Police prying into stars' data
Records system often misused, state audit finds

Police from communities across the state have repeatedly tapped into the state's criminal records system to improperly access information on celebrities and "high-profile citizens," according to a scathing audit released yesterday that also branded the system as obsolete and flawed.

Law enforcement personnel looked up personal information on Patriots star Tom Brady 968
times - seeking anything from his driver’s license photo and home address, to whether he had purchased a gun - and auditors discovered ”repeated searches and queries” on dozens of other celebrities such as Matt Damon, James Taylor, Celtics star Paul Pierce, and Red Sox owner John Henry, said two state officials familiar with the audit.

The Criminal Offender Record Information system, with its massive databases of criminal records, driving histories, car ownership, and Social Security numbers, is intended to provide police and prosecutors with complete portraits of individuals who have been arrested or brought into the court system. Reports are available to other users such as landlords and some employers conducting background checks on prospective tenants and job seekers. Access is supposed to be restricted to authorized law enforcement users, who are specially trained.

But the yearlong review by state Auditor A. Joseph DeNucci depicts a system repeatedly accessed by users ”without any apparent work-related justification.”

Such unauthorized use could be considered fraud under federal law, and ”disciplinary action, up to and including dismissal and/or criminal prosecution” could follow misuse of the system, DeNucci’s audit said.

Curtis Wood, executive director of the Criminal History Systems Board, acknowledged that inappropriate searches have been made over the years, but said the number is small. ”Compared to the 13 million transactions in the system a month, the number is a small representation of our user community,” he said. ”I’m fairly comfortable in saying that 99 percent do not misuse the system.”

Wood said the agency is able to determine where the queries originated and will take action where necessary. He said he believes that many of the searches were legitimate, with officers looking up individuals who happen to have the same names as celebrities.

DeNucci’s audit condemned the decades-old system as antiquated, highly vulnerable to mistakes, and easily accessed by unauthorized users. With terminals in many locations that allowed anyone to look up information, the system permitted law enforcement officials access without fear of being identified and detected.

”Consequently, potential unethical activities” such as searches for celebrity information escaped more or less undetected, the audit said.

Thomas Nee, president of the Boston Police Patrolmen’s Association, said he was stunned by the misuse of the system. ”Anyone caught socially surfing that important law enforcement asset should be stripped of their right to use it,” he said. ”It’s outrageous.”

DeNucci’s review also found lengthy lag times between updates of criminal records, leading to more than 38,000 cases where convictions, some for murder, rape, and failing to register as a sex offender, did not appear in the records. Nearly 19,000 offenders had multiple records, meaning criminal checks were probably incomplete.

The system was highly vulnerable to mistakes, either through human error or offenders providing false names and birthdates, because it is the only criminal records database in the country that does not require fingerprint verification.
before making changes.

"I am deeply concerned that the lack of a modern, state-of-the-art criminal history information system could pose a threat to public safety," DeNucci said. "These are serious public safety concerns that must be addressed."

The criticism comes as activists call for legislative changes to the controversial Criminal Offender Record Information law. Critics, who say it unfairly prevents ex-convicts from landing jobs and leading productive lives, seized on the audit as evidence for their cause.

"The current database system is broken," said Wilnelia Rivera, campaign director for Neighbor to Neighbor Massachusetts, a grass-roots political group pushing for changes to the criminal records law. "This only substantiates what we've already known. To protect employers, the public, and people with CORI records, we need to act quickly."

Governor Deval Patrick, who has called for reducing the time limits on criminal records to give ex-convicts a better chance at employment, is slated to announce his plans to change the law tomorrow.

The governor's plan, according to a summary obtained by the Globe, would allow prospective employers, landlords, and some others to pay for criminal records information on the Internet. They could access information about all sex crimes and homicide convictions as well as felony convictions, which would remain on a defendant's record for 10 years. Misdemeanor convictions would remain for five years.

The state expects to collect $20 million a year in revenue from the program, some of which would be used to create a fingerprint-based criminal record system and for educating employers regarding hiring former offenders, according to the summary. DeNucci said he is alarmed that law enforcement authorities may lack the latest information on court proceedings and that background checks of individuals may not include recent acquittals. Incomplete criminal histories could also influence police investigations, decisions on filing charges, and sentencing, the audit found.

Without an overhaul, the system "cannot guarantee the reliability of law enforcement decisions that depend on this information," he said. Of the more than 176,000 records that auditors reviewed, more than 21 percent were not current.

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Oscarbozach wrote:
BOSTON GLOBE WROTE: "Police have repeatedly tapped into the state's criminal records system to improperly access information on celebrities and "high-profile citizens," including Matt Damon"

Well... I feel safe. There is no way that the same will happen to our medical records under the Obama plan. YEAH RIGHT. Everyone's medical history will be tabloid news within 30 days of Obama's super secret medical record launch.

BIG BROTHER IS HERE.

5/6/2009 1:51 AM EDT

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braitnreebread wrote:
"Anyone caught socially surfing that important law enforcement asset should be stripped of their right to use it. It's outrageous."
-Thomas Nee, President of the Boston Police Patrolman's Association

Finally we see a sense of public accountability from a city official. Maybe Ed Kelly could learn a thing or two. Then again he'd have to be on speaking terms with something called "common sense." Also, it would require a brain.

5/6/2009 2:16 AM EDT
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tonyn331 wrote:
This is what happens when you have a police agency with not enough to do, and police in this state are falling all over each other as there are way too many of them. I DID find it interesting that Joe DeNucci, who can't even tell the difference between a man and a woman (attn: Margery Eagan), would all of the sudden start disclosing all this fraud when it has been happening for years. What's the matter? Did someone give him a few tickets he didn't like?

5/6/2009 2:33 AM EDT
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