



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

September 11, 2025

**Commissioner Michael Cox**

Boston Police Department  
One Schroeder Plaza  
Boston, MA 02120  
CC: OPAT Commissioners

Dear Commissioner Cox,

The Civilian Review Board (CRB) of the Office of Police Accountability and Transparency (OPAT) is empowered by city ordinance to “provide recommendations for the revision of [Boston Police Department] policies and procedures to the Police Commissioner.”<sup>1</sup> This letter is the first effort from the CRB toward that policy directive, and we anticipate sending similar letters from time to time. Specifically, we write to express concern and offer recommendations regarding (1) the Boston Police Department (BPD) employees’ current posture toward cooperation with the OPAT investigations, and (2) BPD Commissioner’s non-responsiveness to CRB recommendations.

**1. BPD Employees’ Non-Cooperation with OPAT Investigations**

First, the CRB is gravely concerned about the widespread refusal of Boston Police Department officers and employees to participate in interviews or cooperate with OPAT investigations. On many occasions, SEIU Local 888 and Boston Police Superior Officers Federation (BPSOF) representatives have responded to OPAT requests for officers to cooperate with investigations by informing OPAT that the officer would not be participating in the investigation. This includes a September 21, 2023, letter from BPSOF Attorney Patrick Bryant asserting that “sworn officers are not expected or required to participate in OPAT investigations;” a February 27, 2024, response from Local 888 Representative Neal O’Brien stating that Officer Brandon Johnson “will not be in attendance” at an OPAT investigatory meeting; and a January 21, 2025, letter from O’Brien stating that Local 888 “and its bargaining unit members will not attend OPAT meetings,” and that its members are in fact being advised “to refrain from accepting OPAT invitations.”

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<sup>1</sup> Boston, Mass., Code § 12-16.9(F) (2024).



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This pattern of non-engagement violates the principles of accountability and transparency, which hampers both OPAT's ability to thoroughly investigate allegations of misconduct and the CRB's ability to make recommendations based on a full understanding of the situation. When officers refuse to participate, this demonstrates resistance to civilian oversight and directly contradicts the spirit of community-centered reform that the City has publicly committed to.

**1a. CRB Recommendation: Issue a department-wide policy or directive mandating full cooperation with OPAT investigations**, including participation in interviews and production of documentation. The directive should put OPAT investigations on level playing field with BPD internal affairs investigations and should specify that non-cooperation may result in disciplinary action.

Specifically, CRB recommends that a new BPD policy include the following elements:

- A commitment from BPD to regularly collaborate with the OPAT office, including regularly sharing information and data in response to requests.
- **Direct its officers and employees to cooperate in OPAT investigations** on the clock (not requiring overtime).
  - "Cooperation" includes but is not limited to:
    - Responding to interview requests and subpoenas<sup>2</sup> within a reasonable time frame to be defined in collaboration with the OPAT Commission;
    - Participating in interviews of a reasonable duration to be defined in collaboration with the OPAT Commission;
    - Producing or making available relevant documents, including but not limited to records, officer identification information, duty logs, communications, camera or video footage, and other digital data;
    - Completing OPAT-administered written statements or questionnaires.

**2. BPD Commissioner's Non-Responsiveness to CRB Recommendations**

Second, the CRB is deeply concerned that you, the Commissioner, have consistently not respected the recommendations made by the CRB in regards to discipline matters, and some recommendations remain un-responded to for more than a year. Only a small number of sustained findings with recommendations

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<sup>2</sup> As envisioned in OPAT Ordinance Section 12.16-4(b).



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for discipline have actually led to disciplinary action, and even then, the discipline taken has been significantly less serious than the recommendation, as pointed out in the recent WBUR article.<sup>3</sup> Even more concerning, the CRB members recently learned that your response to cases #18, #262, #287, #395, and #398 have all included the BPD Commissioner submitting the cases to the BPD Internal Affairs Division, even after the CRB finding and discipline recommendations have been made. As a reminder, CRB findings are final, and regulation 12-16.11 is controlling. We are concerned that CRB's determination for a sustained finding in case #18 was effectively undone by the BPD Commissioner. Specifically, 12-16.11(e) reads "Should the Police Commissioner choose not to implement the disciplinary action recommended by the CRB, the Police Commissioner shall notify the CRB of the implemented disciplinary action and detail the reasons the recommendation was not accepted." It does not give the option to change or undo a sustained finding, but only to not implement the proposed disciplinary action.

The OPAT ordinance does not provide for, nor does it make logical sense for cases that members of the public chose to bring to OPAT (and not to BPD Internal Affairs Division (IAD)) to have you then submit the case to IAD. The OPAT ordinance created the CRB and gave the CRB authority to make recommendations for officer discipline. This was meant to improve accountability, transparency, and public trust in policing in Boston. We express deep concern that (1) your ignoring and not even responding for more than a year to some CRB recommendations, (2) the CRB recommendations for sustained findings and recommended discipline as well as (3) your submitting these same findings/recommendations for review from IAD for further investigation undermines the values of accountability, transparency, and public trust.

**2a. CRB Recommendation:** BPD Commissioner set either an internal or public-facing policy to respond within a reasonable time frame (to be determined in collaboration with the OPAT Commission) to CRB recommendations concerning discipline, and treat the recommendations from CRB with a greater deal of respect, consideration, and attention.

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<sup>3</sup> "Boston police chief routinely rejects disciplinary recommendations by oversight board." Walter Wuthmann, August 28, 2025. WBUR, available at: <https://www.wbur.org/news/2025/08/28/boston-police-commissioner-officers-discipline>



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OPAT was created in response to widespread calls for police reform, and we are committed to dismantle harmful systems and build true accountability. This work is integral not only for the community—which deserves safety, fairness, and trust in their institutions—but also for BPD itself—which benefits from a transparent, credible process that strengthens its relationship with the public. Fostering accountability for police misconduct is an ongoing process that requires input and trust-building from both community members and police department employees.

Boston cannot move forward with a police accountability system that is ignored by police leadership and employees. We urge your leadership to correct this and recommit to a vision of public safety rooted in transparency, community trust, and justice. These recommendations are directed toward BPD itself, and we also urge Boston City Council to exercise its authority to ensure these reforms are implemented.

We look forward to your prompt response and action on these issues, and we remain available to discuss and advise on these questions.

Respectfully,

*The City of Boston's Civilian Review Board*

Office of Police Accountability and Transparency