



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

## **CIVILIAN REVIEW BOARD COMPLAINT #227**

**INVESTIGATOR:** Diana Vergara

**DATE OF INCIDENT:** July 25, 2023      **DATE OF FILING:** August 2, 2023

**COMPLAINANT:** Complainant

**COMPLAINT SUMMARY:** Complainant alleges disrespectful treatment and neglect of duty by a BPD officer.

**OFFICER(S):**

1. Keyara Nolen, Badge # 5316

**DISTRICT:** Boston Police Department C-11

**ALLEGED VIOLATION OF RULE:**

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.

**OPAT FINDINGS AND RECOMMENDED DISPOSITION:**

OPAT staff recommends to the Civilian Review Board that this case be considered **Insufficient Evidence to Make a Finding**. Based on the lack of evidence, Investigator Vergara cannot determine if the Boston Police officer violated the rules and procedures of the department during their interaction at the lobby with the Complainant. Investigator Vergara also made several attempts to interview Officer Nolen, but no response was provided by the officer. Further, due to no video footage of the alleged incident at the lobby, Investigator Vergara was not able to prove or disprove the alleged conduct of Officer Nolan in question. However, Based on the District-11 call, Officer Nolan did not obstruct the Complainant's request to speak with a supervisor at any point during the conversation. Furthermore, Officer Nolan on the phone did not exhibit any attitude toward the Complainant. Instead, Officer Nolan informed her that the report was completed and available for pickup.



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

In the matter of OPAT Case # 227 with regard to Officer Nolen and the violations of BPD Rule 102 § 4 Neglect of Duty, the CRB voted (6-0) to adopt the disposition of **Insufficient Evidence to Make a Finding**.

### INVESTIGATION SUMMARY

*Document list*

1. Witness #1 Statement	2. Complainant's Statement	3. The Complainant's Call to District 11
-------------------------	----------------------------	--

***Case Summary:***

On August 2, 2023, the Office of Police Accountability and Transparency (OPAT) received a complaint filed by Complainant, (the "Complainant"). The Complainant alleges that Boston Police Officer Nolen was disrespectful towards her and gave out her badge number disrespectfully. The Complainant also alleges that Officer Nolen did not get a supervisor when she asked for one.

***Document/Video/Other Investigation Technique Summary***

On August 3, 2023, Investigator Vergara interviewed the Complainant regarding an incident involving her son. The Complainant reported that she had visited the police station on July 25, 2023, to seek guidance on filing charges related to an assault and battery that her son had experienced, which resulted in a concussion. During her first interaction with Boston Police Officer Nolen, the Complainant expressed her intention to press charges against the children responsible. However, the Officer informed her that charges could not be pursued against a child under the age of 10 or their parents. Officer Nolen suggested that the Complainant verify this information online if she had any doubts and explained that it was not feasible to speak with a supervisor at that time due to shift changes.

Afterward, the Complainant researched the matter and discovered the possibility of filing delinquency charges against minors. When she contacted a detective recommended by the Officer, she had difficulties reaching them despite multiple attempts. Additionally, the Complainant reported encountering unprofessional behavior from Officer Nolen when she called the station, describing her demeanor as rude. Despite asking to speak with a supervisor due to her unanswered calls to the detective, the Complainant faced resistance.

When the Complainant visited the station to collect a report, she requested Officer Nolen's badge number, but her request was met with an unprofessional response, further escalating



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

the situation.

On August 3, 2023, Investigator Vergara interviewed Witness # 1 regarding an incident involving the Complainant's son at the YMCA. Witness # 1 stated that she was not physically present while this happened but was on the phone with the Complainant the whole time. Witness # 1 provided insight into the events surrounding the incident, noting that the child sustained a concussion and that neither 911 nor an ambulance was summoned by YMCA staff. Witness # 1 recounted her observations based on what the Complainant had shared with her of the Complainant's visit to the police station, during which she heard raised voices and inquired about the source of the commotion. The Complainant informed her that it stemmed from an interaction with a police officer who exhibited rudeness and unhelpfulness. Witness # 1 described the officer's demeanor as dismissive, citing phrases such as, "I don't know, figure it out," accompanied by negative body language. Furthermore, Witness # 1 mentioned the officer's refusal to accept the Complainant's statement, instead instructing her to return at 5:00 PM. Witness # 1 advised the Complainant to leave the station and head to the court. Witness # 1 stated that a clerk told her that the police officer should have taken the statement. Witness # 1 stated that the Complainant went to the station at 5:00 PM, and they told her that the report was not ready or made. Witness # 1 stated that another Officer told her to return at 8:00 PM. Witness # 1 describes the officer as a young black female wearing a uniform.

Investigator Vergara was unable to acquire the police report as Officer Nolen engaged in an interaction with the complainant.

On September 22, 2023, Investigator Vergara conducted a review of the Complainant's phone call to District C-11. During the review, it was noted that the Officer inquired about the nature of the call and the specific issue concerning the police report, indicating a lack of prior awareness regarding the situation. The Complainant had called seeking to speak with a supervisor, as she had been advised to do so after 8:00 p.m. to inquire about the readiness of the police report. Furthermore, the Officer did not obstruct the Complainant's request to speak with a supervisor at any point during the conversation. At 8:46:12, Investigator Vergara observed the Complainant questioning whether the Officer on the phone was the same individual who had displayed an attitude during her previous interaction at the station. However, the investigation found that the Officer on the phone did not exhibit any attitude towards the Complainant. Instead, the Officer informed her that the report was completed and available for pickup.

On August 28, 2024, Investigator Vergara submitted a formal BPD request seeking access to the lobby video footage and body-worn camera. Subsequent inquiries revealed that the



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

requested footage was unavailable.

Investigator Vergara sent several interview requests to Officer Keyara Nolen on October 18, November 6, and November 15, 2023. Unfortunately, Officer Nolen did not respond to any of the requests sent.