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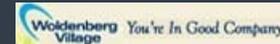
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Former alcohol & tobacco commissioner illegally monitored wife of Sen. David Vitter and others, report says

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By **Jan Moller**, *The Times-Picayune*

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Former state **Alcohol and Tobacco Control** commissioner Murphy Painter improperly used confidential law enforcement databases to access information about state legislators, judges, governor's office employees and the wife of U.S. Sen. **David Vitter**, according to **a state inspector general's report** released Thursday.



The Times-Picayune

Former head of Louisiana's State Office of Alcohol and Tobacco Control Murphy Painter is accused of illegally accessing personal records of various individuals.

The report says Painter, who was fired last year amid a sexual harassment probe, made more than 1,150 inquiries to get private information about citizens between February 2005 and August 2010. The majority of the inquiries involved women, and a disproportionate number targeted people in or around New Orleans, Baton Rouge and Gonzalez.

"Mr. Painter continued this activity even though the Louisiana State Police twice admonished ATC (Alcohol and Tobacco Control) for the improper use of the system after audits, most recently in 2008," says a news release accompanying the report. "Mr. Painter

formally responded to both audits with plans to correct the problems but remained defiant, telling his staff, 'F---- the State Police. We have not been audited for eight years. I'll be gone from here before they ever come back again.' "

The people who Painter monitored include Wendy Vitter, former Louisiana State University quarterback Tommy Hodson, WAFB-TV reporter Keitha Nelson and the lawyers representing a

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former ATC employee who is accusing Painter of sexual harassment.

"Mr. Painter abused these confidential law enforcement databases on a colossal scale, illegally accessing citizens' private and restricted information more than 1,150 times," Inspector General Stephen Street said.

The report says Painter's actions appear to violate federal and state laws against computer tampering and the release and use of personal information from state motor vehicle records. The findings have been forwarded to the offices of East Baton Rouge District Attorney Hillar Moore and U.S. Attorney Donald Cazayoux. Moore said he has discussed the matter briefly with the U.S. attorney's office, but that no decision has been made on whether to file charges. Cazayoux declined to comment.

Painter, in a written response issued through his lawyer, denied any violations of federal or state law, and said his use of the databases were for valid law enforcement purposes. He denied ever using the databases to look up information about Vitter, Hodson and Nelson and denied any wrongdoing in the harassment case.

Appointed to the ATC post in 1996 by Gov. Mike Foster, Painter initially gained access to criminal databases maintained by the FBI and the state of Louisiana in August 2000. The information was accessed through the Voyager system, a web-based interface that requires users to log in with unique username and password.

As early as September 2001, Painter's office was criticized in a Louisiana State Police audit for misusing the system and having no policy in place to discipline violators. Painter responded by issuing new rules that said all records obtained from state databases or the National Crime Information Center must be destroyed in a timely manner to prevent unauthorized use and decreed that "under no circumstances" should searches be conducted "for curiosity purposes or personal reasons."

When investigators searched Painter's office Aug. 17, days after he was forced to resign, they found "printed copies of criminal history inquiries ... lying loosely in and around Mr. Painter's desk," including some dating to 2004.

The report says 63 percent of Painter's 1,880 searches of citizens and vehicle records involved people who are not regulated by his agency. Of the 314 criminal background searches Painter conducted, 146 involved people who had no involvement with the ATC. "Analysis of Mr. Painter's use of the Voyager system has shown that his inquiries were performed on private citizens as well as persons employed at all levels of state government and, in some cases, their family members," the report says.

Painter used the database to look up information about a former employee, Kelli Suire, who had filed a sexual harassment complaint against him, and Jill Craft, a Baton Rouge lawyer who represents Suire and has represented other clients in suits against Painter and his agency. In some cases, Painter printed out maps to his subjects' residences.

The timing of Painter's decision to look up Wendy Vitter's driver's license number, Social Security number, home address and photographs appears to be related to her husband's admission of "a serious sin" involving a Washington, D.C., prostitution ring. The search was conducted July 18, 2007, two days after Wendy Vitter joined her husband in his first public appearance since the scandal had broken.

Only those who agreed to be identified were named in the report, and it does not specify which legislator, judges or other state employees were subjected to unauthorized searches.

The report also paints an unflattering picture of the state Department of Revenue, which oversees the ATC. The report says Suire complained to the agency in 2009, shortly before leaving her job, about Painter's behavior. In late July, "several ATC employees" reported six allegations of wrongdoing to the agency's senior management. But neither complaint resulted in disciplinary action.

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Kyle Plotkin, a spokesman for Gov. Bobby Jindal, said the issue should have been brought to Jindal's attention sooner and that the governor's office will look into the agency's handling of the matter.

Jan Moller can be reached at jmoller@timespicayune.com or 225.342.5207.

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 [49StatesGov.](#) February 17, 2011 at 3:12PM [Follow](#)

David Vitter illegally committed sex crimes and nothing happen to him. Vitter should be a register sex offender.

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 [mbr2ooo82](#) February 17, 2011 at 3:22PM [Follow](#)

Dude, get over it..... all you do is rail on David Vitter, don't you have better things to do?

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 [CarvilleLOSER](#) February 17, 2011 at 3:13PM [Follow](#)

Wrong Wrong. Every person he checked should be notified and he should be jailed for this...this is beyond the pale...over a 1000 times? WTH?

This makes Nixon look like Mother Theresa....Evil and criminal...the names of those he checked should be notified....ASAP.

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 **topcat100** February 17, 2011 at 3:14PM
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Painter must have thought that he was a " lightweight J. Edgar Hoover ". I am wondering if he was trying to get dirt on the individuals so that he could use it as leverage. This piece of crap should be given some time in the big house.

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 **painman** February 17, 2011 at 3:21PM
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Just this morning I spoke about cops who, in the past used to check license plates of females they thought were attractive, checking to see where they live, now I believe they have to enter their SSN before they can enter a data base to check such things. Here you have a department head, who, after two request by the State Police to quit, say's "f%&k the Sate Police," LOL, AND he stayed in office, with NO penalty.

Gotta love these politicians, they got nuts. They don't care, and become adamant as hell, when they are busted.

On Vitter, yep, another criminal who got away with it.

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 **LSP1260** February 18, 2011 at 6:44AM
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This politician is so ignorant that he did not know he left a trail each time he logged on. Truly ignorant.

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 **butterbeer** February 17, 2011 at 3:22PM
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Tommy Hodson? really?

who appointed this clown to the position? Why isn't that mentioned in the story?

H

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 **LSP1260** February 18, 2011 at 6:46AM
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Mike Foster appointed him.

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 **leveeliar** February 17, 2011 at 3:35PM
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State Alcohol and Tobacco Control!

Another bogus do nothing state position with people with too much time on their hands. This guy probably receives a nice state retirement package with health insurance, like others, and the Universities must now close down because there is no money. And what's this about Vitter's wife and the potty mouth language?? Close that whole agency down, since it seems to be a duplication of other agencies in the state and federal government and they flaunt the law.



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laketoriver February 17, 2011 at 3:37PM

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Are they sure it was Wendy the wife? It's easy to get mixed up when the senator is sleeping with two Wendys.

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roneagle72 February 17, 2011 at 3:42PM

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LOL!!!

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I'mJustSayin February 18, 2011 at 3:08AM

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Yea, his getting more than you two dipsh#ts ever will...

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nattyfred February 17, 2011 at 4:14PM

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butter beer....."Painter was appointed to the ATC post in 1996 by Gov. Mike Foster."

I see a picture painting Mr. Painter as a person with tendencies of a stalker and quite possibly that of a sociopath. Charge and prosecute.

NF

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Knotyett February 17, 2011 at 4:21PM

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Improper or unauthorized use of that system is a federal crime. There are former Jefferson and Orleans law enforcement officials that have been convicted and served prison time in the past for this same violation. This useless skum bag, Murphy Painter, belongs in prison. Shame on the LSP for allowing this to continue even after it was discovered. That is malfeasance by the LSP.

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daparishdude February 17, 2011 at 8:27PM

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I'd like to know what type of data is stored in this confidential law enforcement database. It sounds like some sort of blackmail database. I was under the impression that the government was not allowed to spy on it's citizens unless they let them know it happened after the investigation is complete. Does anyone know of someone who has received such a notice? This situation is just another reason why these databases should not exist. They are ripe for abuse and obviously have been abused for reasons other than law enforcement. I;m sure the only reason we are hearing about this is because he said F\$#k the state police and someone told them about it. I wonder how many others are doing this without getting caught?

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