



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

CIVILIAN REVIEW BOARD - CASE #177

INVESTIGATOR: Michel Toney

DATE OF INCIDENT: March 17, 2023

DATE OF FILING: March 22, 2023

COMPLAINT SUMMARY:

Complainant alleges intimidation by a BPD officer and improper use of an arrest warrant.

DISTRICT: Boston Police District A-1

ALLEGED VIOLATION OF RULE:

RULE 102 §9 RESPECTFUL TREATMENT: Employees shall, on all occasions, be civil and respectful, courteous and considerate toward their supervisors, their subordinates and all other members of the Department and the general public. No employee shall use epithets or terms that tend to denigrate any person(s) due to their race, color, creed, gender identity or sexual orientation except when necessary in police reports or in testimony.

OPAT FINDINGS AND RECOMMENDED DISPOSITION:

Rule 102§9-Respectful Treatment - Not sustained

Based on all of the evidence presented and reviewed, the CRB voted unanimously (8-0) that the complaint be considered **Not Sustained** on the alleged violation of BPD Rules and Procedures Rule 102 §9 against the BPD officer named in the complaint. After a review of the body worn camera footage, the evidence did not support an allegation that the Officer harassed or intimidated the Complainant. The Officers were observed to be respectful in their approach and communication with the Complainant and the other individuals who the Officers made contact with during this interaction.

Discovery List:



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1. Interview with Complainant	2. BPD Body-Worn Camera Footage
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Interview Summary:

On March 22, 2023, the Office of Police Accountability and Transparency received a complaint regarding two Boston Police Officers who allegedly intimidated and harassed her.

The Complainant stated that in the early hours of the morning on March 17, 2023 at 1:00 a.m., two BPD officers showed up to her house with a warrant to arrest her son who was wearing an ankle monitoring device. The Complainant stated that when she opened the door, the officers were disrespectful and she felt harassed. Both officers were reported by the Complainant to be white males and based on her race and Haitian ethnicity, the Officers were disrespectful in their treatment of her.

Document/Video/Other Investigation Technique Summary:

Investigator Toney reviewed the Body-Worn Camera footage of the officer who arrived on scene, Officer 1. Officer 2, was also on scene but was not wearing a body camera. After review, Investigator Toney observed the Complainant answering questions by the officers in regards to the whereabouts of the complainant's son. The Complainant can be seen directing both officers to where her son was sleeping. The officers received a warrant via fax to arrest the complainant's son for failure to charge his ankle monitoring bracelet. Officers entered the room and located the suspect and later proceeded to arrest the complainant's son for failing to charge his ankle bracelet. The officers can be seen taking the complainant's son out of the residence and placing him into the back of the police cruiser. Officers 1 and 2 went back into the residence to record and identify the individuals that were staying inside the home. Based on the body camera footage there is no evidence that suggests the officers were searching the home as they were only questioning the complainant as well as an unknown individual by asking them to identify themselves.

Throughout the duration of the video the Complainant speaks about why her son's ankle monitoring device was not working, the incident that transpired, as well as various other subjects that did not pertain to the incident. Officers 1 and 2 were observed to be respectful during their interaction with the Complainant and there is no evidence that shows the Officers intimidating the Complainant.