

Boston

June 17, 1996

To: Paul F. Evans
Police Commissioner

From: Captain Detective Melbert J. Ahearn
Commander, Internal Affairs Division

Subject: Internal Affairs Recommendations

Sir:

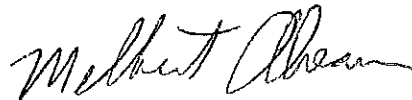
I respectfully submit the recommendations of the Internal Affairs Division in reference to:
Case #281-95

Complainant(s) Sgt. Eileen Vanderwood
Bureau of Internal Investigations

Employee(s): P.O. Patrick M. Rose
I.D. #11126 - Area C-11
Violation of Criminal Laws

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

Respectfully submitted,



Melbert J. Ahearn
Commander, Internal Affairs

Previous Complaint(s): see attached sheet

Reviewed by Chief, Office of Internal Investigations and forwarded to Legal Advisor *And 7-3-96*

Reviewed by Legal Advisor and Forwarded to Police Commissioner *ISA 8-26-96*



Previous Complaint(s) re:
Date: 06-17-96

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

1. Violation of Criminal Laws (Case #0281-95) Sustained. Current Case.

CONFIDENTIAL IAD ASSESSMENT

IAD Case # 281-95 IAD Complaint # 3911 Date of Incident 06/00/95

Complainant Sergeant Eileen Vanderwood Race 1 Age Sex F
Complainant Race Age Sex

Employee Patrick Rose ID# 11126 Race 1 Age 07/22/54
Rank Police Officer Date of Appointment 06/22/94 Assignment Area
C-11

Suspension Under Five Day Rule For This Incident # of days

Prior Discipline

Current Status:

Active Duty Admin Duty Weapon Restricted
Admin. Leave Suspended w/o Pay M.I.S.

(Prior IAD History, if any, attached)

Facts:

Sexual Assault Unit notified Sgt. Vanderwood, of the Internal Affairs Division, that a Complaint was issued in West Roxbury Court against Police Officer Patrick Rose for Indecent Assault and Battery on a Child Under Fourteen.

Mitigating Circumstances:

Victim(s) unwilling to cooperate with investigation.

IAD Recommendation: Violation Rule 102 Section 35
Non-Conformance to Law - Sustained

Training Need Identified?

Concurred, Commander, Internal Affairs Captain Melbert J. Ahearn *[Signature]*
Chief, Office of Internal Investigations Supt. Anne Marie Doherty *[Signature]*
Legal Advisor LaDonna Hatton *[Signature]*

Range of Disciplinary Options:

*- try to settle
- prior to hearing*

Boston

To: Police Officer Patrick M. Rose
I.D. #11126 Area C-11

From: Captain Detective Melbert J. Ahearn *mja 10/22/96*
Commander, Internal Affairs Division

Date: October 18, 1996

Re: Disposition of Complaint of Boston Police Department
Complaint #3911 I.A.D. Case #281-95

This is to inform you that the Internal Affairs Division has completed its inquiry into the above mentioned complaint. After a thorough investigation, the Internal Affairs Division has determined that this complaint be classified as Sustained.

MJA/rl



THOMAS M. MENINO, Mayor / BOSTON POLICE DEPARTMENT / 154 Berkeley Street 02116

000004

Boston

To: Captain Robert P. Dunford
Commander, Area C-11

From: Captain Detective Melbert J. Ahearn *mja 10/22/96*
Commander, Internal Affairs Division

Date: October 18, 1996

Re: Disposition of Complaint of Boston Police Department
Complaint #3911 I.A.D. Case #281-95
Police Officer Patrick M. Rose I.D. #11126
Violation of Criminal Laws

In reference to the above mentioned subject matter, please be advised that the Internal Affairs Division has completed its inquiry. After a thorough investigation, the Internal Affairs Division has determined that this complaint be classified as Sustained.

MJA/rl



Boston

June 10, 1996

TO: Captain Detective Melbert J. Ahearn
Commander, Internal Affairs Division
Bureau of Internal Investigations

FROM: Sergeant Detective Eileen Vanderwood
Internal Affairs Division

SUBJECT: IAD Complaint #281-95 alleging a Violation of Rule 102 Section 35
against Boston Police Officer Patrick Rose ID #1126.

Summary of Complaint Control #3911 Attachment #1

On Friday, [REDACTED] 1995, at approximately 7:00 P.M., this Investigator was notified by Captain Robert P. Dunford that an Emergency Restraining Order had been issued against Police Officer Patrick Rose. [REDACTED]

[REDACTED] Officer Rose surrendered to Area C-11 Sergeant Anthony Feudo, the following weapons; Department-issued 9MM Glock #19, Serial #ADG295 with 1 clip containing 15 rounds and Officer Rose' off duty 2" Smith/Wesson six shot revolver, Serial #D802648.

On December 19, 1995, this investigator was notified by the Sexual Assault Unit that a complaint was issued in West Roxbury Court on November 20 ,1995, against Police Officer Patrick Rose for Indecent Assault and Battery on a Child Under Fourteen.



Investigation

Summary of Report Of Sergeant Anthony Feudo, ID #1245 Attachment #2

Sergeant Anthony Feudo submitted a report stating that on [REDACTED] 1995, at about 1:00 P.M., he was directed by the Duty Supervisor, Sergeant Trent Holland, to proceed to Area E-5 to meet Lieutenant Detective Marie Donahue and Sergeant Detective John McLean, of the Sexual Assault Unit, relative to an allegation of sexual abuse against Officer Patrick Rose, ID #11126, assigned to Area C-11. On arrival Sergeant Feudo was informed by Lieutenant Donahue and Sergeant Detective McLean that they were notified by the Department of Social Services of an

Summary of report of sexual assault.

Interview Conducted by Sgt. McLean and Lt. Donahue with [REDACTED]

Att. #3

Summary of interviews about allegations with people connected to the allegation of indecent assault and battery on a child under 14.

Interview conducted by Sgt. Det. McLean and Lt. Donahue [REDACTED]

Attachment #4

Summary of interview with witness #1.

Interview conducted by Sgt. Det. McLean with [REDACTED]

Att. #5

Summary of interview with witness #2.

Interview conducted by Sgt. Det. McLean with [REDACTED]

Att. #5

Summary of interview with witness #3.

Interview conducted by Sgt. Det. McLean with [REDACTED]

Att. #5

Summary of interview with witness #4.

Interview conducted by Sgt. Det. McLean [REDACTED]

Att. #5

Summary of interview with witness #5.

Interview conducted by Sgt. Det. McLean with [REDACTED]

Att. #6

Summary of interview with witness #6.

Interview conducted by Sgt. Det. McLean with [REDACTED]

Att. #6

Summary of interview with witness #7.

Report [REDACTED]

Att. #7

Summary of report of sexual assault provided to the Boston Police Department by third-party agency.

Summary of report of sexual assault provided to the Boston Police Department by third-party agency.

(continued from previous page)

Summary of report of sexual assault provided to the Boston Police Department by third-party agency.

Report

Att. #8

Summary of a report of sexual assault provided to the Boston Police Department by third-party agency.

Interview conducted by Sgt. Det. Vanderwood with Police Officer Patrick Rose

On June 4, 1996, Police Officer Patrick Rose accompanied by his attorney, Thomas Drechsler, presented themselves to the Internal Affairs Division in response to this Investigator 's request that Officer Rose appear for an interview relative to the allegation of Sexual Abuse of a Child under Fourteen. Officer Rose refused to provide information relative to the allegation by opting to assert his 5th Amendment privilege against self incrimination and his Massachusetts Declaration of Rights Article 12. (Attachment #9)

Summary of Interview with [REDACTED] with Sgt. Det Vanderwood

Summary of interview with witness #8.

On 11/20/95, Sgt. Det. McLean accompanied by Lieutenant Donahue applied and received a complaint for Indecent Assault and Battery on a Child Under Fourteen Years, Chapter 265-13b, from the West Roxbury District Court, against Patrick Rose Sr. On 11/20/95 the Summons was served by Sgt. Det. McLean to the law office of Patrick Rose' attorney, Thomas Drechsler. Arraignment set for 11/22/95 at 2:00 P.M.

On 12/01/95 Sgt. Det. McLean and Lieutenant Donahue responded to West Roxbury Court where Officer Rose was arraigned. District Attorney Haskell [REDACTED] went before Judge Zimmian who placed Officer Rose on pre-trial probation for one year and ordered Officer Rose to attend therapy and [REDACTED] as directed by the [REDACTED]. The matter was then set for a status update in West Roxbury Court for January 30, 1996.

On January 29, 1996, In the West Roxbury District Court, Judge Dolan vacated RO [REDACTED]

On January 30 1996, Sgt. Det. McLean appeared in the West Roxbury District Court where the Patrick Rose matter was continued for a status update on May 07, 1996.

On May 07, 1996, this investigator appeared in the West Roxbury District Court for the status update hearing on Police Officer Patrick Rose. Assistant District Attorney Lynn Brennan presented the case for the commonwealth and requested that the matter be dismissed as a result of the defendant's compliance with the pre-trial conditions and the commonwealth's unwillingness to compel testimony from the victim and/or victim's family. Judge Zimmian dismissed the matter.

Summary

Albeit the commonwealth declined to pursue the prosecution of Officer Patrick Rose, the commonwealth took that posture, as stated by Assistant District Attorney Lynn Brennan, as a result of the victim(s) unwillingness to testify and/or the commonwealth's unwillingness to compel the victim(s) to testify. The court matter was not disposed of due to the proven innocence of or as a result of any testimony that indicated any falsehoods made against Officer Rose on the part of the victim, [REDACTED]. On the contrary, the disposition that required Officer Rose to attend therapy and [REDACTED] is recognition of the existence of a problem that required corrective measures as a result of the action(s) of Officer Rose.

Finding and Recommendation

As a result of the investigative interviews conducted by Sergeant Detective John McLean and Lieutenant Marie Donahue, the refusal of the victim(s) to provide testimony in the criminal proceedings and/or to assist in the Internal Affairs investigation proceedings, [REDACTED] that Officer Rose attend therapy and [REDACTED] sessions and of Officer Rose' refusal to provide the Investigator with any information refuting the allegations of sexual abuse on a child under fourteen, by asserting his privileges under the 5th Amendment, U.S. Constitution and Article 12, Massachusetts Declaration of Rights, it is this Investigator's finding and recommendation that the allegation of a Violation of Rule 102 Section 35, Non Conformance to Law, against Officer Patrick Rose, is Sustained.

Respectfully submitted,



Eileen Vanderwood
Sergeant Detective

CONTENTS NOTED
and APPROVED

Melbert J. AHEARN
Commanding,
Internal Affairs Division

ATTACHMENTS

1. IAD Case #281-95, Complaint Control #3911
2. Report of Sergeant Anthony Feudo
3. Report of Sgt. Det. McLean and Lt. Marie Donahue
4. Interview [REDACTED] by Sgt. Det. McLean and Lt. Donahue
5. Interviews conducted by Sgt. Det. McLean with [REDACTED]
[REDACTED]
6. Interview conducted by Sgt. Det. McLean with [REDACTED]
[REDACTED]
7. Report [REDACTED]
8. Report [REDACTED]
9. Police Officer Patrick Rose' Carney form
10. Criminal Court Documents
11. Restraining Order Documents
12. Letter from [REDACTED]
13. Various Correspondence

I.A.D. INVESTIGATIVE CHECKLIST

Complaint # 3911 I.A.D. Case # 28195
 Date of Complaint 11-19-95 W/I Dist Other Sexual Assault Unit

Investigated By: Dist. I.A.D. Other
 Employee's Name Carney #1 Carney #2 Admin. Waiv. T.I.

a.) <u>PATRICK ROSE</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.) _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.) _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d.) _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e.) _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Written Report and/or Tape of Subject/Witness Employee:

a.) <u>Sgt Feudt</u>	<input checked="" type="checkbox"/>
b.) <u>Sgt/DET Mclean</u>	<input checked="" type="checkbox"/>
c.) <u>LT DANANUE</u>	<input checked="" type="checkbox"/>
d.) _____	<input type="checkbox"/>
e.) _____	<input type="checkbox"/>

Subject Employee(s) to be Interrogated Yes No
 If yes: Commander notified to have employee report to I.A.D.
 Employee signed off regarding rights

Additional Police Reports:

1.1 Report	<input checked="" type="checkbox"/>
Booking Sheet	<input type="checkbox"/>
Log Sheet	<input type="checkbox"/>
Operations Tape	<input type="checkbox"/>
Other	<input checked="" type="checkbox"/>

Count Restraint order

Complainant [REDACTED] I.A.D. History Check

Date of Initial Contact _____ phone mail w/i

Date of Request for Interview	<u>6-4-96</u>	phone	mail	cert. mail
	_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of Interview 6.4.96 Taped? Yes No

Status Update(s) [if necessary]	phone	mail	cert.mail	
_____	[]	[]	[]	
_____	[]	[]	[]	
_____	[]	[]	[]	
				Date of
Civilian Witnesses for Interview	phone	mail	cert.mail	interview
1) _____	[]	[]	[]	
_____	[]	[]	[]	
_____	[]	[]	[]	_____
2) _____	[]	[]	[]	
_____	[]	[]	[]	
_____	[]	[]	[]	_____
3) _____	[]	[]	[]	
_____	[]	[]	[]	
_____	[]	[]	[]	_____

- Additional Investigative Steps (if applicable)
- * Visit scene of incident/check neighborhood []
 - * Medical Records Release []
 - * BOP Check
 - * Certified Copies of Convictions []
 - * Court Documents (i.e. tapes, transcripts) []
 - * Photo Array []
 - * Line-Up []
 - * Other _____

District Investigator's Report Yes No
 District/Unit Commander's Report Yes No
 I.A.D. Investigator's Report Yes No

Lieutenant Review Date 6/12/96 OK Ret. Date _____ OK
 Captain Review Date 6/18/96 OK Ret. Date _____ OK
 Superintendent Review Date _____ OK Ret. Date _____ OK
 Legal Review Date _____ OK Ret. Date _____ OK
 Commissioner Review Date _____ OK Ret. Date _____ OK

Complainant Notified of Results of Investigation Yes No
 Employee Notified of Results of Investigation Yes No

Complaint #: 3911	Date: 12 19 95	Military Time: Times	Location Complaint Received:	How Complaint Received: <input type="checkbox"/> In Person <input type="checkbox"/> Mail <input checked="" type="checkbox"/> Telephone
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Complaint (see code on reverse):
 A. **#4** B. _____
 Area/Dist. of Occurrence: **4-5** Date: **6-95** Day: _____ Military Time: _____ Address: _____

Complainant
 Victim Information

Persons

Name of Employee Complained Against: ROSE PATRICK M	Status: <input checked="" type="checkbox"/> S <input type="checkbox"/> C	Rank: P.O.	I.D. #: 11126	Badge: 2633	Area/Dist./Unit: C-11				
D.O.B./Age: 7-22-51	Sex: <input checked="" type="checkbox"/> M <input type="checkbox"/> F	Race (see code on reverse): 1	Height:	Weight:	Build:	Eyes:	Hair:	Date of Appt.: 06-22-94	Tour:

Witness

Name:	Sex: <input type="checkbox"/> M <input type="checkbox"/> F	Race (see code on reverse):	D.O.B./Age:	Occupation:
Address:	Telephone #: (H) () (W) ()		Hours	
Place of Employment:	Relation to Complainant:			

Officer Receiving Complaint: St Donahue	Area/Dist. Assigned: SAC	I.D. #:	Superior Officer Assigned to Investigate: St Paul	I.D. #: 148
---	------------------------------------	---------	---	-----------------------

Internal Affairs Notified YES NO
 Pursuant to Rule 109 S45 Person Notified: _____ By Whom: _____
 I.A.D. Officer Assigned To Investigate:
Sgt Vandenberg - IAD

I.A.D. Complaint Code (see reverse): A. 1. B. 1.	Military Time: _____ Date: _____	Signature of Complainant if Complaint Resolved at Time of Complaint:	Date: _____
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Narrative:
St.A.D. NOTIFIED BY SEXUAL ASSAULT UNIT
COMPLAINT ISSUED IN WEST ROXBURY COURT ON
DECEMBER 1995, FOR INDECENT ACTS ON A CHILD
UNDER 14 AGAINST P.O ROSE. P.O ISSUED ON

Original 1920 must be forwarded to I.A.D. on the day received Complainant Should Sign at End of Narrative: _____

Boston Police

Page 1

Date 11/11/95

CC # 50546780

DISTRICT/UNIT AREA C-11

TO: Captain Robert Dunford
Commanding Officer, Area C-11

FROM: Sergeant Anthony V. Feudo, I.D.#1245
District C-11

SUBJECT: S.A.U. Investigation: Officer Patrick Rose, I.D.#11126

SIR:

On November 10, 1995 at about 1:00PM, Sgt. Feudo assigned as the H901 Patrol Supervisor was directed by Duty Supervisor Sgt. Holland to proceed to Area E-5 and meet Lt.Det. Marie Donahue and Sgt.Det. John McLean, both assigned to the Sexual Assault Unit pertaining to a sexual abuse investigation involving Officer Patrick Rose, I.D.#11126 assigned to Area C-11.

Narrative of report of sexual assault, information provided to BPD investigator's about the allegation of sexual abuse, and information concerning the victim.

Captain David Walsh, Commanding Officer, B.I.S. and Captain Robert Dunford, Commanding Officer, Area C-11 notified of the above.

Boston Police

Page 2 of 2

Date 11/11/95

CC # 50546780

DISTRICT/UNIT AREA C-11

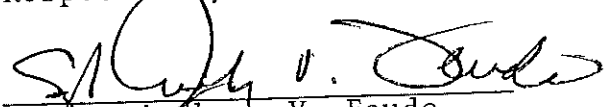
The following weapons were voluntarily surrendered by Officer Rose, inventoried and placed in gun locker, Area C-11 by Sgt. Feudo:

- One(1) Dept. Issue 9MM Glock Model#19 Ser.#ADG295 with full 16 round clip.
- One(1) Off Duty 2" Smith/Wesson six shot revolver Ser# D802648 .38 Cal.
- One(1) Off Duty 9MM Smith/Wesson automatic Ser.#A235598

Also confiscated were Officer Rose's License To Carry by the City of Boston #E001131 exp.7-22-00 and F.I.D. Card #2518 to be submitted to Licensing Bureau. Original 1-1 will be submitted in hand to Captain Dunford by Sgt.Det...McLean.

Incident to be further investigated by the Sexual Assault Unit.

Respectfully submitted,


Sergt. Anthony V. Feudo

SEXUAL ASSAULT UNIT

VICTIM [REDACTED]

DATE ASSIGNED [REDACTED] 95

CC # 5050546780

DATE OF THIS REPORT [REDACTED] 95

DETECTIVE McLean / Donahue

Narrative report of sexual assault containing information regarding the allegations, information and statements provided to BPD investigators, and information reported to investigators about the victim.

CASE STATUS: ACTIVE INACTIVE CLOSED

CONTENTS NOTED - SUPERVISOR: [Signature]

DESTROY EVIDENCE 1) CRIME LAB 2) SAU

(continued from previous page)

Narrative report of sexual assault containing information regarding the allegations, information and statements provided to BPD investigators, and information reported to investigators about the victim.

SEXUAL ASSAULT UNIT - CASE UPDATE

VICTIM [REDACTED]

DATE ASSIGNED [REDACTED] 95

CC # 5050546780

DATE OF THIS REPORT [REDACTED] 95

DETECTIVE McLean

Interview by Lt. Donahue and Sgt. McClean with witness #1.

CASE STATUS: ACTIVE ✓ INACTIVE CLOSED

CONTENTS NOTED - SUPERVISOR: [Signature]

DESTROY EVIDENCE 1) CRIME LAB 2) SAU

SEXUAL ASSAULT UNIT - CASE UPDATE

VICTIM [REDACTED]

DATE ASSIGNED [REDACTED] 95

CC # 50546780

DATE OF THIS REPORT [REDACTED] 95

DETECTIVE McLean

Interviews by Sgt. McClean with Witness #2, Witness #3, and Witness #4.

CASE STATUS: ACTIVE xxx INACTIVE CLOSED

CONTENTS NOTED - SUPERVISOR: [Signature]

DESTROY EVIDENCE 1) CRIME LAB 2) SAU

(continued from previous page)

Interviews by Sgt. McClean with *Witness #2*, *Witness #3*, and *Witness #4*.

SEXUAL ASSAULT UNIT - CASE UPDATE

VICTIM _____

DATE ASSIGNED _____ 95

CC # 50546780

DATE OF THIS REPORT _____ 95

DETECTIVE McLean

Interview by Sgt. McLean with Witness #5.

Interview by Sgt. McNeil with Witness #6.

CASE STATUS: ACTIVE~~XXXX~~ INACTIVE CLOSER

CONTENTS NOTED - SUPERVISOR: Sgt McLean

DESTROY EVIDENCE 1) CRIME LAB _____ 2) SAU _____

Pages 26-57 of the file comprise two reports of sexual assault provided to the Boston Police Department from two separate third-party agencies, and are withheld in their entirety as reports of sexual assault.

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Boston

To: Police Officer Patrick Rose, ID # 11126
From: Captain Detective Melbert J. Ahearn
Commander, Internal Affairs Division
Date: June 04, 1996,
Regarding: IAD Case #281-95 Complaint Control #3911

Attached you will find a copy of BPD Complaint Control Form 1920. You are hereby ordered in accordance with Rule 102 § 8, to complete a report detailing your knowledge of the allegations.

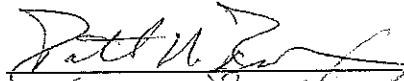
Invocation of your rights against self-incrimination under the 5th Amendment to the US Constitution and Art. 12 of the Massachusetts Declaration of Rights is sufficient to comply with the rule. This may be accomplished by checking off the appropriate box at the bottom of this page. You cannot be disciplined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

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

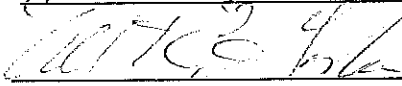
Failure to submit a report, absent an assertion by you of your constitutional privilege(s), is considered failure to obey and comply with an order and could result in your receiving disciplinary action including termination. Please READ, CHECK THE APPROPRIATE BOX, SIGN and DATE this statement. I have read the above statement:

- I wish to claim my constitutional protections under the US Constitution's 5th Amendment and the Massachusetts Declaration of Rights Article 12.
- I assert my 5th Amendment privilege against self-incrimination, but agree to waive my Article 12 privilege. I will submit a report within five (5) days, but the contents of that report cannot be used against me in a criminal proceeding. However, I understand that criminal proceedings can be instituted against me based upon evidence obtained from other sources.

EMPLOYEE'S SIGNATURE:

 Date: 6/04/96

SIGNED IN THE PRESENCE OF:

 Date: 6/4/96

Superior Officer

THOMAS M. MENINO, Mayor / BOSTON POLICE DEPARTMENT / 154 Berkeley Street 020068



December 19, 1995

spoke with attorney Chris Barrysmith Re: John Perry

Lt. Donahue telephone to update status of Patrick Rose case:

Lieutenant Donahue states complaint was issued in West Roxbury court by judge Dolan in December. DA and [redacted] went before Judge Zimmian who placed PO Rose on Pre-Trial Probation for one year also ordered Police Officer Rose to attend Therapy and [redacted] Case is on for Status in West Roxbury Court for January 30, 1995. Restraining Order Remains in effect. Probation Officer will be assigned by Lee Nugent.

[redacted]
Report of sexual assault.

1-31-96 Restraining order vacated

[redacted]
Note that reveals identity of victim.

Robert
Perry
1-30-96
Restraining Order

order vacated
1-30-96
mediation or something
WJ
AP



TRIAL COURT OF THE COMMONWEALTH
OF MASSACHUSETTS
DISTRICT COURT DEPARTMENT
WEST ROXBURY DIVISION
(617) 522-4710

445 ARBORWAY
JAMAICA PLAIN, BOSTON
MASSACHUSETTS 02130

MICHAEL J. McCUSKER
Clerk/Magistrate

Court attendance

Date: 1-31-96

Time: 1:50 PM

STATEMENT OF CONFIDENTIALITY

This facsimile transmission contains information from the West Roxbury District Court. This information contained is confidential and/or privileged, and is intended only for the use of the addressee/department named on the transmittal sheet. If you are not the intended addressee, please note that any disclosure, copying, distribution or the use of this faxed information is prohibited. If you receive this facsimile in error, please immediately notify us by telephone so that we can arrange to retrieve the original documents without cost to you.

TO: Det. Vanderwood AT: BPD

TELEPHONE NO: 343-4596


RE: RO [REDACTED]

Please do _____ do not _____ call to confirm receipt.

This transmission contains 3 pages, including this transmittal sheet.

Thank you.

IF TRANSMISSION IS INTERRUPTED, OR ALL PAGES ARE NOT PROPERLY RECEIVED,
PLEASE CALL WEST ROXBURY DISTRICT COURT, TELEPHONE NO. (617) 522-4710.

APPLICATION FOR COMPLAINT <input checked="" type="checkbox"/> ADULT <input type="checkbox"/> JUVENILE		NUMBER	Trial Court of Massachusetts District Court Department 
<input type="checkbox"/> ARREST <input type="checkbox"/> HEARING <input checked="" type="checkbox"/> SUMMONS <input type="checkbox"/> WARRANT		COURT DIVISION	
The within named complainant requests that a complaint issue against the within named defendant, charging said defendant with the offense(s) listed below.			W. Roxbury District Court 445 Arborway Jamaica Plain, Ma. 02130
DATE OF APPLICATION	DATE OF OFFENSE	PLACE OF OFFENSE	
11/20/95	June '95	[REDACTED]	

NAME OF COMPLAINANT	NO.	OFFENSE	G.L. Ch. and Sec.
Sergeant-Detective John McLean ADDRESS AND ZIP CODE OF COMPLAINANT Boston Police Sexual Assault Unit 91 East Concord Street Boston, Mass. 02118	1.	Indecent A&B on a Child under 14 years	265, 13B
	2.		
	3.		
	4.		

NAME, ADDRESS AND ZIP CODE OF DEFENDANT Patrick Rose 46 Potomac Street West Roxbury, Mass. 02132	COURT USE ONLY → A hearing upon this complaint application will be held at the above court address on	DATE OF HEARING AT	TIME OF HEARING	COURT USE ONLY ←
--	--	---------------------------	-----------------	-------------------------

CASE PARTICULARS — BE SPECIFIC

NO.	NAME OF VICTIM Owner of property, person assaulted, etc.	DESCRIPTION OF PROPERTY Goods stolen, what destroyed, etc.	VALUE OR PROPERTY Over or under \$250.	TYPE OF CONTROLLED SUBSTANCE OR WEAPON Marijuana, gun, etc.
1	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
2				
3				
4				

OTHER REMARKS: CC#50-546780. On Friday, November 10, 1995 the victim reported to Lieut. Donahue and Sergt. Det. McLean that on an unknown date at the end of June 1995 he was indecently assaulted by the defendant [REDACTED]

X _____
SIGNATURE OF COMPLAINANT

DEFENDANT IDENTIFICATION INFORMATION — Complete data below if known.

DATE OF BIRTH	PLACE OF BIRTH	SOCIAL SECURITY NUMBER	SEX	RACE	HEIGHT	WEIGHT	EYES	HAIR
07/22/54			Male	WN	5'10"	185		Brn
OCCUPATION	EMPLOYER/SCHOOL	MOTHER'S NAME (MAIDEN)		FATHER'S NAME				
P.O.	City of Boston							

↓ COURT USE ONLY ↓

DATE	DISPOSITION	AUTHORIZED BY
	NO PROCESS TO ISSUE <input type="checkbox"/> At request of complainant <input type="checkbox"/> Complainant failed to prosecute <input type="checkbox"/> Insufficient evidence having been presented	
	PROCESS TO ISSUE	
	<input type="checkbox"/> Sufficient evidence presented <input type="checkbox"/> Defendant failed to appear	
	TYPE OF PROCESS <input type="checkbox"/> Warrant <input type="checkbox"/> Summons returnable _____	
	<input type="checkbox"/> Continued to _____	000061

COMMENTS

COURT

Trial Court of Massachusetts
District Court Department



TO ANY JUSTICE OR CLERK-MAGISTRATE
OF THE DISTRICT COURT DEPARTMENT:

The within named and undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date and at the location stated herein the defendant did commit the offense(s) listed below.

COURT DIVISION 38 WEST ROXBURY		NAME, ADDRESS AND ZIP CODE OF DEFENDANT Patrick Rose 46 Potomac St. West Roxbury, Ma.	
DEF. DOB AND SEX 7/22/54	OFFENSE CODE(S) 606	DATE OF OFFENSE June 1995	
COMPLAINANT Sgt.-Det. John MacLean		POLICE DEPARTMENT (if applicable) Boston Police Sexual Assault Unit	
DATE OF COMPLAINT 11/20/95	RETURN DATE AND TIME S. 11/22/95 2:00 pm		
COUNT-OFFENSE A. INDECENT ASS. CHILD UNDER 14 c265 s13B			

did commit an indecent assault and battery upon a child under the age of 14 years, in violation of G.L. c.265, s.13B.

COUNT-OFFENSE

COUNT-OFFENSE

COUNT-OFFENSE

COMPLAINANT X	SWORN TO BEFORE CLERK-MAGISTRATE/ASST. CLERK X	ON (DATE)	ADDITIONAL COUNTS ATTACHED <input type="checkbox"/>
FIRST JUSTICE ACTING JAMES W. DOLAN		COURT ADDRESS 445 ARBORWAY JAMAICA PLAIN, MA 02130	
A TRUE COPY ATTEST : X	CLERK-MAGISTRATE/ASST. CLERK	ON (DATE)	000062

COURT DIVISION
TS WEST ROXBURY

NAME, ADDRESS AND ZIP CODE OF DEFENDANT
**Patrick Rose
46 Potomac Street
West Roxbury, Mass. 02132**

Waived
 Remained *Wredsh*
 Assigned

TERMS OF RELEASE
12/14/95

DATE: _____ PROCEEDING

Arraigned before J.
 Advised of right to counsel
 Advised of right to drug exam
 Advised of right to bail review
 Advised of right to F.I. Jury Trial
 Waives Requests F.I. Jury Trial
 Advised of alien rights

Warrant issued Default warrant issued
 Default removed Warrant recalled
 Warrant issued Default warrant issued
 Default removed Warrant recalled

DEF. DOB AND SEX: **7/22/54**

OFFENSE CODE(S): **606**

DATE OF OFFENSE: **June 1995**

PLACE OF OFFENSE: [REDACTED]

COMPLAINANT: **Sgt. Det. John McLean, 6669**

POLICE DEPARTMENT (if applicable): **BP-SAU**

DATE OF COMPLAINT: **12/01/95**

RETURN DATE AND TIME: **3 December 1, 1995 8:30AM wait**

COUNT-OFFENSE: **A. INDECENT ASS. CHILD UNDER 14 c265 s13B**

DATE: **12/14/95**

PLEA: Not Guilty Guilty Nolo

New Plea: Admits suff. facts

FINDING: **Dismissed 5-7-96**

JUDGE: **Ziemiado**

IMPRISONMENT AND OTHER DISPOSITION: **Re trial Probation 12/12/96
Request of Counsel with
Consent of Dept.**

FINAL DISPOSITION: Discharged from probation
 Dismissed at request of probation

COUNT-OFFENSE

DATE

PLEA: Not Guilty Guilty Nolo

New Plea: Admits suff. facts

FINDING

JUDGE

IMPRISONMENT AND OTHER DISPOSITION

FINAL DISPOSITION: Discharged from probation
 Dismissed at request of probation

COUNT-OFFENSE

DATE

PLEA: Not Guilty Guilty Nolo

New Plea: Admits suff. facts

FINDING

JUDGE

IMPRISONMENT AND OTHER DISPOSITION

FINAL DISPOSITION: Discharged from probation
 Dismissed at request of probation

COUNT-OFFENSE

DATE

PLEA: Not Guilty Guilty Nolo

New Plea: Admits suff. facts

FINDING

JUDGE

IMPRISONMENT AND OTHER DISPOSITION

FINAL DISPOSITION: Discharged from probation
 Dismissed at request of probation

CONT. TO	PURPOSE	CONT. TO	PURPOSE
17-14-95	2 pm		
1-30-96	2 PM		
5-7-96	Review 2 P.M.		

DATE	TAPENO.	START	STOP
DEC 1 1995	8578-4		0535

SEXUAL ASSAULT UNIT

VICTIM [REDACTED]

DATE ASSIGNED [REDACTED]/96

CC# 50546780

DATE OF THIS REPORT 01/30/96

DETECTIVE McLean

On this date I appeared in the WR Dist Ct. in reference to the above CC#. Judge Zimmian was presiding, DA S. Haskell for the Comm. and the defendant was represented by Atty. Dreshler. Case was continued for a status update until May 07, 1996.

The restraining order against Patrick Rose was withdrawn with the consent of DSS on 01/29/96. [REDACTED]
[REDACTED] probation officer is Helen Brown.

CASE STATUS: ACTIVE xxxx INACTIVE CLOSED

CONTENTS NOTED - SUPERVISOR: for McLean

DESTROY EVIDENCE 1) CRIME LAB 2) SAU

SEXUAL ASSAULT UNIT - CASE UPDATE

VICTIM _____
CC# 50546780
DETECTIVE McLean

DATE ASSIGNED /95
DATE OF THIS REPORT 11/21/95

At about 9:00AM on 11/20/95 Sgt McLean accompanied by Lieut Donahue applied and received a complaint for 265-13b at West Rox Ct against the defendent in above captioned case.

11/20 Summons was served by Sgt McLean to the law office of defendent's atty, Thomas Dreschler. 50 Redfield St. Dorch. Arraignment set for 11/22/95 at 2:00PM. Summons returned to West Rox. Ct on 11/21/95

CASE STATUS: ACTIVE INACTIVE _____ CLOSED _____

CONTENTS NOTED - SUPERVISOR:

DESTROY EVIDENCE 1) CRIME LAB _____ 2) SAU _____

SEXUAL ASSAULT UNIT - CASE UPDATE

VICTIM [REDACTED]
DATE ASSIGNED [REDACTED] 95
CC# 50546780
DATE OF THIS REPORT 12.03.95
DETECTIVE McLean

On 12.01.95 Sgt McLean and Lieut. Donahue reported to WR CT and ~~were issued a complaint for Ind A&B under 714 against Patrick Rose~~. Rose was arraigned and case continued to 12.14.95. To be further investigated.

ARRAIGNMENT
12-1-95

CASE STATUS: ACTIVE INACTIVE CLOSED
CONTENTS NOTED - SUPERVISOR: [Signature]
DESTROY EVIDENCE 1) CRIME LAB _____ 2) SAU _____

Victim information.

23. NUMBER OF PERPETRATORS		CAN SUSPECT BE IDENTIFIED AT THIS TIME		27. BOOKING NO.	28. PHOTO NO.	29. ALIAS	YES	NO	
30. WARRANT NO.	34. <input type="checkbox"/> ARREST <input type="checkbox"/> WARRANT <input type="checkbox"/> MISSING <input type="checkbox"/> SUSPECT	35. NAME LAST, FIRST	36. S.S. NO.	32. SEX <input type="checkbox"/> M <input type="checkbox"/> F	33. RACE	34. AGE	35. HEIGHT	36. DOB	
	31. ADDRESS		37. SPECIAL CHARACTERISTICS (INCLUDING CLOTHING)	38. WEIGHT	39. BOND	40. HAIR	41. EYES	YES	NO
	42. CAN SUSPECT VEHICLE BE DESCRIBED		43. <input type="checkbox"/> STOLEN <input type="checkbox"/> RECOV. <input type="checkbox"/> LV. SCENE <input type="checkbox"/> ABAND. <input type="checkbox"/> IN CURB. <input type="checkbox"/> TOWED <input type="checkbox"/> USED IN CRIME <input type="checkbox"/> OTHER	44. REG. STATE NO.	45. PLATE TYPE	YEAR (EXP)	46. MODEL	YES	NO
47. VEHICLE MAKE-YEAR		48. VEHICLE NO.	49. STYLE	60. COLOR (TOP-BOTTOM)					
51. OPERATOR'S NAME		52. LICENSE NO.	53. OPERATOR'S ADDRESS						
54. OWNER'S NAME		55. OWNER'S ADDRESS							
59. CAN PROPERTY BE IDENTIFIED		57. TYPE OF PROPERTY	58. SERIAL OR IDENTIFICATION NO.	59. BRAND NAME-DESCRIPTION	60. MODEL	61. VALUE	62. UCR	63. RECOV.	
		9 M.M.	ADC 295	GLOCK				YES	
		9 M.M.	A235598	SMITH+WESSON				YES	
		38 CAL		SMITH+WESSON				YES	

Narrative of report of sexual assault.

Pages 68-75 withheld in their entirety as they are confidential court documents provided to the Boston Police Department.

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**Boston
Police
Department**



**Record of
Concurrence
and Approval**

Subject Vacated [REDACTED] Order (P.O. Patrick Rose)		Due Date ASAP
Date Routed 1-31-96	Originator of Document Supt. Claiborne	Contact Person/Telephone Number Captain Dunford x:4330

Explanation

Routing Sequence	Approving Authority	Signature	Date	Comments
4	Police Commissioner			
	Chief of Staff			
1	Superintendent, B.F.S.	<i>JMC</i>	1-31-96	96-0131
	Superintendent, B.I.S.			
	Superintendent, B.A.S.			
3	Superintendent, O.I.I.	<i>AMP</i>	2-8-96	
	Superintendent, O.P.C.			
	Personnel Director			
	Labor Relations			
2	Legal Advisor	<i>DA</i>	2-1-96	
	Finance Division			
	Contracts Section			

000076

Boston

To: Paul F. Evans
Police Commissioner

Through: James M. Claiborne
Superintendent
Bureau of Field Services

From: Robert P. Dunford
Captain
District Eleven

Date: January 29, 1996

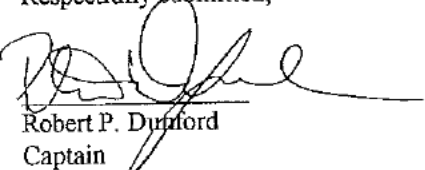
Subject: Vacated West Roxbury District Court [REDACTED] Order, NO. [REDACTED]
Police Officer Patrick Rose, ID 11126:

Commissioner Evans:

I respectfully report that West Roxbury District Court [REDACTED] Order, No. [REDACTED] against Police Officer Patrick Rose, ID 11126, assigned to District Eleven was vacated at the request [REDACTED] today, Monday, January 29, 1996 by Judge Sarah B. Singer.

There is a pending [REDACTED] investigation and I respectfully recommend that Officer Rose maintain his status on Administrative Duty until the completion of their investigation.

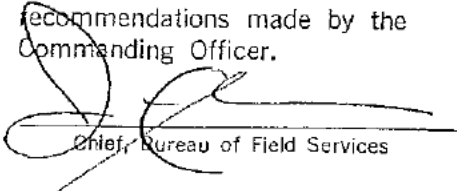
Respectfully submitted,


Robert P. Dunford
Captain

Attachments:

CC: File

Respectfully forwarded to the Police Commissioner with APPROVAL of the recommendations made by the Commanding Officer.


Chief, Bureau of Field Services



Pages 78-80 are confidential court records provided to the Boston Police Department.

Pages 78-80 are confidential court records provided to the Boston Police Department.

Pages 78-80 are confidential court records provided to the Boston Police Department.

1996 letter from victim's guardian.

577 Vanderwood

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete Items 1 and/or 2 for additional services.
- Complete Items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for details.

3. Article Addressed to:

[Redacted]

4a. Article Number

9 [Redacted]

4b. Service Type

Registered Certified

Express Mail Insured

Return Receipt for Merchandise Signature Required

7. Date of Delivery

6/17

5. Received By: (Print Name)

[Redacted]

8. Addressee's Address (Only if required and fee is paid)

[Redacted]

6. Signature: (Addressee or Agent)

X [Redacted]

PS Form 3811, December 1997

Domestic Return Form

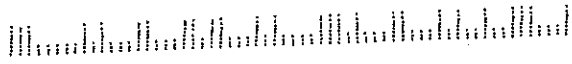
UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

BOSTON POLICE DEPARTMENT
INTERNAL AFFAIRS DIVISION
154 BERKELEY STREET
BOSTON, MA 02116



1996 letter from Sergeant Vanderwood to victim's guardian.

my copy

Boston

To: Captain Robert P. Dunford
Commander, Area C-11

From: Captain/Detective Melbert J. Ahearn
Commander, Internal Affairs Division

Subject: Employee To Report For Interview

Date: April 16, 1996

Please order the following employee to report to the Internal Affairs Division, fourth floor, Police Headquarters, 154 Berkeley St., on the date and time indicated.

Name: Patrick Rose Rank: Police Officer ID: #11126
Area/Unit Area C-11
Date May 08, 1996 Time 7:30 A.M.

This interview is being conducted in reference to IAD #281-95, Complaint #3911. In conformance with Rule 109, section 51, of the Department Rules and Procedures, sufficient notice is hereby given in order that the employee may consult with an attorney prior to the interview. It is the responsibility of the employee to appear at the appointed time and date. If for any reason he cannot appear, it is his responsibility to notify their Commanding Officer. The Commanding Officer will immediately notify the Internal Affairs Division of the reason given by the employee for not appearing.

If there is any conflict please notify the Internal Affairs Division at once. Please confirm this notification by having the employee sign this form in the presence of a superior officer.

EMPLOYEE'S SIGNATURE: [Signature] DATE: 4/23/96
SIGNED IN PRESENCE OF: [Signature] DATE: 4-23-96

Respectfully,
[Signature]
Captain-Detective Melbert J. Ahearn
Commander, Internal Affairs Division



Confidential court record provided to the Boston Police Department.

*
* ***** WARNING ***** WARNING *****
* THIS INFORMATION IS CORI. IT IS NOT SUPPORTED BY FINGERPRINTS.
*

Confidential court record provided to the Boston Police Department.

REQUESTED BY: SGT VANDERWOOD
COMPLETED BY: VANDERWOOD, EILEEN : SGT-DET.
AGENCY: PD BOSTON-POLICE ACADEMY

Boston

TO: Captain Detective Melbert J. Ahearn
Commander, Internal Affairs

FROM: Sergeant Eileen T. Vanderwood
Internal Affairs Division

SUBJECT: Emergency Restraining Order issued against Boston Police Officer
Patrick Rose, ID #11126.

Sir,

I respectfully submit that on Friday November 10, 1995, at approximately 7:00 P.M., I was notified by the Operations Division to contact Captain Robert P. Dunford, Commander of Area C-11, relative to an Emergency Restraining Order issued against Officer Patrick M. Rose. Captain Dunford informed me that an [REDACTED] Captain Dunford stated that he would provide this office with the documents pertaining to the incident as soon as possible in order for this investigator to monitor the court proceedings. Officer Rose surrender his Department- Issued firearm and off duty- firearm to Captain Dunford.

Respectfully submitted,

Sergeant Eileen Vanderwood
Sergeant Eileen Vanderwood

My Copy



Boston Police

Date: 10/22/97

From: Paul F. Evans
Police Commissioner

To: Superintendent Ann Marie Doherty, Chief, BII

- | | |
|---|--|
| <input type="checkbox"/> F.Y.I. | <input type="checkbox"/> Your Comments |
| <input type="checkbox"/> Please Handle | <input type="checkbox"/> File |
| <input type="checkbox"/> See Me On This | <input type="checkbox"/> Please Advise |
| <input type="checkbox"/> Call Me On This | <input type="checkbox"/> Forward To _____ |
| <input type="checkbox"/> Prepare For My Signature | <input type="checkbox"/> Other (See Below) |
| <input type="checkbox"/> Prepared for P.C. | <input type="checkbox"/> As Requested |

Comments/Reply:

Please see me on this.

SANDULLI, GRACE, SHAPIRO, HORWITZ & DAVIDSON, P.C.

40 BROAD STREET

SUITE 830

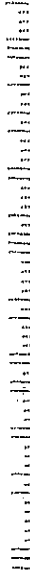
BOSTON, MASSACHUSETTS 02109



Paul Evans, Commissioner
Boston Police Department
154 Berkeley Street
Boston, MA 02116



0211605196 32



Finneran, Byrne, Drechsler & O'Brien, L.L.P.

Attorneys at Law
Eastern Harbor Office Park
50 Redfield Street
Boston, Massachusetts 02122

James E. Byrne
Thomas Drechsler
William L. O'Brien

Telephone (617) 265-3900
Telefax (617) 265-3627

Michael R. McGrath
Robert J. McCarron
Deborah S. Sullivan

Thomas M. Finneran
of Counsel

May 6, 1997

Superintendent Ann Marie Doherty
Internal Affairs Division
Boston Police Department
154 Berkeley Street
Boston, MA 02116

Re: Officer Patrick M. Rose, I.D. #11126
Our File Number: 95-2733

Dear Superintendent Doherty:

I have enclosed original documents which my client, Officer Patrick M. Rose, has requested that I forward to you on his behalf:

- (1) Letter dated 4/2/97 from [REDACTED] third-party service provider
- (2) Letter dated 4/30/97 from [REDACTED] third-party service provider
- (3) Affidavit of [REDACTED]
- (4) Affidavit of [REDACTED]

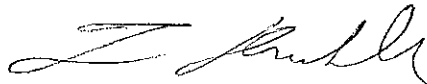
In light of the Affidavit [REDACTED] regarding statements allegedly made [REDACTED] and the unavailability of any records, I would ask that the Department reconsider its position in this matter.

Superintendent Ann Marie Doherty
May 6, 1997
Page Two

I would request that my client be put back on full duty forthwith. If not, I am requesting on behalf of my client that a hearing be scheduled as soon as possible so that this matter can be addressed. I would contend however that it is now clear, in light of the enclosed material, that any attempt on the part of the Department to impose discipline upon my client would be unsuccessful.


I appreciate whatever consideration you would give to this matter. Thank you very much.

Very truly yours,

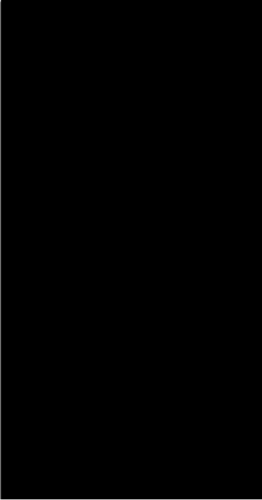


Thomas Drechsler

TD:dcv
Enclosures





April 2, 1997



Mr. Patrick Rose
40 Potomac Street
West Roxbury, MA 02132

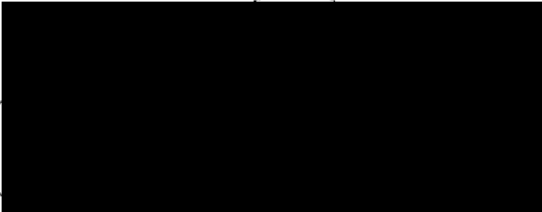
Dear Mr. Rose:


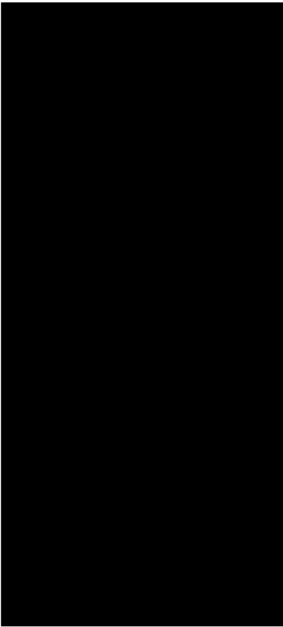
We are unable to provide you with specific records you have requested. Those documents and the treatment you receive at 



If you have additional questions concerning this matter, I will be happy to discuss them with you directly.

Sincerely,





April 30, 1997

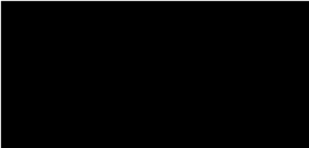
Mr. Patrick M. Rose
46 Potomac Street
West Roxbury, MA 02132

Dear Mr. Rose:

This is in response to your request dated 4/8/97 to receive copies of all your clinical reports obtained by [REDACTED]. However, [REDACTED] does not have any such reports on file and would direct you to [REDACTED] should have these requested reports on their files.

If you have any questions and/or concerns with regards to this matter, please feel free to contact me at [REDACTED].

Sincerely,





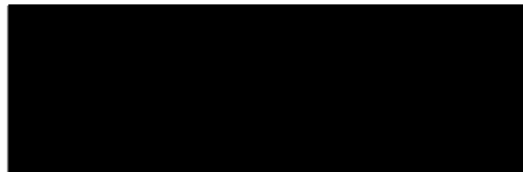
To whom it may concern;

I wish to file the following affidavit under my own free will. I swear that the following statement is true, under the pains and penalties of perjury.

I corresponded in writing to a Detective Sergeant, I believe her name was Vanderwood, approximately one year ago. At that time I informed her that [redacted] repeatedly stated to me that the detectives that interviewed [redacted] put words [redacted] has never wavered from this statement in conversations with me. I further stated that the charges as stated against [redacted] were not true. I further pointed out the fact that the Massachusetts Court of Law rejected the charges once and [redacted] were pressured into allowing the charges to be filed, that they were dismissed by the court.

[redacted] have endured extreme [redacted] psychological hardships over the past 18 months due to the continued investigation of these charges by the Boston Police Department, after all other agencies involved have long since closed their investigation. I have been informed [redacted] that to rehash all that has gone on, or to [redacted] testify in any type of forum, could possibly cause severe, irreparable psychological damage. I am not willing to subject [redacted] I will however, allow [redacted] a sworn affidavit. I sincerely hope that whoever is in charge of this seemingly never ending 'Witch Hunt', will now bring to closure this episode, and allow [redacted] to get along with our lives.

I swear that this is the truth, under the pains and penalties of perjury.



SWORN AND SUBSCRIBED TO BEFORE

John H. Smallcombe, Notary
Commission Expires 2/16/2001
No. 9 336 KM.

[REDACTED]

To whom it may concern;

I wish to file the following affidavit under my own free will. I fully understand what an affidavit is and swear under the pains and penalties of perjury that the following statement is the truth.

On [REDACTED] 1995 two detectives met me [REDACTED] and told me that they had to talk to me. They put me in the back of an unmarked police car and started asking me all kinds of questions [REDACTED] They said that some kids I know told them that I said [REDACTED] had [REDACTED] I told them that the kids were lying [REDACTED]

When they kept threatening me and calling my house making up stories about me, [REDACTED] I told the detectives that the kids were lying but, the detectives wouldn't believe me. They kept me in the back of the police car and wouldn't let me out. [REDACTED]

[REDACTED] I kept telling them that I told them the truth but they wouldn't believe me [REDACTED] I was in the car for about 45 minutes and I was really upset [REDACTED]

[REDACTED] I was really scared and thought I was going to jail or something. They kept asking me questions and I kept telling them that nothing ever happened like they were saying [REDACTED] They kept saying that they already knew something happened. I believed that they wouldn't let me out of the car [REDACTED] unless I agreed with them so I did. The truth is I never, ever [REDACTED]

[REDACTED] Those detectives wouldn't have let me out of the car until I agreed with them and I [REDACTED] and that is the whole truth.

I swear that this is the truth, under the pains and penalties of perjury.

[REDACTED]

SWORN AND SUBSCRIBED TO BEFORE

John H. Arculeo
Notary
My Commission Expires 2/16/2001
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October 20, 1997

Paul Evans, Commissioner
Boston Police Department
154 Berkeley Street
Boston, MA 02116

RE: Patrol Officer Patrick M. Rose -- Information Request

Dear Commissioner Evans:

This letter is written on behalf of the Boston Police Patrolmen's Association, which represents Officer Patrick M. Rose, ID # 11126.

For approximately two years, Officer Rose has been assigned to administrative duty, denied his firearm, not permitted to work paid details or street duty (thereby depriving him of court overtime) and received only limited station overtime.

The BPPA is considering whether to file a grievance over this issue. In order to properly assess the merits of such a grievance, I am requesting certain information. The Labor Relations Commission has held that an employer must supply a collective bargaining agent with information that is reasonably relevant and necessary to it in the fulfillment of its representational function. Whittier Regional School Committee, 19 MLC 1183, 1185 (1992). Please therefore supply me with the following information:

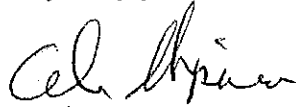
1. Any documents pertaining to, relevant to, or bearing upon Officer Rose's assignment to administrative duty.
2. Any documents pertaining to, relevant to, or bearing upon any discipline or investigation of Officer Rose over any matter(s) which have affected his assignment to administrative duty.

3. The reason that Officer Rose has been reassigned from full duty.

Because of the financial hardship visited upon Officer Rose by his present assignment, I must ask that your response to this information request be received no later than Wednesday, October 29. If this does not give you sufficient time for a response, please let me know what progress is being made and we can then discuss a mutually agreeable timetable.

Thank you in advance for your anticipated cooperation.

Very truly yours,



Alan H. Shapiro

c: Christopher Groll, Esq.
Florastine Creed, Deputy Supt.
Thomas Nee, BPPA
Thomas Drechsler, Esq.
Patrick Rose