



City of Boston, Massachusetts
Office of Police Accountability and Transparency

CIVILIAN REVIEW BOARD-COMPLAINT # 18

INVESTIGATOR: Michel Toney

DATE OF INCIDENT: February 21, 2022

DATE OF FILING: March 7, 2022

COMPLAINANT: Complainant

COMPLAINT SUMMARY: Complainant alleges that BPD officers racially profiled them and used excessive force in the course of an arrest.

OFFICER(S):

1. **Matthew Conley, ID #102955**
2. **Suni Muhammad, ID# 140306**
3. Officer #3
4. Officer #4
5. Officer #5
6. Officer #6
7. Officer #7
8. Officer #8

DISTRICT: Boston Police District D-4

ALLEGED VIOLATION OF RULES:

1. BPD RULE 102 §3: CONDUCT UNBECOMING
2. BPD RULE 102, §4: NEGLIGENCE OF DUTY/UNREASONABLE JUDGMENT
3. BPD RULE 102§9: RESPECTFUL TREATMENT
4. BPD RULE 304§ 2– THE USE OF NON-LETHAL FORCE, SECTION 2: GENERAL CONSIDERATIONS
5. BPD RULE 306A - DISPLAY OF BADGES AND I.D. CARDS SEC. 2: DISPLAY OF IDENTIFICATION
6. BPD RULE 318-PRISONERS SEC. 2 EXAMINATION FOR VISIBLE INJURIES
7. BPD RULE 318A - SEC. 4: NOTIFICATION OF PARENT OR GUARDIAN:



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BPD RULE 102 §3: CONDUCT UNBECOMING: Employees shall conduct themselves at all times, both on and off duty in such a manner as to reflect most favorably on the Department. Conduct unbecoming an employee shall include that which tends to indicate that the employee is unable or unfit to continue as a member of the Department, or tends to impair the operation of the Department or its employees.

BPD RULE 102 §4: NEGLECT OF DUTY/UNREASONABLE JUDGMENT: Any conduct of an Officer that is not in accordance with established and ordinary duties or procedures and uses unreasonable judgment shall be seen as neglect of duty.

RULE 102 § 9 RESPECTFUL TREATMENT: Employees shall, on all occasions, be civil and respectful, courteous and considerate toward their supervisors, their subordinates, and all other members of the Department and the general public. No employee shall use epithets or terms that tend to denigrate any person(s) due to their race, color, creed, gender identity, or sexual orientation except when necessary in police reports or in testimony

BPD RULE 304§ 2– THE USE OF NON-LETHAL FORCE, SECTION 2: GENERAL CONSIDERATIONS: The policy of the Boston Police Department is to use only that amount of force that is reasonably necessary to overcome resistance in making an arrest or subduing an attacker. The right to use non-lethal force is extended to police officers as an alternative in those situations where the potential for serious injury to an officer or civilian exists, but where the application of lethal force would be extreme. The availability of a variety of non-lethal weapons is necessary to provide the police officer with a sufficient number of alternatives when presented with a physical confrontation. However, since such force will not likely result in serious injury and the close public scrutiny that accompanies the use of deadly force, this availability may also increase the possibility for overzealous and inappropriate use of force. Therefore, the application of non-lethal force will generally be limited to defensive situations where (1) an officer or other person is attacked, or (2) an officer is met with physical resistance during an encounter.

BPD RULE 306A - DISPLAY OF BADGES AND I.D. CARDS SEC. 2: Sworn personnel shall carry their badges and identification cards on their person readily accessible for display at all times. The officer's rank and badge number shall always be readily identifiable on the badge. While in uniform, sworn personnel shall wear their Department badges on the left breast of their outermost garment. While in civilian clothes, sworn personnel shall prominently display either their identification card or their Department badge while in any Department facility or while on any crime scene.

BPD RULE 318-PRISONERS SEC. 2 EXAMINATION FOR VISIBLE INJURIES: When a person under arrest or in protective custody is brought to a station for an original booking, or one who has been previously booked at another facility is being surrendered to a receiving facility, the Duty Supervisor shall immediately examine the prisoner and if he finds cuts, bruises or other injuries shall forthwith make a written report thereof to the Commanding Officer (M.G.L. c. 276 § 33). For the purposes of M.G.L. c. 276 § 33, a Booking Sheet shall be considered sufficient documentation of injuries and shall be forwarded to the Chief, Bureau of Professional Standards and Development. If a Booking Officer has been designated, it is the responsibility of that officer to notify the Duty Supervisor of any injuries to the prisoner. If a prisoner is suffering from



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wounds or injuries which appear to have been inflicted during the arrest process, the Duty Supervisor shall record the fact on the Booking Sheet and notify the Commanding Officer. The Commanding Officer shall forthwith inquire into the circumstances of the case and if it appears that any injuries on a prisoner are incidental to the arrest process, he shall initiate an investigation and shall submit a full and complete report to the Police Commissioner. When a person in custody is found to be suffering from wounds or injuries requiring medical attention, the Duty Supervisor shall summon medical assistance. If so advised, the prisoner shall be sent to a hospital. Such person, if under arrest, shall be in the legal custody of the police.

BPD RULE 318A - SEC. 4: NOTIFICATION OF PARENT OR GUARDIAN: The police must notify immediately the parent or guardian of a person who is under the age of 18 when held in protective custody. Furthermore, a person under the age of 18 must be released to such parent or guardian, at the request of the parent or guardian. (Formerly, this release upon request applied to juveniles, those under the age of 17.)

OPAT FINDINGS AND RECOMMENDED DISPOSITION:

OPAT staff recommends to the Civilian Review Board that this case be considered **Sustained, Unfounded, and Not Sustained** for the following rule violations:

OFFICER(S)/ALLEGED RULE VIOLATION(S):

1. Matthew Conley, ID #102955
BPD RULE 102 §4: NEGLECT OF DUTY/UNREASONABLE JUDGMENT: **Sustained**
BPD RULE 304, §2: USE OF NON-LETHAL FORCE: **Sustained**
BPD RULE 306A - DISPLAY OF BADGES AND I.D. CARDS SEC. 2: **Not Sustained**
BPD RULE 318-PRISONERS SEC. 2 EXAMINATION FOR VISIBLE INJURIES: **Not Sustained**
BPD RULE 318A - SEC. 4: NOTIFICATION OF PARENT OR GUARDIAN: **Sustained**
2. Suni Muhammad, ID# 140306
BPD RULE 102 §3: CONDUCT UNBECOMING: **Sustained**
BPD RULE 102§9: RESPECTFUL TREATMENT: **Sustained**
BPD RULE 304, §2: USE OF NON-LETHAL FORCE: **Not Sustained**
BPD RULE 306A - DISPLAY OF BADGES AND I.D. CARDS SEC. 2: **Not Sustained**



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3. Officer #3
BPD RULE 304, §2: USE OF NON-LETHAL FORCE: **Not Sustained**
BPD RULE 306A - DISPLAY OF BADGES AND I.D. CARDS SEC. 2: **Not Sustained**
BPD RULE 315: SEC.12D: HANDCUFFS: **Not Sustained**
4. Officer #4
BPD RULE 304, §2: USE OF NON-LETHAL FORCE: **Unfounded**
BPD RULE 306A - DISPLAY OF BADGES AND I.D. CARDS SEC. 2: **Not Sustained**
BPD RULE 315: SEC.12D: HANDCUFFS: **Not Sustained**
5. Officer #5
BPD RULE 304, §2: USE OF NON-LETHAL FORCE: **Not Sustained**
BPD RULE 306A - DISPLAY OF BADGES AND I.D. CARDS SEC. 2: **Not Sustained**
BPD RULE 315: SEC.12D: HANDCUFFS: **Not Sustained**
6. Officer #6
BPD RULE 304, §2: USE OF NON-LETHAL FORCE: **Not Sustained**
BPD RULE 306A - DISPLAY OF BADGES AND I.D. CARDS SEC. 2: **Not Sustained**
BPD RULE 315: SEC.12D: HANDCUFFS: **Not Sustained**
7. Officer #7
BPD RULE 102 §4: NEGLIGENCE OF DUTY/UNREASONABLE JUDGMENT: **Not Sustained**
BPD RULE 306A - DISPLAY OF BADGES AND I.D. CARDS SEC. 2: **Not Sustained**
8. Officer #8
BPD RULE 102 §4: Neglect of Duty/Unreasonable Judgment: **Insufficient Evidence to Make a Finding**

Although OPAT staff recommends that this case be Sustained, not every Officer named in the complaint engaged in conduct that constituted a violation of the Boston Police



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Department's Rules and Procedures. Officer Conley conducted a social media investigation closely monitoring an alleged gang associate through Snapchat videos.

Officer Conley, who was involved in the arrest of the Complainant, did not use the proper protocols as described in BPD's rules and regulations. According to BPD Rule 102 §4: Neglect of Duty/ Unreasonable Judgment, it states, "Any conduct of an Officer that is not in accordance with established and ordinary duties or procedures and uses unreasonable judgment shall be seen as neglect of duty." Officer Conley did not use proper judgment when identifying the Complainant. He did not appropriately give his colleagues the necessary information to detain the targeted individual of the social media investigation. Officer Conley stated in his interview with Investigator Toney that he should have briefed his colleagues before heading out to the scene to arrest the target of the investigation. Officer Conley continued by saying the briefing would have helped his colleagues see the exact thing he saw and that he should have sent the necessary information to his peers for them to see the physical characteristics of the alleged gang associates. By not giving his peers the proper information to detain the individuals, this significant mistake made by Officer Conley could have resulted in death for the Complainant. The Complainant and their acquaintances were wrongfully targeted, and they experienced trauma that will affect them for the rest of their lives. The Complainant told Investigator Toney that after the incident had transpired, they have been traumatized and are in fear for their own life.

Additionally, Officer Conley violated BPD Rule 304, §2: Use of Non-Lethal Force. After reviewing the body-worn camera footage of the officers who were on the scene, Investigator Toney could not see how the Complainant was taken to the ground. However, on Officer #6's body-worn camera, at the 3:53 mark, Officer Conley can be heard telling Officer #8, "I literally had the gun in my hand, so I punched them in the face with it." After speaking to Officer Conley about his comments, Investigator Toney finds this evidence to be clear and concise, explaining how the Complainant received the laceration above their eyebrow. The Complainant did not receive the laceration as a result of the takedown. The laceration was received through Officer Conley hitting the Complainant in the face with his firearm. Officer Conley further violated BPD Rule 318A - Care and Treatment of Persons In Protective Sec. 4 Notification of Parent or Guardian. This rule states, "The police must immediately notify the parent or guardian of a person who is under the age of 18 when held in protective custody. Furthermore, a person under the age of 18 must be released to such parent or guardian, at the request of the parent or guardian." The Complainant was treated



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at Tufts Medical Center for a right upper eyelid facial laceration that required sutures. The Complainant's parent or legal guardian was not notified until after they were booked and processed at District D-4.

Officer Muhammad's conduct during a recent police encounter violates two Boston Police Department rules. Specifically, Officer Muhammad violated BPD Rule 102 §3: Conduct Unbecoming and Rule 102§9: Respectful Treatment. A review of Officer Muhammad's body-worn camera footage revealed that, at the 17:00 mark, he took a photo of a minor who was detained, as the minor expressed a desire to have a picture taken while in handcuffs. This behavior is considered unprofessional and inappropriate for a law enforcement officer. Such actions do not reflect positively on the Boston Police Department and are therefore in violation of Rule 102 §3. Although Officer Muhammad acknowledged in his interview with Investigator Toney that he is Muslim, making unwanted comments to any civilian, regardless of age, race, and religion, is considered inappropriate.

Furthermore, during his interaction with the minor, Officer Muhammad made comments that were deemed disrespectful. Specifically, at the 6:00 mark of his body-worn camera footage, Officer Muhammad asked the minor if they ate bacon. When the minor stated that they were Muslim and did not eat bacon, Officer Muhammad remarked that they did not sound like a Muslim. This behavior is in violation of BPD Rule 102§9: Respectful Treatment, which requires employees to be civil and respectful towards all members of the public, regardless of their race, creed, or religion. It should be noted that nearly all other officers present during the encounter acted in accordance with BPD rules and procedures. However, Officer Muhammad's actions represent a clear violation of the department's expectations for professionalism and respectful behavior.

Based on the disciplinary matrix under Aggravated Penalty for a third violation of rule(s) 102§4 and 306 A, Investigator Toney has recommended Officer Conley receive **Termination**. Under Mitigating Penalty for a first violation of rule(s) 102§3 and 102§9, Investigator Toney has recommended Officer Muhammad receive an **Oral Reprimand to a five (5)-Days suspension with training**.

On April 25th, 2024 the Civilian Review Board voted in the matter of OPAT Case #18, with regard to Officer Matthew Conley and the violations of BPD Rule 102 § 4, Rule 304 §



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2, and Rule 318A § 4 the Civilian Review Board voted (6-0) to adopt the disposition of **Sustained**. For Officer Conley, with regard to the allegation of the violations of BPD Rule 306A § 2 and Rule 318 § 2, the Civilian Review Board voted unanimously (6-0) to adopt a disposition of **Not Sustained**.

The recommended discipline by OPAT staff for Officer Conley is **Termination**. The Civilian Review Board voted Five to One (**5-1**) to agree with the recommended disposition of **Termination**.

In the matter of OPAT Case #18, with regard to Officer Suni Muhammad and the violations of BPD Rule 102 § 3, Rule 102 § 9, the CRB voted (6-0) to adopt the disposition of **Sustained**. For Officer Muhammad, with regard to the allegation of the violations of BPD Rule 306A and Rule 306A § 2, the Civilian Review Board voted unanimously (6-0) to adopt a disposition of **Not Sustained**. The recommended discipline by OPAT staff for Officer Muhammad is a **5-day suspension**. The Civilian Review Board voted unanimously (6-0) to change the recommended discipline to a **4 Day Suspension with Training**.

Discovery List:

1. Interview with Complainant	4. CAD Sheet(s)	7. Dispatch Records
2. Interviews with Officer(s) #6, #4, Muhammad, #7, #3, #5, and Conley	5. Body Camera Footage available that included Officer(s) #6, #4, Muhammad, #7, #3, and #5	8. Turret Tapes
3. BPD Police and Incident Report(s)	6. Photo IDs of Officers involved in the incident	9. Booking Form
10. Interview w/Complainant's sister	11. Witness #1	12. Witness #2



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CASE SUMMARY:

On March 7, 2022, the Office of Police Accountability and Transparency received a complaint filed by the Complainant, regarding an interaction with Boston Police Officers who allegedly racially profiled them and used excessive force in the course of an arrest. An OPAT staff member filed the complaint on behalf of the Complainant since they were a minor at the time of filing. Two other individuals involved in the incident, Witness #1 and Witness #2, are minors and filed their complaint jointly under the Complainant.

The Complainant alleges that on February 21, 2022, they and two acquaintances participated in a basketball game at the Harbor Point Basketball courts in Columbia Point, Boston. The Complainant affirms that they were dressed in a dark blue polo sweatsuit, while their acquaintances wore a gray Nike tech hoodie with black sweatpants and a baby blue Nike tech hoodie, respectively. All three individuals carried backpacks. At approximately 6:30 PM, the Complainant and his acquaintances observed a black car tailing them closely as they walked home. They were unaware of why the three white male individuals in the car were following them and thus sought refuge to avoid any potential threat to their lives. As they approached an apartment building, they entered it behind another person to conceal themselves.

The Complainant said that they all entered the apartment and immediately went downstairs to the basement to hide from the three unknown men following them. The Complainant said they did not know who these men were. The Complainant stated they constantly feared for their lives and wanted to know why these three men were following them. The Complainant said they heard a “loud bang” on the back door where they hid. The Complainant’s acquaintance opened the back door and saw that it was one of the men following them and quickly shut the door. The Complainant stated that once their acquaintance closed the door, they ran upstairs and exited the apartment. Upon leaving the apartment, the Complainant and their acquaintances ran off because they realized someone was chasing them. The Complainant stated that as they were running down the street, out of nowhere, three black cars cornered them, and the individuals jumped out of the cars drawing their guns, and said, “Do not move or we will f***** shoot you”. The Complainant said that the guys did not announce who they were, and they only knew it was the police once they saw the blue lights flashing and noticed the guys had on vests. The Complainant repeatedly said that they were scared for their life once he saw all of the guns pointed at them and did not know what would happen next.



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The Complainant further stated that they were allegedly tackled to the ground and struck by officers who repeatedly questioned them about the whereabouts of a gun. According to the Complainant, they were searched on a concrete surface before being relocated to a dirt area where they were seated while officers searched their backpacks. Officers also inquired about the Complainant's residence and accused them of lying when they responded affirmatively. Despite persistent inquiries, the Complainant stated that they did not receive answers to their questions and were ignored by the officers. The Complainant noted the presence of blood on their face, the source of which they were unable to identify. Following their arrest, the Complainant and acquaintances were taken to District D-4, where Officer #8 ordered an EMT to transport the Complainant to Tufts Medical Center for treatment of a cut that required stitches. The Complainant's mother was allegedly not informed of the medical or surgical procedures or the arrest until after the booking process was completed.

Document/Video/Other Investigation Technique Summary:

On April 22, 2022, Investigator(s) Toney and Reed interviewed the Complainant and their sister at the area of the alleged incident. The Complainant and sister restated everything that was on OPAT's intake form. Investigator Toney had the Complainant show the route they took home after leaving the basketball courts. Investigator Toney did not observe any cameras on the route that the Complainant and their acquaintances took home that day.

On May 5, 2022, Investigator(s) Toney and Reed went to Columbia Point, Boston, to revisit the scene of the area where the Complainant and acquaintances were arrested. Investigators went door to door where the arrest occurred to see if any neighbors saw anything. A resident in the area of North Point Drive said that on the day of the incident, they did see three teenage boys running from the police and saw one individual drop their air pods as they were running. The resident said that the police unholstered their weapons and shouted expletives at the teenagers to stop running.

On May 25, 2022, Investigators Toney and Reed conducted an in-person interview with Witness #1 about the incident. Witness #1 restated everything that the Complainant said had transpired during the alleged incident. Witness #1 stated that they were stopped at



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Harbor Point Market and noticed an all-black Ford following them. They said they could not see who was in the vehicle since all the windows were tinted. The witness stated that they suffered a cut on their stomach after being slammed to the ground, and the police denied the Complainant medical attention after repeatedly telling the cops to look at the Complainant because they were bleeding heavily from the head. Witness #1 stated that they were detained in a separate area from where the Complainant was by an officer who was making unwanted comments towards them and even took a picture of them while they were in handcuffs.

On June 28, 2022, Investigator Toney conducted an in-person interview with Witness #2, a second individual who witnessed the incident. Witness #2 restated everything that the Complainant said had transpired during the alleged incident. Witness #2 stated that they thought they were going to die because they never had a gun pointed at them before. Witness #2 said their hands were in the air when the officers tackled them to the ground, and their pants ripped because of it. Witness #2 stated that where they were specifically arrested, they could not see the Complainant or Witness #1. They did see and hear officers shouting out loud, "Where is the f***** gun?" Witness #2 said they wore black Nike pants, Crocs, a Gray Nike Sweater, and a backpack. The witness said they did not see the Complainant or the other acquaintances until officers gathered all three of them to be searched, and that is when they saw that the Complainant's face was covered in blood.

Officer #6 Interview:

On November 6, 2023, Investigator(s) Toney and Vergara conducted an in-person interview with Officer #6 at the Office of Police Accountability and Transparency. According to Officer #6, a firearms investigation was conducted by the Youth Violence Strike Force (YVSF) in the Columbia Point area of Boston, which they were a part of, led by Officer Conley. Officer #6 stated that they were provided with only a description of the suspects' clothing prior to arriving at the scene with Officer #7. Officer #6 affirmed that they did not recall seeing any videos of the suspects. Officer #7 was the first to spot the Complainant and the other individuals at an apartment building. Officer #7 communicated via radio that the suspects had been located. Officer #6 noted that one of the individuals opened the apartment door and quickly shut it after noticing the officer. They further stated that the officers were wearing identifiable Boston Police Department clothing, such as the YVSF vest and their badges. Subsequently, Officer #6 perceived that the individuals were attempting to escape, as they were seen running through a glass window of the apartment.



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Officer Conley and Officer #4 immediately detained the Complainant and the other two individuals after they ran down a Columbia Point street. Officer #6's assistance in detaining the Complainant was limited to putting on the handcuffs, and they did not know what ensued after that. Officer #6 left the area where the Complainant was being detained to search for any potential weapons and later realized that the Complainant and others were not the suspects they were looking for.

Officer Matthew Conley's Interview:

On November 27, 2023, Investigator(s) Toney and Vergara conducted an in-person interview with Boston Police Officer Matthew Conley at the Office of Police Accountability and Transparency. Officer Conley was investigating an alleged gang associate who had committed acts of violence in the Columbia Point area of Boston. On the day of the alleged incident, Officer Conley was closely monitoring the alleged gang associate and their associates through Snapchat. According to Officer Conley, the alleged gang associate was referencing crimes they had committed while wearing a powdered baby blue sweatshirt and hat. Officer Conley also mentioned the presence of two black males, one of whom was wearing all black and a black backpack. Based on Snapchat videos he had watched, Officer Conley believed that the alleged gang associate was going to engage in another criminal act in real time. Officer Conley coordinated with his colleagues to search for the alleged gang associates and arrest them. When they arrived in the area, Officer Conley advised his colleagues to spread out and search for the individuals and to stop and frisk them if they came in contact with them to see if they had any weapons.

According to Officer Conley, Officer #7 identified three individuals who matched the description of the suspects. One of the individuals was seen entering an apartment building while wearing a powdered blue sweatshirt. The primary suspect was described as a thin black male who was seen wearing a Nike blue powdered sweatshirt. Officer #6 observed the Complainant fleeing from an apartment and notified his colleagues via radio. Upon receiving the message, Officer Conley identified the suspect and observed him holding a black object in a "praying hand motion." Subsequently, Officer Conley pursued the suspect while unholstering his weapon and shouting commands, eventually tackling the individual to the ground with his firearm in hand. Officer Conley stated that his actions were motivated by fear that the suspect could potentially harm him or his colleagues. The suspect resisted arrest, and Officer Conley's colleagues assisted him in detaining the individual. While detaining the suspect, Officer Conley realized that the object in the



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individual's hand was a cell phone rather than a firearm. He also noticed a fresh cut above the suspect's right eyebrow. Officer Conley immediately informed his Sergeant and requested medical attention for the suspect, believing that the injury was caused by his actions during the apprehension.

Officer Conley explained that the Complainant's parent or legal guardian could not be reached as the Complainant refused to speak to him. The Complainant was tackled to the ground as he appeared to have a fresh injury on his face. The arrested individual was a light-skinned Hispanic male, whereas the Complainant had a light-skinned complexion and was a minor. The Complainant was searched, but no firearm was found. Officer Conley's primary objective was to get medical attention for the Complainant.

During the interview, Officer Conley was shown body-worn camera footage of an officer at the scene. In the footage, Officer Conley was heard saying, "I literally had the gun in my hand, so I punched him in the face with it." When asked about these comments, Officer Conley explained that he was relaying those comments to his supervisor and believed that when he tackled the Complainant to the ground, he had his firearm in his hand and made contact with the Complainant while tackling him. Officer Conley insisted that it was not his firearm that caused the injury, as it was the cement, and claimed that he holstered his weapon as he was on the ground. When asked why he made those comments to Officer #8, he did not recall hitting the Complainant in the face with his gun. Officer Conley became nervous, flustered, and hesitant to answer any further questions. Officer Conley stated he was not sure why he made those comments. Officer Conley also mentioned that he should have had a briefing with his colleagues where he could have shown his peers the Snapchat videos so that they could see the physical characteristics of the targeted individuals in the social media investigation and they could see the same things he saw. However, Officer Conley noted that he did not share any of the videos he watched with his colleagues prior to arriving at the scene.

Officer #4's Interview:

On November 27, 2023, Investigator(s) Toney and Vergara conducted an in-person interview with Officer #4 at the Office of Police Accountability and Transparency. Officer #4 stated on the date of the alleged incident, they received information from Officer Conley, who had observed two individuals in the Columbia Point, Boston, area taunt alleged rival gang associates with firearms on social media. Officer #4 stated that Officer Conley believed he knew where the suspects were based on what he saw on social media.



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They proceeded to Columbia Point to search for the suspects. Upon arriving at the scene, Officer #4 stated that they heard on the radio one of his colleagues say that one of the suspects slammed the door in an officer's face and started to run out of an apartment building. Officer #4 heard one of his colleagues say that they were chasing the suspect on foot and began driving in the area, where they observed two individuals identified as the Complainant and individuals associated with the Complainant. Officer #4 stated that the only description they had of the suspects were black males wearing distinct powdered blue hoodies, one wearing a black shirt and a black backpack. Officer #4 came in contact with the Complainant as soon as they drove past the Complainant, who was running from Officer Conley. Officer #4 stated that they were able to get out of his vehicle to assist Officer Conley with detaining the Complainant and were not able to see the interaction they had with Officer Conley due to the lighting outside and the proximity of where they were when they stepped out of the cruiser to assist with the detainment. Once the Complainant was detained, Officer #4 stated that they left the area to assist other officers who were detaining other individuals.

Officer #4 recalled the Complainant having a cut on their face. When asked how the Complainant sustained the injury, they said that they believed it resulted from Officer Conley's takedown. Officer #4 stated that Officer #8 was notified of the injury to the Complainant's face and treated by Boston EMS. Officer #4 said that the Complainant needed sutures for the sustained injury. They were transported to Tufts Medical Center for stitches, discharged, and sent to the station for booking. Officer #4 stated that after the Complainant finished the booking process, they were later released to their family. Officer #4 stated that the officers on the scene realized the Complainant and their acquaintances were not the individuals they were looking for after Officer Conley confirmed they had detained the wrong individuals. Officer #4 further stated that Officer Conley briefly shared with them a description of what the suspects were wearing, which was their clothing, and that they did not have a clear facial visual of what they looked like.

Officer #7's Interview:

On December 6, 2023, Officer #7 was interviewed by Investigator(s) Toney and Vergara at the Office of Police Accountability and Transparency. Officer #7 relayed that Officer Conley notified them to assist in apprehending individuals targeted in a social media investigation. Before arriving at the scene, Officer #7 received information about two black males carrying firearms, with one of them wearing a distinctive baby blue hoodie and the



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other wearing a black hoodie with a black backpack. Officer #7 stated that they only received descriptions of the suspects' clothing and age. The Complainant and their peers were identified as fitting the description of the suspects due to the distinct color of the baby blue hoodie. Officer #7 also confirmed that they arrived at the scene towards the end of the Complainant being detained and were unable to recall the clothing worn by their peers. Furthermore, Officer #7 reported that the Complainant and their acquaintances were detained at separate areas of Columbia Point. Officer #7 mentioned that they noticed a cut on the Complainant's face but did not know how they sustained the injury. Officer #7 also stated that the Complainant was searched, and no weapons were found. Officer #7 could not recall if the Complainant's parents or guardians were notified as they were with them briefly.

Officer #5's Interview:

On December 21, 2023, Investigator(s) Toney and Reed conducted an in-person interview with Officer #5 at the Office of Police Accountability and Transparency. Officer #5 stated Officer Conley notified them that assistance was needed to detain three individuals who were being investigated on social media. The suspects were described to them as someone wearing a Nike blue powdered hoodie. Although they never saw the individuals running, they heard on the radio that they were being chased. When they reached the scene, they found that other officers had already detained the Complainant and other individuals. Officer #5 only assisted in the process and did not witness how the individuals were detained. They also mentioned that they were wearing his Boston Police vest but were unsure if the other officers were wearing them, too.

Officer Suni Muhammad's Interview:

On January 25, 2024, Investigator(s) Toney and Reed conducted an in-person interview with Boston Police Officer Suni Muhammad at the Office of Police Accountability and Transparency. Officer Muhammad received information about two individuals with a firearm in the Columbia Point area of Boston. He pursued one of the suspects with Officer #7, who ran into an apartment building. The suspect slammed the door shut, and both he and the other suspects ran out of the building. Officer Muhammad notified his colleagues about the situation and pursued one of the suspects, but he did not tackle anyone to the ground. He later assisted in detaining one of the individuals by taking them to the ground and reported that the individual he was detaining was calm. During the interview, Investigator Toney inquired about the comments Officer Muhammad made to the



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individual on his body-worn camera. Investigator Toney asked about the comments Officer Muhammad made to the individual on his body-worn camera at the 15:00 mark of the body-worn camera, specifically saying, "Do you eat bacon?" The individual replies by saying, "No, I am Muslim." Officer Muhammad says, "Are you?... You do not sound like one." In response to the question, Officer Muhammad said he was conversing with the individual, and the initial exchange was not great. Officer Muhammad stated that he is Muslim as well, and made those comments to keep the individual talking and to see if they would try to flee the area or fight him. He also said that he wanted to get the individual to open up about potential crimes he had potentially committed. Officer Muhammad was also seen using the individual's phone to take a photo while they were handcuffed, and he stated that the individual had requested the photo.

Officer #3's Interview:

On January 25, 2024, Investigator(s) Toney and Reed conducted an in-person interview with Officer #3 at the Office of Police Accountability and Transparency. On the date of the alleged incident, Officer #3 reported that they were on patrol when they received information that two individuals within the vicinity of Columbia Point, Boston, had a firearm. Officer #3 received a description of the individuals to be on the lookout for, which they relayed as "young black males wearing a black hooded sweatshirt and a blue hooded sweatshirt." Officer #3 was wearing plain clothes along with his YVSF vest. Investigator Toney inquired whether Officer #3 felt the need to obtain additional details about the suspects' descriptions, to which they replied no. Officer #3 revealed that they were notified via radio that their colleagues had located the suspects when they arrived at Columbia Point, Boston. Upon reaching the scene, Officer #3 observed that their colleagues had apprehended the Complainant and the other individuals. Officer #3 explained that they were not part of the process of detaining the Complainant, but their role was to provide assistance and search for weapons. Officer #3 noted that they saw the Complainant with a cut above their eyebrow and was unaware of how they had sustained it. Officer #3 acknowledged that they had no knowledge of the identities of the suspects and relied solely on descriptions of their clothing. Officer #3 was uncertain whether the Complainant's parents or guardian had been notified.

Officer #8 declined to participate in an investigation on January 31, 2024. Their attorney stated that Officer #8 had not been ordered to participate and was not aware of any adverse consequences for not doing so. The attorney also stated that any discipline resulting from



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the investigation must proceed through Rule 109 of the BPD and the just cause of the CBA. Investigator Toney was unable to speak with Officer #8 regarding the incident despite them being the ranking officer on the scene for this incident.

Body Worn Camera Review:

After reviewing the body-worn camera footage of all the officers involved in the incident, Investigator Toney could not clearly see any excessive force used to take the Complainant down to the ground due to the visual on the body-worn camera footage. Officer(s) Conley, Officer #4, and Officer #6 were seen detaining the Complainant by handcuffing them. Officer #4 left where the Complainant was being detained to assist other officers. Investigator Toney observed Officer #6 attempting to calm the Complainant down as they were visibly upset about the situation. The Complainant can be heard yelling, “Why am I bleeding?”. To which Officer #6 responded by saying, “I do not know why you are bleeding... We will get you medical attention once you are secured and we know you have no weapons on you..” Officer(s) #7, #5, and #3 were observed to be looking for weapons they believed the Complainant and their acquaintances had tossed during the foot chase.

However, Investigator Toney observed Officer Conley commenting about what had transpired through Officer #6’s body-worn camera. At the 3:55 mark, Investigator Toney observed Officer Conley say, “I literally had the gun in my hand, and I punched them in the face with it.” It appeared that Officer Conley was referencing the initial takedown of the Complainant. Officer Conley appeared to be very engaged in relaying what had happened to Officer #8. Additionally, Investigator Toney observed Officer Muhammad conversing with Witness #1, who was detained in a separate area of Columbia Point, Boston. At the 6:00 mark, Officer Muhammad said to the individual, “Do you eat bacon.” The individual said no, I am Muslim. Officer Muhammad proceeded to say, “You do not sound like a Muslim.” Further on Officer Muhammad’s body-worn camera, at the 17:00 mark, Officer Muhammad is seen taking a picture of the individual with their phone while handcuffed. For the duration of all the body-worn camera footage, other Officers can be seen either detaining or assisting with detaining the Complainant or other individuals and searching the area for any potential weapons with their flashlights.