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Public Employees for Environmental Responsibility

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REPUBLICAN APPOINTEES REJECT CHAMBERS APPEAL — More Litigation in U.S. Park Police Case Unless Obama Administration Intervenes

Washington, DC — Republican appointees on the federal civil service review board have rejected the appeal of former U.S. Park Police Chief Teresa Chambers, prolonging a five-year legal odyssey triggered by her Washington Post interview on dangerously low force levels endangering park visitors and employees. The next step may take the case back to the federal court which ruled for Ms. Chambers back in February 2008, according to her lawyers from Public Employees for Environmental Responsibility (PEER).

Yesterday's ruling by the two remaining Republican members of the Merits Systems Protection Board addressed the February ruling by the U.S. Court of Appeals for the Federal Circuit that the board had not properly addressed the question of whether Chief Chambers was removed "in reprisal for making a protected disclosure" under the Whistleblower Protection Act. In the absence of the third, Democratic, board member, the two Bush appointees split on the question but concluded that Chambers would have been removed anyhow.

Board Chairman Neil McPhie ruled that Chambers was a whistleblower, finding that:

- Her "statements concerning decreased police patrols on the BW [Baltimore Washington] Parkway and the diversion of park police from national parks, and the resultant increase in traffic accidents, drug dealing and homeless vagrancy, constituted protected disclosures"; and
- Her "statements that patrolling the George Washington Parkway with only two officers had already required the USPP to 'turn [their] backs on drunk drivers' in order to avoid requiring the officers to abandon their posts, identifies the specific cause of a specific and substantial risk to public safety..."

Nonetheless, McPhie and Board Member Mary Rose concluded that Chambers superiors were unhappy because "her interviews were inconsistent with 'what we want to be saying on our budget'".

"This ruling sets an impossible burden for civil servants who blow the whistle on dangers to public safety and cannot be allowed to stand," stated PEER Senior Counsel Paula Dinerstein. "This case has been dragging on for more than five years and illustrates just how broken our system for protecting federal whistleblowers has become."

Congressional leaders and President-elect Obama have pledged support for whistleblower reform legislation prompted in part by the Chambers case. In addition, former Congressman and incoming White House Chief-of-Staff Rahm Emanuel and other leaders have spoken out for Chief Chambers and decried punishing public servants for “telling the truth”.

“How the incoming Obama officials act to resolve the case of Chief Chambers will say a lot about how transparent the new administration will be,” commented PEER Executive Director Jeff Ruch. “In the coming weeks, the new administration will have to decide whether to defend these actions taken by Bush appointees or whether Teresa Chambers should still be Chief of the U.S. Park Police.”

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