



## ***CLOSED CASE SUMMARY***

ISSUED DATE: AUGUST 9, 2022

FROM: DIRECTOR ANDREW MYERBERG  
OFFICE OF POLICE ACCOUNTABILITY

CASE NUMBER: 2021OPA-0261

### **Allegations of Misconduct & Director's Findings**

Named Employee #1

| Allegation(s):                 |                                                                                                       | Director's Findings |
|--------------------------------|-------------------------------------------------------------------------------------------------------|---------------------|
| # 1                            | 1.110 - Public Information 5. Only Specific Personnel are Authorized to Give a Statement to the Media | Sustained           |
| Imposed Discipline             |                                                                                                       |                     |
| Resigned Prior to Proposed DAR |                                                                                                       |                     |

***This Closed Case Summary (CCS) represents the opinion of the OPA Director regarding the misconduct alleged and therefore sections are written in the first person.***

### **EXECUTIVE SUMMARY:**

It was alleged that the Named Employee spoke to the media without permission.

### **ANALYSIS AND CONCLUSIONS:**

#### **Named Employee #1 – Allegation #1**

#### ***1.110 - Public Information 5. Only Specific Personnel are Authorized to Give a Statement to the Media***

The Complainant – a Sergeant assigned to SPD's Public Affairs Unit – filed a complaint with OPA in which he alleged that Named Employee #1 (NE#1) spoke to the media without first obtaining permission from the Department. The interview in question occurred on May 19, 2021, while NE#1 was still employed by SPD (he subsequently retired). The interview was given to CBS This Morning and concerned SPD employee attrition. During the interview, NE#1, who identified himself as an SPD employee, also spoke about the purported lack of support for officers by both SPD leadership and city government, his criticisms of SPD's strategies and staffing during the demonstrations that occurred in 2020, and his opposition to defunding SPD.

As part of its investigation, OPA attempted to interview NE#1. However, he declined to participate in this investigation and did not provide a statement.

SPD Policy 1.110 restricts non-authorized Department employees from relaying substantive information to the media. The policy directs officers contacted by the media to notify a public information officer, a supervisor, and/or the Public Affairs Unit.



---

It is undisputed that NE#1 did not have authorization to speak to the media. It is further clear that the information he provided was substantive as set forth in policy. Accordingly, when he spoke to the media, NE#1 acted contrary to SPD policy. For these reasons, OPA recommends that this allegation be Sustained.

Recommended Finding: **Sustained**