



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

CIVILIAN REVIEW BOARD (CRB)-COMPLAINT #337

Date of Incident: May 9, 2024

Time of Incident: 5:30 PM

Location of Incident: Rossmore Road/Stedman Street, Jamaica Plain, MA, 02130

Date of filing: May 9, 2024

Investigator: Tastery Reed, Jr.

Date of CRB Decision: March 27, 2025

INVOLVED OFFICER:

Officer's Name	District	Badge/ Employee #	Sex	Race/ Ethnicity
Officer Joseph Fawkes	E-13	ID #11680	M	White

CASE PROCEDURAL HISTORY:

This is the first time this case has been brought before the CRB.

SUMMARY OF ALLEGATIONS:

On May 9, 2024, the Office of Police Accountability and Transparency (OPAT) received a complaint filed by Complainant alleging police misconduct.

The Complainant alleged that on May 9, 2024, Officer Fawkes pulled her over for failing to stop at a stop sign. As the Complainant waited while Officer Fawkes ran her license and registration, a passerby asked if Officer Fawkes pulled the Complainant over, to which the Complainant responded "yes." The passerby replied, "You're the third person I've watched him pull over in fifteen minutes for no reason." The Complainant stated that upon returning to her vehicle, Officer Fawkes handed her license, registration, and a ticket, saying it's for not stopping at the stop sign.

The Complainant informed Officer Fawkes that she did in fact stop at the stop sign, to which he responded, "I know. They're pretty lenient if you fight the ticket, though." The Complainant asked Officer Fawkes if he could provide his name and badge number. He responded, "It's on the ticket." The Complainant responded, "I don't really know how this works. I don't really get tickets." Officer Fawkes stated, "I know, you



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have a perfect driving record.” The Complainant responded back “I know, because I don’t break the law.” Officer Fawkes allowed the Complainant to leave. The Complainant then drove around the block to fact-check the passerby who claimed to witness Officer Fawkes pull over three people at the location. Complainant stated as she turned back down the street, “I saw his lights on and observed that he’d already pulled over another driver - a young woman who appeared to be of Black/African American descent.”

APPLICABLE RULES & LAWS:

1. **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.”
 - a) Complainant alleged she informed Officer Fawkes that she did in fact stop at the stop sign, to which he responded, “I know. They’re pretty lenient if you fight the ticket, though.” Officer Fawkes handed the Complainant a ticket after affirming that he knew she had stopped at the sign.
2. **Rule 102§19 (Statement of Opinion)**: “Employees shall not publicly criticize or ridicule the Department, its policies, or other employees by speech, writing, or expression in any other manner when such speech, writing or other expression is defamatory, unlawful, interferes with the maintenance of discipline, or is made with reckless disregard of its truth or falsity.”
 - a. The Complainant alleged she informed Officer Fawkes that she did in fact stop at the stop sign, to which he responded, “I know. They’re pretty lenient if you fight the ticket, though.” The Complainant further stated in her intake form that Officer Fawkes saying, “they’re pretty lenient if you fight the ticket” is an opinion of the court when they should be impartial and make determinations on the basis of truth.



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3. **Rule 102§20 (Self Identification):** "...requires every officer to carry his identification card with photograph and exhibit this card upon a lawful request for purposes of identification. Any officer, acting in his official capacity, shall give his name, rank and badge number, in a civil manner to any person who may inquire unless he is engaged in an undercover police operation and his physical safety or the police operation would be jeopardized by his making such identification..."
 - a. The Complainant alleged when she asked Officer Fawkes for his information, the officer was dismissive in saying "it's on the ticket".
4. **Rule 102§23 (Departmental Reports-Truthfulness):** "Employees shall submit all necessary reports on time and in accordance with established departmental procedures. Reports submitted by employees shall be truthful and complete. No employee shall knowingly enter, or cause to be entered, any inaccurate, false or improper information."
 - a. The Complainant alleged she informed Officer Fawkes that she did in fact stop at the stop sign, to which he responded, "I know. They're pretty lenient if you fight the ticket, though." The description of offense on the ticket issued was failure to stop at a stop sign.

SUMMARY OF INVESTIGATION:

1. On May 29, 2024, Investigator Reed called the Complainant and conducted a telephone interview, in which the Complainant reiterated the statements made in her complaint intake form.
2. On May 29, 2024, Investigator Reed reviewed the Massachusetts Uniform citation, which was given by Officer Fawkes to the Complainant. The citation stated that the Complainant was given a ticket number 630494AC for "Stop, Yield, Failure to Stop (c.89§9). The amount ordered to pay was \$105.00.



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3. On July 18, 2024, Investigator Reed reviewed Officer Fawkes's body-worn camera. At the 1:11 mark, Officer Fawkes can be seen approaching the Complainant's white Jeep Wrangler and taking the Complainant's driver's license and registration. Officer Fawkes said to the Complainant that she was being stopped for failing to stop at a stop sign. The Complainant then responded that she did stop. Officer Fawkes then went back into his cruiser to look up the Complainant in the database and printed out a citation. At the 4:38 mark, Officer Fawkes approached the Complainant, giving her license and registration back along with a citation. He tells the Complainant she must stop at the stop sign and not slow down.
4. The Complainant responded that she had slowed down. Officer Fawkes then tells the Complainant that "they are pretty lenient if you want to appeal it." The Complainant asked Officer Fawkes for his name, which he verbally stated his last name and pointed out to the Complainant on the citation where his name and ID number can be found on the ticket. At the 4:58 mark, Officer Fawkes told the Complainant You have a very clean record."
5. On July 23, 2024, Investigator Reed emailed Officer Fawkes, attaching a letter requesting an interview, a Carney rights form, and a summary of the complaint. Officer Fawkes did not respond to the email.
6. On July 24, 2024, the Complainant went to West Roxbury Division of the Boston Municipal Court to contest citation# 630494AC. On docket 2406MV000133, Complainant was found Not Responsible for motor vehicle infraction, failing to stop at a stop sign.
7. On September 3, 2024, Investigator Reed sent Officer Fawkes a second email requesting an interview, attaching a Carney rights form and a summary of the complaint. Officer Fawkes again failed to respond to the request.



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EVIDENCE REQUESTED/REVIEWED:

Evidence	Description	Availability Status	File Name
OPAT Complainant Form	Form completed by Intake Department	Available	N/A
Complainant's interview	Phone call on May 29, 2024	Available	N/A
Body Worn Camera of Officer Joseph Fawkes	Footage of Officer Fawkes's interaction with the complainant. Note: Investigator Reed requested video footage prior to officer's interaction with the complainant, but that footage was not provided	Available	N/A
Massachusetts Uniform Citation (630494AC)	The violation ticket to Complainant from Officer Fawkes	Available	N/A
Docket 2406MV000133	Judgment by Magistrate for Civil Motor Vehicle Infraction reflecting Complainant was found Not Responsible and ordered not to pay the amount of \$105.00	Available	N/A
Interview letters- Officer Joseph Fawkes, ID# 11680	Emailed Interview request on 7/23/24 and 9/3/24 to Officer Fawkes	"Unavailable." No response from Officer Fawkes	N/A



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CRB DECISION:

The CRB reached a **unanimous decision (6-0)**, **Not Sustained** regarding allegations against Officer Fawkes' violation of **Rule 102§9 (Respectful Treatment)**, **Rule 102§19 (Statement of Opinion)**, **Rule 102§20 (Self-Identifications)**, AND **Rule 102§23 (Departmental Reports/Truthfulness)**.

Officer's Name	Applicable Rule	Finding/Recommendation
Officer Joseph Fawkes	Rule 102§9 (Respectful Treatment)	Not Sustained
Officer Joseph Fawkes	Rule 102§19 (Statement of Opinion)	Not Sustained
Officer Joseph Fawkes	Rule 102§20 (Self-Identifications)	Not Sustained
Officer Joseph Fawkes	Rule 102§23 (Departmental Reports/Truthfulness)	Not Sustained

When assessing the conduct of Officer Joseph Fawkes, the evidence did not support that Officer Fawkes violated Rule 102§9 (Respectful Treatment), 102§19 (Statement of Opinion,) Rule 102§20 (Self Identification), and Rule 102§23 (Departmental Reports/Truthfulness) during his interactions with the Complainant on May 9, 2024. Officer Fawkes' body-worn camera depicted that Officer Fawkes was polite during his interaction with the Complainant. Officer Fawkes provided his information to the Complainant. After Complainant indicated to Officer Fawkes that she did stop at the sign, Officer Fawkes responded, "O.K. alright, well they're pretty lenient if you'd like to appeal it." This contradicts Complainant's allegation that Officer Fawkes stated, "I know, they're pretty lenient if you fight the ticket though."