



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

CIVILIAN REVIEW BOARD COMPLAINT #274

INVESTIGATOR: Diana Vergara

DATE OF INCIDENT: December 17, 2023 **DATE OF FILING:** December 18, 2023

COMPLAINANT: Anonymous

BPD EMPLOYEE(S):

1. Emergency Communication Specialist Boston Police Operator 282

DISTRICT: Boston Police Department Headquarters/ D-4

ALLEGED VIOLATION OF RULE:

BPD 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.

BPD Rule 102§9 Respectful Treatment: 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.

BPD Rule 113 Canon Two: As a law enforcement organization, the Boston Police Department and its agents shall treat all those with whom it comes into contact, or who may seek its assistance, or who may come under its care or custody, with the respect and dignity inherent in every person.

CASE SUMMARY:

On December 18, 2023, the Office of Police Accountability and Transparency (OPAT) was notified of a complaint lodged by Anonymous (hereinafter referred to as "the Complainant") concerning an incident involving a member of the Boston Police Department. They contacted the local police station (D-4) to report a non-emergency matter. Instead of providing them with guidance or connecting them to the appropriate department, the station's operator hastily transferred their call to 911 emergency services. When they spoke with the 911 operator, she was unfriendly and unhelpful. She criticized



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them for speaking too fast, even though emergency services workers should be trained to understand and handle information provided during intense and frightening situations, when callers may speak quickly, nervously, or fearfully. Moreover, the operator did not offer any guidance on providing a description of the person they were reporting, leaving me to do their best with the limited knowledge they had of the process. Frustrated and desperate, they became just as frustrated with the operator, which was not the experience they expected when seeking help. It was unacceptable, unhelpful, unkind, and unproductive, so they hung up.

OPAT FINDINGS AND RECOMMENDED DISPOSITION:

OPAT staff recommends to the Civilian Review Board that this case be considered **Exonerated** for all of the following rule violations:

- BPD Rule 102§3 Conduct: **Exonerated**
- BPD Rule 102§9 Respectful Treatment: **Exonerated**
- BPD Rule 113 Canon Two: **Exonerated**

Opat staff recommends this case to be recommended as **Exonerated**. The action complaint did occur, but the investigation revealed the action taken by BPD Operator 282 was proper, legal, and within the department’s Rules and Procedures. After reviewing the 9-1-1 call, it was noted that the Operator remarked, “You are talking a little bit too fast, what’s going on, Mam? Mam, you are speaking awfully fast, so that's why I keep repeating myself.” This comment was made in response to the Complainant’s unclear answers. Throughout the call, female Operator 282 made efforts to redirect the Complainant to provide clearer responses to the questions being asked. Importantly, at no point did the female Operator 282 exhibit disrespectful behavior towards the Complainant.

In the matter of OPAT Case #274, with regard to Boston Police Operator 282 and the violations of BPD Rule 102§3 Conduct, BPD Rule 102§9 Respectful Treatment, and BPD Rule 113 Canon Two, the CRB voted (6-0) to adopt the disposition of **Exonerated**.

INVESTIGATION SUMMARY

Document list

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| 1. Interview with Complainant | 2. 911 call |
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Document/Video/Other Investigation Technique Summary

On December 28, 2023, Investigator Vergara spoke to the Complainant, who re-stated what was on the OPAT's Intake form.

On January 16, 2029, Investigator Vergara received and reviewed the 911 call. At 1:15:15 PM, the female Operator 282 takes the call and the Complainant tells the operator that it's not an emergency. However, there is a man outside her residence harassing people and he pooped in the alleyway. At 1:25:31PM the operator stated, *"You are talking a little bit too fast, what's going on Mam?"* At 1:27:41PM, Operator 282 told the Complainant *"Mam you are speaking awfully fast so that's why I keep repeating myself."* At 1:30:37 PM The Complainant called D-4 to contact the Operator's main department to file a report. The male Officer who answers immediately transfers her call. At 1:32:07 PM the complainant stated to Operator 369 that she was looking for a supervisor because Operator 282 *"was unproductive and rude."* At 1:33:50PM it was informed to the Complainant that the Operation Supervisor would call her back. According to the CAD sheet, records indicate there were two female 911 call takers: Laurie Farrell ID # 90479, and Daniel Lally ID #164027. Investigator Vergara attempted to identify female Operator 282, who had communicated with the complainant. However, based on the BPD's statement that *"the 911 Operations Center is a civilian-staffed division and, as such, generally falls outside OPAT's mandate regarding BPD officer conduct,"* Investigator Vergara was unable to interview the two female 911 operators mentioned in the CAD sheet. Despite the inability to identify the 911 call taker, the content of the 911 call provided sufficient information to reach a determination.