

August 12, 2024

To: Police Commissioner Michael A. Cox
Office of the Police Commissioner

From: Deputy Superintendent James W. Miller
Assistant Chief, Bureau of Professional Standards

Subject: Internal Affairs Recommendations

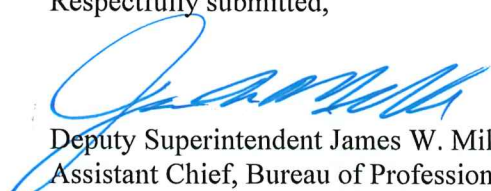
Sir:

I respectfully submit the recommendations of the Internal Affairs Division in reference to:
Case # IAD2022-0064

Complainant: Anagia Martinez
Address Unknown


Employee(s): Det. Matthew Conley
I.D. #102955 – Area B-2 (YVSF at time of incident)
Violation of Rule(s)
304, §2 (Use of Non-Lethal Force) – Not Sustained
405, §2.2 (Body Worn Camera Policy -Activation & Incidents of Use) – Sustained

Respectfully submitted,


Deputy Superintendent James W. Miller
Assistant Chief, Bureau of Professional Standards

Reviewed by Chief, BPS and Forwarded to Legal Advisor 

Reviewed by Legal Advisor and Forwarded to Police Commissioner 

Reviewed by Police Commissioner  and Forwarded to IAD

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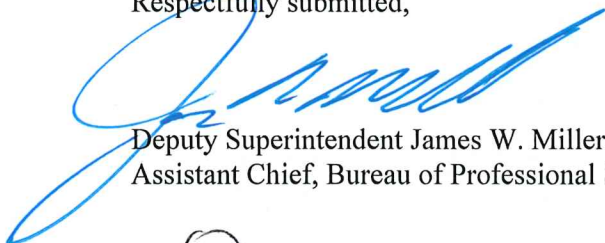
Sir:

I respectfully submit the recommendations of the Internal Affairs Division in reference to:
Case # IAD2022-0064

Complainant: Anagia Martinez
Address Unknown

Employee(s): Det. Shawn Butler
I.D. #102672 – DCU (YVSF at time of incident)
Violation of Rule(s)
405, §2.2 (Body Worn Camera Policy -Activation & Incidents of Use) – Sustained

Respectfully submitted,



Deputy Superintendent James W. Miller
Assistant Chief, Bureau of Professional Standards

Reviewed by Chief, BPS and Forwarded to Legal Advisor



Reviewed by Legal Advisor and Forwarded to Police Commissioner



Reviewed by Police Commissioner and Forwarded to IAD



August 12, 2024

To: Police Commissioner Michael A. Cox
Office of the Police Commissioner

From: Deputy Superintendent James W. Miller
Assistant Chief, Bureau of Professional Standards

Subject: Internal Affairs Recommendations


Sir:

I respectfully submit the recommendations of the Internal Affairs Division in reference to:
Case # IAD2022-0064



Complainant: Anagia Martinez
Address Unknown



Employee(s): P.O. Suni Muhammad
I.D. #140306 – MIS (YVSF at time of incident)
Violation of Rule(s)
102, §9 (Respectful Treatment) – Sustained

Respectfully submitted,


Deputy Superintendent James W. Miller
Assistant Chief, Bureau of Professional Standards

Reviewed by Chief, BPS and Forwarded to Legal Advisor 

Reviewed by Legal Advisor and Forwarded to Police Commissioner  

Reviewed by Police Commissioner and Forwarded to IAD  

August 12, 2024

To: Police Commissioner Michael A. Cox
Office of the Police Commissioner

From: Deputy Superintendent James W. Miller
Assistant Chief, Bureau of Professional Standards

Subject: Internal Affairs Recommendations

Sir:

I respectfully submit the recommendations of the Internal Affairs Division in reference to:
Case # IAD2022-0064


Complainant: Anagia Martinez
Address Unknown


Employee(s): P.O. Nicholas Bernazzani
I.D. #099212 – YVSF
Violation of Rule(s)
304, §2 (Use of Non-Lethal Force) – Unfounded

Respectfully submitted,



Deputy Superintendent James W. Miller
Assistant Chief, Bureau of Professional Standards

Reviewed by Chief, BPS and Forwarded to Legal Advisor 

Reviewed by Legal Advisor and Forwarded to Police Commissioner 

Reviewed by Police Commissioner  and Forwarded to IAD 

August 12, 2024

To: Police Commissioner Michael A. Cox
Office of the Police Commissioner

From: Deputy Superintendent James W. Miller
Assistant Chief, Bureau of Professional Standards

Subject: Internal Affairs Recommendations

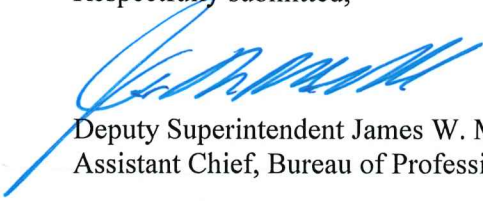
Sir:


I respectfully submit the recommendations of the Internal Affairs Division in reference to:
Case # IAD2022-0064


Complainant: Anagia Martinez
Address Unknown

Employee(s): P.O. Christopher Holt
I.D. #081698 – YVSF
Violation of Rule(s)
304, §2 (Use of Non-Lethal Force) – Unfounded

Respectfully submitted,


Deputy Superintendent James W. Miller
Assistant Chief, Bureau of Professional Standards

Reviewed by Chief, BPS and Forwarded to Legal Advisor 

Reviewed by Legal Advisor and Forwarded to Police Commissioner 

Reviewed by Police Commissioner  and Forwarded to IAD 

To: Deputy Superintendent James W. Miller
Assistant Chief, Bureau of Professional Standards

From: Lieutenant Detective Adam A. Mammone
Bureau of Professional Standards
Internal Affairs Division

Date: May 19, 2024

Subject: IAD Complaint No. IAD2022-0064

Employee: Detective Matthew Conley ID# 102955
Violations: Rule 304, Use of Non-Lethal Force
Rule 405, Section 2.2, Body Worn Camera Policy, Camera Activation

Employee: Detective Shawn Butler ID# 102672
Violations: Rule 405, Section 2.2, Body Worn Camera Policy, Camera Activation

Employee: Police Officer Suni Muhammad ID# 140306
Violations: Rule 102, Section 9, Respectful Treatment

Employee: Police Officer Nicholas Bernazzani ID# 99212
Police Officer Christopher Holt ID# 81698
Violations: Rule 304, Use of Non-Lethal Force

Complainant: Anagia Martinez

Sir,

After a thorough investigation into IAD2022-0064, Sergeant Detective Dan Conway recommended the allegations against be classified as follows:

Detective Matthew Conley ID# 102955

Rule 304, Use of Non-Lethal Force - NOT SUSTAINED

Rule 405, Section 2.2, Body Worn Camera Policy, Camera Activation - SUSTAINED

Detective Shawn Butler ID# 102672

Rule 405, Section 2.2, Body Worn Camera Policy, Camera Activation - SUSTAINED

Police Officer Suni Muhammad ID# 140306

Rule 102, Section 9, Respectful Treatment - SUSTAINED

Police Officer Nicholas Bernazzani ID# 99212

Police Officer Christopher Holt ID# 81698

Rule 304, Use of Non-Lethal Force - UNFOUNDED

After careful review and due consideration of all the facts, including incident reports, interviews, BWC videos, and related documents, I concur with the findings made by Sergeant Detective Dan Conway.

Respectfully Submitted,

LtDet. Adam A. Mammone

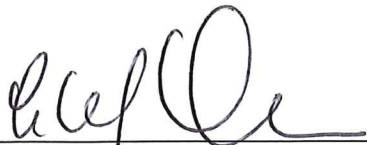
Lieutenant Detective Adam A. Mammone
Bureau of Professional Standards

Contents Noted and Approved,



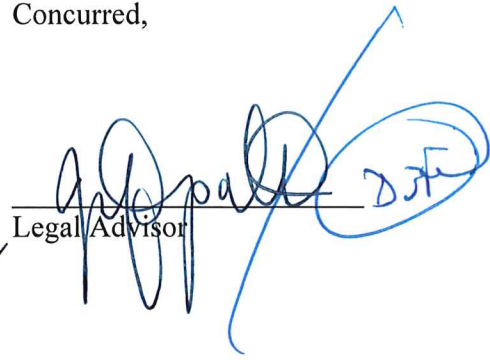
Deputy Superintendent James Miller
Assistant Chief – Bureau of Professional Standards

Concurred,



Superintendent Phillip Owens
Chief, Bureau of Professional Standards

Concurred,



Legal Advisor

To: Deputy Superintendent James W. Miller
Assistant Chief, Bureau of Professional Standards

From: Sergeant Detective Daniel Conway
Bureau of Professional Standards
Internal Affairs Division

Date: May 17, 2024

Subject: IAD Complaint No. IAD2022-0064

Employee: Detective Matthew Conley
ID# 102955

Violations: Rule 304, Use of Non-Lethal Force
Rule 405, Section 2.2, Body Worn Camera Policy, Camera Activation

Employee: Detective Shawn Butler
ID# 102672

Violations: Rule 405, Section 2.2, Body Worn Camera Policy, Camera Activation

Employee: Police Officer Suni Muhammad
ID# 140306

Violations: Rule 102, Section 9, Respectful Treatment

Employee: Police Officer Nicholas Bernazzani
ID# 99212

Police Officer Christopher Holt
ID# 81698

Violations: Rule 304, Use of Non-Lethal Force

Complainant: Anagia Martinez

Sir:

I, Sergeant Detective Daniel Conway, respectfully submit the following investigative report regarding Internal Affairs Case# IAD2022-0064.

Summary of Complaint

Anagia Martinez called IAD and stated she wanted to complain about a Youth Violence Strike Force (YVSF) arrest that involved her brother. Martinez stated she had not been present and received complaint information from her brother, who made the following allegations: officers were "grown men" in plain clothes and not in uniform, they failed to identify themselves as police, stated no officers had body-worn cameras, arrested minors and dealt with minors without parents' consent, and used excessive force during the arrest.

Summary of Interview with Roandy Melo Sanz

On Friday, May 3, 2024, at 12:03 PM, Sergeant Detective Daniel Conway, assisted by Sergeant Matthew Ryan, began a recorded phone interview with Melo Sanz concerning IAD Case# 2022-0064. The interview was conducted via telephone in the office of the Internal Affairs Division on the third floor of the Boston Police Headquarters located at 1 Schroeder Plaza in Boston, MA.

Melo Sanz provided the following information during the interview:

His date of birth is 12/20/2005, and his address is 8 Harborcrest Court, Dorchester, MA, 02125. His phone number is 857-264-7838.

On Monday, 2/21/22, Melo Sanz said he was playing basketball with his friends. While they were walking back to their homes, they observed a black car following them. They then went into one of the buildings in the apartment complex to try and hide. Melo Sanz stated that he did not know it was the Boston Police. Melo Sanz stated the officers were trying to come inside the building, and they opened the door and then closed it very quickly. Melo Sanz stated that they ran, and three black vehicles pursued them. Melo Sanz stated the officers started to yell, "Don't move, or I'll shoot." Melo Sanz stated that he stopped and put his hands up. When he did that, two officers tackled him, yelling, "Where's the gun? Where's the gun?" Melo Sanz stated that he felt like he was being hit, and then he realized he had blood on his forehead.

When Melo Sanz got up, the officers were still looking for a firearm. He was then arrested and brought to the police station. Due to his injuries, he was transported to the hospital. After being treated for his injuries, he was transported back to the station to be booked; he was then released to his mother. Melo Sanz stated he wore a Polo Navy Blue Sweatsuit and had a backpack.

Melo Sanz stated that he was not sure if his injury was from being tackled to the ground or when he was struck by an officer while on the ground. Melo Sanz said that he was tackled on the pavement. Melo Sanz stated he was punched on his side and his face. Melo Sanz stated the officers hit him with their hands.

The interview concluded at 12:13 PM.

Summary of Internal Affairs Interview with Police Officer Reivilo Degrave

On Monday, May 6, 2024, at about 9:07 AM, Sergeant Detective Daniel Conway, assisted by Sergeant Matthew Ryan, began a recorded interview with Police Officer Reivilo Degrave

concerning IAD Case# 2022-0064. The interview was conducted within the office of the Internal Affairs Division on the third floor of the Boston Police Headquarters located at 1 Schroeder Plaza in Boston, MA. Officer Degrave was provided union representation by Police Officer James Doiran. He received a copy of Commissioner's Memorandum #10-007 concerning truthfulness. He acknowledged his understanding of the document.

During the interview, Officer Degrave provided the following information:

His ID number is 106678, and his badge number is 3431. He has been a sworn department member for approximately sixteen years and is currently assigned to the Fugitive Unit.

On 2/21/22, Officer Degrave was assigned to the YVSF and was riding with Officers Muhammad, Stevens, and Holt. The officers were not wearing uniforms but had tactical vests with big letters that said "Boston Police" and their badges visible. Officer Degrave stated that they were in the area of Columbia Point Housing Development concerning a firearm investigation. Officer Degrave said that two individuals were on social media making fun of H-Block gang associates. Officer Degrave stated that the two were black male teenagers, one wearing all black with a black backpack and the second one wearing a powder or sky blue hooded sweatshirt.

Officer Degrave stated that he saw the individuals matching the description as they were driving through Columbia Point. He then backed his cruiser up, and by the time he got to the area where the individuals were, they had gone into a building through the side door. Officer Stevens attempted to go through this same door, but one of the individuals pulled the door shut and locked the officers out. Officer Degrave described the building as having glass on the second floor so he could see the individuals on the second floor running. Officers went to the front door, but by the time that door was opened, the suspects had fled through the other side of the building.

Officer Degrave stated that all three individuals were stopped after a foot chase. Officer Degrave was not there when the individuals were stopped; he caught up afterward. Officer Degrave then retraced the flight path, looking for a firearm. Officer Degrave stated that Melo Sanz had a cut to his head area. Officer Degrave did not hear Melo Sanz complain that an officer punched or struck him. Officer Degrave did not see Detective Conley strike Melo Sanz with his firearm or hear Detective Conley state that he struck anyone with a firearm. Officer Degrave stated that no one on the scene stated that Detective Conley struck them with a firearm.

Officer Degrave believed that, based on the circumstances, one of the individuals was in possession of a firearm. Officer Degrave stated that no firearm was recovered and that all three were arrested. Officer Degrave stated that medical attention was requested for Melo Sanz.

The interview concluded at 9:17 AM.

Summary of Internal Affairs Interview with Detective Matthew Conley

On Monday, May 13, 2024, at about 3:09 PM, Sergeant Detective Daniel Conway, assisted by Sergeant Leah Bagas, began a recorded interview with Detective Matthew Conley concerning IAD Case# 2022-0064. The interview was conducted within the office of the Internal Affairs Division on the third floor of the Boston Police Headquarters located at 1 Schroeder Plaza in

Boston, MA. Detective Conley was provided union representation by Attorney Scott Dunlap. He received a copy of Commissioner's Memorandum #10-007 concerning truthfulness. He acknowledged his understanding of the document.

During the interview, Detective Conley provided the following information:

His ID# is 102955, and his badge# is 1762. He has been a sworn department member since 2011 and is currently assigned to District B-2.

On 2/21/22, Detective Conley was assigned to the YVSF. That evening, he was partnered with Detective Butler and Officer Bernazzani. Detective Conley stated that the YVSF is a plainclothes unit, and he would wear his badge and a vest that says 'Boston Police' on both sides. Detective Conley also stated they were operating an unmarked black Ford Explorer as a cruiser.

Detective Conley stated that he had viewed information on Snapchat posted by a user that led him to believe that a Columbia Point gang member had a firearm. Detective Conley believed this to be Thomas Searcy, who was actively taunting gang rivals. Detective Conley described the Snapchat post as two individuals walking, one wearing a blue hooded sweatshirt and the other wearing a black hooded sweatshirt and black backpack. Detective Conley provided a screenshot of these two individuals during his interview. Detective Conley stated that an ongoing firearm investigation where a rival group is being taunted is a priority for the YVSF. Detective Conley stated that he had conducted numerous social media investigations and that these posts led to violence.

Detective Conley stated that numerous YVSF officers responded to the Columbia Point area based on the information. Upon arrival, another officer broadcasted that they had seen the individuals from the Snapchat post, and when they went to speak to them, they ran. These suspects then ran out the other side of the building, and several officers pursued them. Their flight directions were broadcast. Detective Conley observed an individual wearing a black hooded sweatshirt with a black backpack, later identified as Melo Sanz. He exited the cruiser, and Melo Sanz ran in one direction before stopping and running in another direction. Detective Conley began to follow this person and described it as running parallel to them with some cars in between them. Detective Conley observed a black object in Melo Sanz's hands pinned closely to his waist.

Based on this object and his refusal to stop for the police, Detective Conley believed that Melo Sanz had a firearm. Detective Conley stated that Melo Sanz then ran toward him while Detective Conley had his firearm in his hand. Detective Conley then tackled Melo Sanz, who bent down as Detective Conley attempted to tackle him. Once in custody, Detective Conley determined that the object in Melo Sanz's hand was a black iPhone. Detective Conley stated that Melo Sanz had a cut above his right eyebrow. According to Detective Conley, Melo Sanz stated several times that the injury was from being tackled on cement.

Detective Conley stated that Melo Sanz did not complain about being punched or struck by an officer and that he did not observe anyone punch or strike him. Detective Conley also stated that he did not punch or strike Melo Sanz with his firearm, but he did say that on a body-worn camera. Detective Conley stated that the reason for this disparity was that he was tackling Melo

Sanz with his firearm in his hand; he believed this could have caused the injury. Detective Conley testified that he did not have time to holster his firearm before tackling Melo Sanz. After speaking with Sergeant Jones, Detective Conley believed the cement caused the injury based on the totality of the circumstances. Detective Conley stated that he did not believe that Melo Sanz complained of being struck by a firearm. Detective Conley stated that due to speaking with Sergeant Jones, he did not state he struck Melo Sanz with a firearm in his Form 26 because he did not believe that it had happened.

Detective Conley and the other officers did not locate a firearm. The three suspects were arrested for trespassing because they ran through a building they did not reside in. The three were transported to District D-4, and EMS was requested to the station to treat Melo Sanz for his injury. Melo Sanz was then transported to the hospital for further evaluation, but he refused to answer basic questions to assist hospital staff. Detective Conley tried to provide his cell phone so Melo Sanz could notify his family, but he refused.

Detective Conley did not have his body-worn camera on him during this interaction. He believed it was on his ballistic vest, but when he realized he did not, he was already on his way to Columbia Point based on the information he had discovered. He stated he did not complete a form documenting this.

Detective Conley stated that he went to OPAT to testify against the advice of his previous counsel. He stated that he did this because he wanted to give context and attempt to explain the situation and the reasons for Detective Conley's actions, which he feels were reasonable based on the circumstances.

The interview concluded at 3:27 PM.

Summary of Internal Affairs Interview with Police Officer Christopher Holt

On Monday, May 6, 2024, at about 5:51 PM, Sergeant Detective Daniel Conway, assisted by Sergeant Matthew Ryan, began a recorded interview with Police Officer Christopher Holt concerning IAD Case# 2022-0064. The interview was conducted within the office of the Internal Affairs Division on the third floor of the Boston Police Headquarters located at 1 Schroeder Plaza in Boston, MA. Officer Holt was provided union representation by Police Officer Michael Paradis. He received a copy of Commissioner's Memorandum #10-007 concerning truthfulness. He acknowledged his understanding of the document.

During the interview, Officer Holt provided the following information:

His ID number is 81698, and his badge number is 2626. He has been a sworn department member for approximately eighteen years and is currently assigned to the YVSF.

On 2/21/22, Officer Holt was assigned to the VK06 with Officers Degrave, Muhammad, and Stevens. Officer Holt was not wearing a uniform but was in plain clothes, wearing an outer carrier ballistic vest with the words "Boston Police" and a badge on it. Officer Holt stated the officers were in the Columbia Point area because they had received information that two individuals were in possession of a firearm. Officer Holt described one individual as a black

male with a black sweatshirt and a black backpack and the other as a black male with a royal or different-colored blue hooded sweatshirt.

Several officers were in the area, and Officer Degrave announced that he had seen these individuals. The individuals ran into a building before Officer Holt could observe them, and Officer Stevens pursued the suspects into the building. When Officer Stevens got to the door, a suspect immediately shut it, locking him out. Officer Holt then observed the suspects sprinting in the second-floor hallway because the hallway was all glass. He stated that two of these suspects matched the description and that he could not identify the third suspect.

Officer Holt circled the building and observed the three suspects running out the other side. Officer Holt testified that a foot pursuit then ensued. Officer Holt eventually caught up to one of the suspects after other officers had stopped him. Officer Holt observed Melo Sanz to have a cut over his right eyebrow. Officer Holt did not recall Melo Sanz saying how he suffered that cut. Officer Holt said he tried to calm Melo Sanz down about the injury by telling him they would get him medical treatment after he was properly secured. Officer Holt stated that Melo Sanz was bleeding, but based on his observations, Officer Holt did not believe the injury to be overly serious. Officer Holt did not hear anyone on the scene complaining of being punched or struck by an officer. Officer Holt did not see Detective Conley strike anyone with his firearm.

Officer Holt stated that during the incident, he did not hear Detective Conley state that he struck someone with a firearm. Officer Holt did state that upon reviewing his body-worn camera, it did catch Detective Conley reporting to Sergeant Jones that he struck someone with his firearm.

Based on the descriptions and flight from the police, Officer Holt believed that one of the suspects was in possession of a firearm. Officer Holt stated that no firearm was located, and all three suspects were arrested.

The interview concluded at 6:00 PM.

Summary of Internal Affairs Interview with Sergeant Kevin Jones

On Monday, May 6, 2024, at about 4:09 PM, Sergeant Detective Daniel Conway, assisted by Sergeant Detective Eamon Geoghegan, began a recorded interview with Sergeant Kevin Jones concerning IAD Case# 2022-0064. The interview was conducted within the office of the Internal Affairs Division on the third floor of the Boston Police Headquarters located at 1 Schroeder Plaza in Boston, MA. Sergeant Jones was provided union representation by Lieutenant Timothy Kervin, Sergeant Jeanne Carroll, and Attorney Patrick Bryant. He received a copy of Commissioner's Memorandum #10-007 concerning truthfulness. He acknowledged his understanding of the document.

During the interview, Sergeant Jones provided the following information:

His ID number is 11613, and his badge number is 6553. He has been a sworn department member for approximately twenty-eight years and is currently assigned to the YVSF.

On 2/21/22, Sergeant Jones was assigned as the first-half supervisor in the YVSF. Sergeant Jones stated that the YVSF wears plain clothes and drives unmarked cruisers. Sergeant Jones stated

that Detective Conley monitored social media for what individuals may post. Detective Conley informed other officers that two males in the Columbia Point area were in possession of a firearm. Detective Conley provided information that the males were younger black teenage males, one wearing a distinctive sky blue hooded sweatshirt and another male with a black hooded sweatshirt and a black backpack. Sergeant Jones testified that ongoing investigations into groups taunting each other are priorities for the YVSF due to the inherent risk of violence between the groups or the public.

Sergeant Jones testified that numerous officers from the YVSF responded to Columbia Point and searched the area. An officer relayed to the other YVSF officers via radio that the suspects were running toward the Expo Center. Sergeant Jones later found out that the suspects had first entered a building, and when officers tried to follow, the door was pulled shut so that officers could not enter. The officers then observed the males running through the building and exiting on the other side. A foot pursuit ensued, and the officers on the scene were able to stop all three suspects who had fled.

When Sergeant Jones arrived, he observed Melo Sanz with a small laceration over his right eye. Melo Sanz stated to Sergeant Jones that he had been tackled and hit his head on the ground. None of the suspects complained of being punched or struck while on the ground by Sergeant Jones.

Sergeant Jones stated that Detective Conley told him, "He had something black in his hand (inaudible). I had my gun in my hand, so I punched him in the face with it." Sergeant Jones did not know what the inaudible part of the statement was. Sergeant Jones did not see Detective Conley strike anyone with his firearm. No suspect complained to Sergeant Jones about being struck by a firearm. Sergeant Jones stated that this statement made by Detective Conley was only a snippet of the conversation. Sergeant Jones stated that a determination was made after speaking to Detective Conley and considering the physical evidence, such as where the laceration was and Detective Conley being right-handed; Sergeant Jones did not believe Detective Conley struck anyone with his firearm. Sergeant Jones stated this was the reason it was not included in the use of force report. Detective Conley told Sergeant Jones that Melo Sanz was not listening to him and that Detective Conley tackled him up high and then holstered his firearm once on the ground.

Sergeant Jones stated that no officer told him that they struck Melo Sanz with a fist, and Melo Sanz did not report to Sergeant Jones that he was struck with a fist. That is why no mention of anyone punching Melo Sanz in the use of force report. Sergeant Jones believed, based on the description and behavior, that one of the suspects was in possession of a firearm. Sergeant Jones stated that all three were arrested for trespassing, and EMS was requested to meet Melo Sanz at District D-4. Melo Sanz was then transported to Tufts Medical Center for medical treatment.

Sergeant Jones described Melo Sanz as uncooperative and refused to provide any answers to identifying questions. He also stated that Melo Sanz was uncooperative with hospital staff and refused to provide any identifying information.

The interview concluded at 4:21 PM.

Summary of Internal Affairs Interview with Police Officer Nicholas Bernazzani

On Monday, May 6, 2024, at about 5:02 PM, Sergeant Detective Daniel Conway, assisted by Sergeant Matthew Ryan, began a recorded interview with Police Officer Nicholas Bernazzani concerning IAD Case# 2022-0064. The interview was conducted within the office of the Internal Affairs Division on the third floor of the Boston Police Headquarters located at 1 Schroeder Plaza in Boston, MA. Officer Bernazzani was provided union representation by Police Officer Michael Paradis. He received a copy of Commissioner's Memorandum #10-007 concerning truthfulness. He acknowledged his understanding of the document.

During the interview, Officer Bernazzani provided the following information:

His ID number is 99212, and his badge number is 2307. He has been a sworn department member since December of 2010 and is currently assigned to the YVSF.

On 2/21/22, Officer Bernazzani was assigned to the VK05 with Detectives Conley and Butler. Although Officer Bernazzani was not wearing his uniform, his badge was clearly visible. Officer Bernazzani stated that Detective Conley, while reviewing social media posts, observed two males with a firearm in Columbia Point. Numerous officers went to the area to look for the individuals Detective Conley described. Officer Bernazzani described one male as wearing a distinct powder blue sweatshirt and powder blue hat and the second male as wearing a black hooded sweatshirt and black backpack.

After being in the area for approximately fifteen to twenty minutes, Officer Holt broadcast that they were in pursuit of three individuals. Due to the radio broadcast, Detective Butler, who was operating the cruiser, made his way to the area where the pursuit occurred. The officers drove past the individuals fleeing the officers in an attempt to cut them off. Detective Butler pursued Paulino Brea, and Officer Bernazzani and Detective Conley pursued Melo Sanz.

The individual that Officer Bernazzani and Detective Conley stopped had a cut above his right eyebrow. Officer Bernazzani was not sure how Melo Sanz's injury occurred. Officer Bernazzani stated that he did not hear Melo Sanz complain of being struck or punched by an officer. Officer Bernazzani stated that he did not see Officer Conley strike Melo Sanz with his firearm, and he did not hear Officer Conley say that he struck Melo Sanz with his firearm. Officer Bernazzani stated that no one on the scene complained of being struck by a firearm. Officer Bernazzani did not observe any officer strike Melo Sanz. Officer Bernazzani did see Officer Conley tackle Melo Sanz and ordered Melo Sanz to show his hands once he was on the ground. Officer Bernazzani stated he was approximately twenty to thirty feet away from Melo Sanz when Officer Conley tackled him.

Based on the circumstances involved with the social media post, matching description, and flight from the police, Officer Bernazzani believed that one of the individuals had a firearm. The officers were unable to locate a firearm.

Officer Bernazzani stated that the three individuals were arrested for trespassing and that EMS was requested to District 4 to evaluate Melo Sanz. Officer Bernazzani did not recall any issues at the hospital, and Melo Sanz did not speak to the officers there.

The interview concluded at 5:10 PM.

Summary of Internal Affairs Interview with Detective Shawn Butler

On Monday, May 13, 2024, at about 2:04 PM, Sergeant Detective Daniel Conway, assisted by Sergeant Leah Bagas, began a recorded interview with Detective Shawn Butler concerning IAD Case# 2022-0064. The interview was conducted within the office of the Internal Affairs Division on the third floor of the Boston Police Headquarters located at 1 Schroeder Plaza in Boston, MA. Detective Butler was provided union representation by Attorney Scott Dunlap. He received a copy of Commissioner's Memorandum #10-007 concerning truthfulness. He acknowledged his understanding of the document.

During the interview, Detective Butler provided the following information:

His ID# is 102672, and his badge# is 739. He has been a sworn department member since 2010 and is currently assigned to the Drug Control Unit.

On 2/21/22, Detective Butler was assigned to the YVSF. He was working that evening assigned as the VK05 with Detective Conley and Officer Bernazzani. Detective Butler stated that the members of the YVSF wear plain clothes and that he always wore his badge prominently displayed. He states he regularly wears his vest but did not have it that evening. The officers were operating an unmarked black explorer. Detective Butler stated that information received from Snapchat informed officers that individuals may have had a firearm in Columbia Point. Detective Butler described someone stating on video that they had a firearm and that one of the individuals had a distinct blue hooded sweatshirt. Detective Butler described the other male as wearing a black hooded sweatshirt and backpack.

Detective Butler recalled that Officer Degrave had stated over the radio that he had observed some individuals matching that description. The individuals had run away from the officers and were in a foot pursuit. Detective Butler testified that they made their way to that area of development and observed two of the individuals. Detective Butler stated that he stopped Paulino Brea, and Detective Conley and Officer Bernazzani stopped Melo Sanz. Detective Butler stated that he could not see Detective Conley and Officer Bernazzani very well because they were behind some parked vehicles. Detective Butler eventually saw that Melo Sanz had a cut on his forehead. Detective Butler stated that Melo Sanz was unhappy about being tackled and said he got the injury from being tackled.

Detective Butler did not hear Melo Sanz complain of being punched or struck by an officer. Detective Butler did not see Detective Conley strike anyone with a firearm or hear Detective Conley say that he struck someone with a firearm. Detective Butler did not hear anyone complain about being struck by a firearm. Based on the description, the location, and the flight from officers, Detective Butler believed that one of the individuals had a firearm. He stated that no firearm was located and that the three were eventually arrested for trespassing. Detective Butler remembered that Melo Sanz went to the hospital, but could not recall when EMS assessed him. Detective Butler recalled going to the hospital but could not recall if Melo Sanz cooperated with hospital staff.

The interview concluded at 2:13 PM.

Summary of Internal Affairs Interview with Police Officer Suni Muhammad

On Monday, May 6, 2024, at about 6:31 PM, Sergeant Detective Daniel Conway, assisted by Sergeant Matthew Ryan, began a recorded interview with Police Officer Suni Muhammad concerning IAD Case# 2022-0064. The interview was conducted within the office of the Internal Affairs Division on the third floor of the Boston Police Headquarters located at 1 Schroeder Plaza in Boston, MA. Officer Muhammad was provided union representation by Police Officer Michael Paradis. He received a copy of Commissioner's Memorandum #10-007 concerning truthfulness. He acknowledged his understanding of the document.

During the interview, Officer Muhammad provided the following information:

His ID number is 140306, and his badge number is 1548. He has been a sworn department member since 2015 and is currently assigned to the YVSF, but is currently out injured.

On 2/21/22, Officer Muhammad worked with Officers Degrave and Holt that evening. Officer Muhammad wore plain clothes and a tactical vest with "Boston Police" on it. The officers were in an unmarked police cruiser. Officer Muhammad was in the Columbia Point area because of a firearms investigation. Detective Conley provided other members of the YVSF with an image of that individual's clothing. Officer Muhammad described the individual as wearing a baby blue hooded sweatshirt and matching sweatpants.

While in Columbia Point, the officers observed an individual matching that clothing. Officer Muhammad exited the vehicle, and when the individual observed Officer Muhammad he closed the door, preventing their entry. Officer Muhammad then went to the front entrance, which was locked but had large windows. Officer Muhammad could see the individuals exit on the other side of the building's main lobby. Officer Muhammad then notified the other officers via radio and walked around the building. Officer Muhammad pursued one of the individuals and stopped Ayman Mohamed. Mohamed did not have any injuries. The two were not near Detective Conley; Mohamed had fled in a different direction. Officer Muhammad did not see or hear anything Detective Conley did because Detective Conley could not be seen or heard by Officer Muhammad.

Officer Muhammad admitted to saying that Mohamed did not sound like a Muslim. He stated that he was raised Muslim and was attempting to understand Mohamed's baseline understanding of the religion. Officer Muhammad also stated that this was while the firearm investigation was still ongoing and that he was trying to gauge Mohamed's behavior to see if he was concealing something. Officer Muhammad also asked about prayer time because he was trying to understand Mohamed's understanding of the Muslim religion.

Officer Muhammad admitted that he did say, "You don't always have to be a dickhead all the time." Officer Muhammad also admitted that during the pat-frisk for weapons, he said, "When I zip you up, you're going to be an asshole again." Officer Muhammad described his comment as suggesting that Mohamed not behave this way because he was zipping up his hooded sweatshirt to help him. Officer Muhammad stated that Mohamed was swearing and using various epithets during the interaction.

Officer Muhammed stated that he did take a picture of Mohamed because Mohamed wanted a selfie. Mohamed could not take the picture himself because he was still in handcuffs. Officer Muhammed used Mohamed's phone to take the picture as a kind gesture because Mohamed had started to calm down. Mohamed had also cooperated with Officers, and because he wanted a picture, Officer Muhammad complied.

Officer Muhammad believed that based on the description, location, and flight, one of the individuals was in possession of a firearm. No firearm was located. Officer Muhammad eventually observed Melo Sanz's injury. He could not remember if all three individuals stopped were arrested or not.

The interview concluded at 6:44 PM.

Summary of Internal Affairs Interview with Police Officer Christopher Stevens

On Monday, May 6, 2024, at about 5:14 PM, Sergeant Detective Daniel Conway, assisted by Sergeant Matthew Ryan, began a recorded interview with Police Officer Christopher Stevens concerning IAD Case# 2022-0064. The interview was conducted within the office of the Internal Affairs Division on the third floor of the Boston Police Headquarters located at 1 Schroeder Plaza in Boston, MA. Officer Stevens was provided union representation by Police Officer Michael Paradis. He received a copy of Commissioner's Memorandum #10-007 concerning truthfulness. He acknowledged his understanding of the document.

During the interview, Officer Stevens provided the following information:

His ID number is 81364, and his badge number is 2775. He has been a sworn department member for approximately eleven years and is currently assigned to the YVSF.

On 2/21/22, Officer Stevens was assigned to the VK16; he could not recall who he was partnered with that evening. Officer Stevens stated that he wears plain clothes, but his badge is displayed, and he wears a shirt or sweatshirt with Boston Police on it. Officer Stevens stated that he is easily recognizable as a police officer based on his clothing and the cruiser they drive. Officer Stevens stated that there was a firearm investigation via social media, showing a group of individuals with a specific description. Officer Stevens recalled seeing this information before going into the Columbia Point area.

Officer Stevens recalled driving around and that someone saw the group, and one of them started running. Officer Stevens exited his cruiser and pursued the suspects on foot. One suspect was stopped, and Officer Stevens could not recall this individual's name but stated that he had no visible injury.

Officer Stevens did not hear anyone complain of being punched or struck by an officer on the scene. He stated that Detective Conley was not near him when he stopped this individual. Officer Stevens recalled that EMS was called, but it was not for the individual that Officer Stevens was near. Officer Stevens remembers Officer Muhammad being near him but does not remember his role. Officer Stevens did not hear Officer Muhammad refer to anyone as a "dickhead" or an "asshole."

Officer Stevens believed that, based on the description and their flight from the officers, he believed one of the individuals had a firearm. Officer Stevens said that no firearm was located. Officer Stevens admitted that his memory of this incident was “not the best.”

The interview concluded at 5:44 PM.

Summary of Internal Affairs Interview with Police Officer Kevin Cahill

On Monday, May 6, 2024, at about 5:37 PM, Sergeant Detective Daniel Conway, assisted by Sergeant Matthew Ryan, began a recorded interview with Police Officer Kevin Cahill concerning IAD Case# 2022-0064. The interview was conducted within the office of the Internal Affairs Division on the third floor of the Boston Police Headquarters located at 1 Schroeder Plaza in Boston, MA. Officer Cahill was provided union representation by Police Officer Michael Paradis. He received a copy of Commissioner’s Memorandum #10-007 concerning truthfulness. He acknowledged his understanding of the document.

During the interview, Officer Cahill provided the following information:

His ID number is 126483, and his badge number is 2598. He has been a sworn department member for approximately eleven years and is currently assigned to the YVSF.

On 2/21/22, Officer Cahill was assigned to the VK02 with Officers Lyons and Sheehan. They were wearing plain clothes, and Officer Cahill normally wears his ballistic vest that says “Boston Police” on it, with his badge displayed. Officer Cahill stated that the officers were in the Columbia Point area because of an ongoing firearm investigation. The officers received information that two suspects in that area were possibly in possession of a firearm. Officer Cahill described the suspects as wearing a black hooded sweatshirt and black backpack, and the other was wearing a sky blue or powder blue hooded sweatshirt.

Officer Cahill stated that a YVSF officer observed individuals matching this description, and a foot chase ensued. Officer Cahill was not there when the pursuit ended; however, he responded at that location. Officer Cahill observed Melo Sanz to have a visible injury and that Melo Sanz stated to him that he hit his head while being taken to the ground, causing the injury. Officer Cahill stated that no one complained of being punched or struck by any officer. Officer Cahill said he did not see Detective Conley strike anyone with a firearm, and he did not hear Detective Conley say he struck anyone with a firearm. Officer Cahill stated that no one complained on the scene about being struck by a firearm.

Officer Cahill stated that he had reasonable suspicion that one of the individuals stopped had a firearm. However, they did not recover a firearm. Officer Cahill believed that two of the individuals were arrested, and he believed EMS was requested for Melo Sanz.

The interview concluded at 5:44 PM.

Summary of Internal Affairs Interview with Police Officer Paul Sheehan

On Tuesday, May 7, 2024, at about 10:35 AM, Sergeant Detective Daniel Conway, assisted by Sergeant Matthew Ryan, began a recorded interview with Police Officer Paul Sheehan

concerning IAD Case# 2022-0064. The interview was conducted within the office of the Internal Affairs Division on the third floor of the Boston Police Headquarters located at 1 Schroeder Plaza in Boston, MA. Officer Sheehan was provided union representation by Police Officer James Doiran. He received a copy of Commissioner's Memorandum #10-007 concerning truthfulness. He acknowledged his understanding of the document.

During the interview, Officer Sheehan provided the following information:

His ID# is 108893, and his badge# is 968. He has been a sworn department member for approximately fifteen years and is currently assigned to the YVSF.

On 2/21/22, Officer Sheehan was assigned to the YVSF and partnered with Officers Cahill and Lyons that evening. Officer Sheehan testified that he was not wearing a uniform that evening but wore an outer vest carrier with the words "Boston Police" clearly visible. The officers were operating an unmarked cruiser that evening.

Officer Sheehan stated that they were in the area of Columbia Point that evening due to a social media post about firearm possession. Officer Sheehan described the individual in question as wearing a blue Nike sweatshirt. Officer Sheehan testified that numerous officers flooded the area of Columbia Point and that an officer saw someone matching the description. Upon seeing this individual, other officers engaged in a foot pursuit. Officer Sheehan could not remember the specific number of individuals pursued by officers.

When Officer Sheehan arrived, Detective Butler had stopped an individual at this point. Officer Sheehan did not observe any injuries, and this individual did not complain about any injuries. Officer Sheehan stated that Officer Conley was not near him, and he did not hear Officer Conley state that he struck someone in the face with a firearm. The suspect stopped by Detective Butler did not complain about being struck by a firearm. Officer Sheehan believed that one of the group was in possession of a firearm. Officer Sheehan recalled that some of the individuals stopped were arrested. Officer Sheehan did not recall when EMS was alerted for Melo Sanz.

The interview concluded at 10:42 AM.

Summary of Internal Affairs Interview with Police Officer Brendan Lyons

On Monday, May 6, 2024, at about 5:28 PM, Sergeant Detective Daniel Conway, assisted by Sergeant Matthew Ryan, began a recorded interview with Police Officer Brendan Lyons concerning IAD Case# 2022-0064. The interview was conducted within the office of the Internal Affairs Division on the third floor of the Boston Police Headquarters located at 1 Schroeder Plaza in Boston, MA. Officer Lyons was provided union representation by Police Officer Michael Paradis. He received a copy of Commissioner's Memorandum #10-007 concerning truthfulness. He acknowledged his understanding of the document.

During the interview, Officer Lyons provided the following information:

His ID# is 82917, and his badge# is 2149. He has been a sworn department member for approximately seventeen years and is currently assigned to the YVSF.

On 2/21/22, Officer Lyons was assigned to the VK02 with Officers Cahill and Sheehan. The officers wore plain clothes, but Officer Lyons wore his tactical vest. The officers were in the area of Columbia Point for a firearm investigation. Officer Lyons stated that one of the males who had a firearm had a powder blue hooded sweatshirt on. Officer Lyons stated that another officer said they had a group running from them. Officers Lyons, Cahill, and Sheehan responded to the location where a suspect was stopped. Officer Lyons observed Melo Sanz with a cut over his right eye. Officer Lyons stated that Melo Sanz did not state how this injury occurred. Melo Sanz asked Officer Lyons if Officer Lyons had tackled him. Officer Lyons stated he did not tackle Melo Sanz.

Officer Lyons stated that no one on the scene complained of being punched or struck by an officer. Officer Lyons did not see Detective Conley strike Melo Sanz with a firearm. Officer Lyons did not hear Detective Conley state that he struck someone with a firearm. Officer Lyons did not hear anyone on the scene complain of being struck by a firearm.

Due to their description and flight, Officer Lyons believed that one of these individuals was in possession of a firearm. He did not believe a firearm was located that evening. Officer Lyons canvassed the area for a firearm. Officer Lyons stated at least one individual was arrested because he assisted with the booking process. Officer Lyons stated that he did not call for EMS for Melo Sanz.

The interview concluded at 5:35 PM.

Summary of Body Worn Camera:

Since all three individuals were stopped away from each other, the body-worn camera was broken up to show the interaction between each suspect who was stopped. The following is a brief description of each interaction.

Melo Sanz:

- Officer Bernazzani can be heard telling Melo Sanz to get on the ground. As Officer Bernazzani approaches, you can see Detective Conley on the camera at the 38-second mark with Melo Sanz. Officer Bernazzani arrives at Detective Conley at the 39-second mark.
- Melo Sanz is then on the ground, and officers tell Melo Sanz to give them his hands.
- An Officer asks Melo Sanz, "Do you have a gun on you?" twice.
- Once officers secure Melo Sanz, Officer Bernazzani says he is running to Detective Butler, who stopped Paulino Brea.
- Melo Sanz's phone is seen in his hands, and he complains that he is bleeding. Officer Holt tells him that once he is secure and they know there are no weapons on him, they will take care of him.
- Melo Sanz, while speaking to Officer Holt, says that he is bleeding because the officers tackled him for no reason.
- With Officer Starkey present, Melo Sanz asks why he was tackled again. He repeats this question several times to Officers Holt and Starkey.

- Officer Holt walks away from Melo Sanz, and Detective Conley tells Sergeant Jones, “He had something black in his hand.” There is then an inaudible section, and Detective Conley says, “I had my gun in my hand; I punched him in the face with it.” Officer Holt then walks with Detective Conley.
- On Officer Starkey’s camera, Melo Sanz again questions why officers tackled him on the cement. Melo Sanz repeats that an officer tackled him. He also refuses to answer basic questions about his name and where he lives.
- At the nine-minute mark of Officer Starkey’s camera, Officer Butler asks, “What happened to you? You hit your head when you fall?” Melo Sanz says, “I got tackled, sir, I got tackled, and I hit my head like this.” He then demonstrates a whiplash motion.
- Officers attempt to identify Melo Sanz for several minutes.
- Eventually, the decision is made to arrest Melo Sanz and he is transported by a marked unit.

Paulino Brea:

- Detective Butler is with Paulino Brea; Paulino Brea states that the only thing he has that is illegal is a weed pen.
- Officers bring Paulino Brea to his feet, and he says, “How am I supposed to know you’re the police?” Detective Butler responds by saying, “We said ‘Police.’”
- Paulino Brea states that he thought the officers were security. The officers might catch him using a weed pen.
- Paulino Brea gives his information to the officers.
- Paulino Brea cooperates with officers and then is informed that he is being placed under arrest.

Mohamed:

- Officer Muhammad is in a foot pursuit and issues verbal commands to Mohamed. Officer Muhammad yells, “Stop, or I’ll shoot.” Officer Muhammad then approaches Mohamed.
- He orders him onto the ground several times. As he approaches, Mohamed’s hands are in his pockets, and quickly pulls his phone out.
- When Mohamed does not cooperate, Officer Muhammad brings him to the ground. Officer Stevens arrives, and they place Mohamed into handcuffs.
- Mohamed becomes upset and yells at the officers over why he is being detained.
- Officer Muhammad informs Mohamed that he is detained for an ongoing firearm investigation.
- Mohamed stated that he only saw people with guns, that is why he ran.
- Mohamed provides his information to Officer Muhammad.
- Mohamed then asks Officer Muhammad, “Why are you a fucking pig? You know what they do to us.”
- Mohamed asks Officer Muhammad something about bacon. Officer Muhammad asks, “Do you eat bacon?” Mohamed replies, “No, I’m Muslim.” Officer Muhammad then says, “You don’t sound like one.” Mohamed replies, “Yeah fuck you, bro.”
- Mohamed admits that he only stopped because he knew Officer Muhammad was a police officer. Mohamed continues to say negative things and swear at Officer Muhammad.

- Officer Muhammad then pat frisks Mohamed. At the end of the pat frisk, Mohamed asks Officer Muhammad to zip his hooded sweatshirt up. Officer Muhammad asks him to say please, and then says, "You don't have to be a dickhead all the time." Officer Muhammad mentions how Mohamed will view him as an asshole again after zipping up his hooded sweatshirt.
- Mohamed admits that they went into the building to smoke weed.
- Mohamed states, "This would be a good picture here." Officer Muhammad offers to take a picture for Mohamed.
- Officer Muhammad takes the picture on Mohamed's phone. The handcuffs can not be seen, so he takes another picture for him.
- Mohamad states that Officer Muhammad said he was going to shoot him. Officer Muhammad stated that was because Mohamed was reaching for something when he originally stopped him.
- Officer Bernazzani arrives, and Mohamed walks back over to where Paulino Brea and Melo Sanz are stopped.

Summary of Boston Police Report I222012694:

On 2/21/22, at approximately 5:21 PM, Officers of the YVSF responded to the area of Columbia Point to conduct a firearm investigation. Officers received information that two males were in the area, claiming to be in possession of firearms. One was described as a black male wearing a powder or sky blue Nike hooded sweatshirt in his late teens to early twenties. The other was described as wearing a black hooded sweatshirt with a black backpack. One of the males also mocked the H-Block gang on social media.

Upon arrival, Officer Degrave observed the males entering 50 Island View Place. Officers attempted to follow the three individuals, but they pulled the door shut, preventing the officers from entering. The individuals then ran up the stairs in a full sprint before exiting the building and running across the complex. After being told of their direction of flight, Detectives Butler and Conley and Officer Bernazzani observed two in the 46 North Point Drive area. One male, Melo Sanz, pivoted and turned toward Detective Conley. Detective Conley found this male holding a black object; Detective Conley verbally commanded the male to show his hands. Detective Conley then tackled Melo Sanz to the ground. Melo Sanz sustained a cut over his right eyebrow, and the object in his hand was determined to be an iPhone. Also stopped were Mohamed and Paulino Brea.

All three males were arrested for Trespassing after determining they did not live at 50 Island View Place. EMS was requested to meet at District D-4, where Melo Sanz was transported to Tufts Medical Center for treatment of his injury.

Investigative Steps:

- Internal Affairs Interview with Melo Sanz
- Internal Affairs Interview with Detective Conley
- Internal Affairs Interview with Officer Holt
- Internal Affairs Interview with Officer Degrave
- Internal Affairs Interview with Officer Bernazzani

- Internal Affairs Interview with Sergeant Jones
- Internal Affairs Interview with Officer Muhammad
- Internal Affairs Interview with Officer Sheehan
- Internal Affairs Interview with Officer Stevens
- Internal Affairs Interview with Detective Butler
- Internal Affairs Interview with Officer Lyons
- Internal Affairs Interview with Officer Cahill
- Review of Body Worn Camera of the incident
- Review of Boston Police Report 222012694

Investigative Summary

On 2/21/22, Detective Conley observed a post on Snapchat where two males commented about a rival gang and posted pictures with the caption, "Shoota with me." One male was wearing a blue hooded sweatshirt and blue hat; the other was wearing a black backpack and black hooded sweatshirt. Detective Conley believed that the person who posted this was Thomas Searcy. Searcy is listed in the Boston Police Gang Database as an active Columbia Point associate. Based on this information, Detective Conley believed that these individuals may be in possession of a firearm. Detective Conley provided screenshots of these individuals, which were added to the case file. Based on this information, numerous officers from the YVSF made their way to the Columbia Point area to search for these individuals.

Officers arrived and searched the area for approximately ten to fifteen minutes before Officer Degrave observed two males matching the description. Upon approaching the group, the individuals ran into a building and pulled the door shut before Officer Stevens could access the building. Officers Degrave, Holt, and Muhammad saw the three males, two of whom matched the description, running along a second-floor hallway. Officer Muhammad made his way to the front entrance of the building and was able to observe the three males fleeing from the rear of the building through the lobby.

Officers continued to pursue these individuals on foot. Detective Conley exited his cruiser upon seeing the males and began a foot pursuit with one of the males. Detective Conley observed Melo Sanz carrying a black object in both hands by his waist as he pursued him. Melo Sanz then turned and headed toward Detective Conley, who tackled Melo Sanz to the ground. Melo Sanz suffered a cut over his right eyebrow at some point during the interaction. Shortly after this, Detective Conley is seen on video stating to Sergeant Jones, "He had something black in his hand." It then becomes inaudible before Detective Conley says, "I had my gun in my hand; I punched him in the face with it." Detective Conley stated that after reviewing the interaction and use of force with Sergeant Jones, he believed that he did not strike Melo Sanz with his firearm. Detective Conley stated that the way he tackled Melo Sanz, he did not believe that he could have

struck Melo Sanz on the right side of his head. Melo Sanz asks several officers if they tackled him and states on camera that his injury was caused by being tackled on cement. Melo Sanz makes a whiplash motion to demonstrate how he received the injury. During the interaction, Melo Sanz never asked for any officer's name and/or badge number. Melo Sanz claimed that he was punched by officers on the ground as well.

Detective Butler observed Paulino Brea running and was able to secure him and was assisted shortly after by Officers Sheehan and Lyons. Paulino Brea cooperated with officers after being placed in handcuffs and did not complain of any injuries. Paulino Brea did not ask any officer for their name and badge number.

Officer Muhammad pursued Mohamed and, after a foot pursuit, was able to stop him. As Officer Muhammad approached Mohamed, Mohamed had his hands in his pockets and quickly pulled out a phone. Mohamed refuses to follow verbal commands, and Officer Muhammad brings him to the ground. Officer Stevens joins them and assists in placing Mohamed into handcuffs. Mohamed swears and yells while on the ground. He then says something about "Bacon." Officer Muhammad asks him if he eats bacon, and he responds, "No, I'm Muslim." Officer Muhammad then states, "You don't sound like a Muslim." Officer Muhammad stated that this was done to understand Mohamed's base behaviors to see if he was concealing something. Officer Muhammad then conducts a pat frisk of Mohamed. During the pat-frisk, he unzips Mohamed's blue hooded sweatshirt. Mohamed asks Officer Muhammad to zip him back up. Officer Muhammad says, "You don't have to be a dickhead all the time." Shortly after, Mohamed mentions a selfie while in handcuffs. Officer Muhammad takes a picture of Mohamed on Mohamed's phone. He then takes a second picture on Mohamed's phone.

All three were placed under arrest, and Melo Sanz was transported to the hospital for treatment of his injury.

Sergeant Jones completed a use-of-force report regarding this incident; however, that report was not approved through the proper chain of command prior to this report being completed.

After reviewing all of the body-worn camera video footage and conducting interviews, no officer was asked for their name and/or badge number on the scene. All of the officers testified that they were in an unmarked Ford Explorer police cruiser that is easily identifiable and they all wore clothing that identifies them as police officers.

A phone call was made to Paulino Brea and Mohamed without any response. A certified letter was sent to both individuals without any response on 5/6/24. A certified letter was sent to both on 5/6/24, and neither has reached out since that date. Officers Smerz and Starkey have both left the Boston Police Department. Both declined to participate in interviews for this investigation.

Findings and Recommendations

I, Sergeant Detective Daniel Conway, respectfully submit the following recommendations regarding Internal Affairs Case# IAD2022-0064.

Detective Matthew Conley ID# 102955:

In response to a firearm investigation, Detective Conley pursued Melo Sanz, who had fled other officers. During this pursuit, Detective Conley observed Melo Sanz holding a black object near his waist while running. Detective Conley caught up to Melo Sanz and eventually tackled him. While on the ground, Detective Conley asks Melo Sanz where the gun is twice. Officers Bernazzani and Holt join Detective Conley and can place Melo Sanz into handcuffs. After placing Melo Sanz into handcuffs, he is seen with a visible injury above his left eye. Detective Conley is heard on camera telling Sergeant Jones, "he had something black in his hand." The audio then is inaudible. Detective Conley then says, "I had my gun in my hand, so I punched him in the face with it." Melo Sanz asks several officers on the scene if they tackled him but never says that he was punched. He says to Detective Butler on Officer Starkey's body-worn camera that his injury was from being tackled on the pavement. Detective Conley testified that he originally thought that he punched Melo Sanz with his firearm, but after speaking to his supervisor, Sergeant Jones, the two did not believe that. During his interview, Detective Conley showed that he tackled Melo Sanz by wrapping his arms around Melo Sanz, who had ducked down. Detective Conley stated that he is right-handed and was holding his gun in his right hand as he tackled Melo Sanz. The two were facing each other, so a cut on Melo Sanz's right side of his face would be inconsistent, with Detective Conley wrapping his hands around Melo Sanz. During his interview, Melo Sanz stated that officers punched him with their fists but did not say that he was struck with an object. There is no video showing any officer punching Melo Sanz. Based on the inconsistency between Melo Sanz and Detective Conley's interviews and the lack of body-worn camera video from Detective Conley, I cannot prove or disprove the allegation of the use of non-lethal force. Therefore, I request the following allegation be classified as:

BPD Rule 304, Use of Non-Lethal Force

Not Sustained

Detective Conley did not have his body-worn camera with him during the incident. He stated that he believed it was on his ballistic vest carrier but realized while on his way to Columbia Point that he did not have it. Detective Conley also stated that he did not fill out the proper form for not recording this interaction. The lack of a body-worn camera prevents this investigator from properly investigating this incident. Based on these facts, I request the following allegation be classified as:

BPD Rule 405, Section 2.2, BWC Activation and Use

Sustained

Detective Shawn Butler, ID# 102672

Detective Butler did not have his body-worn camera with him during the incident. No video from Detective Butler exists from this incident. The lack of a body-worn camera prevents this investigator from properly investigating this incident. Based on these facts, I request the following allegation be classified as:

BPD Rule 405, Section 2.2, BWC Activation and Use

Sustained

Police Officer Suni Muhammad, ID# 140306

During his interaction with Mohamed, Officer Muhammad tells him, "You don't have to be a dickhead all the time." Officer Muhammad also testified that he said, "Right after I zip you up, you're going to be an asshole again." After listening to the body-worn camera again, Officer Muhammad actually says, "Right after I zip you up, I'm going to be an asshole again." This investigator misheard the quote the first time through the body-worn camera. Based on his use of the word "dickhead" I can prove that a violation of Rule 102, Section 9, Respectful Treatment occurred. Therefore, I request the following allegation be classified as:

BPD Rule 102, Section 9, Respectful Treatment

Sustained

Police Officer Nicholas Bernazzani, ID# 99212

Upon reaching Detective Conley, Officer Bernazzani's body-worn camera is activated for the entire interaction. No video evidence suggests that Officer Bernazzani punched or struck Melo Sanz, as he claimed in his interview. Melo Sanz also only complains about being tackled and not about being punched. Officer Bernazzani is only with Melo Sanz for a short period until he is handcuffed and then runs to assist other officers. Based on the video evidence, I can prove that a violation of Rule 304, Use of Non-Lethal Force, did not occur. Therefore, I request the following allegation be classified as:

BPD Rule 304, Use of Non-Lethal Force

Unfounded

Police Officer Christopher Holt, ID# 81698

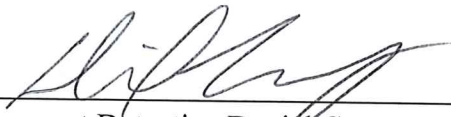
Upon reaching Detective Conley, Officer Holt's body-worn camera is activated for the entire interaction. No video evidence suggests that Officer Holt punched or struck Melo Sanz, as he claimed in his interview. Melo Sanz also only complains about being tackled and not about being punched. Officer Holt is actually the one who tells Melo Sanz that they will take care of him due

to the cut over his eye. Based on the video evidence, I can prove that a violation of Rule 304, Use of Non-Lethal Force, did not occur. Therefore, I request the following allegation be classified as:

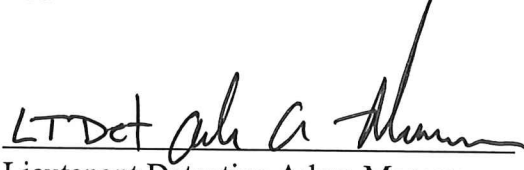
BPD Rule 304, Use of Non-Lethal Force

Unfounded


Respectfully submitted,


Sergeant Detective Daniel Conway
Internal Affairs Division, BPS

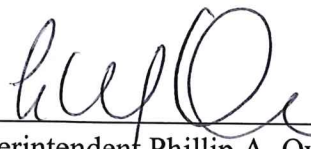
Approved,




Lieutenant Detective Adam Mammone
Internal Affairs Division, BPS

Contents Noted and Approved,


Deputy Superintendent James W. Miller
Assistant Chief- Bureau of Professional Standards

Concurred,


Superintendent Phillip A. Owens
Chief, Bureau of Professional Standards

 
Legal Advisor

Attachments

1. Boston Police Report I222012694
2. Snapchat Image #1
3. Snapchat Image #2
4. Initial Use of Force Investigation
5. Melo Sanz Booking Sheet
6. Picture of Melo Sanz's Injury