

INVESTIGATIVE REPORT

Complaint Number: 18-02525

Investigator: Liisa M Hill

Officer (s): Christopher Pickhardt

Case Type: Administrative

Date of Incident: August 2017 to February 2018

Complaint Filed: February 13, 2018

CASE OVERVIEW

Complainant alleges that Sergeant Christopher Pickhardt harassed him through social media and publically ridiculed and defamed him.

ALLEGATIONS

13.43 - Personnel Data

Allegation ■ *Sergeant Christopher Pickhardt violated Minneapolis Police Department Policy when he publicly criticized and ridiculed another employee in a defamatory and offensive manner. MPD P&P § 5-105 (A) (11) – Professional Code of Conduct*

CASE INVESTIGATION

I. Statement of ■ 13.43 - Personnel Data

On May 24, 2018, ■ 13.43 - Personnel Data was interviewed by Investigator Liisa M. Hill. ■ 13.43 - Personnel Data stated he first became aware of Sergeant Christopher Pickhardts unusual interest in taking photographs of him during roll call prior to working at an off-duty Minnesota Viking game. He described Sergeant Pickhardt as an acquaintance not as a personal friend.

13.43 - Personnel Data

13.43 - Personnel Data then noticed on his Facebook page, pictures of him in women's clothing and some of the same pictures that were contained in the calendar. 13.43 - Personnel Data stated he then became upset and told his friends. One of his friends 13.43 - Personnel Data was also offended by the Facebook posts. 13.43 - Personnel Data stated other officers would approach him after rollcall and ask what the deal was with Sergeant Pickhardt, and were they friends, to which 13.43 - Personnel Data would reply, no. The other officers would respond that it seemed to them like he was joking with 13.43 - Personnel Data because they were good friends. 13.43 - Personnel Data said he told the officers he was absolutely not friends with Sergeant Pickhardt. The other officers then responded that Sergeant Pickhardt was out of line.

Sergeant Pickhardt's postings on 13.43 - Personnel Data Facebook page continued with Sergeant Pickhardt writing that 13.43 - Personnel Data was a "piece of shit" and that he was an embarrassment to the uniform. 13.43 - Personnel Data stated those type of comments really offended him because he was one of the high achievers on the Minneapolis Police Department and has several awards. 13.43 - Personnel Data stated "I've been 110 percent for thirty on years and that is, those comments hit me hard because that is the farthest thing from what I've been on, in my career."⁴ 13.43 - Personnel Data stated he responded on Facebook to Sergeant Pickhardt stating that Sergeant Pickhardt had crossed a line, and he needed to remove his posts. 13.43 - Personnel Data stated Sergeant Pickhardt ignored his request and the derogatory and offensive posts continued. 13.43 - Personnel Data stated other police officers then contacted Sergeant Pickhardt telling him they were offended by his posts. 13.43 - Personnel Data stated that his wife and children were upset, with his children asking him, "Why is he writing that stuff about you?"⁵

13.43 - Personnel Data

⁴ Statement of 13.43 - Personnel Data page 3, paragraph 45

⁵ Statement of 13.43 - Personnel Data page 4, paragraph 5

13.43 - Personnel Data stated he then saw some of his friends posting pictures of him which were in the calendar Sergeant Pickhardt gave him. 13.43 - Personnel Data thought Sergeant Pickhardt was joking when he stated he was going to sell the calendars, but he was really selling them. 13.43 - Personnel Data said it was then he decided he was going to gather evidence of what Sergeant Pickhardt was doing. 13.43 13.43 had thrown his calendar that Sergeant Pickhardt had gifted him away. 13.43 - Personnel Data then asked if anyone had a calendar he could have. 13.43 - Personnel Data told him he could have hers.

13.43 - Personnel Data stated he told Sergeant Pickhardt two to three times to stop posting pictures and making offensive comments about him. 13.43 - Personnel Data stated he knows at least six to seven police officers either directly or on Facebook that told Sergeant Pickhardt to "knock it off". 13.43 - Personnel Data added that since February 2018, the offensive posts from Sergeant Pickhardt have subsided.

II. Statement of 13.43 - Personnel Data

On June 12, 2018, 13.43 - Personnel Data was interviewed by Investigator Liisa M. Hill. 13.43 - Personnel Data stated he was first made aware of the incidents between 13.43 - Personnel Data and Sergeant Pickhardt this past fall. 13.43 - Personnel Data stated he is not only a friend of 13.43 - Personnel Data, but they are also Facebook friends. 13.43 - Personnel Data stated 13.43 - Personnel Data and his wife have done a lot of traveling and those pictures are shared on Facebook. Sometime in the fall, 13.43 - Personnel Data noticed Sergeant Pickhardt started to add funny comments to the pictures. 13.43 - Personnel Data then noticed Sergeant Pickhardt transposing 13.43 - Personnel Data face over female bodies and making comments which he thought was weird. Later towards winter, 13.43 - Personnel Data had a conversation with 13.43 13.43 - Personnel Data told 13.43 - Personnel Data that Sergeant Pickhardt was continuing to transpose his face over female bodies which both he and his wife found offensive. 13.43 - Personnel Data told 13.43 - Personnel Data that he had told Sergeant Pickhardt to stop the offensive Facebook posts.

13.43 - Personnel Data

13.43 - Personnel Data stated that day he was assigned to work a gate with Sergeant Pickhardt. 13.43 - Personnel Data stated while working the gate he told Sergeant Pickhardt that his postings on Facebook regarding 13.43 - Personnel Data were upsetting to 13.43 13.43 wife and also to 13.43 - Personnel Data stated he told Sergeant Pickhardt to knock it off, but, Sergeant Pickhardt just blew him off. Sergeant Pickhardt laughed and stated, "Oh, it's funny"⁸ and walked away.

⁶ Statement of 13.43, page 2, paragraph 40

⁷ Statement of 13.43, page 2, paragraph 50

⁸ Statement of 13.43, page 3, paragraph 40

13.43 - Personnel Data stated after the Super Bowl, 13.43 - Personnel Data posted some pictures on Facebook of himself taken with a number of Hall of Fame football players attending the game. Sergeant Pickhardt added some very nasty comments to those pictures. Sergeant Pickhardt posted, 13.43 is a piece of shit and he is an embarrassment to the uniform. 13.43 - Personnel Data reiterated that both he and 13.43 - Personnel Data told Sergeant Pickhardt to stop, and that it was upsetting 13.43 - Personnel Data family to which Sergeant Pickhardt just laughed and walked away.

III. Statement of Sergeant Christopher Pickhardt

On June 14, 2018, Sergeant Pickhardt was interviewed by Investigator Liisa M. Hill. Sergeant Pickhardt stated he has a general working relationship with 13.43 - Personnel Data. They do not socialize and were never street partners. 13.43 - Personnel Data

13.43 - Personnel Data

Sergeant Pickhardt stated even though he and 13.43 - Personnel Data do not have a close relationship, there had been what Sergeant Pickhardt describes as a “thing” running between him and 13.43 - Personnel Data which started in August of last year. Sergeant Pickhardt stated somewhere around that time he was having a birthday or it was 13.43 - Personnel Data birthday and he saw him at a part-time job and thought, “okay, I’ll send him a, a birthday greeting”. Sergeant Pickhardt stated he posted 13.43 - Personnel Data face on something and sent it to him. Sergeant Pickhardt stated 13.43 - Personnel Data laughed and told him he was going to get him back, so he thought they were good.

Sergeant Pickhardt stated around the holidays he posted 13.43 - Personnel Data face on a body on Facebook. Sergeant Pickhardt stated he had a lot of people comment that this was great and very funny and that he should make a calendar or bobble head. Sergeant Pickhardt said even 13.43 - Personnel Data laughed and told him he was going to get him (Sgt Pickhardt) back. 13.43 - Personnel Data

13.43 - Personnel Data

Sergeant Pickhardt was asked if he has posted things to 13.43 - Personnel Data Facebook site, to which Sergeant Pickhardt responded, “I have”.⁹ Sergeant Pickhardt was shown a Facebook post from him showing a picture of 13.43 - Personnel Data and the caption, “13.43 didn’t do shit the whole time, he just went around begging for autographs and photos.”¹¹ Sergeant Pickhardt was asked if he remembered posting that, to which he responded in the affirmative. Sergeant Pickhardt stated prior to his posting and comments about 13.43 - Personnel Data had done the same thing, posting an unflattering picture of Sergeant Pickhardt with the caption “Look at this fat slob of a cop. Should he be a Minneapolis Police Officer?”¹² Sergeant Pickhardt stated the picture did not bother him and he never asked for it to be removed from Facebook. He did notice that it had been deleted a short time after it had been posted.

Sergeant Pickhardt was asked if at any time 13.43 - Personnel Data told him to knock it off, and that he did not like his postings. Sergeant Pickhardt stated he did not specifically recall 13.43 - Personnel Data telling him to stop. Sergeant Pickhardt stated someone did approach him and stated 13.43 - Personnel Data was upset at the various postings. Sergeant Pickhardt said he then removed all the postings from Facebook approximately two weeks after the Super Bowl. Sergeant Pickhardt was asked if he posted comments relating to travel pictures 13.43 - Personnel Data wife had taken. Sergeant Pickhardt responded that he probably did. Sergeant Pickhardt was asked if the comments were complimentary of her photographic

⁹ Statement of Sergeant Pickhardt, page 2, paragraphs 25-30

¹⁰ Statement of Sergeant Pickhardt, page 4, paragraph 30

¹¹ Statement of Sergeant Pickhardt, page 4, paragraph 35

¹² Statement of Sergeant Pickhardt, page 4, paragraph 50

skill. Sergeant Pickhardt stated no, the comments were similar to the calendar and other postings. Sergeant Pickhardt was asked if he superimposed [REDACTED] picture, in women's dress with those pictures that she took. To which Sergeant Pickhardt responded, "I don't know if I did. I may have."¹³

Sergeant Pickhardt was again asked if [REDACTED] ever posted something on either his page or Sergeant Pickhardt's Facebook page indicating that he did not want you to be posting this material. Sergeant Pickhardt responded, "He may have but I can't recall specifically but he may have."¹⁴ Sergeant Pickhardt added that his postings were just for fun and were never meant as mean-spirited.

DISCUSSION

13.43 - Personnel Data

The Minneapolis Police Department's Policy and Procedure Manual states in part:

MPD P&P 5-105 (A) (11) PROFESSIONAL CODE OF CONDUCT: *Employees shall not publicly criticize or ridicule the Department, its policies or other employees as to the performance of their duties in a manner which is defamatory, obscene, unlawful, or in any other manner which impairs the effective operation of the Department or in a manner which displays a reckless or knowing disregard for the truth. This regulation shall not be construed so as to impair the exercise of free speech by employees on matters of public concern.*

Sergeant Pickhardt posted pictures and comments on Facebook that Sergeant Sandberg found offensive and derogatory. Sergeant Pickhardt stated that his comments were a continuing back and forth with Sergeant Sandberg. Sergeant Sandberg stated he and other Minneapolis Police Department Employees told Sergeant Pickhardt to stop which Sergeant Pickhardt ignored. When Sergeant Pickhardt was asked if he was told to stop the offensive comments and pictures, he stated that he couldn't recall.

¹³ Statement of Sergeant Pickhardt, page 6, paragraph 45

¹⁴ Statement of Sergeant Pickhardt, page 7, paragraph 55

The following exchange is one example of the Facebook posts:

Chris Pickhardt: *Your an embarrassment to the department begging for photos and autographs.....WOW*

Like · Reply · 1d

13.43 Shut up Pickhardt...

Like · Reply · 1d

Chris Pickhardt: 13.43 thank god your retiring you useless piece of shit

Like · Reply · 1d

13.43 Chris Pickhardt I think your starting to get a little personal with that comment and I am truly offended by what you said. Erase it now.

Like · Reply · 1d

Chris Pickhardt: 13.43 truth hurts buddy

The following Facebook post is from Sergeant Pickhardt:

Chris Pickhardt: 13.43 didn't do shit the whole time.....he just went around begging for autographs and photos.....he is such a piece of shit he should have retired years ago.....embarrassment. to the uniform

CLOSING

13.43 - Personnel Data

Did Sergeant Pickhardt post offensive and defamatory pictures and comments directed at 13.43

13.43 on Facebook in which he publicly criticized and ridiculed 13.43 - Personnel Data

Sergeant Pickhardt admitted to posting various pictures and making comments regarding 13.43

13.43. In these posts Sergeant Pickhardt used language derogatory and defamatory towards 13.43

13.43. Sergeant Pickhardt does not recall being told or requested to discontinue his posts or comments, despite 13.43 - Personnel Data and 13.43 - Personnel Data statements that they told Sergeant Pickhardt to stop his Facebook posts.

I confirm that the information I provided in this case is true to the best of my knowledge.



Investigator: Liisa M Hill

August 29, 2018

Date:

EVIDENCE

1. Statements

- a) [REDACTED]
- b) **13.43 - Personnel Data**
- c) Sergeant Christopher Pickhardt

2. Records

- a) MPD Internal Affairs Division Memorandum regarding complaint
- b) Screen Shots of Facebook Posts

13.43 - Personnel Data

NOTICE OF DISCIPLINE

February 5, 2020

Sgt. Christopher Pickhardt
Pct. 5 Daywatch
Minneapolis Police Department

RE: OPCR Case 18-02525

Notice of Suspension **13.43** suspension without pay)

Sgt. Pickhardt,

The finding for OPCR Case #18-02525 is as follows:

Policy Number	Sub-Section	Policy Description	Category	Disposition
5-105	(A)(11)	13.43 - Personnel Data Code of Conduct	C	<u>Sustained</u>

As discipline for this incident you are suspended **13.43** without pay.

This case will remain in OPCR files per the record retention guidelines mandated by State Law.

Be advised that any additional violations of Department Rules and Regulations may result in disciplinary action up to and including discharge.

Sincerely,



Medaria Arradondo
Chief of Police

By: Michael Kjos, Assistant Chief of Police
Henry Halvorson, Deputy Chief, Professional Standards Bureau

NOTICE OF RECEIPT

Acknowledgement of receipt:

I, Christopher Pickhardt, acknowledge that I have received my Notice of Discipline for OPCR Case #18-02525.



Sgt. Christopher Pickhardt

3-9-20
Date of Receipt



Inspector Huffman

3-9-20
Date

CC: OPCR Case File
Inspector Huffman
Payroll
Human Resources

**IN RE:
THE MATTER OF**

THE CITY OF MINNEAPOLIS
(Minneapolis Police Department)

and

Settlement Agreement
(Union Grievance # 20-01)

**POLICE OFFICERS' FEDERATION
OF MINNEAPOLIS**
(Chris Pickhardt, Grievant)

This Settlement Agreement ("Agreement") is made and entered into by and between the City of Minneapolis ("City"), the Police Officers' Federation of Minneapolis ("Federation") and Sergeant Chris Pickhardt, Badge No. 5716 ("Grievant").

RECITALS

- A. The City and the Federation are parties to a collective bargaining agreement ("Labor Agreement") that governs the relationship between them.
- B. The Grievant is employed by the City in its Police Department ("MPD").
- C. The Federation is the Grievant's sole and exclusive certified bargaining representative.
- D. On or about February 5, 2020 the MPD served Grievant with a notice violation of MPD Policy 5-105(A)(11) and required Grievant to serve a 40-hour suspension.
- E. Grievant served the 40-hour suspension 3/14/2020, 3/19/2020, 3/27/2020, and 4/4/2020.
- F. The Federation grieved the suspension, Grievance #20-01.
- G. The Chief of Police has the full authority of the City Council to resolve the grievance.
- H. The Federation, the City, and the Grievant wish to resolve this matter amicably and without resort to arbitration.


NOW THEREFORE, the City, the Federation, and Grievant agree as follows:

AGREEMENT

1. The Federation shall withdraw Grievance # 20-01, with prejudice.
2. The City imposes and the Federation, on behalf of the Grievant, shall accept a 25-hour suspension for a category C violation of the MPD's Policy and Procedure Manual under Section 5-105(A)(11).
3. The City shall make the Grievant whole in the following manner:
 - a. The City shall reimburse Grievant for 15 hours of his regular pay at the rate of pay in effect at the time the suspension was served. Payment shall be tendered within 30 days of both parties' receipt of the fully executed Agreement.
4. The Federation, as an entity and on behalf of its members individually, agrees that this Settlement Agreement shall not be used in any arbitration or proceeding, except to enforce the terms of this Settlement Agreement. The Federation, its bargaining unit members and the grievant are bound by this Agreement as if they had entered into it individually.
5. The City and the Federation agree that this Agreement is without prejudice or precedent to any future matter involving any City employee, other than the Grievant; and, that this Agreement shall be of no value as evidence, and shall not be submitted or received as evidence, in any arbitration, hearing, trial, appeal or other proceeding involving any City employee, other than the Grievant.

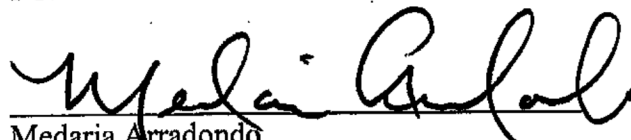
ACCEPTED AND AGREED TO:

FOR THE FEDERATION:


Sherral Schmidt
President, Police Officers' Federation of Minneapolis

Date: 7/27/2021

FOR THE CITY OF MINNEAPOLIS


Medaria Arradondo
Chief of Police

Date: 7-26-2021

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ACCEPTED AND AGREED TO:

FOR THE FEDERATION:

Sherral Schmidt

Date: 7/27/2021

Sherral Schmidt/
President, Police Officers' Federation of Minneapolis

FOR THE CITY OF MINNEAPOLIS

Medaria Arradondo

Date: 7-26-2021

Medaria Arradondo
Chief of Police