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CHAMBERS WINS PRIVACY ACT RULING — Interior Department Illegally Refusing to Release Exonerating Documents

Washington, DC — The long legal ordeal of Teresa Chambers has taken another turn as a federal judge has rejected the Interior Department's motion to dismiss her civil lawsuit for violations of the Privacy Act, according to a court order released today by Public Employees for Environmental Responsibility (PEER). Teresa Chambers filed the suit last year after the Interior Department said it no longer had the documents which show charges used to remove her as Chief of the U.S. Park Police were trumped up.

Judge James Robertson of the U.S. District Court for the District of Columbia held that Interior's actions in withholding key documents from Chambers "appears to have been improper" and asked her to submit evidence of the damages she has suffered. In a separate federal court action, Chambers is seeking restoration as Chief of the U.S. Park Police following her dismissal in 2004 after an interview she gave to The Washington Post concerning staff shortages.

The key document being sought is a performance evaluation of Chambers prepared by Deputy Park Service Director Donald Murphy. He later charged Chambers with misconduct relating to breaches of chain-of-command in an effort to show that The Post interview was part of a pattern of performance-related issues. According to Murphy's sworn testimony in 2004, his evaluation covered the periods during which her supposed misconduct occurred, but his evaluation was positive and did not mention the issues or incidents that were later used as a partial basis for her termination.

One year later, Murphy recanted his earlier testimony, now claiming that he completed no such evaluation. Yet testimony by the former Chief of Human Resources for the Park Service contradicts Murphy's latest account as she "recalled preparing a performance/appraisal evaluation of Chambers at the direction of Murphy," according to Judge Robertson, as well as other details about the still missing document.

"What has happened to Teresa Chambers is a travesty; she deserves her career back," stated PEER General Counsel Richard Condit, who is representing Chambers. "For purposes of this lawsuit, it no longer matters which version of Donald Murphy's widely varying accounts under oath is accurate — either way, the government is liable."

Chambers is suing the Interior Department (the parent agency of the National Park Service) under the Privacy Act which entitles individuals to see records about them maintained by federal agencies, particularly records created as part of a federal employee's personnel file. Remedies for Privacy Act violations include a monetary award equivalent for any damages suffered.

Ironically, Murphy is the only official involved in the effort to fire then-Chief Chambers who remains in his original position, although Murphy was stripped of virtually all of his responsibilities in an organizational shakeup last year. This year, a new Secretary of Interior took office, and last week, the Senate confirmed a new Park Service Director.

“This would be an opportune moment for somebody in the new leadership at the Interior Department to reevaluate their position relative to Teresa Chambers,” Condit added.

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