



STATE OF NEW YORK
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LETIZIA TAGLIAFIERRO
INSPECTOR GENERAL

December 10, 2020

Mark J. F. Schroeder
Commissioner
New York State Department of Motor Vehicles
6 Empire State Plaza
Albany, New York 12228

Re: NYS IG 3653-014-2019

Dear Commissioner Schroeder:

On December 20, 2019, the New York State Department of Motor Vehicles (DMV) referred a complaint to the Offices of the New York State Inspector General alleging that Oneida County DMV [REDACTED] misused her position by inappropriately accessing and disseminating information contained within a DMV database. The Inspector General investigated this allegation and found that [REDACTED] accessed a DMV database for information pertaining to a family member with the approval and consent of her supervisor, [REDACTED] in violation of DMV policy and procedure.

As you are aware, DMV Computer Use Policy mandates that State-owned computers be used by DMV employees “only for official business” and that any inappropriate use may result in counseling, disciplinary action or referral for criminal prosecution. Pursuant to DMV’s Protection of Department Records policy, a DMV employee must have a “specific Department business purpose” for accessing DMV data and certain information cannot be disclosed unless

the requestor can demonstrate a “permissible use” under the Drivers’ Privacy Protection Act (DPPA).

Notwithstanding these policies, [REDACTED] admitted to the Inspector General that she accessed the DMV database on or around December 3, 2019 to obtain information regarding a family member’s vehicle registration. According to [REDACTED] the family member had requested the information and was aware of the lookup, and [REDACTED] supervisor, [REDACTED], approved the search. [REDACTED] testified to the Inspector General that she was aware of [REDACTED] database search and had approved it, in part, because of low staffing levels.

Although it does not appear that [REDACTED] or [REDACTED] had any malicious intent, accessing a DMV database in such a manner and dissemination of information contained therein violates DMV policy.

The Inspector General recommends that DMV refer these findings to the Oneida County Clerk and recommend that Oneida County DMV employees receive additional training about DMV policies, and managers reinforce the importance of maintaining confidentiality of records by adhering to DMV policy and procedures. DMV should also recommend to the Oneida County Clerk that Oneida County DMV take whatever action it deems necessary against [REDACTED]

Please advise me of the action taken by DMV in response to this recommendation within 45 days of the date of this letter. If you require further information, please contact Deputy Inspector General James R. Davis at 518.474.1010.

Sincerely,

[REDACTED]

Letizia Tagliaferro
Inspector General

Cc: Timothy B. Lennon, Esq.
Deputy Commissioner and Counsel