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March 12, 2012

Colleen C. Gardner
Commissioner
New York State Department of Labor
State Campus, Building 12
Albany, New York 12240

Re: NYS IG 0631-023-2011

Dear Commissioner Gardner:

On June 29, 2011, the Inspector General received a complaint from the Department of Labor (DOL) Office of Special Investigations alleging that password-cracking software, which under agency policy is unauthorized and prohibited, was found on the DOL desktop computer of Public Works Wage Investigator [REDACTED], who is assigned to DOL's central office in Albany.

In investigating this allegation, the Inspector General interviewed DOL employees, including a sworn interview of [REDACTED] and performed a forensic analysis of [REDACTED] DOL desktop computer and a compact disk within it which was found to contain password-cracking software.

In summary, the Inspector General found evidence that [REDACTED] during state work hours, assisted a co-worker in gaining access to a personal laptop belonging to the co-worker's daughter by "cracking" the password on that personal computer. [REDACTED] testified that he brought the password-cracking software to work on a compact disk and placed it in his DOL desktop computer's disk drive. In addition to the disk with unauthorized software used for cracking passwords, the Inspector General identified two unauthorized password recovery/bypass applications which had been installed on [REDACTED] DOL computer. Furthermore, evidence revealed that searches for password-cracking tools had been conducted on [REDACTED] computer. No evidence was found of DOL computer network intrusion.

The Inspector General is referring this matter to DOL for review and appropriate action. The Inspector General's investigative file, including interview reports, is available for your review upon request.

Please advise the Inspector General of the results of your review within 30 days of the date of this letter. If you require further information or assistance, please contact me at (518) 474-1010.

Sincerely,



Catherine Leahy Scott
Acting Inspector General