



City of Boston, Massachusetts
Office of Police Accountability and Transparency

CIVILIAN REVIEW BOARD - CASE #216

INVESTIGATOR: Michel Toney

DATE OF INCIDENT: July 02, 2023

DATE OF FILING: July 10, 2023

COMPLAINT SUMMARY: Complainant alleges BPD Officers falsified information on a police report.

DISTRICT: Boston Police District B-2

ALLEGED VIOLATION OF RULE:

1. BPD Rule 102 §4: Neglect of Duty/ Unreasonable Judgment
2. BPD Rule 102 §3: Conduct

BPD Rule 102, §4: Neglect of Duty/Unreasonable Judgment states: Any conduct of an Officer that is not in accordance with established and ordinary duties or procedures and uses unreasonable judgment shall be seen as neglect of duty.

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.

OPAT FINDINGS AND RECOMMENDED DISPOSITION:

1. BPD Rule 102 §4: Neglect of Duty/ Unreasonable Judgment: **Unfounded**
2. BPD Rule 102 §3: Conduct: **Unfounded**

Based on all of the evidence presented and reviewed, the CRB voted unanimously (6-0) that the complaint be considered **Unfounded** on the alleged violations of BPD Rules and Procedures against the Officers named in the complaint. An OPAT investigation was conducted by Investigator Toney. After reviewing the body-worn cameras of the Officers



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who arrived on scene, Investigator Toney did not witness any of the reported allegations in the complaint. The content from the body-worn cameras was consistent with the information in the police report. There is no evidence that supports the Complainant's allegations. Both Officers were respectful and after a review of the body-worn camera footage, the Officers were not responsible for getting the Complainant's daughter medically evaluated and did not falsify any information on the police report.

Discovery List:

1. Interview w/Complainant	3. BPD Incident Report
2. Body Camera Footage from BPD Officers	4. Interview w/Complainant's husband

Case Summary:

On July 10, 2023 the Office of Police Accountability and Transparency received a complaint filed by the "Complainant" regarding an officer falsifying information on a police report.

According to the Complainant on July 2, 2023, her husband called the police after finding out that their daughter, who is a minor, had a phone that they stated did not belong to her. She stated that when Officers arrived, she requested that they turn off their body cameras. The Officers allegedly told her no because they thought it might be a domestic violence situation. The Complainant stated she has had similar incidents in the past where BPD had come to their home and she asked them to turn off their body cameras and they did so. The Complainant stated that the Officers said they could not take the child to the Complainant's mother's house, and reportedly brought her to Boston Children's Hospital. The Complainant stated that the Officers falsified information on the police report in regards to the daughter getting medically evaluated by the BEST team as well as doctors at Boston Children's Hospital. The Complainant said she never gave Officers permission to have her daughter medically evaluated by the BEST team or doctors at the hospital.



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Document/Video/Other Investigation Technique Summary:

On July 17, 2023 Investigator Toney obtained body-worn camera footage of Boston Police Officers for the incident that was reported on July 2, 2023.

After a review of the body worn camera footage made available to Investigator Toney, both Officers were compliant and respectful while answering questions asked by the Complainant. Both Officers allowed the Complainant, along with her husband, to vent their frustrations about issues they have been having with their daughter. Investigator Toney observed the Complainant greeting Officers at the door. The Officers were not granted access to the home because they were wearing body cameras and the Complainant did not want to be seen on camera. The Complainant told Officers to turn off their body cameras and the Officers refused to do so. The Officers stated that they received a Non-Domestic Violence call and informed the Complainant that they cannot turn off their body cameras due to the type of call. The Complainant told Officers that they would have to stand at the front door and not come into the home. At the 34:00 minute mark of the body-worn camera video, the Complainant's husband comes out of the home with a backpack and informs the Officers that he is taking his daughter to Boston Children's Hospital. Officers did not attempt to have the Complainant's daughter medically evaluated and at one point clearly asked the husband where he was taking the daughter and he replied by saying to Boston Children's Hospital.