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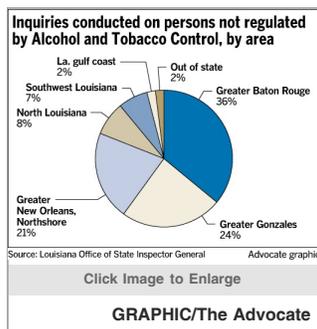
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Report alleges misuse of database



By **MICHELLE MILLHOLLON**
Advocate Capitol News Bureau
Published: Feb 18, 2011 - Page: 1A

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A new report alleges that Murphy Painter used his position as the state's alcohol and tobacco control commissioner to illegally obtain information on judges, the governor's staff, a former LSU quarterback, U.S. Sen. David Vitter's wife and others more than 1,000 times over five years.

East Baton Rouge Parish District Attorney Hillar Moore III said Thursday that the report by the state Inspector General's Office will allow him to move forward on a possible criminal case against the former commissioner.

Moore said he plans to meet with the U.S. Attorney's Office to determine who should handle possible charges in a case that already involves a civil lawsuit stemming from sexual harassment allegations.

"I can't confirm or deny any investigation," U.S. Attorney Donald J. Cazayoux Jr. said Thursday.

Law enforcement officials are forbidden by law from using criminal and other restricted databases for anything but official business.

State Inspector General Stephen Street said one of the most serious allegations against Painter is that he lied to a federal agent to get information as a favor to a friend.

"There are serious consequences to lying to a federal agent. That may be something they take a look at. I don't know. We're going to leave it to them," Street said.

Painter declined to comment Thursday on the allegations raised in the report. "I hadn't seen anything on any report,"

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he said.

Painter resigned from his post last year shortly after the Inspector General's Office began monitoring his computer use. As commissioner, he was responsible for overseeing the regulation of the alcoholic beverage and tobacco industries.

Street said his office opened an investigation after receiving a complaint that Painter was harassing and stalking his former administrative assistant, Kelli Suire, as well as misusing databases at his disposal.

Within days, Street said, Painter "accessed (Suire's) information with us watching."

He said his office started looking at Painter's past computer activity and stumbled across a disturbing pattern.

Through an attorney, Painter responded to the report with a written statement in which he accused the Inspector General's Office of "attempting to create a crime where no crime ever existed."

Painter maintains in the statement that he "never accessed any information, including anyone's social security number, unless it was used for a legitimate purpose in a law enforcement matter."

The report states that Painter may have violated laws against computer tampering, fraud and improperly obtaining personal information.

Only some of the people whose information Painter allegedly accessed in violation of the law are named in the report.

Street said he only named those who agreed to be named. He refused to release the names of the others allegedly improperly investigated by Painter.

"We're not going to compound the problem by further violating these people's privacy," he said.

Among the allegations raised in the report:

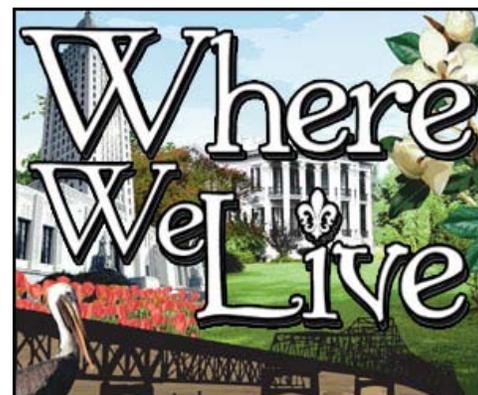
- Painter may have sexually harassed Suire, and tried to find out where she lived after she resigned from the ATC.
- Painter illegally obtained restricted information on a number of people, including Suire's attorney, Jill Craft, WAFB television news reporter Keitha Nelson, former LSU quarterback Thomas Hodson and Wendy Vitter.
- Painter accessed Baton Rouge attorney Joseph "Beaver" Brantley's photograph and home address. Brantley was representing a restaurant trying to get a liquor permit.
- The majority of the people whose information Painter accessed were women.
- Painter got a federal agent to obtain information on a man arrested in Shreveport because his neighbor wanted "to know what was going on."

In his written response, Painter denied conducting inquiries on Nelson or Wendy Vitter, who is the senator's wife. He denied accessing Hodson's information "for any unauthorized purpose." He declined to address any inquiry of Craft because of an ongoing legal dispute.

Painter and Suire are entangled in a lawsuit over allegations

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of whether Painter sexually harassed and stalked Suire. Painter denies he acted inappropriately toward Suire.

Brantley said he is not that concerned that Painter allegedly looked up where he lives and what he looks like before a 2008 meeting on an alcohol permit.

“All the other stuff that Painter did, that looks pretty grim. What he did with me, it doesn’t really bother me,” Brantley said.

Street said he has no idea why Painter would have been interested in Wendy Vitter’s personal information.

“I think a lot of times he was using these databases for personal curiosity,” he said.

Street said Painter made his behavior egregious by obtaining maps and going to people’s homes to conduct surveillance.

For example, Painter allegedly accessed Craft’s personal information, printed a map to her home, obtained her neighbor’s license plate number then conducted a records search on the neighbor.

Craft said Painter accused her in court of mounting a conspiracy to get him because she represented employees who had complaints against him.

“I think that he fixates on people that he believes are his enemy,” she said. “He had unchecked authority to do whatever it was he did.”

Bill Lodge contributed to this report.

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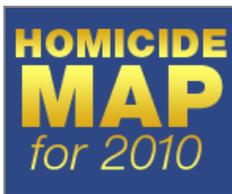
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