April 6, 2021

Camille Joseph Varlack, Esq.
Chair
New York State Joint Commission on Public Ethics
540 Broadway
Albany, New York 12207

Re: NYS IG 1748-002-2020

Dear Commissioner Joseph Varlack:

On July 29, 2020, the New York State Office of General Services (OGS) alleged to the Offices of the New York State Inspector General that Ryan Shufelt, a construction manager/inspector hired by OGS through a contract with OGS consultant STV/LeChase Joint Venture, abused his position of authority while working on a State project. Specifically, OGS alleged that in December 2019, Shufelt, while providing inspection services on a State project at the Hampton Plaza in Albany, attempted to sell his van to [REDACTED]. When [REDACTED] did not purchase the van, OGS alleged, Shufelt retaliated by filing project deficiency reports and orchestrating [REDACTED]. OGS also alleged that Shufelt sold his motorcycle to [REDACTED] who then hired Shufelt’s son for masonry work on the project.
The Inspector General investigated this claim and found evidence that Shufelt’s actions may have violated provisions of New York State Public Officers Law sections 74 and 73.

Appeared to show that Shufelt solicited the sale of his van and motorcycle during the period he was acting as lead inspector. The first testified under oath to the Inspector General that after he declined to purchase a van that Shufelt had offered to him on numerous occasions, Shufelt issued several deficiency notices on the project. Shufelt believed Shufelt’s actions were a consequence of decision not to purchase the van. The testified under oath to the Inspector General that he purchased Shufelt’s motorcycle because it was “a golden ticket.” He testified that prior to the purchase, Shufelt regularly rejected his work on the project, and after the purchase, his work was regularly approved.

The communications between Shufelt and, and Shufelt’s attempted sale and sale of his vehicles, potentially violates the following sections of Public Officers Law:

- Sections 74(2), which prohibits a State employee from engaging in any business or transaction which is in substantial conflict with the proper discharge of his or her duties in the public interest
- Section 74(3)(d), which prohibits a State employee from using his or her official position to secure unwarranted privileges
- Section 74(3)(f), which prohibits a State employee from conduct that gives the impression any person can improperly influence him or her
- Section 74(3)(h), which requires a State employee to pursue a course of conduct which will not raise suspicion among the public that he or she is likely to be engaged in acts that violate the public trust.

The communications between Shufelt and regarding the hiring of Shufelt’s son on the project also reveal potential violations of the aforementioned Public Officers Law provisions as well as Public Officers Law section 73, which prohibits a State employee from participating in any decision to hire, promote, discipline, discharge, or award contracts to a relative. The testified under oath that at a time when he was publicly seeking a mason for the job site, Shufelt provided him with a referral. Notably, testified that Shufelt initially failed to disclose to that the mason he referred for work on the Hampton Plaza project is his son. Shufelt, having direct authority over the contractor as the lead inspector, did not recuse himself from further inspections over the work his son performed. In fact, witnesses advised that Shufelt, reportedly a strict and observant inspector, failed to correct or issue notices regarding deficiencies in the

---

1 The Inspector General’s review did not determine if the terms of the sale of the motorcycle, a specialty Harley Davidson, would implicate gift prohibitions under Public Officers Law section 74 with respect to Shufelt, and with respect to, would implicate the New York State Lobbying Act section 1-m. Additionally, the Inspector General’s review did not determine whether was required to disclose the compensation paid to Shufelt from the purchase of the motorcycle as a Reportable Business Relationship under section 943.14 of the Commissioner’s regulations.
masonry work performed by his son. OGS records reveal that the lead inspector who replaced Shufelt when he was subsequently removed from the job site issued deficiency notices regarding the same masonry work.

As the actions of Shufelt may be in violation of New York State Public Officers Law, I am providing the findings of this investigation to the New York State Joint Commission on Public Ethics for its review.

If you require further information, please contact Deputy Inspector General James R. Davis at 518.474.1010.

Sincerely,

[Redacted]
Letizia Tagliaferro
Inspector General

Cc: Monica Stamm, Esq.
    Acting Executive Director and General Counsel