



Ralph Campbell, Jr.
State Auditor

STATE OF NORTH CAROLINA
Office of the State Auditor

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May 19, 2004

The Honorable W. Britt Cobb, Jr., Commissioner
North Carolina Department of Agriculture and Consumer Services
2 West Edenton Street
Raleigh, North Carolina 27601

Dear Commissioner Cobb:

The Office of the State Auditor's Information Systems Audit Division conducted tests from October 16, 2003 to November 24, 2003, on computers transferred to the Department of Administration's Division of Surplus Property. The purpose of these tests was to determine compliance with the Information Resource Management Commission's (IRMC) Enterprise Security Standard Number S003, *Permanent Removal of Data From Electronic Media*. The tests revealed that an abundance of pornographic material had been viewed using a computer assigned to the Department of Agriculture and Consumer Services. Upon discovery of this material, this matter was referred to the Office of the State Auditor's Investigative Audit Division. A subsequent investigation resulted in the following findings and recommendations.

According to the Department of Agriculture's IT Manager (IT Manager), the computer was assigned to an Animal Health Technician in the Veterinary Division of the Department of Agriculture (the Department). After ascertaining the identity of the employee, we examined the computer currently assigned to that employee. During the examination, we determined pornographic material had been viewed using the state-assigned computer.

According to the Animal Health Technician, his office is located at his personal residence; consequently, family members had access to the computer. The Animal Health Technician said prior to last week he did not have a secure password and any family member could have used the state-assigned computer. The Animal Health Technician said he was not aware of any policy that prohibited the use of the state-assigned computer by family members. Further, he was not aware of any policy prohibiting personal use. The Animal Health Technician said he personally paid for the Internet access until the Department started paying for the connection approximately three to four months ago. The Animal Health Technician accepted full responsibility for the pornographic material discovered on his computer.

We were unable to determine the exact dates and times the pornography was viewed. It appears the Animal Health Technician was assigned his current computer in January 2002, although the Department was unable to provide us with the exact date of assignment. At that time, the Department did not have a policy documenting the acceptable use of state-assigned computers. However, in June 2003, the Department implemented a policy for acceptable use of computer equipment that states:

The following activities are strictly prohibited, with no exceptions:

...5. Revealing your account password to others or allowing use of your account by others. This includes family and other household members when work is being done at home.

...6. Using a NCDA&CS computing asset to view pornographic sites or actively engage in procuring or transmitting material that is in violation of sexual harassment or hostile workplace laws...

As noted above, the Department did not have a documented policy regarding acceptable use of computers until June 2003. However, it appears that even after the policy was in effect, the Animal Health Technician allowed family members access to his state-assigned computer which was used to view pornographic websites. Regardless of who actually viewed these websites, the Animal Health Technician was ultimately responsible for the use of his computer and the sites visited and the violations of policy.

We recommend the Department of the Agriculture reinforce its acceptable use policy and have each employee sign an acknowledgement stating they have read and understand this policy. We also recommend the Department of Agriculture take the appropriate action against employees who violate the policy. Additionally, we recommend the Department thoroughly document when computers are assigned to employees as well as maintain adequate inventory records.

We are presenting our findings for your review and written response. The purpose of the response is to allow you the opportunity to outline any corrective actions taken or planned. We request the delivery of your written response by May 17, 2004.

General Statute §147-64.6(c)(12) requires the State Auditor to provide the Governor, the Attorney General, and other appropriate officials with written notice of apparent instances of malfeasance, misfeasance, or nonfeasance by an officer or employee. In accordance with the mandate, and our standard operating practice, we are providing copies of this special review to the Governor, the Attorney General and other appropriate officials.

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If you have any questions or wish to discuss this matter further, please contact us. We appreciate the cooperation received from your staff during our review.

Sincerely,

A handwritten signature in black ink that reads "Ralph Campbell, Jr." in a cursive style.

Ralph Campbell, Jr., CFE
State Auditor

Management letters and responses receive the same distribution as audit reports.



Britt Cobb
Commissioner

North Carolina
Department of Agriculture
and Consumer Services

May 14, 2004

The Honorable Ralph Campbell, Jr., CFE
State Auditor
Office of the State Auditor
2 S. Salisbury Street
20601 Mail Service Center
Raleigh, NC 27699-0601

Dear Mr. Campbell:

As noted in your management letter regarding inappropriate use of a North Carolina Department of Agriculture and Consumer Services computer, the employee has accepted full responsibility for the misuse of his state assigned computer. We have taken appropriate disciplinary action.

We will follow through on your recommendations that we reinforce our acceptable use policy, have each employee read and acknowledge understanding the policy, and implement a more reliable computer tracking and inventory system.

Thank you for bringing this issue to my attention.

Sincerely,

Britt Cobb
Commissioner

BC:dhd

