



## How Reliable are State Criminal Records and Online Databases?

**Integrated Screening Partners' pre-employment screening services provide a reliable and accurate overview of a candidate's background. Many organizations use quick database searches that claim to provide employers with meaningful results, but it is important to be aware that state and federal criminal databases do not provide a complete record.**

**Read on for quotes and articles that shed light on the pre-employment screening industry, and find out how important it is that you trust your pre-employment screening partner to use all available resources to gather meaningful background information on prospective employees.**

*The following are quotes taken from recent news articles:*

- **The state's criminal convictions database is so incomplete that public safety could be at risk, law enforcement officials said.... "Anyone who depends on the [Texas] state database for a full and accurate check is foolish," said John Bradley, Williamson County district attorney. (Dallas Star-Telegram, Associated Press, October 3, 2004.)**
- **"The Web makes people think they have a lot of information, and they don't." (John Long, CEO First Advantage Corp. as quoted by Greg Burns, Chicago Tribune April 11, 2004.)**
- **"Unfortunately, too many screening services are selling out-of-date information. In this business, a mistake isn't just a paper error, it can dramatically impact lives..." (Greg Barone, CEO of Intellifacts as quoted in Business Wire, Nov. 19, 2001.)**
- **A report by the Texas Department of Public Safety in July found that the state has only 69 percent of the criminal records for 2002, and just 60 percent for 2001. Hundreds of thousands of records are missing entirely. (Dallas Star-Telegram, Associated Press, October 3, 2004.)**

## Convicted Criminals Escape State Computer (Part 1)

*Anna Werner, KHOU Channel 11. February 21, 2004.*

HOUSTON -- The 11 News Defenders have made a shocking discovery, one that already has a state lawmaker demanding action. It's the sort of trouble that could mean a sex offender is working in your child's school or a killer's caring for your loved one in a nursing home.

Police rely on it to catch criminals. The courts use it to figure out how much of sentence to give them. But the 11 News Defenders found the state's criminal background check has a disturbing problem – it's missing criminals.

More than four years later it still isn't easy for Cynthia Woodard to remember the day she was robbed. Wiping away tears she says, "It was just a hard experience." She was at the convenience store where she worked when just before closing someone came in. "As soon as I seen the mask on the face, I knew I was fixin' to be robbed." Woodard recalls. One of her robbers carried a gun. "She pointed it directly at me and cocked the trigger back and that's when she told me she would shoot me, if I did not give her the money. I thought I was gonna die."

But Woodard survived and eventually justice came. The robbers called themselves "The Queens of Armed Robbery", a group of teenaged girls from Kingwood and their ringleader, Krystal Dawn Maddox, was caught, tried, and sentenced as an adult to seven and a half years in state prison. But that isn't that. That's because the Defenders found that the state's criminal history computer, a resource used by police and district attorneys, shows no record of Maddox's conviction.

It's something that has victim's advocates angry. In fact one of them, Randy Burton calls it "unforgivable".

"It's exactly as though they were innocent." Burton complains. That's only the beginning.



"We're not keeping track of serious offenders, murderers, sex offenders." He adds to his list of concerns. So what's he talking about? The state's master criminal history computer. It's supposed to be the best way to find out if someone has a criminal record. Police and prosecutors rely on it to solve crimes and charge suspects. Other state agencies use it to screen everything from teacher applicants to nurses. But the Defenders have discovered a troubling fact. The computer that everyone depends on is missing so many criminal records the state admits it's "unreliable".

For example, using our computer, we looked up local crimes and their Harris County Court records. Then we tried the state's criminal history computer, run by the Department of Public Safety and easily found dozens of missing criminal convictions for violent criminals like robbers, sex offenders, even murderers.

Take the case of Angel Leonel Fuentes. He suffocated a woman and was tried and convicted of it. But, the state computer shows no record of the crime. And what about his partners? They were convicted of aggravated robbery but the state computer once again shows no record of their crimes. Then there's the case of the killing of Paul Broussard, an anti-gay hate crime. Harris County convicted Paul Dillon and Leandro Ramirez in connection with the death. And again, DPS has no record of those judgments. There was an arson at a Houston McDonalds that cost two firefighters their lives. As part of that case, Harris County gave Edson Garza Orozco a two-year prison sentence for burglary. But when we checked the state computer, it had no record of conviction for his crime. It is what Burton, the victim's advocate and former Harris County Prosecutor terms, "...a catastrophic problem with our state database."

He says he's shocked by our findings because an accurate criminal history helps law enforcement size up a criminal suspect. "It tells you whether they are a serious offender or not." Burton says, "whether they're a continuing threat to society, whether they're a flight risk." But if crimes records are missing he says the wrong kind of criminal could get bail or even probation. He fears, "You could potentially put a dangerous person back on the streets." and adds that missing records could put even the police at danger.

Burton describes as possible scenario. "I'm a traffic officer who pulls them over for an innocent traffic stop and I don't know this person has been convicted of capital murder or robbery or some Godawful offense."

DPS spokesperson Tela Mange admits it doesn't help police if a lot of the records are missing. When asked about people recently convicted who are just plain missing off the database. "Well," Mange says, "We have not received that information from the reporting agencies."

Those reporting agencies are the state's more than 200 counties who are responsible for reporting to the DPS about crimes in their jurisdiction. "We depend on local agencies." Mange says. "We don't have any control over what's sent to us."

But that doesn't excuse our most startling finding. Angel Maturino Resindez, the railroad serial killer. His capture by a DPS State Trooper made national news and yet, he doesn't appear to be in the database for capital murder charges at all, other charges yes, but capital murder, no. When asked if DPS could explain that, Mange answered simply. "No."

Now you heard the DPS say that some Texas counties weren't sending their criminal convictions in. Friday night we'll tell which counties are contributing to the problem of missing records. And you'll also hear from a Texas lawmaker who says one way or the other he's going to get to the bottom of the problem.

## **Criminal database plagued by missing convictions (Part 2)**

*Anna Werner, KHOU Channel 11. February 21, 2004.*

HOUSTON-- What good is a background check if it doesn't stop criminals from getting jobs as teachers, nurses, or some other sensitive position? The 11 News Defenders have uncovered a serious flaw in the system.

11 News' investigative reporter Anna Werner has more on what she's discovered and what one state lawmaker is already promising to get to the bottom of. That legislator said he's appalled by what was found, a state criminal history database plagued by missing criminal convictions. Why? Because that could mean a criminal slips through a background check and gets a job. Maybe teaching your children or working at a daycare.



Think it can't happen? Investigators say, "Think again".

"Every company should need a criminal background check," said Kathy Griff, private investigator. And that's what Kathy Griff's private investigation firm does. Searching for the sometimes hidden criminal pasts of people applying for all kinds of jobs. "Hospital jobs, staffing jobs, people in the apartment industry," said Griff.

But there's one popular resource her investigators don't depend on. When asked why she doesn't rely on the DPS database, Griff said it was 'because it's terribly inaccurate'.

The state's criminal history computer database used by police and prosecutors to solve crimes, by law, it's supposed to hold all criminal convictions, but Griff claims that every day she finds stuff missing. Like the case of a man who only has two records showing up in the DPS database, but three criminal convictions in Harris County's court records. The missing record is a rape conviction. The man's most serious charge didn't come up in the state database.

That's just the beginning because 11 News Defenders' investigation of state records found dozens of missing criminal convictions for violent criminals like robbers, sex offenders, and murderers. Like the ringleader for a group of teenage girls called the "Queens of Armed Robbery", from Kingwood. Krystal Dawn Maddox went to prison, but you'd never know it by looking at the DPS database. Arson at a Houston McDonald's killed two firefighters and Edson Garza Orozco got a burglary conviction out of it, but again, you won't find it in the DPS records. Even the infamous railroad serial killer, Angel Maturino Resendiz, caught by DPS. His capital murder conviction is also missing from DPS's own computer system.

When asked how the public can trust a database that really isn't complete, Tela Mange of the Texas Department of Public Safety said, "it's as complete as we can make it". Mange said part of the problem is that many counties don't report all of their criminal convictions to the database. In fact, a 2001 DPS report shows Dallas County only reported 19 percent of their criminal convictions to the state. Closer to home, Montgomery County only turned in 24 percent of its criminal convictions and Galveston County only turned in half of its crime records. "We depend on local agencies," said Mange. "We don't have any control over what's sent to us."

"It sounds like they're trying to avoid responsibility for what they've failed to do," said state representative Kevin Bailey. Bailey said one way or another it is the DPS's responsibility to make sure their background checks are reliable. "Why weren't we made aware of how bad the situation was? Why have they, in essence, hidden this from us for so long without letting us know that there's a serious problem here?" Representative Bailey said he'll be taking this up at the next hearing of the general investigating committee and he wants to know why, after all this time, that criminal history database still isn't complete.

**\*\*\*If Integrated Screening Partners had run background checks when this news story was published, we would have found records for every one of the criminals listed.**

**Integrated Screening Partners ran a background check on five of the convicted criminals mentioned above. As of January 16<sup>th</sup> 2005, we found that most of the convictions are still missing from the Texas Department of Public Safety database. Read on to find out what the Texas DPS database missed.**

- 1) Integrated Screening Partners ran a background check on Krystal Dawn Maddox, the ringleader of the "Queens of Armed Robbery." We searched the Texas DPS database and a national crime records database and confirmed that these databases contain no record of Maddox's crimes. In addition to using the database searches, Integrated Screening routinely checks county courthouses directly to obtain information that may not appear on the state database. In Harris County, we found three charges of "aggravated robbery with a deadly weapon" on Krystal Maddox's criminal record.



2) Angel Leonel Fuentes suffocated a woman to death, but was not found on the DPS database in the article by Channel 11's News Defenders in Houston. As of Jan. 17, 2005, Angel Fuentes' "breach of computer security" and "capital murder" records do appear on the Texas DPS database. They also appear on Harris County Public Records with the addition of a Jan. 27, 2000 "aggravated robbery with a deadly weapon" conviction. Integrated Screening discovered through the Texas Court of Criminal Appeals that a "petition for review" of Fuentes' murder case was denied on September 3, 2003.

3) Leandro Ramirez was convicted for murder along with others involved in the killing of Paul Broussard in 1991. He has several offenses listed on the Texas DPS database, but assault and manslaughter are not recorded. Leandro Ramirez had a total of three "driving while intoxicated" offenses. He was also charged with "tampering with a government record" in 1993, and a had theft misdemeanor from 2002. All of these records were found on the Texas DPS database, but two charges were missing. A standard search of Harris County records provided Integrated Screening with two additional convictions for Leandro Ramirez. They are Murder/Manslaughter in 1995 and an assault charge from 1991.

4) Paul Dillon was another one of the men involved in the murder of Paul Broussard. A Harris County search returned two charges of assault and a murder conviction for Paul Dillon that were not found on the Texas DPS database. On the Texas DPS database, we found a host of criminal records for Dillon, including a burglary charge, convictions for writing a hot check, the unlawful carrying of a weapon, possession of marijuana, driving while intoxicated, and two more convictions for evading parole and failing to identify himself as a fugitive. A national criminal records database contains several of these records, including evading parole, but has no record of his conviction for murder.

5) According to the Texas DPS database, Edson Garza Orozco only has one burglary conviction on his record. ISP dug deeper by looking at county records and turned up an assault charge and four charges of manslaughter/murder in Harris County for Orozco.

**An immense number of sources that provide criminal record searches are available to the public, but cheap online searches are often inaccurate because they rely on databases that are missing up to 25 percent of records, especially recent convictions. On the other hand, a comprehensive, professional background check can turn up a wealth of useful information. Searches conducted by Integrated Screening Partners are much more useful than cheap online searches. We make certain to provide the most relevant, extensive, and reliable information available to our partners in Human Resources; all for an average cost that is less than a day's wage.**