



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

CIVILIAN REVIEW BOARD-COMPLAINT #375

Date of Incident: August 1, 2023

Time of Incident: 10:00 AM

Location of Incident: Clinton Street, Boston, MA 02109

Date of filing: July 15, 2024

Investigator: Tastery Reed, Jr.

Date of CRB Decision: March 27, 2025

INVOLVED OFFICER:

Officer's Name	District	Badge/ Employee #	Sex	Race/ Ethnicity
Detective Dave Juba	A1	ID #011615	M	Black

CASE PROCEDURAL HISTORY:

This case is associated with a previous case #228 reporting the same allegation. This case was previously before the CRB on May 21, 2024. At that time, the CRB voted for the case to be dismissed due to insufficient evidence to make a finding because the board was unable to identify the officer driving the unmarked vehicle. Although BPD provided information that showed a detective from the downtown area Boston A-1 district was assigned, it did not identify the detective by name and badge number.

SUMMARY OF ALLEGATIONS:

On July 15, 2024, the Office of Police Accountability and Transparency (OPAT) received a complaint filed by Complainant alleging that on August 1, 2023, a Boston Police Department employee, Detective Dave Juba, was disrespectful and abused his power. Complainant alleged Detective Juba was parked on a one-way street in the wrong direction and had no sirens, indicating that there was no emergency. Complainant stated that when he told Detective Juba it was illegal to disrupt the flow of traffic without emergency lights on, Detective Juba responded, "I am a Boston Police Officer, which gives me the right to park anywhere, anytime in the City of Boston." Detective Juba further stated, "Go find someone to write me a ticket."



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APPLICABLE RULES & LAWS:

1. **BPD 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. Allegations of Misconduct: Complainant alleged that during his interaction with Detective Juba, Detective Juba told the Complainant, “I am a Boston Police Officer, which gives me the right to park anywhere, anytime in the City of Boston,” before allegedly telling the Complainant, “Go find someone to write me a ticket.”
2. **BPD Rule 301§7.6.2 (Pursuit Driving One-way Streets and Divided Highways):** “Officers shall take all necessary precautions to avoid operating a vehicle the wrong way on a divided roadway. This action is extremely dangerous and may result in tragedy. Nor should an officer pursue a vehicle the wrong way on a one-way street due to the risk of danger to the public and to the officer(s). If, however, facts and circumstances present themselves to require either action, the officer must be able to justify their actions and show that all possible safety for the public was taken into account.”
 - a. Allegations of Misconduct: Complainant alleged that Detective Juba was parked the wrong direction on a one-way street and had no sirens, indicating that there was no emergency. The complainant stated that he told Detective Juba that it was illegal to disrupt the flow of traffic without emergency lights on.



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3. **BPD Rule 302§4.1 (Legal Considerations: Chapter 89, Section 7B of the Massachusetts General Laws, Operation of Emergency Vehicles)** *“The driver of a vehicle of a fire, police or recognized protective department, and the driver of an ambulance shall be subject to the provisions of any statute, rule, regulation, ordinance, or by-law relating to the operation or parking of vehicles, except that a driver of fire apparatus while going to a fire or responding to an alarm, or the driver of a vehicle of a police or recognized protective department or the driver of an ambulance, in an emergency and while in performance of a public duty or while transporting a sick or injured person to a hospital or other destination where professional medical services are available, may drive such vehicle at a speed in excess of the applicable speed limit if he exercises caution and due regard under the*

circumstances for the safety of persons and property, and may drive such vehicle through an intersection of ways contrary to any traffic signs or signals regulating traffic at such intersection if he first brings such vehicle to a full stop and then proceeds with caution and due regard for the safety of persons and property, unless otherwise directed by a police officer regulating traffic at such intersection.”

- a. Allegations of Misconduct: Complainant alleged that Detective Juba was parked the wrong direction on a one-way street and had no sirens, indicating that there was no emergency. Complainant stated that he told Detective Juba that it was illegal to disrupt the flow of traffic without emergency lights on.

SUMMARY OF INVESTIGATION:

1. On August 4, 2023, Investigator Reed spoke with Complainant via phone, who stated the following:
- a. On August 1, 2023, at 10:00 AM, he was in the area of Quincy Market in downtown Boston when he noticed a BPD cadet leaning against the wall and another Officer, later identified as Detective Juba, by his unmarked cruiser.
 - b. Complainant took a picture of the Officer’s unmarked vehicle, a Ford Fusion plate number 1MX274.
 - c. Detective Juba was parked the wrong way on Clinton Street, and Complainant proceeded to tell the detective that he could park his vehicle the correct way because it was illegal.



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- d. Detective Juba had on a yellow vest, making it difficult to determine if the Officer had on his body-worn camera.
 - e. Detective Juba told him, "I am a Boston City Police Officer, which gives me the right to park anywhere, anytime in the City of Boston and find someone to write me a ticket."
2. On July 17, 2024, Investigator Reed emailed Detective Juba requesting an interview.
3. On July 19, 2024, Investigator Reed received an email from Attorney Scott Dunlap stating that he and his client, Detective Juba, are declining to participate in a scheduled interview with OPAT.
4. On July 19, 2024, Investigator Reed traveled to Clinton Street and observed that Clinton Street is a one-way street and showed a traffic sign with a left arrow crossed out, signaling that it's a one-way street.
5. On August 1, 2024, Investigator Reed reviewed BAT records for the first half shift for the incident date of August 1, 2023.
 - a. Investigator Reed located Detective Juba's name on the BAT records.
 - b. Investigator Reed requested Detective Juba's body-worn camera (BWC), but BPD's response was that Detectives do not wear BWCs.
6. On August 1, 2024, Investigator Reed reviewed three photos submitted by Complainant.
 - a. Two photos depicted a picture of a BPD Officer leaning against a Black Ford Fusion vehicle, whom Complainant later identified as Detective Juba.
 - b. One photo depicted another officer leaning against the wall and an unidentified parking enforcement agent coming towards the Ford Fusion.
 - i. The officer leaning against the wall was later identified as Officer Kevin Bruen, a BPD cadet.
7. Investigator Reed attempted to review a video of the interaction that the Complainant stated he captured, but it was not provided.



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EVIDENCE REQUESTED/REVIEWED:

Evidence	Description	Availability Status	File Name
OPAT Complainant Form/Intake Forms	Complainant's statements on OPAT Intake form	Available	N/A
Complainant's interview	Phone call on August 4, 2023	Available	N/A
Detective Dave Juba's Interview	1. Investigator Reed's email request for an interview 2. Detective's attorney Dunlap email response that his client is declining to be interviewed on July 19, 2024	Unavailable	N/A
Photos of Detective Juba	Two photos taken on August 1, 2023 by Complainant	Available	N/A
Photo of Cadet Kevin Bruin	Photo taken on August 1, 2023 by Complainant, Note: An unidentified parking enforcement officer is also depicted coming towards the the Ford Fusion, Detective's car	Available	N/A
Photo of Left Turn Arrow Sign Crossed Out On Clinton Street, Boston, MA	Photo taken by Investigator Reed on July 19, 2024	Available	N/A



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OPAT RECOMMENDED FINDINGS:

Investigator Reed recommended Rule 102§9 (Respectful Treatment) AND Rule 302 § 4.1 (Legal Considerations: Chapter 89 § 7B of M.G.L, Operation of Emergency Vehicles) be **Sustained**. Detective Juba was provided an opportunity to come in for an interview. Through his attorney, Detective Juba declined to participate. Complainant's statements during his interview were corroborated by photos showing Detective Juba and his vehicle parked the wrong way on Clinton Street, Boston, MA 02109.

Investigator Reed further recommended Rule 301§7.6.2 (Pursuit Driving One-way Streets and Divided Highways) be Not Sustained based on the evidence reviewed and the circumstances surrounding the Complainant's allegations. The car was parked in the wrong direction on a one-way street and had no sirens, indicating that there was no emergency. Detective Juba was standing outside the vehicle at the time of the incident. The public way was not a divided roadway, it was a one-way street.

Officer's Name	Applicable Rule	Recommended Finding
Detective Dave Juba	Rule 102§9(Respectful Treatment)	Sustained
Detective Dave Juba	Rule 301§7.6.2 (Pursuit Driving One-way Streets and Divided Highways)	Not Sustained
Detective Dave Juba	Rule 302 §4.1 (Legal Considerations Chapter 89 §7B of MGL., Operation of Emergency Vehicles)	Sustained



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CRB DECISION:

The Civilian Review Board reached a **unanimous decision (6-0)**, **Sustained** regarding allegations against Detective Juba for violation of **Rule 102§9** (Respectful Treatment), **AND Rule 302 § 4.1**(Legal Considerations Chapter 89 & 7B of MGL-Operation of Emergency Vehicles). The Civilian Review Board reached a **unanimous decision (6-0)**, **Not Sustained** on **Rule 301§7.6.2** (Pursuit Driving One-way Streets and Divided Highways).

Based on the Discipline Matrix established by the Boston Police Department, the Civilian Review Board has **unanimously recommended (6-0)** that Detective Dave Juba receive a **1-day suspension** for violations of BPD **Rule 102§9** (Respectful Treatment), **AND Rule 302 §4.1**(Legal Considerations Chapter 89 & 7B of MGL-Operation of Emergency Vehicles).

Officer's Name	Applicable Rule	CRB Ruling
Detective Dave Juba	Rule 102§9 (Respectful Treatment)	Sustained
Detective Dave Juba	Rule 301§7.6.2 (Pursuit Driving)	Not Sustained
Detective Dave Juba	Rule 302 §4.1 (Legal Considerations Chapter 89 §7B of MGL., Operation of Emergency Vehicles)	Sustained