



CITY OF BOSTON
OFFICE OF POLICE ACCOUNTABILITY AND TRANSPARENCY
Evandro C. Carvalho, Executive Director

CIVILIAN REVIEW BOARD (CRB) - COMPLAINT #293

CASE TIMELINE:

Date of Incident: February 19, 2024
Time of Incident: approximately 11:30 PM
Location of Incident: [REDACTED]
Date of Filing: February 23, 2024
Date of CRB Decision: July 14, 2026

BOSTON POLICE DEPARTMENT (BPD) EMPLOYEE(S):

BPD Employee Name	District	Employee ID #	Sex	Race/Ethnicity
Police Officer Patrick Gerard Fullam	C-6	153099	M	White
Police Officer Sean C. Burke	C-6	129442	M	White
Detective David P. McMenemy	Street Outreach Team	126524	M	White

CASE PROCEDURAL HISTORY:

This is the second time this case has been brought to the CRB. It was partially presented on February 12, 2026 and further review and presentation of this complaint was continued to the next CRB meeting.

OPAT subpoenaed the BPD employees after interview requests were met with negative responses.

SUMMARY OF ALLEGATIONS:

- 1) The Complainant alleged that on February 20, 2024, at approximately 12:00 AM, police officers entered her apartment without consent or a warrant. The officers stated that they received a report of a fight and wished to check the apartment as part of a protective sweep, to ensure the safety of the occupants. The Complainant stated to the officers there was no fight and her children were sleeping inside. She told the officers they could not enter, repeatedly asking for a warrant. Without presenting a warrant, officers entered her



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apartment and conducted a walkthrough of her residence. Complainant then requested badge identification and the officers failed to comply.

APPLICABLE RULES & LAWS:

1. **BPD Rule 102§4 (Neglect of Duty):** this includes any conduct or omission which is not in accordance with established and ordinary duties or procedures as to such employees or which constitutes use of unreasonable judgment in the exercising of any discretion granted to an employee.
 - a. **Allegations of Misconduct:** The Complainant alleged that police officers entered her apartment without consent or a warrant. Officers conducted an unlawful walkthrough of her apartment.
2. **BPD Rule 102§9 (Respectful Treatment):** employees must be civil, respectful, courteous, and considerate toward members of the public.
 - a. **Allegations of Misconduct:** The Complainant alleged that officers were not courteous or considerate when they entered her apartment without consent or a warrant.
3. **BPD Rule 102§20 (Failure to Identify Self):** officers must provide name, rank, and badge number upon request.
 - a. **Allegations of Misconduct:** The Complainant requested badge identification and officers failed to comply.

SUMMARY OF INVESTIGATION:

1. On 02/23/2024 Complainant filed a formal complaint with OPAT against BPD employees for entering her residence without procuring a warrant and failing to provide identification when asked.
2. OPAT Investigator interviewed Complainant several times from the date of her official complaint.
 - a. Complainant alleged several BPD officers forced their way into her residence without a warrant. The officers stated they had received a report of a fight and wanted to enter her apartment. Complainant explained there was no fight and repeatedly told the officers they did not have permission to enter. Without permission and without a warrant, the officers forced their way into her apartment. They were rude and did not respond with badge numbers when requested.



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- b. Complainant verified her address and that her apartment was on the first floor of the apartment building. Aside from her apartment, there is one other apartment on the first floor, number [REDACTED]
 - c. Complainant indicated with the BPD officers was one Boston Housing Authority (BHA) officer. She believed his first name was Joe. She has seen this officer looking into her apartment window in the past. She did not know why he was on scene with the BPD officers on 02/19/2024.
 - d. Complainant had a video of the interaction with the officers, but it no longer exists.
3. OPAT Investigator interviewed the BHA Property Manager, [REDACTED], of [REDACTED] in South Boston. She confirmed Complainant's account of what occurred in Complainant's apartment. She knew this information because Complainant reported to her what had transpired. Part of Complainant's account to her was Complainant's suspicions that the BHA Officer on scene had orchestrated the police presence as a way to enter her apartment. Complainant has reported to the BHA Property Manager [REDACTED] that this BHA Officer has been following her and looking into Complainant's apartment window.
4. OPAT Investigator received and reviewed the **CAD sheet P#** [REDACTED].
 - a. The CAD sheet indicates the 911 call on 02/19/2024 came through via text message from telephone number [REDACTED]. This is not Complainant's telephone number. Further investigation revealed it was registered to [REDACTED]. Efforts to locate this individual were unsuccessful.
 - b. The text indicated there was a fight on the first floor at location: [REDACTED] (A NGS Coordinate Conversion tool determined this to be the address of Complainant's apartment building, [REDACTED] South Boston).
 - c. Review of the CAD sheet determined the 911 text was received on 02/19/2024. BPD was dispatched at 23:31:41 PM.
 - d. The CAD sheet showed the disposition to be: *no fight, DK (intoxicated) disturbance, services rendered.*
 - e. The final line of the CAD sheet after the disposition indicated, "23:42:22: *Calling back from apartment* [REDACTED]. *Rambling is going on.*"
5. OPAT Investigator received and reviewed the **Call Detail**.
 - a. The Call Detail confirmed the original 911 complaint came in on 02/19/2024 at 23:24:27.



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- b. The Call Detail confirmed the complaint was against a neighbor at [REDACTED], first floor, in South Boston.
- 6. OPAT Investigator received and reviewed the turret tape for P# [REDACTED].
 - a. The audio confirmed the BPD dispatcher requesting police presence at [REDACTED] which is the address of the apartment building where Complainant resides.
 - b. The reason for the police presence was due to a reported fight on the first floor of this apartment building. There was no specific apartment number mentioned.
 - c. BPD police and BHA police communicate about attempts to make contact with the resident (name not provided).
- 7. OPAT Investigator received and reviewed the **Incident Report, I#** [REDACTED].
 - a. This incident report pertains to an incident on 02/20/2024 at 01:09 at the same apartment building at [REDACTED]. The caller is [REDACTED] and she is asking for help because she does not feel safe. She said there was a police raid at her neighbor's apartment earlier.
 - b. The incident report states that when police arrived, the Complainant was present with the caller ([REDACTED]) and was yelling at the police and video taping them.
 - c. The caller ([REDACTED]) was taken by EMS for a medical evaluation.
 - i. Efforts to interview this caller ([REDACTED]) met with negative results.
- 8. OPAT Investigator received and reviewed **Body Worn Camera (BWC) footage** from the following officers: Stanley Pina, ID# 153117; Patrick Fullam, ID# 153099; Sean C. Burke, ID# 129442; and David McMenamy, ID# 126524.
 - a. BWC footage from officers Fullam, Burke and McMenamy show the following:
 - i. OPAT Investigator identified Officer Fullam, Officer McMenamy and Officer Burke (identified by each body cam footage) standing outside of Complainant's apartment door, number [REDACTED]
 - ii. Officers knock on Complainant's door. Complainant comes to the door and officers explain there was a disturbance reported and they want to make sure everyone is safe inside.
 - iii. Complainant states there is no fight and her children are inside sleeping.
 - iv. Complainant repeatedly asks if the officers have a warrant to enter her apartment.
 - v. Officer Fullam answered negatively. Officers Fullam and Burke are seen entering the apartment despite the Complainant stating, "no no no no" and asking again for a warrant.
 - b. Officer Fullam's BWC footage shows the following additional information:
 - i. Once he enters the apartment he enters a side bedroom where there is an older woman seated. She identified herself as [REDACTED] [REDACTED] [REDACTED] is the woman who calls 911 approximately one hour following this incident complaining about feeling unsafe and that there was a police



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- raid at her neighbor's apartment.
- c. Officer McMenemy's BWC footage shows additional information:
 - i. Officer McMenemy enters the apartment behind officers Fullam and Burke.
 - ii. Complainant puts her telephone up in front of officer McMenemy's face and states, *"Your presence upon my household..."* and officer McMenemy states, *"I'm trying to explain it to you, just put the phone down. Ma'am put your hands down."* Officer McMenemy pushes her hand with the phone back. Complainant responds, *"Why are you touching me?"* and then slaps his hand again. Officer McMenemy states, *"You are not allowed to put your hands that close to my face."*
 - iii. Complainant then states, *"You are in my household."* Officer McMenemy explains, *"I'm trying to explain it to you but you're not listening. Yeah, Ma'am, we have to do a protective sweep to make sure everyone is okay." "We're doing a protective sweep because there was a 911 call for a fight inside this apartment. We gotta make sure everyone's okay."*
 - iv. Officer McMenemy's BWC footage starts on 02/19/2024 at 23:30:25 when he is in his cruiser en route to the apartment building. It ends on 02/19/2024 at 23:36:15 while he is still inside the apartment building but is on the stairwell heading to the outdoor exit.
 - d. Officer Pina's BWC footage shows the following additional information:
 - i. A man identified (as determined through interviews with Complainant and Officer McMenemy) as the BHA officer was present. Neither Pina nor the BHA officer enter the apartment. Both stay in the hallway.
 - ii. Officer Fullam, Officer Burke and Officer McMenemy exit the apartment after determining there was no disturbance.
 - iii. Upon exiting the apartment building, Complainant follows the officers outside and yells for badge identification. The officers do not comply.
9. OPAT Investigator sent multiple emails requesting an interview with Officer Patrick Gerard Fullam ID# 153099 via email. Officer Fullam did not respond.
10. OPAT Investigator sent multiple emails requesting an interview with Officer Sean C. Burke ID# 129442 via email. Officer Burke did not respond.
11. OPAT Investigator sent multiple emails requesting an interview with Detective David McMenemy ID# 126524 via email. On 01/29/2026, Detective McMenemy responded via email, *"At the advice of my Union Counsel, we respectfully decline your offer."*
12. On 02/06/2026 OPAT issued subpoenas to the following: Detective David McMenemy, ID# 126524, Officer Patrick Fullam, ID# 153099, and Officer Sean C. Burke, ID# 129442.



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13. On April 8, 2026, at approximately 3:06 p.m., Detective David P. McMenemy, ID# 126524, Badge #1827 appeared and was interviewed at the OPAT office. Also present was Attorney Scott Dunlap, representing the Boston Police Detectives Benevolent Society and Detective McMenemy.

- a. Detective McMenemy's interview included but was not limited to the following statements:
 - i. On the date of the incident McMenemy was a patrolman assigned to Street Outreach Unit but at that time he was detailed to C6. He was working the first half shift 4:00 PM to 11:45 PM.
 - ii. He responded to—" [REDACTED]" / "[REDACTED]" in South Boston (SB).
 - iii. He arrived at the location at 11:31 PM and at the time of arrival he did not observe any fight.
 - iv. The most recent training he completed was Detective Formative Training in September and October of 2024.
 - v. He did not recall the most recent 4th Amendment or Search and Seizure training he completed because officers go to in-service every year and he did not recall when that would have been.
 - vi. When reviewing the CAD sheet, he confirmed that one of the lines on the CAD sheet had his name and ID number associated with it; which meant that he at some point radioed dispatch that no fight was observed.
 - vii. McMenemy's understanding was that this call came in as a 911 call and that's how it was dispatched. McMenemy could not explain whether the information came in via a text message or whether dispatch was answering a text message from an individual reporting a fight.
 - viii. When asked how he gained entry to the building, he stated that he did not recall from independent memory. Based on his review of his body-worn camera, he believed he was the third or fourth person to enter the building and the door was opened for him. He could not state precisely whether the door was already open or who opened it.
 - ix. In reviewing the BWC, he later explained that a Boston Housing Police Sergeant had the keys to the main door of the building and helped him gain entrance to the building. This Sergeant informed them he would do a follow up report on this incident due to him having jurisdiction in that area



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and that may or may not explain why there was not an I number assigned to the P number on the CAD sheet.

- x. According to McMenemy, he was not the initial officer on scene. There were two officers (identified as Patrolman Sean Burke and Patrick Fullam) at the door of the Complainant's apartment engaging with the Complainant.
- xi. McMenemy could not identify a third officer on scene who was standing in the hall between Complainant's apartment door and another apartment across from Complainant's apartment.
- xii. He does not recall having any conversation about the apartment located across from Complainant's apartment before entering Complainant's residence.
- xiii. He confirmed no one interacted with the apartment across the hall from Complainant's apartment.
- xiv. He never conducted a walk through of the apartment across Complainant's apartment.
- xv. He did not get permission from anyone in Complainant's apartment to enter Complainant's residence.
- xvi. He does not recall anyone in Complainant's apartment giving any other officer permission to enter Complainant's residence.
- xvii. He confirmed no one retrieved anything from Complainant's residence.
- xviii. He confirmed no one arrested anyone in Complainant's residence.
- xix. At the time of arrival, he did not observe anyone running into or out of Complainant's residence.
- xx. When asked if he had any knowledge as to why responding officers initially went to Complainant's door, McMenemy answered he believed so, not all information that is radioed over is on these CAD sheets, they are shorthand. He believed officers were sent to that address or something to that effect, that's why they went there.
- xxi. He confirmed there was nothing in the CAD sheet or call detail that mentioned or identified the Complainant's apartment number. He stated that only at the very end of police incident history he saw "calling back from apartment [REDACTED]".
- xxii. He stated no one in Complainant's apartment requested his name or badge number.



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- xxiii. He did not know if any officers on scene provided their name and badge numbers.
- xxiv. Detective McMenamy provided the following response to his attorney's questions:
 - a. He was familiar with C-6 not assigned there, so when he did not recognize by name, the third officer in uniform at the door, it was because he was not stationed at C-6. He did not really work every day with the other officers in his BWC footage.
 - b. He believed that he acted consistent with Boston police policy that if a 911 call for a fight is received, whether they have a warrant or not, officers are required to check for the well-being of the people in the residence and referred to it as a "protective sweep". Officers don't need a warrant to the best of his knowledge.
 - c. He is not aware if Complainant asked anyone at any point for their badge number or their name according to his BWC.
 - d. At no time could Complainant have asked for badge and name if it wasn't captured on his body worn camera which was rolling at the time he got out of the cruiser until he left the premise.
 - e. He never smirked rudely at the Complainant.
 - f. He attempted to deescalate the Complainant in this case and he tried to explain to her why people do a "protective sweep" and was not successful in his attempt.
 - g. He understood to the best of his knowledge that given the set of circumstances, the calls, the officers who preceded him at the apartment would have been required by policy and procedure to do a "protective sweep".
- xxv. Detective McMenamy provided the following response to additional questions from OPAT:
 - a. McMenamy could not cite the rule of "protective sweep", but said it was to make sure there were no extra suspects in the house or injured people that needed EMS services.
 - b. He agreed that in order for "protective sweep" to happen, an officer would have to know exactly which home address and apartment to enter.

14. On April 14, 2026, Officers Patrick Fullman and Sean Burke appeared for a recorded interview, accompanied by attorney Jennifer Rubin and Boston Police



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Patrolmen's Association President Larry Calderone. During the interview, Attorney Rubin and President Calderone stated that the officers would not be providing testimony at that time.



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EVIDENCE REQUESTED/REVIEWED:

The following materials were identified, requested, and reviewed as part of the OPAT investigation.

I. Evidence Available and Reviewed

Evidence Type	Description / Title	Requested	Received	Reviewed
CAD Sheet	CAD Sheet - P# 240086696	Yes	Yes	Yes
Police report	I# [REDACTED]	Yes	Yes	Yes
Turret Tape	P# [REDACTED]	Yes	Yes	Yes
NGS Coordinates Conversion and Transformation Tool (NCAT)	Converts between Latitude/Longitude	Not Applicable (N/A)	N/A	Yes
BWC Officer Stanley Jesus Pina	[REDACTED]	Yes	Yes	Yes
BWC Officer Patrick Gerard Fullam	[REDACTED]	Yes	Yes	Yes
BWC Officer Sean C. Burke	[REDACTED]	Yes	Yes	Yes
BWC Detective David P. McMenamy	[REDACTED]	Yes	Yes	Yes
Interview	BHA Property Manager, [REDACTED]	Yes	Yes	Yes



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Evidence Type	Description / Title	Requested	Received	Reviewed
Interview	Interviews with Complainant	Yes	Yes	Yes
Interview	Interview with [REDACTED] [REDACTED] (Complainant's direct neighbor and present on scene)	Yes	No	N/A
Interview	Officer Patrick Gerard Fullam	Yes	No	N/A
Interview	Officer Sean C. Burke	Yes	No	N/A
Interview	Detective David P. McMenamy	Yes	Yes	Yes



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Evidence Type	Description / Title	Requested	Received	Reviewed
Complainant's Video Footage	Complainant's video recording of interaction with officers	Yes	No	N/A
Call Detail	911 Text P# [REDACTED]	Yes	Yes	Yes
Police report	P# [REDACTED]	Yes	Yes	Yes



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CRB FINAL DETERMINATION:

The CRB members present reached a **unanimous vote (6-0)** regarding allegations against **Police Officer Patrick Gerard Fullam (ID# 153099)**, in violation of the following BPD Rules:

BPD Employee Name	Applicable Rule	CRB Finding
Police Officer Patrick Gerard Fullam	102§4 (Neglect of Duty)	Sustained
	102§9 (Respectful Treatment)	Sustained
	102§20 (Self-Identification)	Sustained

The CRB members present reached a **unanimous vote (6-0)**, regarding allegations against **Police Officer Sean C. Burke (ID# 129442)**, in violation of the following BPD Rules:

BPD Employee Name	Applicable Rule	CRB Finding
Police Officer Sean C. Burke	102§4 (Neglect of Duty)	Sustained
	102§9 (Respectful Treatment)	Sustained
	102§20 (Self-Identification)	Sustained

The CRB members present reached a **unanimous vote (6-0)** , regarding allegations against **Detective David P. McMenemy (ID# 126524)**, in violation of the following BPD Rules:

BPD Employee Name	Applicable Rule	CRB Finding
Detective David P. McMenemy	102§4 (Neglect of Duty)	Sustained
	102§9 (Respectful Treatment)	Sustained
	102§20 (Self-Identification)	Sustained



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SUMMARY FINDINGS:

Police Officer Patrick Gerard Fullam (C-6) - ID# 153099

1) BPD Rule: 102§4 (Neglect of Duty/Unreasonable Judgment)

CRB Finding: Sustained

Analysis: After a thorough review of all the evidence the CRB found the following:

- a) Officers were not responding to a 911 call regarding Apartment [REDACTED]
- b) According to the CAD report, the text to 911 was for *“a fight on the 1st floor.”*
- c) The Complainant's apartment is not the only apartment on the first floor. There was another apartment directly across from the Complainant's apartment. The officers did not at any point during their response to dispatcher's text notification knock on the door of that apartment or attempt to interact with anyone at the apartment across the hall.
- d) Upon officers' arrival, officers did not observe any fight on the first floor; officers did not observe anyone running into or out of Complainant's apartment; and officers did not hear any noise coming from Complainant's apartment.
- e) Officers did not have a warrant to enter the Complainant's apartment.
- f) Officers entered Complainant's apartment without Complainant's consent or without the consent of anyone residing in Complainant's apartment.

2) BPD Rule: 102§9 (Respectful Treatment)

CRB Finding: Sustained

Analysis: Officer Patrick Gerard Fullam failed to treat the Complainant with respect and courtesy. He disregarded the Complainant's clearly stated objections to officers entering her residence.

- a) The Complainant clearly and repeatedly asserted her rights, stating officers did not have a warrant and did not have permission to enter her home.
- b) Despite these objections, Officer Fullam entered the Complainant's apartment and disregarded her objections.

3) BPD Rule: 102§20 (Self-Identification)

CRB Finding: Sustained

Analysis: Officer Patrick Gerard Fullam did not identify himself to the Complainant.



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Police Officer Sean C. Burke (C-6) - ID# 129442

1) BPD Rule: 102§4 (Neglect of Duty/Unreasonable Judgment)

CRB Finding: Sustained

Analysis: After a thorough review of all the evidence the CRB found the following:

- a) Officers were not responding to a 911 call regarding Apartment [REDACTED]
- b) According to the CAD report, the text to 911 was for *“a fight on the 1st floor.”*
- c) The Complainant's apartment is not the only apartment on the first floor. There was another apartment directly across from the Complainant's apartment. Officers did not at any point during their response to dispatcher's text notification knock on the door of that apartment or attempt to interact with anyone at the apartment across the hall.
- d) Upon officers' arrival, officers did not observe any fight on the first floor; officers did not observe anyone running into or out of Complainant's apartment; and officers did not hear any noise coming from Complainant's apartment.
- e) Officers did not have a warrant to enter the Complainant's apartment.
- f) Officers entered Complainant's apartment without Complainant's consent or without the consent of anyone residing in Complainant's apartment.

2) BPD Rule: 102§9 (Respectful Treatment)

CRB Finding: Sustained

Analysis: Officer Sean C. Burke failed to treat the Complainant with respect and courtesy. He disregarded the Complainant's clearly stated objections to officers entering her residence.

- a) Complainant clearly and repeatedly asserted her rights, stating officers did not have a warrant and did not have permission to enter her home.
- b) Despite these objections, Officer Burke entered the Complainant's apartment and disregarded her objections.

3) BPD Rule: 102§20 (Self-Identification)

CRB Finding: Sustained

Analysis: Officer Sean C. Burke did not identify himself to the Complainant.



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Detective David P. McMenemy (C-6) - ID# 126524

1) BPD Rule: 102§4 (Neglect of Duty/Unreasonable Judgment)

CRB Finding: Sustained

Analysis: After a thorough review of all the evidence the board found the following:

- a) Detective McMenemy was a patrol officer at the time of incident and he was not responding to a 911 call regarding Apartment [REDACTED]
- b) According to the CAD report, the text to 911 was for *“a fight on the 1st floor.”*
- c) The Complainant's apartment is not the only apartment on the first floor. There was another apartment directly across from the Complainant's apartment. Officers did not at any point during their response to dispatcher's text notification knock on the door of that apartment or attempt to interact with anyone at the apartment across the hall.
- d) Upon officers' arrival, Detective McMenemy did not observe any fight on the first floor; did not observe anyone running into or out of Complainant's apartment; and did not hear any noise coming from Complainant's apartment.
- e) Detective McMenemy did not have a warrant to enter the Complainant's apartment.
- f) Detective McMenemy entered Complainant's apartment without Complainant's consent or without the consent of anyone residing in Complainant's apartment.
- g) Detective McMenemy's interview response regarding “protective sweep” as a rationale for entering Complainant's home was unclear and did not line up with the board members' observations in reviewing officers' body worn camera footage.

2) BPD Rule: 102§9 (Respectful Treatment)

CRB Finding: Sustained

Analysis: Detective McMenemy failed to treat the Complainant with respect and courtesy. He disregarded the Complainant's clearly stated objections to officers entering her residence.

- a) The Complainant clearly and repeatedly asserted her rights, stating officers did not have a warrant and did not have permission to enter her home.
- b) Despite these objections, Detective McMenemy entered the Complainant's apartment and disregarded her objections.

3) BPD Rule: 102§20 (Self-Identification)



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CRB Finding: Sustained

Analysis: Detective McMenamy did not identify himself to the Complainant.

CRB RECOMMENDED DISCIPLINE:

According to the Discipline Matrix established by the Boston Police Department, the CRB has recommended the following discipline for **Police Officer Patrick Gerard Fullam, ID # 153099**:

BPD Employee Name	Applicable Rule	Recommended Discipline
Police Officer Patrick Gerard Fullam	102§4 (Neglect of Duty)	10 day Suspension
	102§9 (Respectful Treatment)	10 day Suspension
	102§20 (Self-Identification)	10 day Suspension

According to the Discipline Matrix established by the Boston Police Department, the CRB has recommended the following discipline for **Police Officer Sean C. Burke, ID# 129442**:

BPD Employee Name	Applicable Rule	Recommended Discipline
Police Officer Sean C. Burke	102§4 (Neglect of Duty)	10 day Suspension
	102§9 (Respectful Treatment)	10 day Suspension
	102§20 (Self-Identification)	10 day Suspension



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According to the Discipline Matrix established by the Boston Police Department, the CRB has recommended the following discipline for **Detective David P. McMenemy, ID# 126524**:

BPD Employee Name	Applicable Rule	Recommended Discipline
Detective David P. McMenemy	102§4 (Neglect of Duty)	10 day Suspension
	102§9 (Respectful Treatment)	10 day Suspension
	102§20 (Self-Identification)	10 day Suspension