleging that Tyrone, an employee of the Auto License Bureau of the Monroe County Clerk's Office, improperly accessed the complainant's personal information through the DMV computer system.

SUMMARY OF INVESTIGATION

The Monroe County Clerk's Office serves as an agent of DMV with authority to issue driver licenses and conduct other DMV business.

The Inspector General interviewed the complainant. The complainant is a property manager and had oversight of a rental property in which Deidra Tyrone was the guarantor on her daughter's defaulted lease. According to the complainant, Tyrone's daughter had attempted to rent an apartment but was denied due to inadequate income. Tyrone subsequently agreed to sign the lease and guarantee the rental payments by her daughter. Tyrone's daughter later defaulted on the lease and vacated the apartment. The complainant then attempted a garnishment of Deidra Tyrone's DMV salary. When the

complainant telephoned the DMV offices to verify Tyrone's employment, the complainant was inadvertently transferred to Tyrone's office line. After a few words were exchanged, the complainant ended the call.

The complainant stated that approximately 15 minutes later she received a phone call from an unidentified female who stated that "they" know who she is due to the telephone caller identification monitor at the DMV office. Later that day, the complainant stated that she received a threatening voice message in which the caller said she knew where the complainant lived and who the complainant's neighbors were. The complainant immediately called the police to report the incident. The complainant believed that these telephone calls were made by either Deidra Tyrone or her daughter. Moreover, the complainant told the Inspector General's Office that the caller used the complainant's maiden name, which appears on her DMV records but was not used in her business interactions with Deidra Tyrone and her daughter. The complainant therefore suspected that Tyrone had accessed her DMV records.

The Federal Driver's Privacy Protection Act, United States Code, Title 18, Sections 2721-2725, prohibits the knowing disclosure of personal information about an individual maintained by any state department of motor vehicles, unless the disclosure is for one of the official uses set out in the statute. Additionally, the DMV Employee Handbook establishes rules governing the use of agency information. Section 10.6 of the DMV Employee Handbook (Disclosure of Information) states:

Any misuse of file information by an employee (that is, the use of information for any purpose other than the processing of official Department business) could lead to legal action against the Department. Therefore, an employee may not obtain, ask any other employee to obtain, or use customer file information for any purpose other than carrying out his or her assigned duties in the Department. Any violation of this policy is subject to disciplinary action.

The Inspector General's Office reviewed DMV computer terminal usage records relating to Deidra Tyrone. The review was inconclusive, in part, because the usage pertains to completed transactions and not every computer inquiry. Additionally, there was no indication that the complainant's driver's identification number had been accessed during the relevant time period.

The Inspector General's Office interviewed Deidra Tyrone who denied leaving a threatening message on the complainant's telephone. Tyrone did admit, however, that she had improperly accessed her DMV computer in an attempt to identify the complainant's name and address. Tyrone claims that she was unable to locate records relating to the complainant in the DMV computer system. Tyrone stated that she accessed her DMV computer to provide an address to which her daughter could send registered mail to the complainant relating to a rental dispute. (It should be noted that Tyrone's

attempt to access the complainant's DMV information through her married name would not have revealed her DMV records, which were under her maiden name. This would further explain why there was no audit record in DMV's computer system.)

FINDINGS AND RECOMMENDATIONS

This investigation determined that Monroe County Clerk's Office employee Deidra Tyrone improperly accessed her DMV computer to obtain personal information relating to the complainant for a non-business purpose. The Inspector General's Office recommended that the Monroe County Clerk and New York State DMV review Tyrone's conduct and take appropriate action.

By letter dated November 16, 2007, the Monroe County Clerk advised the Inspector General's Office that Tyrone's employment was terminated effective November 16, 2007. The County Clerk also advised that she is re-informing all Auto License Bureau employees of the prohibition against the improper disclosure or use of customer information. In addition, the County Clerk scheduled a training session for Auto License Bureau employees by state DMV, the State Inspector General's Office, and the Monroe County Sheriff's Department.