



NEWS RELEASE

Office of the Inspector General Ellen Biben

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State Inspector General Biben Announces Arrests for Fraudulent Commercial Driver License Permits

Following an investigation by New York State Inspector General Ellen Biben, criminal charges were filed today against a Motor Vehicle supervisor in Rensselaer County who helped her son and a friend cheat on the written exam for a Commercial Driver License permits and falsified records to conceal her conduct.

Biben and Rensselaer County District Attorney Richard J. McNally, Jr. announced charges against Lori A. Mann, 47, of 200 Washington Ave., Rensselaer, who was arraigned this morning on three felony and two misdemeanor counts for illegally assisting her friend, Robert K. Fink, 35, of 1815 Fourth Street; and her son, Daniel P. Mann, 19, also of 200 Washington Ave., Rensselaer.

“The public has a right to expect that when someone obtains a Commercial Driver License, that person has passed the appropriate exams and met the standards required for bus drivers and the operators of other large vehicles,” said Biben. “We entrust our public servants with power and authority so that they can help protect the public – under these types of circumstances, when a public servant violates this trust, the consequences could be tragic.”

Lori Mann was charged with three felonies – Forgery in the Second Degree; Tampering with Public Records in the First Degree; and Issuing a False Certificate – and four misdemeanors: two counts of Official Misconduct and two counts of making False Statements, Alteration of Records or Substitution in Connection with Any Examination.

Fink was charged with one felony of Offering a False Instrument for Filing in the First Degree and two misdemeanors-Criminal Solicitation in the Fourth Degree and False Statements, Alternation of Records or Substitution in connection with Any Examination. Daniel Mann was charged with one misdemeanor of making False Statements, Alteration of Records or Substitution in Connection with Any Examination.

All three defendants were arraigned before Troy City Court Judge Christopher T. Maier. Defendants were released on their own recognizance and their cases were adjourned to May 10, 2011.

“The investigation by the Inspector General’s office uncovered a scheme in which two Commercial Driver License permits were illegally obtained,” said District Attorney McNally. “Fortunately, those CDL permits have been confiscated and the persons responsible will be held accountable.”

DMV Deputy Commissioner Thomas Higgins stated, “DMV looks forward to working with the Inspector General and partnering with other law enforcement such as DA McNally, to continue our commitment to protect the public safety and keep potentially dangerous drivers off the road.”

According to the charges, Mann, who was a financial supervisor and, as such, did not regularly administer or process CDL license permits, notwithstanding tried multiple times to help Fink obtain a Commercial Driver License (CDL) permit. A permit is the first step to obtaining a CDL which is required for the operation of buses and commercial trucks. On July 12, 2010, Mann directed a DMV employee to provide Fink with a particular copy of the written exam; meanwhile, Mann gave Fink the answers to that specific exam. The DMV clerk became suspicious of Mann's actions and provided a different set of exam questions for Fink.

Unaware of the switch, Fink used his cheat sheet to complete the exam in just 15 minutes. After receiving a failing grade, Fink was given a second chance to take the test and, this time, it took him 45 minutes to pass the General Knowledge section, but he failed the Air Brake portion of the test.

Before the Clerk's Office opened the next day, Lori Mann administered a third exam to Fink during which she provided him with the correct answers and he passed the exam. Mann placed another DMV employee's initials on the permit application to conceal her illegal conduct.

Around this same time, Mann also removed a CDL exam and application from the Clerk's Office, and brought them home for her son. After Daniel Mann completed the exam and application, Lori Mann brought the paperwork back to be processed in the office the next day.

At no time did Daniel Mann present himself to a DMV office to obtain a Commercial Driver License permit, as required by law.

Both Daniel Mann and Fink obtained CDL permits as a result of Lori Mann's alleged illegal assistance.

Mann admitted it is not within her routine responsibilities as a Motor Vehicle Financial Supervisor to administer, oversee, or process any CDL examination or paperwork. She also stated that she is not permitted to take exams or applications home or administer exams to family members.

Both Daniel Mann and Fink have voluntarily surrendered their CDL permits to the Inspector General pursuant to the investigation.

In a separate matter, at the request of Governor Andrew M. Cuomo, the Inspector General is currently investigating the circumstances of how Ophadell Williams, the driver of a casino tour bus that crashed on March 12, killing 15 passengers, first obtained and continued to retain a Commercial Driver License after being cited for at least two motor vehicle infractions. The Inspector General is coordinating that investigation with the New York State Police, DMV, the Bronx County District Attorney's Office, and others who are investigating the bus crash.

The Inspector General thanked the New York State Police for their assistance in the arrest and processing of the defendants; DMV for their assistance with the investigation that led to the charges announced today; and District Attorney Richard McNally for handling the prosecution of the case.