



City of Boston, Massachusetts
Office of Police Accountability and Transparency
Evandro Carvalho, Executive Director

CIVILIAN REVIEW BOARD (CRB)- COMPLAINT #209

Date of Incident: September 24, 2022
Time of Incident: 8:30 AM
Location of Incident: Dorchester, MA
Date of filing: July 24, 2023
Investigator: Tastery Reed, Jr.
Date of CRB Decision: March 27, 2025

INVOLVED OFFICERS:

Officer's Name	District	Badge/ Employee #	Sex	Race/ Ethnicity
Sergeant Sean M. Rooney	B-3	116897	M	White
Sergeant Detective Roberto C. Paulino	BPD Headquarters (IAD)	099721	M	Hispanic
Sergeant Detective Charles R. Moore	A-1	102285	M	Black

CASE PROCEDURAL HISTORY:

This case was before the CRB on November 20, 2024. The CRB **voted unanimously (6-0)** requesting an **Information Inquiry** and referred the case back to OPAT Investigators for further investigation. The board requested an interview of Sergeant Sean Rooney, Sergeant Detectives Roberto Paulino and Charles Moore. The board further questioned whether the Boston Emergency Services Team (BEST) arrived or was called to the scene.

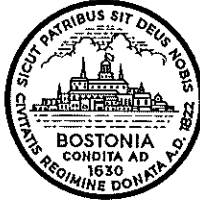
The complainant testified at the hearing. The complainant stated to the CRB that his brother tried to attack him on September 24, 2022, and that responding officers and Boston EMS failed to take appropriate action upon arriving at the scene. Complainant further stated that after reporting his concerns regarding the responding officers' mishandling of the incident to Sergeant Rooney and later to IAD Detectives Paulino and Moore, they failed to take appropriate action as well.



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SUMMARY OF ALLEGATIONS:

On May 19, 2023, the Office of Police Accountability and Transparency (OPAT) received a complaint filed by Complainant alleging police misconduct of Boston Police Department employees, Sergeant Sean M. Rooney and IAD Detectives Roberto Paulino and Charles Moore, for violating BPD Rules and Regulations 102§4 (Neglect of Duty). Complainant alleged that on September 24, 2022, he requested his brother to be sectioned 12 or admitted to a general or psychiatric hospital for psychiatric evaluation and treatment for trying to assault him. Complainant alleged that Boston Police Officers responded to his residence twice but left without properly investigating or taking appropriate action. Complainant further alleged that while officers were at his residence the second time, Boston EMS also responded and did nothing. A few days later, Complainant walked into B-3 police station and reported the mishandling of the incident to Duty Supervisor Sergeant Sean M. Rooney. Sergeant Rooney showed Complainant a police report from the incident that did not accurately reflect what occurred and inadvertently referred to Complainant as a suspect. The incident report was categorized as domestic violence, while the narrative only alluded to a welfare check of Complainant's brother. The report failed to mention Complainant's brother's attempted assault; a hammer and a damaged door that officers observed on the day of the incident. Complainant attempted to clarify what occurred and requested an investigation of the officers who responded to his residence on September 24, 2022. Sergeant Rooney failed to take action. On November 29, 2022, Complainant walked into Boston Police Headquarters and reported the inaction of responding officers and Sergeant Rooney to IAD Sergeant Detectives Roberto Paulino and Charles Moore. Sergeant Detectives Paulino and Moore could not provide Complainant with a police report related to the incident on September 24, 2022, stating that there was none in their database. Although Paulino and Moore stated they would review Complainant's allegations and follow up, they failed to do so. Months later, Complainant returned to Boston Police Headquarters requesting all reports involving Complainant and his brother. The person at the front desk provided Complainant with a couple of reports but was unable to find or provide any report from the September 24, 2022, incident.



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APPLICABLE RULES & LAWS:

1. **BPD Rule 102§4-Neglect of Duty:** “This includes any conduct or omission which is not in accordance with established and ordinary duties or procedures as to such employees or which constitutes use of unreasonable judgment in the exercising of any discretion granted to an employee.”
 - a) Sergeant Rooney and IAD Detectives Moore and Paulino did not follow up or investigate why officers and Boston EMS who responded to the incident at Complainant’s residence on September 24, 2022, failed to take appropriate action, failed to have Complainant’s brother “sectioned” or admitted to a hospital for psychiatric evaluation and treatment.

SUMMARY OF INVESTIGATION:

1. On July 6, 2023, Investigator Reed called Complainant to discuss his complaint.
 - a. Complainant reiterated his allegations from his intake form (See Summary of Allegations section).
2. On October 18, 2023, Investigator Reed contacted the Dorchester Division of Boston Municipal Court’s clerk’s office to see if there were any court documents available. However, no information was found.
3. On November 14, 2023, Complainant sent an audio recording of his conversation with Sergeant Detectives (s) Moore and Paulino. The audio recording was from November 29, 2022, and was recorded at the Boston Police Headquarters’ lobby.
 - a. Investigator Reed listened to the recording, which Complainant stated to Sgt. Detectives Moore and Paulino that he called the police for a well-being check, and Boston EMS responded to the scene. The complainant stated to the Sergeant Detectives that no one at the scene did anything. Complainant stated that the first time Officers arrived at the home, officers spoke to Complainant’s mother about the incident.
 - b. The Complainant arrived and told officers that he was the one who called the police and explained the situation to them, including showing officers the police report. Complainant stated that responding Officers lied and never



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went down the hall and found his brother asleep that day. Complainant had to direct Officers to where his brother's room was located when they returned to the house the second time that day.

4. On November 15, 2024, Investigator Reed reviewed an email that was forwarded from the BPD liaison from Sergeant Detective Charles C. Moore, detailing the incident, and made the following statements:
 - a. As a result of his investigation, he found that there was no call for the date of August 2022. The call in question occurred on September 24, 2022. This call was not for a domestic violence incident. It was for a well-being check that was called in by the Complainant. It appeared that Complainant called to have his brother evaluated and possibly have a section 12 placed on him. The Officers on the scene spoke with all parties, including the mother of both parties.
 - b. Boston EMS spoke with Complainant's brother and determined that he was fine and did not need to go to the hospital. The mother of the two brothers stated that Complainant's brother is not violent and just talks loudly. She also informed Officers on the scene that the brother had not broken the door as alleged by Complainant. The mother stated that the door had been broken prior to him coming to live there, and she had it repainted. The mother also told the Officers that Complainant was "her enemy in the house" and that the Complainant caused unnecessary problems. She further stated that she wanted the Complainant to leave her house.
 - c. Complainant agreed that he would leave the home voluntarily. The Complainant was instructed not to return by the Officers on scene. The Officers on scene explained to Complainant that they could not section his brother during this call and previous calls and that if Complainant believed that a section 12 was needed, then he would need to get the proper medical paperwork that authorized the section 12. This incident stemmed from Complainant's brother believing that Complainant was hacking his phone, causing him to file a police report on Complainant a few days prior.



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- d. Sergeant Detective Moore added that no violations were observed in any of the BWCs. He explained that the decision to section the Complainant brother lay with Boston EMS and/or other medical professionals.
5. On November 22, 2023, Investigator Reed reviewed BWC footage provided by BPD. Investigator Reed attempted to obtain the identities of the Officers who owned the videos. However, BPD liaison was unable to provide the information.
 - a. The first BWC, depicted at the 2:00 minute mark, Complainant's brother conversing with an Emergency Medical Technician (EMT) worker while Officers were on the scene. Complainant's brother explained to the Officers and the EMT worker that his phone had been hacked and believed the Complainant was the person who did it. The Complainant's brother stated that he is fine, but just upset. Complainant's mother explained that a door was previously broken and had been repainted. At the 14:46 mark in the video, Complainant's mother stated that Complainant was her enemy and did not ever speak to her. The mother made it clear that she wanted the Complainant out of the home and for the Complainant to go to their father's home. At the 12:17 minute mark, an EMS worker explained to the Complainant's older brother that they are not finding any reasons to go to the hospital, and if anything changes, to call 911.
 - b. The second BWC depicted a female officer speaking to an EMT worker while Complainant was arriving at the scene and explaining that his brother is sleeping, that he is fine, and that there is nothing Complainant can do at the moment. The Officer stated that Complainant's brother had some type of mental breakdown going on, but had not been diagnosed with anything. The female Officer also explained that the Complainant continued to call. After speaking to the Complainant's brother, EMT workers and BPD Officers made it clear that there was no reason to do a section 12 on Complainant's brother.
 - c. Investigator Reed reviewed a third BWC footage. In summary, it depicted an Officer explaining to the Complainant that he needed to get the proper paperwork for a section 12 to occur and the proper personnel involved with



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sectioning individuals. On all BWC videos, none depicted the Complainant directing officers to his brother's room.

6. On January 19, 2024, Investigator Reed reviewed the 9-1-1 dispatch tape. At the 8:34:00-8:35:00 mark on the tape, there was no audio. At the 8:35:56 mark on the call, a dispatcher can be heard saying that Complainant called stating his brother has been acting erratically the last couple of days and requiring a mental health evaluation. At the 9:24:03 mark, the 9-1-1 dispatcher says that the Complainant's brother just woke up, but is not cooperative. Throughout the tape, Investigator Reed did not hear Complainant's conversation with the dispatcher.
 - a. Investigator Reed reviewed the CAD Sheet History, which showed three call records for the date of September 24, 2022. Two calls were for the residence. According to CAD Sheet History records, the first call was for an alarm, and the second call was for an "Emotionally Disturbed Person." The other call listed was blacked out and was on the same street. According to BPD, that call had nothing to do with the Complainant or that specific address.
 - b. An additional CAD sheet depicted that the initial call was for an alarm/investigation for a well-being check for Complainant's brother. The second CAD sheet depicted the initial call being for an EDP. The CAD sheet listed Officer(s) Leroy Fernandes, Kamisha L. Green, Lee Sylvester Barker, and Calvin Claiborne Jr. responded to the scene.
 - c. There were two police reports on file. One police report (I# 222072404) was filed on 09/19/22, which was a walk-in report by Complainant's brother, who stated that he believed Complainant hacked into his phone and noticed that his passwords to the Google account and several social media accounts had been changed, etc.
 - d. Second police report (I#222076704) was filed on 10/05/22, which stated a similar complaint. Both reports have Complainant's name labeled as the suspect. According to BPD, there were no police reports found for September 24, 2022. BPD also noted that there were no IAD records found under the Complainant's name.



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7. On February 12, 2024, Investigator Reed sent a request to the Office of Emergency Medical Services to request any documentation on file. According to Silva Cameron, Policy and Regulatory Affairs Manager of the Department of Health, there were no records found.
8. On 12/03/24, Investigator Reed sent an interview request to Sergeant Detective Paulino and Sergeant Rooney.
 - a. Investigator Reed spoke to Sergeant Rooney on the telephone. Reed stated he checked his records, but could not remember anything about the incident or even remember speaking to the Complainant.

EVIDENCE REQUESTED/REVIEWED:

Evidence	Description	Availability status
Complainant's OPAT Intake Forms	Form completed by Intake	Available
Complainant's interview	Phone call on 6/6/2023	Available
Interview - Sergeant Detective Charles Moore	Interview request via email on 11/25/24	Not available
Body Worn Camera footage	Body Worn Cameras footage from 4 responding officers on 9/24/22.	Available
CAD Search History/Incident History	911 Call Transcript	Available



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Statement from Sergeant Detective Charles Moore	11/15/24 email from BPD liaison describing Sergeant Detective Charles Moore's review of the incident on 9/24/22.	Available
Interview letters- Sergeant Detective Roberto Paulino, ID # 099721, and Sgt.. Sean Rooney, ID#116897	Request Interview letters were sent on 12/3/24. No response	Not available
Police Report (I#222072404) Date: 9/19/22)	Walk-in police report from Complainant's brother. Complainant is labeled as a suspect	Available
Police Report (I#222076704) Date: 10/05/2022)	Police report	Available
Audio recording submitted by Complainant	Recording of Complainant's conversation with Sgt. Detective Moore and Paulino	Available
Office of Emergency Medical Services Investigation Report Request	Request for Boston EMS Investigation Report	No records on file.
Interview Request document	Interview request for Sgt. Detective(s) Paulino, Moore	No interviews occurred
9-1-1 Dispatch Tape/Turret Tape	911 Dispatch/Turret Tape incident	Not Available
Complainant's testimony statement at CRB from 11/20/24, 03/27/25	Complainant's testimony at CRB	Available



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OPAT RECOMMENDED FINDINGS:

Investigator Reed recommended that the allegations against Sergeant Sean M. Rooney, Sergeant Detectives Roberto C. Paulino, and Charles R. Moore for violating BPD Rules and Procedures 102§4-Neglect of Duty be **"Not Sustained."** After a review of several BWCs, police reports, 911 dispatch tapes, and other information provided, Complainant went to report his allegations of misconduct against responding officers on September 24, 2022. Sergeant Rooney, Sergeant Detective(s) Paulino, and Moore provided all the information they could to the Complainant. BWC footage depicted BPD Officers, along with Boston EMS workers, responding to a well-being check of Complainant's brother. Officers, including EMT's interviewed Complainant's brother, Complainant, and their mother. Complainant wanted to apply for a section 12 on his brother. The Officers, along with Boston EMT, did not find a reason to apply a section 12 on Complainant's brother. Officers did instruct the Complainant on the necessary steps for applying for a section 12.

BPD Rules and Procedures 203A (Processing and Executing Applications for Involuntary Hospitalization and Warrants of Apprehension) states an "outside agency refers to any physician, qualified psychologist, qualified psychiatric nurse, mental health clinical specialist, licensed independent clinical social worker, or non-BPD Officers who apply for the involuntary hospitalization of a subject under Section 12(a)." According to BPD, Boston EMS determines if there is reason to believe a section 12 should be executed alone or with assistance from BPD. If Boston EMS determines that an individual is safe, then only an ambulance response is necessary. However, if Boston EMS deems that BPD assistance is needed, then both Boston EMS and the BPD will ultimately be dispatched to the scene.

Officer's Name	Applicable Rule	Finding / Recommendation
Sergeant Sean M. Rooney	Rule 102§4 (Neglect of Duty)	Not Sustained
Sergeant Detective Roberto C. Paulino	Rule 102§4 (Neglect of Duty)	Not Sustained
Sergeant Detective Charles R. Moore	Rule 102§4 (Neglect of Duty)	Not Sustained



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CRB DECISION:

The CRB reached a **unanimous decision (6-0), Not Sustained**, regarding allegations against Sergeant Sean M. Rooney, Sergeant Detective Roberto C. Paulino, and Sergeant Detective Charles R. Moore for violation of **Rule 102§4 (Neglect of Duty)**.

Officer's Name	Applicable Rule	CRB Ruling
Sergeant Detective Charles R. Moore	Rule 102§4 (Neglect of Duty)	Not Sustained
Sergeant Sean M. Rooney	Rule 102§4 (Neglect of Duty)	Not Sustained
Sergeant Detective Roberto C. Paulino	Rule 102§4 (Neglect of Duty)	Not Sustained