



STATE OF NEW YORK
OFFICE OF THE STATE INSPECTOR GENERAL
Final Report
April 17, 2008

FINAL REPORT ON FORGERY BY FORMER DMV EMPLOYEE

SUMMARY OF FINDINGS/RECOMMENDATIONS

The Inspector General's investigation determined that a Department of Motor Vehicles (DMV) employee filed a fraudulent police report and made inappropriate computer entries in his own DMV records to avoid an impending license suspension due to an insurance lapse.

ALLEGATIONS

In January 2007, the New York City Police Department (NYPD), Internal Affairs Bureau, notified the Inspector General that Adrian Johnson, a former DMV employee, was the subject of a police investigation for driving with license plates that had reportedly been surrendered to DMV. Johnson also identified himself to the arresting officer as a DMV employee, even though he had been terminated by DMV six months earlier.

SUMMARY OF INVESTIGATION

Adrian Johnson was a Motor Vehicle Representative assigned to DMV's Harlem District Office. Johnson was terminated from his position in August 2006 for unauthorized absences. The Inspector General reviewed DMV records and interviewed DMV personnel. DMV records indicate that while he was employed by DMV, Johnson's personal driver's license was due to be suspended as a result of an insurance lapse.

Under New York Vehicle and Traffic Law § 318 (1) (a), if a driver's insurance has lapsed that driver's license is then suspended by DMV. An exception is provided by § 318(1)(c) in that the driver's license is not suspended for an insurance lapse "if the registration certificate and number plates of the motor vehicle are surrendered prior to the time at which the termination of insurance becomes effective."

Investigation determined that in March 2006, in order to avert the imminent suspension of his license for failure to maintain insurance, Johnson filed an official report with the NYPD falsely claiming that he lost a license plate. On the following day, while

working at the Harlem District Office, Johnson used his computer to access the DMV database to enter the information concerning the lost license plate and police report into his own DMV record. Johnson further fraudulently indicated in his record that the corresponding license plate had been surrendered. Johnson's actions, in reporting his license plate stolen, thus avoided the impending suspension of his license.

In January of 2007 Johnson was stopped and questioned by police while driving his vehicle. The police checked the DMV database and determined that one of the license plates affixed to Johnson's vehicle had been reported as "surrendered." Johnson admitted to the police that he falsely reported to the police that one license plate had been lost. Johnson also admitted that he entered the DMV database and made entries to indicate that one license plate was reported lost and the other license plate was surrendered to DMV. Johnson gave a written statement to the police indicating that he altered his DMV records. He was arrested for forgery and prosecuted by the New York County District Attorneys Office. According to officials at DMV, it is also a violation of agency policy for an employee to enter or alter one's personal DMV records.

Though he had been terminated from employment by DMV six months earlier, during the course of Johnson's police interrogation he also identified himself as a DMV employee and presented his DMV employee identification card. Johnson also possessed a DMV parking permit at this time. DMV policy requires departing employees to surrender their DMV identification and parking placard. If the items cannot be produced at the time of the employee's termination - whether such was lost or stolen - a written statement to that effect is required. Johnson's supervisor at the Harlem Office stated that Johnson did not surrender his identification card or parking placard when terminated and that he "probably told her it was lost." There is no written record in Johnson's personnel file pertaining to these lost or stolen items.

FINDINGS AND RECOMMENDATIONS

The Inspector General's investigation determined that Adrian Johnson, a former DMV employee, filed a fraudulent police report and inappropriately accessed and altered his personal information in the DMV computer database. Johnson was arrested and charged with forgery; he later pleaded guilty to a Vehicle and Traffic Law offense, possession of improper license plates, and received a conditional discharge. The Inspector General also referred the allegation pertaining to the false filing of an official report to the New York County District Attorney's Office, which declined criminal prosecution on this charge.

The Inspector General recommends that DMV more stringently enforce its policy pertaining to the surrender, at employee termination or retirement, of agency identification cards and official parking placards.

In response, DMV noted that it is standard department practice to have employees surrender all department-issued equipment, supplies and materials, including employee ID cards, to a supervisor or manager at the time of separation. To address the issue raised

by the Inspector General, DMV will revise its separation procedures to ensure strict adherence to that policy.