



**LUCY LANG**  
Inspector General

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October 25, 2023

Ann Marie T. Sullivan, M.D.  
Commissioner  
New York State Office of Mental Health  
44 Holland Avenue  
Albany, New York 12229

Re: NYS IG 2478-043-2023

Dear Commissioner Sullivan:

On August 15, 2023, the New York State Office of Mental Health (OMH) referred a complaint to the Offices of the New York State Inspector General alleging impropriety by Dr. [REDACTED], a psychiatrist at OMH's [REDACTED] [REDACTED] Psychiatric Center ([REDACTED] [REDACTED] [REDACTED] [REDACTED]). Specifically, the complainant, a nurse coordinator at [REDACTED] [REDACTED] alleged that she witnessed [REDACTED] viewing photographs of topless women on his computer monitor at [REDACTED] [REDACTED] during the workday on July 28, 2023, and on a previous workday. I am writing to advise you of the findings of the Inspector General's investigation of this allegation.

New York State Information Technology Policy, a statewide policy promulgated by the New York State Office of Information Technology Services (ITS), prohibits users of State resources from, in pertinent part, "distributing, transmitting, posting or storing any electronic communications, material or correspondence that is threatening, obscene, harassing, pornographic, [or] offensive . . ." <sup>1</sup>

The Inspector General spoke with the [REDACTED] [REDACTED] nurse coordinator, who reported that on two occasions, she observed [REDACTED] viewing images of topless women on his work computer monitor, which faces a hallway and was visible through his office window. [REDACTED] supervisor advised the Inspector General that [REDACTED] has no professional need to access images of topless women.

The Inspector General, using data provided by ITS, conducted a forensic digital examination of [REDACTED] work computer activity, which revealed that [REDACTED] stored multiple images on his work OneDrive cloud storage that are similar to those seen by the nurse

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<sup>1</sup> New York State Information Technology Policy NYS-P14-001, Acceptable Use of Information Technology Resources, Section 4.2 - Unacceptable Use (January 5, 2023).

coordinator. [REDACTED] internet search history also reflected extensive accessing of images and videos on pornographic websites using OMH computing resources.

Although access to such sites by users of State computers is generally blocked by ITS, ITS informed the Inspector General that because [REDACTED] was a member of an OMH "internet policy exception group," he had been granted access to internet sites dealing with topics such as gambling, drugs, and sex education for OMH business purposes.<sup>2</sup> According to ITS, [REDACTED] inclusion in the group and his resulting access appears based on actions taken prior to the formation of ITS, which occurred more than ten years ago. ITS also noted that there are 7,071 active users in OMH's internet policy exception group. Relevant OMH staff at [REDACTED] [REDACTED] including its director of human resources and [REDACTED] supervisor, advised the Inspector General that they were unaware that any staff had unrestricted access to the internet, meaning that proper controls are similarly lacking for these users as they were for [REDACTED]

Given these findings, I recommend OMH take whatever actions it deems appropriate against [REDACTED]. I also recommend that OMH work with ITS to limit internet access for other members of the internet policy exception group to material essential for professional reasons, and that any access greater than standard access be audited annually for continued necessity.

Please advise me of any action taken by your office in response to this referral and recommendation within 45 days of the date of this letter. If you require further information, please contact Deputy Inspector General Michele Bayer at [REDACTED].

Sincerely,



Lucy Lang  
Inspector General

cc: J. Mark Noordsy, Esq.  
Deputy Commissioner and General Counsel

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<sup>2</sup> Marsh has since been removed from the internet policy exceptions group.