

Historical Records Theft: Strategies for Prevention and Response

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Attorney General Cuomo Announces Arrest of Education Department Employee for Stealing Hundreds of Historic State Artifacts

OFFICE OF THE STATE ATTORNEY GENERAL, ALBANY, N.Y. (January 28, 2008) – Attorney General Andrew M. Cuomo today announced the arrest of a New York State Department of Education employee who allegedly used his position to steal hundreds of historic documents and artifacts belonging to the State Library, sold some for personal profit on eBay and traded others at collectors’ shows.

“These irreplaceable documents are the property of all New Yorkers,” said Attorney General Cuomo. “Public employees with access to records of New York State’s vibrant history are trusted curators who must not abuse their power for personal gain. My office will prosecute any allegation that an individual has attempted to pawn off the state’s property as their own.”

Daniel D. Lorello, 54, of Van Leuven Dr. in Rensselaer, is an Archives and Records Management Specialist 3 with the Office of Cultural Education in the Department of Education. He was charged with third-degree grand larceny, fourth-degree criminal possession of stolen property and first-degree scheme to defraud, which are all felonies. According to the Felony Complaint, Lorello posted several stolen items that belonged to the New York State Library onto eBay in an attempt to sell them as privately-owned historical documents.

One item posted for sale was a 4-page letter to a New York General by John C. Calhoun from 1823. Calhoun was the seventh Vice President of the United States under John Quincy Adams and Andrew Jackson, and was an avid secessionist.

In the eBay ad for the piece it read, *“All in all I think this is a super letter with excellent content and one that would make a great addition to any 19th century American political autograph collection... ..I would say the letter is in very good shape considering it is almost 185 years old. 100% satisfaction is guaranteed. If you are dissatisfied with the letter for any reason simply return it within seven days for a no questions asked refund.”* (sic)

Also according to the Felony Complaint, Lorello posted other documents for sale on eBay including a “Currier & Ives lithograph that depicts ‘View From Fort Putnam, West Point Hudson River, N.Y.’”

In that eBay ad it said, *“Other than some age toning to the lower left corner and along the top edge, the lithograph is in excellent condition. The back of the lithograph contains no markings other than an ink stain so I did not bother to scan it. If you would like me to scan it for you let me know and I would be happy to do so.”*

The Calhoun letter generated bids exceeding \$1,700 on the eBay auction while it was monitored by Attorney General’s investigators. Investigators monitored the auction after Richmond, Virginia attorney Joseph Romito, a former teacher and history enthusiast, alerted state authorities to the pending sale of the item, which he believed was supposed to be in possession of the State Library.

Hundreds of other documents have already been recovered by Attorney General’s investigators and will be returned to the New York State Library for safekeeping.

The New York State Library, which is part of the Office of Cultural Education, contains more than 20 million books, documents, maps, newspapers and other resources explaining the history and culture of the state. Treasures in the Library’s collection include: a complete set of autographs of the signers of the Declaration of Independence, manuscripts from the original draft of George Washington’s farewell address, an original first draft of Abraham Lincoln’s Emancipation Proclamation and a wide collection of books and memorabilia regarding Theodore Roosevelt.

“This individual had access to a wide array of the State Library’s collection of historic documents,” said Attorney General Cuomo. “My office will work to ensure that any items obtained illegally are recovered and put back in safe keeping.”

The Attorney General’s Office is working with the full cooperation of eBay to obtain records of past sales to recover stolen items.

The Department of Education cooperated fully in the investigation and Lorello has been placed on administrative leave pending results of the investigation.

Attorney General Cuomo thanked Joseph Romito for his alertness and fast action, and thanked State Education Commissioner Richard P. Mills and staff at the State Library and Department of Education for their assistance in the case.

“Any theft of historical documents from the State Library is an unconscionable act,” said Commissioner Mills. “A private individual notified the State Library of a potential theft on Thursday, January 17, and we notified the Attorney General and are grateful for his help. We are now assembling respected national experts in research library and archives security to examine current security procedures and make recommendations to strengthen them. The Board of Regents and I will make their report public and carry out their recommendations.”

The charges in the case are merely accusations and the defendant is presumed innocent unless and until proven guilty.

The case is being prosecuted by Deputy Chief of the Attorney General's Criminal Prosecution Bureau Richard Ernst. The investigation was led by Senior Investigator Casey Quinlan and Assistant Chief Investigator David Adams of the Attorney General's Office.