



# NEWS RELEASE

From New York State Acting Inspector General  
**Catherine Leahy Scott**

FOR IMMEDIATE RELEASE:  
August 1, 2012

---

## **New York State H.E.L.P. Truck Supervisors Charged with Falsifying Records**

NEW YORK, N.Y. - Acting State Inspector General Catherine Leahy Scott announced the arrest this week of two New York State Department of Transportation (DOT) supervisors for Official Misconduct and Falsifying Business Records. The Inspector General and the Nassau County District Attorney's Office conducted a joint investigation which revealed the DOT employees allegedly falsified daily logs which document assistance provided to motorists through DOT's Highway Emergency Local Patrol (HELP) program. The false entries were purportedly intended to show an increase in the program's utilization so that it would continue to receive funding.

Brian Miller, 55, of West Babylon and Dominick Iannolo, 44, of Lake Ronkonkoma surrendered on Tuesday to investigators from the New York State Inspector General's Office and Nassau County District Attorney's Office. Each was charged with one count of Official Misconduct and four counts of Falsifying Business Records in the Second Degree. If convicted, each Defendant could face up to one year in prison.

This investigation and arrests arise out of a May 2011 report issued by the Inspector General which found HELP truck operator Brian Lee fueled his personal vehicle with fuel intended for stranded motorists. As a result, the Inspector General's Office and Nassau County District Attorney's Office continued the investigation which uncovered evidence that DOT supervisors Miller and Iannolo, who were assigned to DOT's Nassau North Residency facility, allegedly made false entries in logs. They allegedly claimed vehicles received assistance when, in fact, no assistance was rendered. During the course of the investigation, vehicle owners were contacted and advised investigators they had never received assistance from the HELP program as indicated on the daily logs. Additionally, it was determined other log entries contained nonexistent license plate numbers.

Acting Inspector General Scott stated, "After the May 2011 report which identified the ability of DOT employees to file false documents unchecked, my office continued the investigation of the HELP program to root out additional fraud. As a result, the defendants allegedly engaged in criminal conduct which impeded New York's ability to accurately assess the effectiveness of the HELP program as well as mischaracterized their employment activities. It is essential that programs which operate utilizing taxpayer money do so with stringent safeguards and effective

monitoring with employee accountability. I will continue to work with agencies to ensure the integrity of these state funded operations.”

“Instead of helping drivers in need, these defendants were cooking the books by reporting work they never did,” said District Attorney Kathleen Rice. “With federal and state budgets stretched thin, policymakers need to make funding decisions based on accurate information, not the fabrications of a couple self-interested workers. I’m grateful for the outstanding work of the New York State Office of the Inspector General for bringing this case to my office for prosecution.”

The purpose of the New York State Department of Transportation HELP program, which receives state and federal funding, is designed to decrease motorist delay by providing emergency roadside assistance to disabled vehicles.

The Defendants were arraigned yesterday in Nassau County District Court before the Hon. Rhonda Fischer and released upon their own recognizance. They are due back in court on September 11, 2012.

Acting Inspector General Scott thanked District Attorney Rice and her office for their assistance in the investigation and prosecution of this matter.

The charges contained in the complaints are merely accusations, and the Defendants are innocent unless and until proven guilty in a court of law.

---

###

The Inspector General’s May 2011 DOT Report available [here](#).

Additional Inspector General Reports/Releases available at [www.ig.ny.gov](http://www.ig.ny.gov)

For more information contact (518) 474-1010