



# NEWS RELEASE

From New York State Inspector General  
**Letizia Tagliaferro**

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## STATE PRISON SYSTEM INVESTIGATOR CHARGED WITH FALSIFYING RECORDS AS INVESTIGATION LEADS TO EVIDENCE HANDLING REFORMS

*Senior Investigator Falsified Evidence Handling Records Involving up to 53 Criminal Narcotics  
Cases Against Inmates and Visitors at Prisons Across Four North Country Counties*

*State Prison Officials Agree to Adopt Inspector General's Recommendations to Upgrade  
Evidence Handling Policies and Evidence Tracking Systems Statewide*

ALBANY – New York State Inspector General Letizia Tagliaferro today announced the arrest of a former prison system senior investigator who falsified evidence handling records on one occasion and likely falsified or caused to be falsified evidence handling records in up to 52 other criminal cases at prisons throughout northern New York State. Additionally, the Inspector General released a [report](#) on the investigation into the mishandling of evidence in internal state prison system criminal investigations.

The investigation by the Offices of the Inspector General found that Todd C. Johnson, a former New York State Department of Corrections and Community Supervision (DOCCS) Office of Special Investigations (OSI) senior investigator, falsified or caused to be falsified documents related to the chain of custody of criminal case evidence between mid-2018 and early 2019. The investigation also reviewed DOCCS and OSI evidence storage and handling policies and procedures and found they lacked sufficient controls that could have prevented, deterred, or more easily detected Johnson's improper actions. DOCCS has agreed to the Inspector General's recommendations to revise its policies and procedures and to purchase and implement a digital evidence scanning and tracking system statewide.

“This defendant violated the public trust and compromised the integrity of his office. Maintaining evidence integrity in criminal cases is a fundamental requirement of law enforcement officers and agencies, and any corruption of the process cannot be tolerated,” said **Inspector General Tagliaferro**.

Johnson, 55, who retired from DOCCS pending the Inspector General's investigation, was arrested and charged today with Forgery in the Second Degree and Offering a False Instrument for Filing in the First Degree, felonies, and Official Misconduct and Petit Larceny, misdemeanors. The charges relate to falsification of evidence tracking records and Johnson's daily activity log during his transfer of evidence in January 2019.

Criminal cases within State prisons are generally investigated by OSI, and evidence from those cases is collected and sealed in evidence bags, which are then held for laboratory testing and court proceedings. Sealed evidence bags collected by OSI are routinely first stored in safes at OSI regional offices. Johnson was responsible for transporting case evidence from the OSI regional office in Clinton County to headquarters in Albany for storage awaiting court action. Custody of evidence bags is required to be closely tracked and logged until they are ultimately disposed of subsequent to any court proceedings.

The investigation found that Johnson falsified documents and violated DOCCS policies related to the handling and transportation of evidence in January 2019. Johnson submitted a fraudulent timesheet for overtime and falsely reported on his daily activity log that he received evidence (Suboxone) from a subordinate on the morning of Monday, January 28, 2019, before the start of his normal shift. Johnson then falsely claimed that he directly transported that evidence to Washington Correctional Facility. The investigation revealed that Johnson actually picked up the evidence from OSI's Clinton field office days earlier and improperly transported and stored the evidence at his home in Saratoga County over a weekend. Johnson ultimately transferred that evidence to a second subordinate on the morning of January 28 at Washington Correctional Facility and directed that subordinate to falsify the evidence tracking records. Notably, the first subordinate, upon learning of Johnson's actions, suspected misconduct and immediately reported it to DOCCS.

Additionally, the evidence suggests that Johnson, on two separate trips in 2018, transferred a total of 98 evidence bags from OSI's Clinton field office to Albany and falsified the chain of custody on those bags indicating he took them directly to Albany, which is an approximately three-hour trip. Instead, Johnson kept those bags in his possession overnight. The evidence bags contained such items as witness statements, marijuana, synthetic cannabinoids, Suboxone strips, drug paraphernalia and packaging, and, in one instance, small weapons. In total, 53 criminal narcotics investigations of inmates and correctional facility visitors were implicated by Johnson's actions. Notably, the investigation found no indications that the evidence bags had been tampered with by Johnson or others while being transported to Albany.

Following the discovery of Johnson's wrongdoing, OSI performed an audit of all evidence held in regional offices statewide and found no indication of additional breaks in the written chains of custody.

Subsequently, the Inspector General recommended that DOCCS revise and implement new policies and procedures for evidence handling to comport with the New York State Division of Criminal Justice's evidence handling guidelines. The recommendations also included additional evidence handling training for OSI investigators, that DOCCS enforce its policy of contemporaneous recording of evidence transactions in logs at its field offices as well as on the evidence bags, and that DOCCS acquire and implement an electronic evidence scanning and tracking system as soon as possible.

DOCCS has agreed to implement all of the Inspector General's recommendations.

Johnson was arraigned on the charges in Albany City Court and released on his own recognizance pending further court action.

Inspector General Tagliaferro thanked DOCCS for its cooperation with the investigation, the New York State Police for its assistance with the arrest, and Albany County District Attorney P. David Soares and his office for prosecuting this matter.

The defendant is presumed innocent until and unless proven guilty in a court of law.

A copy of the Inspector General's report may be obtained [HERE](#).

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