Criminal check is slow process

Law requires fingerprint search for school employees, teachers

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It takes as long as 18 months to two years to complete a criminal records check for applicants for school jobs — and that means a child molester or drug dealer could work in a school for months before the records check and fingerprint identification verification might alert officials.

State law requires all school employees — from the janitorial staff — to be fingerprinted for a criminal records check.

Every two weeks, the School Board approves the employment of workers "contingent upon clearance with the criminal records investigation."

Thus far, the costly and time-consuming check has caught one part-time maintenance man who had a record for dealing drugs.

A check of School Board records shows prints routinely take more than a year and often more than two years to be completed.

A set of 19 fingerprints were submitted July 1, 1991. A report on those prints was received April 20 of this year — a period of almost 18 months before the board received a report. Of the 19 submitted, nine are still not complete nearly two years later.

One year to the day after that first set was sent in, a second set was sent on July 1, 1992. That report back from ISP was received the same day as the one submitted a year earlier on the same date. Of the 20 prints submitted in that 1992 batch, three still were not completed.

The response is erratic. Clerk Ann Ryland said some will return in two to three months, others will take 18 months to two years.

The parish pays State Police $13 for each fingerprint check. During the first nine months of this year the parish has spent $13,300 to pay for fingerprinting and criminal records check.

Since 1996-97 fiscal year, the school system has spent $92,662 for fingerprinting prospective employees. The budget for the year beginning July 1 calls for $23,000 to be spent on fingerprinting.


"You're going to get your money's worth if you find a child molester," Mire said.

The delay in getting back fingerprinting results is a frequent topic of conversation when the state's school personnel directors meet. Mire said.

"They are all hanging out there with their fingers crossed. This is a problem all across the state," Mire said.

"And, we're only checking Louisiana records. They don't have the equipment and money to do the job as originally envisioned," Mire said.

The law enumerates the specific violations that bar an individual from working in the school system in a position of supervision over children.

Personnel in Mire's office said the check is also a deterrent. Some people drop their application requests when they find out a fingerprint and criminal records check is required.
Mire and her staff could only remember one person who had to be released because of a criminal records check. That was a day-to-day employee working in maintenance who had been convicted of drug dealing, which is one of the specific legal violations that would ban a worker from the schools.

Lt. Mike Futch of the State Police Bureau of Identification said the delay is the result of being given too much work and not enough resources.

The bureau was set up to serve law enforcement and, over the years, has been asked to provide services to a variety of industries and agencies.

“We have a long list of authorized” users from the State Department of Health and Hospitals to private security guards to riverboat pilots, liquor licenses, adoptive parents and on and on.

Starting last summer, the bureau has offered faster service when it comes to the computer check. But the bureau is still overloaded on the labor-intensive task of classifying fingerprints and then checking them against existing files.

The fingerprint check only verifies that the person checked via computer is the person who has been employed.

And those checks are only 50-75 percent accurate, Futch said.

State Police is encouraging employers to check the applicants through use of drivers’ licenses, references and other methods because the fingerprint verifications are so far behind.

Futch has no specific figures, but said the checks actually catch a small percentage of problem people.

“It’s not very large (percentage) at all. But the purpose of the check is to find that person because the consequences are so enormous,” Futch said.

He also said that the fees earned by the division do not go to the division. He said he does not know how much a background check actually costs but believes the $13 fee does not cover all the expenses.

Steve Monaghan of the East Baton Rouge Parish Federation of Teachers said he knows of one case where a teacher employed for four years received a notice that her fingerprints were smudged and she needed to have new ones made.

“She has been working for four years. She’s tenured now and they still don’t have her prints back,” Monaghan said.

“We’re sending fingerprints by the month and by the month and we’re never getting anything back,” he said.

“I wonder how many employees have come and gone and are no longer employees and they still haven’t gotten back their checks,” Monaghan said.

“We could use that $25,000 (budgeted by the School Board for the coming years) here for many other purposes,” he said.

The program was the result of a “goody-two-shoes issue. . . But you can’t be opposed to it,” he said.

The program is “superfluous,” he said. “You’re looking for the proverbial needle in a haystack.”