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**OFFICE OF THE INSPECTOR GENERAL**

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March 28, 2012

Galen D. Kirkland  
Commissioner  
New York State Division of Human Rights  
One Fordham Plaza, 4th Floor  
Bronx, New York 10458

RE: NYS IG 0473-016-2009

Dear Commissioner Kirkland:

In March 2009, the Inspector General received an allegation that Division of Human Rights (DHR) Regional Director [REDACTED] forged a complainant's signature on a U.S. Department of Housing and Urban Development (HUD) Housing Discrimination Complaint form required for reimbursement of expenses related to an investigation of a housing discrimination complaint. The Inspector General has completed an investigation and is referring the matter to DHR for appropriate action.

As you are aware, DHR, in investigations of complaints of housing discrimination, may apply to HUD for reimbursement of applicable expenses. In order to obtain reimbursement, DHR must submit a completed HUD-903 form, which includes pertinent information and is signed by the complainant; absent receipt of the completed form, HUD lacks the authority to remit payment to DHR. The amount of reimbursement HUD makes to DHR depends on a number of factors, including the complexity of the complaint, the duration of the investigation, and the resulting decision. Cases closed due to the complainant's failure to cooperate do not qualify for reimbursement.

[REDACTED] Regional Director of DHR's Peekskill Office, supervises Human Rights Specialists who investigate discrimination complaints. One such employee, [REDACTED] Human Rights Specialist I, was assigned to investigate the complaint of [REDACTED], who filed the complaint with DHR on May 2, 2008, alleging racial discrimination when applying for an apartment. As part of his efforts to effectuate payment from HUD, [REDACTED] completed the 903 form and mailed it to [REDACTED] for his

signature. [REDACTED] never signed the form, despite repeated requests by [REDACTED] and a co-worker [REDACTED], who made multiple telephone calls and mailed a letter to [REDACTED].

In or about December 2008, [REDACTED] approached [REDACTED] regarding the status of the [REDACTED] complaint, and [REDACTED] informed her that [REDACTED] had yet to sign the 903 form. [REDACTED] intended to close the case based on non-cooperation of the complainant, thereby foregoing reimbursement from HUD. According to [REDACTED] and [REDACTED], upon hearing that the 903 form had not been signed, [REDACTED] took the form from [REDACTED], signed it in the space allocated for the complainant's signature, dated it ("5/2/08"), and handed it back to [REDACTED] stating, "Problem solved." A review of this document reveals a signature which is illegible and consists of a series of squiggles. [REDACTED] denied he signed the 903 form, and, upon review of the signed form, confirmed the signature was not his. The [REDACTED] complaint was closed on January 27, 2009, and payment was made by HUD to DHR in the amount of \$1,970.<sup>1</sup>

During the week of March 31, 2009, after the allegation of forgery had been made to the Inspector General, Jyll Townes, former DHR Deputy Commissioner of Regional Affairs, and DHR Deputy Commissioner Stephen Rolandi, met with [REDACTED] and generated a memorandum memorializing the meeting. According to the memorandum and Townes's testimony, after being provided the opportunity to study the 903 form in question, [REDACTED] inexplicably asserted that she had made the squiggles on the form in an attempt to cross off the signature line. [REDACTED] also admitted to dating the form and could not explain why she would have dated a form on which she was only attempting to cross out the signature line. When [REDACTED] appeared before the Inspector General for a sworn interview, she offered a different account, denying that she had made marks of any kind on the form and ever telling anyone that she had done so.

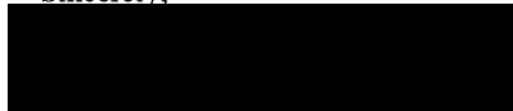
The Inspector General has determined, based on the statements of [REDACTED] and [REDACTED] and the memorandum by Townes, that [REDACTED] in fact signed and dated the [REDACTED] 903 form in violation of DHR and HUD policy. Furthermore, the Inspector General believes that [REDACTED] testified untruthfully on this subject during her interview. The Inspector General referred this matter to the New York County District Attorney for consideration of possible perjury charges. However, after a thorough investigation, the District Attorney determined not to pursue a criminal prosecution. Accordingly, the Inspector General is referring the matter to DHR for appropriate action.

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<sup>1</sup> The maximum amount payable was \$2,450, but was reduced because the case had been open for more than 100 days and was not considered complex. Despite [REDACTED] purported "signature" on the 903 form, HUD has no record of receiving that document prior to making the \$1,970 payment to DHR. However, it is clear that HUD never received an original 903 form bearing a signature purportedly forged by [REDACTED].

If you require additional information about our investigation, you can contact me at (518) 474-1010.

Sincerely,

A large black rectangular redaction box covering the signature of Catherine Leahy Scott.

Catherine Leahy Scott  
Acting Inspector General