



STATE OF NEW YORK
OFFICE OF THE STATE INSPECTOR GENERAL
Final Report
July 23, 2008

DMV Supervisor Falsified Time Sheet

SUMMARY OF FINDINGS/RECOMMENDATIONS

The New York State Inspector General's investigation determined that New York State Department of Motor Vehicles (DMV) employee Brian Blankenhorn, 55, falsified his attendance records to indicate that he had worked during hours that he was conducting personal business and was not present at his assigned work location. In addition, Blankenhorn improperly assisted an individual in her dealings with the Buffalo DMV. DMV has begun disciplinary action against Blankenhorn.

ALLEGATIONS

The Inspector General's Office received a complaint that Blankenhorn, a DMV Supervising Automotive Facilities Inspector earning \$78,925 per year, was spending much of his official workday with a female acquaintance. Other DMV employees who work with Blankenhorn reportedly complained that Blankenhorn never works more than a few hours a day. It was further alleged that Blankenhorn acted improperly when he accompanied the female acquaintance to a DMV office in Buffalo to assist her in getting a suspension on her driver permit removed.

SUMMARY OF INVESTIGATION

Blankenhorn's Falsified Attendance Records

As a Supervising Automotive Facilities Inspector, Blankenhorn supervises inspectors who monitor repair shops and other businesses regulated by DMV in the Buffalo and Rochester areas. Blankenhorn's assigned work location during the period of this investigation was the Buffalo DMV office, and he did not conduct field work. His work hours were 8:30 a.m. to 4:30 p.m. with 30 minutes authorized for lunch. DMV regulations require Blankenhorn to work 7.5 hours a day and to report the number of hours he works and the leave he takes for each day.

Inspector General's investigators conducted surveillance of Blankenhorn on eight workdays. On six of the eight days, investigators observed Blankenhorn engaging in personal activities outside of the DMV office during his assigned working hours. These activities included personal errands, purchasing alcohol and other items, and exercising. In total, Blankenhorn spent more than 10 hours conducting personal business over these six days. Inspector General's investigators later conducted an additional three days of surveillance, and Blankenhorn was observed during this period spending more than 3.5 hours of State work time on personal business outside of the DMV office. A review of Blankenhorn's official DMV attendance records for both periods show that he did not charge any leave accruals for the more than 13 hours he conducted personal business. Blankenhorn has worked for the state since 1981.

When interviewed by the Inspector General's Office, Blankenhorn was asked if he had conducted personal business during work hours. He answered that he might have done some "banking" at lunchtime. He also claimed that while he normally worked 8:30 a.m. to 4:30 p.m., he occasionally performed DMV functions, such as conducting speaking engagements or attending meetings, at night, adding that he documented such activities in monthly reports he submitted to his superiors.

The Inspector General's investigators then advised Blankenhorn that he had been under surveillance. When asked if he worked full days during that time, he refused to answer. When asked about a particular date, he said he did not recall that day, but claimed that he might have been working at home. When asked if he had permission to work at home, he replied that his supervisor never gave him approval to work at home, but never told him he couldn't.

The DMV Director of Labor Relations subsequently advised Inspector General's investigators that Blankenhorn did not have permission to work at home, alter his work hours, or work after hours. DMV advised that it was unable to locate Blankenhorn's monthly report for the initial surveillance period. The monthly report for the second period of surveillance, which was provided, did not indicate any after hours work.

Blankenhorn's Improper Assistance of a Female Acquaintance

The Inspector General's Office also determined that Blankenhorn accompanied a female acquaintance to the Buffalo DMV office to assist her in the reinstatement of her driver permit. According to a DMV Division of Field Investigations (DFI) investigator, Blankenhorn spoke to a DMV supervisor on the woman's behalf. However, according to the DFI investigator, the woman was denied reinstatement of her permit because her driving privileges had been suspended in the state of Florida. The woman then requested a non-driver identification card.

The DMV supervisor stated to the Inspector General's Office that the woman lacked the required number of identification document "points" to receive a non-driver identification card, and that Blankenhorn asked her to approve the woman's request as a favor to him. The supervisor said she then queried DMV records for the driver permit the woman had

previously been issued. The supervisor stated that by viewing the photographic image on the prior permit, she confirmed the woman's identity and, acting within her authority, approved issuance of the identification card. The supervisor said that while she felt that Blankenhorn's appearance on the woman's behalf was unusual, she did not feel pressured by Blankenhorn.

In his interview with the Inspector General's Office, Blankenhorn admitted that he spoke with the DMV supervisor regarding his female acquaintance's request for a non-driver identification card. However, he denied asking the supervisor to authorize issuance of the card as a favor to him. He did acknowledge that he did the woman a favor by escorting her to the service counter in the DMV office ahead of other customers in line.

FINDINGS AND RECOMMENDATIONS

The Inspector General's investigation found that Blankenhorn falsified his attendance records and falsely reported on timesheets more than 13 hours he did not work. It was further established that Blankenhorn created at least the appearance of a conflict of interest when he assisted an acquaintance in obtaining a non-driver identification card at the Buffalo DMV Office. The Inspector General notes that DMV has begun disciplinary action against Blankenhorn.