

October 10, 2023

John Steies
Deputy Director
Office of Police Accountability and Transparency
2201 Washington Street
Boston, MA 02119

Re: Case #175—Officer Edward Gately
Notification of Non-Concurrence

Dear Deputy Director Steies,

Pursuant to City of Boston Ordinance 12-16.11(e), I am writing to notify the Civilian Review Board (CRB) of the decision to not implement the actions recommended in the above referenced case. Specifically, the CRB voted to sustain a violation of Rule 113-Public Integrity Policy, Canon 8 and recommended that Officer Edward Gately (“Officer Gately”) receive an oral reprimand. For the reasons detailed below, I do not believe that a violation of Department Rules and Procedures occurred and; therefore, the disposition should be exonerated (the action complained of did occur, but investigation revealed that action was proper, legal and reasonable).

The allegation against Officer Gately relates to comments made on a social media post initiated by the Grafton Police Department. The initial post published by the Grafton Police Department included a biography of a new female police officer and some of her recent achievements as part of Women’s History Month. Officer Gately commented on the post, stating “Wow less than a year from graduating she did more than the rest of the Department Police Officers...I’m sure everything is on the level.” Other comments call into question the officer’s assignment to a specialized unit given her recent employment with the police department. The allegation is that these comments were somehow sexist and derogatory about the officer.

Based on my review of the post and comments, which were subsequently removed, as well as Officer Gately’s statement, I do not find that this conduct rises to the level of a violation of Rule 113. The comments do not refer to the officer in a sexist or derogatory manner. On the contrary, and as stated by Officer Gately, his comments appear to be more about the politics of the promotion.

As a result, based on my review of this investigation, Officer Gately’s actions did not violate the Department’s Rules and Procedures as found by the CRB and I will not be implementing the recommended finding and disciplinary action.

Please do not hesitate to contact me if you have any questions or would like to discuss this matter further.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael A. Cox". The signature is written in a cursive style with a large, stylized initial "M".

Michael A. Cox
Police Commissioner

cc: Superintendent Phil Owens, Bureau of Professional Standards