

Judge upholds Green Bay Police officer's demotion for leaking information to alderman

Jeff Bollier Green Bay Press-Gazette
USA TODAY NETWORK - WISCONSIN

GREEN BAY – A Brown County judge on Thursday upheld the city's discipline of a Green Bay Police officer who leaked information to a Green Bay alderman.

Judge Kendall Kelley rejected Andrew Weiss' request to vacate an arbitrator's determination that upheld Weiss' demotion from detective to patrol officer in 2018.

Weiss was removed from his assignment after he used the department's computer system to look up details of a

reported sexual assault of two Preble High School students. He shared information with Alderman Andy Nicholson, who had provided him with the suspect's name, records show.

Weiss and Green Bay's police union sued the city in September 2019, arguing Police Chief Andrew Smith never told Weiss about all of the policies he was accused of violating before disciplining him.

The lawsuit claimed Smith knew Weiss was accused of other violations, including using a personal phone for work purposes and refusing to cooperate with the department's investigation, but didn't give him an opportunity to rebut them.

Kelley's ruling determined Weiss "had notice of all the disciplinary charges he faced and had multiple opportunities to present reasons why he should not be disciplined before and after he was removed from assignment as a detective."

Smith said Kelley's decision is "indic-

ative of the sound management decisions we make as a police department and that all personnel at all levels will be held accountable for their actions." He said Weiss continues to work for the department as a patrol officer.

Vanessa Chavez, Green Bay City Attorney, declined to comment on Kelley's ruling Friday. An attorney representing Weiss and the police union did not respond to a request for comment.

Releasing confidential information violates department policy.

Kelley's decision said the arbitrator who heard Weiss' grievance hearing did not disregard laws regarding due process rights and affirmed arbitrator James Daley's July 2019 decision.

"Weiss demonstrated a lack of discretion and placed doubt in GBPD's mind as to his ability to be trusted with confidential information," Daley wrote his July 2019 decision.

Contact Jeff Bollier at (920) 431-8387 or jbollier@gannett.com. Follow him on Twitter at [@GBStreetwise](https://twitter.com/GBStreetwise).

CORRECTION POLICY

The Press-Gazette corrects factual errors promptly and courteously. If you have a correction or clarification, please call us at (920) 435-4411 or email metro@greenbaypressgazette.com

Police officer disciplined for leaking info sues city

Haley BeMiller Green Bay Press-Gazette
USA TODAY NETWORK - WISCONSIN

GREEN BAY – A Green Bay police officer who was disciplined for leaking information to an alderman is suing the city, saying he never had the chance to respond to some of the charges against him.

Andrew Weiss was removed from his assignment as a detective in 2018 and returned to patrol duty after he used the department's computer system to look up details of a reported sexual assault of two Preble High School students. He then shared information with Alderman Andy Nicholson, who had provided him with the

See LAWSUIT, Page 10A

Lawsuit

Continued from Page 1A

suspect's name, records show.

Releasing confidential information violates department policy. The suspect in the case, Maurilio Giovanny Lopez-Lopez, has since been convicted of false imprisonment.

According to the lawsuit filed Tuesday, Police Chief Andrew Smith never told Weiss about all of the policies he was accused of violating before disciplining him. The lawsuit says Smith admitted to knowing Weiss was accused of other violations, including using

a personal phone for work purposes and refusing to cooperate with the department's investigation, but didn't give him an opportunity to rebut them.

The additional charges also weren't mentioned during a disciplinary hearing, the suit states.

Smith's comments came during arbitration with Green Bay's police union, which represents Weiss, according to the lawsuit. The union filed a grievance after Weiss' demotion, but arbitrators ultimately sided with the city.

"Weiss demonstrated a lack of discretion and placed doubt in GBPD's mind as to his ability to be trusted with confidential information," arbitrator James Daley wrote in his July decision.

Weiss is seeking a reversal of the arbitrator's deci-

sion and a new hearing. He argues the arbitrator's decision should be invalidated because Weiss was not given an opportunity to respond to all of the charges. His lawsuit also notes that his transfer caused him to lose the \$80 monthly stipend that detectives receive on top of their base pay.

Smith and City Attorney Vanessa Chavez did not immediately respond to requests for comment.

Doug Schneider of the Green Bay Press-Gazette contributed to this report.

Contact Haley BeMiller at (920) 431-8212 or hbemiller@gannett.com. Follow her on Twitter at @haleybeMiller.