



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

## **CIVILIAN REVIEW BOARD COMPLAINT #264**

**INVESTIGATOR:** Diana Vergara

**DATE OF INCIDENT:** October 10, 2023    **DATE OF FILING:** November 1, 2023

**COMPLAINANT:** The Complainant

**BPD EMPLOYEE(S):**

1. BPD Sergeant Robert Boyle, ID # 008934

**DISTRICT:** South Boston/ C-6

### **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§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.

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 § 3 Policy: It is the policy of the Boston Police Department that every action of the Department as an organization, and those of the individuals who act on its behalf, will reflect the highest standards of honesty and integrity. In all of our dealings, whether with the public, other elements of the criminal justice system, or with each other, we will act in accordance with the ethical standards that are set forth below. Additionally, it is the responsibility of each and every member of the Boston Police Department to adhere to those standards and to take all necessary and prudent actions to expose those who knowingly violate the public trust. It is the responsibility of the Department to prevent, detect, and correct instances of misconduct, administrative or criminal, within the organization.



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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.

**COMPLAINT SUMMARY:**

On November 1, 2023, The Complainant (hereinafter referred to as "the Complainant") submitted a complaint with the Office of Police Accountability and Transparency (OPAT). The Complainant reported that Boston Police Sergeant Robert Boyle verbally assaulted and threatened to arrest a family member, her nephew witness 1, without good reason. On October 10, 2023, Witness # 1, was at a tow yard on Ellery Street in Boston, following an altercation involving his friend's vehicle, which had been towed by MBTA transit police on October 5, 2023. The MBTA transit police asked Witness # 1 to leave because he was transpassing. He left and proceeded northbound on Ellery Street towards the Andrew MBTA station where Sergeant Boyle verbally assaulted and threatened to arrest him without any good.

The Complainant believed Sergeant Boyle's behavior to be disturbing and egregious. She called him a "bully with a badge." She insisted he should be fired to prevent him from abusing other community members.

**OPAT FINDINGS AND RECOMMENDED DISPOSITION:**

BPD Rule 102§3 Conduct: **Sustained**  
BPD Rule 102§4 Neglect of Duty: **Sustained**  
BPD Rule 102§9 Respectful Treatment: **Sustained**  
BPD Rule 113 § 3 Policy: **Sustained**  
BPD Rule 113 Canon Two: **Sustained**

OPAT staff recommends to the Civilian Review Board that this case be considered **Sustained**. In the video Witness #1 provided, Investigator Vergara observed Sergeant Boyle make the following statements to Witness #1, who was not allowed to cross the street where Sergeant Boyle was assigned: "You walked over there, and I will put you in jail for the weekend. You are an asshole. You talk like an asshole. Don't f\*\*\*\*\* go down there."

According to the Discipline Matrix established by the Boston Police Department,



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Investigator Vergara has recommended that Sergeant Boyle receive a **5-30-day suspension**. It is important to note that Officer Boyle's disciplinary record includes one (1) sustained prior violation and one (1) pending violation for Conduct Unbecoming, one (1) prior sustained violations for Neglect of Duty, and four (4) sustained and two (2) pending prior violations for Respectful Treatment.

**Note:** During the CRB meeting on November 20, 2024, Sergeant Boyle, accompanied by his attorney, Patrick N. Bryant, addressed the board members during the Executive Session providing statements about the initial incident.

**CRB FINDINGS:**

In the matter of OPAT Case #264, with regards to Sergeant Boyle, the CRB voted unanimously (6-0) that the complaint be considered as **Sustained** on the alleged violation of the following BPD Rules: BPD Rule 102 § 3 (Conduct Unbecoming), Rule 102 § 9 (respectful treatment), Rule 113 § 2, (Respect and Dignity).

The CRB could not agree on a finding related to Rule 102 § 4 (Neglect of Duty/Unreasonable Judgment), and Rule 113 § 3 (Honesty & Integrity)

Accompanying recommended discipline from the board for all Sustained rule violations is a **5-30 day suspension** for **Sergeant Robert Boyle, ID # 008934**

**INVESTIGATION SUMMARY**

*Supporting Evidence*

1. Interview with Complainant	2. Cellphone video	3. Incident diagram
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***Investigation Technique Summary***

On May 15, 2023, Investigator Vergara spoke to the Complainant, who re-stated what was on OPAT's Intake form. Numerous efforts were undertaken to arrange an interview with Witness # 1. Despite diligent attempts, Witness # 1 remained unresponsive to Investigator Vergara's repeated requests for an interview.



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On May 15, 2023, Investigator Vergara received and reviewed a phone video recording provided by the Complainant. After reviewing the phone recording, Investigator Vergara noted that the video only had part of the whole interaction. Witness # 1 was the individual recording the video. During the footage, Investigator Vergara observed Sergeant Robert Boyle addressing Witness # 1, stating, “You walked over there, and I will put you in jail for the weekend. You are an asshole. You talk like an asshole. Don’t f\*\*\*\*\* go down there,” at the 0:00:26 mark. Shortly after, at 0:00:53, Sergeant Boyle approached Witness # 1 again, saying, “Do you want to speak street with me? I’ll speak street with you. Do you want to throw gang signs, or be a tough guy? This is what you get. If you want to talk like a gentleman, I’ll talk like a gentleman. We are done talking, but you are staying up here. Don’t go down there.” At 0:01:21, Sergeant Boyle dismissed Witness # 1’s request to walk across the street, stating, “I don’t care,” when Witness # 1 expressed dissatisfaction with being spat on by Sergeant Boyle while he was talking to him. Furthermore, at the 0:01:29 mark, Witness # 1 exclaimed, “I’ll make sure I stick this to Boston PD’s ass,” to which Sergeant Boyle responded at 0:01:30, “Do you want to run your mouth? You’re going to lose. Go ahead, run your mouth. You want to get street with me and run your mouth, go ahead.”

On November 8, 2023, Investigator Vergara diligently pursued multiple avenues to obtain surveillance footage of the incident area from neighboring businesses and train stations. Despite persistent efforts, Investigator Vergara encountered a challenge as the 30-day retention period for video surveillance had elapsed, rendering retrieval impossible. The dispatch records were also reviewed, however, there was no valuable information pertaining to the case.

On November 14, 2023, Investigator Vergara discovered that the Boston Police Department had a technical constraint: the inability to export footage from city cameras, as these cameras were not operational at the requested location during the time of inquiry. According to the BPD, sergeants do not wear body-worn cameras.

On November 20, 2023, November 29, 2023, and April 22, 2024, Investigator Vergara diligently extended interview invitations via email to Sergeant Boyle. Regrettably, despite repeated efforts, Sergeant Boyle remained unresponsive to Investigator Vergara’s requests for an interview.

## **CONCLUSION**



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Sergeant Robert Boyle violated Rule 102 § 4 (Neglect of Duty/Unreasonable Judgment), and Rule 113 § 3 (Honesty & Integrity), during his interactions with Witness # 1 on October 10, 2023. Based on the Discipline Matrix established by the Boston Police Department, the Civilian Review Board has unanimously recommended that Sergeant Boyle receive a **5-30-day suspension**.