



City of Boston, Massachusetts  
Office of Police Accountability and Transparency

**CIVILIAN REVIEW BOARD - CASE #156**

**INVESTIGATOR:** Michel Toney

**DATE OF INCIDENT:** December 20, 2022

**DATE OF FILING:** December 21, 2022

**COMPLAINT SUMMARY:**

Complainant alleges BPD did not respond to vandalism to his car and BPD dispatcher failed to provide name upon request.

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

**ALLEGED VIOLATION OF RULE:**

1. BPD RULE 324: Call Intake Handling Procedures For Enhanced 9-1-1 And Computer Aided Dispatch, Section 4: Telephone Report Taking Procedure

BPD RULE 324: Call Intake Handling Procedures For Enhanced 9-1-1 And Computer Aided Dispatch, Section 4: Telephone Report Taking Procedure: *A. 9-1-1 Emergency Call Takers: Upon receiving a call for a non-life threatening incident which requires a police incident report not involving a crime in-progress or an excluded incident (as listed in paragraph B), the Emergency Call Taker shall:*

1. *Inform the caller that they may report the incident over the telephone and an Emergency Call Taker from the NIU will call them back and take their report by phone.*
2. *Enter the call into the CAD indicating in the remarks section that the caller has requested to file a phone report with the NIU.*

**OPAT FINDINGS AND RECOMMENDED DISPOSITION:**

1. BPD RULE 324: Call Intake Handling Procedures For Enhanced 9-1-1 And Computer Aided Dispatch, Section 4: Telephone Report Taking Procedure:  
**Exonerated**



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Based on all of the evidence presented and reviewed, the CRB voted unanimously (6-0) that the complaint be considered **Exonerated**. While the interaction as alleged did occur, it does not rise to the level of misconduct. The operator did not violate Rule 324.

Although the 9-1-1 call taker informed the Complainant that they could not make a report over the phone, they did enter the call into the CAD making note of the caller's request to file a report about the incident. While this case was found to be Exonerated by the Board, the CRB strongly recommends that the Department review and update Rule 324.

*Discovery List*

1. Interview with Complainant	3. 911 Call Recording
2. Interview with Dispatcher	

**Case Summary:**

On December 21, 2022 the Office of Police Accountability and Transparency received a complaint regarding the Boston Police Department not sending out officers to the Complainant's home after their car was vandalized and the BPD dispatcher failing to provide their name.

The Complainant stated that on December 20, 2022, they were out of the country and did a routine check on their house cameras. While looking at their cameras they noticed that their vehicle was vandalized. The Complainant called the Boston Police Department District C-11 to report the crime and was transferred to 9-1-1. The Complainant spoke with an operator and asked if officers could come to their house and check out the scene and was told no. According to the Complainant, the operator told them that they would have to physically be at the location where the crime took place and no one could substitute or fill in for them. The Complainant believes proper procedures were not followed. The Complainant stated that they are a concerned citizen who believes that they have the right to have police respond to a call for service despite being outside of the country at the time of incident.



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

Investigator Toney obtained the 9-1-1 call recording from the Boston Police Department for the incident that took place on December 20, 2022. After reviewing the 9-1-1 call recording, the operator did tell the Complainant that Officers cannot go to the Complainant's home if they are not physically there or present. The operator told the Complainant to file a report when they come back into the country and officers would then be sent to their home. The Complainant asked for the operator's name, and the operator told the Complainant that they could not reveal their name or identity over a recorded line.

On May 22, 2023 Investigator Toney conducted an in-person interview with the operator, at the Office of Police Accountability and Transparency. Present at the interview was OPAT Deputy Director John Steies, along with a Union Representative. During the interview, the operator stated that Dispatchers are required to be trained on the rules and regulations of the Boston Police Department. When the initial 911 call was made by the Complainant, the operator stated that she told the Complainant that reports could not be made over the phone. The Union Representative stated that reports have not been taken over the phone since 2008. The operator stated that there are no call exceptions for not taking a report on the phone when the person is not present at the location where emergency services are needed. The Union Representative also stated that SECTION 4: TELEPHONE REPORT TAKING PROCEDURE of BPD RULE 324: CALL INTAKE HANDLING PROCEDURES FOR ENHANCED 9-1-1 AND COMPUTER AIDED DISPATCH, is currently outdated. According to the Union Representative, there is no Neighborhood Interaction Unit that exists within the Boston Police Department. The Union Representative concluded by saying that most of the procedures within BPD Rule 324 are no longer in use and are outdated.