



City of Boston, Massachusetts
Office of Police Accountability and Transparency

CIVILIAN REVIEW BOARD-COMPLAINT #190

INVESTIGATOR: Tastery Reed Jr.

DATE OF INCIDENT: April 18, 2023

DATE OF FILING: April 18, 2023

COMPLAINT SUMMARY:

Complainant alleges disrespectful treatment by a BPD officer while asking him to move his vehicle.

OFFICER(S): Austin Brooks

DISTRICT: Downtown Boston (A-1)

ALLEGED VIOLATION OF RULE:

Rule 102§9-Respectful Treatment

OPAT FINDINGS AND RECOMMENDED DISPOSITION:

Rule 102§9-Respectful Treatment- **Sustained**

Based on all of the evidence presented and reviewed, the CRB voted unanimously (6-0) that the complaint be considered **Sustained** on the alleged violation of BPD Rules and Procedures against Officer Austin Brooks. Based on the disciplinary matrix, under Mitigating Penalty for a first violation of this rule, the Civilian Review Board has recommended to the BPD Commissioner that Officer Brooks receive an **Oral Reprimand**.

Investigator Reed reviewed BPD Rules and Procedures Rule 102§9-Respectful Treatment that states, "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." Officer Brooks violated this rule by cursing at the Complainant and telling them to "Move the F***** vehicle now."



City of Boston, Massachusetts
Office of Police Accountability and Transparency

INVESTIGATION SUMMARY

1. Surveillance footage from Godfrey Hotel Boston	2. Body Worn Camera
3. City Cameras from BPD	4. BAT Sheets
5. CAD Sheets/BPD Incident Report	6. Screenshot of citation#49080778-5

Case Summary:

On April 18, 2023, the Office of Police Accountability and Transparency received a complaint from the “Complainant” alleging police misconduct of Boston Police Officer Austin Brooks. The Complainant stated that on April 18, 2023 at 10:43AM, they were doing a delivery for their employer when they parked in the wrong location, causing an MBTA bus to not be able to pass. The Complainant added that they were coming out to move the vehicle but needed to enter the building to do a delivery. The Complainant alleged that one Boston Police Officer asked them to move their vehicle while the second Boston Police Officer said to them, “move the f***** vehicle now.” The Complainant stated that they felt disrespected and that the Officer's comment was racially motivated because the Complainant is a Black male and the Officer was Caucasian.

Interview Summary:

On April 26, 2023, Investigator Reed called the Complainant to discuss their encounter with the Boston Police Department. The Complainant stated that they are a truck driver and that they were doing a delivery to Godfrey Hotel Boston, located at 505 Washington Street. The Complainant stated that they went to the service entrance located on Temple Place street. The Complainant stated that they were inside of the building for no more than ten to twelve minutes. The Complainant stated that Officer Micah Chapman went inside the hotel to tell them to move their vehicle. When the Complainant came outside to move it, they alleged that Officer Austin Brooks said, "Move your f**** vehicle now." The Complainant stated that they said nothing back to Officer Brooks, but just got in their company truck and left.



City of Boston, Massachusetts
Office of Police Accountability and Transparency

Document/Video/Other Investigation Technique Summary:

On May 5, 2023, Investigator Reed requested BPD police records to review. As a result, CAD sheets were received, but it did not reveal any information. An Incident History report was reviewed and noted the type of call was a “Walk and Talk.” Additionally, BAT sheets were received, which assisted Investigator Reed in identifying two of the three BPD Officers who responded to the scene. Both Officer Brooks and Officer Chapman’s BWC were requested. Officer Brooks' camera was not available. Officer Chapman’s BWC was made available for review.

Officer Chapman’s BWC is 05:25 minutes long. It shows Officer Chapman entering the side door entrance of the Godfrey Hotel Boston and being escorted by one of the staff members. Officer Chapman is then seen going into the elevator to locate the Complainant. Once the Complainant is found, Officer Chapman tells the Complainant that they need to move their vehicle because they are holding up traffic. Once outside, at the 02:21 mark, Officer Brooks approaches the Complainant, and tells the Complainant to leave the trash cans there and “move the f***** vehicle now”, while handing the Complainant a ticket. The Complainant can be seen getting in their truck and moving the vehicle further down the street to finish their job. After moving it, Officer Chapman explains to the Complainant why they cannot park in the spot they had originally parked.

On August 25, 2023, Investigator Reed along with Investigator Diana Vergara, conducted an in person interview on Officer Brooks who was represented by his union representative, Steven Canto. Please note, Representative Canto was not there in person, but was on speaker phone throughout the interview process. The interview began at 10:28 AM and ended at 10:43 AM. Officer Brooks was given his Carney Rights form, which he reviewed and signed. Officer Brooks could not recall the incident with the Complainant. Investigator Reed showed the body camera footage to Officer Brooks to recollect the events. Investigator Reed also explained to Representative Canto that BWC was being shown and explained the video to him as well. When asked if there was a reason he used profanity to the Complainant, Officer Brooks explained that it “just came out.”