

Former Police Commissioner Paul F. Evans and former Superintendent Ann Marie Doherty's Response to Release of Materials Associated with the Rose Report

We express our deep disappointment with the Corporation Counsel's memo and accompanying press release from Boston City Hall regarding the Boston Police Department's efforts against Officer Rose in the 1990s.

The facts in this case are as follows:

- Upon learning of the allegations against Officer Rose, the Boston Police Department conducted a complete and thorough investigation.
- The appropriate agencies were notified, including the District Attorney's office and the Department of Children's Services.

Criminal complaints were sought and issued in West Roxbury District Court. The criminal prosecution could not move forward due to lack of available witness testimony.

- The Boston Police Department Internal Affairs Division sustained a complaint against Officer Rose which was approved through the chain of command, including the Police Commissioner.
- The sustained allegations were referred to the Department's Office of the Legal Advisor for a Boston Police Department Disciplinary Hearing.
- It became clear that due to the Boston Police Department's inability to present the victim's testimony, the appropriate standard for a Disciplinary Hearing could not be reached.

- The inability to present witness testimony or other admissible evidence resulted in the Boston Police Department's inability to proceed to a Disciplinary Hearing due to lack of evidence.
- The failure to go before a Disciplinary Hearing prevented the Boston Police Department from taking disciplinary actions against Officer Rose.
- While this process was on-going, Patrick Rose was removed from routine police duties and assigned to work inside under direct supervision (Administrative Duty). He remained in this status for approximately two years; based on the inability to move forward with the disciplinary process, maintain Rose in that status could not be upheld.
- We believed at the time, and we still believe, that everything that could be done by the Boston Police Department was done in this matter to ascertain the truth.

Response to Press Release issued by Boston City Hall:

- We are disappointed that the only facts presented in the City of Boston Corporation Counsel's memo were the facts that supported the press release issued by City Hall and not the Boston Police Department's complete efforts in this matter.
- There is absolutely no mention in the memo or the press release that criminal complaints were sought and issued at West Roxbury District Court but that the failure of this case to go forward was due to lack of evidence to present against Officer Rose.
- There is absolutely no mention of the fact that this case was about the need to procure the victim's testimony to be successful

- The inference in the press release that the Police Commissioner capitulated to the Boston Police Patrolmen's Union in these circumstances is wrong. It was well publicized and common knowledge that there were constant challenges with the Boston Police Patrolmen's Union over discipline and policy issues. In fact, I was the only commissioner in decades to receive a vote of no confidence from the Boston Police Patrolmen's Association (for issuing an order preventing officers from firing at motor vehicles).
- Our expectation during the City's renewed interest in this case was that the Boston Police Department's actions against Officer Rose and the Boston Police Department's entire and properly redacted investigation into Officer Rose would be released to the public. It is difficult to believe that the City took as long as it did to release 14 pages of notices and letters associated with the investigation with very limited redactions.
- In the interest of true transparency, the City should release the Boston Police Department's entire and properly redacted investigation/report into Officer Rose as the City initially promised. A review of a properly redacted investigative file would better serve the public interest.

The final result of this case was unsatisfactory in the 1990s; it continues to be unsatisfactory now. But to suggest that there was any lapse in leadership or dedication to bring this case to a different conclusion is not consistent with the facts. Anyone who asserts that leaders of the police department neglected their duty to protect and serve is wrong.

Due to the nature of the allegations, the passage of time and the pending criminal matter, we will have no further comment.