



STATE OF NEW YORK  
OFFICE OF THE STATE INSPECTOR GENERAL  
**Final Report**  
**April 10, 2009**

**Employees Used State Computers  
For Marijuana Deals**

**SUMMARY OF FINDINGS/RECOMMENDATIONS**

The Inspector General determined that New York State employees James Ratcliff, Shawn LaFore, and Michael Russo used the State e-mail system to facilitate the sale and use of illicit drugs. Ratcliff and LaFore were charged and prosecuted.

Russo resigned from his position at the New York State Office of Children and Family Services. The Inspector General recommended that Ratcliff's employer, the New York State Department of Taxation and Finance, and LaFore's employer, the New York State Office of General Services, take appropriate disciplinary action. Both agencies advised the Inspector General that they are pursuing disciplinary action against the employees.

**ALLEGATION**

On May 2, 2008, the Office of General Services informed the Inspector General that Office of General Services employee Shawn LaFore and Department of Taxation and Finance employee James Ratcliff might be using the state e-mail system to facilitate the sale of illegal drugs. The Office of General Services informed the Inspector General that while monitoring LaFore's work activities in response to a complaint of time abuse, it had discovered e-mails between Lafore and Ratcliff that appeared to refer to illegal drug sales.

**SUMMARY OF INVESTIGATION**

LaFore has been employed as an Office of General Services Stores Clerk II since September 2007. Ratcliff has been a Department of Taxation and Finance Taxpayer Service Representative II as of February 2005. Both LaFore and Ratcliff are assigned to the Harriman State Office Campus in Albany. Prior to his termination, Michael Russo was employed as a Keyboard Specialist at the Office of Children and Family Services at the agency's Rensselaer headquarters. He had worked for the agency since September 2004.

The Inspector General reviewed state computer e-mails between LaFore and Ratcliff from November 2007 to August 2008, which included communications with Russo. In the e-mails, the three individuals used language suggesting the sale and purchase of illegal drugs.

The Inspector General also conducted voluntary interviews of Ratcliff, LaFore, and Russo. Ratcliff admitted to the Inspector General that he occasionally used his state computer to send e-mails to Russo to arrange purchases of marijuana for his own use. Ratcliff further admitted that he purchased 3.5 grams of marijuana approximately three times a month from Russo, meeting at a location near the Office of Children and Family Services headquarters. On a few occasions when Russo was unable to supply him with marijuana, Ratcliff said, he obtained it from LaFore or another source. Ratcliff said he paid between \$20 and \$40 for 3.5 grams of marijuana, depending on the quality. Ratcliff further admitted he occasionally smoked marijuana on work days during lunch breaks. During his interview, Ratcliff gave the Inspector General permission to search his personal vehicle, which was parked on state property. The Inspector General's search of the vehicle yielded approximately 2.75 grams of a substance that later tested positive for marijuana.

LaFore, in his interview with the Inspector General, admitted that Ratcliff and Russo contacted him by state e-mail when they wanted to buy marijuana. LaFore said that he sold 3.5 grams of marijuana to both individuals approximately once each pay period, with the transactions occurring off state property. LaFore too gave the Inspector General permission to search his personal vehicle parked on state property at the time. The search uncovered two small plastic bags containing a substance that later tested positive for marijuana.

Russo, after responding to the Inspector General's initial questions and being informed of the nature of the investigation, declined to answer further questions.

Both Ratcliff and LaFore were charged in November 2008 with Unlawful Possession of Marijuana for the marijuana discovered in their vehicles. On December 10, 2008, Ratcliff appeared in Albany City Court and was granted an adjournment in contemplation of dismissal. On December 11, 2008, LaFore pleaded guilty in Albany City Court to Unlawful Possession of Marijuana and was fined \$220. On January 6, 2009, Russo resigned from state employment.

## FINDINGS AND RECOMMENDATIONS

The Inspector General determined that state employees Shawn LaFore, James Ratcliff, and Michael Russo used the state e-mail system to facilitate the sale and use of marijuana. It was further determined that LaFore and Ratcliff possessed marijuana on state property and that Ratcliff smoked marijuana during the work day. LaFore and Ratcliff were prosecuted. Russo resigned his state position.

The Inspector General recommended that the Department of Taxation and Finance seek appropriate disciplinary action against Ratcliff and that the Office of General Services seek appropriate disciplinary action against LaFore.

The Department of Taxation and Finance advised the Inspector General that “swift and severe” disciplinary action will be sought against Ratcliff. The Office of General Services advised that it will pursue appropriate disciplinary action against LaFore.