



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

CIVILIAN REVIEW BOARD (CRB) - COMPLAINT # 345

Date of Incident: April 11, 2024, and May 7, 2024

Time of Incident: 9:00 PM

Location of Incident: Sheridan St, Jamaica Plain, MA 02130

Date of filing: April 14, 2024

Investigator: Diana Vergara

Date of CRB Decision: May 15, 2025

BOSTON POLICE DEPARTMENT (BPD) EMPLOYEE(S):

BPD's Employee Name	District	Badge/ Employee #	Sex	Race/ Ethnicity
Officer Esther Auguste	E-13	ID #164097	F	Black

CASE PROCEDURAL HISTORY:

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

SUMMARY OF ALLEGATIONS:

On April 14, 2024, Complainant filed a complaint with the Office of Police Accountability and Transparency (OPAT) regarding Boston Police (BPD) Officer Esther Auguste, ID #16409. Complainant alleged that on April 11, 2024, he observed Officer Auguste beside his Jeep, attempting to tow his vehicle. Complainant explained to the officer that he was planning to move his car, mentioning that his tires were slightly over the "Tow Zone" line and that many residents, including himself, often park there. During this interaction, Complainant stated Officer Auguste was rude, falsely claiming that his car hadn't been insured since 2021. Complainant further stated Officer Auguste accused him of being dishonest when he went inside to retrieve his proof of insurance. Complainant stated his license plate tags were expired because his mother was supposed to handle the renewal.

Complainant felt that Officer Auguste's behavior was intimidating and disrespectful, stating Officer Auguste violated his right to free speech by mocking his hand gestures, forcibly removing his license plate, insisting her computer was accurate, and calling him a liar.



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Complainant reported that on May 7th, around 10 AM, Officer Auguste insulted him again. He stated that he overheard a police detective inform Officer Auguste that she had made a mistake and suggested that he appeal the situation. In the process, Complainant approached another officer to present his insurance, and he argued that Officer Auguste's conduct constituted misconduct that deserved reprimand or even termination. He also felt that the other officer's question about whether he needed "EMS" was inappropriate.

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 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. Allegations of Misconduct: Complainant reported that Officer Auguste towed his vehicle and took his license plate without permission. During the encounter, Complainant explained that he planned to move his car and mentioned that his tires were slightly over the "Tow Zone" line. However, Complainant felt Officer Auguste was intimidating and disrespectful. He said she violated his right to free speech by mocking his hand gestures, taking his license plate, insisting her computer was correct, and calling him a liar.
 - b. Complainant further stated that on May 7, 2023, he overheard a police detective tell Officer Auguste she had made a mistake and suggested that he appeal the situation.
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. Allegations of Misconduct: Complainant stated that Officer Auguste was intimidating and disrespectful. Complainant reported that Officer Auguste towed his vehicle and took his license plate without permission despite explaining to Officer Auguste that he planned to move his car and mentioned that his tires were slightly over the "Tow Zone" line. He said she violated his right to free speech by mocking his hand gestures, taking his license plate, insisting her computer was correct, and calling him a liar.
 - b. Complainant further stated that on May 7, 2023, he overheard a police



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detective tell Officer Auguste she had made a mistake and suggested that he appeal the situation.

SUMMARY OF INVESTIGATION:

1. On May 23, 2024, Investigator Vergara interviewed the Complainant, who confirmed the details previously submitted in the intake form. Complainant stated that, at the time in question, his vehicle was insured through Progressive Insurance. However, Complainant was unable to provide an ID card for that policy. Complainant submitted a copy of a State Farm insurance card, valid from May 15, 2024, to November 15, 2024. Complainant also provided a copy of a vehicle registration for a Jeep, issued in Oklahoma on May 6, 2024. Complainant acknowledged that his prior registration had expired but explained that he traveled to Oklahoma on May 5, 2024, to renew it. Complainant stated he obtained the new registration on May 6, 2024, before flying back to Boston. Complainant also provided a copy of his Oklahoma driver's license that is scheduled to expire on 01/31/2027.
2. On June 6, 2024, Investigator Vergara received and reviewed surveillance footage from the BPD E-13 lobby dated May 7, 2024. The date stamp on the video followed the European format, with the day and month reversed. Upon review, Investigator Vergara did not observe Complainant entering the lobby or interacting with any E-13 officers.
3. On October 4, 2024, Investigator Vergara received and reviewed the Computer-Aided Dispatch (CAD) report. The CAD indicated that at 7:00:27 PM, an unidentified individual placed a 911 call reporting a Jeep with Oklahoma license plates obstructing an emergency access point. The report further showed that an officer arrived on the scene at approximately 10:00 PM.
4. October 4, 2024, Investigator Vergara reviewed the police report I#242029246. According to the report, Officer Auguste responded to Sheridan Street for an illegally parked motor vehicle parked on a sign "Tow Zone No Stopping Emergency Vehicles Access." Officer Auguste observed a Jeep parked in front of



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the sign. Officer Auguste performed a CJIS query on the vehicle and revealed canceled/revoked insurance. Officer Auguste provided a citation in hand to the Complainant for *Uninsured Motor Vehicle* and *Unregistered Motor Vehicle*. Officer Auguste also confiscated the back of the vehicle plate to give it to the Auto investigator.

5. On August 1, 2024, Investigator Vergara received and reviewed the Body Worn Camera (BWC) footage from Officer Auguste. The footage showed that the vehicle in question was parked in a designated tow zone. Officer Auguste was heard saying to the tow truck driver that the vehicle is uninsured and to remove the plate from the vehicle. On the BWC, Officer Auguste told the tow truck driver that she had been waiting for over an hour for the owner of the vehicle to appear. The truck driver was observed handing the plate of the vehicle to Officer Auguste. Officer Auguste informed Complainant that the vehicle is unregistered, uninsured, and improperly parked. Complainant asserted that he has an updated insurance and said that he has Progressive insurance from Massachusetts, and said, "This car has been moved back and forth, and I'm waiting on the plates." The vehicle was observed bearing Oklahoma license plates. At approximately 7:30 PM, Officer Auguste again advised Complainant that the vehicle was in a tow zone. Complainant replied, "Whatever, I will move it." Throughout the recording, Officer Auguste was not observed violating any Boston Police Department rules or regulations, nor engaging in the conduct alleged in the complaint Intake form. According to Complainant's statement, he resides in Massachusetts while operating a vehicle with Oklahoma registration.
6. On September 4, 2024, Investigator Vergara heard the 911 call of an unknown female stating that there was an Oklahoma vehicle blocking the emergency access zone.
7. On September 4, 2024, Investigator Vergara heard the Turret tape, however, there was no pertinent information regarding the case.



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8. On October 4, 2024, Investigator Vergara reviewed the copy of the violation ticket that Complainant received from Officer Auguste. The violation ticket was issued at 9:40 PM for “No Stop/ Stand \$90.”
9. On November 15, November 18, and November 29, 2024, Investigator Vergara called the unknown female who called 911, however, there was no answer.

EVIDENCE REQUESTED/REVIEWED:

Evidence	Description	Availability status
CAD Sheet	Summary of 911 call and dispatchers' conversations	Available
OPAT Complainant Form/Intake Forms	Complainant's statements on OPAT Intake form	Available
Police Report	Narrative of the incident	Available
Form 2012	Vehicle inventory	Available
Complainant's interview	Phone call on May 22, 2024	Available
An unknown female's interview	Phone Call attempts on November 15, November 18, & November 29, 2024	Unavailable/ did not want to participate
Body Worn Camera (BWC)	Officers Auguste's BWC footage	Available
911 call	Oral statements from the unknown caller	Available
Turret Tape	The officer's radio communication to the dispatcher	Available



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Ticket Citation	Violation No Stop/ Stand \$90	Available
Surveillance footage from the BPD E-13 lobby	Complainant at the District E13 lobby	Available
State Farm Vehicle Insurance	Complainants' current car Insurance	Available
Oklahoma Driver's License	Complainant's Driver's License	Available
Oklahoma vehicle registration	Complainant's vehicle registration	Available
Interview letters to Officer Auguste	Email and call requesting an interview with Officer Auguste on 4/23/2025, 5/2/2025 & 5/5/2025.	Not available

CRB DECISION:

The Civilian Review Board reached a **unanimous decision (6-0), Unfounded** regarding allegations against Officer Esther Auguste's violation of **Rule 102§3 (Conduct)**.

The Civilian Review Board reached a **unanimous decision (6-0), Unfounded** regarding allegations against Officer Esther Auguste's violation of **Rule 102§4 (Neglect of Duty)**.

Officer's Name	Applicable Rule	CRB Recommended Finding
Officer Esther Auguste	Rule 102§3 (Conduct)	Unfounded
Officer Esther Auguste	Rule 102§4 (Neglect of Duty)	Unfounded

CRB reviewed the evidence provided and examined the circumstances surrounding



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Complainant's allegations, and none of the evidence substantiated Complainant's allegations. The BWC was in direct contrast to Complainant's allegations.

Moreover, according to Complainant's statement, Complainant resides in Massachusetts while operating a vehicle with Oklahoma registration. As stated on the Massachusetts Registry of Motor Vehicles (RMV) website regarding transferring registration and title from out of state: "If you are moving to Massachusetts, you will need to transfer your vehicle's registration and title to Massachusetts to drive legally."