



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

CIVILIAN REVIEW BOARD (CRB) - COMPLAINT #395

Date of Incident: August 16, 2023

Time of Incident: 4:25 PM

Location of Incident: 48 Rutland Street, Tremont Street & Newland Place, Boston, MA 02118

Date of filing: September 4, 2024

Investigator: Tastery Reed, Jr.

Date of CRB Decision: May 15, 2025

BOSTON POLICE DEPARTMENT (BPD) EMPLOYEE:

BPD's Employee Name	District	Badge/ Employee #	Sex	Race/ Ethnicity
Sergeant Michael Aziz	D4	ID#103734	M	White

CASE PROCEDURAL HISTORY:

This case is associated with a prior case #287 involving the same Complainant.

SUMMARY OF ALLEGATIONS:

On September 4, 2024, the Office of Police Accountability and Transparency (OPAT) received a complaint from Complainant alleging an unlawful arrest on August 16, 2023. Complainant stated she was improperly charged with violation of a restraining order due to false allegations submitted by her ex-boyfriend who is the father of two of her three children. On the day of the incident, after receiving a call from her four-year-old daughter's day care that the child had injured her nose, Complainant picked up her daughter at the day care and took her to the doctor. As she left the doctor's office, four police officers confronted her in the parking garage and arrested her in front of her two-year-old son and four-year-old daughter. The Complainant asserted that she followed the custody agreement, which allowed either parent to seek emergency medical attention with notification to the other parent. The arrest was emotionally traumatizing, leaving Complainant in constant fear of further police action. Complainant stated the arrest was ordered by the responding officers' supervisor.



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APPLICABLE RULES & LAWS:

1. **BPD Rule 102§3 (Conduct):** “Employees shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the Department. Conduct unbecoming of an employee shall include that which tends to indicate that the employee is unable or unfit to continue as a member of the Department, or tends to impair the operation of the Department or its employees.”
 - a. Despite having information regarding all court orders involving Complainant, Sgt Aziz advised officers to arrest Complainant while leaving the pediatrician's office with two of her minor children and had officers disregard provisions of the Probate order that allowed Complainant, in an emergency, to seek medical attention for her children.
2. **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. Despite having information regarding all court orders involving Complainant, Sgt Aziz advised officers to arrest Complainant while leaving the pediatrician's office with two of her minor children and had officers disregard provisions of the Probate order that allowed Complainant, in an emergency, to seek medical attention for her children.

SUMMARY OF INVESTIGATION:

1. On October 1, 2024, Investigator Reed conducted a telephone interview with Complainant regarding an incident involving her arrest. The Complainant stated that on the day of the incident, she received phone calls from two teachers at her daughter’s school, located in Boston, MA. The caller informed Complainant that her daughter had been injured. Upon receiving the call, Complainant stated she immediately went to the school to pick up her daughter and take her to a doctor for evaluation. After the medical appointment, Complainant observed four police officers, two male and two female, outside. The female officers proceeded to arrest Complainant and transported her to the District D-4 police station for booking. The



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Complainant emphasized that her complaint was against the supervising Sergeant involved in the incident, not the responding officers. The Complainant further stated that during court proceedings, the initial charge of violating a restraining order was changed to a charge of violating a probate custody order. A jury ultimately found Complainant not guilty of violating a probate court order. Complainant maintained that her actions were in accordance with the custody agreement, which states that in the event of an emergency, either parent may act in the child's best interest as long as the other parent is notified. Complainant affirmed that her ex-boyfriend received notification of the emergency and that her priority was ensuring the safety and well-being of her daughter.

2. On October 8, 2024, Investigator Reed reviewed the arrest report that showed the Complainant being charged with a violation of a restraining order.
3. On October 8, 2024, Investigator Reed reviewed the restraining order issued by the Suffolk Probate and Family Court under docket number SU22RXXXX. The order was issued on December 9, 2022, and expired on December 6, 2023. The order stated that the Complainant is prohibited from contacting the plaintiff via telephone, in writing, or through any other means of communication, and must remain at least 100 yards away from the plaintiff.
4. On October 10, 2024, Investigator Reed reviewed the body-worn camera footage related to the incident. The video 37:49 mark showed the following:
 - a. Officers approached Complainant inside a parking garage and explained the terms of the restraining order, along with the process for transferring custody of the child to the child's father, Complainant's ex-boyfriend.
 - b. During the interaction, Complainant informed officers that, according to court documents, she was permitted to contact Complainant's ex-boyfriend in the event of a medical emergency involving the children.
 - c. At approximately the 01:01 timestamp, officers placed Complainant in handcuffs and transported her to District D-4 for booking. An additional BWC recording was reviewed in which Complainant told officers that Complainant's ex-boyfriend had previously violated a no contact order. However, Complainant was unable to produce any documentation supporting this claim or any paperwork demonstrating that a medical emergency had been documented or reported.



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- d. When Complainant asked the female officers if they had looked up the ex-boyfriend to see how many domestic violence cases he had, officers responded, “That’s irrelevant today,” and claimed they were unaware of the entire situation. Both female officers stated, “We are following direct orders from our supervisor's office.”
5. On February 21, 2025, Investigator Reed reviewed the custody judgment orders under docket numbers 22WXXXX and 22WXXXX, signed by Judge Brian J. Dunn on August 1, 2023. The order states:

“Either party may act solely for the purpose of authorizing emergency medical treatment for any child, without consulting the other party. In the event of any such emergency treatment, the party who first becomes aware of a serious medical problem shall make prompt and reasonable efforts to contact and consult with the other party prior to authorizing treatment and, if unable to do so, shall thereafter make all reasonable efforts to contact the other party. Under no circumstances shall reasonable medical treatment be denied to the child in case of an emergency on account of the inability on the part of one party to contact the other.”
6. On October 8, 2024, Investigator Reed reviewed the police report that showed that officers interviewed the Director of the day care. The Director stated that per school policy, both parents were notified after the child had an incident in which she fell and bumped her nose, but did not sustain any serious injuries. The report further noted that Complainant's ex-boyfriend arrived at the school first, and the Complainant arrived shortly thereafter. According to Complainant's ex-boyfriend, he briefly went upstairs to retrieve the child's clothing, and upon returning, was informed that the Complainant had taken the child from the playground and left the premises. The Complainant maintained that she arrived at the school first and that no verbal exchange occurred between her and Complainant's ex-boyfriend at any point.
7. On October 8, 2024, Investigator Reed reviewed the 911 recording. A representative from the child care center informed the operator that the Complainant had arrived at the school to pick up the children, despite not having custody rights at that time. She mentioned that the children's father was present with her. At the 4:37 mark of the recording, a male voice provided the



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Complainant's license plate number. Investigator Reed believed this male voice belonged to the Complainant's ex-boyfriend. At 5:09 PM, an officer is heard saying to the Somerville police that "She took the kids, there is a custody issue here, she violated the restraining order". At 5:29 PM, an officer stated that he was driving with the Complainant's ex-boyfriend to meet the kids at the hospital. He also stated that he was not sure if Complainant knew that they were heading there to pick up the kids. He further stated that they were taking the Complainant for violation of the restraining order.

8. A call was made to the representative from the child care center, but there was no answer.
9. On October 8, 2024, at the 16:34:40 mark, the CAD sheet states, "Parent without custody just picks up kids above." At the 17:28:05 mark, it states, "Violation of R/O. Dad is here. Taking dad to the hospital. Dad has custody."
10. On February 21, 2025, Investigator Reed reviewed the BAT sheet and observed that on the First Half, Duty Supervisor, Sergeant Aziz was on duty from 4:00 PM to 11:45 PM.
11. On May 5, May 7, and May 12, 2025, interview letters were sent to Sergeant Michael Aziz #103734. The sergeant did not respond.
12. On May 5, May 7, and May 12, 2025, interview letters were sent to Officer Darrell Vinson, but he stated that he was going to speak to his union representative.
13. On May 5, May 7, and May 12, 2025, interview letters were sent to Officer Edward J. Boylan. The officer was not able to come on the dates provided.
14. On May 5, May 7, and May 12, 2025, interview letters were sent to Officer Taryn Marie Conley. The officer did not respond.
15. On May 5, May 7, and May 12, 2025, interview letters were sent to Officer Andrea M. Carr. The Officer did not respond.



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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	Complainant's interview on October 1, 2024	Available	N/A
911 Call	Conversation between dispatcher and caller	Available	N/A
Incident History/CAD Sheet	Summary of 911 call and dispatchers' conversations P230415149	Available	N/A
Boston Assessor's database	Quitclaim Deed	Available	N/A
Turret Tape	The officer's radio communication to the dispatcher	Available	N/A
Arrest report	Description of the arrest dated 08/16/23	Available	N/A
Police Report I#232065571	Police Report I#232065571 dated 08/16/23	Available	N/A
Body Worn Camera of Officer(s)	Footage of the Officer's interaction with the complainant.	Available	N/A



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Officer Darrell Vinson	Attempts to interview letters were sent on May 5, May 7, and May 12, 2025.	Unavailable. No response from the Officer	N/A
Officer Edward J Boylan	Attempts to interview letters were sent on May 5, May 7, and May 12, 2025.	Unavailable. No response from the Officer	N/A
Officer Taryn Marie Conley	Attempts to interview letters were sent on May 5, May 7, and May 12, 2025.	Unavailable. No response from the Officer	N/A
Officer Andrea M. Carr	Attempts to interview letters were sent on May 5, May 7, and May 12, 2025.	Unavailable. No response from the Officer	N/A
Sergeant Michael Aziz	Interview request letters were sent via email on May 5, May 7, and May 12, 2025.	Unavailable. No response from the Officer	N/A
Custody Judgment Orders	Suffolk Probate and Family Court Docket numbers 22WXXXX & 22WXXXX	Available	N/A
Restraining Order	Boston Municipal Court Central Division Restraining Order Docket number SU22RXXXX Issued on 12/9/22 & expired on 12/6/23	Available	N/A
Criminal Complaint	Docket # 2301CRXXXXXX	Available	N/A

CRB DECISION:

The Civilian Review Board reached a 5-1 decision in favor of Sustaining the below rule violation. However, because the voting results did not meet the $\frac{2}{3}$ quorum requirement to



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reach a finding, the ultimate result of the CRB vote was Unable to reach a Finding for the BPD Rule 102§4 (Neglect of Duty)

The Civilian Review Board reached a **unanimous decision (6-0)** regarding allegations against Sergeant Michael Aziz of BPD Rule 102§3 (Conduct), Sustained.

Officer's Name	Applicable Rule	Finding/Recommendation
Sergeant Michael Aziz	BPD Rule 102§4 (Neglect of Duty):	Unable to reach a Finding
Sergeant Michael Aziz	BPD Rule 102 § 3 (Conduct)	Sustained

CRB reviewed the evidence and examined the circumstances surrounding Complainant's allegations. According to a copy of the restraining order documents, there was an active restraining order against the Complainant on August 16, 2023, the date of the incident, and that restraining order was scheduled to expire on December 6, 2023. Meanwhile, there was also a probate court custody order (Docket Nos. 22WXXXX and 22WXXXX), which allowed either parent (Complainant or Complainant's ex-boyfriend) to authorize emergency medical treatment without prior consultation, provided the other parent is notified.

Complainant went to trial at Boston Municipal Court Central Division on the criminal complaint alleging she was in violation of a Suffolk Probate and Family Court order and was found not guilty. Prior to trial, the Commonwealth moved to dismiss an additional charge of violation of restraining order against Complainant on the same criminal complaint and docket number. The criminal court docket is currently sealed.

CRB RECOMMENDED DISCIPLINE:

According to the Discipline Matrix established by the Boston Police Department, CRB has recommended the following:

1. Boston Police Sergeant Michael Aziz receive an **Oral Reprimand** for violation of BPD Rule 102§3 (Conduct).