



CITY OF BOSTON
OFFICE OF POLICE ACCOUNTABILITY AND TRANSPARENCY
Evandro C. Carvalho, Executive Director

CIVILIAN REVIEW BOARD (CRB) - COMPLAINT #520

CASE TIMELINE:

Date of Incident: June 29, 2025
Time of Incident: 2:30 PM
Location of Incident: Southamptn Street and Topeka Street corner
Date of Filing: July 8, 2025
Date of CRB Decision: September 16, 2026

BOSTON POLICE DEPARTMENT (BPD) EMPLOYEE(S):

BPD Employee Name	District	Employee ID#	Sex	Race/Ethnicity
Sergeant Jean Jean-Louis	C6	102661	M	Black

CASE PROCEDURAL HISTORY:

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

SUMMARY OF ALLEGATIONS:

- 1) The Complainant alleged the following:
 - a) On 06/29/2025 at approximately 2:30 PM, Complainant and his not-for-profit religious group were unlawfully vacated from the corner of Southamptn Street and Topeka Street in Boston. The Sergeant alleged the group was vending food without a city license. Complainant indicated he was not vending food. He and the group were compliant to all the requirements of Commonwealth of MA law under M.G.L. Part I Title XV Ch. 94 Sec. 328A. This law defines the group activities as a "pot luck event," which exempts them from boards of health oversight.
 - b) Sergeant Jean-Louis stated Complainant and the other participants would be in violation of 'Breach of Peace' and subject to arrest if they did not leave immediately and peacefully.

APPLICABLE RULES & LAWS:

- 1) **BPD Rule 102§4 (Neglect of Duty):** Employees must perform their duties in accordance



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with established procedures and exercise reasonable judgment. This rule defines neglect of duty as any conduct not in accordance with established procedures, or any action that displays unreasonable judgment while exercising police discretion. Ordering a group to disperse under a false application of licensing laws directly triggers this section

- a) **Allegations of Misconduct:** Complainant alleged Sergeant Jean-Louis used unreasonable judgment when he ordered Complainant and the group to disperse, citing city ordinance requiring a vending license.
- 2) **BPD Rule 102§35 (Conformance to Laws):** BPD personnel are strictly required to conform to and uphold all federal, state, and city ordinances. Forcing a non-profit away when they are exempt from local commercial vending licenses is a failure to properly conform to the boundaries of local and constitutional laws.
 - a) **Allegations of Misconduct:** Complainant alleged that Sergeant Jean-Louis unlawfully ordered his group to disperse despite the group complying with M.G.L. Part I Title XV Ch. 94 Sec. 328A.
- 3) **BPD Rule 102§27 (Abuse of Process):** This rule is strictly defined as the misuse of police authority, process, or procedure for an improper purpose
 - a) **Allegations of Misconduct:** Complainant alleged that Sergeant Jean-Louis unlawfully told one member of the group that she would be charged with breach of the peace if she did not stop providing food

SUMMARY OF INVESTIGATION:

1. On July 8, 2025, Complainant filed a complaint with OPAT regarding the above allegations.
2. Former OPAT Investigator conducted multiple telephonic interviews with Complainant. During the interviews, additional information was obtained.
 - a. Complainant had talked to the Boston city licensing unit which indicated a vending license was not required as they do not sell food.
 - b. The group is compliant with MGL 328A which permits non-profit organizations to provide food to the public.
 - c. Complainant and his non-profit has been serving food on the corner of Southampton Street and Topeka Street for the past three years with no prior request from BPD to have a vending license.
3. Former Investigator requested and received from BPD the following evidence:



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- a. CAD sheet: [REDACTED]
 - b. BAT sheet: C2501116 (Days), C2501117 (First Half) and C2501118 (Last Half) for C6 on 06/29/2025.
 - c. BWC footage from Officer [REDACTED] for this incident.
 - d. City Camera footage from 06/29/2025 at approximately 2:00 PM at the corner of Southampton Street and Topeka Street.
4. Former Investigator received the following from Complainant:
- a. A letter dated 09/15/2025 from State Representative Kate Hogan answering Complainant's questions about Charitable Food Distribution and MA General Law c.94, section 328A.
 - i. Representative Hogan communicated Complainant's concerns about MGL c.94, section 328A to the House of Representatives General Counsel's office. Neither Representative Hogan's office nor the House of Representative's General Counsel's office offered legal advice.
 - ii. She relayed the General Counsel's response to Complainant's questions.
 - b. A personal video of the incident recorded by Complainant's son who was on scene.
5. In June of 2026, OPAT Case 520 was reassigned.
6. On June 18, 2026 OPAT Investigator conducted a telephonic interview with Complainant. All information provided was consistent with the case information.
7. OPAT Investigator requested the following remaining evidence:
- a. The Police Report pertaining to [REDACTED]
 - b. The BWC footage from [REDACTED],
 - c. The 911 and turret tapes pertaining [REDACTED].
8. OPAT Investigator reviewed all available evidence.
- a. The CAD sheet confirmed that on 06/29/2025 at 14:19:33 a radio call from Sergeant Jean-Louis.



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EVIDENCE REQUESTED/REVIEWED:

The following materials were identified, requested, and reviewed as part of the OPAT investigation.

I. Evidence Available and Reviewed

Evidence Type	Description / Title	Requested	Received
OPAT Intake Form	Initial complaint pertaining to allegations from Complainant	N/A	Yes
Complainant Interview	Telephonic interview	Yes	Yes
CAD Sheet	CAD Sheet - [REDACTED]	Yes	Yes
Police report	[REDACTED]	Yes	Yes
BWC Garcia	Body 3 X60A8896L	Yes	Yes
City Camera Footage	[REDACTED]	Yes	Yes
Bat Sheets	C2501116 C2501117 C2501118	Yes	Yes
Personal Cellphone Recording	Complainant's son's recording from the incident	N/A	Yes
Rep. Kate Hogan's letter	Explanation of MGL c94, section 328A	N/A	Yes



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Evidence Requested but Not Yet Received

Evidence Type	Description / Title	Requested	Status
BWC [REDACTED]	BWC footage	Yes	Pending
911 and Turret	[REDACTED]	Yes	Pending
Interview attempts	Emails to Sergeant Jean-Louis	Yes	Unresponsive

CIVILIAN REVIEW BOARD (CRB) FINAL DETERMINATION:

The CRB reached a unanimous (6-0) decision regarding allegations that Sergeant Jean Jean-Louis (ID# 102661) violated the following BPD rules:

BPD Employee's Name	Applicable Rule	Recommended Finding
Sergeant Jean Jean-Louis	102§4 Neglect of Duty	Sustained
	102§35 Conformance to Laws	Not Sustained
	102§27 Abuse of Process	Sustained



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SUMMARY FINDINGS:

Sergeant Jean-Louis- ID# 102661

1. BPD Rules: 102§4 Neglect of Duty:

CRB Administration Findings: Sustained

Analysis: CRB determined the investigation disclosed sufficient evidence to support the allegations in the complaint. Complainant and the group did not need a vending license and were exempt under the ‘pot luck exception’.

- a. M.G.L. Part I Title XV Ch. 94 Sec. 328A exempts potluck events from regulation by the Department of Public Health or local boards of health.
 - i. Definition of a Potluck Event: Under this law, a potluck event must meet these four rules:
 1. People gather to share food.
 2. No one receives payment or compensation for bringing food.
 3. The event is not for commercial (business) purposes.
 4. Participants are told that neither the food nor the facilities have been inspected by state or local public health departments.
 - ii. A group qualifies for the ‘pot luck exemption’ if the following are met:
 1. No Health Regulation: State public health departments and local health boards cannot regulate or inspect the serving of food at these events.
 2. Sponsors: The event must be sponsored by a group of individuals, or by a religious, charitable, or non-profit organization.
 3. Consumption: The food must be brought by attendees to be consumed at the event.
 - iii. For events where food is not being sold, compensation is not being provided to the people who are bringing food, and the event is not being held for commercial purposes the group will not need a permit. If the listed criteria applies to (sic) event, signs must be posted informing those who attend that the food and cooking facilities were not inspected by state or local health inspectors.
 1. Complainant did comply with posting signs indicating the food had not been inspected.
- b. Sergeant Jean-Louis mentioned ‘blocking wheel chair ramps and blocking public traffic’ as additional reasons to order Complainant and his group to stop



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providing food to the homeless on the corner of Southampton Street and Topeka Street.

- i. Complainant was not blocking any wheel chair ramps or traffic.
- c. Sergeant Jean-Louis erroneously stated Complainant and other members of his group would be subject to arrest in violation of ‘breach of peace’ if they did not disperse immediately and peacefully.
 - i. There are three specific elements to disturbing the peace under Massachusetts General Laws Chapter 272, Section 53.
 1. Unreasonably disruptive conduct: The behavior must be something a reasonable person would find highly disruptive (e.g., fighting, tumultuous behavior, or dangerous conditions).
 2. Intent: The actions must be done purposefully and not by accident.
 3. Public impact: The conduct must have actually annoyed or disturbed at least one person in or near a public place.

2. BPD Rule: 102§35 Conformance to Laws:

CRB Administration Findings: Not Sustained

Analysis: CRB determined the investigation failed to prove or disprove the allegations. This BPD regulation pertains to any officer conforming and upholding federal, state or local laws. BPD personnel are strictly required to conform to and uphold all federal, state, and city ordinances. Forcing a non-profit away when they are exempt from local commercial vending licenses is not clearly in violation of this rule.

3. BPD Rule 102§27 Abuse of Process:

CRB Administration Findings: Sustained

Analysis: CRB determined the investigation disclosed sufficient evidence to support the allegations in the complaint. Sergeant Jean-Louis stated that the group needed a vending license; because the group was exempt under the ‘pot luck exception’.

- a. M.G.L. Part I Title XV Ch. 94 Sec. 328A exempts potluck events from regulation by the Department of Public Health or local boards of health.
 - ii. Definition of a Potluck Event: Under this law, a potluck event must meet these four rules:
 1. People gather to share food.
 2. No one receives payment or compensation for bringing food.
 3. The event is not for commercial (business) purposes.



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4. Participants are told that neither the food nor the facilities have been inspected by state or local public health departments.
- iii. Under this MGL, a group qualifies for the ‘pot luck exemption’ if the following are met:
 1. No Health Regulation: State public health departments and local health boards cannot regulate or inspect the serving of food at these events.
 2. Sponsors: The event must be sponsored by a group of individuals, or by a religious, charitable, or non-profit organization.
 3. Consumption: The food must be brought by attendees to be consumed at the event.
- iv. Under Chapter 94, Section 328A, for events where food is not being sold, compensation is not being provided to the people who are bringing food, and the event is not being held for commercial purposes will not need a permit. If the listed criteria applies to your event, signs must be posted informing those who attend that the food and cooking facilities were not inspected by state or local health inspectors.
 1. Complainant did comply with posting signs indicating the food had not been inspected.
- d. The City of Boston requires a vending license when an individual or group plans to sell food, merchandise, or services in public spaces, from a motor vehicle, or via automated machines.
- e. Sergeant Jean-Louis stated to Complainant his concerns that the group was ‘blocking wheelchair ramps and blocking public traffic’ as additional reasons to order Complainant and his group to stop providing food to the homeless on the corner of Southampton Street and Topeka Street.
 - i. Complainant did not block any wheel chair ramps or traffic.
- f. Sergeant Jean-Louis stated Complainant and other members of his group would be subject to arrest in violation of ‘breach of peace’ if they did not disperse immediately and peacefully.
 - i. To be legally convicted of disturbing the peace under Massachusetts General Laws Chapter 272, Section 53, the state must prove three specific elements:
 1. Unreasonably disruptive conduct: The behavior must be something a reasonable person would find highly disruptive (e.g.,



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- fighting, tumultuous behavior, or dangerous conditions).
2. Intent: The actions must be done purposefully and not by accident.
 3. Public impact: The conduct must have actually annoyed or disturbed at least one person in or near a public place.

CRB RECOMMENDED DISCIPLINE:

According to the Discipline Matrix established by the Boston Police Department, the CRB has recommended the following discipline for **Sergeant Jean-Louis, ID# 112997**

BPD Employee's Name	Applicable Rule	Recommended Discipline
Sergeant Jean-Louis	102§4 Neglect of Duty	Oral Reprimand and Written Letter of Reflection
	102§35 Conformance to Laws	