



INTERIM REPORT OF THE ATTORNEY GENERAL

**Investigation pursuant to Conn. Gen. Stat. § 4-61dd of
allegations that the Department of Motor Vehicles failed
to properly act on violations of law by a driving school
known as Academy of Driving.**

**RICHARD BLUMENTHAL
ATTORNEY GENERAL**

EXECUTIVE SUMMARY

In Connecticut, "driving schools" are businesses that provide instruction in the driving of private passenger motor vehicles. Driving schools prepare students to successfully complete the licensing test and other requirements necessary to obtain a driver's license in Connecticut. Since 1957, State law has required the Department of Motor Vehicles ("DMV") to license and regulate driving schools. DMV also licenses and regulates instructors employed by driving schools. DMV promulgated written regulations governing the curriculum, content and duration of behind-the-wheel and classroom instruction, as well as establishing requirements for other aspects of driving school operations. DMV may suspend, revoke, or refuse to renew the license of any driving school or instructor for certain misconduct as defined by state law. Over the years DMV has directed different employees to carry out the agency's licensing and regulation responsibilities with respect to driving schools. Currently these employees are referred to as members of the "Driver Education Unit."

State law requires that before taking the licensing exam, 16 and 17 year olds must complete certain requirements, including holding a learner's permit for 180 days. This period can be shortened to 120 days for 16 and 17 year olds who complete a driver's education course at a licensed driving school. DMV is responsible for enforcing the statutory and regulatory rules that apply to driving schools, including the requirements that driving schools be licensed, use only properly licensed instructors and use vehicles in proper working order for on-the-road training. Driving schools provide classroom instruction and on-the-road instruction to students. Some schools assist their students with completing and processing applications for learner's permits and driver's licenses. When a driving school student has completed course requirements and the 120 day learner's permit period has passed, DMV personnel can administer the student's actual license test at the driving school's locations according to a schedule determined by DMV and the driving school. This arrangement is convenient for the students, schools, and DMV. It assists DMV and residents by reducing the number of license applicants waiting in line at DMV Branch locations. After taking the license test at their driving school, students must still appear at a DMV Branch location to obtain their driver's licenses.

For approximately 20 years, a driving school known as Driving Schools, Inc. d/b/a Academy of Driving (hereinafter "Academy of Driving") was the largest commercial driving school for juvenile and adult driver's license applicants at multiple locations in Connecticut.

In January 2008, DMV Commissioner Robert Ward directed that DMV investigate Academy of Driving. The investigation concerned allegations that Academy of Driving and its owners, Joaquim "Jack" Sousa and Sharon Sousa, had committed multiple violations of state law while operating the driving school.

The Connecticut State Police subsequently started their own investigation of Academy of Driving and the Sousas after DMV investigators notified State Police of information developed by their investigation. The DMV and State Police worked cooperatively on witness interviews and other investigative steps during their parallel investigations of Academy of Driving and the Sousas.

The State Police investigation resulted in the arrest of Jack Sousa, Sharon Sousa and other employees of Academy of Driving on October 21, 2008. The State charged Jack Sousa and Sharon Sousa each with 104 counts of Conspiracy to Commit Second Degree Forgery as well as charges of Falsely Certifying to Administration of Oaths and Criminal Impersonation. On January 30, 2009, in accordance with plea bargains made between the Sousas and the State's Attorney's Office, Jack Sousa and Sharon Sousa each pleaded guilty to and were convicted of two counts of Conspiracy to Commit Forgery and two counts of Criminal Impersonation that occurred between January 2004 and January 2008. Each was sentenced to 6 months in prison, suspended on the condition of successful completion of 1 year of probation.

DMV's investigation resulted in the agency bringing administrative charges against Academy of Driving and the Sousas on October 21, 2008. On January 28, 2009, DMV concluded the administrative prosecution by entering into a stipulation whereby the Sousas admitted that they violated State law and regulations on multiple occasions by submitting to DMV fraudulent address verification forms, fraudulent vision testing forms, learner's permits with falsified and forged signatures, and fraudulently notarized parental consent forms, by issuing learner's permits without parental consent, by using unlicensed instructors for driver education programs, by using unqualified individuals to administer vision tests, by not administering vision tests, by making false statements on instructor's license applications, by not providing students with full instructional time for driver education programs, by providing behind-the-wheel instruction in excess of two (2) hours per day, by providing classroom instruction to a class exceeding forty (40) students, by providing training to students without textbooks, by not maintaining motor vehicles used in driver education programs, and by issuing learner's permits to underage individuals. The Sousas admitted they committed these violations on different dates between 2004 and 2008. DMV permanently revoked the Academy of Driving's license to operate as a driving school and permanently revoked the Sousas' driving school instructor licenses. DMV further required the Sousas to give up their ownership interests in their driving schools and permanently barred them from participating in the business of driving schools in Connecticut.

After the DMV and State Police commenced their investigations, a DMV employee ("the whistleblower") reported to the Auditors of Public Accounts and the Attorney General allegations that for many years DMV employees had reported to their supervisors violations of law and regulations committed by Academy of Driving and the Sousas. He alleged these DMV supervisors failed to bring enforcement actions and, in some cases, covered up these violations because of Jack Sousa's alleged political influence with governors, elected officials, and high level DMV supervisors. The whistleblower alleged DMV supervisors engaged in this conduct for possibly 20 years. He further alleged that as an employee of DMV, he reported directly to Commissioner Robert Ward violations of law by Academy of Driving he personally observed, and the Commissioner took no action on these reports.

Because of the actions taken by DMV against the Sousas and the Academy of Driving and because of the criminal convictions of the Sousas, our investigation was limited to a review of the DMV's oversight of the Academy of Driving during the years preceding the administrative and criminal prosecutions of the Sousas and the Academy of Driving.

Our investigators interviewed under oath twenty-three witnesses, including both current and former employees of DMV and former employees of the Academy of Driving. Investigators also examined numerous documents obtained from the witnesses, DMV, and the State Police. We have concluded this interim report, which may be supplemented by additional investigation. In our view the investigation remains open. Based upon this evidence, the findings of this investigation are as follows:

I. In 1986 DMV Inspector Carlton Csiki concluded a 6 month investigation of Academy of Driving that documented significant violations of law and regulations. DMV took negligible action in response to that report.

Csiki discovered that in multiple cases Academy of Driving improperly notarized parental permission forms, used unlicensed instructors, began on-the-road instruction for students before they reached legal age, and did not give sufficient hours of instruction to students. The evidence available to our investigation of an incident that occurred almost 25 years ago, while limited, supports findings that Inspector Csiki's 1986 investigation occurred, he submitted a report to his DMV supervisors and to two other State agencies, and DMV took negligible action. Csiki's report recommended DMV suspend Academy of Driving's license to operate for 30 days.

Csiki testified his DMV supervisors ordered him to retrieve the copies of his report he had distributed within and outside of DMV. DMV supervisors approved no enforcement action and, according to Csiki, instead held a meeting with representatives of the driving school. They assigned Csiki to periodically monitor Academy of Driving to observe if it again committed the violations documented in Csiki's report.

Both of Csiki's supervisors at the time testified they had no recollection of these events, but doubted they would have handled Csiki's report the way Csiki recalled, including directing Csiki to retrieve copies of his report already distributed within and outside of DMV.

II. This investigation received testimony that one former DMV Deputy Commissioner allegedly stated to subordinates that Jack Sousa had political connections and influence.

Lt. Rudolph Supina, a current DMV employee, and Carlton Csiki, a retired DMV Division Chief, testified that former DMV Commissioner Gary DeFillippo, while serving as a Deputy Commissioner in approximately 1996 or 1997, discouraged them from aggressively pursuing violations allegedly committed by Academy of Driving. Approximately 14 years after the fact, Csiki and Supina were not certain about what matters the comments concerned. Csiki recalled DeFillippo commenting, "Whatever [Sousa] wants he can have." DeFillippo allegedly went on to tell Csiki that Sousa could "have [Csiki's] job," which Csiki took as meaning his job could be jeopardized if he pursued matters against Sousa's interests. According to Csiki, after DMV employees informed DeFillippo that Sousa had violated laws and regulations, DeFillippo responded,

"Change the laws, change the regulations." Similarly, Supina remembered DeFillippo asking, "What don't you get? Sousa is personal friends with John Rowland." According to Supina, DeFillippo made these statements in the course of discouraging aggressive pursuit of violations allegedly committed by Academy of Driving.

The witnesses were not certain about what proposed enforcement matters DeFillippo allegedly made these comments. Some comments may have related to questions raised about whether a driving school with multiple locations, like Academy of Driving, was obligated to post one bond for the business or multiple bonds for each location the business operated. These bond questions did not suggest Academy of Driving was violating some requirement, but rather suggested disagreement within DMV about the application of the bond requirement. The witnesses recalled DMV eventually issued Academy of Driving a warning letter concerning some of the alleged violations that caused DeFillippo to make these comments. A warning letter is less severe than administrative enforcement action of the sort DMV pursued against Academy of Driving in 2008. The witnesses' testimony indicates that DMV took almost negligible action against Academy of Driving.

After this office subpoenaed DeFillippo to testify in connection with this investigation, his attorney informed this office that DeFillippo would refuse to answer any questions based upon his Fifth Amendment privilege against self-incrimination.

III. Academy of Driving's violations documented by Inspector Csiki in 1986 are very similar to the violations identified by the 2008 DMV and State Police investigations--including forged parental permission forms, use of unlicensed instructors, and failure to provide full instructional time to students.

While the evidence obtained by this investigation does not substantiate that Academy of Driving continuously committed the same type of violations described in Csiki's 1986 report for the next 22 years, other reported violations did occur and either were not acted on in a timely manner or resulted in minimal enforcement actions.

This investigation identified, located and questioned numerous current and former DMV employees about violations of law committed by the Academy of Driving or other driving schools. In particular, employees assigned to enforce driving school laws were questioned. While their testimony did not substantiate that DMV supervisors knew that Academy of Driving continuously committed the same types of violations for 22 years after Inspector Csiki's 1986 investigation, the evidence obtained by this investigation indicates that during this 22 year period DMV periodically found that Academy of Driving had committed violations, but these violations were not investigated in a timely manner, were handled informally, or resulted in minimal enforcement action. The DMV response to Academy of Driving during this 22 year period was similar to its regulation of other driving schools – minimal or non-existent.

Investigators questioned all DMV witnesses about whether any supervisor ever told them not to take action against or report violations by Academy of Driving. Witnesses were also questioned about whether they heard of such orders or suggestions given at DMV. When asked, the witnesses, including the two who attributed statements to DeFillippo, did not recall any time when supervisors told employees not to take action or report a violation or investigate an allegation involving Academy of Driving. Witnesses such as Csiki and Supina, however, did describe instances where supervisors directed them to take less severe enforcement action than the witnesses suggested or believed was appropriate under the circumstances.

We further asked the witnesses whether they had received or knew of any DMV employee who received disciplinary or other personnel action after investigating or reporting to supervisors alleged violations by Academy of Driving or taking action against Academy of Driving for violations of law or regulations. No witness testified as to any such retaliation although two witnesses reported what they perceived as threats of personnel action.

IV. This investigation identified recent instances where DMV failed to properly investigate alleged violations by Academy of Driving reported by DMV employees to supervisors.

A. DMV failed to properly investigate a report that Academy of Driving forged a learner's permit. In January 2007, Dawn Shamper was employed as a driving instructor by Academy of Driving. Shamper testified she discovered that Sharon Sousa forged Shamper's signature onto a learner's permit. After confronting the Sousas about the forgery, Shamper resigned from the Academy of Driving on or about January 8, 2007. She reported the incident to local police and to DMV by letter. Shortly thereafter, according to Shamper's testimony, she received a call from a person identifying himself as "Ken Nappi, DMV Chief." According to Shamper, Nappi told her the forgery "wasn't right" and DMV investigators would be contacting her. However, a year passed and nobody contacted her.

After seeing news reports about DMV's Academy of Driving investigation in approximately March 2008, Shamper called DMV again. At this point Shamper was able to make a full report to investigators from DMV and State Police who were working on their parallel investigations at that time. As a result, Shamper's complaint was part of the evidence State Police used in seeking arrest warrants for forgery by Sharon Sousa and Jack Sousa.

B. DMV supervisors appear to have failed to properly investigate allegations that Academy of Driving falsified documents submitted to DMV. A DMV Examiner Specialist assigned to the Waterbury Branch Office whose duties include processing driver's license applications and reviewing documents related to applications testified that from time to time while processing applications she received photocopies of envelopes submitted by Academy of Driving as address verification for students that on their face appeared falsified. It appeared to this examiner that the typed zip code did not match the

zip code in the bar code printed on the envelope. The examiner testified her supervisor told her not to question the authenticity of these envelopes when she reported her concerns to him. This examiner also remembered reporting her suspicions that Sharon Sousa was notarizing parental consent forms when she was not a notary public. Her supervisor told the examiner not to pursue these allegations because she lacked sufficient proof, according to the examiner. The DMV supervisors disputed the frequency with which the examiner made these reports, but did recall at least one incident where the examiner made a report. The supervisors referred this report to the Drivers Education Unit but did not know the outcome of this referral. It appears DMV addressed this report only as part of its 2008 administrative investigation of Academy of Driving.

C. From approximately June 1997 to August 2008, DMV allowed driving schools to administer the vision test required to obtain a learner's permit. At various times DMV inspectors reported that Academy of Driving had falsely certified that students had passed vision tests when, in fact, the student had taken no vision test or failed the vision test. Again, it appears DMV addressed these reports only as part of its 2008 administrative investigation of Academy of Driving.

V. DMV Commissioner Ward acted on the information the whistleblower provided him in January 2008.

The evidence obtained during this investigation shows that Commissioner Ward initiated and oversaw an investigation of Academy of Driving shortly after meeting with the whistleblower in January 2008. That investigation resulted in Academy of Driving and the Sousas being put out of business permanently.

REPORT

The Attorney General's investigators obtained testimony on the record and under oath from the following witnesses:

1. James Ricci, former DMV Licensing Agent
2. Andrea Denicola, DMV Examiner Specialist
3. Dawn Shamper, former Academy of Driving driving instructor
4. Janice Gugliotti, former Academy of Driving employee
5. Arnold "Skip" Travaglin, DMV Inspector
6. Rudolph Supina, DMV Lieutenant
7. James Jalowiec, DMV Licensing Agent
8. Edward Daly, DMV Lieutenant
9. Anne Nardoza, DMV Program Coordinator
10. Eyvonne Parker Bair, DMV Division Chief
11. Robert Russo, DMV Division Manager
12. Carlton Csiki, retired DMV Division Chief
13. Cynthia Burns, retired DMV Head Examiner
14. Willie Mack, retired DMV Lieutenant
15. Daniel Zimmerlin, DMV Inspector
16. William Ferris, retired DMV Division Chief
17. John O'Connell, retired DMV Division Chief
18. Kenneth Nappi, DMV Bureau Chief
19. Barbara Tanuis, retired DMV Bureau Chief
20. Joseph Ciotto, DMV Division Manger
21. Ilisa Ring, DMV Hearing Officer and Special Counsel
22. Robert Ward, DMV Commissioner
23. Jose Salinas, former DMV Commissioner

After this office subpoenaed former DMV Commissioner Gary DeFillippo to testify in connection with this investigation, his attorney informed this office that DeFillippo would refuse to answer any questions based upon his Fifth Amendment privilege against self-incrimination.

Investigators also conducted an extensive review of records and evidence collected from DMV, the State Police, and individual witnesses.

FINDINGS

- I. In 1986 DMV Inspector Carlton Csiki discovered Academy of Driving had committed multiple violations of law, and submitted a report explaining his findings, but minimal enforcement action was taken by DMV against the Academy of Driving.**

While it was alleged that the Academy of Driving continued to commit the same violations outlined in the 1986 Csiki report, the evidence this investigation

obtained demonstrated that the Academy of Driving committed multiple violations over the next 22 years, but the violations during these years were not comparable in number or gravity to the violations found during Csiki's 1986 investigation or the parallel DMV and State Police investigations in 2008.

- In 1986 Carlton Csiki was a DMV Inspector assigned to supervise driving schools. After receiving a complaint about Academy of Driving, Csiki conducted a 6 month investigation that revealed multiple violations of state law and regulations by Academy of Driving and Jack Sousa. Csiki discovered that in multiple cases Academy of Driving improperly notarized parental permission forms, used unlicensed instructors, began on-the-road instruction for students before they reached legal age, and did not give sufficient hours of instruction to students.
- Csiki completed a lengthy report documenting his findings and submitted it to his superiors at DMV. Csiki also submitted copies of his report to the State Department of Education because it had some oversight of driving schools at that time, and to the Secretary of the State because of the allegations of improper notarization of documents. Csiki recommended Academy of Driving be suspended from operations for 30 days. He distributed copies of his report to William Ferris, DMV Division Chief, Angelo Tedesco, Associate Commissioner of the State Department of Education, and Bernard Auger, Deputy Secretary of State.
- One day later, Csiki recalled, Ferris directed him to retrieve all copies of his report, including the copies provided to Tedesco and Auger. According to Csiki, Ferris did not explain to Csiki why the reports were to be collected and Csiki did not ask. Csiki carried out Ferris's directive.
- Shortly thereafter, Csiki was called to a meeting with his supervisor, John O'Connell, Jack Sousa, and Sousa's attorney. O'Connell indicated that the resolution of the matter would be to give Academy of Driving an opportunity to rectify the violations identified by Csiki and Csiki would periodically monitor Academy of Driving.
- Csiki testified the outcome of this investigation was unusual from his point of view because ordinarily his supervisors followed his recommendations, and in this case he recommended a 30 day suspension. Csiki followed through on the order to monitor Academy of Driving until 1988 when he moved to a different assignment not involving driving schools. He did not remember any recurrence of the violations identified in his 1986 report. Csiki testified that he had no knowledge of Academy of Driving committing similar types of violations after 1986.
- The supervisors identified by Csiki, now retired DMV Division Chief William Ferris and now retired DMV Assistant Division Chief John O'Connell, were

- A number of current DMV employees, including Commissioner Ward, were aware of the Csiki investigation or learned of it as a result of DMV's 2008 investigation. Ward concluded for the purposes of the 2008 administrative prosecution that because 22 years had passed, it was better to focus on prosecuting the most current violations discovered by the 2008 inquiry instead of attempting to prove the violations Csiki documented in 1986.
- Academy of Driving's violations documented by Inspector Csiki in 1986 were similar to the violations identified by the 2008 DMV and State Police investigations. The misconduct identified included use of forged parental permission forms, use of unlicensed instructors, and failure to provide required instructional time to students.
- This investigation identified, located and questioned numerous current and former DMV employees regarding their knowledge of these types of violations. In particular, employees assigned to enforce driving school laws were questioned. To their knowledge, the Academy of Driving committed multiple violations of Department regulations during the 22 years following the 1986 Csiki report, but the violations discovered in the intervening years were not comparable in number or gravity to the violations found during Csiki's 1986 investigation or during the parallel DMV and State Police investigations in 2008.
- The evidence obtained by this investigation indicates that during this 22 year period DMV would periodically find Academy of Driving had committed some violation, but DMV would either take informal action, take action in an untimely manner, or take minimal enforcement action. Although the DMV periodically discovered violations by other driving schools during the 22 year period following the Csiki report, there does not appear to have been significant enforcement action by DMV against any driving school, including the Academy of Driving, during this 22 year period. Again, it is important to note that the violations discovered were not comparable in number or gravity to the violations found in 1986 or in 2008.
- Regarding the whistleblower's allegation that DMV supervisors had knowledge that Academy of Driving was continuously committing for more than 20 years the same types of violations identified in the Csiki report, the whistleblower testified that although he was employed by DMV from 2001 until 2008, he did not have personal knowledge of the misconduct discovered by the parallel DMV and State Police investigations or by Csiki's 1986 investigation.

- The whistleblower explained that based upon the similarity between Csiki's 1986 report and what State Police and DMV found in 2008 as described by DMV's administrative statement of charges and the State Police's warrant affidavits, the whistleblower concluded that DMV supervisors must have known such misconduct was continuously occurring for 22 years. He explained, however, that he did not have personal knowledge that supervisors knew the misconduct was continuously occurring.

II. There was insufficient evidence to substantiate that DMV supervisors continuously and illegally covered up violations by Academy of Driving for 22 years following the 1986 Csiki report. The evidence does reveal a lack of effective regulation of driving schools and lax enforcement efforts.

- This investigation by the Attorney General's Office questioned numerous witnesses about allegations that DMV supervisors facilitated or covered up violations of law and regulations by Academy of Driving and the Sousas over a period of several years. Investigators also reviewed numerous DMV documents. We found no direct evidence that DMV employees, including supervisors, engaged in facilitating or illegally covering up violations of the law.
- The parallel investigations by DMV and the State Police did not find evidence substantiating that DMV supervisors facilitated or covered up violations of law or regulations by Academy of Driving and the Sousas.
- A number of witnesses described DMV providing Academy of Driving what could be seen as preferential treatment. Some examples included DMV assigning one inspector full time to off-site license testing only for Academy of Driving, waiving paperwork submission deadlines for license applications set by DMV policy for Academy of Driving, and inspecting vehicles belonging to Academy of Driving at the school's choice of service location. There is evidence, however, that suggests that this allegedly preferential treatment was due in large part to DMV's efforts to provide good customer service to the large number of students attending Academy of Driving, as it was by far the largest licensed driving school in Connecticut at the time.
- Several witnesses described instances where license tests may have been administered to students prematurely contrary to State law. Arnold "Skip" Travaglin, a DMV Inspector, recalled that the waiting period between issuance of learner's permits and testing for driver's license tests was not always followed for Academy of Driving students. Travaglin testified that Barbara Tanuis, Bureau Chief, directed him more than once to administer license tests to Academy of Driving students with "immature permits," that is, students who received their learner's permits less than the legally required 120 days before the test date. According to Travaglin, Tanuis told him that even though the students

were tested "early," DMV would not issue their licenses until the regular time period passed. Travaglin tested the students, but said he never checked on whether the licenses were in fact held.

- Janice Gugliotti, a former employee of Academy of Driving, testified that she performed secretarial and other administrative work for the driving school from 1995 to 2002. From her position in Academy of Driving's office, she observed Travaglin appear at the school on a weekly basis to administer license tests to students. Gugliotti remembered Travaglin often arguing with Jack Sousa that certain students should not be tested because of different problems Travaglin discovered. Gugliotti testified that one problem Travaglin sometimes mentioned was that a student's permit time was not finished. According to Gugliotti, after Travaglin refused to test such students Sousa would ask Gugliotti to place a telephone call to Barbara Tanuis. While on the telephone with Tanuis, Sousa would summon Travaglin into his office. Gugliotti testified that Travaglin would exit Sousa's office and proceed with the tests he previously refused to administer. Gugliotti explained that instead of mailing such students' paperwork directly to DMV after the tests, Academy of Driving would hold the paperwork until the students' permit time was finished.
- Travaglin and Gugliotti did not identify specific students or specific time periods when describing the testing of students with immature permits.
- Andrea Denicola, a DMV employee in the Waterbury Branch Office, testified that on at least one occasion Barbara Tanuis directed Robert Russo, who in turn directed Cindy Burns, to "change the dates" on learner's permits held by Academy of Driving students to make it appear the students had held their permits for 120 days before license testing scheduled on a particular date, in effect shortening the student's waiting period. According to Denicola, Cindy Burns and Robert Russo told her Tanuis gave them directives to "change the dates." Denicola did not change dates herself, but heard from Burns and Russo that they were carrying out Tanuis's direction. Denicola never communicated directly to Tanuis about these issues with Academy of Driving.
- Burns denied under oath that she was directed to change the dates to shorten the waiting period or that she did change the dates.
- Russo testified that more than once it was discovered that Academy of Driving had issued learner's permits before obtaining signed parental permission forms. Upon discovery of this problem, DMV changed the "effective dates" on the learner's permits to the date when parental permission was actually obtained, thereby extending—not shortening—the waiting period, according to Russo.
- During her testimony Barbara Tanuis, now retired from DMV, denied directing Travaglin to test ineligible students. Tanuis went on to say that she did not remember hearing about such problems occurring or recall Travaglin raising this

concern with her. It was her belief that the DMV computer system would not allow license tests to be performed before the appropriate time period for holding a learner's permit passed. Similarly, Joseph Ciotto, a DMV Division Manager who ranked between Travaglin and Tanuis, did not remember any complaints about students scheduled for testing before their learner's permits had matured. Ciotto said he never heard it suggested that DMV should test students, but delay issuing their licenses until after their learner's permits matured.

- In 1997, the state law that controls issuance of motor vehicle operator's licenses, Conn. Gen. Stat. § 14-36, was changed to require license applicants who were minors to have held a learner's permit for 120 days at the time of their examination if they completed training at a driving school or for 180 days if they did not attend a driving school. Travaglin testified he was assigned to off-site testing for Academy of Driving in 1998. Therefore, the orders to test students with "immature permits" Travaglin attributed to Tanuis would have been given during the time this 120 day waiting period was in effect and required by State law. During the relevant time period, Conn. Gen. Stat. § 14-36 (i) provided that fines could be imposed on "any person" violating the statute and permitted up to 30 days imprisonment for any "subsequent offense." Violations of this statute would have constituted violations, Conn. Gen. Stat. § 53a-27, or, for subsequent offenses, unclassified misdemeanors, Conn. Gen. Stat. § 53a-26, for either of which the statute of limitations for prosecution was one year from the date of the offense, Conn. Gen. Stat. § 53a-193 (b).
- The totality of the evidence indicates some DMV employees permitted the administration of license tests to students from Academy of Driving who had not held a learner's permit for 120 days at the time of their examination. Therefore, some DMV supervisors and employees may have violated Conn. Gen. Stat. § 14-36. While this evidence suggests DMV supervisors provided special treatment to Academy of Driving, it does not show that Academy of Driving violated the law because § 14-36 concerns the administration of license tests and Academy of Driving did not administer license tests. The witnesses describing these incidents did not identify specific students or specific time frames that might enable further review of the allegations.
- Investigators questioned all DMV witnesses about whether any supervisor ever told them not to take action against or report violations by Academy of Driving. Witnesses were also questioned about whether they heard of such orders or suggestions given at DMV. When asked, the witnesses, including Csiki and Supina did not recall any time when supervisors told employees not to take action or report a violation or investigate an allegation involving Academy of Driving. However, witnesses including Csiki and Supina did describe instances where supervisors directed them to take less severe enforcement action than the witnesses suggested or believed was appropriate under the circumstances.

- For example, Supina recalled that in the late 1990s he was supervising DMV's enforcement work for driving schools. At one time he directed his subordinates to pursue a misdemeanor summons for Academy of Driving because the school was operating an unlicensed location. According to Supina, Csiki, at that time serving as a Division Chief, overruled Supina's directive pursuant to orders from the Commissioner's Office. As a result, Academy of Driving was given 3 days to complete the licensing process for that location instead of receiving a misdemeanor summons.
- Csiki, however, did not recall this incident during his testimony.
- The whistleblower testified that he was never told not to pursue alleged violations or that violations he reported would not be pursued. However, the whistleblower explained that when he submitted reports of violations to his supervisors, to his knowledge, no action was taken.
- The totality of the evidence indicates DMV took enforcement action against Academy of Driving essentially to the same extent and in the same manner it enforced State law against other driving schools during the time the Sousas operated the Academy of Driving – minimally or not at all. For many years DMV allocated just one inspector on a part time basis to driving schools. This limited staffing appears to have been a contributing factor to DMV's limited enforcement actions.
- Most of the enforcement action taken by DMV against driving schools was informal and minimal. Several witnesses described the use of voluntary corrective actions in lieu of enforcement actions. This meant that when DMV employees discovered evidence suggesting that Academy of Driving or other driving schools had committed some violation or done something else wrong, the employees would give the alleged violator a "warning" instructing them to stop, refrain from, or correct the conduct in question. If the alleged violator stopped or said they would stop, the employee would not pursue further investigation or enforcement action. For example, when describing his assignment enforcing driving school laws in the 1980s, Carlton Csiki explained that he would sometimes attempt to informally resolve or "mediate" a solution to problems at driving schools or violations by schools.
- After Csiki left his driving school enforcement assignment, the "Driver Education Unit" was the group within DMV charged with enforcing the laws governing driving schools. Former supervisors of that unit, Lieutenant Willie Mack, Lieutenant Edward Daly, and Lieutenant Rudolph Supina also each described using verbal and written warnings when alleged violations were uncovered. Joseph Ciotto, a DMV Division Manager, testified that DMV addressed problems that arose with Academy of Driving by scheduling

"compliance meetings." Subsequently, an agency reorganization of DMV moved supervision of driving school laws from Ciotto's division to DMV Bureau Chief Kenneth Nappi's area. Like Ciotto, Nappi confirmed that the Driver Education Unit held "informal hearings" concerning alleged violations. However, Nappi testified that he concluded that the "investigation" and "prosecution" of alleged violations should be assigned to separate units. Accordingly, Nappi ended the practice of "informal hearings." Finally, Arnold Travaglin, the DMV Inspector assigned to perform off-site license testing at Academy of Driving, also described how he would direct Sousa and Academy of Driving employees to correct problems including the failure to vision test students. In sum, although there was little evidence of formal enforcement action, multiple witnesses confirmed DMV's use of voluntary corrective action to attempt to regulate driving schools.

- Witness testimony and evidence indicates that DMV has significantly increased its efforts to enforce driving school laws since 2008. Lieutenant Rudolph Supina, supervisor of the Driver Education Unit from August 2007 to October 2009, testified that Commissioner Ward supported Supina's efforts to improve driving school enforcement work by amending agency regulations and increasing the Driver Education Unit's enforcement work. Supina said that since 2008 this increase has resulted in formal enforcement action being taken against 8 driving schools, including Academy of Driving. DMV imposed fines or suspensions on the other driving schools while Academy of Driving and the Sousas were permanently put out of business. Review of DMV records substantiated the witnesses' statements describing increased enforcement action.

III. This investigation identified other instances where DMV failed to properly investigate alleged violations by Academy of Driving reported by DMV employees to supervisors.

- **DMV failed to properly investigate a report that Academy of Driving forged a learner's permit.**
- In January 2007, Dawn Shamper was employed as a driving instructor by Academy of Driving. Shamper testified she discovered that Sharon Sousa forged Shamper's signature onto a learner's permit. After confronting the Sousas about the forgery, Shamper resigned from the Academy of Driving on or about January 8, 2007. She reported the incident to local police and to DMV by letter. Shortly thereafter, according to Shamper's testimony, she received a call from a person identifying himself as "Ken Nappi, DMV Chief." According to Shamper, Nappi told her the forgery "wasn't right" and DMV investigators would be contacting her. However, a year passed and nobody contacted her. After seeing news reports about DMV's Academy of Driving investigation in approximately March 2008, Shamper called DMV again. At this point Shamper was able to make a full report to investigators from DMV and State Police who were working on their

parallel investigations at that time. As a result, Shamper's complaint was part of the evidence State Police used in obtaining arrest warrants charging Sharon Sousa and Jack Sousa with forgery.

- DMV Bureau Chief Kenneth Nappi was interviewed by this office and testified he had no memory of speaking with Shamper. Nappi said he had searched his office, and testified that he could not find any record of Shamper's 2007 complaint.
- DMV searched its records and was unable to produce any documents showing receipt or investigation of Shamper's complaint in 2007.
- The evidence shows DMV failed to timely or properly investigate Shamper's complaint. DMV did not conduct any investigation or make any record of Shamper's 2007 complaint until Shamper again contacted DMV more than a year later. By that time DMV was investigating a wide range of alleged violations by Academy of Driving.
- DMV has conducted its own investigation of employees' conduct related to Shamper's complaint.
- Commissioner Ward testified that he has received a report from DMV Human Resources Division concerning DMV employees' handling of Shamper's complaint, but is awaiting release of the Attorney General's investigation before taking action.
 - **DMV supervisors failed to properly investigate allegations that Academy of Driving falsified documents submitted to DMV.**
- Andrea Denicola is a DMV Examiner Specialist assigned to the Waterbury Branch Office. Her duties include processing driver's license applications by working with customers at the Waterbury Branch Office counter and reviewing documents related to applications. However, she does not administer license tests. Denicola testified that from time to time while processing applications she received photocopies of envelopes submitted by Academy of Driving as address verification for students that on their face appeared falsified. It appeared to Denicola that in some Academy of Driving submissions, the typed zip code did not match the zip code in the bar code printed on the envelope. Denicola testified that her supervisor, Robert Russo, told her not to question the authenticity of these envelopes when she reported her concerns to him.
- Denicola also remembered reporting her suspicions that Sharon Sousa was notarizing parental consent forms when she was not actually a notary public. Denicola noticed on forms allegedly notarized by Sharon Sousa that the date written by Sousa as the "expiration" of her notary license varied. Denicola remembered Robert Russo telling her not to pursue the matter because she did not have enough proof.

- Denicola's supervisors, Cynthia Burns and Robert Russo, were questioned about these matters. Russo was the supervisor of the entire Waterbury Branch and Burns was an intermediate supervisor between Russo and Denicola. Burns and Russo both remembered a single incident where Denicola approached them with a piece of mail that appeared falsified and they forwarded it to the Driver Education Unit for investigation. Burns and Russo did not remember what if anything was done after they referred it for investigation.
- The parallel investigations by DMV and State Police concluded that the same type of violations of law and regulations Denicola reported to her supervisors in fact occurred. The Sousas admitted to these violations in the administrative proceeding, and Denicola's account was used to corroborate the State Police's arrest warrant applications for the Sousas.
- Witness accounts conflict about how often these apparent violations were detected and for how long before action was taken. Denicola testified that she notified Robert Russo, her supervisor, more than once about problems she noticed with address verifications and parental consent forms. According to Denicola, Russo told her not to pursue these problems.
- Russo denied this. He remembered just one instance when Denicola approached him about what appeared to be falsified documentation, and went on to testify that he acted on it by sending a report to the Driver Education Unit. However, Russo also recalled Denicola behaving as if she was suspicious of every piece of paperwork she handled. Russo said Denicola seemed especially hostile towards Academy of Driving, which Russo attributed to her frustration about having to work with Academy of Driving because its employees often submitted paperwork late or incomplete.
- Cynthia Burns, now retired, remembered only one instance when Denicola raised concerns about falsified mail and the matter was forwarded to the Driver Education Unit for investigation. Burns also said there may have been other instances where DMV Branch employees rejected questionable documents, but gave Academy of Driving the opportunity to submit a different document.
- DMV records showed that on September 6, 2006 Russo filed a written request that DMV investigate what appeared to be falsified address verification received from Academy of Driving on behalf of an applicant. According to Russo, the applicant denied receiving the letter when asked. It appears Russo's request was received by the Compliance Review Unit on or about September 14, 2006.
- DMV records also indicate that Lieutenant Supina acknowledged that the Driver Education Unit received this complaint from the Compliance Review Unit. Supina proceeded to act on the complaint by contacting United States Postal Service inspectors to determine whether that agency had jurisdiction to investigate

the complaint about a falsified address verification. After a long time passed, the Postal Service inspectors responded that there was no violation. Supina did not pursue the complaint further because he believed it was part of the Compliance Review Unit's overall investigation of Academy of Driving.

- This investigation by the Attorney General's Office could not determine what if any action was ultimately taken on Russo's complaint.
- In summary, the evidence indicates some DMV employees -- at least Denicola, Russo, and Burns -- had knowledge of one or more of the problems described above for more than one year before the parallel investigations proceeded in 2008.
 - **DMV delayed investigation of Academy of Driving's failure to properly administer vision tests.**
- Arnold Travaglin, a DMV Inspector assigned to administer off site license testing for Academy of Driving on a full time basis, testified that Academy of Driving did not administer eye tests as required. Learner's permit applicants needed to pass a vision test in order to receive their permit, and during the time at issue Academy of Driving was certifying that its students had passed vision tests as part of the permit application process. However, from time to time students told Travaglin they had not received vision tests and at other times students who had "passed" tests administered by Academy of Driving completely failed a test administered by Travaglin.
- The evidence shows DMV's handling of vision tests was inconsistent in past years. Following enactment of a state law providing for learner's permits in 1997, DMV outsourced the issuance of learner's permits to driving schools as permitted by law. As part of that outsourcing, the driving schools were required to administer vision tests to their students applying for the learner's permit and licenses, and to certify to DMV that the students passed the vision test. Effective August 1, 2008, Commissioner Ward ordered that this outsourcing end and brought the process for the issuance of learner's permits inside DMV.
- During the 11 years, from approximately June 1997 until August 2008, that DMV outsourced issuance of learner's permits to driving schools, administration of vision tests was part of the learner's permit issuance process at driving schools. During this time, some DMV branches did not administer vision tests, apparently because the branches relied upon the certifications from the driving schools that the applicants had already passed vision tests administered by the schools. Other DMV branches, however, still administered vision tests to license applicants notwithstanding the certifications from the driving schools. No records at DMV explained the criteria DMV used to determine when the agency would administer a vision test and when it would rely on a driving school to give the test. Some DMV employees administered vision tests when conducting license testing at a driving school. Others did not. The employees we interviewed recalled that at

some time they were directed not to administer vision tests because DMV would rely upon the certifications from the driving schools.

- Employees in DMV branches provided conflicting accounts of an alleged directive that DMV would administer vision tests for Academy of Driving students.
- Travaglin testified that he attempted to immediately rectify vision testing problems by administering tests to applicants whenever he learned or suspected that they had not been tested. Travaglin testified that he also reported the problems with vision testing he observed at Academy of Driving to his supervisors orally and in writing, but could not clearly remember when he made his reports or which supervisors would have received these reports. Travaglin did not recall any response to these reports from supervisors and suspected that his reports were "squashed."
- Ultimately, the complaints about failure to administer vision tests were reviewed as part of the parallel DMV and State Police investigations. The DMV investigation found Academy of Driving falsely certified that some of its students passed vision tests when in fact the students were never administered the test. Academy of Driving and the Sousas admitted to this misconduct as part of the DMV administrative proceeding. The DMV investigation also found that Academy of Driving did administer vision tests to some students.
- The totality of the evidence indicates some DMV employees had knowledge of problems with vision test administration at Academy of Driving for several years before the parallel investigations began in 2008.
 - **DMV appears to have taken minimal action against the Academy of Driving for using unlicensed instructors.**
- Lieutenant Rudolph Supina testified that when he supervised the Driver Education Unit in the late 1990s, an investigation revealed that Academy of Driving was operating an unlicensed location. It appears DMV addressed this violation by warning Academy of Driving and allowing the school 3 days to obtain the proper license paperwork. Supina also recalled at least one investigation that revealed Academy of Driving was employing an unlicensed instructor, but Supina could not be certain about the disposition of that case. Daniel Zimmerlin, a DMV Inspector who was for a number of years the only employee assigned to enforce driving school laws, testified that he investigated Academy of Driving for using an unlicensed instructor at an unlicensed location in West Haven. Zimmerlin testified that his investigations resulted in DMV imposing a \$500 fine against Academy of Driving. James Jalowiec, a DMV agent also assigned to enforce driving school laws, also recalled Zimmerlin's West Haven case and confirmed

that Zimmerlin discovered the alleged violation in 2005. Jalowiec further testified that he also investigated Academy of Driving in 2005 for employing an unlicensed instructor in Waterbury. Jalowiec said that both the West Haven and Waterbury cases were addressed during a meeting, an "unofficial compliance conference," between DMV and Academy of Driving.

- The whistleblower directly investigated complaints of unlicensed instructors teaching at Academy of Driving locations. The whistleblower had knowledge of similar violations occurring at driving schools other than Academy of Driving. The whistleblower testified that he reported these violations to his supervisors, but no further action was taken.

IV. This investigation received testimony that one former DMV Deputy Commissioner allegedly stated to subordinates that Jack Sousa had political connections and influence.

- Lieutenant Rudolph Supina, a current DMV employee, and Carlton Csiki, a retired DMV Division Chief, described comments regarding claims of "connections." The two witnesses stated that in approximately 1996 or 1997 Gary DeFillippo, who was DMV Commissioner from June 2000 until February 2005 but was serving as a Deputy Commissioner in 1996 and 1997, discouraged them from aggressively pursuing violations allegedly committed by Academy of Driving. Approximately 14 years after the fact, Csiki and Supina were not certain about what matters DeFillippo's comments concerned. Csiki recalled DeFillippo commenting, "Whatever [Sousa] wants he can have." DeFillippo allegedly went on to tell Csiki that Sousa could "have [Csiki's] job," which Csiki took as meaning his job could be jeopardized if he pursued matters against Sousa's interests. According to Csiki, after DMV employees informed DeFillippo that Sousa had violated laws and regulations, DeFillippo responded, "Change the laws, change the regulations." Similarly, Supina remembered DeFillippo asking, "What don't you get? Sousa is personal friends with John Rowland." According to Supina, DeFillippo made these statements in the course of discouraging aggressive pursuit of violations allegedly committed by Academy of Driving.
- The witnesses were not certain about what matters led DeFillippo to allegedly make these comments. Some comments may have related to questions raised about whether a driving school with multiple locations, such as Academy of Driving, was required to post only one bond for the business or separate bonds for each location the business operated. These bond questions did not suggest Academy of Driving was violating some requirement, but rather suggested disagreement within DMV about the application of the

bond requirement. The witnesses recalled DMV eventually issued Academy of Driving a warning letter concerning some of the alleged violations that caused DeFillippo to make these comments. A warning letter is clearly much less severe than administrative action of the sort DMV pursued in 2008 and, indeed, has no specific legal effect.

- After this office subpoenaed DeFillippo to testify in connection with this investigation, his attorney informed this office that DeFillippo would refuse to answer any questions based upon his Fifth Amendment privilege against self-incrimination.
- Some witnesses testified that Jack Sousa claimed he had personal relationships with governors, elected officials, and high level supervisors within DMV as part of Sousa's attempts to obtain DMV employees' cooperation and assistance. DMV employees told and repeated these stories over the years, resulting in "common knowledge" that Sousa had and used such "connections." Many witnesses testified about vague rumors that Sousa received preferential treatment at DMV because of his connections. Many witnesses also testified that Sousa would boast, hint and allude to connections to Governor John Rowland, other elected officials, and high level supervisors within DMV. Sousa sometimes made these comments when attempting to persuade DMV employees to do as he asked, according to testimony.
- DMV supervisors would sometimes overrule lower level DMV employees' decisions about Academy of Driving. However, the evidence was insufficient to prove that supervisors intentionally facilitated or covered up violations by Academy of Driving. DMV's enforcement action against all the driving schools it licensed and regulated was very limited before 2008, making it difficult to demonstrate that the Academy of Driving was treated more leniently than other driving schools. Because of the passage of time, the limited amount of documentary evidence still available, witnesses' limited ability to accurately recall details of events many years later, and conflicting testimony, this investigation could not definitively determine what did or did not happen within DMV with respect to all of the alleged violations by Academy of Driving over the 22 year period in question.
- One witness, Arnold Travaglin, recalled how Sousa would repeatedly say to him, "Do I have to call the big guy?" when he and Sousa disagreed about how Travaglin handled off-site license testing for Academy of Driving. Travaglin understood that by "big guy" Sousa meant then-Governor John Rowland and that Sousa was threatening to ask Rowland to overrule Travaglin. However, Travaglin testified that when he responded by pressing Sousa to "go ahead" and call Rowland, Sousa backed down and Travaglin's decision stood.
- Similarly, Andrea Denicola, a DMV employee in the Waterbury Branch Office, testified that she remembered an incident where she had refused to process paperwork from Academy of Driving. Sousa called her to ask that the paperwork be processed and said, "I own everybody at the Capitol. Somebody is going to call you and tell you to do it." Denicola still refused to process the paperwork. Nobody called to override her decision.

- Andrea Denicola testified that at one time she told her supervisor, Robert Russo, that changing dates on paperwork for Academy of Driving was improper and she wanted to report it to the Attorney General's Office. Denicola alleged that Russo responded to this by saying, "If I tell [Bureau Chief] Barbara [Tanuis] you're going to the AG, you'll be looking for a new job."
- Russo denied making this statement during his testimony.
- Although two witnesses described implied or explicit threats of personnel action against DMV employees, no witness described any instance where a DMV employee was actually punished, retaliated against, or suffered adverse personnel action because the employee pursued a matter involving Academy of Driving, including pursuing alleged violations of law or regulation.

V. DMV Commissioner Ward acted on the information the whistleblower provided him in January 2008.

- On or about January 24, 2008, the whistleblower submitted "2 ½ years" worth of his open cases to Commissioner Ward. This submission contained numerous and varied allegations including claims that some Academy of Driving vehicles were uninspected or had failed inspection, some of its teachers did not possess instructor's licenses and were not properly trained, some class locations were not licensed and other classrooms were overcrowded in violation of local fire codes, some students did not receive the proper type or amount of instruction and sometimes were not administered vision tests, required paperwork was incomplete or improper or not provided upon demand, and "school business" was conducted during students' instruction time. The whistleblower alleged that Commissioner Ward failed to respond or act after receiving "2 ½ years" worth of the whistleblower's open cases containing evidence of various violations.
- Shortly after meeting with Ward the whistleblower retired from his position at DMV. After retiring from DMV, the whistleblower continued to periodically seek updates and information about the investigation of Academy of Driving from Commissioner Ward and other DMV employees. However, as the whistleblower was now retired, Ward and his employees declined to disclose details about the progress and results of the ongoing investigations to the whistleblower. Although the whistleblower did not receive the updates he requested at that time, the evidence obtained during this investigation shows that Commissioner Ward initiated and oversaw an investigation of Academy of Driving beginning shortly after meeting with the whistleblower in January 2008.
- During his testimony, Ward recalled meeting with the whistleblower in January 2008, at which time the whistleblower presented him with information about numerous alleged violations by Academy of Driving. Ward testified that he was concerned about the numerous allegations the whistleblower made and that the

whistleblower's allegations included some serious claims. Ward also testified that he concluded that many of the violations the whistleblower identified would not support significant sanctions and the allegations that might support significant sanctions would require further investigation to be successfully prosecuted and upheld at an administrative hearing. Accordingly, following this meeting, Ward directed Bureau Chief Ken Nappi to initiate a comprehensive investigation of Academy of Driving.

- A few weeks later, in March 2008, Ward requested an update on the status of the investigation. Ward was disappointed to learn that the investigation was far from complete. Ward at this point took it upon himself to personally review a box of investigation records in order to assess the situation. Ward discovered that the "investigation" listed many allegations with insufficient facts or evidence to support them. In his testimony to this investigation Ward described how the shortcomings in the investigation up to that point could be attributed to the assigned employees' lack of experience with such matters.
- As a result, Ward ordered that Ilisa Ring, an attorney employed by DMV, be appointed a "special counsel" to supervise the comprehensive investigation already underway that Ward initiated after meeting with the whistleblower. Ward directed that certified police officers from the DMV's Compliance Review Unit ("CRU") assist her. Ward testified he directed Ring to proceed with the investigation and take it wherever the facts led.
- Ring took over supervision of the investigation. With help from assigned investigators and the State Police, the investigation found evidence of significant wrongdoing. As the investigation neared completion and Ring prepared a statement of administrative charges, Ward discussed the strengths and weaknesses of the possible charges with her to make sure DMV brought the strongest case possible. Ward also approved pursuit of the most severe administrative sanction available to DMV—permanent revocation of driving school and instructor licenses of Academy of Driving and the Sousas.
- Ward instructed Ring to keep her focus on the school and its employees in order to build the best case against them during the investigation of Academy of Driving. After the administrative prosecution came to a successful conclusion, Ward directed Ring to compile any evidence of wrongdoing by current DMV employees she had found in the course of her investigation. Ward indicated that Ring should focus on employees who remained at DMV because the agency had no power to discipline former employees. Ring submitted a report to Ward and, after reviewing it, he referred the matter to his Human Resources Division for additional investigation in order to recommend what if any personnel action should be taken. After conducting their own review, Human Resources staff recommended minor discipline for two employees, but Ward has deferred acting

upon that recommendation until he receives the results of the investigation by the Attorney General's Office.

- Ward also explained that he confirmed with then Public Safety Commissioner John Danaher that the parallel State Police investigation did not uncover crimes committed by DMV employees.
- Based upon our investigation's review of the evidence and Commissioner Ward's testimony, we conclude some of the violations the whistleblower first identified to Commissioner Ward in January 2008 were included in DMV's statement of administrative charges. DMV also brought additional charges, including charges for submitting false and fraudulent documents, failure to administer vision tests, presenting fraudulently notarized consent forms, and using unlicensed instructors, based upon the evidence the parallel DMV and State Police investigations subsequently developed after March 2008. The evidence supporting these additional charges also resulted in the criminal charges the State Police brought against the Sousas.
- According to the whistleblower, he delivered "2 ½ years of [his] open cases" to Commissioner Ward on or about January 24, 2008. The whistleblower's records referenced approximately 27 case files alleging a large variety of violations by Academy of Driving, including uninspected vehicles, incomplete or improper paperwork, unlicensed school locations, improper training, an excessive number of students in a classroom, failure to provide students with textbooks, performing "school business" on class time, and a student sleeping in class. DMV's statement of administrative charges ultimately incorporated some of the same charges. For example, the statement of administrative charges alleged that Academy of Driving violated state statutes and state regulations by providing classroom education to more than 40 students in one classroom, by providing training to students without access to driver education textbooks, by failing to maintain its vehicles in safe operating condition, and by failing to provide students with the full amount of instructional time required by law.
- Additional charges that the Sousas submitted fraudulent address verifications, that they failed to administer vision tests and submitted fraudulent vision testing forms, fraudulently notarized parental consent forms, issued learner's permits without parental consent, and failed to use licensed instructors were brought as part of the criminal and administrative prosecutions based upon evidence from the parallel DMV and State Police investigations conducted in 2008.
- The testimony and evidence obtained in this investigation indicates Ward issued directives to DMV staff to investigate alleged wrongdoing and to collect sufficient evidence to pursue legally sustainable administrative action. The evidence indicates Ward supervised and supported his employees' efforts to complete the investigation. As a result of the investigation, Academy of Driving

and the Sousas were permanently put out of the driving school business and allegations of wrongdoing by current DMV employees were investigated.

RECOMMENDATION

Based upon the evidence obtained during this investigation, the Attorney General's Office recommends that DMV take corrective action to insure thorough, consistent, and timely investigation and disposition of every complaint made against any driving school, driving school employee, or other DMV licensee. DMV should consider the following points when taking this corrective action:

- DMV supervisors and senior managers should be aware of and accountable for the progress of such complaints through DMV's investigation and disposition process.
- DMV should allocate a sufficient amount of DMV resources and an adequate number of DMV employees to the investigation and disposition of such complaints on a full-time basis.
- DMV should promptly investigate and resolve such complaints with dispositions that fall within DMV's jurisdiction and discretion after considering the nature of the complaint.
- DMV should implement a process to track and record work on complaints from the time DMV receives the complaint until the complaint reaches a final disposition. This process should clearly document all work performed in furtherance of the investigation and the final disposition of the complaint. This process should also identify all DMV employees who worked on the complaint or who exercised decisional authority over the complaint.