



STATE OF NEW YORK
OFFICE OF THE STATE INSPECTOR GENERAL

Final Report
October 10, 2007

OMRDD Officer Falsified Inspection Reports, Misused Equipment

SUMMARY OF FINDINGS/RECOMMENDATIONS

An investigation by the Office of State Inspector General and the Office of Mental Retardation and Developmental Disabilities (OMRDD) found that an OMRDD security officer falsified inspection reports and inappropriately used his State-issued computer and State-issued cell phone.

ALLEGATIONS

The Office of State Inspector General received an anonymous complaint alleging that OMRDD employee Lawrence Patterson falsified State inspection reports and inappropriately used a State computer.

SUMMARY OF INVESTIGATION

Patterson has been employed by the State for 14 years and currently is an OMRDD Safety and Security Officer assigned to the Metro New York Developmental Disabilities Services Office (DDSO) in Manhattan.

Sergeant Raymond Guadalupe of the Metro DDSO advised this Office that fire/safety inspections are conducted monthly at every facility in the Metro DDSO by Safety and Security Officers. According to Guadalupe, daily assignments and facility inspections are assigned on a rotating basis for Manhattan and the Bronx, and fire/safety inspection reports are filed in the Metro DDSO with a copy forwarded to each facility for their records.

Brian Thompson, the Metro DDSO Chief of Safety and Security, advised that prior to his arrival the Safety and Security Officers were assigned specific facilities to

inspect. Approximately three years ago, Thompson said, he changed the policy to enable all officers to become familiar with the various facilities in the Metro DDSO. Thompson explained that there are three types of inspections: Fire/safety inspections are conducted once a month; smoke/heat detection tests are conducted quarterly; and testing of the sprinkler systems is conducted by outside contractors.

The inspection schedule is assigned by Sergeant Guadalupe via e-mail. Upon arrival at the inspection site, the officer is required to sign-in in the visitor's log. After conducting the inspection, initialing all fire extinguisher tags and correcting minor deficiencies, the officer is required to notify the desk officer at Metro DDSO, generating an entry in the daily blotter confirming completion of the inspection. The blotter page number is recorded on the inspection report. Deficiencies that cannot be corrected by the officer are reported to the maintenance department or the respective contracting company for remediation. This information will also be reported to the desk officer at Metro DDSO and recorded in the blotter. Upon completion of the inspection, the inspection report is submitted to the supervisor for review. The original report is copied and filed, and the duplicate is forwarded to the inspected facility for onsite records.

Regarding the allegation pertaining to the falsification of inspection reports, a review of several inspection reports by this Office determined that two reports were submitted by Patterson on days that he was on leave. The respective blotter entries on the inspection sheets did not coincide with the numbers in the desk blotter. It was determined that Patterson falsified these inspection reports.

This Office interviewed numerous individuals in the agency regarding alleged inappropriate use of a State computer by Patterson. We obtained evidence that Patterson downloaded music and accessed a website unrelated to official business on several occasions.

During the course of this investigation, this Office learned that a Safety and Security Officer was assaulted by Patterson. Patterson was initially placed on suspension with pay and eventually suspension without pay. According to a DDSO official, Patterson refused to be interviewed regarding the assault charge. At this time, the agency also determined that Patterson used his agency cell phone to place personal calls, with a cost to the agency in excess of \$1,000. Patterson is being disciplined for this infraction.

FINDINGS AND RECOMMENDATIONS

The allegations that Patterson falsified OMRDD facility fire/safety inspection reports and misused an agency computer were substantiated. This Office recommended that OMRDD review these findings and determine if disciplinary action is warranted. It was determined that these actions did not merit a presentation to local authorities for a potential criminal case. Regarding the assault of a co-worker and the inappropriate use of the agency cell phone, this Office notes that Patterson was suspended without pay and served with a notice of discipline.

This Office also recommended that OMRDD review the procedures currently in place pertaining to the fire/safety inspections process to ensure uniformity and compliance in all the DDSO's. This review should address the possible adaptation of a universal inspection form and an assessment of the protocol in which fire/safety inspections are assigned to the Safety and Security Officers to ensure accountability. Finally, the Metro DDSO should re-educate staff as to guidelines relative to agency cell phone and computer usage.

In response to these recommendations, OMRDD advised this Office that disciplinary action against Patterson is continuing, and that additional disciplinary action may be taken concerning Patterson's falsification of inspection reports and computer misuse.

OMRDD also advised that each DDSO soon will be required to provide in-service training for all safety officers on procedures and practices for fire and safety inspections, as well as the proper use of agency cell phones and computers. According to the agency, the potential for using universal forms for inspections is being evaluated.