

May 6, 2014

To: Police Commissioner William B. Evans  
Police Commissioners Office

From: Deputy Superintendent Jeffrey I. Walcott  
Assistant Chief, Bureau of Professional Standards

Subject: Internal Affairs Recommendations

Sir:

I respectfully submit the recommendations of the Internal Affairs Division in reference to:

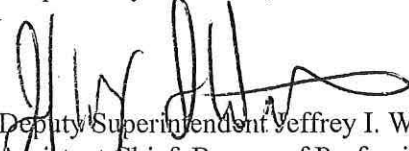
Case # IAD2011-0108


Complainant: Nakeya Turner




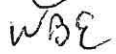
Employee(s): P.O. Shana Cottone  
I.D. # 106714 – Area A-7  
Violation of Rule(s)  
**318,§2 (Prisoners – Visible Injuries) – Sustained**  
**102,§20 (Self Identification) – Sustained**  
**304,§2 (Use of Force) – Not Sustained**  
**102,§9 (Respectful Treatment) – Not Sustained**  
**102,§27 (Abuse of Process) – Unfounded**

Respectfully submitted,

  
Deputy Superintendent Jeffrey I. Walcott  
Assistant Chief, Bureau of Professional Standards

Reviewed by Chief, BPS and Forwarded to Legal Advisor 

Reviewed by Legal Advisor and Forwarded to Police Commissioner 

Reviewed by Police Commissioner and Forwarded to IAD 

Mayor Martin J. Walsh

May 6, 2014

To: Police Commissioner William B. Evans  
Police Commissioners Office

From: Deputy Superintendent Jeffrey I. Walcott  
Assistant Chief, Bureau of Professional Standards

Subject: Internal Affairs Recommendations

Sir:

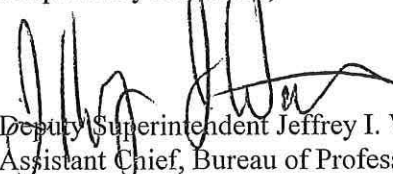
I respectfully submit the recommendations of the Internal Affairs Division in reference to:  
Case # IAD2011-0108

Complainant: Brian Alleyne




Employee(s): P.O. Shana Cottone  
I.D. # 106714 – Area A-7  
Violation of Rule(s)  
**102,§9 (Respectful Treatment) – Not Sustained**  
**102,§27 (Abuse of Process) – Unfounded**


Respectfully submitted,



Deputy Superintendent Jeffrey I. Walcott  
Assistant Chief, Bureau of Professional Standards

Reviewed by Chief, BPS and Forwarded to Legal Advisor 

Reviewed by Legal Advisor and Forwarded to Police Commissioner 

Reviewed by Police Commissioner and Forwarded to IAD 

TO: Deputy Superintendent Jeffrey Walcott  
Assistant Chief, Bureau of Professional Standards

FROM: Lieutenant Detective Paul S Mahoney  
Internal Investigations Division

DATE: May 6, 2014

SUBJECT: IAD Case #IAD2011-0108  
Police Officer Shana Cottone ID#106714  
Rule #318 Sec. 2 (Prisoners – Visible Injuries)  
Rule # 102 Sec. 20 (Self Identification)  
Rule # 304 Sec. 2 (Use of Force)  
Rule #102 Sec. 9 (Respectful Treatment) (2 Counts)  
Rule # 102 Sec. 27 (Abuse of Process) (2 Counts)

Complainant: Nakeya Turner



Brian Alleyne



Sir:

**Summary of Complaint:**

The following is a summary of the complaint; Mr. Alleyne alleged he was involved in an altercation with a school bus driver at the corner of Quincy Street and Blue Hill Avenue. Ms. Turner got on the bus to break it up. Officer Cottone abruptly got on the bus and pushed Miss Turner into the hand- rail in the stairway of the bus. Ms. Turner told the officer her leg was stuck. He heard the officer tell Ms. Turner "Shut up or I will F....ing mace you!" Officer Cottone told Mr. Alleyne to "Tell your friend to be quiet before I arrest the both of you!" Mr. Alleyne stated the report that was written by the officer is one-sided and exaggerated, and she never took the time to find out what really happened. He stated her report is "clearly a defamation of character and falsified facts."

**Summary of Interview with Brian Alleyne:**

On March 15, 2011, Lieutenant Brian McEachern, and Sergeant Detective LaTeisha Adams conducted a recorded interview with Brian Alleyne ("Alleyne"),

relative to IAD Complaint IAD2011-0108. The interview was conducted in the offices of the Internal Investigation Unit located at 1 Schroeder Plaza, Boston.

A summary of the interview is as follows; Alleyne stated on February 28, 2011 he was involved in a road rage incident with the school bus driver, Mr. [REDACTED]. He stopped his motor vehicle and approached the bus. Alleyne had a tea can in his hand and as the bus door was closed on his arm his hand flipped the can at [REDACTED]. [REDACTED] threw the can back at Alleyne. Alleyne entered the bus and became involved in a "tussle" with [REDACTED]. Alleyne's passenger, Ms. Nakeya Turner (Turner), got on the bus in an attempt to break up the fight. She told the bus driver to get off of Alleyne, but never put her hands on him. Turner remained on the stairs, and Alleyne could see her head from the front seat opposite the driver's side of the bus. The bus monitor had moved to the back of the bus and moved forward when Turner got on the bus. The police officer, Officer Shana Cottone (Cottone), got on the bus a minute or so after Turner and pushed Turner into the railing on the steps. Alleyne heard Turner yell, "Ouch." When he looked Cottone and Turner were side by side in a small area on the steps of the bus. Cottone got around Turner and announced everyone had to shut up and get off the bus. She told Turner to get off the bus. Turner replied her leg was pinned and she could not move. Cottone begins to shake her "black can" of mace. [REDACTED] who at that time was on top of Alleyne in the front seat, got up and moved back away from Cottone. Alleyne held his arms up in the air. Turner exited the bus. Cottone asked Alleyne what happened but before he could answer she interrupted him and told him to get off the bus. He stepped off the bus and stood outside about 5-6 feet away. Turner was standing by Alleyne's car (parked ahead of the bus). Turner got on the phone and complained to someone about being pinned on the bus.

Cottone remained on the bus about 5-10 minutes. Alleyne spoke to the police officers that arrived on scene. Turner asked Cottone for her badge number, and to go to the hospital because her leg was injured. She was on the phone telling the person she wants her badge number. Cottone went to the police vehicle, returned and asked Alleyne for his ID. She told Alleyne to tell Nakeya to be quiet or she would arrest everyone. He could not recall if Cottone said "girlfriend." A second police officer told Alleyne to just tell Turner to calm down. He told Turner to calm down. Alleyne stated Turner was calm, explaining the situation to the person on the phone, and not obnoxious. Turner did not curse, and got off the phone.

A second police officer retrieved Turner's license from her. He brought the license to Cottone, returned and told Alleyne everything would be ok. Approximately five (5) minutes later Cottone approached the officer and stated she was taking them in. The police officer stated he did not want to do this but it was not his scene. Turner and Alleyne were transported to Area B-2 for booking.

Alleyne saw the police report the next day and alleged the content is falsified. He stated Cottone never took any statements from him or Turner. Cottone did not observe what she said she did in the report. Cottone did not allow Turner to get medical attention

as she requested, and she could not see him throw a can at the bus driver because his arm was in the door. She did not break up a fight because the driver let go and got up on his own, and they never actually were fist fighting. He said she was very aggressive in her tone, but he could not recall if she swore. He was not happy about the newspaper report and does not know how the media got hold of the information.

**Summary of Interview with Nakeya Turner:**

On March 15, 2011, Lieutenant Brian McEachern, and Sergeant Detective LaTeisha Adams conducted a recorded interview with Nakeya Turner (Turner), relative to IAD Complaint IAD2011-0108. The interview was conducted in the offices of the Internal Investigation Unit located at 1 Schroeder Plaza, Boston.

A summary of the interview is as follows; on February 28, 2011 Turner was riding in a motor vehicle with Alleyne. She stated Alleyne was involved in a road rage incident with a bus driver at the intersection of Blue Hill Avenue and Quincy Street. Alleyne pulled the vehicle over and approached the bus, which also had pulled over. Turner told Alleyne not to get on the bus, but he got on the bus anyway. She observed Cottone in traffic. Turner entered the bus and told the two men to break it up. She remained on the first step and looked over the partition to the front seat. She never touched anyone. Cottone entered the bus and pushed Turner into the railing and caused her leg to get stuck. Cottone went up the stairs to the platform, and told Turner to get off the bus. Turner told Cottone she could not move because her leg was stuck. Cottone told her to shut her mouth and move. Cottone did not swear at her. Cottone took out her mace as if she was going to mace Turner. Turner got her leg out of the railing and got off the bus. She got on the phone and began to complain to her friend about the incident. She walked to Alleyne's car and stood there talking on the phone. She stood about 15-20 minutes alone on the phone.

Several police officers arrived on scene. Cottone got off the bus. She heard Turner talking on the phone and told Alleyne to tell his "little girlfriend to shut her mouth" or she would arrest them both. Alleyne told her not to worry. She asked should she get off the phone because she was confused. A male police officer spoke to Cottone and then approached Turner and asked for her license. Shortly after that Cottone arrested Turner. Cottone stated; I was trying to be nice but now you're under arrest, there is a first time for everything, in reference to her being arrested. Turner stated Cottone put the handcuffs on really tight hurting her arms.

Turner felt Cottone's statements were inappropriate. She stated when Cottone got back to the station she told the bails bondsman; she should have maced their asses. She felt Cottone acted like she had something to prove when the officers showed up. Turner felt she should not have been arrested because she did not touch anyone and was only trying to stop them from fighting. She stated Cottone did not see her hit anyone as she indicated in her report. She stated no one told her why she was arrested or asked her what happened during the incident. She said when she got back to the station Cottone had a

different attitude and asked her if she had any bail money. Cottone never allowed her to seek medical attention for her leg.

**Summary of Interview with [REDACTED]**

On March 30, 2011, Sergeant Detective Marwan Moss, and Sergeant Detective LaTeisha Adams conducted a recorded interview with [REDACTED], relative to IAD Complaint IAD2011-0108. The interview was conducted in the offices of the Internal Investigation Unit located at 1 Schroeder Plaza, Boston.

A summary of the interview is as follows; Mr. [REDACTED] stated on February 28, 2011 he was involved in a motor vehicle conflict at Blue Hill Avenue and Quincy Street. He stated he pulled over to allow the bus monitor, [REDACTED], off the bus. Alleyne approached his bus and began to curse at him. He went to close the door and Alleyne hurled a can at him. [REDACTED] threw it back and Alleyne ran on the bus and attacked him. [REDACTED] picked Alleyne up and placed him in the front seat opposite the driver's side. He was on top of Alleyne when he heard [REDACTED] and a girl, Turner, screaming. He then heard another voice say "stop and get up." He turned to see Officer Cottone, and immediately jumped up off of Alleyne and backed away. He observed the bus was surrounded by police. At that time he observed Turner on the second step of the bus and Cottone was on the platform.

[REDACTED] heard Cottone tell Turner to get off the bus three times and throw her coat back to expose something in that location. He heard Turner yell and scream something at Cottone. He did not hear her say she was stuck. Turner backed off the bus when Cottone pulled back her coat. He did not hear Cottone swear. He did not observe Turner strike anyone; he learned she did when he read it in the newspaper. He heard Turner swear.

[REDACTED] stated he felt someone strike him and thought it was Alleyne. He did not know Turner struck him until he read the police report. He stated Cottone told him she saw everything, and Turner could have hit him. [REDACTED] told him Turner hit him. [REDACTED] stated he looked at the police report with his son, and he did not know some of things in the report happened until he read it.

**Summary of Interview with Ms. [REDACTED]**

On April 07, 2011, Sergeant Detective Marwan Moss, and Sergeant Detective LaTeisha Adams conducted a recorded interview with [REDACTED], relative to IAD Complaint IAD2011-0108. The interview was conducted in the offices of the Internal Investigation Unit located at 1 Schroeder Plaza, Boston.

A summary of the interview is as follows; [REDACTED] stated on February 28, 2011 [REDACTED] was involved in a road rage incident on Blue Hill Avenue and Quincy Street with Alleyne. [REDACTED] pulled over on Quincy Street to drop [REDACTED] off to her car. As they talked at the front of the bus she observed Alleyne approach the bus with a tea can in his hand. He confronted [REDACTED] and when [REDACTED] attempted to close the bus door Alleyne

“whipped” the can at him. The can just missed [REDACTED] head and he threw it back at Alleyne. Alleyne rushed in the bus and attacked [REDACTED]. They fell into the right seat at the front of the bus. Thomas moved to the second seat on the right side and stood. She saw Cottone sitting in a cruiser in traffic at a light. Cottone jumped out of the cruiser and ran across the street with a can of mace in her hand. Cottone and Alleyne’s passenger, Turner got on the bus. She initially indicated she did not know who got on the bus first. She later recalled Turner was on the stairs of the bus reaching over the partition in an attempt to break up Alston and Alleyne. She told [REDACTED] to “get off of him,” and was trying to get him off of Alleyne. She pulled at [REDACTED] clothing. [REDACTED] does not remember Turner striking [REDACTED]. She stated Turner was not on the landing of the bus, because she was not that close to [REDACTED]. She was reaching over the partition which was chest height. When Cottone got on the bus Turner did not make any contact with anyone. She could not say if Cottone witnessed any contact made by Turner to [REDACTED]. Cottone said “break it up, break it up” when she got on the bus. [REDACTED] turned around and backed up on the bus. Cottone told Turner to get off the bus three times. She said “if you don’t get off the bus I’m going to mace you.” Turner told Cottone she was stuck. [REDACTED] indicated Turner could have gotten stuck in the railing on the left side of the bus entrance, but she could not see that from her position. Cottone again told her she was going to mace her. [REDACTED] did not see Turner strike Cottone. She did not witness any physical contact between Turner and Cottone. She indicated she would have been able to see that. Turner got off the bus cursing and got on the cell phone. Cottone was on the landing in between the driver’s seat and the first seat facing towards [REDACTED] and Alleyne. Cottone did not tell her she observed Turner strike anyone. [REDACTED] could not hear any conversation from any individuals once they got off the bus.

#### **Summary of Interview with Police Officer Shana Cottone:**

On April 07, 2011, Sergeant Detective Phillip Owens, and Sergeant Detective LaTeisha Adams conducted a recorded interview with Shana Cottone (Cottone), relative to IAD Complaint IAD2011-0108. The interview was conducted in the offices of the Internal Investigation Unit located at 1 Schroeder Plaza, Boston. Also present for the interview was Boston Police Officer Vincent Stephens, BPPA.

A summary of the interview is as follows; on February 28, 2011 Cottone was assigned to a service unit. She stated she was in the area of Blue Hill Avenue and Quincy Street about 30-40 feet back when she observed a small yellow school bus stopped on Quincy Street and Alleyne standing outside the bus yelling, and waving his arms in an angry manner. Alleyne threw a can into the bus and then the can came back out of the bus. She did not see who threw the can out of the bus. Alleyne then jumped into the bus. Cottone got on her department radio and called for assistance. She observed Turner get on the bus, but did not know she was part of the incident until she (Cottone) got on the bus. When Cottone got on the bus Alleyne and [REDACTED] were fighting in the front right seat striking each other. “Alleyne was on the seat, [REDACTED] was on top of him, and then Turner on the platform”, “kind of like a sandwich.” Cottone stated she observed Turner grab on the bus driver. She later stated she observed Turner slapping him trying to get him off of Alleyne. Turner was not beating him. Cottone indicated when she got on the bus she

could not get past Turner. When she told Turner to get off the bus, Turner stated something about her leg was hurt, but Cottone did not know what that was about. Turner was screaming but Cottone did not hear her say she was stuck. She told Turner "if you don't get off the bus I will spray you." She was not certain she actually pulled the mace out and she did not have the mace out when she got on the bus. Cottone stated she was trying to maneuver around Turner to get her off the bus. Cottone physically took Turner and moved her to the side. She used open hands to pull her away from the men to put her between them so she could break the fight up. Turner grabbed her uniform in the chest area as Cottone was trying to push through so she could get between the parties fighting on the bus. "She did not tear my uniform, but she still had her hands on my body." Turner did not strike Cottone. She did not know how Turner got off the bus.

Turner got off the bus, and Cottone separated Alleyne and [REDACTED]. Alleyne started to give his version of what happened and Cottone cut him off and sent him off the bus as her back-up arrived, while she remained on the bus taking statements from [REDACTED] and Thomas, and requested if they need emergency medical treatment. She indicated Turner stood outside the bus swearing and threatening to have Cottone's badge. She yelled to Cottone "what's your f---king badge number." "I'm going to have you're your f---king badge, give me your god damn badge." Cottone felt she was not asked for her badge number in a respectful way. She was on the bus talking with witnesses and did not feel the need to yell the number back to Turner at that time. Cottone stated the situation was really stressful for her she did not know if the parties involved had weapons.

[REDACTED] told Cottone the incident started over a road rage event. Cottone indicated [REDACTED] and Thomas gave the same account of events that took place prior to Alleyne getting on the bus. Cottone did not ask Thomas for her version of events that took place on the bus. [REDACTED] told Cottone, Alleyne struck him. [REDACTED] did not tell Cottone that Turner struck him. Cottone said she was on the bus and saw what happened.

She got off the bus and took Alleyne's identification and requested Officer McCarthy take Turner's identification because Turner was being "verbally aggressive and combative" with Cottone. Turner was standing over by her car. Cottone indicated once it was established [REDACTED] was over sixty (60) years old she made the decision to arrest Turner and Alleyne.

When Cottone got off the bus, Turner was on her cell phone telling the person on the other end she would call someone and have Cottone's badge. Cottone observed her on her phone making a scene. She indicated she did not hear what was said. She told Alleyne to "tell your friend to be quiet or she's going to get the both of you arrested." Cottone stated Turner did not say she was injured at anytime and did not ask to go the emergency room. Cottone did not observe any visible injuries on Turner.

She could not remember who put handcuffs on Alleyne, but she put the handcuffs on Turner. She indicated she attempted to talk to Turner, because she wanted to go about the incident in a non arrest way. She was hoping that if she talked and explained to Turner what was going on she would not have to arrest her. She indicated Turner said



“you can’t do this” and she told Turner “you attacked this guy, yes I can.” She stated she did not want to arrest Turner but “she felt she had no choice at that point because Turner was not going to speak to the bus driver and maybe make amends, it wasn’t going to go in a non legal way.” She wanted to reason with Turner because she did not have a bop. When she placed Turner in custody she told her “it did not have to be this way, but there’s a first time for everything.”

Cottone also indicated she planned to arrest them when she sent them off the bus, but she wanted to get both sides of the story first. She did not speak directly to Alleyne but she overheard what he said to other officers. She did not speak to Turner because Turner was combative at that time. She later stated she was not necessarily going to take them in the beginning.

Cottone indicated she did not recall the officers who arrived on scene. She did not recall if any officers got on the bus. When the officers arrived Turner went with the officers off the bus. She informed the officers that Turner and Alleyne were suspects. She did not tell the officers that she was assaulted by the suspect or that she was going to arrest anyone at that time. She informed the officers she on sighted a road rage incident and the suspects assaulted the bus driver. She did not feel the need to tell her back-up “every little detail” that she would put in her report, just “hey can you transport.”

Cottone indicated Turner received her badge number when she received a copy of the police report. She later stated she did not give Turner a copy of the police report and that her badge number was on the booking sheet (not given to Turner at that time).

Cottone indicated she called on the radio and said she was all set, because she was trying not to look weak to the guys. She said she “may have called and said things were under control because she works with all guys, and if she can’t keep a situation under control she looks weak, and also so that she won’t get crap from the guys. She stated she had a million things running through her head and her not wanting to be weak was one of them.

#### **Summary of Interview with Police Officer Brian Johnson:**

On April 5, 2011, Sergeant Detective Marwan Moss, and Sergeant Detective LaTeisha Adams conducted a recorded interview with Boston Police Officer Brian Johnson (Johnson), relative to IAD Complaint IAD2011-0108. The interview was conducted in the offices of the Internal Investigation Unit located at 1 Schroeder Plaza, Boston. Also in the room was Boston Police Officer Vincent Stephens, BPPA Representative.

A summary of the interview is as follows; on February 28, 2011 Johnson was assigned to the B101F Unit with Officer Cook. He responded to a radio call for a police officer in need of help on Quincy Street in Roxbury. He arrived on scene very quickly. There were two (2) or three (3) units already on scene. He did not recall who the officers were on scene. He observed a school bus pulled over. A bus driver was in the driver’s

seat, and Officer Cottone was either on the stairs or the platform of the bus. There was a male and a female outside of the bus maybe by the door of the bus, but he was not positive. Johnson may have poked his head into the bus. He heard the bus driver say something about a guy getting onto the bus. The guy standing outside the bus was clearly agitated and the female was very upset about something. The male was yelling about the bus driver cutting him off. The male calmed down pretty quickly. The female was on the phone yelling, he was not sure of the conversation. She said something about her leg being hurt somehow. He did not hear her ask for medical assistance. He did not hear her ask for Cottone's badge number. He did not have any conversation with the female. Johnson identified the male and female as Alleyne and Turner.

Johnson stated he told Cottone, Turner was on the phone with someone, and that he did not know if she was trying to tab her or something. He thought the fact that she was on the phone indicated she was trying to tab Cottone. Cottone had no response to that. She may have been outside the bus when he told her that information.

Cottone did not tell him what happened. She did not tell him that she was assaulted by anyone. She did not tell him that she was planning to arrest anyone or to stand guard over anyone. Johnson and his partner left the scene when they determined everything was under control. He indicated Cottone did not say she was locking anyone up and there were plenty of officers on scene. He was under the impression she was going to do a report about the incident and that would be the end of it. He indicated that he did not have any belief that the incident would be an arrest. He would not have left the scene if he did know the suspects were going to be arrested.

Johnson indicated the scene was not crazy when he arrived. There was some yelling going on between [REDACTED] and Alleyne. Aside from the yelling it appeared to be under control. He did not observe any mace in Cottone's hand. Cottone's demeanor was normal. She did not appear to be very upset or very calm. "She was kind of in the middle." Her uniform did not appear to be disheveled. He did not hear Cottone to tell anyone to shut up. He was not on scene when the arrest was made.

#### **Summary of Interview with Police Officer Michael O'Rourke:**

On April 21, 2011, Lieutenant Brian McEachern, and Sergeant Detective LaTeisha Adams conducted a recorded interview with Boston Police Officer Michael O'Rourke (O'Rourke), relative to IAD Complaint IAD2011-0108. The interview was conducted in the offices of the Internal Investigation Unit located at 1 Schroeder Plaza, Boston. Also in the room was Boston Police Officer David Fitzgerald, BPPA Representative.

A summary of the interview is as follows; on February 28, 2011 O'Rourke was assigned to the BK01 Unit with Officer Kevin McClay. They heard the call for an officer in need of assistance. Possibly two (2) to three (3) minutes later they heard a call that they were for all set and they never arrived on scene.

### **Summary of Interview with Police Officer Rafael Acevedo:**

On April 7, 2011, Sergeant Detective Marwan Moss, and Sergeant Detective LaTeisha Adams conducted a recorded interview with Boston Police Officer Rafael Acevedo (Acevedo), relative to IAD Complaint IAD2011-0108. The interview was conducted in the offices of the Internal Investigation Unit located at 1 Schroeder Plaza, Boston. Also in the room was Boston Police Officer Steven Parham, BPPA Representative.

A summary of the interview is as follows; on February 28, 2011 Acevedo was assigned to Safe Street Team walking beat with Officer Ramos. He responded to a radio call for a police officer who on sighted an assault on Quincy Street. It took them approximately five (5) minutes to arrive. He observed a lot of police officers on scene and they received a second call which stated they were all set on scene, so they continued past the scene. He observed one female standing outside the bus with an officer. She was not in handcuffs. They did not stop at the scene.

### **Summary of Interview with Police Officer Michael Ramos:**

On April 7, 2011, Sergeant Detective Marwan Moss, and Sergeant Detective LaTeisha Adams conducted a recorded interview with Boston Police Officer Michael Ramos (Ramos), relative to IAD Complaint IAD2011-0108. The interview was conducted in the offices of the Internal Investigation Unit located at 1 Schroeder Plaza, Boston. Also in the room was Boston Police Officer Steven Parham, BPPA Representative.

A summary of the interview is as follows; on February 28, 2011 Ramos was the B693F Unit assigned to Safe Street Team walking beat with Officer Acevedo. He responded to a radio call for a police officer who on sighted an assault on Quincy Street. It took them approximately three (3) to four (4) minutes to arrive. He observed other units on scene and they received a second call which stated they were all set on scene, so they never got out of the car. He never talked to anyone on scene and did not make any observations.

### **Summary of Interview with Police Officer Kevin Cook:**

On April 5, 2011, Sergeant Detective Marwan Moss, and Sergeant Detective LaTeisha Adams conducted a recorded interview with Boston Police Officer Kevin Cook (Cook), relative to IAD Complaint IAD2011-0108. The interview was conducted in the offices of the Internal Investigation Unit located at 1 Schroeder Plaza, Boston. Also in the room was Boston Police Officer Vincent Stephens, BPPA Representative.

A summary of the interview is as follows; on February 28, 2011 Cook was assigned to the B101 Unit with Officer Johnson. They responded to a radio call for a police officer needing assistance at Quincy Street. They came from Grove Hall and arrived in less than 30 seconds. He does not believe they were the first to arrive. He did

not observe Cottone when he first arrived. He later observed her on a half size school bus. He did not know who else was on the bus. Cottone was speaking with the victim on the bus. Cook did not get on the bus and did not hear any conversation. He did not believe there was any more assistance needed at that time.

Cook observed a female on a cell phone yelling and using fowl language. She referenced she was going to call someone, but he did not know who. He did not hear her ask Cottone for her badge number. There was also a male by the bus walking back and forth. He was not certain if they were in front of the bus. He thought the scene outside the bus was chaotic because school was getting out, the female was on the phone yelling, and the male was walking around saying he did not know why there was such a problem. The male told the female to calm down. The male said he knew he messed up and should not have gotten on the bus. The female was trying to get him off the bus.

Cook spoke to Cottone about what happened. She said she observed the male get on the bus and start fighting with the bus driver. She got on to break them up. Cook did not know if Cottone said the female was pulling at her or the bus driver on the bus. Cottone never said she was assaulted by the female. Cook never heard the female complain about injuries and he did not observe the female go on the bus.

Cook and his partner left the scene within five (5) minutes. There was never any indication of arrest from Cottone. He did not hear Cottone swear or tell anyone to shut up.

#### **Summary of Interview with Police Officer Shawn McCarthy:**

On April 1, 2011, Lieutenant Brian McEachern, and Sergeant Detective LaTeisha Adams conducted a recorded interview with Officer Shawn McCarthy (McCarthy), relative to IAD Complaint IAD2011-0108. The interview was conducted in the offices of the Internal Investigation Unit located at 1 Schroeder Plaza, Boston. Also present in the room was Officer David Fitzgerald, BPPA Representative.

A summary of the interview is as follows; on February 28, 2011, McCarthy was assigned to the B456 Unit. He responded to a radio call for an officer asking for assistance at Quincy Street. He arrived at that location within five (5) minutes. He did not recall if he was the first unit on scene. There may have been other units on scene. He observed a bus and Cottone's cruiser. He did not recall if anyone was in or outside the bus when he arrived. He looked for Cottone. He found her on the bus with the bus driver and a woman and possibly another male. Cottone was standing in the alleyway between the seats, the bus driver was sitting in the driver's seat, and the female was standing in the alleyway between the seats or by a seat. The other male was close because it was a small bus. Cottone was speaking to those parties. It appeared the scene was under control. No one was under arrest. He was not made aware of any suspects.

Cottone informed him she observed some sort of altercation on the bus and she intervened. Cottone mentioned the bus driver and two other people were involved. She

did not tell him where the other two were and he was not able to identify them at that time. He did not hear the conversation with Cottone and the individuals on the bus. He did not observe anyone outside the bus yelling at Cottone.

McCarthy called on his radio for the units to slow down because the situation had been under control upon his arrival. When Cottone got off the bus she informed him that she was going to arrest someone, but she did not tell him who that was at that time. Prior to the male being placed under arrest she may have had a few words with him but McCarthy did not know what those words were. Cottone informed McCarthy she was pushed by a female on the bus. The female was either outside or inside the bus. She was not in custody and he was not sure if anyone was watching her, though several officers were on the scene. He observed the female on the cell phone. He did not think she was yelling.

Cottone asked McCarthy to retrieve Turner's identification. Turner was standing about ten (10) feet from him. Turner was cooperative with him. He did not hear her yell or make any threats to Cottone. She said her leg was hurt. He heard Turner ask Cottone for her badge number. He did not hear Cottone's response. He did not recall her ask anyone for medical attention.

Cottone stated to McCarthy; "I think I am going to take them both." He placed Alleyne under arrest. He told Alleyne he was not sure why he was being arrested because it was not his scene. He did not observe who arrested Turner.

McCarthy transported Alleyne back to Area B2. Cottone arrived to help with booking. Turner said her leg was sore in the booking area. He did not know if anyone reported to the supervisor Turner was complaining of injuries. He did not report it.

McCarthy did not hear any comments. He said the scene was hectic in the sense that he did not know what was going on. He was aware in a minute or less there was no threat to officer safety and announced that on the radio. He did not hear Cottone swear or tell anyone to shut up.

#### **Summary of Interview with Police Officer Dennis Murphy:**

On April 19, 2011, Sergeant Detective Marwan Moss, and Sergeant Detective LaTeisha Adams conducted a recorded interview with Officer Dennis Murphy (Murphy), relative to IAD Complaint IAD2011-0108. The interview was conducted in the offices of the Internal Investigation Unit located at 1 Schroeder Plaza, Boston. Also present in the room was Officer Ron MacGullivray, BPPA Representative.

A summary of the interview is as follows; on February 28, 2011, Murphy was assigned as the B620 Unit with his partner Officer Michael Principe, and responded to a radio call for a police officer asking for assistance. It took him a few minutes to arrive. He was not the first unit on scene. There were at least three other units on scene. He observed a school bus pulled over and a motor vehicle ahead of it. There were police

units pulled over on both sides. Pedestrians were on scene, and one male individual was in custody. The bus driver and a monitor were on the bus. One police officer was standing with the male suspect. Other police officers were standing around on the sidewalk near the bus. Cottone was also by the bus talking to witnesses, victim and maybe one suspect. The incident was over by then and Cottone was gathering information. The female suspect was by her vehicle walking back and forth, not yet in custody. He observed her placing items or getting items out of her car. He did not see the female in custody prior to getting on the bus, and observed her in handcuffs when he got off the bus.

Murphy stated Cottone told him she observed the bus and car moving back and forth in traffic. She got on the bus and the individuals were arguing and there was a fight. He did not recall if she said she was assaulted by the male or the female. He thought the woman on the bus may have told him Cottone was assaulted by the female. She said either she pushed or touched the officer when the officer was trying to affect the arrest or get the guy off the bus after he was arrested. Murphy told Cottone about the monitor's statement. Cottone made no specific statement relative to that.

Murphy did not hear the female complain of injuries or ask Cottone for her badge number. He did not hear her threaten Cottone at all. He did not see an officer place handcuffs on Turner. He did not hear Cottone swear or tell anyone to shut up. He told Cottone he would handle the tow for the suspect vehicle.

#### **Summary of Interview with Police Officer Roland Robinson:**

On May 6, 2014 Lieutenant Adrian Troy, and Sergeant Keith Webb conducted a recorded interview with Boston Police Officer Roland Robinson, relative to IAD Complaint IAD2011-0108. The interview was conducted in the offices of the Internal Investigation Unit located at 1 Schroeder Plaza, Boston. Also in the room was Boston Police Officer Daniel Burns, BPPA Representative.

Officer Robinson is currently assigned to Area E-18, however on February 28, 2011 Officer Robinson was assigned to Area B-2 and on that particular date Officer Robinson was performing a First Half Tour of Duty assigned as the Booking Officer.

When questioned relative to the specifics of this matter Officer Robinson stated that he had no recollection of the events of that evening. He maintained that he had no memory of booking Ms. Turner or Mr. Alleyne. Further, he had no memory of the particular details of the incident; (the road rage, school bus or a couple arrested together).

Officer Robinson noted that during the 11 years while assigned to Area B-2 he booked "*hundreds*" of individuals. He maintained that a complaint of injury is something that would stand out in his memory. Officer Robinson stated that had a complaint of injury been made to him he would have immediately notified the Duty Supervisor.

## Investigation:

Complainant Alleyne was involved in a road rage incident with [REDACTED] the school bus driver. Alleyne approached the bus with a tea can in his hand and threw the can at [REDACTED]. He then entered the bus and became involved in a physical altercation with [REDACTED] Alston. Based on witness's statements, complainant Turner got on the bus in an attempt to break up the fight, and pulled at [REDACTED] clothing while he was on top of Alleyne. [REDACTED] (bus monitor), and Alleyne corroborate Turner remained on the stairs of the bus throughout the incident. Although [REDACTED] and Alleyne did see Turner grab [REDACTED] clothing, they did not see her strike [REDACTED]. [REDACTED] stated he felt someone strike him and thought it was Alleyne. He was not aware Turner struck him until he read the police report. [REDACTED] and Alleyne further corroborated when Cottone was on the bus she went to the platform.

Cottone indicated when she got on the bus she observed Alleyne and [REDACTED] on the front right seat striking each other and Turner was on the platform grabbing on [REDACTED]. She further stated she observed Turner slapping [REDACTED] with open hands trying to get him off of Alleyne, but "not beating him." Cottone indicated she could not get past Turner. She denied she pushed Turner into the railing. At some point she physically took Turner and moved her to the side. She used open hands to pull her away from the men to get between them so she could break the fight up. She indicated at that time Turner grabbed her uniform in the chest area as Cottone was trying to push through. Cottone indicated "she did not tear my uniform, but she still had her hands on my body," and Turner did not strike her. Cottone stated when she told Turner to get off the bus, Turner stated something about her leg was hurt, but Cottone said she did not know what that was about. Turner stated Cottone told her to "shut up or I will fucking mace you." She later said Cottone did not swear. Cottone did not hear Turner say she was stuck. She denied she swore at Turner, but admitted she told Turner "if you don't get off the bus I will spray you." None of the individuals on the bus observed any contact between Cottone and Turner, or heard Cottone use foul language.

Boston Police Rule and Procedure Rule 102 Sec. 9 Respectful Treatment states: "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 or sexual orientation except when necessary in police reports or in testimony."

Alleyne and Turner stated Cottone got on the bus and pushed Turner into the railing on the steps. Alleyne did not witness that, but heard Turner yell, "Ouch" and when he looked Cottone and Turner were side by side in a small area on the steps of the bus. [REDACTED] heard Turner yell and scream something to Cottone, but he was unsure of what that was. Thomas heard Turner say she was stuck.

Cottone got around Turner and announced everyone had to shut up and get off the bus. Turner replied her leg was pinned and she could not move. Cottone shook her mace and threatened to spray. [REDACTED] got up and moved back, Alleyne held his arms up in the

air, and Turner exited the bus. [REDACTED] stated he had been holding Alleyne down in the seat but was not striking him. At that point back-up officers were on scene. Turner stood by Alleyne's car, got on the phone and complained to someone about being pinned on the bus. Alleyne also exited the bus as instructed by Cottone, and stood outside.

Cottone remained on the bus and took statements from [REDACTED] and [REDACTED] and requested if they needed emergency medical treatment. She indicated Turner stood outside the bus swearing and threatening to have her badge. She yelled "what's your f---ing badge number." "I'm going to have you're your f---ing badge, give me your god damn badge." Cottone felt she was not asked for her badge number in a respectful way and she was on the bus talking with witnesses and did not feel the need to yell the number back to Turner at that time. Cottone stated the situation was really stressful for her because she did not know if the parties involved had weapons.

Boston Police Rule and Procedure Rule 102 Sec. 20 Self Identification: states "General Law, Chapter 41, Section 98D, requires every officer to carry his identification card with photograph and exhibit this card upon a lawful request for purposes of identification. Any officer, acting in his official capacity, shall give his name, rank and badge number, in a civil manner to any person who may inquire unless he is engaged in an undercover police operation and his physical safety or the police operation would be jeopardized by his making such identification." Cottone indicated once Turner was processed at the station she would have received Cottone's name and badge number from the Boston Police Incident report and booking sheet. Officer Cottone did not have to immediately respond to the obscenity laced screams from Ms. Turner about her badge number. She did however have the responsibility to identify herself by name and badge number once the encounter was no longer a threat to the officers.

Cottone indicated she informed the responding officers that she on sighted a road rage incident and the suspects assaulted the bus driver. She told them Turner and Alleyne were suspects. She did not tell the officers that she was assaulted by Turner or that she was going to arrest anyone at that time. She did not feel the need to tell her back-up "every little detail" that she would put in her report, just "hey can you transport." All of the officers interviewed, who arrived on scene prior to any arrests being made indicated Cottone told them she on sighted an incident, but did not ask them to search any of the individuals or make them aware of any potential suspects. Both of the suspects were standing outside the bus unrestrained. Turner was standing at Alleyne's vehicle which was parked about 10 feet in front of the bus. No one observed Turner yell and scream, or threaten Cottone. Officers did observe Turner on the phone yelling.

Cottone got off the bus and took Alleyne's identification and requested Officer McCarthy take Turner's identification because Turner was being "verbally aggressive and combative" with Cottone. She informed him that she was going to arrest someone, but she did not tell him who that was at that time. Officer McCarthy stated at that time Cottone informed him she was pushed by a female on the bus.



Cook spoke to Cottone when he arrived. He did not recall if Cottone said the female was pulling at her or the bus driver on the bus, but he indicated Cottone never said she was assaulted by the female.

When Officer Murphy arrived Alleyne was in handcuffs. When he got on the bus the woman [REDACTED] may have told him Cottone was either pushed or touched by the female when she was trying to affect the arrest or get the guy off the bus after he was arrested, neither of which occurred. Turner was at Alleyne's vehicle walking back and forth, either taking things out or putting things in the vehicle. Murphy did not hear the female complain of injuries or ask Cottone for her badge number. He did not hear her threaten Cottone. He did not hear Cottone swear or tell anyone to shut up. He did not see an officer place handcuffs on Turner.

According to Turner, she asked Cottone for her badge number, and to go to the hospital because her leg was injured. Officer McCarthy indicated he heard Turner say to Cottone her leg was hurt, but he did not hear her ask to go to the hospital. He heard Turner ask Cottone for her badge number. He did not hear Cottone's response to that request. He did not hear Turner yell or make any threats to Cottone. He did not hear Cottone swear or tell anyone to shut up. Cottone stated Turner did not say she was injured at anytime and did not ask to go the emergency room. No officer observed any visible injuries on Turner.

According to Turner and Alleyne, when Turner was on the phone complaining about the incident Cottone told Alleyne to tell his girlfriend to be quiet or she would arrest them both. Alleyne could not recall if Cottone said girlfriend or friend. Cottone admitted she told Alleyne to "tell your friend to be quiet or she's going to get the both of you arrested." However, she indicated she observed Turner on the phone being loud and making a scene and could have arrested her for disorderly.

Officer Johnson stated while Cottone was either on the bus or in front of the bus he told her, Turner was on the phone with someone, and that he did not know if she was trying to tab her or something. He thought the fact that she was on the phone indicated she was trying to tab Cottone. Cottone had no response to that. He further stated Turner said something about her leg being hurt somehow however; he did not hear her ask for medical assistance, or ask for Cottone's badge number. Officer Cook observed Turner outside the bus on a cell phone yelling, using foul language, and referencing she was going to call someone. He did not hear Cottone tell anyone to shut up.

Officer Johnson and Officer Cook left the scene when they determined everything was under control. They were under the impression Cottone would do a report about the incident and that would be the end of it. Johnson indicated they did not have any belief that the incident would be an arrest, and would not have left the scene if they knew individuals would be arrested.

According to Turner a short time after Cottone told her to be quiet she arrested Turner and stated; I was trying to be nice but now you're under arrest, and; there is a first

time for everything, in reference to her being arrested. Turner stated Cottone put the handcuffs on really tight hurting her arms. She felt Cottone was acting like she had something to prove. Alleyne stated Cottone's tone was aggressive, but he could not remember if she swore. Turner stated Cottone did not swear at her.

Boston Police Rule and Procedure Rule 102 Sec. 27 Abuse of Process - Withholding Evidence states: "Officers shall not intentionally manufacture, tamper with, falsify, destroy, or withhold evidence or information nor make any false accusations of a criminal charge or seek to influence the outcome of any investigations".

Cottone indicated she put the handcuffs on Turner, but denied she put them on tight. She indicated she attempted to talk to Turner, because she wanted to go about the incident in a non arrest way. She was hoping that if she talked and explained to Turner what was going on she would not have to arrest her. Turner said "you can't do this" and she told Turner "you attacked this guy, yes I can." She stated she did not want to arrest Turner but "she felt she had no choice at that point because Turner was not going to speak to the bus driver and maybe make amends, it wasn't going to go in a non legal way." She wanted to reason with Turner because she did not have a bop. When she placed Turner in custody she told her "it did not have to be this way, but there's a first time for everything." Cottone stated she was not necessarily going to take them in the beginning. The investigation showed that Officer Cottone did possess the probable cause required to arrest Alleyne and Turner.

Boston Police Rule and Procedure; Rule 304 Use of Force Sec. 2 General Considerations states " 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." There is no evidence that Officer Cottone used an excessive amount of force in the handcuffing of Ms. Alleyne which was done in the presence of other officers and civilians.

Cottone also indicated she planned to arrest Turner and Alleyne when she sent them off the bus, but she wanted to get both sides of the story first. She admitted she did not speak directly to Alleyne or Turner, but said she overheard what Alleyne said to other officers. She did not speak to Turner because Turner was combative at that time. Officers Cook and Johnson indicated Alleyne was yelling about the driver cutting him off, and he told Cook he messed up by getting on the bus. No other officers had any conversation with Alleyne.

McCarthy transported Alleyne back to Area B2. Cottone arrived to help with booking. He stated while in the booking area Turner complained her leg was sore. He did not know if anyone reported to the supervisor Turner was complaining of her leg being injured. He did not report it. Boston Police Rule and Procedure; Rule #318 (Prisoners) sec. 2 states in part "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." Officer Cottone did not notify the Duty

Supervisor of Ms. Turner's complaint of injury and did not request medical attention for her.

Cottone indicated while on scene of the incident she may have called on the radio and said she was all set, because she was trying not to look weak to the guys. She said she "may have called and said things were under control because she works with all guys, and if she can't keep a situation under control she looks weak, and also so that she won't get crap from the guys." She stated she had a million things running through her head and her "not wanting to be weak was one of them."

### **Recommendations:**

#### **Regarding Complainant Nakeya Turner:**

**Police Officer Shana Cottone**

**ID# 106714**

**Rule #318 Sec. 2 (Prisoners – Visible Injuries)**

**SUSTAINED**

After a careful review and due consideration of all the facts and evidence, I am able to prove by a preponderance of the evidence Boston Police Officer Shana Cottone violated Boston Police Rule and Procedure; Rule #318 (Prisoners), when she was made aware of an injury complaint from a person in her custody, she failed to provide her with medical attention. Officer McCarthy heard Turner say to Cottone her leg was hurt. Officer Johnson heard Turner say something about her leg being hurt, and Cottone stated when she told Turner to get off the bus, Turner stated something about her leg was hurt. McCarthy further stated while in the booking area Turner also complained her leg was sore. Turner was never provided with medical treatment, nor was a duty supervisor informed of the injury complaint. Therefore, I respectfully recommend that this allegation be classified as **SUSTAINED**.

**Police Officer Shana Cottone**

**ID# 106714**

**Rule #102 Sec. 20 (Self-Identification)**

**SUSTAINED**

After a careful review and due consideration of all the facts and evidence, I am able to prove by a preponderance of the evidence that Boston Police Officer Shana Cottone violated Boston Police Rule and Procedure; Rule #102 Sec 20 (Self-Identification), According to Ms. Turner, she asked Cottone for her badge number and she refused to give it to her. In the early stage of the investigation into the assault & battery, the complainant, Ms. Turner was uncooperative and used profanity toward Officer Cottone. At this time Officer Cottone would not be reasonably expected to stop the investigation into a volatile situation. Once order was restored and the safety of the officer and other parties at the scene was not in question, Officer Cottone was required to provide her name, rank and badge number. Officer Cottone stated once Turner was processed at the station she would have received Cottone's name and badge number from the Boston Police Incident report and booking sheet. Turner did not receive any of those items. Cottone, while acting in her official capacity, was asked for her badge number by Turner and did not give it to her. Therefore, I respectfully recommend that this allegation be classified as **SUSTAINED**.

**Police Officer Shana Cottone**  
**Rule #304 Sec. 2 (Use of Force)**

**ID# 106714**  
**NOT SUSTAINED**

After a careful review and due consideration of all the facts and evidence, I am unable to prove or disprove the allegation Boston Police Officer Shana Cottone violated Boston Police Rule and Procedure; Rule #304 Sec 01 (Use of Force). Cottone denied she pushed Turner into the railing. Cottone at some point used her open hands to physically move Turner to the side in order to get to the platform to break the fight up. Cottone also indicated during the arrest she put the handcuffs on Turner however, she denied she put them on tight. Witnesses interviewed about the incident could not supply any further evidence regarding the allegation. Therefore, I respectfully recommend that this allegation be classified as **NOT SUSTAINED**.

**Police Officer Shana Cottone**  
**Rule #102 Sec. 9 (Respectful Treatment)**

**ID# 106714**  
**NOT SUSTAINED**

After a careful review and due consideration of all the facts and evidence, I am unable to prove or disprove the allegation Boston Police Officer Shana Cottone violated Boston Police Rule and Procedure; Rule #102 Sec 09 (Respectful Treatment). Turner believed that Officer Cottone was rude and aggressive during the incident. Cottone admitted she told Turner "if you don't get off the bus I will spray you" after giving her several commands to get off the bus to which Turner did not respond. Cottone wanted to reason with Turner because she did not have a bop, and when she placed Turner in custody she told her "it did not have to be this way, but there's a first time for everything." Cottone denied she acted disrespectfully toward Turner. Witnesses interviewed about the incident could not supply any further evidence regarding the allegation. Therefore, I respectfully recommend that this allegation be classified as **NOT SUSTAINED**.

**Police Officer Shana Cottone**  
**Rule #102 Sec. 27 (False Arrest)**

**ID# 106714**  
**UNFOUNDED**

After a careful review and due consideration of all the facts and evidence, I am able to prove by clear and convincing evidence that the allegation Boston Police Officer Shana Cottone violated Boston Police Rule and Procedure; Rule #102 Sec 27 (False Arrest) did not occur. Turner was arrested and charged with Trespassing, Assault and Battery on a Person over 60 years old, and Assault and Battery on a Police Officer. Based on the investigation, Officer Cottone's, and witnesses' statements, Officer Cottone did not make any false accusations as to those charges, and had probable cause to arrest. Therefore, I respectfully recommend that this allegation be classified as **UNFOUNDED**.

**Regarding Complainant Brian Alleyne:**

**Police Officer Shana Cottone**  
**Rule #102 Sec. 9 (Respectful Treatment)**

**ID# 106714**  
**NOT SUSTAINED**

After a careful review and due consideration of all the facts and evidence, I am unable to prove or disprove the allegation Boston Police Officer Shana Cottone violated Boston Police Rule and Procedure; Rule #102 Sec 09 (Respectful Treatment). Alleyne believed that Officer Cottone was rude and aggressive during the incident. Cottone admitted she told Alleyne to “tell your friend to be quiet or she’s going to get the both of you arrested,” to avoid arresting her for disorderly person after she observed Turner on the phone being loud and causing a scene. Cottone denied she acted disrespectfully toward Alleyne. Witnesses interviewed about the incident could not supply any further evidence regarding the allegation. Therefore, I respectfully recommend that this allegation be classified as **NOT SUSTAINED**.

**Police Officer Shana Cottone**  
**Rule #102 Sec. 27 (False Arrest)**


**ID# 106714**  
**UNFOUNDED**

After a careful review and due consideration of all the facts and evidence, I am able to prove by clear and convincing evidence that the allegation Boston Police Officer Shana Cottone violated Boston Police Rule and Procedure; Rule #102 Sec 27 (False Arrest) did not occur. Alleyne was arrested and charged with Trespassing and Assault and Battery on a person over 60 years old. Based on the investigation, Officer Cottone’s, and witnesses’ statements, Officer Cottone did not make any false accusations as to those charges, and had probable cause to arrest. Therefore, I respectfully recommend that this allegation be classified as **UNFOUNDED**.


Respectfully Submitted,

  
Lieutenant Paul S. Mahoney, ID#10073  
Internal Investigations Unit

Contents Noted,

  
Deputy Superintendent Jeffrey Walcott  
Assistant Chief- Bureau of Professional Standards

Contents Noted and Approved

  
Superintendent Frank Mancini  
Chief, Bureau of Professional Standards

  
Legal Advisor

## **Attachments**

- Attachment # 1      IA NO: E2011-032
- Attachment #2      Employee Data Sheet – Officer Cottone
- Attachment #3      Employee Histories – Officer Cottone

April 27, 2012

To: Police Commissioner Edward F. Davis  
Police Commissioners Office

From: Deputy Superintendent Lisa R. Holmes  
Assistant Chief, Bureau of Professional Standards

Subject: Internal Affairs Recommendations

Sir:

I respectfully submit the recommendations of the Internal Affairs Division in reference to:  
Case # IAD2011-0290

Complainant: Gwendolyn Payne



Employee(s): P.O. Shana Cottone  
I.D. # 106714 – Area B-3  
Violation of Rule(s) 102,§9 (Respectful Treatment)

- Sustained: (Investigation disclosed sufficient evidence to support allegations in the complaint.)
- 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 the alleged misconduct did not occur.)
- Filed

Respectfully submitted,

Handwritten signature of Lisa R. Holmes in black ink.

Deputy Superintendent Lisa R. Holmes  
Assistant Chief, Bureau of Professional Standards

Reviewed by Chief, BPS and Forwarded to Legal Advisor *FM*

Reviewed by Legal Advisor and Forwarded to Police Commissioner *[Signature]*

Reviewed by Police Commissioner and Forwarded to IAD *[Signature]*

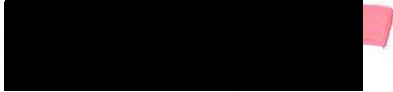


To: Deputy Superintendent Lisa Holmes  
Assistant Chief, Bureau of Professional Standards

From: Sergeant Detective Norma Ayala  
Internal Investigations Unit

Date: March 7, 2012

Subject: IAD Complaint #IAD2011-0290  
Officer Alvin Holder, ID #12125 is Alleged to Have Violated Rule  
304 §2 Use of Force & Rule 102 §4 Unreasonable Judgment  
Officer Shana Cottone, ID #106714 is Alleged to Have Violated  
Rule 102 §9 Respectful Treatment

Complainant: Gwendolyn Payne  


---

Sir,

I respectfully submit the following investigative report concerning alleged rules violations against the aforementioned officer(s).

### **Complaint Summary**

Complainant alleges that on June 10, 2010, Officer Holder arrested her for an unknown reason and even after she informed him that she had difficulty putting her right arm behind her back he still handcuffed her behind her back causing her pain. Complainant also alleges that Officer Cottone swore at her while transporting her to the police station and threatened to "Put her down" if she continued to complain.

### **Interview Summary – Gwendolyn Payne**

On June 10, 2011, Gwendolyn Payne, the complainant walked into police headquarters and stated she wanted to file a complaint against Officer Holder and Officer Cottone. Sgt. Det. Norma Ayala and Lt. Det. John McDonough conducted an electronically taped interview with the complainant. Due to a recorder malfunction the interview was lost. The following is a summary of my notes taken during the interview.

The complainant stated that one June 10, 2010, she was being dropped off at the Brigham and Women's Hospital for an appointment. Due to heavy traffic, the complainant

decided to get out of the vehicle before getting to the designated drop off area so she wouldn't be late.

A security guard told the complainant that she couldn't get out in front of the emergency room entrance to which she answered that she was already out and walked into the hospital. Because she had some time, the complainant walked into AuBon Pain for coffee and a danish. As she came out she was approached by Officer Holder who asked her for her name and information. The complainant advised the officer that she was on her way for a cancer treatment appointment and refused to give her name.

Officer Holder grabbed the complainant and put her arms behind her back to handcuff her even though she told him she'd had surgery on her right hand and couldn't put her hand behind her back.

Officer Holder called for transportation and Officer Cottone transported the complainant to the station. While on the way to the station Officer Cottone stated "You people are all alike." When the complainant began to pray, Officer Cottone stated "Jesus ain't gonna fucking help you now." Officer Cottone then threatened to "Lay her out" if she continued acting up.

The complainant stated that once at the station she was eventually booked and brought to court where all charges were dismissed prior to arraignment.

The complainant denied ever calling the valet any names or using any derogatory remarks towards the valet, Mr. [REDACTED]

### **Interview Summary – Police Officer Alvin Holder**

On September 9, 2011, Sgt. Det. Norma Ayala and Sgt. Det. Martin Smiddy conducted an electronically taped interview with Officer Alvin Holder. Also present was his union representative Officer John McDonald.

Officer Holder stated that on June 10, 2010; he was working a paid detail at the Brigham & Women's Hospital when the parking attendant told him that a patient had called him a "Nigger" and didn't feel it was appropriate.

Officer Holder walked into the hospital and approached the complainant and asked to speak to her about the incident. The complainant immediately became hostile and stated "If you want to speak to me you can follow me, I'm a cancer patient and have an appointment." Officer Holder walked along with the complainant and tried to conduct a conversation with her. Officer Holder tried to explain why he was talking to her and when the complainant became loud, Officer Holder explained that there was no need to raise her voice. When Officer Holder tried to explain why he was talking to her the complainant reiterated that she was a cancer patient. Officer Holder stated that the complainant became loud and raised her voice making a scene.

Officer Holder stated that he was merely trying to explain that the security guard felt that what she said was inappropriate and the complainant continued "Being nasty." Officer Holder stated that he was trying to tell her that her language was offensive but she became so hostile that he then asked her for her information and the complainant refused. Officer Holder stated that they were in the main building and people were moving away from them and causing a scene.

Security Officer John Brown was also present and witnessed the escalation. Officer Holder stated he couldn't recall exactly what she said although he stated she was loud and obnoxious and she told him that he was disturbing her and the people around her. Officer Holder stated that he was just talking in a normal manner and was not yelling at her although the complainant was being loud.

Officer Holder stated that he pleaded with her to calm down and cautioned her that if she continued she would be placed under arrest and she called 911 to complain about him. Officer Holder stated that he asked her to get off the phone several times and finally took the phone from her and asked for her hand at which time she tensed up and started to kick, pull, push tried to bite him and he was assisted by Officer Quinn, who happened to be passing through the lobby and Security Officer Brown in placing her in handcuffs.

Officer Holder stated that the complainant never told him she had a problem with her arm, but continued to scream that she was a cancer patient. Officer Holder stated that he didn't even try to move her until he saw the transport and then walked her to the cruiser. The complainant refused to get in the car and they pleaded with her to get in the cruiser. Officer Cottone had to pull her into the cruiser from the opposite side by pulling her handcuffs.

Officer Holder stated there were three officers handcuffing her and they didn't need to use much force to handcuff her. Officer Holder stated that he doesn't recall the complainant stating that they were hurting her arm and that she had no indication that she was unable to be handcuffed behind her back.

Once the complainant was transported to District B-2, Officer Holder stated he assisted in booking her. He didn't recall her demeanor at the booking desk and once booked he didn't have any further contact with her. Officer Holder stated he never went to court on this case.

#### **Interview Summary – Security Officer John Brown**

On September 15, 2011, Sgt. Det. Norma Ayala and Sgt. Det. Marwan Moss conducted an electronically taped interview with Brigham & Women's Hospital Security Operations Supervisor John Brown. Officer Brown provided this investigator with a video recording of the arrest of the complainant.

Officer Brown stated that he heard the detail officer go on the air and say he would be off with a disgruntled patient or visitor in the main lobby and he walked over and asked what

was going on. Officer Holder explained that the complainant had gotten into an argument with one of their valets and had used profanity and also used racial slurs specifically the "N" word. The complainant was quiet while Officer Holder explained to Officer Brown what was going on and believes she may have been on her phone. Officer Holder stated he was all set, was going to get the complainant's identification and write a report.

Officer Brown believing that all was well stayed in the lobby area as the complainant started to walk away. About 1-2 minutes later he heard the complainant getting very loud. Officer Brown walked about 30 feet to where Officer Holder and the complainant were standing and stood by. He observed the complainant to be quite loud and uncooperative when Officer Holder asked her for identification. She refused and was yelling at Officer Holder for about 5-6 minutes. Officer Brown stated that there were a lot of people in the lobby and after watching the video, I observed a group of people that had been talking nearby immediately walk away due to the commotion.

The complainant continued ranting and raving and saying that she was a cancer patient and that he was harassing her and wanted him to leave her alone. The complainant used her cell phone and called 911 and stated that an officer was harassing her. Officer Brown stated that Officer Holder was calm throughout the incident and had his notebook in his hand and kept telling her to calm down. The complainant continued talking while Officer Holder was trying to talk, prompting him to say "Ma'am you need to stop yelling." This continued for about 5 -10 minutes. Officer Brown stated that Officer Holder was very patient with the complainant even as she was yelling at him and talking over him.

Officer Holder warned the complainant that if she continued she would be arrested. Officer Brown stated that the complainant continued saying that she had a doctor's appointment, that she had to go and couldn't stand there; that Officer Holder was harassing her, that she didn't do anything wrong. Officer Brown also stated that the complainant said that she never said anything to the valet.

Another police officer, later identified as Officer Quinn, who was walking by saw the commotion and came back and was standing by. Officer Holder took her cell phone and stated "Ma'am give me the telephone, you're under arrest, we're done here, give me the telephone." When Officer Holder reached for her cell phone the complainant then moved toward Officer Holder and Officer Brown and Officer Quinn each held an arm while Officer Holder handcuffed her.

Officer Brown stated that the complainant may have mentioned that she had trouble with her arm and not being able to move it behind her; but had no visible signs of problems with her arm. The complainant also complained about her leg, but had no visible sign of problems when she walked away earlier. After the complainant was handcuffed she was offered the use of a wheelchair which she declined. Officer Brown stated that there was not much force used in handcuffing her.

Once the transport cruiser arrived, the complainant resisted getting into the cruiser by pushing back and not getting into the cruiser. She was eventually put in the cruiser. Officer Brown stated that she continued to complain about her leg and that she was a cancer patient and had an appointment.

#### **Interview Summary – Police Officer John Quinn**

On September 16, 2011, Sgt. Det. Norma Ayala and Sgt. Det. Martin Smiddy conducted an electronically taped interview with Officer John Quinn.

Officer Quinn stated that on June 10, 2010, he was conducting a paid detail at the Brigham & Women's Hospital as he was walking by he observed Officer Holder speaking to a female. Thinking that Officer Holder was asking her to leave the premises he stood by. Officer Quinn stated that the complainant was very vocal and loud and was refusing to answer Officer Holder's questions. Officer Quinn stated that the complainant was yelling out to people something along the line "Look what they're doing to me." Officer Holder told the complainant that if she wouldn't cooperate he would arrest her. The complainant continued yelling and would not cooperate.

Officer Quinn stated that he didn't recall the complainant say anything about not being able to put her arm behind her back. Officer Quinn remembers that she started to struggle and that is when he assisted Officer Holder. Once she was handcuffed, she was walked outside to a cruiser. Officer Quinn stated he doesn't recall the complainant asking for any medical attention.

Officer Quinn doesn't remember any problems getting the complainant inside the cruiser and once she was placed in the cruiser he went back inside to his detail. Officer Quinn stated that the complainant was passively resisting refusing to put her hands behind her back.

#### **Summary Interview – Police Officer Shana Cottone**

On August 18, 2011, Sgt. Det. Norma Ayala and Sgt. Det. Martin Smiddy conducted an electronically taped interview with Officer Shana Cottone. Also present was her union representative Officer Vincent Stephens.

Officer Cottone stated that she responded to Brigham & Women's Hospital for a transport. When she pulled into the hospital she observed the complainant cursing at people, yelling "Niggers, fuck you, fuck the police." Officer Cottone stated she didn't know who she was directing her comments to. The complainant wouldn't get in the cruiser, keeping her legs outside the cruiser and would not comply. Officer Cottone was still in the cruiser but when the complainant wouldn't get in she got out of the cruiser. Officer Cottone believes someone pulled her into the cruiser to finally get in.

The complainant was complaining that the handcuffs hurt, that she was a patient. Officer Cottone doesn't believe the complainant had any apparent problems with her arms.

Officer Cottone stated she transported the complainant back to the station and that it took about 5 minutes to get back to the station. While in the cruiser Officer Cottone stated that she was saying "Jesus, fucking help me." I asked Officer Cottone if she told the complainant "Jesus ain't gonna fucking help you now" and she stated "No" she didn't have any conversation with the complainant while on the way to the station.

Once in the station, the complainant refused to take off her jewelry, and when Officer Cottone tried to take off the jewelry, the complainant turned her body. Officer Cottone warned her that if she continued to refuse to comply she would have to "take her down" and physically take her property because it was procedure. Officer Cottone stated she was specific about "taking her down to remove her property." The complainant continued to say she was a cancer patient. Officer Cottone stated she was eventually booked but doesn't remember if any force was used.

### **Summary Interview – Officer Roland Robinson**

On December 7, 2011, Sgt. Det. Norma Ayala and Sgt. Det. Martin Smiddy conducted an electronically recorded interview with Officer Roland Robinson. Also present was his union representative Officer David Fitzgerald.

Officer Robinson stated he was the booking officer when the complainant was brought in to Area B-2 on June 10, 2010 and vaguely remembers that she appeared disturbed. Officer Robinson stated that Officer Cottone was in the booking area assisting with the booking procedure and it took some effort to fingerprint and photograph the complainant because she was upset. The complainant asked him to be careful when fingerprinting her due to pain in her arm but never asked for medical attention. Officer Robinson stated that he couldn't recall the complainant having any visible injuries.

Officer Robinson stated he couldn't recall Officer Cottone asking the complainant to remove her jewelry or threatening or swearing at the complainant.

### **Summary Interview – Parking Valet [REDACTED]**

On January 13, 2012, Sgt. Det. Norma Ayala and Lt. Det. John McDonough conducted an electronically taped interview with [REDACTED] in the valet office at Brigham & Women's Hospital, 45 Francis St. Boston.

Mr. [REDACTED] stated that on June 10, 2010, he was working the valet area at Brigham & Women's Hospital when a livery vehicle stopped and was letting passengers out in a restricted area. Mr. [REDACTED] attempted to explain to the driver to pull the vehicle up but stated the driver couldn't do anything because there was a passenger in the back "Going ballistic." Mr. [REDACTED] approached the back of the vehicle and when he attempted to explain to the complainant that she couldn't get out there, she started screaming and saying to Mr. [REDACTED] "Bitch ass nigger", "Nigger get out of my face", "Nigger I will hurt you." Mr. [REDACTED] asked her to tone it down to which she replied, "Fuck you nigger", "Nigger, get out of my face."

At this point Mr. [REDACTED] stated she called him "Nigger" several more times and he called in to hospital security and the police detail as instructed. Once Officer Holder arrived, Mr. [REDACTED] explained what happened and pointed to the complainant who was walking into the hospital. Mr. [REDACTED] stated that he didn't see or hear what happened after that and he went back to his duties.

### Summary Interview – Valet Manager [REDACTED] [REDACTED]

On January 13, 2012, Sgt. Det. Norma Ayala and Lt. Det. John McDonough conducted an electronically taped interview with [REDACTED] in the valet office at Brigham & Women's Hospital, 45 Francis St. Boston. Mr. [REDACTED] is Operations Manager for valets and customer service employees at Brigham & Women's Hospital.

With regards to the incident of June 10, 2010, Mr. [REDACTED] stated that he heard over the radio that [REDACTED] [REDACTED] was having an altercation with someone and when he responded to the scene he heard the complainant using a lot of profanity, saying "Fuck this, fuck that" and he also heard her call Mr. [REDACTED] a "Nigger." Mr. [REDACTED] called in a "Code Gray," which is code when there is a problem with someone to security. Once security and Officer Holder arrived, Mr. [REDACTED] informed Officer Holder what had happened.

Mr. [REDACTED] stated that he was standing about ten feet away from Officer Holder and the complainant when Officer Holder was trying to talk to her. Mr. [REDACTED] stated the complainant was highly upset and was rude to staff and yelling at the officer. Mr. [REDACTED] stated he could not hear what the complainant was saying specifically but could hear her loud tone of voice. Mr. [REDACTED] could not hear Officer Holder but he appeared to be speaking in a normal tone. Mr. [REDACTED] did not witness anything further between Officer Holder and the complainant.

### Investigation

The complainant alleges that she did nothing wrong and that Officer Holder was harassing her and arrested her for no reason. The complainant also alleges that even though she told Officer Holder she could not put her arm behind her back he proceeded to handcuff her behind her back. The complainant alleges that Officer Cottone swore at her while transporting her to district B-2.

Officer Holder stated that the parking valet complained to him that the complainant had called him a "Nigger" and he was tired of it and didn't feel it was appropriate. When Officer Holder approached the complainant he stated he just wanted to advise her that her language was not appropriate but she became loud and belligerent and he eventually arrested her for being a disorderly person. The parking valet, [REDACTED] stated when he approached the vehicle the complainant was in, she went "Ballistic" calling him racial slurs and swearing at him. This was also witnessed by [REDACTED] the Operations Manager. The complainant denied using any racial slurs or swearing at Mr. [REDACTED]. The

complainant also stated she didn't want to be late, yet she had enough time to stop at the AuBon Pain for food and water.

Officer Holder, Officer Quinn and Security Officer Brown all state the complainant was loud and causing a scene. Security Officer Brown provided this investigator with a copy of the surveillance video of the arrest. The video shows Officer Holder walking with the complainant in the hospital and they eventually stop. Next to them is a female on a cell phone and after about thirty seconds she walks away. Also there is a group of five individuals nearby having a conversation and after forty-eight seconds they too walk away. Because there is no audio it is unknown why these individuals walked away, although according to Security Officer Brown he can hear the complainant being very loud and walks over to her and Officer Holder and stands by. Although the complainant's body language suggests that she is indeed upset, it is unknown whether she is yelling as stated by Officer Holder, Security Officer Brown, Mr. [REDACTED] and Mr. [REDACTED].

As to the complainant's allegation that Officer Holder used excessive force when handcuffing her, it does not appear that Officer Holder, Officer Quinn or Security Officer Brown needed to use much force when handcuffing the complainant. The officers were able to handcuff her behind her back rather quickly according to the video. The officers were able to do this without having to take her to the ground or push her up against any obstacle. Although the complainant stated that she had problems with her arm and couldn't put her arm behind her back that information is not enough for the officers to handcuff her any differently than anyone else who does not have an obvious injury. The video shows no obvious sign of grimacing or pain when she was handcuffed. The complainant herself stated that she had no visible bandages or cast on her arm. The video also shows the officers walking a reluctant complainant outside to a cruiser. At one point, Security Officer Brown brought over a wheelchair and the complainant refuses to get in it.

Officer Cottone is seen in the video as conducting a pat search as directed by the BPD Rules and Regulations prior to putting the complainant in her cruiser. Although part of the cruiser is not visible in the video, it does appear as if the complainant is resisting being put into the cruiser by stiffening her body, but is eventually put in. Again, it does not appear as if there was much force used to accomplish this.

Officer Cottone stated that she never used foul language at the complainant and didn't have a conversation with her while transporting her to the station. There was no other officer in the cruiser. Once at the station Officer Cottone did advise the complainant that if she continued to refuse to remove her jewelry as ordered, she would have to "take her down" to do it. This is probably what the complainant was talking about, although I don't consider this statement to be disrespectful but rather a statement of fact given the complainant's refusal to cooperate.

On November 29, 2011, this investigator spoke to Jean in the Roxbury Court Criminal Clerk's office who advised me that the charge of Disorderly Conduct against Gwendolyn



Payne was dismissed prior to arraignment on June 10, 2010. I asked for a copy of the docket and was informed that because the complainant was not arraigned, the docket was not a public record.

## **Recommendations**

### **Rule 102 §4 Unreasonable Judgment**

After a careful review and due consideration of all the facts and evidence, I am able to prove by a preponderance of the evidence that while the complainant was arrested, Officer Holder's decision to arrest the complainant was legal, proper, and reasonable. Officer Holder who was working a paid detail at the Brigham & Women's Hospital was called by security regarding a hostile patient who had used profanity and racial slurs towards an employee. When Officer Holder tried to identify this person, she became loud and belligerent in the hospital. After asking her a number of times for her name and advising her that she would be arrested for disorderly conduct if she didn't quiet down, Officer Holder placed the complainant under arrest in the common area of Brigham & Women's Hospital. Officer Holder as well as Officer Quinn and Security Officer Brown all stated that the complainant was being loud, belligerent and causing a scene. Security Officer Brown also provided this investigator with a video recording of the event. It is this investigator's opinion that Officer Holder acted a proper, legal and reasonable manner, therefore, I respectfully recommend that this allegation be classified as **EXONERATED**.

### **Rule 304 §2 Use of Force**

After a careful review and due consideration of all the facts and evidence, I am able to prove by a preponderance of the evidence while force was used to arrest the complainant, the force used was legal, proper and reasonable. The complainant alleges that even though she told Officer Holder that she couldn't bend her arm back because of surgery, he still handcuffed her behind her back. Officer Holder stated that the complainant never mentioned that she had a problem with her arm. Officer Quinn stated that he could not recall if she mentioned anything about her arm, and Security Officer Brown believes she may have mentioned something about her arm, but had no obvious impairment. According to BPD Rule 315 §5 states that when handcuffing a suspect it shall be done "With their hands behind their backs, thumbs up, palms out." This is how the complainant was handcuffed. Therefore, I respectfully recommend that this allegation be classified as **EXONERATED**.

### **Rule 102 §9 Respectful Treatment**

After a careful review and due consideration of all the facts and evident, I am unable to prove or disprove by a preponderance of the evidence the allegation of a violation of BPD Rule 102 §9 Respectful Treatment. The complainant alleges that when she began to pray in the cruiser, Officer Shana Cottone stated "Jesus ain't gonna fucking help you now." Officer Cottone then threatened to "Lay her out" if she continued acting up.

Officer Cottone stated that she did not speak to the complainant on the short drive to the station and never said "Jesus ain't gonna help you now." Once at the booking desk, Officer Cottone asked the complainant to remove her jewelry as customary at booking and she refused. Officer Cottone stated that she warned her that if she continued to refuse to comply she would have to take her down and physically take her property because it was procedure. Officer Cottone stated she was specific about taking her down to remove her property. Although the complainant may have believed Officer Cottone's words to be harsh, Officer Cottone was advising the complainant what she would do if she did not cooperate. Therefore, I respectfully recommend that this allegation be classified as **NOT SUSTAINED**.

**Officer Alvin Holder, ID #12125**

Rule 102 §4 Unreasonable Judgment  
Rule 304 §2 Use of Force

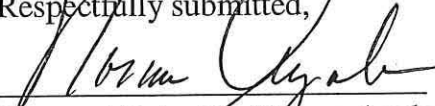
**EXONERATED  
EXONERATED**

**Officer Shana Cottone, ID #106714**

Rule 102 §9 Respectful Treatment

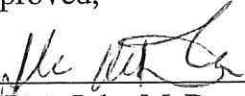
**NOT SUSTAINED**

Respectfully submitted,




Sergeant Detective Norma Ayala  
Internal Investigations Unit


Approved,

  
Lt. Det. John McDonough  
Internal Investigations Unit

Contents Noted and Approved,

  
Dep. Supt. Lisa Holmes  
Assistant Bureau Chief, BPS

Concurred,

  
Superintendent Frank Mancini  
Chief, Bureau of Professional Standards  
Legal Advisor

February 22, 2012

To: Police Commissioner Edward F. Davis  
Police Commissioners Office

From: Deputy Superintendent Michael A. Cox  
Assistant Chief, Bureau of Professional Standards

Subject: Internal Affairs Recommendations

Sir:

I respectfully submit the recommendations of the Internal Affairs Division in reference to:  
Case # IAD2011-0520

Complainant: Lieutenant Sean Flaherty  
Area B-2


Employee(s): P.O. Shana Cottone  
I.D. # 106714 – Area B-2  
Violation of Rule(s) 102,§4 (Judgment)

- Sustained: (Investigation disclosed sufficient evidence to support allegations in the complaint.)
- 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 the alleged misconduct did not occur.)
- Filed

Respectfully submitted,



Deputy Superintendent Michael A. Cox  
Assistant Chief, Bureau of Professional Standards

Reviewed by Chief, BPS and Forwarded to Legal Advisor 

Reviewed by Legal Advisor and Forwarded to Police Commissioner 

Reviewed by Police Commissioner and Forwarded to IAD 

## Findings

After Lieutenant Flaherty completed a thorough investigation, he found that the allegation should be sustained. Officer Cottone admitted sending the messages and agreed they were inappropriate and should not have been sent. He verbally counseled Officer Cottone and reminded her of the high standards police officers are held too. He indicated Officer Cottone agreed and displayed genuine contrition regarding the matter.

Captain John J. Davin concurred with the findings of Lieutenant Flaherty's investigation into IAD Complaint 2011-0520 that the complaint should be sustained against Officer Cottone for violation of Boston Police Rule and Procedure, Rule 102 Section 04 (Unreasonable Judgment).

Captain Davin indicated that pursuant to her EIS meeting, Officer Cottone was counseled by Human Resources Director Robin Hunt, relative to her inappropriate use of the department MDT.

I respectfully concur with Captain John J. Davin that the complaint should be sustained against Officer Cottone for violation of Boston Police Rule and Procedure, Rule 102 Section 04 (Unreasonable Judgment).

## Recommendation

**Police Officer Shana Cottone**

**ID# 106714**

**Rule #102 Sec. 04 (Unreasonable Judgment)**

**Sustained**

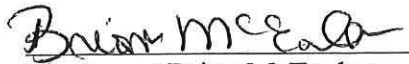
After a careful review and due consideration of all the facts and evidence, I am able to prove by a preponderance of the evidence the allegation that Police Officer Shana Cottone violated Boston Police Rule and Procedure; Rule #102 Sec. 04 (Unreasonable Judgment) when 10/29/2011, she used poor judgment in sending an inappropriate message via her Mobile Data Terminal. Therefore, I respectfully recommend that this allegation be classified as **Sustained**

Respectfully Submitted,



Sergeant Detective LaTeisha Adams  
Internal Investigations Unit

Approved,



Lieutenant Brian McEachern  
Internal Investigation Unit

Contents Noted and Approved,



Deputy Superintendent Michael A. Cox  
Assistant Chief, BPS

Concurred,



Chief, BPS&D



Legal Advisor

September 9, 2014

To: Police Commissioner William B. Evans  
Police Commissioners Office

From: Deputy Superintendent Jeffrey I. Walcott  
Assistant Chief, Bureau of Professional Standards

Subject: Internal Affairs Recommendations

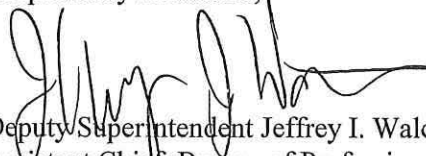
Sir:

I respectfully submit the recommendations of the Internal Affairs Division in reference to:  
Case # IAD2012-0144


Complainant: Lieutenant Sean Flaherty  
Area B-2

Employee(s): P.O. Shana Cottone  
I.D. # 106714 – Area A-7 (B-2 at time of incident)  
Violation of Rule(s)  
**318,§16 (Prisoners - Authorized Visitors) – Sustained**  
**103A,§12 (Police Officers Assigned to Dept. Motor Vehicle - Passengers) -- Sustained**

Respectfully submitted,



Deputy Superintendent Jeffrey I. Walcott  
Assistant Chief, Bureau of Professional Standards

Reviewed by Chief, BPS and Forwarded to Legal Advisor 

Reviewed by Legal Advisor and Forwarded to Police Commissioner 

Reviewed by Police Commissioner and Forwarded to IAD 

To: Deputy Superintendent Jeffrey Walcott  
Bureau of Professional Standards

From: Lieutenant Detective Timothy Connolly  
Internal Investigations Unit

Date: August 26, 2014

Subject: Case # IAD2012-0144

Employees: Police Officer Shana Cottone  
ID# 106714  
Police Officer Helen Becelewicz  
ID#116112

Violation: Rule 318, Section 16; Prisoners, Authorized Visitors  
  
Rule 103A, Section 12; Police Officers Assigned to  
Department Motor Vehicles, Passengers

Complainant: Lieutenant Sean Flaherty  
Area B-2

I, Lieutenant Detective Timothy Connolly, respectfully submit the following report regarding IAD2012-0144.

**ALLEGATION:**

PO Cottone and PO Becelewicz had an unauthorized civilian in their cruiser, while they were returning a prisoner from Boston Medical Center to B-2.

**SUMMARY:**

Sergeant Detective Humphreys investigation determined that all parties interviewed appear to concur as to the events on the evening of April 4<sup>th</sup>, 2012. Officer Cottone and Officer Becelewicz gave Mr. [REDACTED] a ride in their department cruiser without asking Operations or any supervisor for permission and while at the hospital, allowed him to visit with Ms. [REDACTED] and remain in her treatment room. Once discharged, Ms. [REDACTED] was handcuffed behind her back and placed in the rear of the Officers' police car. Officer Cottone then allowed Mr. [REDACTED] to sit in the rear prisoner compartment with Ms. [REDACTED] and was given a ride back to District 2. At no time was his identity verified and he was not frisked or searched throughout the incident.

**RECOMMENDATIONS:**

**Police Officer Shana Cottone:**

Rule 318, Section 16; Prisoners, Authorized Visitors

Rule 318 § 16 Prisoner, Authorized Visitors

SUSTAINED

After a careful review and due consideration of all the facts and evidence, I am able to prove by a preponderance of the evidence that the allegation—Prisoner, Authorized Visitors occurred. Therefore, I respectfully recommend that this allegation be classified as SUSTAINED.

Rule 103A, § 12; Officers Assigned to Department Vehicle, Passengers SUSTAINED

After a careful review and due consideration of all the facts and evidence, I am able to prove by a preponderance of the evidence that the allegation—unauthorized passenger in department motor vehicle occurred. Therefore, I respectfully recommend that this allegation be classified as SUSTAINED.

**Police Officer Helen Becelewicz**

Rule 318 § 16 Prisoner, Authorized Visitors

SUSTAINED

After a careful review and due consideration of all the facts and evidence, I am able to prove by a preponderance of the evidence that the allegation—Prisoner, Authorized Visitors occurred. Therefore, I respectfully recommend that this allegation be classified as SUSTAINED.

Rule 103A, § 12; Officers Assigned to Department Vehicle, Passengers SUSTAINED

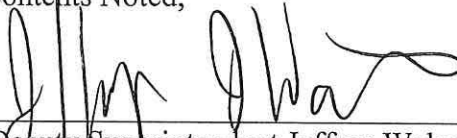
After a careful review and due consideration of all the facts and evidence, I am able to prove by a preponderance of the evidence that the allegation—unauthorized passenger in department motor vehicle occurred. Therefore, I respectfully recommend that this allegation be classified as SUSTAINED.



Respectfully Submitted,


  
Lt. Detective Timothy Connolly ID#9888  
Internal Investigations Unit

Contents Noted,

  
Deputy Superintendent Jeffrey Walcott  
Assistant Chief- Bureau of Professional Standards

Contents Noted and Approved

  
Superintendent Frank Mancini  
Chief, Bureau of Professional Standards

  
Legal Advisor

To: Deputy Superintendent Jeffrey Walcott  
Bureau of Professional Standards

From: Sergeant Detective Daniel Humphreys  
Internal Investigations Unit

Date: 21 February 2014

Subject: Case # IAD2012-0144

Employees: Police Officer Shana Cottone  
ID# 106714

Violation: Rule 318, Section 16; Prisoners, Authorized Visitors  
  
Rule 103A, Section 12; Police Officers Assigned to  
Department Motor Vehicles, Passengers

Complainant: Lieutenant Sean Flaherty  
Area B-2

## Summary of Complaint

PO Cottone had an unauthorized civilian in her cruiser, while she was returning a prisoner from Boston Medical Center to B-2.

## Summary of Interview with Sgt Christopher Bailey

On Wednesday, May 2<sup>nd</sup>, 2012, a recorded interview was conducted with Sgt Christopher Bailey in the offices of the Internal Investigations Division at police headquarters. Sgt Bailey relates that on the evening of 4/4//2012 he had observed an individual emerge from the area near the prisoner sally port in the rear of B-2. He thought he recognized the individual, and this person turned out to be an individual he had seen at the front desk of B-2 and had identified himself as [REDACTED], a prisoner's uncle. The prisoner was [REDACTED] and had possibly incurred injuries during the arrest and he was concerned for her well being. When Sgt Bailey saw Mr. [REDACTED] later behind the station he called the booking desk and asked an individual had just been bailed out and released and spoke with Police Officer Shana Cottone. She related to him that Mr. [REDACTED] was at the hospital and security personnel asked her and PO Bucelewicz, who were guarding Ms. [REDACTED], his supposed niece, if he could visit with the prisoner. PO Cottone related that she allowed Mr. [REDACTED] to visit the prisoner. Sgt Bailey ended the conversation and the next day he spoke with PO Bucelewicz and asked her to describe the events of the prior evening. She told him that she rode with the prisoner in the ambulance to the hospital and PO Cottone followed in a police car. At the

hospital, PO Bucelewicz observed Mr. [REDACTED] getting out of PO Cottone's police car. While at the hospital, she stated security asked her and PO Cottone if Mr. [REDACTED] could visit with the prisoner. Sgt Bailey stated that PO Bucelewicz felt uneasy about this prospect, but deferred to PO Cottone's judgment since she is a probationary officer and PO Cottone was the senior officer. PO Cottone allowed Mr. [REDACTED] to visit with the prisoner. PO Bucelewicz related when they were leaving the hospital with the prisoner, Mr. [REDACTED] had accompanied them to the cruiser and that she asked PO Cottone what they were going to do with Mr. [REDACTED] and PO Cottone told her that they would give him a ride back to B-2. PO Cottone allowed Mr. [REDACTED] to ride in the prisoner compartment in the rear of the cruiser with the hand cuffed prisoner and drove him back to B-2. Sgt Bailey related that PO Bucelewicz felt uncomfortable with this arrangement but again deferred to PO Cottone's judgment since she was a probationary officer and was unclear of the procedure.

### Summary of Interview with PO Helen Bucelewicz

On Wednesday, May 16, 2012, a recorded interview was conducted with PO Bucelewicz in the offices of the Internal Affairs Division. When asked to recall the events of CC# 120197282 on 4/04/2012, she expressed that she recalled that she rode to the hospital with Ms. [REDACTED] who was a prisoner that she had arrested, in the back of the ambulance. Police Officer Shana Cottone had followed the ambulance to Boston Medical Center in her Boston Police cruiser. Upon arrival at the hospital she stated that Officer Cottone told her that she had given the prisoner's uncle, Mr. [REDACTED], a ride to the hospital in her police vehicle. While at the hospital she related that a BMC security officer had spoke to her and Officer Cottone while they were guarding the prisoner in her treatment room, and stated he asked to visit with her. Officer Bucelewicz stated she did not respond to this request and deferred to Officer Cottone since she was still on probation and was unsure of the protocol for this type of request. She did not remember what Officer Cottone's response was. After the interaction, Mr. [REDACTED] came into the room and stood approximately 5 feet from Ms. [REDACTED] and stayed there for approximately 15 minutes. He was never left alone with her and both officers were present the entire time. Once Ms. [REDACTED] was discharged she was handcuffed behind her back and led to Officer Cottone's police car, and Mr. [REDACTED] walked with them. Officer Bucelewicz stated that she asked Officer Cottone how Mr. [REDACTED] was getting back to the station; Officer Cottone told her that "he would just ride with us." She expressed that she was uneasy about this, but Officer Cottone opened the door to her assigned cruiser and allowed him into the vehicle where he sat in the rear next to the handcuffed prisoner and was given a ride back to B-2. At no time during this incident did Officer Bucelewicz recall Mr. [REDACTED] being frisked, searched or identity verified and she did not recall Officer Cottone get permission for Mr. [REDACTED] to ride in the vehicle or to visit the prisoner from the Duty Supervisor or any other supervisor. She expressed that while she was uneasy about what was transpiring but yielded to Officer Cottone because she was unclear of the protocol and since she is still a Probationary Officer, she deferred to her judgment.


### Summary of Interview with PO Shana Cottone

On Tuesday, May 8<sup>th</sup>, 2012, a recorded interview was conducted with Police Officer Shana Cottone in the offices of the Internal Affairs Division. In regards to the incident, Officer Cottone recalled that she was directed to assist in the transport of [REDACTED] to BMC with PO Bucelewicz and she followed the ambulance in her department cruiser. She stated she drove [REDACTED] to the hospital in her cruiser. PO Cottone believed that he was the uncle of Ms. [REDACTED]. She did not see his identification and did not run his identity through department databases and did not frisk or search him. She did not ask permission from operations or any supervisor to give Mr. Simmons a ride. Once at the hospital, she directed him into the waiting room and she went to the treatment area where the prisoner was. She relates that he asked if he could see her and she told him he had to wait in the waiting room and at some point "he was there", she described that he made his way into the treatment area and entered the doorway and was standing into the room where the officers were guarding the prisoner. Once he entered, she described that they were talking to him. The prisoner was secured to the bed with one hand handcuffed to the bed and Mr. [REDACTED] was standing approximately 4 feet from Ms. [REDACTED]. PO Cottone did not get permission from the Duty Supervisor for Mr. [REDACTED] to visit with the prisoner. When Ms. [REDACTED] was released from the hospital, she was handcuffed behind her back and placed in the rear of PO Cottone's police car. PO Cottone stated that Mr. [REDACTED] was transported back to B-2 in the back of the police car with the handcuffed prisoner. She did not get permission from Operations or any supervisor and when they arrived back at B-2, he got out when they brought Ms. [REDACTED] into the booking area. At no time did PO Cottone frisk or search Mr. [REDACTED]. PO Cottone related that at the station prior to transporting Ms. [REDACTED] to the hospital, Sgt Bailey had expressed to her that there were family members of Ms. [REDACTED] at the station. Mr. S. [REDACTED] had been on-scene at the incident where Ms. [REDACTED] had been placed under arrest and Officer Cottone felt if she interacted with him she could explain what had happened and prevent a complaint from being filed.

### Investigation:

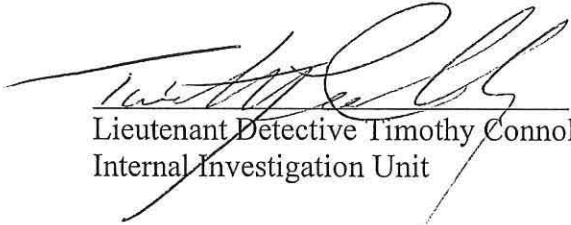
All parties interviewed appear to concur as to the events on the evening of April 4<sup>th</sup>, 2012. Officer Cottone gave Mr. [REDACTED] a ride in her department cruiser without asking Operations or any supervisor for permission and while at the hospital, allowed him to visit with Ms. [REDACTED] and remain in her treatment room. Once discharged, Ms. [REDACTED] was handcuffed behind her back and placed in the rear of Officer Cottone's police car. Officer Cottone then allowed Mr. [REDACTED] to sit in the rear prisoner compartment with Ms. [REDACTED] and was given a ride back to District 2. At no time was his identity verified and he was not frisked or searched throughout the incident.

Respectfully Submitted,



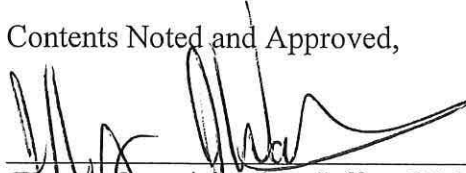
Sergeant Detective Daniel Humphreys  
Internal Investigations Unit

Approved,



Lieutenant Detective Timothy Connolly  
Internal Investigation Unit

Contents Noted and Approved,



Deputy Superintendent Jeffrey Walcott  
Assistant Chief, BPS

Concurred,



Chief, BPS&D



Legal Advisor

## ATTACHMENTS

Attachment #1	BPD Employee Data Sheet
Attachment #2	BPD Employee History Sheet
Attachment #3	Complaint Summary
Attachment #4	1920 Form
Attachment #5	Administrative report-Form 26, Sgt Bailey
Attachment #6	Administrative report-Form 26, PO Bucelewicz
Attachment #7	Administrative report-Form 26, PO Cottone

February 8, 2017

To: Police Commissioner William B. Evans  
Police Commissioners Office

From: Deputy Superintendent Jeffrey I. Walcott  
Assistant Chief, Bureau of Professional Standards

Subject: Internal Affairs Recommendations

Sir:

I respectfully submit the recommendations of the Internal Affairs Division in reference to:  
Case # IAD2013-0311

Complainant: Devin D'Amato




Employee(s): P.O. Shana Cottone  
I.D. #106714 – Area A-7  
Violation of Rule(s)  
**102,§4 (Unreasonable Judgment) - Exonerated**


Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeffrey I. Walcott".

Deputy Superintendent Jeffrey I. Walcott  
Assistant Chief, Bureau of Professional Standards

Reviewed by Chief, BPS and Forwarded to Legal Advisor 

Reviewed by Legal Advisor and Forwarded to Police Commissioner 

Reviewed by Police Commissioner and Forwarded to IAD 

**To:** Deputy Superintendent Jeffery I. Walcott  
Assistant Chief, Bureau of Professional Standards

**From:** Lieutenant Detective Adrian Troy  
Internal Affairs Division

**Date:** February 7, 2017

**Subject:** IAD Complaint #IAD 2013-0311

**Employee:** Police Officer Shana Cottone, ID #106714

**Violation:** Rule 102 § 4, Unreasonable Judgment

**Complainant:** Mr. Devin D'Amato  
[REDACTED]

Sir:

I, Lieutenant Detective Adrian Troy, respectfully submit the following investigative report regarding IAD Complaint #IAD 2013-0311.

### Complaint

Complainant, Mr. Devin D'Amato alleged that on Tuesday July 30, 2013 at 9:30am, Police Officer Shana Cottone allowed children from a playground to sound the sirens, horns and loudspeakers of a Police vehicle marked.

### Investigation

The following individuals were interviewed relative to this investigation Officer Shana Cottone and Ms. [REDACTED], the Northeastern University Children's Center's Director. Captain Lanchester spoke to the Complainant, Mr. Devin D'Amato. Mr. D'Amato is a resident of California and maintained that although he was disturbed by the activity at the time, he did not want to proceed any further with the complaint.

Officer Cottone requested and received permission from District A-7 Commander Captain Timothy Connolly to participate in the transportation lesson at the Northeastern University Children's Center. Officer Cottone reported that part of demonstration involved that children sitting in the Police vehicle and activating the lights in sirens. She relayed that the lights and sirens were activating intermittently for about hour. Officer



Cottone reported that no one approached her or the teachers to complain about the noise. She also noted that she has done the training on numerous occasions at the schools request and has never received any complaints.

Officer Cottone's presentation educates children about traffic safety and familiarization with Boston Police Officers so they feel comfortable approaching Officers when they are in need of help or assistance. Officer Cottone relayed that the children were about three to five years of age. She also reported that the event was for two classes for about 50 children in total. Officer Cottone reported that part of demonstration involved that children sitting in the Police Cruiser and activating the lights and sirens.

**Findings / Recommendations:**

On Tuesday July 30, 2013 at 9:30am Police Officer Shana Cottone was conducting an authorized educational community event Northeastern University Children's Center. As part of the event, to build trust and familiarize the small children with Boston Police Officers, Officer Cottone allowed the children to activate the vehicle's emergency equipment. The event was held in an outdoor park setting on a business day, Tuesday, and at a reasonable time, 9:30am.

**I, Lieutenant Detective Adrian Troy, therefore make the following recommendation regarding IAD Complaint #2013-0311,**

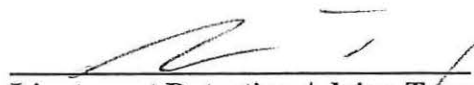
**Police Officer Shana Cottone, ID #106714**

After a careful review and due consideration of all facts and evidence, Officer Cottone did allow children to activate the emergency equipment in a department vehicle. However this action was reasonable, proper and justified. Officer Cottone was conducting an authorized educational community event and as part of the demonstration children were allowed to activate emergency equipment to foster trust and confidence.

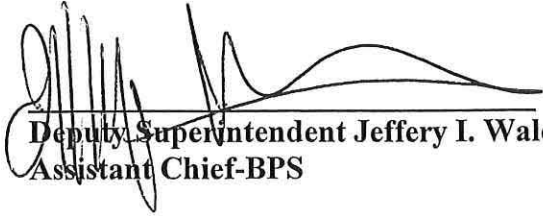
**Violation of Rule 102, Section 4, Judgement**

**Exonerated**

Respectfully submitted,


  
**Lieutenant Detective Adrian Troy**  
**Internal Investigation Unit**

**Contents Noted,**



**Deputy Superintendent Jeffery I. Walcott,  
Assistant Chief-BPS**

**Contents Noted and Approved,**



**Superintendent Frank Mancini,  
Chief, Bureau of Professional Standards**



**Legal Advisor**

**To:** Deputy Superintendent Jeffery I. Walcott  
Assistant Chief, Bureau of Professional Standards

**From:** Sergeant Detective Richard Dahill  
Internal Affairs Division

**Date:** February 17, 2016

**Subject:** IAD Complaint #IAD 2013-0311

**Employee:** Police Officer Shana Cottone, ID #106714

**Violation:** Rule 102 § 04 Unreasonable Judgment

**Complainant:** Mr. Devin D'Amato



Sir:

I, Sergeant Richard Dahill, respectfully submit the following investigative report regarding IAD Complaint #IAD 2013-0309. This investigation was originally assigned to District 4.

**Summary of Complaint**

On Tuesday July 30, 2013 Mr. Devin D'Amato filed an email complaint alleging that a female Boston Police Officer in a police vehicle marked A-7 1151 let children from a nearby playground lay on the sirens, horns and loudspeakers for an hour at 9:30am in the morning. Mr. Devin D'Amato wrote that he observed another tenant and landlord complain directly to the Officer after which the noises ceased. However, according the complainant, the Officer rang the sirens one last time as she departed.

**Summary of Captain Wayne Lanchester's Administrative Report**

Captain Lanchester reported that on December 19, 2016 he spoke with the complainant, Devin D'Amato, about the incident. Captain Lanchester wrote that Mr. D'Amato explained that he was disturbed by the activity which took place at 9:30am on Tuesday July 30, 2013. Captain Lanchester noted that Mr. D'Amato relayed that he now lived in California and did not want to proceed any further with the complaint. Captain

Lanchester also wrote that Mr. D'Amato expressed that he understood that positive interactions with the Police are important, especially with young children.

Captain Lanchester also reported that, based on the fact, he recommended that this incident disposition be unfounded.

#### **Summary of Officer Shana Cottone's Administrative Report dated July 18, 2013**

On July 18, 2013 Officer Cottone requested permission from Captain Timothy Connolly, the Commander of District A-7, to participate in a "*transportation and emergency services*" lesson at the Northeastern University Children's Center. Officer Cottone noted that she had participated in this particular event for several years in which she speaks with the pre-school aged children about the importance of safety and the role of Police Officers in the community. Officer Cottone noted that she also shows the children a Police Cruiser. The report was acknowledged and approved.

#### **Summary of Interview with Officer Shana Cottone, ID #106714**

On February 2, 2017 Sergeant Detective Richard Dahill and Sergeant Detective Phillip Morgan conducted a recorded interview with Officer Shana Cottone in the offices of the Internal Affairs Division at Boston Police Department Headquarters located at 1 Schroeder Plaza. Officer McBride was provided with a copy of Commissioner's Memorandum #10-007 *Truthfulness*. She acknowledged his receipt and understanding of the document.

Officer Cottone reported on July 30, 2013 she was working at District 7 and was assigned to a service unit, the G414D. Officer Cottone stated that on that day she perform a lesson plan at the Northeastern Children Center at about 9:30am. She also noted that she asked for and received permission from her District Commander to do the community service event.

Officer Cottone stated that her lesson was designed to teach the children about traffic safety and to familiarize them with Boston Police Officers so they felt comfortable approaching when in need of help or assistance. Officer Cottone relayed that the children were about three to five years of age. She also reported that the event was for two classes for about 50 children in total.

Officer Cottone reported that part of demonstration involved that children sitting in the Police Cruiser and activating the lights and sirens. She relayed that the lights and sirens were activated intermittently for about hour. Officer Cottone reported that no one approached her or the teachers to complain about the noise. She also noted that she has done the training on numerous occasions at the schools request and has never received any complaints.

Officer Cottone noted that she enjoys spending time with the children and feels that the children respond well to the training and demonstration. She also feels that the

training enhances the children's view of the Boston Police. Officer Cottone stated that children are reluctant for her to leave so she parts with one last activation of the lights and sirens.

### Summary of Investigation

On Tuesday July 30, 2013 Mr. Devin D'Amato filed an email complaint alleging that a female Boston Police Officer in a police vehicle marked A-7 1151 let children from a nearby playground lay on the sirens, horns and loudspeakers for an hour at 9:30am in the morning. See Attachment 1: *Mr. D'Amato's Email Complaint*

On June 27, 2013 Officer Cottone received an email from Northeastern Children's Center which said, "*The teachers are doing a unit about transportation. We are focusing on emergency vehicles over the next two week and feel the children would benefit from seeing a real Police Cruiser. We also feel that you would be the best person to come in because of your previous experience here with the children.*" See Attachment 2: *Email from Ms. [REDACTED] Lead Teacher of Northeastern's Children's Center.*


Officer Cottone requested and received permission from District A-7 Commander Captain Timothy Connolly to participate in the transportation lesson at the Children's Center. Officer Cottone scheduled her visit for July 30, 2013. See Attachment 3: *Officer Cottone's Administrative Report dated July 18, 2013.*

Officer Cottone reported that part of demonstration involved that children sitting in the Police vehicle and activating the lights in sirens. She relayed that the lights and sirens were activating intermittently for about hour. Officer Cottone reported that no one approached her or the teachers to complain about the noise. She also noted that she has done the training on numerous occasions at the schools request and has never received any complaints.

In a brief telephone conversation, Ms. [REDACTED] the Center's Director, reported that she has never received any noise complaints about Officer Cottone's demonstrations with the Police Cruiser. She also noted that Officer Cottone had visited the center as a Police Officer numerous times and was well received by both the staff and the children. Ms. Nazzaro added that the center loved having Officer Cottone participate in the safety lessons.

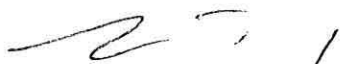
District 4 Commander Captain Lanchester reported that on December 19, 2016 he spoke with the complainant, Devin D'Amato about the incident. Captain Lanchester noted that Mr. D'Amato relayed that he now lived in California and did not want to proceed any further with the complaint. Captain Lanchester also wrote, "*Mr. D'Amato also expressed that he understood that positive interactions with the Police are important, especially with young children.*" See Attachment 4: *Captain Wayne Lanchester's Administrative Report*

Respectfully Submitted,



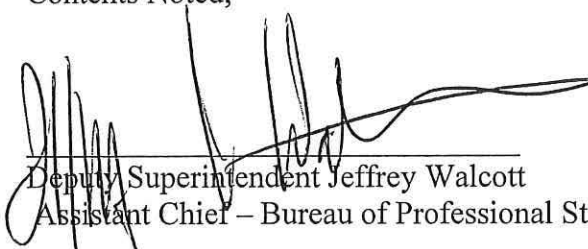
Sergeant Detective Richard Dahill  
Internal Affairs Division

Approved,



Lieutenant Detective Adrian Troy  
Internal Affairs Division

Contents Noted,



Deputy Superintendent Jeffrey Walcott  
Assistant Chief – Bureau of Professional Standards

Contents Noted and Approved,



Superintendent Frank Mancini  
Chief, Bureau of Professional Standards



Legal Advisor

## ATTACHMENTS

1. Mr. D'Amato's Email Complaint
2. Email from Ms. Lisa Holden, Lead Teacher of Northeastern's Children's Center.
3. Officer Cottone's Administrative Report dated July 18, 2013
4. Captain Wayne Lanchester's Administrative Report
5. All Other Documents