



City of Boston, Massachusetts  
Office of Police Accountability and Transparency  
**Stephanie Everett, Executive Director**

## **CIVILIAN REVIEW BOARD- CLOSED COMPLAINT #58**

**DATE OF INCIDENT:** June 14, 2022

**DATE OF FILING:** June 14, 2022

**ALLEGATION OF MISCONDUCT:** Excessive Use of Force, Failure to Read Miranda Rights

**PRECINCT:** Boston Police District D-14, Brighton

**INVESTIGATOR:** Michel Toney

**CRB MEETING DATE:** November 15, 2022

**DISPOSITION:** Insufficient Evidence to Make a Finding

### **SUMMARY OF FACTS:**

On June 14, 2022, the Office of Police Accountability and Transparency (OPAT) received an online intake complaint form submission with video and audio from an anonymous individual.

The Complainant alleges that on June 14, 2022, they left their apartment in Brighton. They stated that they saw a tall Black individual being surrounded by two Boston Police officers. The Complainant alleges that they heard the individual continue to ask what he was being detained for. The Complaint further states that the Boston Police Department Officers failed to provide a basis for their questioning of the individual for approximately 4-5 minutes.

The video provided captures both audio and visual of two BPD Officers attempting to speak with an individual that matches the description of a suspect that recently “tagged” nearby federal property with stickers. It is later revealed that the suspect was an “individual wearing a brown hoodie, one blue latex glove, and brown sandals with their hair tied up in



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dreadlocks.” The individual in the video provided by the complainant matches all four of those descriptors.

The video shows the individual repeatedly walking away from the two BPD officers, who are asking them about their name, date of birth, and where they are coming from. The individual initially does not respond, but eventually gives their name and date of birth, while the BPD officers tell the individual repeatedly that they are not free to leave. At certain points, one of the BPD officers steps in front of the individual and puts his hands up to try to stop the individual from walking away from them. The individual indicates in the video that this is assault and that it is making them feel threatened.

About six minutes into the video encounter, two more officers become visible and one of them explains to the individual that the police have them on video tagging federal property with stickers. After some time, the officers tell the individual they are under arrest for defacing federal property.

**DISPOSITION:**

The Civilian Review Board voted unanimously (6-0) to consider this complaint **Insufficient Evidence to Make a Finding**. However, the CRB did have questions about the possible constitutional rights violations of the stop. The person who submitted the complaint is not the arrestee.

The excessive use of force was not found. It is unclear if or when their Miranda Rights would have been provided to the arrested. Without this information, a claim of violation of due process is insufficient to make a finding.