



**CITY OF PITTSBURGH  
BUREAU OF POLICE**

**Office of the Chief**

*"...accountability, integrity, and respect."*

**Memorandum COP #06-494**

**TO:** Commander Catherine McNeilly  
**FROM:** Chief Nathan E. Harper, Chief  
**DATE:** November 28, 2006  
**SUBJECT:** Demotion

**UNIT:** Zone 1  
**UNIT:** Bureau of Police

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On October 9, 2006 you sent an email to Mayor Luke Ravenstahl, Members of City Council, The Fire and Medic Bureau Chiefs, your husband and your brother. This email questioned the appointment of Dennis Regan as Public Safety Director and his relationship with Officer Frank Rende.

Attached to the email was a Disciplinary Action Report that you filed against Officer Rende. This DAR contained additional confidential personnel information that was obtained from the PARS and OMS system.

The rules and regulations do not give a police commander the authority to release confidential information. The Chief of Police has the sole authority to release confidential information. Your improper release of confidential information subsequently resulted in the public release of this information when an unknown recipient of your email gave it to the media.

The Bureau's email policy clearly states that confidential information must never be transmitted to anyone who is not authorized to receive it and warns members to exercise a much greater degree of caution.

Your failure to follow orders violated the following rules and regulations:

16-1 3.40.1 Confidential or Privileged Information – A member or employee shall not furnish or cause to be furnished to any unauthorized person, copies of official instructions, orders, reports, etc. except as authorized or required by rules, regulations or procedures or as authorized by the Chief of Police.

General Order 22-2 Performance Assessment and Review System and the Officer Management System 2.5 – The information contained within the OMS and PARS systems related to personnel shall be considered as confidential as any hard-copy file containing personnel related information and shall be subject to the confidentiality requirements set forth within Section 3.0 of this policy.

Pittsburgh Police General Order 22-2 Performance Assessment and Review System and the Officer Management System, 3.1 Confidentiality of the System, 3.1 confidentiality of the System As stated in Section 2.1 above, the OMS and PARS systems have been officially designed as confidential, personnel management systems. Therefore, all information contained in or derived from OMS or PARS shall be deemed "confidential" and shall not be disclosed to any member of the public and/or any employee, agent, servant or elected or appointed official of the City of Pittsburgh unless they produce express, prior and written authorization from the Chief of Police.

DAR – Commander Catherine McNeilly  
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Pittsburgh Police General Order 17-1 11.1 Disciplinary Action Report, Release of Information DAR information shall be maintained consistent with the Working Agreement between the City of Pittsburgh and the COP.

Working Agreement Between City of Pittsburgh and Fraternal Order of Police Section 21 Internal Investigation Procedures B.17 Unless agreed to by the officer, the City shall not divulge the reasons for any disciplinary action that is not appealed beyond the arbitration.

Working Agreement Between City of Pittsburgh and Fraternal Order of Police Section 20 Personnel Files F. All information contained in the PARS system or the OMS system is to be considered part of an officer's confidential personnel file for all purposes of this agreement.

Pittsburgh Police General Order 68-1 13.0 Electronic Communications Policy, Confidential Information Must be Handled Appropriately.

13.1 Members of the Pittsburgh Bureau of Police shall avoid using electronic communication systems to send confidential, privileged, and/or sensitive information.

13.2 Employees must exercise a much greater degree of caution in transmitting confidential information by email and/or the internet/intranet because of the reduced effort that is required to redistribute such information (i.e., the touch of a button).

13.3 Confidential information must never be transmitted to anyone who is not authorized to know or receive such information. To reduce the possibility the confidential information may be sent inadvertently to the wrong person(s), members should avoid the use of "multiple distribution" lists when sending information.

13.5 Some examples of information which may be considered confidential include, but are not limited to:

- Personnel related matters
- Investigations within the Bureau of Police that are of a sensitive nature
- Confidential correspondences related to methods to be employed in dealing with crime trends or problems
- Arbitration proceedings or Contract Negotiation information
- Information relating to legal advice, questions, proceedings or proposed legislation.

General Order 14-16 1.0 Police Chaplain, Policy/Purpose

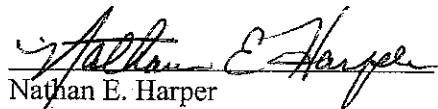
1.1 The Police Chaplain and his Assistant Chaplains will be responsible for providing assistance and spiritual support to members of all denominations of the Pittsburgh Bureau of Police.

Due to your inappropriate handling of confidential personnel information and your violation of many rules and regulations the following for just cause:

You will be demoted to the rank of Lieutenant in the Pittsburgh Bureau of Police.

You have five days from your receipt of this notice to answer in writing, as to why I should not take this action. If you do not respond, or if your response is unsatisfactory, you will be demoted to the rank of Lieutenant on Wednesday, December 6, 2006.

DAR – Commander Catherine McNeilly  
COP #06-494

  
Nathan E. Harper  
Chief of Police

Cc: Hugh McGough, Assistant Solicitor  
Deputy Chief Paul Donaldson  
Assistant Chief William Bochter