

STATE OF MINNESOTA  
COUNTY OF RAMSEY

DISTRICT COURT  
SECOND JUDICIAL DISTRICT  
CASE TYPE: EMPLOYMENT

St. Paul Police Federation and  
Matthew Gorans,

Plaintiffs,

Court File No.: \_\_\_\_\_  
Judge \_\_\_\_\_

vs.

**COMPLAINT**

City of St. Paul,

Defendant.

NOW COME Plaintiffs above-named and for their Complaint herein, state and allege as follows:

**PARTIES**

1. The St. Paul Police Federation (Federation) is a Minnesota corporation and is the exclusive representative, under Minnesota Statutes § 179A, et seq. of the police officers employed by the City of St. Paul, Minnesota.

2. Plaintiff Officer Matthew Gorans (Officer Gorans) is an employee of the City of St. Paul, St. Paul Police Department (Department), holding the rank of Police Officer. He is a member of the St. Paul Police Federation.

3. The City of St. Paul, Minnesota (City) is a home-rule charter city of the first class located in Ramsey County, Minnesota.

#### FACTS

4. On August 28, 2012, during the course and scope of his regular duties, Officer Gorans assisted other officers in apprehending Eric Hightower (Hightower). At the time, a felony warrant existed for Hightower's arrest.

5. Following Hightower's arrest the City initiated an internal affairs investigation into the actions of certain officers on August 28, 2012. (Internal Affairs investigation #12 – 08596). This internal affairs investigation contains still photographs and video representations of certain actions taken by Officer Gorans during the arrest of Hightower. In these photographs and in the video representation Officer Gorans' face can be seen, and he can be clearly identified.

7. On or about July 8, 2013 the City released the contents of some or all of internal affairs investigation #12 – 0859 to representatives of the media, including but not limited to the St. Paul Pioneer Press. More specifically, the City released still photographs and video representations of Officer Gorans to the media.

8. The release of the investigation occurred after the Federation and/or Officer Gorans requested that the investigation and/or photographs not be released to the media, and after the Federation and/or Officer Gorans requested that at the very least Officer Gorans' face be pixelated so that he could not be identified. The photographs and video released to the media contain un-pixelated representations of Officer Gorans.

**COUNT I****VIOLATION OF MINN. STAT. § 626.89, SUBD. 12**

9. Plaintiff re-alleges as though fully set forth herein, paragraphs 1 through 8 of the Complaint.

10. Minn. Stat. § 626.89, subd. 12 provides that no law enforcement agency or governmental unit may publically release photographs of an officer without the written permission of the officer.

11. Plaintiff has been damaged by said violation.

WHEREFORE, Plaintiff requests an Order of this Court granting the following relief:

1. Actual damages pursuant to Minn. Stat. § 626.89, Subd. 16.
2. Costs and reasonable attorney's fees pursuant to Minn. Stat. § 626.89, Subd. 16.
3. Such other relief as may be just in the premises.

**ACKNOWLEDGMENT**

The undersigned hereby acknowledges that costs, disbursements and reasonable attorney and witness fees may be awarded pursuant to Minn. Stat. § 549.21, to the party against whom the allegations in this pleading are asserted.

WACHTLER LAW OFFICE

Dated: 7-11-13

BY: 

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