



STATE OF NEW YORK
OFFICE OF THE STATE INSPECTOR GENERAL
April 16, 2008
Final Report

Inspector General Finds Computer Misuse by OGS Employee

SUMMARY OF FINDINGS/RECOMMENDATIONS

The New York State Inspector General's Office found that Gao Zhou, an employee of the State Office of General Services (OGS), misused his state-issued computer by accessing inappropriate websites containing images of sexually explicit material. As recommended by the Inspector General, OGS will take disciplinary action against Zhou.

ALLEGATIONS

On November 29, 2007, the Office of General Services advised the Inspector General's Office that OGS Junior Engineer Gao Zhou was suspected of possessing inappropriate sexually explicit image files on his state computer.

SUMMARY OF INVESTIGATION

1. Background

OGS policy entitled *Procedure on Use of the Internet* limits employee access to the Internet for "official OGS business only," except that "incidental personal use is permissible so long as it does not consume more than a trivial amount of resources and such use does not interfere with employee productivity or preempt any business activity." It further reads:

Employees are cautioned that information on the Internet may include offensive, sexually explicit, and inappropriate material. Employees using OGS computers who discover they have connected with a web site that contains sexually explicit, racist, violent, or other potentially offensive material must immediately disconnect from that site. OGS may also utilize software that makes it possible to identify and block access to

Internet sites containing sexually explicit or other material deemed inappropriate in the workplace. However, the ability to connect with a specific web site does not in itself imply that OGS employees are permitted to visit that site.

A log-on banner also appears on OGS computer screens, reiterating the above policy.

2. Investigation into Zhou's Internet Usage

OGS initially found evidence of inappropriate sexually explicit image files on Zhou's state-issued computer during a routine monitoring of employee Internet activity. OGS learned that Zhou had accessed numerous "blocked" (prohibited) websites which contained inappropriate sexual material. OGS's computer analysis discovered numerous image files of nude and partially naked adults, some engaged in sexual acts. OGS ceased its analysis and referred the case to the Inspector General's Office on November 29, 2007.

On November 30, 2007, the Inspector General's Office conducted a forensic examination of Zhou's computer. A review of images found on the hard drive revealed approximately 359 images portraying partially nude or naked individuals with exposed genitalia and/or engaged in sexual acts. These images were primarily located in unallocated space: an area of the hard drive that does not contain data accessible by the operating system, and which contains deleted files earmarked for overwriting.

Thirty-seven of the approximately 359 images were located in allocated space where files that are accessible to the operating system are found. These files were located in "temp" folders, which is where data is stored temporarily from Internet browsing. It should be noted that files are accumulated in "temp" folders due to the processes of the operating system and typically not due to action of the user - often without the knowledge of the user. It also should be noted that multiple "thumbnail" images can be acquired in one event and saved to one file, and thus large numbers of images can be accumulated rapidly.

Two of the 37 images were found in two separate files created on November 27, 2007 at 8:08 a.m. and October 24, 2007 at 2:54 p.m. The other 35 images were located in one file created on June 14, 2006 at 12:33 p.m. These creation dates and times are consistent with Zhou's regularly scheduled workday. The creation dates and times, however, cannot be determined for data located in unallocated space; therefore, the Inspector General's Office is unable to determine the creation date and time for the remaining approximately 322 images located in unallocated space on Zhou's hard-drive.

A preliminary examination of Zhou's Internet history by the Inspector General's Office revealed several accesses to Internet websites relating to sexual material, plus additional attempts to access similar websites. The results showed that Zhou actively

sought out inappropriate material using specific sexually explicit search terms. These findings coincide with the reports provided by OGS to the Inspector General's Office pertaining to Zhou's Internet activity.

On January 10, 2008, the Inspector General's Office interviewed Zhou. He admitted to searching for inappropriate material using sexually explicit search terms. Zhou acknowledged that his actions violated OGS computer-use policy, but he added that he looked at the inappropriate material during his lunchtime. Zhou concluded the interview by stating, "I know what I did was wrong," and he asked for "a chance to correct it."

FINDINGS AND RECOMMENDATIONS

The Inspector General's investigation determined that Gao Zhou violated OGS's computer policy by using the Internet for non-business purposes and accessing various websites containing sexually explicit material. OGS has accepted the Inspector General's recommendation and will be taking disciplinary action against Zhou.