

August 13, 2007

To: Police Commissioner Edward F. Davis
Police Commissioners Office

From: Captain Mark P. Hayes
Bureau of Professional Standards & Development
Commander, Internal Affairs Division

Subject: Internal Affairs Recommendations

Sir:

I respectfully submit the recommendations of the Internal Affairs Division in reference to:
Case # 078-06

Complainant:



Dorchester, MA 02122

Employee(s): P.O. Patrick Rose
I.D. #11126 – Area C-11
Violation of Rule(s) 323, §4 (FIOFS Reports)

- Sustained: (Investigation disclosed sufficient evidence to support allegations in the complaint.)
- Not Sustained: (Investigation failed to prove or disprove the allegations.)
- Exonerated: (The action complained of did occur, but investigation revealed that action was proper, legal and reasonable.)
- Unfounded: (The investigation revealed that the alleged misconduct did not occur.)
- Filed

Respectfully submitted,

Captain Mark P. Hayes
Commander, Internal Affairs Division

Reviewed by Chief, BPS&D and Forwarded to Legal Advisor

Reviewed by Legal Advisor and Forwarded to Police Commissioner

Reviewed by Police Commissioner and Forwarded to IAD

August 13, 2007

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Case # 078-06

Complainant:


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Employee(s): P.O. Patrick Rose
I.D. #11126 – Area C-11
Violation of Rule(s) 102,§9 (Respectful Treatment)


- Sustained: (Investigation disclosed sufficient evidence to support allegations in the complaint.)
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
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I respectfully submit the recommendations of the Internal Affairs Division in reference to:
Case # 078-06

Complainant:



Dorchester, MA 02122

Employee(s):

P.O. Patrick Rose
I.D. #11126 – Area C-11
Violation of Rule(s) 304, §2 (Use of Non-Lethal Force)

- Sustained: (Investigation disclosed sufficient evidence to support allegations in the complaint.)
- Not Sustained: (Investigation failed to prove or disprove the allegations.)
- Exonerated: (The action complained of did occur, but investigation revealed that action was proper, legal and reasonable.)
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Captain Mark P. Hayes
Commander, Internal Affairs Division

Reviewed by Chief, BPS&D and Forwarded to Legal Advisor

Reviewed by Legal Advisor and Forwarded to Police Commissioner

Reviewed by Police Commissioner and Forwarded to IAD

To: Captain Mark Hayes
Internal Affairs Division
Bureau of Internal Investigations

From: Sergeant Detective John R. Kelly
Internal Affairs Division

Date: December 29, 2006

Subject: IAD Case #078-06, Complaint #6083
Police Officer Patrick Rose
Rule 304, §02 (Use of Force)
Rule 102, §09 (Respectful Treatment)
Rule 323, §04 (FIOFS Reports)

Summary of Complaint #6083

The complainant, [REDACTED] alleged that that her son, [REDACTED], was verbally and physically abused by Police Officer Patrick Rose. The complainant stated that after a verbal altercation with his school bus driver and a Boston Police Department crossing guard at Dorchester Ave. and Savin Hill Ave. [REDACTED] refused to get off the bus because it was the wrong stop. Officer Rose arrived at the scene and physically pulled her son from the bus by the shoulder and threw him to the ground. While removing him from the bus the complainant's son's head struck a metal seat buckle. The mother further stated that when Officer Rose brought [REDACTED] home Officer Rose continued his verbal abuse including making threats to arrest her son.

Summary of Interview: [REDACTED]

On Wednesday, July 10, 2006 an interview was held at Boston Police Headquarters, Internal Affairs Division, relative to I.A.D. Case #078-06. Conducting this interview was Sergeant Detective John R. Kelly assisted by Sergeant Detective Joseph Harris. The person interviewed was [REDACTED]

[REDACTED] stated that at approximately 03:00 PM on March 31, 2006 she received a phone call from her son who stated he was being driven home by a police officer. [REDACTED] stated when she arrived at her home she found Police Officer Patrick Rose and her son waiting for her. Officer Rose explained to her that her son [REDACTED] had been removed from his school bus for being disrespectful to the bus driver and crossing guard. Officer Rose stated that [REDACTED] had also been very disrespectful towards him during the incident.

[REDACTED] stated that her son [REDACTED] was very upset and informed her that Officer Rose had hit him prior to taking him off the bus. Officer Rose denied striking [REDACTED] at any time during the incident. Officer Rose became very angry and told [REDACTED] that [REDACTED] was very lucky he was not arrested and taken to a juvenile detention center. [REDACTED] stated that Officer Rose said to her that if there are any complaints made against him he would file charges against her son.

██████████ stated that ██████████ told her that the officer had knocked him down on the bus and dragged him off the bus and let him fall to the ground. The officer yelled at ██████████ and told him to stand up but he stayed on the ground crying, telling the officer that he was hurt. Officer Rose picked ██████████ up and pushed him into his police cruiser and then drove him home. Ms. ██████████ stated that ██████████ said he hit his head on a belt buckle on one of the seats when Officer Rose pushed him to the floor. ██████████ stated she noticed a bump on the back of his head.

At the end of her interview ██████████ stated that she had taken ██████████ to the Children's Hospital Medical Center for treatment of the bump on his head and that she would obtain and provide copies of his medical record of the visit. ██████████ also stated that ██████████ step-father, ██████████ was present during her confrontation with Officer Rose and that she would make sure he contacted Internal Affairs to arrange an interview.

Summary of Interview: ██████████

On Friday, July 21, 2006 an interview was held at Boston Police Headquarters, Internal Affairs Division, relative to I.A.D. Case #078-06. Conducting this interview was Sergeant Detective John R. Kelly assisted by Lieutenant Detective Patrick Cullity. The person interviewed was ██████████

██████████ stated that he was on his way home from school on school bus ██████████ on the afternoon of March 31, 2006 when he got into an argument with the bus driver about using his cell phone. ██████████ stated that the driver stopped the bus at Dorchester Ave. and Savin Hill Ave. and ordered him to leave the bus. ██████████ stated that on the days that he goes to the Marr Boys and Girls Club he gets off at that stop but on this day he was going to his other stop which is nearer to his home. ██████████ explained to the driver that he was going home and needed to be dropped off at Leedsville St. and Dorchester Ave. The bus driver refused and told ██████████ to get off the bus at the Savin Hill stop, which he refused to do.

As the argument continued with the bus driver the crossing guard came on the bus and told ██████████ to exit the bus at that stop. ██████████ explained to the crossing guard that he was not going to the Marr Boys and Girls club and he needed to be dropped off at his other stop.

After a few minutes elapsed Officer Rose came onto the bus and ordered ██████████ who was standing near the front of the bus to get off the vehicle. ██████████ refused and tried to explain to the officer that it was the wrong stop for him that day. Officer Rose then grabbed ██████████ by the shoulder and attempted to pull him off his seat on the bus. ██████████ stated that the officer knocked him to the floor of the bus and then dragged him down the stairs and pushed him into a police car. ██████████ stated when Officer Rose pushed him to the floor of the bus he struck his head on a seat buckle.

██████████ stated that Officer Rose asked him where he lived and started to drive him home. While enroute to his house he called his mother on his cell phone and told her he was in a police car being driven home. Officer Rose asked ██████████ who he was speaking with and he replied that it was his mother. Officer Rose told ██████████ to give him his phone and ██████████ initially refused. When Officer Rose demanded the phone a second time ██████████ handed it to him. ██████████ stated that he heard Officer Rose tell his mother that he was heading towards her home and if she wasn't there when they arrived he was going to take him to the police station.

██████████ stated that when they arrived outside his home his mother walked up to Officer Rose and appeared to argue with him for a few minutes. ██████████ stated Officer Rose released him to his mother and drove away.

Summary of Interview: Police Officer Patrick Rose:

On Thursday, October 26, 2006 an interview was held at Boston Police Headquarters, Internal Affairs Division, relative to I.A.D. Case #078-06. Conducting this interview was Sergeant Detective John R. Kelly assisted by Sergeant Detective Brian Riley. Person interviewed was Police Officer Patrick Rose.

Officer Rose stated on March 31, 2006 at approximately 03:00 PM he was flagged down by a marked Sheriff's van while on Dorchester Ave. The Deputy Sheriff informed him that there was a problem on a school bus at Dorchester Ave. and Savin Hill Ave. Officer Rose notified operations that he was responding to what he believed to be a fight on the bus. Upon arrival at the scene Officer Rose met Boston Police Crossing Guard Sandra Scott-Bullock who informed him that a child on the bus was refusing to leave the bus and was arguing with the driver.

Officer Rose stated that he entered the bus and spoke with the bus driver who told him that [REDACTED] was refusing to leave the bus and that he could not leave until [REDACTED] was off the bus as this was his regular stop.

Officer Rose next spoke to [REDACTED] who immediately became hostile and turned away from him saying to the other children on the bus "Stupid fucking police." Officer Rose stated that he immediately told [REDACTED] to knock off the vulgarities and tell him what his problem was. [REDACTED] stated that Savin Hill was not his stop. Officer Rose asked the bus driver if he ever dropped [REDACTED] off at another stop and the driver answered that he did not. Officer Rose then asked [REDACTED] to leave the bus and he told him that he would drive him to his home. At that time [REDACTED] turned away from Officer Rose and flicked his hand out in a dismissive manner and struck him with his hand on his face near his eye.

Officer Rose stated he then took [REDACTED] by the shoulder and began to lead him off the bus. [REDACTED] began to resist and at one point pulled away from him causing him to fall back onto the steps of the bus. Officer Rose did not observe [REDACTED] hit his head during the fall. Officer Rose took [REDACTED] off the bus and told him to sit on the curb and asked the crossing guard to watch him. Officer Rose then told bus driver that he could leave if he was done discharging student. As the bus pulled away Officer Rose escorted [REDACTED] to his cruiser.

As Officer Rose drove away from Savin Hill Ave. he asked [REDACTED] where he lived. [REDACTED] initially refused to tell him but eventually did give him his address. When they arrived at [REDACTED] home Officer Rose knocked on the door but found no one home. Officer Rose asked [REDACTED] if he could call his mother on his cell phone. After waiting for a period of time [REDACTED] mother Ms. [REDACTED] arrived outside the home. Officer Rose stated that he informed [REDACTED] that he had taken [REDACTED] off the bus because he refused to get off at his assigned stop and he was being disrespectful to both the driver and the crossing guard. Officer Rose explained that [REDACTED] behavior delayed the buses departure from Savin Hill Ave. and the other children on the bus would be late arriving at their stops.

[REDACTED] became very upset and told Officer Rose that Savin Hill Ave. was not [REDACTED] proper stop because he was not going to the Marr Boy's and Girl's Club that day. Officer Rose replied to [REDACTED] that both the driver and the crossing guard stated that [REDACTED] was always dropped off at that stop when he was on that bus after school.

Officer Rose stated that he did not knock [REDACTED] to the ground at any time nor was he disrespectful to [REDACTED] or his mother. Officer Rose stated that he felt that he bent over backwards

to be pleasant to [REDACTED] during their conversation. Officer Rose stated that [REDACTED] never mentioned anything about hitting his head on any object while being removed from the bus. Officer Rose stated that although he told [REDACTED] that [REDACTED] could have been arrested for assaulting him he never threatened [REDACTED] with such an arrest. Officer Rose acknowledged that at the end of the incident he misceled the call and did not complete a report as he felt the incident was minor and did not require a Form 1.1.

Summary of Interview: Mrs. Barbara Corey:

On Wednesday, November 08, 2006 an interview was held at 88 Bellevue St. West Roxbury. Conducting this interview was Sergeant Detective John R. Kelly assisted by Lieutenant Detective Joseph Zinck. Person interviewed was [REDACTED], the [REDACTED] of the [REDACTED] School. This interview was not recorded.

[REDACTED] stated that on the evening of March 31, 2006 she received a telephone call at home from [REDACTED], who informed her that her son [REDACTED] had been forcibly removed from his school bus by a Boston Police Officer after he had refused to get off the bus at the wrong bus stop. [REDACTED] stated that the only information she had about the incident was what she had learned from [REDACTED] that night and later from the school bus driver and several students who were on the bus.

[REDACTED] stated that she knew [REDACTED] who was a student at the [REDACTED] School for several years. [REDACTED] described [REDACTED] as a special needs student who is basically a good and intelligent youngster. [REDACTED] stated that [REDACTED] attends the Marr Boys and Girls Club two or three days a week for an after school program. [REDACTED] stated that [REDACTED] is dropped off by the school bus driver at Dorchester Ave. and Savin Hill Ave. on the days he is to attend the program. On the days he does not attend this special program [REDACTED] is dropped off further up on Dorchester Ave. at a stop nearer his home by the school bus driver.

[REDACTED] stated that she spoke to the bus driver, [REDACTED], about the incident and he confirmed that a police officer had to remove [REDACTED] from his bus after he refused to get off and began to argue with him. [REDACTED] indicated to [REDACTED] that he might have lost control when dealing with [REDACTED] which lead to the police being called for assistance. Ms. [REDACTED] spoke with several students, (ages 10 to 12 years), who informed her that [REDACTED] had refused to get off the bus after he was told to do so by the bus driver, the crossing guard and the police officer. But it was the opinion of the students that the officer did not need to talk to [REDACTED] in the manner that he did nor did he need to physically pull him off the bus.

[REDACTED] acknowledged that [REDACTED] can be very belligerent when he thinks he is being singled out or picked on. [REDACTED] described [REDACTED] as very verbal in these instances. Ms. [REDACTED] stated that in the time that she was principle at the [REDACTED] School she could recall at least two occasions when [REDACTED] was involved in fights at the school. [REDACTED] stated that she felt that the officer might have over reacted during the incident.

Summary of Interview: School Crossing Guard Brenda Scott-Bullock:

On Tuesday, November 21, 2006 an interview was held at Boston Police District C-11, relative to I.A.D. Case #078-06. Conducting this interview was Sergeant Detective John R. Kelly assisted by Lieutenant Detective Joseph Zinck. Person interviewed was School Crossing Guard Brenda Scott-Bullock.

Ms. Scott-Bullock stated that on the afternoon of Friday, March 31, 2006 she was at her traffic post at Dorchester Ave. and Savin Hill Ave. when a school bus stopped to discharge students at the location. Ms. Scott-Bullock stated that she observed the driver of the bus arguing with a student, later identified as [REDACTED], who was refusing to leave the bus. Ms. Scott-Bullock stated that she knew that her crossing was the stop were [REDACTED] usually got off the bus. Ms. Scott-Bullock stated she attempted to convince [REDACTED] to leave the bus but he refused and he began to yell and swear at her and the bus driver. Ms. Scott-Bullock told [REDACTED] that the bus driver could not take him to another location and that the driver would not move the bus until he got off. Ms. Scott-Bullock stated she then called the police for assistance.

When Officer Rose arrived at the scene a few minutes later Ms. Scott-Bullock explained the situation to him. Officer Rose then spoke to the bus driver who also explained that Dorchester Ave. and Savin Hill Ave. was the assigned stop for [REDACTED] and as a bus driver he did not have the authority to let a student off the bus at another stop without permission.

Ms. Scott-Bullock stated that she observed Officer Rose approach [REDACTED] and tell him that he would have to leave the bus. [REDACTED] again refused and began to yell and swear at the officer. Officer Rose told [REDACTED] that he would drive him home in his police cruiser if he would leave the bus. Once again [REDACTED] refused. At that time Officer Rose reached out and attempted to take [REDACTED] by the wrist. [REDACTED] turned away and as he did he swung his arm out and struck Officer Rose on the face. Officer Rose managed to take hold of [REDACTED] wrist and was leading him off the bus when [REDACTED] pulled violently away and as he did so he fell backwards on the steps of the bus. Ms. Scott-Bullock stated that she did not see if [REDACTED] hit his head on anything when he fell but he did not complain of any injury at the time.

Officer Rose led [REDACTED] to his police cruiser and after talking to her and the bus driver again and explaining he was going to drive [REDACTED] home he drove away from the scene.

Ms. Scott-Bullock stated that Officer Rose used no unnecessary force and she stated that [REDACTED] was not thrown to the ground. Ms. Scott-Bullock stated she has not had any further contact with [REDACTED] since the incident.

Summary of Interview: [REDACTED]

On Monday, November 30, 2006 a telephone interview was held relative to I.A.D. Case #078-06. Conducting this interview was Sergeant Detective John R. Kelly. Person interviewed was [REDACTED]. This interview was recorded with the permission of Mr. Barnes.

[REDACTED] stated that he is a bus driver for the First Student Bus Company and was assigned the route from the [REDACTED] School that included the stop at Dorchester Ave. and Savin Hill Ave. On his afternoon run on March 31, 2006 [REDACTED] stopped his bus to discharge the students who were assigned to the Dorchester Ave. and Savin Hill Ave. stop. [REDACTED] who is a passenger on his bus two or three times a week is assigned to be dropped off at that location but on this occasion he refused to leave the bus stating that he wanted to get off at Lyndon St. and Dorchester Ave. instead. [REDACTED] told [REDACTED] that he was not allowed to take him to another stop but [REDACTED] still refused to leave the bus. [REDACTED] then began to argue with [REDACTED] and also started to yell and swear at him.

[REDACTED] stated that the crossing guard approached the bus and asked him why he was not leaving and [REDACTED] stated that he informed her he could not move the bus until [REDACTED]

█ got off at his assigned stop. █ stated that the crossing guard attempted to convince █ to leave the bus but he refused. █ then began to swear at the crossing guard.

Several minutes later Police Officer Rose arrived at the door of the bus and █ explained the problem to him. Officer Rose attempt to talk with █ but made no headway with him. The officer then offered to drive █ home if he would leave the bus but again █ refused. When Officer Rose took █ by the hand and attempt to lead him off the bus █ pulled away and fell back on the bus stairway into a seated position. █ stated that he believed █ may have hit the back of his head on the steps. Officer Rose assisted █ back to his feet and led him off the bus and into his police cruiser. █ stated that he observed █ swing away from Officer Rose at one point and he believed █ struck Officer Rose across the face with his hand.

█ stated that at the conclusion of his shift he made a written report of the incident to his supervisors. █ stated that he also spoke to the school principle a short time later but he denied he told her that he lost his temper or overreacted. █ also explained that he couldn't drop a student off at another stop without written permission from the parents. █ stated that he has never allowed █ off at any other place other that the Dorchester Ave. and Savin Hill Ave. stop. █ stated that █ only rode his bus two or three days a week so he apparently took a second bus and was discharged at a different location on the other days.

█ stated that █ was suspended from his bus after the incident and he has had no contact with him since.

Investigation/Findings:

At the conclusion of this investigation a finding of exonerated is recommended on the allegation that Police Officer Patrick Rose violated Rule 304 §2 (Use of Force), a finding of not sustained is recommended on the allegation that Officer Rose violated Rule 102 §9 (Respectful Treatment) and a finding of sustained is recommended on the allegation that Police Rose violated Rule 323, §04 (FIOFS Reports).

This incident appears to have been precipitated by █ who apparently got on the school bus that dropped him off near the Marr Boy's and Girl's Club instead of the bus that drops him at the stop near his home. The bus driver who is bound by his company's and school department rules had no choice but to ask █ get off the bus at the stop the driver knew as his appropriate drop off stop.

Officer Rose responded to the incident and according to the two credible witnesses on scene acted in an appropriate manner. Officer Rose's version of the day's events is supported by both Ms. Scott-Bullock and █. The █ of the █ School, █ description of █ behavior issues also lends support to Officer Rose's statements. █ unruly behavior and his pulling away from Officer Rose while he was being lead off of the bus was the cause of his fall on the bus steps and was not the result of Officer Rose's actions.

█ statement as to his conduct on the bus is not supported by his own statement or those of the bus driver and crossing guard.

[REDACTED] complaint of Officer Rose's lack of respect towards her and her son cannot be proved or disproved. Both she and Officer Rose gave opposite statements concerning their conversation outside [REDACTED] home. [REDACTED] claimed she had a witness in her friend [REDACTED] who would verify her version of events. At her interview [REDACTED] stated she would have [REDACTED] call to arrange an interview but he has not contacted this office. As Mr. [REDACTED] and [REDACTED] share both an address and phone number multiple messages were left for [REDACTED] to call this investigator to arrange an interview to no avail (See attachment #7). Ms. [REDACTED] has also failed to produce the medical records as promised to show the extent of [REDACTED] alleged injury.

Officer Rose's stated that he did not complete a Form 1.1 report because he felt the incident was a routine call and easily cleared with a miscel. Officer Rose acknowledged that he was required to physically remove [REDACTED] from the bus and he should have completed a F.I.O. as required by Boston Police Department Rules and Procedures.

Recommendation:

After a thorough investigation, I respectfully recommend the following in the matter of IAD Case #078-06, Complaint #6083:

Police Officer Patrick Rose

ID#11126

Rule 304, §02 (Use of Force):

Exonerated

Officer Rose used the appropriate force necessary to effectively control the incident.

Rule 102, §09 (Respectful Treatment):

Not Sustained


There is insufficient evidence to prove or disprove the allegation against Officer Rose.

Rule 323, §04 (FIOFS Reports):

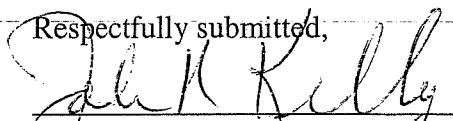
Sustained

Officer Rose failed to submit a F.I.O. regarding his encounter with a juvenile during this incident.


Approved


Lieutenant Detective Joseph Zinck, IIU


Respectfully submitted,


Sergeant Detective John R. Kelly
Internal Investigation Unit

Concurred,


Chief, BPSD
Legal Advisor

Contents Noted and Approved,


Captain Mark P. Hayes
Commander, Internal Affairs Division

To: Superintendent Daniel P. Linskey
Commander, Bureau of Field Services

From: Captain Mark P. Hayes *MPH*
Commander, Internal Affairs Division

Date: September 24, 2007

Re: Disposition of Complaint of Boston Police Department
Complaint #06083 I.A.D. Case #078-06
P.O. Patrick Rose I.D. #11126
Area C-11

In reference to the above-mentioned subject matter, please be advised that the Internal Investigations Unit had completed its inquiry. After a thorough investigation, the Internal Investigations Unit has determined that the complaint for Violation of Rule(s):

- 323,§4 – FIOFS Reports – Sustained
- 304,§2 – Use of Force - Exonerated
- 102,§9 – Respectful Treatment – Not Sustained

MPH/mjs

To: Captain John P. Greland
Commander, Area C-11

From: Captain Mark P. Hayes *MPH*
Commander, Internal Affairs Division

Date: September 24, 2007

Re: Disposition of Complaint of Boston Police Department
Complaint #06083 I.A.D. Case #078-06
P.O. Patrick Rose I.D. #11126
Area C-11

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- 323,§4 – FIOFS Reports – Sustained
- 304,§2 – Use of Force - Exonerated
- 102,§9 – Respectful Treatment – Not Sustained

MPH/mjs

To: P.O. Patrick Rose
I.D. #11126, Area C-11

From: Captain Mark P. Hayes *MPH*
Commander, Internal Affairs Division

Date: September 24, 2007

Re: Disposition of Complaint of Boston Police Department
Complaint #06083
I.A.D. Case #078-06

In reference to the above-mentioned subject matter, please be advised that the Internal Investigations Unit had completed its inquiry. After a thorough investigation, the Internal Investigations Unit has determined that the complaint for Violation of Rule(s):

- 323,§4 – FIOFS Reports – Sustained
- 304,§2 – Use of Force – Exonerated
- 102,§9 – Respectful Treatment – Not Sustained

MPH/mjs

September 24, 2007

RE: I.A.D. Case #078-06

[REDACTED]
[REDACTED]
Dorchester, MA 02122

Dear [REDACTED]

Thank you for taking the time to express your concerns over the actions of Police Officer Patrick Rose. Your complaint of misconduct on the part of Officer Rose has been thoroughly investigated by the Internal Investigations Unit.

A careful review of the facts surrounding the incident about which you complained has concluded. Based on the evidence uncovered by this investigation, violations of Boston Police Department Rule(s) have been confirmed.

An investigation, which disclosed sufficient evidence to support a violation of a rule, is classified as "Sustained". I have recommended to the Police Commissioner Edward F. Davis that the complaint for Violation of Rule(s) 323, §4 – The Field Interrogation and/or Observation Report be "Sustained". The Police Commissioner has accepted this recommendation and Officer Rose may subsequently be disciplined on this matter.

Because the aforementioned charges have been sustained, your complaint will be forwarded to the Office of the Legal Advisor for further processing. Subsequently you may be contacted by a Department attorney and asked to give testimony at the Department hearing. If you have any questions concerning the disciplinary process from this point forward, you may contact the Office of the Legal Advisor at (617) 343-4550.

An investigation, which fails to prove or disprove a complainant's allegations, is classified as "Not Sustained". Accordingly, I have recommended to the Police Commissioner Edward F. Davis that the complaint for Violation of Rule(s) 102, §9 – Respectful Treatment be "Not Sustained" the Commissioner has accepted this recommendation.

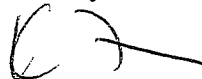
Page 2

Case #078-06

An investigation which reveals that the action complained of did occur, but was proper, legal and reasonable is classified as "Exonerated". Accordingly, I have recommended to the Police Commissioner Edward F. Davis that the complaint for Violation of Rule(s) 304,§2 – Use of Force be "Exonerated", and the Police Commissioner has accepted this recommendation.

If you feel that the Internal Affairs investigation of this matter was not fair and/or thorough, you may request an appeal to the Community Ombudsman Oversight Panel. Please refer to the enclosed brochure for further information. If you have questions, please contact Yola Cabrillana at 617-594-9216

Sincerely,



Kenneth Fong, Superintendent
Bureau of Professional Standards and Development

Certified mail 7005 3110 0002 4596 6872

Complaint Control Form

Please Print (Black Ink) or Type

page 1 of 1

Complaint #: NO 06083		Date Complaint Taken: 03/31/06		Day: Fri		Location Complaint Received (District/Unit): Area C-11	
Nature of Complaint: Violation of Criminal Law <input type="checkbox"/>							
Violation of Rules & Regulations <input checked="" type="checkbox"/>							
Area/District of Occurrence: C-11		Date of Occurrence: 03/31/06		Day: Fri		Address/Location of Occurrence: Dorchester ave / Savin Ave	
CC# Associated with Complaint:							
Complainant	Name (Last, First, MI): [Redacted]			Sex: M <input checked="" type="checkbox"/> F <input type="checkbox"/>		Race: See Reverse B	D.O.B./Age: [Redacted]
	Address: [Redacted]			City/Town: Dor.		Zip Code: 02122	Occupation: Student
	Place of Employment: [Redacted]			Telephone #: [Redacted]		Cell Phone (617) [Redacted]	Pager () [Redacted]
Complainant	Name (Last, First, MI):			Sex: M <input type="checkbox"/> F <input type="checkbox"/>		Race: See Reverse	D.O.B./Age:
	Address:			City/Town:		Zip Code:	Occupation:
	Place of Employment:			Telephone #:		Cell Phone ()	Pager ()
Employee	Name of Employee Complained Against (Last, First, MI): Rose Patrick			Rank: P.O	ID #: 11126	Badge #: 4633	District/Unit Assigned: C-11
	D.O.B./Age:	Sex: M <input checked="" type="checkbox"/> F <input type="checkbox"/>	Race: See Reverse W	Height: 5'11"	Weight: 180	Build: Med	Eyes: Brn
Employee	Name of Employee Complained Against (Last, First, MI):			Rank:	ID #:	Badge #:	District/Unit Assigned:
	D.O.B./Age:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>	Race: See Reverse	Height:	Weight:	Build:	Eyes:
Witness	Name (Last, First, MI): [Redacted]			Sex: M <input type="checkbox"/> F <input checked="" type="checkbox"/>		Race: See Reverse BN	D.O.B./Age: [Redacted]
	Address: [Redacted]			City/Town: Dor.		Zip Code: 02122	Relationship to Complainant: Mother
	Place of Employment: [Redacted]			Telephone #: [Redacted]		Cell Phone () [Redacted]	Pager () [Redacted]
Witness	Name (Last, First, MI): [Redacted]			Sex: M <input checked="" type="checkbox"/> F <input type="checkbox"/>		Race: See Reverse BN	D.O.B./Age: [Redacted]
	Address: [Redacted]			City/Town: Dor. MA		Zip Code: 02122	Relationship to Complainant:
	Place of Employment: [Redacted]			Telephone #: [Redacted]		Cell Phone () [Redacted]	Pager () [Redacted]
District/Unit Supervisor Receiving Complaint: Sgt Holland				District/Unit Assigned: C-11			ID #: 9288
Internal Affairs Notified Pursuant to Rule 109 S45		Person Notified:			By Whom:		
Narrative (Summary): <p>The above [Redacted] and Mother [Redacted] came into C-11 reporting that her son was verbally and physically Abused by det Rose. The Complainant state after an altercation with the School bus Driver and Crossing guard at above location because he refused to get off at the wrong stop. The Police was called and det Rose responded and physically removed her son from the bus by the shoulders and threw him to the ground, while removing him from the bus the Complainant's head struck a metal Seat Buckle. The Mother further states he brought the Son Home, Continued with the verbal Abuse including threats to arrest if Complainant again</p>							
Original 1920 must be forwarded to I.A.D. on the date received by fax and department mail.				Complainant Should Sign at End of Narrative: [Redacted]			

Complaint Control Form

Complaint #, IAD #:	Date:	Day:	Mil. Time:	Location Complaint Received:	How Complaint Received:					
6083, 0078~06	3/31/2006	Friday		IAD	Form 1920					
Complaint:										
A. Use of Force B. Respectful Treatment										
Area/Dist. of Occurrence:	Date:	Day:	Mil. Time:	Address Location:						
C-11 Dorchester	3/31/2006	Friday		Dorchester Ave/Savin Hill						
COMPLAINANT	Name (Last, First, Middle Initial):		Sex:	Race:	D.O.B./Age:	Result Of:				
	[REDACTED]		Male	Black	[REDACTED]	Radio/Patrol Duty				
	Address:				Marital Status:	Occupation:				
	[REDACTED] rchester, MA, 02122-____				Unknown	Student				
Place of Employment:			Telephone:							
[REDACTED]			[REDACTED]) ____-____ Hours:							
PERSON	Name of Employee Complained Against:		Status:	Rank:	I.D.:	Badge:	Area/Dist./Unit:			
	ROSE, PATRICK M		BPD	Ptl	11126	04633	C-11			
	D.O.B./Age:	Sex:	Race:	Height:	Weight:	Build:	Eyes:	Hair:	Date of Appt.:	Tour:
7/22/1954, 51	Male	White							6/22/1994	
WITNESS	Name:		Sex:	Race:	D.O.B./Age:	Occupation:				
	[REDACTED]		Female	Black	[REDACTED]	Unk				
	Address:				Telephone:					
	[REDACTED] rchester, MA, 02122-____				[REDACTED]) (____) ____-____ Hours:					
Place of Employment:			Relation to Complainant:							
Unk			Mother							
WITNESS	Name:		Sex:	Race:	D.O.B./Age:	Occupation:				
	[REDACTED]		Male	Black	, 0	NA				
	Address:				Telephone:					
	[REDACTED] MA, 02122-____				[REDACTED]) ____-____ Hours:					
Place of Employment:			Relation to Complainant:							
NA			Unknown							
Officer Receiving Complaint:			Area/Dist. Assigned:	I.D.#:	Superior Officer Assigned to Investigate:		I.D.#:			
HOLLAND,TRENT W			C-11	09288						
Internal Affairs Notified __ YES __ NO										
Pursuant to Rule 109 S45				Person Notified: By Whom:						
I.A.D. Officer Assigned to Investigate:										
Kelly, John , ID: 08311										
I.A.D. Complaint Code:			Mil. Time:	Date:	Signature of Complainant if complaint resolved at time of complaint:		Date:			
A. 1. B. 1.										

Narrative:

Created by Sgt. Holland on 03/31/2006.

The above [redacted] and mother [redacted] came into C-11 reporting that her son was verbally and physically abused by the Officer Rose. The complainant state after altercation with the school bus driver crossing guard at above location because he refused to get off the wrong stop. The Police was called and Officer Rose responded and physically yanked her son from the bus by the shoulder and threw him to the ground. While removing him from the bus the complainant's head struck a metal seat buckle. The mother further states he brought the son home, continued with verbal abuse including threats to arrest if complainant against. Child to see medical attention.



Special Order Number: 03-003

To: ALL BUREAUS, DISTRICTS
AREAS, DIVISIONS, OFFICES,
SECTIONS AND UNITS

Copies To: ALL SUPERINTENDENTS,
DEPUTY SUPERINTENDENTS,
AND DIRECTORS

February 12, 2003

SUBJECT: I-T-S USE OF FORCE FORM

PURPOSE:

To detail the duties and responsibilities of Department personnel required to complete or approve an "ITS Use of Force" form.

GENERAL CONSIDERATIONS:

Police officers are legally empowered to use force when necessary in order to take people into police custody. For purposes of this Special Order, police custody is defined as when a person is arrested or a protective custody situation where a person is transported to a police facility. In these situations, officers shall complete an Incident Report, an ITS Use of Force Form and a Protective Custody Form (BPD #24), if applicable.

Every contact that a police officer has with a citizen that results in that person being taken into police custody involves the use of physical force. The level of physical force used could be as slight as minimal handling of a compliant person or it could include the use of pain compliance techniques, OC spray, batons, police canines or deadly force. The level of physical force necessary depends on the level of resistance that is offered by the person being taken into police custody.

Responsibilities of Reporting Officers:

- A. Every officer who uses physical force in taking or assisting in the taking of any person into police custody is required to fill out an on-line "ITS Use of Force" form for each such person taken into custody. All officers who have used physical force are required to identify themselves as having done so and then complete an "ITS Use of Force" form for each person they took into custody.
- B. Additionally, whenever an officer is required to report the use of a service baton (or other impact weapon), incapacitating spray, less-lethal device or a firearm, the officer is required to complete a 1.1 Incident Report and an "ITS Use of Force" form in addition to such other reports as may be required by the applicable rule (see, Rule 303, § 10; Rule 303A, § 6; and Rule 304, § 7).

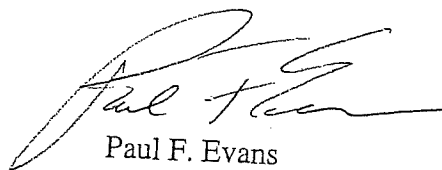
MENTION AT ROLL CALLS • POST UNTIL: *Indefinite*

I-T-S Use of Force Form
Page Two

- C. In situations where an officer has used a level of physical force that does not require it be reported under any of the above rules, the officer may complete an incident report and an "TTS Use of Force" form to document such usage, i.e., crowd control situations, situations where an unidentified suspect flees after a physical confrontation with police, sick-assists, protective custody transports to detox facilities or hospitals, transporting prisoners, etc.
- D. As part of the 1.1 Incident Report process, reporting officers shall report the names of all officers who used physical force in taking each person into police custody or assisting in doing so.
- E. Upon completion of the above and the completion of the 1.1 Incident Report, reporting officers shall save the report and submit it for approval to the Duty Supervisor.
- F. After the Duty Supervisor has approved a 1.1 Incident Report, every officer who has used physical force to take a person into police custody is required to complete an on-line "TTS Use of Force" form for each such person taken into custody by the end of the tour of duty.

Responsibilities of the Duty Supervisor:

- A. Duty Supervisors are required to ensure that all officers required to fill out an on-line "TTS Use of Force" form have done so and that such reports are completed for each person taken into custody.
- B. Duty Supervisors shall review all 1.1 Incident Reports for which "TTS Use of Force" reports are still pending and then take the necessary steps to ensure compliance from those officers who have failed to complete any required forms by the end of the tour of duty.



Paul F. Evans
Police Commissioner

Rule 304

Sec. 7 INVESTIGATION OF USE OF FORCE: This Department will thoroughly investigate every incident in which an officer strikes someone with any object or an incapacitating agent is used on a subject, or when a visible injury has occurred in the course of an arrest.

All such applications of force shall be immediately reported verbally to the involved member's patrol supervisor. By the end of the tour of duty, an officer who has used non-lethal force shall make out a written report describing the incident including the names of the officer and other persons concerned, the circumstances under which such force was used, the nature of any injury inflicted and the care given afterwards to the injured party.

Prior to the end of the tour of duty, the Patrol Supervisor shall conduct a thorough investigation on the use of such non-lethal force and submit a report to the Commanding Officer. Such report shall include the Patrol Supervisor's findings and recommendations based upon the assessment of facts known, as to the justification for the use of force. A complete Patrol Supervisor's investigation shall consist of the following, where applicable:

1. Patrol Supervisor's investigative report;
2. A copy of the incident report, BPD Form 1.1;
3. Reports from the officer(s) alleged to have utilized non-lethal force;
4. Reports from all Department personnel that were present;
5. Reports on all interviews of civilian witnesses to the incident.

At the discretion of the involved member's Commanding Officer, further investigation of the incident may be undertaken. Once all the facts have been compiled and substantiated, the Commanding Officer shall submit a report of the incident through channels to the Police Commissioner within seven (7) days.

Once the Police Commissioner indicates that the report and the associated investigation is satisfactory, copies of every such report shall be forwarded to the Office of Internal Investigations, the Human Resources Division and the Training and Education Division.

The Office of Internal Investigations and the Training & Education Division shall maintain a comprehensive file of all use of force reports. Further, the Office of Internal Investigations, acting on its own authority may, or at the request of the Police Commissioner shall, investigate all incidents involving the use of non-lethal force that, based on the information at hand, indicate non-compliance with Department policy.

The Office of Internal Investigations shall forward the results of all investigations undertaken to the Police Commissioner, who may accept it and act upon its recommendations, in total or in part, or return the report with a request for further information or clarification. In every case, the authority and responsibility for final departmental disposition of a Use of Non-Lethal Force incident rests solely with the Police Commissioner.

Rule 102

Sec. 23 DEPARTMENTAL REPORTS - TRUTHFULNESS: Employees shall submit all necessary reports on time and in accordance with established Departmental procedures.

Reports submitted by employees shall be truthful and complete. No employee shall knowingly enter, or cause to be entered, any inaccurate, false or improper information.



Boston Police

Field Interrogation, Observation, Frisk, and/or Search Report (FIOFS)

GENERAL CONSIDERATIONS: The Field Interrogation, Observation, Frisk and/or Search Report (FIOFS) (BPD Form 2487) shall now take the place of the department's Field Interrogation and/or Observation Report (FIO) and shall consist of an original only. The FIOFS report is a confidential document intended for police department use only. Department employees may only disseminate information contained on FIOFS reports to law enforcement personnel, and for legitimate law enforcement purposes. Communication of any arrest and/or conviction information that appears on an FIOFS to an unauthorized person or agency is a violation of the CORI law.

The FIOFS report plays an important part in the department's intelligence efforts to collect and disseminate data on the activities and whereabouts of known and suspected criminals and their associates in the city. For these reasons it is important for all sworn personnel to know how to properly complete and file such a report and how to access information contained in an FIOFS report.

Sec. 1 The FIOFS report has been prepared so that the department may accumulate up-to-date information concerning known criminals and their associates, the vehicles they use, the places they frequent, and persons suspected of unlawful design.

Sec. 2 Every on duty police officer shall carry FIOFS forms.

Sec. 3 The FIOFS report is an effective tool in clearing criminal cases because it is documentary evidence that corroborates oral testimony that a person was observed at a stated time in a stated place. An officer should, if practicable, complete an FIOFS report whenever:

- he/she observes an individual who the officer knows to have a criminal record

- he/she observes this person in more than one location or with different associates. The officer should complete an FIOFS report for each observation made.

Sec. 4 Officers shall be specific when filling in the "Reasons for Interrogation, Observation, Frisk or Search" section of the FIOFS report. An officer shall complete an FIOFS report whenever:

- he/she observes, detains, or interrogates a person suspected of unlawful design. The officer shall specify the type of crime suspected (i.e., rape, robbery, drugs, etc. It is not sufficient to simply enter "suspicious person" or "SP").
- he/she frisks or searches an individual during a stop.

Whenever the officer completes a report, he/she shall also identify the reason for the original stop (i.e., radio call, citizen assist, investigative, criminal or motor vehicle law violation or other). The officer shall be specific with regard to the race of the individual (i.e., (W) White, (B) Black, (H) Hispanic, (A) Asian or Pacific Islander, (M) Middle Eastern or East Indian, (I) American Indian or Alaskan Native). Officers must enter a race, even when it is based solely on the officer's perception, and shall not use any race designation other than those provided. The officer may enter ethnicity, when appropriate, in the proper space on the FIOFS report. The officer shall also record the time (military) and the complete date (00/00/00).

An officer shall also complete an FIOFS report whenever he/she searches a vehicle during a stop. The officer shall check the "Frisked" and/or "Search" box or boxes at the top of the FIOFS report whenever contact involves an actual frisk or search of an individual or vehicle. The officer shall check off vehicle, person, or both in the search box of the FIOFS report. The officer shall also check off the box that most appropriately describes the basis for the search: probable cause (PC), reasonable suspicion (RS), consent search (CS).

In addition to common criminal activity, an officer shall complete an FIOFS report in situations, including, but not limited to:

- Person(s) suspected of setting fire
- Person(s) known to or suspected of killing or torturing animals

- Person(s) acting suspiciously in or around schools, playgrounds, or other locations frequented by children
- Person(s) identified or suspected of posing or acting as police officers including person(s) carrying unauthorized badges or other police equipment including the use of scanners
- Person(s) known to or suspected of offering to buy winning lottery tickets from others
- Person(s) known to or suspected of scalping event tickets

Sec. 5 An officer shall complete an FIOFS report whenever he/she observes, interrogates, frisks, or searches an individual suspected of terrorist activity and shall immediately notify the intelligence Unit. The officer shall check off "yes" or "no" on the "Terrorism" box of the FIOFS report. Examples of suspected terrorist activity include:

- Person(s) found taking pictures or making sketches of critical infrastructure such as tunnels, bridges, or fuel storage areas. Also included are persons who have in their possession or attempt to purchase or gain access to facility blueprints.
 - Person(s) who have in their possession or attempt to purchase uniforms that are not for the type of employment that they are known to be involved with.
 - Person(s) found with or known to have false driver's licenses or other false identity documents.
 - Rental of storage space for chemicals, hydrogen or oxygen bottles, or the delivery of this type of material to any location not known to use such equipment
 - Reports of small explosions in wooded areas or in abandoned buildings
-
- Groups of individuals living together with no visible means of support; unexplained spending with no indication of employment; acting secretive when communicating with associates.

Sec. 6 The officer shall complete the FIOFS report in ink and submit it to his/her supervisor before the end of his/her tour of duty. The supervisor shall inspect the FIOFS report for completeness and legibility. The supervisor shall return incomplete or illegible FIOFS reports to the submitting officer for correction. No officer, other than the submitting officer, shall make any corrections, additions, or any other alterations to the FIOFS report. The supervisor reviewing the FIOFS report shall sign in the appropriate

space and ensure that he/she immediately sends the FIOFS report to the district/unit detective commander. The district/unit detective commander shall ensure that the report is entered into the FIOFS database and that the written FIOFS report is forwarded to the Intelligence Unit within 48 hours after the submitting officer completes the FIOFS report.

Sec. 7 The department will install the FIOFS database in each district and investigative unit. The Intelligence Unit will maintain and administer the central FIOFS database. The district/unit detective commander and/or his designee(s) will have access to the FIOFS database. Access to the database at the district/unit level will be read-only and entry-only. The district/unit detective commander shall ensure that all FIOFS reports submitted to him/her are entered into the database within 48 hours after the submitting officer completes the FIOFS report. No person, other than Intelligence Unit personnel, will be authorized to alter, download, or print out information from the FIOFS database. The district/unit detective commander shall make the read only FIOFS database available at all times to officers assigned to that particular district or unit.

Sec. 8 The Intelligence Unit shall maintain a file containing all originals of FIOFS reports. The Unit shall maintain and administer the computerized citywide FIOFS database. Members of the department may request information relative to FIOFS reports through the commander of the Intelligence Unit. The Intelligence Unit shall document all requests for FIOFS report information. The Intelligence Unit commander shall establish security measures to ensure confidentiality of the department information contained in the FIOFS files.


Sec. 9 The Intelligence Unit shall maintain FIOFS reports for a period not exceeding 5 years. If an individual who has been the subject of an FIOFS report does not appear in the FIOFS database for 5 years following the date of an FIOFS report, his/her report shall be electronically archived in the FIOFS system.

Kathleen M.O'Toole

Police Commissioner

Attachments

IAD Case # 078-06 Complaint # 06083

- Attachment # 1: Department Photo – Police Officer Patrick Rose
 - Attachment # 2: IAD History – Police Officer Patrick Rose
 - Attachment # 3: Carney Form – Police Officer Rose
 - Attachment # 4: Incident History Printout # 060167810
 - Attachment # 5: Driver's Report - First Student Inc.
 - Attachment # 6: Hospital Post Release Instructions - 
 - Attachment # 10: Additional Forms
-

TO: Police Officer Patrick Rose
ID# 11126

FROM: Sgt. Det. John R. Kelly
Internal Affairs Division

DATE: October 26, 2006

RE: **Internal Affairs Case # 078-06, Complaint Control # 06083**

You are directed in accordance with **Rule 102, §8**, to provide an oral report detailing your knowledge of the allegations contained in the above complaint.

Invocation of your rights against self-incrimination under the 5th Amendment to the US Constitution and Article 12 of the Massachusetts Declaration of Rights is sufficient to comply with the rule. This may be accomplished by checking off the appropriate box at the bottom of this page. You cannot be disciplined for asserting your rights. However, the investigation will continue and a recommendation made on the basis of available information.

You may also comply by asserting your 5th Amendment privilege against self-incrimination and waiving your Article 12 (Mass. Declaration of Rights) privilege. If you choose this option, you are waiving your right to transactional immunity and you are required to submit a report. However, the answers you provide to the allegations of the complaint and any evidence derived from those answers cannot be used against you in a criminal proceeding. Criminal proceedings may be based upon evidence obtained from other independent sources.


Failure to give an oral report, absent an assertion by you of your constitutional privilege(s), is considered failure to obey and comply with an order and could result in disciplinary action including termination.

Please **READ, CHECK THE APPROPRIATE BOX, SIGN AND DATE this statement.**

I have read the above statement:

I wish to claim my constitutional protections under the US Constitution's 5th Amendment and the Massachusetts Declaration of Rights, Article 12.

I assert my 5th Amendment privilege against self-incrimination, but agree to waive my Article 12 privilege. I will provide an oral report within five (5) days, but the contents of that report cannot be used against me in a criminal proceeding. However, I understand that criminal proceedings can be instituted against me based upon evidence obtain from other sources.

EMPLOYEE'S SIGNATURE: 

Date: 10/26/06

SIGNED IN THE PRESENCE OF: 

Date: 10/26/06

Superior Officer

Attachment # 3

Incident History for: #PD060167810

Entered 03/31/06 14:51:02 BY PDT06 11989
Dispatched 03/31/06 14:51:02 BY PDT06 11989
Enroute 03/31/06 14:51:02
Onscene 03/31/06 14:51:02
Closed 03/31/06 15:17:18

Initial Type: FIGHT Final Type: FIGHT (FIGHT)
Initial Priority: 1 Final Priority: 1
Disposition: 14P Source: R Primary Unit: H426D
Police BLK: 1124701 Fire BLK: 1862 EMS BLK: 0911302
Group: 11 Beat: 1 Map Page: 1317
Loc: DORCHESTER AV/SAVIN HILL AV ,DO <1000,000> (V)
Name: Addr: Phone:

/145102 (11989) \$OUTSRV ,NO MORE INFORMATION
/145102 DISPOS H426D #11126 ROSE, PATRICK
,NO MORE INFORMATION
/150448 (11126) *QVEH H426D T/H426D
,LIC: [REDACTED] VIN: STA
TE:CT LIY:06 LIT:PC TAV:
/151718 (11989) CLEAR H426D DSP: 14P - POLICE SERVICES RENDERED
/151718 CLOSE H426D

First Student, Inc.

INCIDENT REPORT

DATE: 3/31/06

TIME OF INCIDENT: 2:00

VEHICLE #: B094

SCHOOL: [REDACTED]

DRIVER: [REDACTED]

PLACE: ON BUS

TO: School Principal

On the above date, the following incident took place on our school bus involving the following student(s).

NAME OF STUDENT(S): [REDACTED]

- | | |
|--|--|
| <input checked="" type="checkbox"/> FAILURE TO REMAIN SEATED | <input type="checkbox"/> FAILURE TO REMAIN SEAT BELTED |
| <input checked="" type="checkbox"/> REFUSING TO OBEY DRIVER | <input type="checkbox"/> HANGING OUT OF WINDOW |
| <input type="checkbox"/> FIGHTING | <input type="checkbox"/> SPITTING |
| <input checked="" type="checkbox"/> PROFANITY | <input checked="" type="checkbox"/> BOTHERING OTHERS |
| <input type="checkbox"/> SMOKING | <input type="checkbox"/> VANDALISM |
| <input type="checkbox"/> THROWING OBJECTS | <input type="checkbox"/> OTHER |

COMMENTS: KID CALL DRIVER ASS FUCK YOU BUS DRIVER CALL BUS
PHONE LOW TELLING ON BUS WILL NOT GET OFF AT STOP
POLICE MAN TOOK KID OFF BUS

Any misbehavior which distracts the driver is a VERY SERIOUS HAZARD to the safe operation of the vehicle, and as such, jeopardizes the safety of ALL passengers.

Your cooperation in correcting this/these matter(s) is appreciated.

[REDACTED]
Signature of Driver

[Signature]
Signature of Supervisor,

Region 16 Administrative Office
The Schraft Center
529 Main Street, Suite 1M3
Charlestown, MA 02129
Telephone: (617) 532-2500
Fax: (617) 241-8518



FACSIMILE TRANSMITTAL SHEET

TO: SGT KELLY FROM: [REDACTED]
COMPANY: INTERNAL AFFAIRS DATE: 11-30-06
FAX #: _____ TOTAL # PAGES (including cover sheet): 2
PHONE #: _____ SENDER'S REF # _____
RE: _____ YOUR REF # _____

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY

First Student, Inc.

INCIDENT REPORT

DATE: 3/31/06

TIME OF INCIDENT: 2:00

VEHICLE #: B094

SCHOOL: [REDACTED]

DRIVER: [REDACTED]

PLACE: ON BUS

TO: School Principal

On the above date, the following incident took place on our school bus involving the following student(s).

NAME OF STUDENT(S): [REDACTED]

- | | |
|--|--|
| <input checked="" type="checkbox"/> FAILURE TO REMAIN SEATED | <input type="checkbox"/> FAILURE TO REMAIN SEAT BELTED |
| <input checked="" type="checkbox"/> REFUSING TO OBEY DRIVER | <input type="checkbox"/> HANGING OUT OF WINDOW |
| <input type="checkbox"/> FIGHTING | <input type="checkbox"/> SPITTING |
| <input checked="" type="checkbox"/> PROFANITY | <input checked="" type="checkbox"/> BOTHERING OTHERS |
| <input type="checkbox"/> SMOKING | <input type="checkbox"/> VANDALISM |
| <input type="checkbox"/> THROWING OBJECTS | <input type="checkbox"/> OTHER |

COMMENTS: Kid Call DRIVER ASS fuck you BUS DRIVER CELL Bus
Phone Loud yelling on bus will not get off at stop
POLICE MAN TOOK kid off BUS

Any misbehavior which distracts the driver is a VERY SERIOUS HAZARD to the safe operation of the vehicle, and as such, jeopardizes the safety of ALL passengers.

Your cooperation in correcting this/these matter(s) is appreciated.

[REDACTED]
Signature of Driver

[Signature]
Signature of Supervisor.

White copy: File Yellow copy: Transportation Pink copy: School Gold copy: Driver