



LUCY LANG  
Inspector General

Empire State Plaza • Agency Building 2, 16th Floor • Albany, New York 12223 • (518) 474-1010 • [ig.ny.gov](http://ig.ny.gov)

October 26, 2023

Daniel F. Martuscello III  
Acting Commissioner  
New York State Department of  
Corrections and Community Supervision  
1220 Washington Avenue  
Albany, New York 12226

Re: NYSIG 3348-316-2022

Dear Acting Commissioner Martuscello:

On October 28, 2022, the New York State Department of Corrections and Community Supervision (DOCCS) alleged to the Offices of the New York State Inspector General that Correction Officer ██████ submitted a medical note to DOCCS that appeared to have been altered to extend his sick leave. The following is a summary of the findings of the Inspector General's investigation of this allegation.

The investigation learned that ██████ did not report for duty at Woodbourne Correctional Facility from October 10, 2022, through October 23, 2022. When contacted by a lieutenant at the facility about his absence, ██████ stated that he needed to use *family* sick leave accruals for his absence. Upon his return to duty on October 26, 2022, however, ██████ submitted a note purporting to be from his medical provider and covering *personal* sick leave for the period October 10 through 23, 2022.

The lieutenant, who found both ██████ conflicting representations and the medical note suspicious (the printed medical note appeared faint in color and the font used on the leave start date was of a different size than that used in the rest of the document), contacted the medical provider, who advised that although it had issued ██████ a medical note, the note covered only the period of October 17, 2022, through October 23, 2022. The medical provider subsequently forwarded a copy of the note to DOCCS.

The Inspector General reviewed ██████ time and attendance records, the note from the medical provider, and the note submitted by ██████ upon his return to work. ██████ time and attendance records show that ██████ was absent for five workdays between October 10th and 16th, 2022, and he utilized 40 hours of personal sick leave accruals for this absence. A comparison of the two medical notes shows that the one submitted by ██████ was revised to change the leave start date on the actual medical note from October 17 to October 10, 2022. This change resulted in an overpayment to ██████ of \$1,456.98.

The Inspector General provided the findings of this investigation to the Sullivan County District Attorney's Office, which declined to prosecute the case.

During the course of the Inspector General's investigation, on December 23, 2022, [REDACTED] resigned from DOCCS.

Given these circumstances, I am providing the findings of this investigation to DOCCS should [REDACTED] attempt to pursue employment with DOCCS in the future. If you require further information, please contact Attorney-in-Charge for DOCCS George Frany at [REDACTED].

Sincerely,

A handwritten signature in cursive script that reads "Lucy Lang".

Lucy Lang  
Inspector General

cc: Cathy Sheehan, Esq.  
Deputy Commissioner and Counsel