

**MEDIA RELEASE – ATTORNEY GENERAL’S OFFICE HAS CONCLUDED
INVESTIGATION OF UNAUTHORIZED DISCLOSURE**

Douglas, Arizona (*October 4, 2019*) The Arizona State Attorney General’s Office has concluded their investigation of the request from Douglas City Council via Chief of Police Kraig Fullen through a June 26, 2019 letter that provided the following information:

Potentially confidential or protected information concerned a Title VII Hostile Work Environment Notice submitted to the City and dated 12/9/2018. The leak also may have included confidential personnel records of any of the parties mentioned in the 12/9/2018 Notice, and also a Facebook account of a supposed Jessica Lomeli that had apparently posted a copy of the noted 12/9/2018 notice.

The City of Douglas is respectfully requesting assistance with the investigation of this matter to determine the source of the disclosure, identity of the responsible party or parties involved with the disclosure of the information and to determine the origin and legitimacy of the Facebook account listed under Jessica Lomeli as it relates to this matter.

The response from the Attorney General’s Office on October 3, 2019 is as follows:
As you may recall I had been tasked to investigate the legal issue regarding the posting of a Title 7 Hostile Work Environment complaint on Facebook.

From a legal perspective, Arizona Statute (ARS 38-504) does provide for potential criminal prosecution for disclosure of confidential information, but this liability only extends to public officers who owe a duty of confidentiality.

I really appreciate the assistance you provided in getting information to our investigators. Our investigators have evaluated the materials you provided, as well as the information provided by Ms. Watson and Mr. Flores, and concluded that there are no further avenues of investigation

absent subpoenas to the social media service for historical records (as the posting or account is no longer up). At this point, considering the number of individuals with access to the pleading at the time (including the plaintiffs themselves) as well as the open question as to whether this information is 'confidential' as contemplated in the statute, there is no basis to serve subpoenas in this case.

Upon investigation and review of the above, our office has elected not to pursue further action.

If you have any further questions/thoughts/concerns, please do not hesitate to reach out. Matt Eklund Assistant Attorney General, Tucson Office (520) 628-6517

For questions please contact the Police Chief Kraig Fullen at (520) 417-7365 or City Manager's office at (520) 417-7303.