



STATE OF NEW YORK
OFFICE OF THE STATE INSPECTOR GENERAL

**Investigation of Complaint of Improper Conduct
by an Employee of the New York State Division of Human Rights**

May 18, 2006

On May 2, 2006, the New York State Division of Human Rights (DHR) referred allegations it had received against DHR Regional Director Eugene R. Daniels III to the Office of the State Inspector General. The allegations included a claim of improper conduct by Daniels toward an individual filing a complaint with DHR, and a claim that Daniels directed his subordinates at DHR to conduct personal work for him on State time using agency facilities in furtherance of his political campaign for election to the New York State Senate.

On May 4, 2006, this Office interviewed an individual who alleged that Daniels acted inappropriately after she had filed an unrelated claim with DHR. In June 2005, the complainant filed a discrimination claim with DHR, alleging that a public school principal had wrongfully terminated her. On March 23, 2006, the claimant placed a telephone call to the DHR Regional Office requesting an extension to file her claim forms. The call was transferred to Daniels.

According to the complainant, at some point during the conversation, Daniels described his political power and influence and how he would use these to get her her job back. He stated that the source of his power was his position as Director of DHR and his influence as a politician. According to the complainant, he then stated that the school principal "did not know who she was messing with," and that he knew "bigger" people than she knew. Daniels, the complainant explained, ended the conversation by telling her that he would make telephone calls to "his people" to get her job back, and that he would contact her in the next few days.

A few days later, according to the complainant, Daniels called her and asked her to meet him at a restaurant at 7:30 p.m. that evening so that he could help her get her job back. The complainant stated that Daniels arrived at 8:15 p.m. and, after seeing her waiting where he had instructed her to wait for him, motioned to her to come out to his car. The complainant stated that she did so and she and Daniels proceeded to speak in the car for approximately 20 minutes. This event was observed by a witness who, in her

interview with this Office, described Daniels's vehicle and recorded the license plate number.

After telling Daniels that she had to leave to visit a friend, Daniels said that he would drive her to the location. During the drive, the complainant alleges that Daniels told her that he was running for election to the New York State Senate from Harlem and that he would "take care" of her if she "would be a good girl," adding other comments of a sexual nature. He then, she stated, began to tell her how attractive she was and placed his hand on her thigh. The complainant stated that she then told Daniels to stop the car so she could get out. Daniels did so and, after giving her money for transportation, the complainant got out of Daniels's car and continued to her friend's house.

According to the complainant, over the next few days, Daniels made numerous additional calls to her home and cell phone. In one call, she said, Daniels told her he needed her full name and address to provide to his "people" in order to get her job back. The complainant stated that she asked Daniels not to keep calling her and not to call her at home as her boyfriend was there and that it was making her feel uncomfortable. She stated that Daniels became angry, saying that while he was trying to get her job back, it was her boyfriend who was getting sexual benefits although doing nothing for her. When Daniels then said that he was not going to do anything for her, the complainant said she responded by accusing Daniels of helping her so that he could "get into her pants."

The complainant stated that Daniels then phoned her and asked whether she was ready to "spend some quality time." She said she responded by telling Daniels that she had to stay home and care for her children. She stated further that Daniels began offering her gifts such as shoes and inquired as to the size of her underclothing and bra.

The complainant stated that on Saturday, April 15, 2006, Daniels called her, asking her to go with him to New Jersey and "take care of his sexual needs." Once again, the complainant said, Daniels became angry when she told him she couldn't as she had to care for her children.

The next day, Easter Sunday, at 6:30 a.m., Daniels called the complainant from his cell phone and left a message, a recording of which is in the possession of, and has been reviewed by, this Office. In this call, Daniels said "good morning, baby," this is "Daddy." He tells the complainant that he has gifts for her, her grandmother, and her son, and tells the complainant that she will "have to take care of Daddy later." This Office independently verified the voice on the tape as that of Daniels and the source of the call as a phone belonging to Daniels.

On the following Thursday, April 20, 2006, Daniels made his final call to the complainant, asking, she said, if she were ready for Daddy. The complainant stated that she said "no" and told Daniels not to call her again.

The next day, April 21, 2006, the complainant made a formal complaint with DHR of sexual harassment against Daniels.

In addition to the allegation of improper conduct discussed above, the Inspector General's Office investigated the allegation that Daniels utilized State employees of DHR and DHR equipment and facilities to perform tasks in furtherance of his political campaign for the seat in the New York State Senate, Senate District 30, about to become vacant.

This Office interviewed the two DHR employees, subordinates of Daniels, who, according to the allegation, were directed to do work for his political campaign. Both employees corroborated the allegation.

The first employee, a Human Rights Specialist 1, informed this Office that in the beginning of April 2006, Daniels directed her to transfer approximately 65,500 names from a Voter Registration List CD-ROM for Senate District 30 to her computer and to print them in hard copy format. The employee began this process during the latter part of her official work day and continued after her official work hours. The next day, working on her own time, the employee continued the task. Subsequently, the employee informed Daniels that the work was "too much" for her and she could not continue to do it. According to the employee, Daniels instructed her to spread the work out, but the employee maintained that she could not continue to do this work. Finally, according to the employee, Daniels reluctantly agreed to relieve the employee of this task.

In order to corroborate the employee's claim, OSIG analyzed the contents of her DHR computer. Found in the computer was the list of 65,500 names of the registered voters for Senate District 30 which the employee stated she had downloaded.

The second employee, a DHR Keyboard Specialist 1, stated that in March 2006, Daniels had provided her with a copy of his two-page resume and instructed her to update it and print 300 copies, 200 on white paper and 100 on pink paper. Daniels, according to the DHR employee, explained that the pink copies were to be distributed to female voters who would find them more attractive. According to the Keyboard Specialist 1, this work for Daniels's political campaign was done by her during agency business hours.

Found on this employee's computer were both the original resume given to the employee by Daniels, as well as the resume which the employee stated she updated.

As a result of the allegations of improper conduct toward a DHR complainant and the personal political tasks Daniels assigned to DHR employees, Daniels, on May 1, 2006, was placed on administrative leave and directed, in a writing signed by DHR Deputy Commissioner Martha Furlong, to "stay away" from DHR offices in Brooklyn. Prior to his formal notification on May 1, Daniels was orally instructed on April 27 or 28 not to enter DHR offices. In addition, on April 25, 2006, OGS security staff at the DHR facility in Brooklyn were officially notified in writing, effective immediately, that "Eugene R. Daniels, III is restricted from access to the Brooklyn State Office Building."

On May 1, 2006, in spite of these directives, Daniels, in the words of one DHR official, "bullied" his way past building security who attempted to stop him and walked

into DHR offices, instructing the same Keyboard Specialist 1 to make further revisions to his resume and to print additional copies. The employee, again, carried out Daniels's instructions. As a result of Daniels ignoring the directives of his DHR superiors, OGS changed both the key lock on Daniels's office door and the combination to the lock on the main entrance to DHR's offices.

Finally, when both DHR employees were asked why they carried out Daniels's instructions to do his personal political work, they explained that he was an abusive boss whose wrath they feared.

Daniels's attorney informed this Office that his client would not consent to be interviewed.

The Inspector General's investigation substantiated the subject allegations, and Daniels was terminated by DHR on Friday, May 12, 2006.