

A black and white photograph of a balance scale and a gavel resting on a wooden surface. The scale is in the center, with its pans hanging from a horizontal beam. A gavel lies horizontally in front of the scale. The entire scene is set against a dark background. A semi-transparent black rectangular box is centered over the scale, containing the text "COMPREHENSIVE INVESTIGATIONS & CONSULTING" in white, bold, serif capital letters.

**COMPREHENSIVE
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PURPOSE

Comprehensive Investigations and Consulting, LLC. (CIC) was hired by the City of Lawrence to conduct an independent investigation into alleged misconduct by Former Acting Police Chief William Castro (Acting Chief Castro). Acting Chief Castro was alleged to have (1) entered into a motor vehicle pursuit that violated the Lawrence Police Department's policies and procedures (2) filed a police report and made statements pertaining to the motor vehicle pursuit that were untruthful (3) engaged in inappropriate and unethical hiring practices concerning the recruitment and hiring of James Fermin, Richard Abreu, and Scott Wood (4) engaged in intimidation of a Lawrence Police Department member during interactions with **Individual 1**, and (5) violated the Lawrence Police Department's policies and procedures and state law prohibiting retaliation by directing the closed investigations of **Individual 2** and Captain James Mangan to be reopened because of personal disagreements with these officers. Furthermore, CIC was hired by the City of Lawrence to investigate alleged violations of the Lawrence Police Department's Motor Vehicle Pursuit policies by Officer Gregory Ovalles and **Individual 4**.

CIC was hired to determine the veracity of each of these allegations. As part of the investigation, CIC conducted interviews and reviewed evidence, case law, and Lawrence Police Department policies and procedures. Parts, but not the entirety, of interviews are included throughout this report. They are not meant to represent the entirety of the interview, but serve as a fair summary of the point of view of each witness. Transcripts of all interviews are attached as exhibits. At the conclusion of a thorough inquiry, CIC is presenting the findings and recommendations requested by the City of Lawrence.

This investigation and report are not legal services provided under contract within or as contemplated by M.G.L.c. 30, sec 65. No legal services have been provided and no attorney-client relationship between the Consultant/Contractor and the City of Lawrence shall exist as a result of this Agreement, or any services rendered.

SOURCES

Interviews

- Interview of Individual 5
- Interview of Individual 6
- Interview of Individual 7
- Interview of Individual 1
- Interview of Individual 8
- Interview of Individual 9
- Interview of Individual 10
- Interview of Individual 11
- Interview of Individual 12
- Interview of Officer Gregory Ovalles
- Interview of Individual 13
- Interview of Individual 14
- Interview of Individual 4
- Interview of Individual 15
- Interview of Individual 2
- Interview of Individual 16
- Interview of Individual 17
- Interview of Individual 18

Emails & Letters

- Email from Octavian Spanner to CIC: Notification to halt investigation (10/10/24)
- Email from CIC to Walter Jacobs: Interview (10/09/24)
- Order to Appear at Investigative Interview (10/02/24)
- Email from Walter Jacobs to Michael Owens (10/2/04)
- Email from CIC to Walter Jacobs: Order for agreed date on the 25th (10/01/24)
- Letter to Acting Chief Castro: Notice of Investigation (09/24/24)
- Email from POST Standards to Individual 15 and Chief Bonilla: Extension Request Decision (07/02/24)
- Email from Michael Owens to Individual 14 (and others): Re: Octavian Spanner incident (06/07/24)
- Email from Individual 11 to Melix Bonilla: Individual 1's status (06/06/24)
- Email from Individual 14 to Individual 2: Octavian Spanner Incident (06/06/24)
- Letter from Chief Bonilla, CC Personnel Director Michael Owens: Confidential Personnel Matter (06/05/24)
- Email from Individual 15 to Matthew Wardle (and others): Acting Chief Castro (04/22/24)

- Email from **Individual 11** to Chief Bonilla: Re: Urgent Reporting of Violation to POST (04/20/24)
- Email from **Individual 15** to Chief Bonilla: *REMINDER* Your Agency's Investigation is due to POST in 15 days! (04/17/24)
- Email from Matthew Wardle to **Individual 15**: POST request (03/27/24)
- Email from Acting Chief Castro to **Individual 15**: Email Response (03/14/24)
- Email from **Individual 15** to POST: Acting Chief Castro Continued Harassment and Interfering with IA Case (03/05/24)
- Email from **Individual 15** to Acting Chief Castro (and others): Fermin Extended timeline AI2023-006 (02/23/24)
- Email from **Individual 15** to POST: Lawrence Police Acting Chief Castro AI2024-001 (02/21/24)
- Email from Mayor DePeña to **Individual 15**: Confidential Information (02/20/24)
- Email from Attorney Houten to Acting Chief Castro: Fermin (02/14/24)
- Letter from **Individual 15** to Mayor DePeña: Acting Chief Castro Motor Vehicle Pursuit & Policy Violations (02/07/24)
- Email from **Individual 2** to **Individual 15**: LPD Incident # 2400-0690 (02/03/24)
- Letter from **Individual 15** to Massachusetts Civil Service: Request for Investigation into hiring process (01/05/24)
- Email from **Individual 15** to Steven Smith: Lawrence Police possible lateral Scott Wood (01/10/24)
- Email from **Individual 15** to Director Caggiano: City of Lawrence (01/09/24)
- Email from **Individual 15** to Acting Chief Castro: Re: James Fermin (11/26/23)
- Email from Acting Chief Castro to POST: James Fermin (11/16/23)
- Email from **Individual 15** to Attorney Houten: Fw: Captain Mangan's Investigative Report for AI2023-002 (08/17/23)
- Email from **Individual 15** to Chief of Staff Castro: Captain Mangan's Investigative Report for AI2023-002 (08/15/23)
- Email from **Individual 15** to Chief of Staff Castro: James Fermin (06/21/23)
- Email from **Individual 15** to Deputy Chief Michael McCarthy: Review of Recruit Richard Abreu's Background and POST Application (06/13/23)
- Email from **Individual 15** to Acting Chief Castro: Outside Investigator for LPD (05/08/23)
- Officer Dario Manon: Report of Domestic (03/17/17)

Legal Precedent

- M.G.L. – Part 1, Title II, Chapter 6E, Section 10: Revocation of Officer Certification

Lawrence Police Dept. Documents

- Lawrence Police Department Rules and Regulations

- Lawrence Police Department Vehicle Pursuit Report
- Lawrence Police Department Incident Report #24000690
- Lawrence Police Department Supplementary Report #24000690/2
- Lawrence Police Department Supplementary Report #24000690/3
- Lawrence Police Department Supplementary Report #24000690/4
- Lawrence Police Department Manual Policy No. 1.04: Motor Vehicle Pursuits
- Lawrence Police Department Manual Policy No. 4.21: Oath of Office (Sworn)/Code of Ethics (Sworn and Non-Sworn)

Other Documents

- POST Agency Official's Attestation Regarding Candidate for Certification as a Law Enforcement Officer (William Castro evaluation of James Fermin)
- POST Order of Suspension for William Castro
- Notice of Investigation to Acting Chief Castro
- Letter from Mayor DePeña directing no investigation of motor vehicle pursuit.

DESCRIPTION OF INVESTIGATION

CIC was retained to investigate specific allegations of misconduct by Acting Chief Castro. Acting Chief Castro rose to the position of Acting Chief on October 20th, 2023. On March 21st, 2024 POST suspended him under M.G.L.c. 6E Section 9 (a)(4); 555 CMR 1.06(2). Acting Chief Castro was suspended by the City of Lawrence on March 21st, 2024. CIC began its investigation on August 19th, 2024.

CIC began its investigation by reading all reports and emails provided to it by the Lawrence Police Department. Investigators also listened to and transcribed all relevant radio calls and 911 calls. CIC reviewed videotapes of the events of February 2nd, 2024. It then reviewed the applicable Lawrence Policies and Procedures, Lawrence Rules and Regulations, Massachusetts POST Commission Rules and Regulations, and the Massachusetts General Laws. CIC continued the investigation by interviewing seventeen members of the Lawrence Police Department and one civilian.

CIC attempted to interview Acting Chief Castro. It corresponded with Acting Chief Castro's Attorney, Walter Jacobs (Attorney Jacobs). Attorney Jacobs also represented James Fermin and Richard Abreu, who were individuals named as part of the allegations against Acting Chief Castro. The email exchange indicated that Attorney Jacobs was questioning CIC's authority to order Acting Chief Castro to appear for an interview. On October 2nd, 2024, Personnel Director Michael Owens (Personnel Director Owens) sent Attorney Jacobs an order for Acting Chief Castro to appear October 9th, 2024, for an investigative interview. Attorney Jacobs replied to the email asserting that only Mayor Brian DePeña (Mayor DePeña) could order Acting Chief Castro to appear for the investigative interview. Personnel Director Owens was terminated by the City of Lawrence on October 3rd, 2024. On October 9th, 2024, Acting Chief Castro did not appear for his interview at 15 Foster Street, Quincy, Massachusetts. No adverse inference is taken against Acting Chief Castro for his failure to appear for his interview. As a result, CIC sent Attorney Jacobs an email stating that its investigation would continue. Additionally, CIC clarified examples of what policies and laws Acting Chief Castro could have violated if the allegations of his behavior were found to be true.

On October 10th, 2024, at 6:20 P.M., Mr. Spanner, a senior advisor to Mayor DePeña, as a result of purported instruction from Mayor DePeña, instructed CIC to cease its investigation. Having completed its investigation, CIC started completing its report. This report is being provided to Mayor DePeña, Chief Legal Counsel Timothy Houghton, and **Individual 15**,
Lawrence Police Department Internal Affairs Unit.

THIS IS AN INDEPENDENT INVESTIGATION AND, AS SUCH, IS NOT SUBJECT TO INTERFERENCE FROM THE MUNICIPALITY. Any entity can ignore CIC's findings or

recommendations, but the production of a report, as mandated and agreed to by all parties in a legally binding contract, will not be stopped.

STATEMENT OF FACTS

Motor Vehicle Pursuit

The following section addresses allegations that Acting Chief Castro entered into a motor vehicle pursuit which violated the Lawrence Police Department's policies and procedures. It also addresses the allegation that he filed a police report and made statements pertaining to the motor vehicle pursuit which were untruthful.

Summary of Incident Reports

Individual 16's (**Individual 16**) report stated that on February 2nd, 2024, he was dispatched to 12 Amesbury Street regarding a male party who tried to cash a fake check. Dispatch stated that the suspect left the bank and was heading down Methuen Street towards Hampshire Street.

While **Individual 16** was driving past the bank on Methuen Street, he overheard that the suspect was on Canal Street. **Individual 16** made a left on Hampshire Street from Methuen Street. **Individual 16** wrote that he proceeded with caution toward Canal Street while utilizing his lights and siren. **Individual 16** turned onto Canal Street and overheard Acting Chief Castro on the radio, stating that the suspect got into a vehicle.

When he heard this, **Individual 16** began to turn around. He heard Acting Chief Castro communicate over the radio that he was behind the suspects' vehicle on the Central Bridge. Acting Chief Castro stated that the vehicle had a North Carolina license plate. **Individual 16** drove toward the Central Bridge. He heard that the suspect's car crashed on South Canal Street, and two male occupants exited the vehicle. **Individual 16** heard radio communication that one suspect was in custody, and the other had run down a dirt path along the river to the Duck Bridge.

Individual 16, **Individual 8** (**Individual 8**), and Officer Gregory Ovalles (Officer Ovalles) were standing at a fence. A New Balance employee approached the officers and informed them that he had observed a suspicious individual hiding between two CONEX boxes at the New Balance store on Merrimack Street. **Individual 16** witnessed an individual matching the description from dispatch emerge from the CONEX boxes and head toward Merrimack Street.

Individual 8, Officer Ovalles, and **Individual 16** witnessed the suspect get into a passenger vehicle near the New Balance store. The officers informed dispatch of what they witnessed. **Individual 2** approached the vehicle that the suspect entered. The suspect exited the vehicle and ran on foot. The suspect was eventually apprehended by patrol units on Merrimack Street.

Individual 16 went to the location of the suspect's vehicle on South Canal Street. Acting Chief Castro was already at the location of the suspect's vehicle.

Individual 16 then went to the bank to interview the involved employees. The bank teller, Nicaury Peralta, stated that the suspect, Mr. **CORI INDIV A** asked that a check be cashed. Peralta noticed problems with the check and asked Mr. **CORI INDIV A** some clarifying questions. Peralta went to inform Cecilia Cuesta, the bank manager, about the bad check. Ms. Cuesta then called 911. Mr. **CORI INDIV A** told another teller that his Uber was waiting and that he would return later. Mr. **CORI INDIV A** left the bank while Ms. Cuesta made the 911 call.

Individual 17 (**Individual 17**) report indicated that on February 2nd, 2024, at approximately 2:09 P.M., **Individual 17** assisted patrol in locating two males who fled from a motor vehicle following a bank fraud investigation.

Individual 17 looked down from the Duck Bridge toward the riverbank. He observed Officer Ovalles pursuing Mr. **CORI INDIV B** on foot. Officer Ovalles ordered Mr. **CORI INDIV B** to stop running. **Individual 17** also yelled at Mr. **CORI INDIV B** to stop running. Mr. **CORI INDIV B** stated that he was scared of the police and continued to run to avoid apprehension. **Individual 17** scaled a fence to get behind the suspect. **Individual 17** engaged in a foot pursuit of Mr. **CORI INDIV B**. Mr. **CORI INDIV B** disregarded orders to cease running. **Individual 17** eventually caught up to Mr. **CORI INDIV B** and tackled him. Mr. **CORI INDIV B** then became compliant.

Detective Lakin, Officer Ovalles, and **Individual 17** placed Mr. **CORI INDIV B** in handcuffs. Detective Lakin searched Mr. **CORI INDIV B**. During the walk back, **Individual 17** observed several other Lawrence Police officers attempting to apprehend the other suspect, Mr. **CORI INDIV A**. **Individual 17** assisted in locating and arresting Mr. **CORI INDIV A**.

Individual 2's Report indicated that on February 2nd, 2024, he was working the 9:00 A.M. - 5:00 P.M. shift as the Patrol Supervisor. At approximately 2:15 P.M., two units were dispatched to the NESC Credit Union for a report that a male was attempting to pass a bad check. A description of a suspect was given to the responding units. Acting Chief Castro spotted the suspect getting into a Black Mercedes and attempted to affect a stop of the vehicle. The Mercedes sped off east on Canal Street and onto the Central Bridge, heading south. The Mercedes eventually crashed on South Canal Street, and the two male occupants fled on foot.

Individual 2 responded to the general area where the suspects were seen. He exited his cruiser and walked into the rear of the New Balance store parking lot. **Individual 2** spotted one suspect and observed him get into a blue Honda CRV. **Individual 2** ran up to the vehicle with his

firearm drawn. He believed it was possible that the suspect was now armed and attempting a carjacking.

The male driver stopped his vehicle and allowed **Individual 2** to open the rear passenger door. The male suspect, Mr. **CORI INDIV A** exited the vehicle and fled on foot. Mr. **CORI INDIV A** jumped several barbed-wire fences and eventually hid inside a parking garage. **Individual 2** later located Mr. **CORI INDIV A** hiding under a workbench. Mr. **CORI INDIV A** was handcuffed without incident. He was placed in a marked cruiser and transported to the Lawrence Police Station.

Individual 2 then responded to the scene of the crash and initiated his investigation as the Patrol Supervisor. Upon arrival at the scene of the crash, **Individual 2** observed that a black Mercedes had crashed into a guard rail on South Canal Street. The front of the Mercedes and the metal guard rail sustained heavy damage. Acting Chief Castro, **Individual 16**, **Individual 4** (**Individual 4**), and **Individual 12** (**Individual 12**) were on the scene. No injuries were reported to **Individual 2**.

Individual 2 asked Acting Chief Castro about what happened. Acting Chief Castro stated that he was on his way to the registry to renew his license when he heard the radio dispatch and observed the suspect. Acting Chief Castro stated that he observed the suspect get into a black Mercedes and take off over the bridge. Acting Chief Castro stated that he followed the vehicle until it crashed on South Canal Street.

Individual 2 asked Acting Chief Castro if he pursued the vehicle, and he responded, “No I followed it.” **Individual 2** asked if he was using his sirens and lights, to which Acting Chief Castro replied, “Yes.” **Individual 2** then asked, “So, it was a pursuit then?” Acting Chief Castro responded, “Yes.”

Individual 2 watched back video footage of the incident. He wrote that it appeared that Acting Chief Castro did pursue the Mercedes with several other marked cruisers in tow.

Full transcript of Acting Chief Castro’s Incident Report:

On February 2, 2024, at approximately 14:09, I, William Castro, Lawrence Police Department Provisional Chief, left the Police Station to the Register of Motor Vehicle. Upon turning my assigned radio on, I Overhead dispatch relaying a call regarding an incident at the NECS Federal Credit Union on Methuen St. Being within close proximity to the bank and not knowing if the incident was a bank robbery, I turned right from Amesbury St. into Methuen St.

Upon approaching Methuen St, I overheard dispatch broadcast a description of a male wearing a green hooded sweatshirt and walking towards Hampshire St. towards Canal St. I continued on Methuen St towards Franklin St and could not see the individual. I turned left towards Franklin, and another left towards Canal St. On Canal St., I observed a dark-skinned male matching the description entering a 4-door black Mercedes via the front passenger door.

I observed the vehicle bearing a North Carolina blue and white license plate. At a distance, I could see the vehicle parked on the sidewalk near SISU center, located on Canal St, and it appeared the operator was waiting for someone. A marked unit cruiser was behind me, and I proceeded toward the vehicle that was parked on the sidewalk. Upon approaching the vehicle, it drove away. I perceived the operator and his passenger as being involved in a bank robbery.

I turned on my vehicle's blue lights, notified dispatch of the vehicle's description and location via radio, and followed the vehicle from a distance. The vehicle turned right towards the Central Bridge, and I continued pursuing. I observed the vehicle move to the opposite lane of traffic. I, along with the marked unit, monitored the location of the vehicle from a distance, and I observed it taking a left into what appeared to be Merrimack St. Upon approaching Merrimack St, I observed the vehicle had crashed into a guard rail located on S. Canal.

*At this time, I observed two males, wearing green, exited the Mercedes and began running, towards the canal trail. The passenger was observed wearing a green hooded sweatshirt with green colored pants, and the driver was wearing a green sweatshirt with an orange logo on the back. This information was relayed to dispatch; after several minutes of foot pursuit units were able to apprehend the males into custody without incident. Lawrence Fire was on the scene with the vehicle while it was being secured. I stayed on the scene until **Individual 2** took over the scene.*

Radio Calls on February 2nd, 2024

Radio Dispatch at 2:16 PM on February 2nd, 2024

Dispatch: "21, 29. A male with a green hoodie trying to pass a bad check at the credit union, 14 Amesbury Street. 21, 29, or if anybody else closer. It was a fake check. He's now. He's walking down Methuen Street with a green hoodie. Anybody close to Methuen Street? Dark skinned male, all green, on Methuen Street. Okay, he just took off the hoodie."

Radio Communications at 2:18 PM on February 2nd, 2024.

Speaker 1: 479 is approaching Canal Street. By where, Gary?

Speaker 2: Right here, right here.

Acting Chief Castro: *Go on this car. Go out on this car, right here.*

Speaker 1: *479 location please?*

Acting Chief Castro: *Hey, there's a car taking off. It's out. Black Mercedes-Benz on the uh, middle bridge. With North Carolina plates.*

Speaker 4: *Okay, a black Mercedes with North Carolina plates heading on the Central Bridge.*

Acting Chief Castro: *Coming up to Merrimack.*

Speaker 4: *Approaching Merrimack, 4 11's behind him.*

Acting Chief Castro: *They're bailing out, South Canal. South Canal under the bridge by the homeless. Two, two males, black. One has a green sweatshirt with a number seven behind it.*

Speaker 4: *4 11 call it out.*

Acting Chief Castro: *One just went under the bridge, under the bridge by the homeless, the other one is by the Simpsons Brothers.*

Motor Vehicle Pursuit Policy

The following are direct excerpts from the Lawrence Police Department Manual which are relevant to the events under investigation.

Lawrence Police Department Manual Policy #1.04: Motor Vehicle Pursuits

III. POLICY

A. The policy of this department shall be to limit the use of continued vehicular pursuits to those situations that involve:

1. A violent crime involving the use of force; and/or

2. The use or possession of a firearm in an unlawful manner.

The policy of this department shall not authorize the pursuit of a motor vehicle operator who has committed only motor vehicle violations, including but not limited to motor vehicle violations such as O.U.I., reckless operation, and possession of a stolen motor vehicle.

The intention of this policy is to limit the use of continued pursuits to the most serious of circumstances, thereby effectively limiting the exposure of officers, suspects, and citizens to the possible serious consequences of vehicular pursuits.

Continued pursuit is clearly inappropriate and will not be authorized when the pursuit itself has a higher potential for serious injury or loss of life than does the threat posed by the escape of the suspect.

B. No officer shall initiate or continue a pursuit on a divided highway opposite the direction of the flow of vehicular traffic.

C. Unless specifically authorized by a (Patrol Supervisor or OIC), no officer (other than the officers in the primary and secondary unit) shall engage in the main pursuit or pursue on parallel streets.

F. No officer shall participate in a pursuit of a motorcycle for any reason not authorized by this policy. 41.2.2

IV. GUIDELINES

Each officer must use his/her discretion along with the guidelines supplied in this policy and procedure in determining whether or not to commence a pursuit and how to conduct the pursuit once one has been initiated.

Some of the factors to be considered when determining whether to initiate, continue, or terminate a pursuit are: 41.2.2 (2)

1. Time of Day - Pursuits occurring at a time when there is a high level of business, school, or other activities are deemed to be more hazardous than those occurring during periods of low activity.

2. Volume of Vehicular Traffic - Pursuits occurring during periods of heavy traffic flow is deemed to be more hazardous than those occurring at off-peak hours.

3. Location of Pursuit - Pursuits through residential areas or along streets near to or adjacent to schools are viewed as more hazardous than those in lightly populated areas.

4. Weather Conditions - Environmental factors such as rain, snow, fog, or darkness substantially increase the danger of the pursuit.

5. Road Conditions.

6. *Speeds Involved.*

7. *Nature of Charges.*

8. *Volume of Pedestrian Traffic.*

9. *Police Vehicle Capabilities.*

10. *Quality of Radio Communications. Once made, the decision to pursue is not irrevocable. It is often better to abandon a pursuit where the risk of danger to the officer or the public is high, or weather or road conditions are poor. No officer shall be disciplined for deciding to discontinue a pursuit.*

V. DEFINITIONS

A. *Vehicular Pursuit: a pursuit is the active attempt by a police officer in an authorized emergency vehicle to apprehend the occupants of a moving motor vehicle whom are in the process of attempting to evade capture by traveling at speeds greater than the speed limit.*

Interviews

CIC conducted interviews with 18 people with applicable knowledge of the incidents under review in this investigation. The following are summaries and excerpts from those investigations related to the motor vehicle incident.

Interview of Sergeant Individual 2

1. CIC conducted an interview of Individual 2 for the purpose of this investigation.
2. [REDACTED]
3. Individual 2 completed the Police Academy and has undergone regular in-service training throughout his career.
4. Individual 2 was on duty on February 2nd, 2024, assigned as the Patrol Supervisor. Individual 2 described that the most important responsibility of a Patrol Supervisor is overseeing patrol units.
5. Individual 2 told CIC that on February 2nd, 2024, he heard a call over dispatch about a bad check:

Bennett: *On that day, did you hear a radio call, a dispatch, concerning an attempt to pass a bad check at the NESC Credit Union?*

Individual 2: *I did, a little after 2, I believe around 2:15 P.M. call went out for a gentleman trying to pass a bad check at the Credit Unit, which we're all familiar with. That's the one the majority of us use on Amesbury Street.*

6. CIC played **Individual 2** Radio Call #1 and asked what observations he made about the call:

Bennett: *And what is contained in that dispatch from your perspective as a Lawrence police [REDACTED]?*

Individual 2: *Basically, dispatch is relaying what the caller just relayed to the call taker about a crime that's taking place, which in, this type of crime is very common in Lawrence. It's common everywhere with the financial crimes that we've been hit hard with and a lot of it is bad checks that are washed and then we try to negotiate those inside the bank.*

7. **Individual 2** told CIC he is familiar with Lawrence Police Department Manual Policy #1.04: Motor Vehicle Pursuits.
8. CIC asked **Individual 2** if the crime described in Radio Call #1 would allow an officer to engage in a motor vehicle pursuit under the Lawrence Police Department's policies:

Bennett: *And is it permissible to initiate a motor vehicle pursuit when someone's passed a bad check?*

Individual 2: *No, sir.*

9. CIC played Radio Call #2 and asked **Individual 2** about his observations:

Bennett: *Is there any information on that second dispatch call that would indicate there was a crime of violence that had taken place?*

Individual 2: *No, sir, I think to the average police officer, what they're ascertaining from what's being relayed is that the gentleman trying to pass the bad check was foiled by the bank personnel and then left abruptly to avoid, you know, detection, and now is leaving the scene. So, it's just, no mention of violence, no mention of any weapons, just a mention of a guy trying to pass a bad check. They actually did a great job there, the credit unit, the manager there.*

10. CIC played a video recorded by security cameras on February 2nd, 2024. **Individual 2** described his observations of the video, which in part were:

Individual 2: *...that's where apparently Chief Castro saw that the culprit walk in, get into the Mercedes upon seeing the Chief and his unmarked tower with the lights took off on the sidewalk. Keep in mind, this is a Friday afternoon during rush hour traffic luckily the roads weren't bad in February, looks like we hadn't had in snow in a while. Took off and then with the black the Chief in pursuit towards the bridge.*

Bennett: *Now, were they driving on the sidewalk at that point?*

Individual 2: *Both vehicles were, yes.*

11. **Individual 2** told CIC that it is not permissible, for any reason, for a police officer to drive on a sidewalk to follow a car.
12. **Individual 2** observed that Acting Chief Castro activated his lights in the video. He explained that the significance of an officer using their lights during a pursuit is that the suspect will accelerate to evade apprehension.
13. CIC asked **Individual 2** about the Lawrence Police Department's Motor Vehicle Pursuit Policy:

Bennett: *And is the person who's doing that motor vehicle pursuit at that point, are they supposed to continue to reevaluate as the pursuit goes on to determine whether or not it's safe for them to continue the pursuit?*

Individual 2: *Yes, and per our policy for an officer to initiate a pursuit, the supervisor or the OIC, is not yet involved in that. So, if me as an officer or a sergeant for that matter, I initiate a pursuit because there's a guy with an expired registration tag and he takes off and I initiate a pursuit, I go a block and then the sergeant calls it off because I don't, it doesn't fit the criteria. I'm on the book for even getting into that pursuit even before it was called off. So, there's set criteria that has been tweaked for the last several years and you know you can't pursue for something such as that.*

Bennett: *Is it fair to say that at that point it was a violation of policy for the Chief to be driving on the sidewalk in a pursuit?*

Individual 2: *For any officer it would be in the Lawrence Police Department. Yes, it would be a clear violation outlined in our policy and procedures.*

14. CIC played a video recorded by security cameras on February 2nd, 2024. **Individual 2** described the video as showing a view of the bridge and the insertion near Canal

Street. He described a Mercedes taking a right-hand turn into busy traffic. The Mercedes had a clear path until it approached oncoming traffic on the other side of the bridge in the Northbound Lane. **Individual 2** further stated:

Individual 2: *And then you can see the Chief enter the same way the Mercedes did, fly down, accelerate towards the vehicle, and then with two other cruisers, I believe, marked cruiser in tow, one coming the opposite direction, against traffic on a one-way street, enter traffic, and then pursue the vehicle. And in this situation, fortunately, the Mercedes opted to turn left onto South Canal Street and crashed, because ultimately no one was injured, and it turned out well, I think, for everyone involved at that point.*

15. CIC asked **Individual 2** to evaluate the appropriateness of actions taken by Acting Chief Castro based on his observations of the video:

Bennett: *Okay. So, what was the Chief allowed to, Chief Castro, was he allowed to continue his pursuit under the circumstances of the traffic situation at that point?*

Individual 2: *Not only was he not allowed to continue to pursuit, he wasn't allowed to even start to pursuit based on the criteria.*

16. **Individual 2** provided his evaluation of the appropriateness of actions taken by Officer Ovalles and **Individual 4** based on his observations of the video:

Bennett: *What are their responsibilities when there is someone in a pursuit?*

Individual 2: *Their responsibilities are also to follow the motor vehicle pursuit policy. And another responsibility is to back up their fellow officer, which in this case what they were doing here is the Chief getting into a pursuit. They're both new officers, maybe they thought it was okay, but it's a clear violation for all those involved. And if I was involved, that would have been a violation, too.*

17. CIC played Radio Call #3. **Individual 2** identified that Acting Chief Castro was the individual on the call. **Individual 2** stated that Acting Chief Castro's communication was delayed. He described that in the call, Acting Chief Castro informed dispatch that the suspects were fleeing on foot. **Individual 2** noted that Acting Chief Castro never informed dispatch that he was engaging in a high-speed chase or that a car crash occurred. Acting Chief Castro never alerted dispatch that he was driving on the wrong side of the road in a high-traffic area. **Individual 2** stated that it is the Lawrence Police Department's policy to alert dispatch and the OIC if you are engaging in a motor vehicle pursuit. **Individual 2** stated that Acting Chief Castro never indicated a motor vehicle pursuit occurred until after the crash happened.

18. CIC played Radio Call #4. **Individual 2** stated that Acting Chief Castro did an excellent job staying at the scene of the crash and alerting dispatch to the two suspects evading arrest on foot.

19. CIC played a video recorded by security cameras on February 2nd, 2024. **Individual 2** explained his observations to CIC:

Individual 2: *So, you can see where the pursuit started in the distance where the cars on the sidewalk. You have Canal Street and then you have Amesbury Street and the central bridge. The brick building you see in the photo top right is about a four-story building that's a blind spot so if that was two seconds before that light turned red for that that would have been probably an accident there because that car is going through the green light, especially towards the end of it is, they're going to make contact but fortunately, you know, that light had stopped.*

Bennett: *When you say that car, what do you mean by that car?*

Individual 2: *Meaning the Mercedes who was trying to evade police. Then the light turns green for the cars on the central bridge heading south who are now able to go west and unfortunately, luckily, that the Mercedes was able to avoid a head-on collision and so was the Chief with the traffic who now had to go, you know, pull to the right so that car could travel in their lane and onto the central bridge. So, luckily everything, no one got hurt and everyone was safe that day, but you could obviously see in the video that it did pose a threat to public safety.*

Bennett: *And the Chief also was driving against the light?*

Individual 2: *Yes, as you can see that traffic coming across the bridge was turning left and they both entered the westbound traffic as they were going east to turn south.*

Bennett: *Is that, is any police officer supposed to be reevaluating the safety of their motor vehicle pursuit as it goes along?*

Individual 2: *Yes, even if it's an allowed pursuit, if that officer pursuit perceives that the threat to public safety is greater than the capture of the suspects, you're obligated to have to call it off. And I've done that in the past, but that's when we had chases and they were common place, but now they're not too common.*

20. CIC played Radio Call #15. **Individual 2** explained his observations:

Bennett: *Now was that you, [REDACTED]?*

Individual 2: It was, it was 12 minutes after the initial call went out. At that point, I still don't know if there's a crash. I still know for sure if there was a pursuit. Everyone's in custody, now it's time to investigate and to determine that my job is still at hand.

21. **Individual 2** responded to the scene of the crash to investigate once both suspects had been apprehended. He stated that the guard rail on South Canal Street was mangled, and the Mercedes had sustained heavy front-end damage.
22. CIC asked **Individual 2** which officers were at the scene when he arrived at the accident on Canal Street:

Individual 2: You got it. And if I even did through my report, but I recall Detective Pazmino was there, **Individual 16** was there, eventually he was the primary officer and maybe **Individual 4**. Let me see if I put it in my report. (Pause). Okay, along, yep, so **Individual 16**, **Individual 4**, and **Individual 12** were on scene, I believe, Detective Pazmino may have showed up at some point.

23. **Individual 2** stated that it was his duty as Patrol Supervisor to ascertain what happened so that he could author a report and take the appropriate actions.
24. **Individual 2** recalled his conversation with Acting Chief Castro at the scene of the accident. Acting Chief Castro initially told **Individual 2** that he followed the suspects' vehicle but did not engage in a motor vehicle pursuit. Acting Chief Castro did not state that he perceived the situation to involve a bank robbery.
25. **Individual 2** told CIC that Acting Chief Castro, during their conversation on the Central Bridge, never mentioned that he perceived a bank robbery to have taken place:

Individual 2: No, and he never mentioned to me that he was in a pursuit or that he perceived it to be a bank robber. I mean, keep in mind, I don't think there's anyone that day on scene that thought it was a bank robber because we're inundated with a lot of these bad check things and never mentioned I've gotten a mask, bank robber, nothing. So.

26. **Individual 2** recalled that Acting Chief Castro admitted he had engaged in a pursuit after he had been told that security cameras film the streets he had driven down. **Individual 2** believed that Acting Chief Castro recognized that he had "messed up."

Bennett: What else did the Chief say once you went back to him with further questions?

Individual 2: Well, I asked him, I said, Chief, I said, there's a lot of cameras that we're going to review, and did you have your lights on, your siren, and did you pursue him? And he said, yes, he did. And then I sympathized, and I said, Chief, it's tough not to get the bad guys, isn't it? And he said, yeah. And I said, but you can't do it. I said, if that was one of my guys, I'd have to write him up.

Bennett: *What was his reaction to that, if you can recall?*

Individual 2: *He kind of just shrugged like he agreed. It wasn't adversarial, there was no heated argument, nothing like that. I think he knew that he messed up.*

27. **Individual 2** told CIC that Acting Chief Castro never mentioned believing the suspects were involved in a bank robbery:

Bennett: *Did he, at that time, tell you what caused him to feel that it was necessary to be in a motor vehicle pursuit? And if you need to refer to your report and refresh.*

Individual 2: *No, he said he was going to get his license and those were the guys that were at the Credit Union. So, he saw the suspect walk in and got into the Mercedes and yeah.*

Bennett: *Did he say anything about him having a feeling it was a bank robbery or?*

Individual 2: *No. Nope.*

Interview of **Individual 16**

1. CIC interviewed **Individual 16** for the purpose of this investigation.
2.  **Individual 16** completed the Police Academy. He told CIC he is familiar with Lawrence Police Department Manual Policy #1.04: Motor Vehicle Pursuits.
3. **Individual 16** was on duty on February 2nd, 2024, assigned to Patrol of Sector Six.
4. **Individual 16** identified the crime that led to the motor vehicle accident:

Bennett: *And I'm going to actually play a call for you right now.*

(Listening to Call)

Bennett: *Is that the radio call that you heard that day?*

Individual 16: *Yes.*

Bennett: *And was there, what was the crime that was allegedly had been committed?*

Individual 16: They tried cashing a bad check.

5. **Individual 16** told CIC that it is not permissible to initiate a motor vehicle pursuit based on a report of a bad check:

Bennett: And knowing the motor vehicle pursuit policy, 104, or 1.04, is it permissible to initiate a motor vehicle pursuit when someone's passed a bad check?

Individual 16: No.

6. **Individual 16** recalled what actions he took based on the dispatch call:

Bennett: Once you heard the dispatch that day back in February 2nd of 2024, what did you do?

Individual 16: I first responded to the bank when I got there, I asked dispatch if they wanted me to stop there to get more information, but they wanted me to go look for the suspects instead, so I went to help assist, look for the suspects and that's when the Chief's chase started.

7. **Individual 16** walked along Merrimack Street near the river, hoping to find the suspects who had fled on foot. Although he did not assist in apprehension, he did help escort the subjects back to his cruiser to be transported to the station for booking.
8. **Individual 16** told CIC what took place when he later responded to the scene of the accident:

Individual 16: It was myself, **Individual 2** and Chief Castro and **Individual 4** and **Individual 2** asked Chief Castro if he had pursued the vehicles. He said he didn't, he just followed them. **Individual 2** asked if he had his lights and sirens on and Chief Castro said yes. **Individual 2** then says, well it kind of sounds like that was a chase, so he pursued.

Bennett: When, and let me just stop you there, **Individual 2** said, that sounds like a chase. Did the Chief respond to that, that statement by **Individual 2**?

Individual 16: He did. He said yes, it was a chase.

9. **Individual 16** told CIC that the only other conversation he had with Acting Chief Castro on the scene was about handling the damaged Mercedes. Acting Chief Castro requested that **Individual 16** put a hold on the vehicle when it was towed, so that a search warrant could be obtained to search for any evidence from the crime scene.

10. **Individual 16** went to the Credit Union after the Mercedes was towed from the bridge. **Individual 16** spoke to employees of the Credit Union. They told **Individual 16** that an individual had tried to pass a suspicious check. CIC asked **Individual 16** if the Credit Union employees mentioned anything about a bank robbery:

Bennett: *Did anybody at the bank mention that there was a bank robbery or anything like that going on at the time?*

Individual 16: *Nothing.*

11. CIC played a video recorded by security cameras on February 2nd, 2024. CIC asked **Individual 16** to describe his observations of the video:

Individual 16: *I saw the suspect's vehicle take a right onto the bridge, followed by Chief Castro's unmarked. Another cruiser from this part of Canal Street take a left following the Chief. A third cruiser coming through here and at the very end it was myself at the end responding to the incident.*

Bennett: *When you say the first cruiser that took the left, is that coming from a one-way street at that point, do you know?*

Individual 16: *Yes.*

12. **Individual 16** told CIC that the pursuit depicted in security camera footage was in violation of Policy:

Bennett: *And is it permissible to initiate a motor vehicle pursuit if all that's been done is pass a bad check?*

Individual 16: *No.*

13. CIC played a video recorded by security cameras on February 2nd, 2024. **Individual 16** told CIC that the video shows Acting Chief Castro driving across the sidewalk:

Bennett: *This one's marked Canal Street. Can you describe what was taking place in that video?*

Individual 16: *I watched the suspect's vehicle driving at a high rate of speed up onto the sidewalk and back out in the street around the tree and I watched the Chief's vehicle do the exact same thing go up onto the sidewalk and back out in the street and then about 15 seconds later maybe there was myself responding to what was going on.*

Interview of Individual 10

1. CIC conducted an interview of Individual 10 (Individual 10) for the purpose of this investigation.
2. [REDACTED]
[REDACTED] Individual 10's assignment is to the General Detectives Unit. He told CIC he is familiar with Lawrence Police Department Manual #1.04: Motor Vehicle Pursuits.
3. Individual 10 told CIC that it is not permissible to initiate a motor vehicle pursuit based on a report of someone passing a bad check:

Bennett: *Okay, is it permissible to initiate a motor vehicle pursuit for a bad check? According to the policy?*

Individual 10: *That's against the policy.*

4. Individual 10 was on duty on February 2nd, 2024. He heard a call over dispatch regarding the passing of a bad check. He recalled finishing the activity he was working on and driving his cruiser in the direction of the call.
5. Individual 10 initially went toward the Credit Union but changed direction for Amesbury Street upon hearing information over the radio that indicated a pursuit may be taking place. Individual 10 described the events that took place upon his arrival:

Bennett: *When you arrived at Amesbury Street, was there a car accident or did you go somewhere else?*

Individual 10: *I believe by the time I arrived on scene, the car accident already occurred.*

Bennett: *As a result of the car accident occurring, what did you do at that point?*

Individual 10: *We started to canvas the area for a suspect that was at large.*

6. Individual 10 heard that the suspects were in the Merrimack Street area. He went on foot to assist in apprehending the suspects, but he was not involved in apprehending or arresting either suspect.
7. Individual 10 drove back to the police station and passed by the site of the car accident without stopping.
8. CIC played a video recorded by security cameras on February 2nd, 2024. Individual 10 observed that Acting Chief Castro was the primary driver in the motor vehicle

pursuit of a Black Mercedes. **Individual 10** recognized one of the vehicles in the pursuit as being driven by Office Ovalles. He could not identify the driver of the third vehicle following behind.

Interview of **Individual 4**

1. CIC conducted an interview of **Individual 4** for the purpose of this investigation.
2. [REDACTED]
3. **Individual 4** was on duty on February 2nd, 2024, assigned as a patrolman.
4. **Individual 4** recalled hearing a call regarding a bad check. He was at the station and left to go to the Central Bridge.
5. **Individual 4** explained that the crime described over dispatch is not consistent with the conditions needed to initiate a motor vehicle pursuit:

Bennett: *And when you heard the call, what was the call for what crime allegedly had been committed?*

Individual 4: *Possible forgery check.*

Bennett: *Okay, and is a permissible do a motor vehicle pursuit for. for a check?*

Individual 4: *No, sir.*

6. **Individual 4** told CIC that he was driving the third vehicle that can be observed on security camera footage:

Bennett: *Yeah, I'm going to stop this right here. Just going back on the record now, and the question was, could you have been one of the two police cars, not the one that was going the wrong way on the road, but could you have been one of the two police cars that was coming the correct way up that road?*

Individual 4: *Yes, sir.*

Bennett: *And those cars had their lights on.*

Individual 4: *Yes, sir.*

Bennett: *Did you have your lights on when you were attempting to assist the Chief?*

Individual 4: *Yes.*

Bennett: *At a certain point, was there a car accident?*

Individual 4: *Yes, sir.*

Bennett: *Tell me about where the car accident was and what you observed.*

Individual 4: *So, once I reached, once I was on the bridge, I observed the Chief on his vehicle and I also observed the Mercedes crash into Jersey Barracks, as you can see. He then told me that-*

Bennett: *When you say he, just tell me, just say who said who he is when you say he.*

Individual 4: *The Chief of Police.*

7. **Individual 4** spoke to Acting Chief Castro after the Mercedes crashed on the Central Bridge. Acting Chief Castro told him that two suspects had fled on foot. **Individual 4** ran toward the riverbank where the suspects had gone.
8. **Individual 4** assisted in searching the area surrounding the Central Bridge. He was not involved in the apprehension of either suspect.
9. **Individual 4** returned to the scene of the accident after the suspects had been arrested.

Interview of Officer Gregory Ovalles

1. CIC conducted an interview of Officer Ovalles for the purpose of this investigation.
2. Officer Ovalles has been a Lawrence Police Officer for a little less than two years. Officer Ovalles has received EVOC and procedures training.
3. Officer Ovalles was on duty on February 2nd, 2024, assigned to Patrol.
4. CIC played recordings of radio communications from February 2nd, 2024, for Officer Ovalles and asked for his observations:

Bennett: *Okay. What's going on in the dispatch and the radio calls that you just heard?*

Ovalles: *They were dispatching us to a fraudulent check activity. One of the banks nearby.*

5. CIC asked a follow-up question about what was being said on one of the radio calls:

Bennett: *Okay. And what is Chief Castro saying, basically?*

Ovalles: *That he was currently behind the vehicle.*

6. Officer Ovalles told CIC that it is not permissible to initiate a motor vehicle pursuit based on a call regarding a bad check.
7. Officer Ovalles told CIC how he responded to radio communications that he heard. Officer Ovalles admitted that he engaged in a motor vehicle pursuit:

Bennett: *As a result of getting this information that you just heard over the dispatches, what did you do?*

Ovalles: *As of that time, I was on the intersection of Canal and Lawrence Street, and I observed the Mercedes vehicle coming to marked lane violation going to the opposite side of the road, and Chief Castro following right behind them with lights and sirens. He had requested for another backup unit, so then I made my way down to Lawrence Street with my lights and sirens on. Leaving it safe before going down.*

Bennett: *Were you going the wrong way on a one-way street at the time?*

Ovalles: *Yes, sir.*

8. CIC played a video recorded by security cameras on February 2nd, 2024. CIC asked Officer Ovalles to explain his observations about the video. Officer Ovalles observed that a black Mercedes drove across a portion of the sidewalk, and he stated that Acting Chief Castro drove across the sidewalk.
9. CIC played Officer Ovalles another video recorded by security cameras on February 2nd, 2024:

Bennett: *Okay, what took place during that video?*

Ovalles: *It was the Mercedes, again committing a marked lane violation, and then making a right onto the Center Bridge with Chief Castro right behind them, and then my vehicle and other vehicles followed behind.*

Bennett: *Okay. Was Chief Castro in a motor vehicle pursuit at that time based on your training and experience?*

Individual 3: *Yes, sir.*

Bennett: *Did you become part of that motor vehicle pursuit at that time?*

Ovalles: *Yes, sir.*

Bennett: *And what was the reason that you drove the wrong way down that one-way street?*

Ovalles: *The Chief was requesting an additional unit. I felt like I was the closest unit. I do not know what he had seen at that time.*

Interview of **Individual 12**

1. CIC conducted an interview of **Individual 12** for the purpose of this investigation.
2. [REDACTED] **Individual 12** told CIC he is familiar with Lawrence Police Department Manual Policy #1.04: Motor Vehicle Pursuits.
3. **Individual 12** told CIC that it is not permissible to initiate a motor vehicle pursuit based on a bad check:

Bennett: *And is passing a bad check, is it permissible to initiate a motor vehicle pursuit if you're, for passing a bad check?*

Individual 12: *No.*

4. **Individual 12** was on duty on February 2nd, 2024. He recalled hearing a radio dispatch about two suspicious individuals attempting to cash a bad check. **Individual 12** was on a medical call during the moments following the dispatch about the bad check. **Individual 12** eventually responded to the Central Bridge on South Canal Street due to hearing that a car crash had taken place.
5. **Individual 12** described the damage that resulted from the car crash on South Canal Street:

Bennett: *Okay, describe the accident.*

Individual 12: *So, the vehicle was on the left side of the Central Bridge, almost close to Merrimack Street, South Canal Street, collided with a barrier on that street between Central Bridge and South Canal.*

Bennett: *Was, was there substantial damage done to the car?*

Individual 12: *A lot of, and front-end damage, yeah.*

6. Upon arrival at the bridge, **Individual 12** learned that one of the suspects was still at large. He responded to assist in apprehending the suspect, but stated that he did not do much. He witnessed the second suspect being placed into custody, and then returned to the Central Bridge.
7. **Individual 12** recalled returning to the Central Bridge and observing a conversation between **Individual 4**, Acting Chief Castro, and **Individual 2** about what happened before the crash.
8. **Individual 12** recalled Acting Chief Castro stating that he engaged in a motor vehicle pursuit. He stated that he believed someone mentioned an armed robbery, but could not recall which individual made the statement:

Bennett: *Other than the fact that Chief said he was in a motor vehicle pursuit, did you hear any other conversation before that?*

Individual 12: *No, not really.*

Bennett: *And do you recall anything being said by the Chief about an armed robbery?*

Individual 12: *They, I think that they did mention that, I think during the whole interaction they might have mentioned that someone or some of the guys believe it was armed robbery.*

9. CIC attempted to gain further clarification about the possibility of an individual mentioning an armed robbery after the car crash:

Bennett: *And can you recall which one, or which officers said something about there being an armed robbery?*

Individual 12: *No, no, I can't, I can't really remember. I know it was a mention, but just can't remember who was it that said it, no.*

10. CIC played a video recorded by security cameras on February 2nd, 2024. CIC asked for **Individual 12**'s observations about the video:

Bennett: *Okay. Looking at that video, it's marked Amesbury Street Bridge. Can you tell what was going on there?*

Individual 12: *So, you can see the suspect vehicle's coming from, he's on Canal Street coming from probably either Hampshire Franklin. Turns it takes that right onto the bridge. And then you see the Chief's vehicle right behind and then you see three other cruisers right after that.*

Bennett: *Okay, and what, are the lights on in the Chief's vehicle?*

Individual 12: *Uh, yeah, he has some lights on.*

Bennett: *Okay. Is there any significance with regards to whether it's a motor vehicle pursuit or not if the lights were on?*

Individual 12: *I'm assuming that he's behind the vehicle to try to stop him.*

11. **Individual 12** clarified for CIC that there was no indication over dispatch about an armed robbery; However, based on hearing commotion over the radio, **Individual 12** determined that there must have been some pursuable event happening, so he decided to assist the officers on the call:

Bennett: *Is there anything you wanted to bring up, Officer?*

Individual 12: *No, I mean, yes, so during the time that I was at the medical, it was a lot of commotion in the radio going back and forth. So, at some point we did, you know, I did think it was some type of pursuable altercation that was in place, taken in place, and that's why after the medical I decided to go and support those units.*

Bennett: *But there's nothing specific you remember about anybody mentioning armed robbery with the chatter. Is that fair to say?*

Individual 12: *Yes. Nothing specific no.*

Interview of **Individual 17**

1. CIC conducted an interview of **Individual 17** for the purpose of this investigation.
2. [REDACTED]
3. [REDACTED]. He was on duty on February 2nd, 2024, assigned to an unmarked cruiser patrolling Lawrence.
4. **Individual 17** heard a radio call regarding a bad check. He told CIC that it is not permissible to initiate a motor vehicle pursuit based on a report of a bad check:

Bennett: *And is it permissible to do a motor vehicle pursuit if the only alleged crime is a bad check?*

Individual 17: *No.*

5. **Individual 17** told CIC that on February 2nd, 2024, dispatch did not indicate that any type of armed robbery or bank robbery was taking place.
6. **Individual 17** recalled hearing that Lawrence Police units were following the suspect's vehicle. He responded to the Duck Bridge in order to assist.
7. CIC played a video recorded by security cameras on February 2nd, 2024. **Individual 17** observed that it appeared to show Acting Chief Castro pursuing a vehicle across the Central Bridge heading southbound. He stated that it appeared several marked cruisers were following Acting Chief Castro.
8. **Individual 17** stated that security camera footage depicted Acting Chief Castro in a motor vehicle pursuit:

Bennett: *Is it significant, were the lights on on Chief Castro's SUV?*

Individual 17: *They were, yes.*

Bennett: *And is that significant in any way with regards to motor vehicle pursuits?*

Individual 17: *Yes, it appeared that he was pursuing that vehicle.*

9. **Individual 17** stated that a crash eventually occurred on the Central Bridge.
10. **Individual 17** recalled how he responded to the situation on February 2nd, 2024:

Bennett: *Now, did you go to where the accident was or did you go to where the pursuits were taking place?*

Individual 17: *Um, so, I believe I came over the Central Bridge later, um, and they said they were in a foot chase down near the river going towards the Duck Bridge. So, uh, I did not stop at the accident. I believe I might have drove by it, but on Merrimack Street. So, not even on the same street. And then I drove to the Duck Bridge. And that's where I got out.*

Bennett: *Okay, once you got out of the Duck Bridge, what did you do?*

Individual 17: *Uh, at that time, so I knew they were pursuing the male on the riverbank, running towards the Duck Bridge from the Central. So, they were coming my way. I basically stood on top of the bridge. I saw the guy in all green that they said was running and, you know, yelled down at him to stop. He told me, basically, I'm scared. I'm not going to stop for the police. He continued to run. So, then I ran through the parking lot, scaled the fence, and I ended up, uh, tackling him.*

11. **Individual 17** stated that he escorted Mr. **CORI INDIV B** back toward the Central Bridge to pass him off into the custody of another officer. **Individual 17** was aware that the other suspect was still at large, so he responded as additional assistance. **Individual 17** observed **Individual 2** attempting to apprehend Mr. Barros-Paterson in a parking lot. **Individual 17** ran toward **Individual 2** and hopped a fence to enter the parking lot area. **Individual 17** then hopped another fence into a parking lot area. Mr. **CORI INDIV A** continued to evade the responding Lawrence police officers. **Individual 2** eventually cornered Mr. **CORI INDIV A** and placed him under arrest.

Interview of **Individual 8**

1. CIC interviewed **Individual 8** for the purpose of this investigation.
2. [REDACTED]
3. **Individual 8** was on duty on February 2nd, 2024. He was assigned to the Auto Theft Division, but was working with the Community Policing Division. **Individual 8** explained his assignment to CIC:

Individual 8: *Typically for community policing, usually we address any community issues, any complaints for traffic. We typically be visible and address any issues that the community is complaining about.*

4. **Individual 8** recalled the events of February 2nd, 2024:

Individual 8: *We heard the radio transmission. I didn't know the exact details of the incident, but I knew there was some sort of incident at a bank. Something sort of fraudulent activity. I don't know the details of it, though. And then Officer Sandoval and I started heading that direction. We were actually in North Andover, at Heavenly Donuts, and we were heading back towards Lawrence. We heard the radio call come in. Her and I started heading in that direction. And then shortly after that, we heard that the alleged suspect, or suspect, was leaving the bank. And after that, we continued to head that direction. And I don't remember the exact details of how they got to when they got out of the vehicle. But at some point, we went to where they were in the last seen and we tried to locate the suspects.*

5. **Individual 8** responded to the last known location of the suspect, which he believes was Pemberton Park:

Bennett: *Okay. And what did you do when you got to their last location?*

Individual 8: *I got out of my cruiser, Officer Sandoval continued on searching. I got on foot, and there was a few other officers where we started pursuing where the last location was that the suspect was seen running away from. We were just checking that running in that area actually.*

Bennett: *At a certain point did you come upon either of the suspects?*

Individual 8: *Yes, we located one of the suspects on, I believe it was off of Merrimack Street, the New Balance, like, parking lot. We located one there, and I radioed in that we had eyes on the suspect. At that point, Individual 2 came around one side, and I think Individual 17 was in that area, and, a, oh, Individual 17, and they were able to corral the suspect.*

6. CIC played a video recorded by security cameras on February 2nd, 2024. CIC asked Individual 8 for his observations:

Bennett: *What did you observe on that video?*

Individual 8: *In that video, I observed a black sedan jump on the sidewalk and cut across back on the road. I observed a black Chevy Tahoe with its lights on do the same thing. And a marked cruiser with his lights on, Paul walked behind, some seconds behind.*

Bennett: *In that situation driving in the sidewalk, is that considered motor vehicle pursuit?*

Individual 8: *The way this video is depicted, I would say yes.*

Interview of Individual 18

1. CIC conducted an interview of Individual 18 (Individual 18) for the purpose of this investigation.
2. Individual 18 completed the Emergency Vehicles Operation Course (EVOC) training at the Police Academy and is familiar with the Lawrence Police Department's policies regarding motor vehicle pursuits. Individual 18 stated he is familiar with Lawrence Police Department Policy #1.04: Motor Vehicle Pursuits.
3. Individual 18 was on duty on February 2nd, 2024, assigned as the Officer in Charge of Patrol.

4. **Individual 18** recalled hearing a call over dispatch regarding a bad check being passed.
5. **Individual 18** told CIC that a call that the attempted passing of a bad check is fairly routine for the Lawrence Police Department:

Bennett: *Was that unusual in Lawrence that there'd be a call for a bad check?*

Individual 18: *No, no. It's a call that we can get on a weekly basis, nothing spectacular.*

6. **Individual 18** told CIC that he had gone to the "trailer" to attend to another responsibility because he did not perceive the call for a bad check to be anything serious:

Individual 18: *So, I wasn't doing anything related to this call at that moment, I was doing other stuff, other duties. But somebody had a radio on and I heard what I perceived as yelling on the radio by somebody and I couldn't figure out what was going on so I tried to get closer to wherever I heard the radio. And at that point in time, I realized that I thought I was hearing a pursuit of some kind, whether it be car or foot. So, somebody in that trailer said, I think the Chief's in a pursuit and I go, shit. I go, I'm gonna make my way to dispatch. So, I didn't run, but I didn't walk my way to dispatch trying to get there in time because the onus is on me at that point to decide whether or not to call the pursuit off or allow it to keep going. And I didn't have enough information to make that call at that moment. When I got into dispatch, I believe by the time I got into dispatch, the car pursuit aspect of this was over and I was hearing the Chief say something to the effect of, they're bailing, or he'd already said that as I was walking through the door and then they've given out descriptions of the suspects. So that's when I, when I got into dispatch, the pursuit part was over.*

7. **Individual 18** went to dispatch and heard that the motor vehicle pursuit had ended. This was significant to **Individual 18**, as OIC, because he did not need to make a decision about whether to terminate the pursuit. **Individual 18** began to monitor the radio to ensure that officers were being sent out to apprehend the suspects. He did not have much information about what was happening until he heard **Individual 2** over the radio. **Individual 2** asked over the radio if a pursuit had taken place. **Individual 18** was confused and surprised to hear anything regarding a motor vehicle pursuit with a potential car crash.
8. **Individual 18** made contact with **Individual 2** to ascertain what was happening. **Individual 2** informed him that nobody had been injured in the accident and that the suspects had been apprehended.
9. **Individual 18** spoke with **Individual 2** upon his return to the police station. **Individual 18** could not recall exactly what **Individual 2** relayed about his conversation with Acting Chief Castro. **Individual 18** remembered **Individual 2**

- Individual 2** stating that Acting Chief Castro was not happy about being asked if he was in a motor vehicle pursuit.
10. Per policy, **Individual 18** had to complete a Blue Team Report by the end of the day. He went to speak with Acting Chief Castro, who was in his office. Acting Chief Castro had to let **Individual 18** into his office, because his door was locked.
 11. **Individual 18** recalls Acting Chief Castro making two distinct comments to him. Acting Chief Castro stated that he had not been in a pursuit and was only following the suspect. Additionally, Acting Chief Castro told **Individual 18** that he had believed a bank robbery was taking place.
 12. **Individual 18** asked Acting Chief Castro if he had written a report regarding the incident. Acting Chief Castro stated that he was in the process of drafting his report, and **Individual 18** was welcome to take a look. **Individual 18** observed Acting Chief Castro was drafting his report on a Word document and surmised that he did not know how to use the system for reports. He observed that Acting Chief Castro's report mentioned being in a motor vehicle pursuit, which was confusing for **Individual 18**, because he had just been told that it was not a pursuit. **Individual 18** asked Acting Chief Castro for permission to write the Blue Team Report on the following day. Acting Chief Castro granted the request, and **Individual 18** went home for the day.
 13. **Individual 18** read the incident reports the following day. **Individual 18** decided that the incident in question was a pursuit, and, therefore, passed on the matter to internal affairs due to the possibility of a policy violation. At that point, **Individual 18** stated that he was not making a determination regarding whether a policy violation had taken place.
 14. **Individual 18** told CIC that he listened to all relevant radio dispatch calls for the Blue Team Report. CIC asked for his observations about the calls:

Bennett: *Okay. And at any time, did you hear anything about a bank robbery?*

Individual 18: *No, I did not...*

15. CIC showed **Individual 18** a copy of Acting Chief Castro's report and asked if there was any mention of a pursuit taking place:

Bennett: *Is there anything in that report that states he was in a motor vehicle pursuit?*

Individual 18: *Yes. He, ah, and I believe this is exactly what I saw in his rough draft. The vehicle turned right towards the central bridge and I continued pursuing.*

Bennett: *Okay. And that was his reference to a motor vehicle pursuit. I continue, to, pursuing?*

Individual 18: Yes, because he was, in his, he wrote along with a marked unit monitor the location of vehicle. Yeah, so he was in his vehicle at that moment. The next time he uses the word pursuit it is referring to foot pursuit after the vehicle it crashed.

16. CIC played a video recorded by security cameras on February 2nd, 2024. CIC asked **Individual 18** for his opinion of what he observed in the video:

Bennett: Was he in a motor vehicle pursuit in your opinion?

Individual 18: Absolutely, yeah, yeah. Going contrary to marked lanes and street lights and not staying on the actual street and going on to the sidewalk, definitely motor vehicle pursuit.

17. CIC played another video recorded by security cameras on February 2nd, 2024. CIC asked for his observations:

Individual 18: I observe what I believe to be the suspect motor vehicle was the black Mercedes traveling on the sidewalk on the westbound side of Canal Street about, I don't know, it looks like approximately like 60, 60 to 80 feet. And then I observed the Chief's car following him doing the exact same length of sidewalk before both of them make their way back onto Canal Street and then head towards the Amesbury Street bridge.

Bennett: Does the Chief's car have its lights on?

Individual 18: Yes, it appeared in that video that it did. Both videos, it appears that he had his lights on.

Bennett: Okay. And based on your opinion, was he in a motor vehicle pursuit at that time?

Individual 18: Yes. Yes. By definition, yes.

18. CIC asked **Individual 18** if there was any indication that a violent crime had taken place at the Credit Union:

Bennett: And when you went and did your Blue Team evaluation, were there any indications that there was a violent crime taking place before the pursuit?

Individual 18: No.

Interview of Detective **Individual 5**

1. CIC conducted an interview of Individual 5 (Individual 5) for the purpose of this investigation.
2. Individual 5 His current assignment is to lead the Street Crimes Unit, which consists of the Drug Unit, the Gang Unit, Auto Theft, and Housing Authority.
3. Individual 5
4. Individual 5 was on duty on February 2nd, 2024, and overheard a call come in over dispatch that a cruiser was being called to the Credit Union in regards to an individual trying to pass a bad check.
5. Individual 5 stayed in the police station after hearing the dispatch and continued to monitor radio calls.
6. Individual 5 told CIC that the attempted passing of a bad check does not typically merit investigations by the Street Crimes Unit:

Bennett: *Now, with regards to being a sergeant detective in street crimes, passing a bad check, would that qualify as something that you would do an investigation on?*

Individual 5: *It wouldn't be. Patrol was being sent over there to take the call. If anything came out of it, it probably would have been pushed over to general detectives.*

7. Individual 5 became involved in a foot pursuit as a result of hearing more information over the radio:

Bennett: *And what happened then?*

Individual 5: *At that point, I heard that the individual had crashed turning onto South Canal Street and the Chief was in pursuit of him when the vehicle crashed and a foot pursuit ensued.*

8. Individual 5 briefly stopped by the site of the crash on South Canal Street. He confirmed that Acting Chief Castro was not hurt. He then assisted in a foot pursuit that resulted in the apprehension of the second suspect.
9. CIC played Individual 5 a portion of security camera footage and asked for his observations. Individual 5 observed a black Chevy Tahoe driving over a sidewalk while engaged in a motor vehicle pursuit. He told CIC that initiating a motor vehicle pursuit based on someone passing a bad check was not permissible:

Bennett: *What did you observe on that video?*

Individual 5: *I observed obviously a black motor vehicle, black Mercedes, traveling down the road, goes up on the sidewalk, and then it appears that it turns onto the Central Bridge. Then observed a black Chevy Tahoe, it's lights on, drive up on the sidewalk as well, and appear to be going in the same direction, and then a marked cruiser with its lights on, traveling down, turning onto the Central Bridge.*

Bennett: *Is it permissible to initiate a motor vehicle pursuit when someone has passed a bad check?*

Individual 5: *No.*

10. **Individual 5** told CIC that it was also not permissible for a Lawrence police officer to drive over a sidewalk due to a report of a bad check.
11. CIC played another video recorded by security cameras on February 2nd, 2024. CIC asked **Individual 5** for his observations on the video:

Bennett: *What was on that video?*

Individual 5: *So, the other angle, obviously the black Mercedes came off of Canal Street and turned onto the Central Bridge. It appeared to be at a high rate of speed, followed by the same Chevy Tahoe and then another cruiser and then one cruiser coming from the other direction. I believe this is in front of the Claddagh parking lot turning onto the Central Bridge.*

12. **Individual 5** told CIC that it was not permissible to drive on the wrong side of the road in pursuit of an individual who allegedly passed a bad check:

Bennett: *And is it permissible under the circumstances of passing bad check to be driving the wrong way on a one -way street?*

Individual 5: *No.*

Interview of **Individual 6**

1. CIC conducted an interview of **Individual 6** (**Individual 6**) for the purpose of this investigation.

2. [REDACTED]

3. **Individual 6** told CIC that he helped revise Acting Chief Castro's incident report regarding the February 2nd, 2024, incident:

Bennett: *Okay. Now, with regards to acting Chief Castro, did he approach you or did you have conversations about a motor vehicle incident and an arrest that happened in early February of 2024?*

Individual 6: *Yes.*

Bennett: *Okay. And what was your involvement with Chief Castro at that time?*

Individual 6: *Well, obviously, I had a lot of interactions with him when it came to setting up his office. You know, there was a lot of transition going on with the computer itself. And it was based on that event alone. I was present the day that had occurred. I was in the office he had called me in. There was a report that, probably that is the particular report, where he asked me if I can proofread. I did proofread it for him, which was pretty much, you know, spelling errors or run-on sentences, as every officer does with one another. That was my limitations to that report itself.*

4. **Individual 6** explained that Acting Chief Castro wanted to get some facts straight about the Lawrence Police Department's Motor Vehicle Pursuits Policy:

Bennett: *Okay. Can you recall him saying anything about that report as you were trying to assist him with just the run-on sentences and the spelling, can you recall him saying anything about the report to you at that time?*

Individual 6: *I know he was, he just wanted to get some facts straight as far as concerning our policy, our pursuit policy and his view at the time as far as what he perceived that was a pursuit, it was a clear pursuit and I told him that you know it requires a felony and that's what our policy meets. And that was the extent of that conversation.*

5. **Individual 6** recalled Acting Chief Castro saying that he initiated the pursuit, because he thought that a robbery had taken place. **Individual 6** did not remember Acting Chief Castro explaining why he had believed that a robbery was taking place.
6. Acting Chief Castro asked **Individual 6** for proofreading help with his report but also sought clarity about the pursuit policies, according to **Individual 6**:

Bennett: *Is there anything else about that report, other than that they were run-on sentences and misspellings that you can recall Chief Castro saying to you at this time?*

Individual 8: I remember him being very adamant about, you know, his belief of what had transpired and his actions being just.

Bennett: Okay. Can you explain that, though? Because that could be taken a lot, a lot of ways. Can you explain what you mean by that? That you felt that.

Individual 8: Just the reconfirmation of what's the policy correct. So, when somebody is asking that, like, I would ask another officer, hey, these are the elements of the crime. Hey, do you think am I missing something here? Or do you feel like yes, I'm right. So, like, with any other officer I would say yeah, you either, you're missing an element and you should probably visit this or I feel like no, you have it all. I think it's fine, but the end of the day it's on the officer's perception and what his report is gonna read. I can't dictate that for them. So, I think in the same circumstance where he was trying to get a, you know, an affirmation of hey, is this, does this feel right and I said yeah, I mean for more I can read.

Hiring Practices

The following section addresses the allegation that Acting Chief Castro engaged in inappropriate and unethical hiring practices concerning the recruitment and hiring of James Fermin, Richard Abreu, and Scott Wood.

Communication Summaries

The following are summaries of relevant communications. They do not represent the entirety of the communications that CIC reviewed.

Email from **Individual 15** to **Individual 13**
January 3rd, 2024, at 5:48 P.M.

Individual 15 raised several questions about Mr. Wood to **Individual 13** (**Individual 13**). He requested to know the extent to which Mr. Wood was working for the Lawrence Police Department. He asked if a background check had been completed. **Individual 15** asked if Mr. Wood completed the Police Academy or was in the Bridge Academy.

Email from **Individual 13** to **Individual 15**
January 4th, 2024, at 11:07 A.M.

Individual 13 responded to **Individual 15**'s email stating that she had been asked by Acting Chief Castro to add Mr. Wood into the Acadis system. Acting Chief Castro asked her to get Mr. Wood into the Bridge Academy. **Individual 13** stated that Mr. Wood had only done Reserve

Intermittent Police Academy. She stated that she does not do background checks. She stated that his Bridge Academy application was incomplete at that point.

Email from **Individual 15** to Acting Chief Castro
January 4th, 2024, at 12:43 P.M.

Individual 15 emailed Acting Chief Castro regarding potential problems with Mr. Wood's employment with the Lawrence Police Department. **Individual 15** raised a concern that Mr. Wood appeared to be working for the Lawrence Police Department, but may not have completed a background search and been certified by POST. **Individual 15** suggested that if certain elements were missing, Mr. Wood may not be eligible as a police officer under POST rules. **Individual 15** shared an article about Mr. Wood that included serious allegations of racial prejudice and gender discrimination. **Individual 15** asked that the allegations in the article be investigated before Mr. Wood had any involvement with the Lawrence Police Department.

Email from **Individual 14** to Acting Chief Castro, Mr. Zeback, Mr. Houten, and Sergeant Colantuoni.
January 5th, 2024, at 2:06 P.M.

Individual 14 (**Individual 14**) sent this email, alongside another email, with documents related to Mr. Wood. **Individual 14** asked the recipients of this email if they had any information regarding whether or not Mr. Wood had been hired by the Lawrence Police Department. The email did not receive any response from Acting Chief Castro, according to **Individual 14**.

Individual 15 letter to Massachusetts Civil Service entitled, "Request for Investigation into the hiring process."

In an eight-page letter **Individual 15** sent to Massachusetts Civil Service, he requested an investigation into hiring practices by Acting Chief Castro. **Individual 15** outlined evidence and allegations that he believed merited an investigation related to the hiring process of Mr. Wood, Mr. Fermin, and Mr. Abreu. The letter was sent on January 5th, 2024.

Individual 15 outlined the seriousness of the allegations he was making in the opening portion of his letter:

"[REDACTED] and one of my responsibilities involves working with the Massachusetts Peace Officer Standards and Training (POST) officers' certifications and all internal affairs files. I want to request an investigation into the hiring process for new and lateral officers. The City of Lawrence has engaged in a pattern of egregious and

possibly criminal actions that involve hiring new and lateral police officers. These allegations involve the new acting Police Chief, William Castro, who was also the Mayor's Chief of Staff.

Acting Chief Castro has used his position at City Hall and now as the acting Police Chief to force unsuitable candidates through various stages of the hiring process. The three (3) cases I am aware of are all examples of acting Chief Castro's egregious and unethical behavior. I also believe that I am being targeted because of my involvement and opposition to his attempts to bypass Civil Service and POST requirements. Acting Chief Castro has been very open about removing the Lawrence Police Department from the Civil Service for hiring and promotions. He has said this in front of me on at least two occasions. The City of Lawrence does not have the best reputation for following civil service requirements. Still, I have been a police officer for over twenty-two years, and I have never seen anything compared to the actions of William Castro. All candidates below have serious criminal or administrative pasts that should prevent them from being Police Officers or require an extensive background investigation."

Mr. Fermin

Individual 15 wrote that Mr. Fermin was an employee of the Lawrence Police Department but could not be certified by POST as a police officer. He stated that paperwork for Mr. Fermin's termination had been completed twice, but a decision was made to keep Mr. Fermin on staff at the last minute in both instances. On August 2nd, 2017, Mr. Fermin was fired from the Lawrence Police Department during his probationary period. Mr. Fermin brought an unsuccessful lawsuit against the City of Lawrence based on his termination. Mr. Fermin graduated from the Police Academy for a second time and gained employment with the Lawrence Police Department. In March of 2023, **Individual 15** was informed that POST would not certify Mr. Fermin as a police officer because Chief Vasque (now retired) would not attest to his good moral character. Gina Joyce, a certification specialist at POST, contacted **Individual 15**, stating that no agency shall employ a person as a law enforcement officer unless they are certified by the POST Commission.

Individual 9 recommended that Mr. Fermin not be employed by the Lawrence Police Department in any capacity. She later gave a conditional offer of employment to Mr. Fermin that specified he must receive POST certification in order to be employed as a police officer.

Individual 15 wrote that he received a call from then-Chief of Staff Castro:

"On June 21, 2023, Chief of Staff Castro called me upset and stated the Mayor was mad and that the department had screwed up the James Fermin process. He then told me I needed to attest to his good moral character. I then reminded him about our conversation on May 22 and that I would not attest to him."

Then-Chief of Staff Castro sent an email to police staff, along with City of Lawrence officials, asking that someone inform POST why they would not attest to Mr. Fermin's good moral character. Acting Chief Castro stated that the POST application would be incomplete unless someone explained why they would not attest to Mr. Fermin. **Individual 15** responded to the email informing Acting Chief Castro that Gina Joyce from POST told him that applications could not be processed without someone attesting to an applicant's good moral character.

On October 20th, 2023, Mr. Castro became the Acting Chief of the Lawrence Police Department. On November 22nd, 2023, Acting Chief Castro contacted **Individual 15** asking him again to send an incomplete application for Mr. Fermin to POST. **Individual 15** explained why it was not possible for him to follow the order. **Individual 15** explained that he became aware of an incident involving Mr. Fermin:

"Shortly after speaking with acting Chief Castro, I learned that James Fermin had been detained and pepper sprayed by Methuen Police in the last few days (November 19). Per LPD Policy, any officer having contact with another Law Enforcement Agency must report this to their supervisor. I contact Mr. Fermin's supervisor, Lt. Bonilla. He told me that Mr. Fermin had called and told him about the incident. He then told Mr. Fermin to write him an email detailing the incident. However, Lt. Bonilla never contacted the Methuen Police to inquire about the incident.

I contacted Methuen Police Captain Ferreira, who told me the responding officer had observed two males fighting in the street. When the officer was about to separate the males, another male, later identified as James Fermin, came running out of a house and punched one of the males in the head. Due to this, the officer pepper sprayed the males because of their assaultive behavior. This would be very different than what Mr. Fermin had emailed Lt. Bonilla.

I then emailed the acting Chief Castro and informed them about the incident and the email to Lt. Bonilla. I informed him that I believed Mr. Fermin was untruthful when he reported the incident and I would be opening an investigation. However, I am still waiting to receive a response."

On November 26th, 2023, **Individual 15** read the letter that Acting Chief Castro had sent to POST on behalf of Mr. Fermin. **Individual 15** noticed numerous inaccuracies and emailed Acting Chief Castro about the issues with the letter. On November 28th, 2023, **Individual 15** emailed Acting Chief Castro and POST stating that Mr. Fermin was under investigation for criminal conduct, untruthfulness, and unbecoming conduct. POST acknowledged receiving the email, but Acting Chief Castro did not respond to the message.

On December 1st, 2023, Acting Chief Castro placed Mr. Fermin on administrative leave. **Individual 15** stated that he believes Acting Chief Castro began to retaliate against him following the completion of an internal affairs investigative interview with Mr. Fermin:

“Since this interview, Acting Chief Castro has repeatedly questioned my work and status on different assignments. It should be noted that I have asked for assistance dating back to Chief Vasque and including Acting Chief Castro. When he was chief of staff for the mayor, he told me he would assign someone to IA to assist with the overload of cases and my numerous other responsibilities. He also told another police supervisor that he didn't think I was doing my job and other disparaging remarks.”

Mr. Abreu

Individual 15 included a detailed timeline of issues that arose with Mr. Abreu's hiring process as a recruit to the Lawrence Police Department. A variety of concerning information came forward regarding Mr. Abreu's background. Mr. Abreu had a history of arrests for domestic violence and issues contained within his POST application. **Individual 15** stated that Acting Chief Castro had been a large supporter of hiring Mr. Abreu during his time as Chief of Staff. The issue with Mr. Abreu's status as a recruit to the Lawrence Police Department was unresolved as of the time of **Individual 15**'s letter to Massachusetts Civil Service.

Mr. Wood

Individual 15 stated that another hiring issue came to his attention on January 3rd, 2024:

*“On January 3, 2024, I heard rumors that the city was hiring Scott Wood as a lateral Police Officer. This was odd because Mr. Wood had been in the news regarding serious allegations against him, and they stated that a Police Department had not employed him for a few years. I then checked the MPTC Acadis portal, and Scott Wood was listed as working for the Lawrence Police and had a department email. I then contacted **Individual 14**, who said he was unaware of any background investigation or POST applications for Mr. Wood.”*

Individual 15 followed up on his concerns by contacting **Individual 6** and **Individual 13**. **Individual 6** informed **Individual 15** that Acting Chief Castro had asked him to set Mr. Wood up with a Lawrence Police Department email. **Individual 6** could not complete the request because Mr. Wood had not officially been employed as a Lawrence employee. **Individual 13** stated that Acting Chief Castro requested she place Mr. Wood into the Acadis system and get him placed in the Bridge program as a lateral transfer. **Individual 13** put Mr. Wood into Acadis but had not completed his Bridge application at the time of her email.

Individual 15 then sent an email listing his concerns and asking about the status of Mr. Wood in the hiring process. The email was sent to many people, including Acting Chief Castro. **Individual 14** replied with some information about the Lawrence Police Department's Policy and Procedures. Acting Chief Castro and other city officials never replied to **Individual 15**'s email.

The issues with Mr. Wood's hiring process had not been resolved as of **Individual 15**'s letter to Massachusetts Civil Service.

Summary of **Individual 15's Report on Mr. Abreu**

On June 6th, 2023, Deputy Chief McCarthy, at that time serving as Acting Chief of the Lawrence Police Department, learned that Mr. Abreu was unable to obtain a license to carry a firearm from his city of residence. Deputy McCarthy requested that **Individual 15** contact the Methuen Police and further investigate the matter. In June of 2023, Mr. Abreu was completing training at the Police Academy as a recruit to the Lawrence Police Department.

Individual 15's investigation uncovered a variety of problems with hiring Mr. Abreu. His application to POST included at least four inaccuracies or dishonest statements. Mr. Abreu did not list relevant information related to and including his driving record, criminal record, and arrest record. **Individual 15** uncovered information regarding Mr. Abreu having a history of alleged domestic violence and neglect of a child in his household.

Individual 15 conducted an interview of Mr. Abreu. He noted that Mr. Abreu's responses regarding serious allegations often had inconsistencies. **Individual 15** wrote the following in the conclusion portion of his report:

"I don't believe recruit Abreu adequately answered my questions regarding some of his answers on the POST questionnaire. He only strengthened my belief from some of his replies that he purposely omitted specific facts. I will request this background investigation be returned to an investigator so they can contact the Lowell Police, the State Police, DCF, and Lowell District court for all relevant documents so they can be added to his background file."

Lawrence Police Department Manual Policy #4.21

Lawrence Police Department Manual Policy #4.21 VII Code of Sworn: *I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions.*

Interviews

Interview of Individual 15

1. CIC conducted an interview of Individual 15 for the purpose of this investigation.
2. Individual 15 is employed by the Lawrence Police Department. [REDACTED]
3. Individual 15 explained that POST keeps track of all citizen and internal complaints brought against Massachusetts police officers. Any complaint that is brought forward must be investigated. If a complaint meets certain criteria, it must be submitted to POST.
4. Individual 15 stated that if an officer is suspended by POST, they are not allowed to complete any police duties. A suspended officer is not allowed inside a police building under any circumstances.
5. Individual 15 told CIC that Mr. Fermin was previously employed as a Lawrence Police Officer. He was terminated in 2017 by former Chief Fitzpatrick and former Mayor Rivera. Mr. Fermin brought a lawsuit against the City of Lawrence in Superior Court which was unsuccessful. The City of Lawrence's successful result was upheld in Appellate Court. Mr. Fermin's legal action was unsuccessful.
6. A decision was made by the City of Lawrence to rehire Mr. Fermin in 2022.
7. In order for Mr. Fermin to be certified as a police officer by POST, the Chief had to attest to his good moral character. The Lawrence Police Chief during the beginning of Mr. Fermin's hiring process was Chief Vasque. Chief Vasque refused to attest to the good moral character of Mr. Fermin.
8. Individual 15 explained to CIC how Mr. Fermin eventually became employed under the title of police officer without being certified or able to complete the duties of a police officer:

Individual 15: *If you are a new officer and the Chief doesn't attest to your good moral character, then you don't get certified as a police officer. Chief Vasque refused to attest to his good moral character because of his previous firing. However, the ultimate decision is the appointing authority is the Mayor or the Mayor's Office. They decided to hire him. So, we notified POST.*

9. Mr. Fermin graduated from the Police Academy for a second time. He began working at the Lawrence Police Department. Mr. Fermin was wearing an official uniform. POST notified the Lawrence Police Department that Mr. Fermin could not wear a uniform or have a gun. POST stated that if the Lawrence Police Department hired Mr. Fermin, it would need to be in a civilian capacity and not as a police officer. Mr. Fermin was not certified as a police officer.
10. Individual 15 received a call from a City Hall employee stating that then-Chief of Staff Castro wanted him to contact POST and see if anything had changed with Mr. Fermin's status. Individual 15 stated that POST communicated with him about Mr. Fermin's

status. POST stated that Mr. Fermin could not be certified as a police officer unless someone attested to his good moral character. Furthermore, they stated that the City of Lawrence had already told them that nobody was willing to attest on Mr. Fermin's behalf. POST stated that if someone was now willing to attest to Mr. Fermin's good moral character, they would need to know the reasons why.

11. On May 22nd, 2023, **Individual 15** was attending an FBI internal affairs training. He received a phone call from then-Chief of Staff Castro. Then-Chief of Staff Castro demanded three times during the phone call that **Individual 15** attest to the good moral character of Mr. Fermin. **Individual 15** explained over the phone that Mr. Fermin had been terminated for good reasons and should not be rehired to the Lawrence Police Department. **Individual 15** informed then-Chief of Staff Castro that he would have to report the phone call to then-Chief McCarthy because of the chain-of-command. **Individual 15** felt this was necessary as a Police Lieutenant receiving demands from the Chief of Staff.
12. **Individual 15** stated on the phone call that even if he wanted to attest to Mr. Fermin, POST asked for a new background investigation on Mr. Fermin and **Individual 15** is not certified in background investigations. Then-Chief of Staff Castro asked for a list of background investigators who could complete the duty.
13. On June 21st, 2023, **Individual 15** received a call from then-Chief of Staff Castro. Then-Chief of Staff Castro told him that Mayor DePeña was upset with the Police Department for screwing up the hiring process of Mr. Fermin. Then-Chief of Staff Castro told **Individual 15** that he needed to attest to Mr. Fermin's good moral character. **Individual 15** reminded him of their conversation on May 22nd and stated that he would not attest to Mr. Fermin's good moral character.
14. On October 20th, 2023, Acting Chief Castro became the Acting Lawrence Chief of Police. **Individual 15** stated that Acting Chief Castro then went into overdrive trying to make **Individual 15** have someone attest to Mr. Fermin's good moral character.
15. While Mr. Fermin was an employee of the Police Department, **Individual 15** became aware that Mr. Fermin had been involved in a criminal incident in Methuen. **Individual 15**, as the leader of the Internal Affairs Unit, had to investigate the matter. **Individual 15** began investigating Mr. Fermin's conduct. Acting Chief Castro told **Individual 15** to end the investigation into Mr. Fermin. Acting Chief Castro told **Individual 15** not to conduct an interview of Mr. Fermin, despite having knowledge from Lieutenant Bonilla of alleged criminal activity by Mr. Fermin. **Individual 15** informed Acting Chief Castro that he was reporting his interference of his internal affairs investigation to POST.
16. **Individual 15** did not have any first-hand knowledge of Acting Chief Castro taking retaliatory action against **Individual 2** or Captain Mangan.
17. **Individual 15** provided CIC with documentation of an email exchange between Acting Chief Castro and himself.

Individual 9

1. CIC conducted an interview with **Individual 9** for the purpose of this investigation.
2. [REDACTED]
3. **Individual 9** explained what her responsibilities were as [REDACTED]:

Bennett: Okay. And what does the [REDACTED] do?

Individual 9: [REDACTED]

4. **Individual 9** explained the process for hiring police officers in the City of Lawrence:

Bennett: Now, as [REDACTED], can you just in general describe how police officers were hired in Lawrence?

Individual 9: Certainly. So, we use the civil service process. So, candidates would take the civil service exam through the state. We would then get a list. At one point, Lawrence was subject to a federal consent decree. That changed during my employment with the City. But in any event, a civil service list is generated and provided to us. And that is basically the guideline and the process by which we're able to select candidates. It all comes through that civil service process.

5. **Individual 9** was present for a meeting at City Hall that regarded assessing candidates for open police officer slots. The city officials present reviewed profiles of candidates on the civil service list. Mr. Fermin's name became a topic of discussion. He was not positioned well on the civil service list. **Individual 9** knew Mr. Fermin through her previous work at the Essex County District Attorney's Office. **Individual 9** knew about a bad interaction that Mr. Fermin had with a victim in a case, at which time he was a Lawrence police officer. Mr. Fermin was later fired from the Lawrence Police Department. Based on her knowledge of Mr. Fermin, **Individual 9** adamantly opposed hiring him to the Lawrence Police Department.
6. **Individual 9** recalled that POST was fairly new when Mr. Fermin was a candidate for the Lawrence Police Department. POST began requiring that police chiefs or a designee sign off on new police candidates, attesting to their good moral character, in order to be certified as a police officer. During this period, Chief Vasque was the Lawrence Police Chief, and his signature was required by POST to determine if an incoming officer was of good moral character. **Individual 9** recalled that Chief Vasque refused

to attest to the good moral character of Mr. Fermin, which prevented him from being certified by POST.

7. **Individual 9** stated that Acting Chief Castro was involved in the City of Lawrence government in different capacities throughout the time when Mr. Fermin was being considered for a position. Acting Chief Castro was initially an unofficial advisor who counseled city officials about public safety matters. Acting Chief Castro then became the Chief of Staff for Mayor DePeña. Throughout this time, Acting Chief Castro repeatedly recommended that Mr. Fermin be hired as a Lawrence police officer.
8. **Individual 9** recalled Acting Chief Castro telling her that Mr. Fermin had “juice” during the time when he was chief of staff:

Bennett: *Did he indicate that you should be hiring James Fermin?*

Individual 9: *Yes, 100 percent. What I perceived when he kept telling me James Fermin has juice is that I should be intimidated by James Fermin. He has a connection to the Mayor. He has juice. And therefore, I should be working to get him on rather than to keep him off.*

9. **Individual 9** stated that Mr. Fermin completed the MPTC Academy but could not be certified by POST. He took on a position as a patrol officer, but could not complete any police duties without POST certification:

Bennett: *And he's getting paid at this point?*

Individual 9: *He's getting paid as a patrol officer. He's listed in our, we had position control through Munis, which basically will like lock up a position. Like, you couldn't hire two personnel directors because the personnel director position is occupied. We had an occupied position for patrol officer that we could not fill with a legitimate patrol officer because James Fermin with no badge, no gun, no certification is holding that position in the budget. So, that was another problematic issue especially in the face of how many problems we're having with the lack of officers on the street at that time. So, I did express my concerns to William Castro. POST said that he can't even be in the Police Department. I'm very concerned. Again, former DA so now the thinking of, like, oh, if, you know, what if he goes to a call? What happens to the victim of that call? Like their case gets thrown out because it was James Fermin and he's not a cop. I just, the whole, it was a very dark time and when I must have talked to William Castro about this every single day for, like, three to four months, every single day.*

Interview of **Individual 14**

1. CIC conducted an interview of **Individual 14** for the purpose of this investigation.

2. [REDACTED]
3. [REDACTED]. He explained that under the POST Commission, background checks and other record keeping duties he completes are an important part of accreditation.
4. **Individual 14** told CIC that he does not have any first-hand knowledge about any involvement Acting Chief Castro may have had in the hiring of Mr. Fermin.
5. Mr. Fermin was previously employed as a Lawrence police officer approximately five years ago. He attempted to complete the MPTC Academy and regain his position as a Lawrence police officer. Mr. Fermin was assigned to administrative duties within the Police Department because POST would not certify him. POST would not certify Mr. Fermin because officials within the Lawrence Police Department would not attest to his good moral character. Mr. Fermin could not complete the duties of a sworn officer without POST certification, but he was receiving a full-time police officer's salary during his time doing administrative duties. Mr. Fermin was re-terminated due to an incident off duty before his probationary period ended.
6. **Individual 14** recalled having two conversations with Acting Chief Castro regarding the hiring of Mr. Wood. Acting Chief Castro stated during their first conversation, in January of 2024, that he did not know of Mr. Wood. During the second conversation, Acting Chief Castro indicated that Mr. Wood would soon not be an administrative problem, because he was going to fail a background check.
7. **Individual 14** recalled Mr. Abreu's attempt to gain employment from the Lawrence Police Department. Mr. Abreu had completed approximately half of the Police Academy. He was forced to leave the Police Academy when it became known that Mr. Abreu had failed to obtain a gun license in Methuen after problems with his background check. Acting Chief Castro asked **Individual 14** to speak with Mr. Abreu's attorney. Acting Chief Castro made a peculiar comment about Mr. Abreu having "juice." **Individual 14** perceived that the comment indicated that Mr. Abreu was politically connected, and therefore, Acting Chief Castro was under pressure to help him get back into the Police Academy.

Interview of **Individual 13**

1. CIC conducted an interview of **Individual 13** for the purpose of this investigation.
2. [REDACTED]

3. [REDACTED]
4. **Individual 13** told CIC that she does not personally know Mr. Wood. She did have a role in the processing of Mr. Wood that did not come to fruition. **Individual 13** received a call from Acting Chief Castro asking her to get Mr. Wood into the Bridge program. **Individual 13** was able to use Mr. Wood's existing Acadis number to put his name into the Acadis system. Mr. Wood was a lateral transfer from Haverhill from an alternative position within policing. Mr. Wood needed to complete the Bridge program to fulfill the training necessary to have full time employment as a Lawrence police officer. **Individual 13** communicated back and forth with the necessary personnel at the Bridge program in order to get Mr. Wood into the training. Mr. Wood needed to complete a number of steps by early January to be eligible for the Bridge program. One necessary component was passing a medical examination. Mr. Wood only had three or four days to undergo a medical examination. Mr. Wood did not complete the medical examination within the short amount of time. Mr. Wood was not given a spot in the Bridge program due to missing the medical portion of the requirements for Bridge
5. **Individual 13** spoke to Felicia Arnold, an employee of the MPTC. Felicia Arnold told **Individual 13** that they could receive applications for candidates until February 1st. **Individual 13** began the paperwork for Mr. Wood to be sent to MPTC. **Individual 13** came across an article about Mr. Wood that made her concerned to answer a specific part of the MPTC application. **Individual 13** forwarded the article to Acting Chief Castro and asked him how she should answer the question on the MPTC application. Acting Chief Castro never responded to **Individual 13**'s question about how to proceed, so Mr. Wood was never placed in the MPTC Academy on behalf of the Lawrence Police Department.

Interview of **Individual 6**

6. **Individual 6**'s assignment involves IT for the Lawrence Police Department:

Bennett: Okay, and what do you do as a [REDACTED] currently?

Individual 6: [REDACTED]

7. **Individual 6** stated that Acting Chief Castro asked him if he could create a City of Lawrence email address for Mr. Wood:

Bennett: *Okay, and did you provide any function with regards to Mr. Wood?*

Individual 1: *Mr. Wood came, his information came to me by then Acting Chief Castro and he had asked if we could create that and I said I could not create it unless I had, obviously, confirmation that he was employed in fact with the City and that information I would have to give to city IT to create an email address.*

Bennett: *Did you create an email address eventually for Mr. Wood?*

Individual 1: *No.*

Intimidation

The following section addresses the allegation that Acting Chief Castro engaged in intimidation of a Lawrence Police Department member during interactions with **Individual 1**.

Summary of **Individual 11**' Letter Regarding **Individual 1**

Individual 11 sent a letter on June 6th, 2024, to Chief Bonilla regarding **Individual 1**. A portion of the letter contains information relevant to CIC's investigation. **Individual 11** wrote that **Individual 1** told him his recent relapse with alcohol came as a result of a concerning conversation that he had with Mayor DePeña and Acting Chief Castro:

"During the meal, ----- explained why he relapsed. He shared that prior to his vacation, Mayor Brian Depeña had asked him to visit his home for a talk. According to the-----, the Mayor informed him that he was the subject of an investigation and that while the Mayor intended to help him, he felt that you, Chief Bonilla, had not. The next day, Provisional Chief Castro (currently on administrative leave) contacted him early in the morning via phone and subsequently picked him up at his residence in an old minivan. While driving, Castro told ----- -that he was under investigation, that he was being betrayed by his coworkers, and that he could only trust Castro. This sequence of events was the catalyst for his relapse.

As I'm sure you understand, both interactions are highly inappropriate and should be avoided if an investigation is indeed being conducted, as they are clear violations of Massachusetts General Law, particularly Chapter 268, Section 13B (Intimidation of a witness)."

Summary of **Individual 15**'s April 22nd, 2024, Email to POST

Individual 15 contacted a POST Compliance Agent informing him about the April 19th, 2024, meeting in City Hall. **Individual 15** stated that he had a meeting with Chief Bonilla and **Individual 11**

Individual 11 regarding their concerns about the April 19th, 2024, meeting. Individual 15 wrote that Acting Chief Castro had attended a meeting at City Hall on April 19th, 2024, and engaged in discussions regarding police operations despite being under suspension by POST. Individual 15 attached four documents to the email.

Summary of Individual 11 Letter Regarding April 19th, 2024, Meeting

On April 20th, 2024, Individual 11 sent a letter to Chief Bonilla regarding actions by Acting Chief Castro that he believed were in violation of his suspension by POST. Individual 11 wrote that Acting Chief Castro's involvement in an April 19th, 2024, meeting at City Hall constituted a violation of the rules of his suspension from POST. Individual 11 cited an applicable portion of POST's letter of suspension, which noted that state law prohibited any individual on suspension from participating in any police duties or functions. Individual 11 wrote that he felt it was necessary to urgently bring this matter to the attention of Chief Bonilla.

Interview of Individual 1

1. CIC conducted an interview of Individual 1 for the purpose of this investigation.
2. [REDACTED]
3. Individual 1 stated that on May 22nd, 2024, Acting Chief Castro visited his house. Acting Chief Castro was on suspension from POST when this interaction took place. Individual 1 stated that it was unusual and Acting Chief Castro had never been to his house in the past. Individual 1 stated that Acting Chief Castro arrived outside his house in a van. Acting Chief Castro drove Individual 1 around for approximately one mile. Acting Chief Castro told Individual 1 not to trust anyone in the Police Department and that nobody was his friend. Acting Chief Castro told Individual 1 that an investigation had been launched into his overtime hours by other superior officers. Acting Chief Castro told Individual 1 not to trust any of the white officers in the Superior Officers Union.
4. Individual 1 filed a hostile work environment complaint based on his interaction with Acting Chief Castro on May 22nd, 2024. Individual 1 felt that he was very uneasy at work after Acting Chief Castro had put many thoughts into his head about other officers trying to get him fired.
5. Individual 1 stated that Acting Chief Castro told him that he was going to put those officers who had made false accusations in their place. Acting Chief Castro indicated that he was going to do this once his suspension from POST was over and he had assumed his position as Chief of Police.

6. **Individual 1** believes that Acting Chief Castro's aim during the May 22nd, 2024, conversation was to create animosity between officers in leadership positions at the Lawrence Police Department:

Individual 1 *My overall take of this whole situation, because it's more than just Castro a little bit more, just to give you an overall picture, just to make some sense to this. Is that his attention is for me to get in my head, along with the Mayor, to basically we can work, so I can have animosity against the other captains, and probably even the Lieutenant, or whoever else is there, because Castro said that if he's not at the PD, he wants to see that place burn. He didn't tell me directly that I can remember, but I remember several people saying that he said it in front of them. So, that was well known that if he is not, well he did tell me when he was acting chief, was that if he's not the acting chief, then Mayor's gonna get an outside person. There's no ever gonna be somebody from the inside to be Chief as long as he's there. So, his purpose was, I think, is to put in my head to be a terminal, and for me not to get along, and basically so we could just go at it with each other. That's what I believe.*

Interview of **Individual 11**

1. CIC conducted an interview of **Individual 11** (**Individual 11**) for the purpose of this investigation.
2. 
3. **Individual 11** attended a meeting on April 19th, 2024, in Lawrence City Hall. Prior to the meeting, **Individual 11** was having an impromptu meeting with Chief Bonilla and Ms. Sheppard in the Lawrence Police Station. Chief Bonilla received a call about a meeting at City Hall regarding financial matters for the Lawrence Police Department. **Individual 11** and Ms. Sheppard agreed to attend the meeting because Chief Bonilla did not feel he had enough time to adequately prepare to discuss the financial needs of the department.
4. **Individual 11** arrived at Lawrence City Hall with Chief Bonilla and Ms. Sheppard. **Individual 11** described the meeting:

Individual 11: *I'm like, yeah, we'll go to City Hall. So, we get in the car, we go over to City Hall, make it to the Mayor's office. They have a large table. Table is completely full, and department heads, and advisors. And in one of those seats, it was acting suspended.*

Bennett: *So, Acting Chief Castro.*

Individual 11: *Acting Chief Castro was sitting there.*

5. **Individual 11** told CIC that he had to do some soul-searching after the meeting on April 19th, 2024. He had read the public letter from POST, which placed Acting Chief Castro on suspension. He felt the letter was straightforward in terms of his knowledge that Acting Chief Castro had broken the rules by appearing at the April 19th, 2024, meeting in a police capacity. **Individual 11** was unsure about whether the new rules under POST would result in disciplinary action for himself if he failed to disclose a violation of the rules. Ultimately, **Individual 11** decided to document the violation in a letter that he sent to Chief Bonilla. **Individual 11**' superiors sent the letter to the POST Commission.
6. **Individual 11** recalled that on April 19th, 2024, at one point, he was in a side kitchen room off of Mayor DePeña's office. **Individual 11** was alone with Mr. Spanner and Mayor DePeña. **Individual 11** recalled Mr. Spanner and Mayor DePeña explaining to him why it was necessary for Acting Chief Castro to be present for the meeting. **Individual 11** recalled them saying that Acting Chief Castro's knowledge of the police budget made his contributions to the meeting important. **Individual 11** felt it was peculiar that his superiors felt a need to explain themselves to a subordinate.
7. **Individual 11** told CIC that Acting Chief Castro was acting in his capacity as Chief of Police during the April 19th meeting while he was on suspension by POST:

Bennett: *Okay. Now, you mentioned before that Acting Chief Castro, and you were trying to figure out the best way to put it because of suspended. What was your impression of Chief Castro's position right at that time on April 19th?*

Individual 11: *He was there as the Chief of Police.*

Bennett: *And had you learned some information about what POST had done as far as Acting Chief Castro's ability to run the Police Department?*

Individual 11: *Right, so I was aware that I had seen the letter, it had actually been made public, and the suspension letter, I'm sorry, and the suspension letter said something along the lines that he couldn't act in a police capacity.*

Bennett: *And when you say he, you mean Acting Chief Castro?*

Individual 11: *I'm sorry, yes, Acting Chief Castro.*

8. **Individual 11** recalled that the topic of discussion during the meeting was finances related to the Lawrence Police Department. **Individual 11** recalled that Acting Chief Castro only participated in discussions related to the Lawrence Police. Acting Chief Castro discussed financial decisions and personnel decisions relating to the Lawrence Police. Acting Chief Castro recommended which personnel should be promoted or moved to different positions within the Police Department.
9. **Individual 11** recalled at one point there was a discussion about whether or not to add a position for a facilities manager for the Police Department. Chief Bonilla advocated for adding the position. Acting Chief Castro argued against adding the position. A decision was later made in favor of Acting Chief Castro's position.
10. **Individual 11** told CIC about another incident involving Acting Chief Castro and **Individual 1**. **Individual 11** had heard that his friend, **Individual 1**, had gone missing after relapsing on alcohol. **Individual 11** tracked down **Individual 1**. His friend was not in a good state and had not eaten in a long time. **Individual 11** took **Individual 1** to get some food before he would take him to get the help that he needed.
11. **Individual 11** told CIC that **Individual 1** told him at lunch that he had spoken to Mayor DePeña and been visited by Acting Chief Castro just before his relapse, while Acting Chief Castro was on suspension from POST:

Individual 11: So, we're at Londi's, you know, he looked like he hadn't eaten in in a while, so he's eating, and he tells us about an interaction that he had with, first with the Mayor. The Mayor had called him to his house, and you know, now they live probably two miles away, a mile and a half away. He had never called him over to the house, and the Mayor basically tells him that he's a subject of an investigation, that current acting chief, when he had the opportunity to save him, but he didn't. And then he tells me that the next day, Chief Castro calls him, and then ends up showing up at his house in a van, and puts him in a van, and basically like circles him around the block, saying things along the lines of like, you know, I'm the only one you can count on, I'm the only friend that you have here, you know, they're all out to get you, that kind of stuff. You know.

12. **Individual 11** told CIC it was highly unusual for Acting Chief Castro to have interactions with **Individual 1** outside of work:

Individual 11: It was strictly a superior subordinate relationship, strictly. To the best of my knowledge, he's never, I wouldn't even have known if he knew where **Individual 1** lived or had been to his house before. I find it highly unlikely. But yeah, so in my opinion **B** all that matters, if it matters at all, I think that both those events, like, it's what actually, like, drove him to the point where he relapsed.

Retaliation

The following section addresses the allegation that Acting Chief Castro violated the Lawrence Police Department's policies and procedures and state law prohibiting retaliation by directing the closed investigations of **Individual 2** and Captain James Mangan to be reopened because of personal disagreements with these officers.

Summary of Email from **Individual 2** to **Individual 15** - February 3rd, 2024

Individual 2 sent an email on February 3rd, 2024, to **Individual 15** outlining concerns about Acting Chief Castro's conduct. **Individual 2** stated that he believed Acting Chief Castro had violated Lawrence Police Department Manual Policy #1.04: Motor Vehicle Pursuits. **Individual 2** ended his email by outlining his reasons for feeling that Acting Chief Castro had retaliated against him based on his role as Union President, the investigator of the motor vehicle pursuit, and being on a hiring committee in Methuen:

"Last Monday, I addressed a few concerns with Chief Castro (Sergeant Bernard present) concerning our union and he felt the need to bring up the Chief's search in Methuen thirty months ago and implied that I was unethical for doing my job as [REDACTED]. What's also important to note is that yesterday at 16:13, Chief Castro emailed me the response to LPSOA Grievances 24:01, 24:02 concerning Captain Aguiler and myself, ruling in his favor and against us. This email was sent a short time after Chief Castro left the scene of the crash, knowing I was conducting the investigation, which makes me feel, he's trying to intimidate me and influence the outcome of my investigation.
*Respectfully; **Individual 2** "*

Individual 2 wrote that he had filed a hostile work environment claim with human resources. Additionally, he filed a Prohibited Practice (retaliation) charge with DLR.

Summary of Email from **Individual 14** to Personnel Director Owens - June 6th, 2024,

Individual 14 stated in this email that he wished to document incidents and information that he believed constituted retaliatory behavior against **Individual 2**. **Individual 14** wrote that he was present for a meeting with Mr. Spanner and **Individual 2** regarding the opening of a use of force investigation. Mr. Spanner informed **Individual 2** that a use of force investigation was being opened into an action taken by **Individual 2**. **Individual 14** asked Mr. Spanner why **Individual 2** was being singled out for investigation when the Lawrence Police Department had approximately 200 uses of force in the past year. **Individual 14** stated to Personnel Director Owens that he believed **Individual 2** was being investigated in retaliation for his investigation of Acting Chief Castro's motor vehicle pursuit.

Interviews

Interview of Individual 14

1. Individual 14 told CIC that he had a meeting in City Hall with Individual 2 and Mr. Spanner. Mr. Spanner called the meeting to give Individual 2 a heads up that a use of force investigation was going to be opened into him and Captain Mangan. Individual 14 stated that he did not have any first-hand knowledge of Acting Chief Castro being involved in or directing the opening of investigations into Individual 2 and Captain Mangan.

Interview of Individual 9

1. Individual 9 stated that she believes Acting Chief Castro had her followed. She believes that Acting Chief Castro also attempted to retaliate against Individual 2 over a personal feud and his role as Union President:

Individual 9: *And he's like, we'll follow him, we'll get dirt on him. So, that was alarming to me because I had also heard that William Castro had me followed. And I have reason to believe that's true. So, knowing that I was kind of on my way out and was a bit disgruntled at this point. I did, I, and Individual 2 would have been, he was confirming me in Methuen, so I felt a more strong connection to him and I was very, very unhappy with William Castro. So, I didn't care to keep that relationship. I called Individual 2 and let him know, hey, just FYI, just be careful. This was relayed to me. And I just want to make sure that you're aware of it so that you can protect yourself if needed.*

Interview of Individual 2

1. Individual 2 explained that his relationship with Acting Chief Castro has deteriorated over time. Individual 2 and Acting Chief Castro were close friends a number of years ago. In 2021, Individual 2 was a City Councilor in Methuen and the Chair of the Public Safety Committee. Individual 2 served as a member of a committee to select a new police chief for the City of Methuen. Acting Chief Castro applied for the position of chief in Methuen. Acting Chief Castro was ultimately not chosen for the position of police chief in Methuen. Individual 2 stated that Acting Chief Castro has held this against him ever since. Acting Chief Castro felt that Individual 2 was prejudiced against him in the hiring process. Acting Chief Castro was interviewed for an article in a Spanish speaking newspaper that expressed a very negative view of Individual 2. Following the publication of the article, Individual 2

- Individual 2** called Acting Chief Castro to tell him that he felt the characterization was unfair and that their friendship was over.
2. Acting Chief Castro later became the Chief of Staff for the City of Lawrence, and then was hired as the Acting Police Chief for the City of Lawrence. **Individual 2** referenced that Acting Chief Castro was not selected for the Methuen Police Chief position due to his lack of experience. He stated that Acting Chief Castro had never attended the police academy, had never been a police officer, and had never supervised any type of budget.
 3. **Individual 2** stated that Acting Chief Castro began to retaliate against him when he took on the role of Union President. **Individual 2** took two city councilors on a ride-along, which was approved by the chief of police at the time, Chief McCarthy. **Individual 2** stated that having City Councilors on a ride-along is totally within the rules and was a method of showing them what Lawrence police officers deal with on a daily basis.
 4. **Individual 2** explained to CIC that when Acting Chief Castro learned about the ride-along, he approached **Individual 9**:

Individual 2: *He approached her as a Chief of Staff and asked her if she knew **Individual 2**. And she goes, I know of him. And he goes, well, he did a ride along with two councilors. He can't do that. And she said, why not? He most certainly can. And then he says, you know, we got to find some dirt on him. And she had called me a few days later, made me aware of that. And that's where it started. And then it continued as the Police Chief when he, because we were gonna do a vote on no confidence in him, he got wind of it that same day he moved me from, even though I was not the junior sergeant, he moved me from patrol, from detective, where I had been for two years, into patrol. So just a few weeks prior to this pursuit, I was sent back to patrol as a staffing thing, even though I'm gonna use Sergeant Armano as a perfect example. That December, he took him from patrol on days to put him into Internal Affairs, and then moved me into patrol for staffing.*

5. **Individual 2** felt that when he dealt with Acting Chief Castro on matters as a Union President the situation became personal for Acting Chief Castro. **Individual 2** tried to end the feud by going to Dunkin' Donuts with Acting Chief Castro to settle their differences. **Individual 2** indicated that Acting Chief Castro was not willing to make peace during their meeting at Dunkin' Donuts.
6. **Individual 2** told CIC that he believes Acting Chief Castro attempted to open up a closed internal affairs investigation against him as a way to retaliate for personal disagreements.
7. **Individual 2** explained that an initial use of force investigation regarding him was initiated after he pushed a protestor that was out of control. **Individual 2** believes that the investigation against him was not based on his conduct, but rather on the hopes of Acting Chief Castro to retaliate.

8. **Individual 2** did not identify any substantive proof that Acting Chief Castro directed the opening of the use of force investigation against him.
9. **Individual 2** told CIC about the views that **Individual 14** expressed to Mr. Spanner when he told the officers about opening the investigation:

Individual 2: *And I remember **Individual 14** saying that we've had how many uses of force and this is the only one that you're going to investigate. But it was obviously directed towards me when there were two patrol officers who were actually affecting the arrest of the two protesters. So again, it was just another way of getting back at **Individual 2**. Keep in mind that even though Chief Castro was put out by POST, he was still at City Hall on a regular basis, still having input in the daily operation of the Police Department.*

10. **Individual 2** believes that Acting Chief Castro received advise from another Lawrence police officer about how to write his police report after the incident on February 2nd, 2024. **Individual 2** told CIC that the officer who assisted Acting Chief Castro in writing his report received a promotion shortly after.
11. **Individual 2** articulated why he believes that Acting Chief Castro took retaliatory measures against him:

Bennett: *And I just want to focus on one thing here. What evidence is here that Chief Castro was the one who wanted to open up the investigation on you?*

Individual 2: *I don't know if he directly said it, but it's just, it's a given. So as far as proof goes, I would think maybe cell phone records, text messages, but I do know that the administration uses WhatsApp.*

Bennett: *Okay.*

Individual 2: *I know for a fact. So, they tried to initiate that. Keep in mind, through our union attorney, we tried to FOIA, and when Castro was trying to get discovery for his pursuit, he was given carte blanche. Anything he wanted he could get through his attorney. We just wanted, what was the basis of the investigation, who requested it, show us the lawsuit. They provided nothing, nothing to our attorneys, nothing. We, and keep in mind, they are already, the investigators that they hired, I believe it was a guy out of Lowell, and a former guy at, a, Tyngsboro, they did the initial investigation into the two incidents, and I think they were \$34,000 into this investigation, and they had to get paid and stop, suspend the investigation into me and Captain Mangan. Keep in mind, the current LPSOA President and the former President. So again, it's just a clear, clear retaliation. And it's been stressful. It's been a hostile work environment, and it's just been, it's been very tumultuous where we, you know, our biggest threat is not the safety on the street, it's the fear of retaliation within our ranks.*

CONCLUSION

Motor Vehicle Pursuit

Acting Chief Castro was involved in a motor vehicle pursuit on February 2nd, 2024. The pursuit is alleged to be in violation of the Lawrence Police Department's Policies. The rules for pursuit are listed in the Lawrence Police Department Manual Policy #1.04: Motor Vehicle Pursuits. Listed below are relevant portions of Lawrence Police Department's Policy:

Lawrence Police Department Motor Vehicle Pursuit Policy

V. DEFINITIONS

A. Vehicular Pursuit: a pursuit is the active attempt by a police officer in an authorized emergency vehicle to apprehend the occupants of a moving motor vehicle whom are in the process of attempting to evade capture by traveling at speeds greater than the speed limit.

III. POLICY

A. The policy of this department shall be to limit the use of continued vehicular pursuits to those situations that involve:

- 1. A violent crime involving the use of force; and/or*
- 2. The use or possession of a firearm in an unlawful manner.*

The policies above are the basis of CIC's assessment of Acting Chief Castro's actions on February 2nd, 2024.

Radio Dispatch

At 2:16 P.M., radio dispatch made the following call which Acting Chief Castro responded to:

Radio Dispatch: *"21, 29. A male with a green hoodie trying to pass a bad check at the Credit Union, 14 Amesbury Street. 21, 29, or if anybody else closer. It was a fake check. He's now. He's walking down Methuen Street with a green hoodie. Anybody close to Methuen Street? Dark skinned-male, all green, on Methuen Street. Okay, he just took off the hoodie."*

At 2:18 PM, Acting Chief Castro called into dispatch after responding to the call for a bad check.

Radio Transmission Transcript 2:18 PM

Speaker 1: *479 is approaching Canal Street. By where, Gary?*

Speaker 2: *Right here, right here.*

Acting Chief Castro: *Go on this car. Go out on this car, right here.*

Speaker 1: *479 location please?*

Acting Chief Castro: *Hey, there's a car taking off. It's out. Black Mercedes-Benz on the, uh, middle bridge. With North Carolina plates.*

Speaker 4: *Okay, a black Mercedes with North Carolina plates heading on the Central Bridge.*

Acting Chief Castro: *Coming up to Merrimack.*

Speaker 4: *Approaching Merrimack, 4 11's behind him.*

Acting Chief Castro: *They're bailing out, South Canal. South Canal under the bridge by the homeless. Two, two males, black. One has a green sweatshirt with a number seven behind it.*

Speaker 4: *4 11 call it out.*

Acting Chief Castro: *One just went under the bridge, under the bridge by the homeless, the other one is by the Simpsons Brothers.*

Security Footage

Security camera footage from February 2nd, 2024, recorded the actions taken by Acting Chief Castro in response to the 2:16 P.M. radio dispatch about the attempted passing of bad check at the Credit Union. CIC reviewed all available security camera footage showing Acting Chief Castro's actions on February 2nd, 2024.

The security camera footage shows that Acting Chief Castro turned on his lights and engaged in a motor vehicle pursuit in order to follow or apprehend the suspect who left the Credit Union. The two suspects were in a black Mercedes-Benz. The suspects drove across a sidewalk on the left side of the road. Acting Chief Castro followed the black Mercedes-Benz and drove across the same strip of the sidewalk. They not only drove on the sidewalk, but also opposite the flow of traffic. Acting Chief Castro continued to pursue the suspects as they maneuvered through a busy

intersection on to the Canal Street Bridge. Acting Chief Castro continued his motor vehicle pursuit through the intersection and onto the Canal Street Bridge. Acting Chief Castro, while on the bridge, continued his pursuit as he drove on the left side of the road into oncoming traffic. The black Mercedes-Benz then crashed on the far end of bridge on South Canal Street.

Security camera footage from February 2nd, 2024, shows irrefutable proof that Acting Chief Castro engaged in a motor vehicle pursuit. Acting Chief Castro drove across a sidewalk and toward oncoming traffic during his motor vehicle pursuit. Acting Chief Castro's pursuit happened in the middle of the day in a high traffic area of Lawrence.

Individual 16 told CIC that he was on the Canal Street Bridge with Acting Chief Castro and **Individual 2** after the motor vehicle pursuit and auto-accident. He stated that Acting Chief Castro initially told **Individual 2** that a pursuit had not taken place, and that he had merely followed the suspects. Acting Chief Castro then told **Individual 2** that he had his lights on during the incident. **Individual 2** then indicated a chase had taken place. **Individual 16** told CIC that Acting Chief Castro then confirmed he had been involved in a motor vehicle pursuit:

Bennett: *When, and let me just stop you there, Individual 2 said, that sounds like a chase. Did the Chief respond to that, that statement by Individual 2?*

Individual 16: *He did. He said yes, it was a chase.*

The Lawrence Police Department Manual is clear about the situations in which it is permissible to initiate a motor vehicle pursuit. Policy #1.04 states that a motor vehicle pursuit can only be initiated when a situation involves:

1. *A violent crime involving the use of force; and/or*
2. *The use or possession of a firearm in an unlawful manner.*

A recording of the radio dispatch from February 2nd, 2024, proves that Acting Chief Castro responded to a report of a bad check being passed. He was not responding to a violent crime or possession of a firearm in an unlawful manner. Acting Chief Castro violated the Lawrence Police Department's Motor Vehicle Pursuits Policy by initiating a motor vehicle pursuit in order to pursue two individuals suspected of passing a bad check. The manner in which Acting Chief Castro pursued the suspects was highly dangerous to citizens and involved parties.

Nine Lawrence police officers told CIC during interviews that it is not permissible to initiate a motor vehicle pursuit based on a call about the attempted passing of a bad check:

Bennett: *And is it permissible to initiate a motor vehicle pursuit when someone's passed a bad check?*

Individual 2: *No, sir.*

Bennett: *And knowing the motor vehicle pursuit policy, 104, or 1.04, is it permissible to initiate a motor vehicle pursuit when someone's passed a bad check?*

Individual 16: *No.*

Bennett: *And when you heard the call, what was the call for what crime allegedly had been committed?*

Individual 4: *Possible forgery check.*

Bennett: *Okay, and is a permissible do a motor vehicle pursuit for, for a check?*

Individual 4: *No, sir.*

Bennett: *Okay, is it permissible to initiate a motor vehicle pursuit for a bad check? According to the policy?*

Individual 10: *That's against the policy.*

Bennett: *Okay. Is it permissible to initiate a motor vehicle pursuit for passing a bad check?*

Ovalles: *No, sir.*

Bennett: *And is passing a bad check, is it permissible to initiate a motor vehicle pursuit if you're for passing a bad check?*

Individual 12: No.

Bennett: *And when you went and did your blue team evaluation, were there any indications that there was a violent crime taking place before the pursuit?*

Individual 18: No.

Bennett: *And is it permissible to do a motor vehicle pursuit if the only alleged crime is a bad check?*

Individual 17: No.

During the pursuit, Acting Chief Castro drove the wrong way on a sidewalk and in the opposite direction of traffic. Multiple members of the Department confirmed to CIC that it is not permissible for a police officer to drive on a sidewalk in order to pursue a vehicle:

Bennett: *Is it fair to say that at that point it was a violation of policy for the Chief to be driving on the sidewalk in a pursuit?*

Individual 2: *For any officer it would be, in the Lawrence Police Department. Yes, it would be a clear violation outlined in our policy and procedures.*

Bennett: *Now, were they driving on the sidewalk at that point?*

Individual 2: *Both vehicles were, yes.*

Bennett: *Is that permissible to drive on the sidewalk to follow a car?*

Individual 2: *No. Not for any reason.*

Individual 5 confirmed that allegations of passing a bad check did not constitute reason to drive the wrong way down a one-way street:

Bennett: *And is it permissible under the circumstances of passing bad check to be driving the wrong way on a one-way street?*

Individual 5: *No.*

In his report, Acting Chief Castro acknowledged that he initiated a motor vehicle pursuit. The alleged crime was the passing of a bad check. The recordings of the original call from the Credit Union and the radio transmissions prove that Acting Chief Castro was in a motor vehicle pursuit as a result of the passing a bad check. This is supported by all the interviews of involved officers. The findings in this incident are not reliant on these officers, but are supported by them.

The allegation that Acting Chief Castro violated, Neglect of Duty, 7.11.4, is **sustained** based on entering into a motor vehicle pursuit of individuals suspected of passing a bad check.

Neglect of Duty: *“Any conduct or omission which is not in accordance with established and ordinary duties or procedures as to such employee or which constitutes use of unreasonable judgment in the exercise of discretion granted an employee constitutes neglect of duty.”*

The allegation that Acting Chief Castro violated Lawrence Police Department Manual Policy #1.04: Motor Vehicle Pursuits is **sustained** based on Acting Chief Castro’s initiation of a motor vehicle pursuit without proper cause.

Acting Chief Castro violated the Motor Vehicle Pursuits Policy because his pursuit did not fit the criteria for a permissible pursuit. He created a highly dangerous situation, leading to a car crash, based on his desire to irresponsibly pursue individuals that had allegedly attempted to pass a bad check. Acting Chief Castro drove on the sidewalk and the wrong way over the Canal Street Bridge.

For these violations, CIC recommends a 90-day suspension.

False Police Report

Acting Chief Castro published a report following the motor vehicle pursuit. Acting Chief Castro described his observations outside the Credit Union:

“I observed the vehicle bearing a North Carolina blue and white license plate. At a distance, I could see the vehicle parked on the sidewalk near SISU center, located on Canal St, and it appeared the operator was waiting for someone. A marked unit cruiser was behind me, and I

proceeded toward the vehicle that was parked on the sidewalk. Upon approaching the vehicle, it drove away. I perceived the operator and his passenger as being involved in a bank robbery.”

In the Commonwealth of Massachusetts there are two forms of Robbery. M.G.L.c. 265 Section 17: Armed Robbery and M.G.L.c. 265 Section 19 Unarmed Robbery. There is no specific description of a bank robbery in the Massachusetts General Laws. Force or the threat of force is a necessary element of either type of robbery. A review of the 911 call and all radio transmissions regarding the bad check has shown that there was not any mention of use of force. In fact, it was clearly stated that an attempt had been made to pass a bad check.

The 911 call from the Credit Union to dispatch reveals that a report was made of a stolen check:

Dispatch: *Is there an apartment or floor?*

Cecilia: *No, it's the Credit Union, N.E.S.C. We have someone trying to cash a stolen check. And my supervisor told me to call the police.*

At 2:16 P.M., dispatch made a radio transmission describing what happened at the Credit Union:

Radio Dispatch: *21, 29. A male with a green hoodie trying to pass a bad check at the Credit Union, 14 Amesbury Street. 21, 29, or if anybody else closer. It was a fake check. He's now. He's walking down Methuen Street with a green hoodie. Anybody close to Methuen Street? Dark skinned-male, all green, on Methuen Street. Okay, he just took off the hoodie.*

Acting Chief Castro wrote in his report that he heard the 2:16 P.M. radio transmission while driving to the Registry of Motor Vehicles. Acting Chief Castro wrote that he perceived a bank robbery had taken place. Acting Chief Castro heard the radio transmission well enough to immediately identify that the scene of the crime was the Credit Union. This demonstrates he was able to hear the call well enough to know the location. Acting Chief Castro wrote in his report, *“I observed a dark-skinned male matching the description entering a 4-door black Mercedes via the front passenger door.”* Acting Chief Castro correctly identified the suspect based on what he heard over the radio transmission. Acting Chief Castro correctly heard the dispatcher at 2:16 P.M. state the location of the call and the description of the suspect. There is no reason to believe that Acting Chief Castro did not hear the only other thing that was mentioned on the 2:16 P.M. dispatch, that the call was about the attempted passing of a bad check.

Despite acting in a manner consistent with hearing the 2:16 P.M. radio transmission, Acting Chief Castro asserted in his report that he perceived a bank robbery had taken place. There was no indication on any radio communication that a bank robbery had taken place. Upon hearing the initial call, Acting Chief Castro wrote in the report *“Being within close proximity to the bank and*

not knowing if the incident was a bank robbery.” Acting Chief Castro alleged that he initiated a pursuit, writing, “I perceived the operator and his passenger as being involved in a bank robbery.” Acting Chief Castro claimed he was not sure if a bank robbery had taken place. It would be illogical to believe that Acting Chief Castro was unsure if he was responding a potential armed robbery, but never asked for clarification from dispatch about what crime was taking place. It is not reasonable to believe that Acting Chief Castro would have heard every single detail from the radio dispatch, except the part mentioning the crime in question. Acting Chief Castro’s claim that he did not know whether or not a bank robbery took place is nonsensical.

Individual 2 indicated that Acting Chief Castro initially tried to lie about being involved in a pursuit. **Individual 2** conducted an investigation in the immediate aftermath of the motor vehicle pursuit. He told CIC that he responded to the Central Bridge, where the auto-accident took place, and asked Acting Chief Castro about the incident in question. **Individual 2** asked Acting Chief Castro if he pursued the vehicle, and he responded, “No I followed it.” **Individual 2** asked if he was using his sirens and lights, to which Acting Chief Castro replied, “Yes.” **Individual 2** then asked, “So it was a pursuit then?” Acting Chief Castro responded, “Yes.” Acting Chief Castro did not make any mention of believing a bank robbery had just taken place to **Individual 2** in the immediate aftermath of the incident:

Bennett: *Did he, at that time, tell you what caused him to feel that it was necessary to be in a motor vehicle pursuit? And if you need to refer to your report and refresh.*

Individual 2: *No, he said he was going to get his license and those were the guys that were at the Credit Union. So, he saw the suspect walk in and got into the Mercedes and yeah.*

Bennett: *Did he say anything about him having a feeling it was a bank robbery or?*

Individual 2: *No. Nope.*

Individual 16 verified **Individual 2**’s account of the conversation that took place with Acting Chief Castro in the immediate aftermath of the crash. He stated that Acting Chief Castro initially denied being in a pursuit and never mentioned perceiving that a bank robbery was taking place. **Individual 2** believes that Acting Chief Castro realized during their conversation on the Central Bridge that he had made a mistake. **Individual 6** told CIC that Acting Chief Castro wanted his advice about the Motor Vehicle Pursuits Policy. **Individual 6** provided Acting Chief Castro with the information that a felony was required to initiate a motor vehicle pursuit. Acting Chief Castro wrote in his report that he believed a bank robbery was taking place:

Bennett: *Okay. Can you recall him saying anything about that report as you were trying to assist him with just the run-on sentences and the spelling, can you recall him saying anything about the report to you at that time?*

Individual 6: *I know he was, he just wanted to get some facts straight as far as concerning our policy, our pursuit policy and his view at the time as far as what he perceived that was a pursuit, it was a clear pursuit and I told him that you know it requires a felony and that's what our policy meets. And that was the extent of that conversation.*

Individual 6 told Acting Chief Castro that the Lawrence Police Department required a felony to take place in order for a motor vehicle pursuit to be initiated. Acting Chief Castro, during this conversation, reported believing that a bank robbery had taken place. Acting Chief Castro then wrote in his report that he perceived a bank robbery had taken place. Acting Chief Castro's claim is inconsistent with his behavior and conversations throughout the events in question.

Individual 18 listened to all relevant recordings of radio transmissions from February 2nd, 2024, in order to write his Blue Team Report. He told CIC that dispatch never mentioned a bank robbery taking place:

Bennett: *Okay. And at any time, did you hear anything about a bank robbery?*

Individual 18: *No, I did not. In fact, I believe Officer Yancey, when he gave out the call initially, said that it was passing a bad check. And then a second time in the process of giving out descriptions, mentioned a bad check.*

CIC reviewed all relevant radio transmission from February 2nd, 2024. There was never any indication that a bank robbery or any use of force had taken place, nor was there any information that would lead any person to believe a bank robbery had taken place. Dispatch made clear statements that an individual had attempted to pass a bad check at the Credit Union. There would have been no reason for Acting Chief Castro to suspect or believe that a bank robbery had taken place.

Individual 2 noted that Acting Chief Castro never informed dispatch that he was engaging in a high-speed chase nor that a car crash occurred. Acting Chief Castro never alerted dispatch that he was driving on the wrong side of the road in a high traffic area. **Individual 2** stated that it is the Lawrence Police Department's policy to alert dispatch and the OIC if you are engaging in a motor vehicle pursuit. **Individual 2** stated that Acting Chief Castro never indicated a motor vehicle pursuit occurred until after the crash happened.

Acting Chief Castro realized that he had made a mistake by initiating a motor vehicle pursuit. Individual 18 was responsible for writing the Blue Team Report if there was a motor vehicle pursuit. Individual 18, per policy, had to complete a Blue Team Report by the end of the day. He went to speak with Acting Chief Castro, who was in his office. Acting Chief Castro had to let Individual 18 into his office, because his door was locked. Individual 18 recalls Acting Chief Castro making two distinct comments to him. Acting Chief Castro stated that he had not been in a motor vehicle pursuit and was only following the suspect. Additionally, Acting Chief Castro told Individual 18 that he had believed a bank robbery was taking place. Acting Chief Castro's dishonest statement, to Individual 18, about not being involved in a pursuit is consistent with him learning earlier that he had violated the Motor Vehicle Pursuit Policy.

Based on interactions with Individual 2 and Individual 6 following the pursuit, Acting Chief Castro knew it was a violation to engage in a motor vehicle pursuit of suspects that had allegedly passed a bad check. Directly following the pursuit, he did not mention a robbery taking place. Acting Chief Castro never mentioned anything about a bank robbery over his radio. Furthermore, he responded to the location and recognized the suspect based on the 2:16 P.M. radio call. His actions reflect that he heard the 2:16 P.M. call, a call in which dispatch made clear mention that the alleged crime was attempted passing of a bad check. Acting Chief Castro never believed or perceived a bank robbery was taking place, but he knew that he had broken the rules by engaging in a motor vehicle pursuit over a bad check. Acting Chief Castro clarified the Motor Vehicle Pursuit Policy with Individual 6, and then he knowingly authored a false police report. Acting Chief Castro broke the law by writing a false police report intended to prevent him from facing disciplinary action for engaging in a highly dangerous motor vehicle pursuit.

The allegation Acting Chief Castro violated Rules and Regulations 7.31 Criminal Conduct by violating of M.G.L.c. 268 sec. 6A filing of a false report is **sustained** for a purposeful fabrication in his police report that stated, *"I perceived the operator and his passenger as being involved in a bank robbery."*

The allegation Acting Chief Castro violated 7.2 Conduct Unbecoming an Officer, 7.2.3: *"Conduct unbecoming an officer shall include that which tends to indicate that the officer is unable or unfit to continue as a member of the Department, or tends to impair the operation, morale, integrity, reputation or effectiveness of the Department or its members,"* is **sustained** for his purposeful fabrication in his police report that stated, *"I perceived the operator and his passenger as being involved in a bank robbery."*

The allegation Acting Chief Castro violated 7.6 False Information on Records, 7.6.1: *"Members shall not make or submit any false or inaccurate reports or knowingly enter or cause to be entered into any Department books, records or reports, any inaccurate, false or improper information,"*

is *sustained* for his purposeful fabrication in his police report that stated “*I perceived the operator and his passenger as being involved in a bank robbery.*”

The Lawrence Police Department’s sworn Oath of Office states that officers commit to be, “*Honest in thought and deed in both my personal and official life.*” Acting Chief Castro broke the law in an effort to coverup a mistake that he made. Instead of accepting the consequences for his actions, he fabricated a false police report. A police officer cannot put inaccurate information into a police report. As the leader of the Lawrence Police Department, this conduct is unacceptable. The most important quality an officer possesses is their integrity. Acting Chief Castro has sacrificed his integrity for his own benefit.

For these violations, CIC recommends termination.

Unethical Hiring Practices

CIC investigated three alleged instances where Acting Chief Castro may have engaged in unethical hiring or recruiting practices. CIC interviewed several people who spoke about the alleged actions of Acting Chief Castro throughout the time he was employed by the City of Lawrence. Information provided about Acting Chief Castro’s involvement in hiring prior to his employment as Chief of Police is important context to his actions as Chief of Police. However, CIC’s scope of investigation is to determine if any wrongdoing occurred while Acting Chief Castro was in the Chief of Police position. CIC’s final evaluation of Acting Chief Castro’s hiring practices relies on substantive information, direct communications, and relevant documentary evidence. Individual 15 sent an eight-page letter to Massachusetts Civil Service requesting an investigation into Acting Chief Castro’s hiring practices. His letter outlined evidence and allegations that he believed merited an investigation related to the hiring process of Mr. Fermin, Mr. Wood, and Mr. Abreu. Individual 15 sent the letter on January 5th, 2024, which later resulted in a request that CIC complete an investigation of Acting Chief Castro's hiring practices.

CIC investigated the hiring process and/or recruitment of Mr. Fermin, Mr. Wood, and Mr. Abreu for positions with the Lawrence Police Department. This section of CIC’s conclusion includes information uncovered during this investigation and findings regarding allegations that Acting Chief Castro engaged in unethical hiring practices.

Mr. Fermin

Acting Chief Castro became the Chief of the Lawrence Police Department on October 20th, 2023. Interview subjects provided CIC with information regarding Acting Chief Castro’s involvement as an advisor to Mayor DePeña and later as Chief of Staff in the hiring process of Mr. Fermin.

Mr. Fermin was previously employed by the City of Lawrence as a police officer. He was terminated in 2017 by former Chief Fitzpatrick and former Mayor Rivera. Mr. Fermin filed a lawsuit against the City of Lawrence in Superior Court. Mr. Fermin's legal action was unsuccessful. The Superior Court's decision was upheld by the Appeals Court.

In 2022, Mr. Fermin sought employment again as a Lawrence Police Officer. Mr. Fermin attended the Police Academy. He could not be certified as a police officer, because former Chief Vasque would not attest to his good moral character on his application to POST. As Chief of Staff, Acting Chief Castro demanded that **Individual 15** attest to the good moral character of Mr. Fermin. **Individual 15** refused to attest to Mr. Fermin's good moral character. **Individual 15** received a call from then Chief of Staff Castro on June 21st, 2023, stating that Mayor DePeña was upset with the Police Department for screwing up the hiring process of Mr. Fermin. Then Chief of Staff Castro again emphasized that **Individual 15** should be doing more to help Mr. Fermin become a Lawrence Police Officer. **Individual 9** stated to CIC that Acting Chief Castro, as Chief of Staff, told her that Mr. Fermin had "juice."

Individual 15 explained to CIC how Mr. Fermin eventually became employed under the title of police officer without being certified as a police officer:

Individual 15 : *If you are a new officer and the Chief doesn't attest to your good moral character, then you don't get certified as a police officer. Chief Vasque refused to attest to his good moral character because of the previous firing. However, the ultimate decision is the appointing authority is the Mayor and the Mayor's Office. They decided to hire him. So, we notified POST.*

On October 20th, 2023, Acting Chief Castro became the Chief of Police. Mr. Fermin was receiving a full-time police officer salary, despite the fact that he was not certified by POST and could not complete any police duties. Mr. Fermin was holding a position that could have been filled by someone certified as a police officer. On November 22nd, 2023, Acting Chief Castro contacted **Individual 15** asking him again to send an incomplete application for Mr. Fermin to POST.

Individual 15, head of the Internal Affairs Unit, learned that Mr. Fermin had been involved in alleged criminal action in Methuen while he was an employed by the Lawrence Police Department on administrative duties. **Individual 15** began an internal affairs investigation into Mr. Fermin's alleged criminal activity in Methuen. Acting Chief Castro told **Individual 15** to end his investigation into Mr. Fermin. **Individual 15** insisted that the investigation was not complete.

Individual 15 exchanged a series of emails with Acting Chief Castro and City Attorneys regarding the handling of Mr. Fermin's investigation. **Individual 15** reported Acting Chief Castro to POST for allegedly interfering with his internal investigation of Mr. Fermin.

On March 14th, 2024, at 5:46 P.M., Acting Chief Castro sent **Individual 15** an email directing him to not send anything to POST regarding their communications and ongoing investigations. The final paragraph of Acting Chief Castro's email stated:

*Your email response to me was inappropriate. You should not be discussing ongoing IA investigations or identify any subjects of those investigations unless required to do so. You certainly should not be divulging the content of any communications between us regarding ongoing investigations with others including POST in the future.
Please contact me with any questions or concerns.*

*Respectfully,
William Castro*

Mr. Wood

Individual 15 emailed Acting Chief Castro regarding potential problems with Mr. Wood's employment with the Lawrence Police Department. **Individual 15** raised a concern that Mr. Wood appeared to be working for the Lawrence Police Department but may not have completed a full background search required for certification by POST. **Individual 15** suggested that if certain elements were missing, Mr. Wood may not be eligible as a police officer under POST rules. **Individual 15** shared an article about Mr. Wood that included serious allegations of racial prejudice and gender discrimination. **Individual 15** asked that the allegations in the article be investigated before Mr. Wood have any involvement with the Lawrence Police Department.

Individual 15 emailed **Individual 13** several questions about Mr. Wood on January 3rd, 2024. He requested to know the extent to which Mr. Wood was working for the Lawrence Police Department, if a background check had been completed, and whether Mr. Wood had completed the Police Academy or the Bridge Academy.

Individual 13 responded to **Individual 15**'s email stating that Acting Chief Castro had asked her to add Mr. Wood into the Acadis system. Acting Chief Castro asked her to get Mr. Wood into the Bridge Academy. **Individual 13** stated that Mr. Wood had only completed the Reserve Intermittent Police Academy. She stated that she is not a background investigator. She stated that Mr. Wood's Bridge Academy application was incomplete at the time of her email response on January 4th, 2024.

Individual 13 told CIC that she does not personally know Mr. Wood. **Individual 13** received a call from Acting Chief Castro asking her to get Mr. Wood into the Bridge program. **Individual 13** used Mr. Wood's existing Acadis number to put his name into the Acadis

system. Mr. Wood was a lateral transfer from Haverhill from an alternative position within policing. Mr. Wood needed to complete the Bridge program to fulfill the training necessary to be qualified for employment as a full-time Lawrence police officer. **Individual 13** communicated back and forth with Bridge program personnel to ascertain what steps had to be completed for Mr. Wood to have a spot in the training. Mr. Wood had to complete several steps by early January to be eligible for the Bridge program. One necessary component was passing a medical examination. Mr. Wood only had three or four days to undergo a medical examination before the application deadline. Mr. Wood did not complete the medical examination within the short amount of time. Mr. Wood was not given a spot in the Bridge program due to missing the medical portion of the requirements for Bridge.

Individual 14 sent an email on January 5th, 2024, alongside another email with documents related to Mr. Wood. He asked the recipients of this email if they had any information regarding whether Mr. Wood had been hired by the Lawrence Police Department. **Individual 14** told CIC that Acting Chief Castro did not respond to his email requesting additional information about Mr. Wood's employment status.

Individual 6 stated that Acting Chief Castro asked him if he could create a City of Lawrence email address for Mr. Wood.

Individual 6 and **Individual 13** told CIC that Acting Chief Castro was assisting Mr. Wood in his efforts to become a Lawrence Police Officer. CIC is not investigating whether Acting Chief Castro made effective hiring recommendations. The purpose of this report does not involve determining if Mr. Wood would have been a poor hire for the Lawrence Police Department. The focus of this element of CIC's report is determining if Acting Chief Castro violated the rules in order to get Mr. Wood hired as a Lawrence Police Officer. There is insufficient evidence in this matter to render a finding that Acting Chief Castro violated any Lawrence Police Department policies and procedures or rules and regulations in the attempted hiring of Mr. Wood.

Mr. Abreu

Individual 15 provided information detailing the timeline of issues that arose with Mr. Abreu's candidacy for the Lawrence Police Department. A variety of concerning information came forward regarding Mr. Abreu's background. Mr. Abreu had a history of arrests for domestic violence and issues contained within his POST application. **Individual 15** stated that Acting Chief Castro had been a large supporter of hiring Mr. Abreu during his time as Chief of Staff. The issues with Mr. Abreu's status as a recruit to the Lawrence Police Department were unresolved as of the time of **Individual 15**'s letter to Massachusetts Civil Service.

Individual 15's investigation uncovered a variety of problems with hiring Mr. Abreu. His application to POST included at least four inaccuracies or dishonest statements. Mr. Abreu did not list relevant information related to and including his driving record, criminal record, and arrest record. **Individual 15** uncovered information regarding Mr. Abreu having a history of alleged domestic violence and neglect of a child in his household.

Mr. Abreu completed approximately half of the Police Academy. He was forced to leave the Police Academy after it became known that Mr. Abreu failed to obtain a gun license in Methuen due to problems with his background check. Acting Chief Castro asked **Individual 14** to speak with Mr. Abreu's attorney. Acting Chief Castro made a peculiar comment about Mr. Abreu having "juice." **Individual 14** perceived that the comment indicated that Mr. Abreu was politically connected, and therefore, Acting Chief Castro was under pressure to help him get back into the Police Academy. However, there is no direct evidence that, as Acting Police Chief, Mr. Castro did anything to help hire Mr. Abreu.

Lawrence Police Department Manual Policy #4.21 VII Code of Sworn: *"I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions."*

Acting Chief Castro took actions to hire an unqualified candidate, Mr. Fermin, while having knowledge of his history of serious disciplinary problems. Acting Chief Castro even refused to put his own name on Mr. Fermin's POST application attesting to his good moral character, despite asking others to stake their own reputations on Mr. Fermin. Acting Chief Castro's personal feelings about helping Mr. Fermin gain employment influenced his decisions. He instructed **Individual 15** not to send any further emails to POST regarding the hiring process of Mr. Fermin. He directed **Individual 15** to close an internal affairs investigation into Mr. Fermin's alleged criminal conduct. The allegation that Acting Chief Castro violated Lawrence Police Department Manual Policy #4.21 VII Code of Ethics Sworn is **sustained**.

For these violations, CIC recommends termination.

Intimidation

The City of Lawrence requested that CIC investigate allegations of intimidation by Acting Chief Castro. The specific allegation relates to an interaction that took place between Acting Chief Castro and **Individual 1**. CIC conducted an interview with **Individual 1** to ascertain what took place during his meeting with Acting Chief Castro. **Individual 1** told CIC that on the evening of approximately May 21st, 2024, he was contacted by Mayor DePeña. The Mayor asked him to come over to his house for a discussion. **Individual 1** arrived at Mayor DePeña's house around 9:00 P.M.

Individual 1 told CIC that Mayor DePeña warned **Individual 1** that an investigation was being opened into alleged disparities in his overtime slips. Mayor DePeña explained to **Individual 1** that there was nothing he could do to help him, because captains in the Lawrence Police Department had it out for **Individual 1**. Mayor DePeña stated that if Acting Chief Castro was in charge he could take care of the problem for **Individual 1**.

Individual 1 told CIC that on the following day he received a message from Acting Chief Castro asking to come over to his house to speak with him. Acting Chief Castro arrived at **Individual 1**'s home approximately ten minutes later. Acting Chief Castro asked **Individual 1** to get inside of his van and they drove around his neighborhood. Acting Chief Castro warned **Individual 1** that white members of the Superior Officers Union had it out for **Individual 1**. **Individual 1** told CIC that he believes Mayor DePeña and Acting Chief Castro were hoping to make him fearful enough to align himself against other officers in leadership positions in order to cause disarray in the Police Department:

Individual 1: *Is that his attention is for me to get in my head, along with the Mayor, to basically we can work, so I can have animosity against the other captains, and probably even the lieutenant, or whoever else is there, because Castro said that if he's not at the PD, he wants to see that place burn. He didn't tell me directly that I can remember, but I remember several people saying that he said it in front of them.*

Individual 1 documented in an email to internal affairs that he believed he relapsed with alcohol due to the fear caused by these interactions with Mayor DePeña and Acting Chief Castro. **Individual 11** spoke to CIC about his knowledge of conversations between Acting Chief Castro and **Individual 1**. **Individual 11**, shortly after May 22nd, 2024, had to track down **Individual 1** to assist him with going to rehabilitation for his relapse with alcohol. **Individual 11** told CIC that he believes the pressure Acting Chief Castro caused **Individual 1** to feel is what led him to relapse.

Acting Chief Castro was on suspension by POST on the date that he met with **Individual 1**. CIC has determined that this conversation was not happening in any personal capacity, but rather as a premeditated maneuver as Chief of Police. **Individual 11** explained that Acting Chief Castro did not have a personal relationship with **Individual 1** and had never previously been to his home. It is evident that Acting Chief Castro was continuing his police activity while under POST suspension. This is a point made most clear by the April 19th, 2024, meeting at City Hall.

Individual 11 stated that he observed Acting Chief Castro directing police operations during a meeting in Mayor DePeña's office while he was under POST suspension. Acting Chief Castro was present for a meeting at City Hall on April 19th, despite his suspension by POST. **Individual 11**

recalled that Acting Chief Castro only participated in discussions related to the Police Department. Acting Chief Castro discussed financial decisions and personnel decisions related to the Lawrence Police. Acting Chief Castro recommended which personnel should be promoted or moved to different positions within the Police Department. **Individual 11** recalled at one point there was a discussion about whether or not to add a position for a facilities manager for the department. Chief Bonilla advocated for adding the position. Acting Chief Castro argued against adding the position. A decision was later made in favor of Acting Chief Castro's argument. All of this was in flagrant disregard of the rules of POST and the laws of the Commonwealth. Acting Chief Castro's involvement in the April 19th meeting and interaction with **Individual 1** were done in his capacity as a Lawrence Police Officer.

The POST Commission issued Acting Chief Castro a Suspension Order on March 21st, 2024. Acting Chief Castro's suspension was subject to 555 CMR 9.12(8), which states, "[a]n individual whose certification is suspended" "may not execute any type of arrest, as that term is defined in 555 CMR 9.02(2), or otherwise perform police duties and functions."

Acting Chief Castro broke Massachusetts Law by continuing to perform police duties while under suspension by POST. The allegation that Acting Chief Castro broke the Massachusetts law under 555 CMR 9.12(8) is **sustained** based on his involvement in an April 19th, 2024, meeting in Mayor DePeña's office where he assisted in making decisions in a capacity as the Lawrence Chief of Police.

The allegation that Acting Chief Castro broke the Massachusetts law under 555 CMR 9.12(8) is **sustained** based on his meeting with **Individual 1** on May 22nd, 2024, where he informed and advised a member of the Lawrence Police Department about a Police Department matter.

The allegation that Acting Chief Castro violated 7.2 Conduct Unbecoming an Officer, 7.2.3: "Conduct unbecoming an officer shall include that which tends to indicate that the officer is unable or unfit to continue as a member of the Department, or tends to impair the operation, morale, integrity, reputation or effectiveness of the Department or its members," is **sustained** based on Acting Chief Castro's actions in purposely creating a hostile work environment for **Individual 1** through their meeting.

For these violations, CIC recommends termination.

Retaliation

Allegations were made that Acting Chief Castro violated the Lawrence Police Department's policies and procedures and state law by engaging in retaliation through directing that **Individual 2**

Individual 2 and Captain Mangan's closed investigations be reopened because of personal disagreements with these officers.

Individual 2 told CIC that he believes Acting Chief Castro attempted to open a closed internal affairs investigation against him as a way to retaliate for personal disagreements. Individual 2 sent an email on February 3rd, 2024, to Individual 15 outlining concerns about Acting Chief Castro's conduct. Individual 2 stated that he believed Acting Chief Castro had violated Lawrence Police Department #1.04: Motor Vehicle Pursuits. Individual 2 ended his email by describing reasons why he believed Acting Chief Castro was retaliating against based on his role as Union pPresident, the investigator of the motor vehicle pursuit, and being on a hiring committee in Methuen:

"Last Monday, I addressed a few concerns with Chief Castro, (Sgt. Bernard present) concerning our union and he felt the need to bring up the Chief's search in Methuen thirty months ago and implied that I was unethical for doing my job as a Methuen City Councilor. What's also important to note is that yesterday at 16:13, Chief Castro emailed me the response to LPSOA Grievances 24:01, 24:02 concerning Captain Aguiler and myself, ruling in his favor and against us. This email was sent a short time after Chief Castro left the scene of the crash, knowing I was conducting the investigation, which makes me feel, he's trying to intimidate me and influence the outcome of my investigation.

Respectfully; Individual 2 "

In his interview, CIC asked Individual 2 if he had any personal knowledge that proved Acting Chief Castro directed a closed investigation against him to be reopened:

Bennett: *And I just want to focus on one thing here. What evidence is here that Chief Castro was the one who wanted to open up the investigation on you?*

Individual 2: *I don't know if he directly said it, but it's just, it's a given. So as far as proof goes, I would think maybe cell phone records, text messages, but I do know that the administration uses WhatsApp.*

Individual 14 stated in a June 6th, 2024, email to Personnel Director Owens that he wished to document incidents and information that he believed constituted retaliatory behavior against Individual 2. Individual 14 wrote that he was present for a meeting with Mr. Spanner and Individual 2 regarding opening a use-of-force investigation. Mr. Spanner informed Individual 2 that a use of force investigation was being opened into an action taken by Individual 2. Individual 14 asked Mr. Spanner why Individual 2 was being singled out for investigation when the Lawrence Police Department had approximately 200 uses of force in the past year. Individual 14 wrote to Personnel Director Owens that he believed Individual 2 was being

investigated as a form of retaliation for his investigation of Acting Chief Castro's motor vehicle pursuit. In his interview, **Individual 14** stated that he did not have any first-hand knowledge of Acting Chief Castro's involvement in or directing the opening of investigations into **Individual 2** and Captain Mangan.

Individual 9 told CIC that Acting Chief Castro indicated to her that he was going to have **Individual 2** followed in order to get dirt on him. She stated that this conversation took place while he was employed as Chief of Staff. **Individual 9** was no longer employed by the City of Lawrence on October 20th, 2024, when William Castro became Acting Chief. She had no first-hand knowledge of retaliatory measures taken by Acting Chief Castro during his tenure as Chief of Police.

The information provided to CIC about Acting Chief Castro opening old investigations as a form of retaliation was speculative in nature. CIC was not provided with evidence proving that Acting Chief Castro opened up investigations against **Individual 2** and Captain Mangan as retaliation.

The allegation that Acting Chief Castro, while Acting Chief of the Lawrence Police Department, attempted to reopen investigations against **Individual 2** and Captain Mangan as a form of retaliation is *not sustained*.

Officer Ovalles Investigation

CIC was retained to investigate the alleged motor vehicle pursuit that took place on February 2nd, 2024. This investigation includes Officer Ovalles' and Officer actions. The conclusions for Officer Ovalles and Officer investigations incorporates all information collected regarding Acting Chief Castro, which is included in this report.

On February 2nd, 2024, **Individual 2** conducted an initial investigation into the motor vehicle pursuit led by Acting Chief Castro. **Individual 2** provided his evaluation of the conduct of Officer Ovalles and Officer

Bennett: *What are their responsibilities when there is someone in a pursuit?*

Individual 2: *Their responsibilities are also to follow the Motor Vehicle Pursuit Policy. And another responsibility is to back up their fellow officer, which in this case what they were doing, here is the Chief getting into a pursuit. They're both new officers, maybe they thought it was okay, but it's a clear violation for all those involved. And if I was involved, that would have been a violation too.*

CIC conducted an interview of Officer Ovalles for the purpose of this investigation. Officer Ovalles has been a Lawrence Police Officer for a little less than two years. Officer Ovalles has received EVOC and procedures training. Officer Ovalles was on duty on February 2nd, 2024, assigned to Patrol. CIC played a Radio Dispatch for Officer Ovalles and asked for his recollection:

Bennett: *Okay. What's going on in the dispatch and the radio calls that you just heard?*

Ovalles: *They were dispatching us to a fraudulent check activity. One of the banks nearby.*

CIC asked a follow-up question about what was being said on the radio call:

Bennett: *Okay. And what is Chief Castro saying, basically?*

Ovalles: *That he was currently behind the vehicle.*

Officer Ovalles told CIC that it is not permissible to initiate a motor vehicle pursuit based on a call regarding a bad check:

Bennett: *Okay. Is it permissible to initiate a motor vehicle pursuit for passing a bad check?*

Ovalles: *No, sir.*

Officer Ovalles told CIC how he responded to the crime on February 2nd, 2024:

Bennett: *As a result of getting this information that you just heard over the dispatches, what did you do?*

Ovalles: *As of that time, I was on the intersection of Canal and Lawrence Street, and I observed the Mercedes vehicle coming to marked lane violation going to the opposite side of the road, and Chief Castro following right behind them with lights and sirens. He had requested for another backup unit, so then I made my way down to Lawrence Street with my lights and sirens on. Leaving it safe before going down.*

Bennett: *Were you going the wrong way on a one-way street at the time?*

Ovalles: *Yes, sir.*

CIC played Officer Ovalles a portion of security camera footage from February 2nd, 2024. Officer Ovalles observed that the suspects' black Mercedes drove across a portion of the sidewalk. He stated that Acting Chief Castro drove across the sidewalk. Officer Ovalles stated that Acting Chief

Castro was on a portion of the sidewalk. CIC played Officer Ovalles another security camera recording and asked for his observations:

Bennett: *Okay, what took place during that video?*

Ovalles: *It was the Mercedes, again committing a marked lane violation, and then making a right onto the Center Bridge with Chief Castro right behind them, and then my vehicle and other vehicles followed behind.*

Bennett: *Okay. Was Chief Castro in a motor vehicle pursuit at that time, based on your training and experience?*

Ovalles: *Yes, sir.*

Bennett: *Did you become part of that motor vehicle pursuit at that time?*

Ovalles: *Yes, sir.*

Bennett: *And what was the reason that you drove the wrong way down that one-way street?*

Ovalles: *The Chief was requesting an additional unit. I felt like I was the closest unit. I do not know what he had seen at that time.*

Officer Ovalles admitted to CIC that he participated in a motor vehicle pursuit that was in violation of Lawrence Police Department Manual Policy #1.04: Motor Vehicle Pursuits. Additionally, he drove on the wrong side of the road creating a dangerous situation for all involved parties. Officer Ovalles' actions reflect a serious shortcoming in terms of his preparedness to safely evaluate the appropriateness of a motor vehicle pursuit.

Although Officer Ovalles' violation of policy is clear, mitigating factors must be considered in evaluating his conduct. Officer Ovalles joined the pursuit in order to support the Chief of Police. Officer Ovalles' mistake was trusting the judgment of Acting Chief Castro, his superior officer. Officer Ovalles is a new officer and made an impulsive decision to support and rely on Acting Chief Castro's determination of the situation. The chain of command is critical in any Police Department, but officers must be competent in their judgment of motor vehicle pursuits regardless of how superior officers are conducting themselves.

The allegation that Officer Ovalles violated Lawrence Police Department Manual Policy #1.04: Motor Vehicle Pursuits is ***sustained***.

For these violations, CIC recommends that **Individual 3** be sent to EVOC for retraining and that a written reprimand be placed in his file.

Individual 4 Investigation

Individual 4 told CIC that he was driving the third police vehicle that can be observed on security camera footage of the February 2nd, 2024, incident:

Bennett: *Yeah, I'm going to stop this right here. Just going back on the record now, and the question was, could you have been one of the two police cars, not the one that was going the wrong way on the road, but could you have been one of the two police cars that was coming the correct way up that road?*

Individual 4: *Yes, sir.*

Bennett: *And those cars had their lights on.*

Individual 4: *Yes, sir.*

Bennett: *Did you have your lights on when you were attempting to assist the Chief?*

Individual 4: *Yes.*

Individual 4 told CIC that he was operating the third car that can be observed on security camera footage driving over Canal Street on February 2nd, 2024. **Individual 4**'s actions also must be understood within the context of mistakenly trusting Acting Castro's judgment and attempting to support a superior officer. **Individual 4**'s conduct on February 2nd, 2024, is very distinct from the actions taken in the case of **Individual 3**. Security camera footage shows that **Individual 4** was attempting to respond and assist Acting Chief Castro, but he never attempted to engage in a pursuit of the suspect's vehicle. **Individual 4** did not engage in a motor vehicle pursuit, but was responding to the incident. He utilized his lights, but he did not break any traffic laws and he operated his vehicle safely.

The allegation that Officer Rodriguez violated Lawrence Police Department Manual Policy #1.04: Motor Vehicle Pursuits is ***not sustained***.

EXHIBITS

Interviews

1. Interview of Individual 5
2. Interview of Individual 6
3. Interview of Individual 7
4. Interview of Individual 1
5. Interview of Individual 8
6. Interview of Individual 9
7. Interview of Individual 10
8. Interview of Individual 11
9. Interview of Individual 12
10. Interview of Individual 3
11. Interview of Individual 13
12. Interview of Individual 14
13. Interview of Individual 4
14. Individual 15
15. Interview of Individual 2
16. Interview of Individual 16
17. Interview of Individual 17
18. Interview of Individual 18

Emails & Letters

19. Email from Octavian Spanner to CIC: Notification to halt investigation (10/10/24)
20. Email from CIC to Walter Jacobs: Interview (10/09/24)
21. Order to Appear at Investigative Interview (10/02/24) to Provisional Chief William Castro, from Michael Owens, Personnel Director, City of Lawrence
22. Email from Walter Jacobs to Michael Owens 10/2/04)
23. Email from CIC to Walter Jacobs: Order for agreed date on the 25th (10/01/24)
24. Letter to Acting Chief Castro: Notice of Investigation (09/24/24)
25. Email from POSTC Standards to Individual 15 and Chief Bonilla: Extension Request Decision (07/02/24)
26. Email from Michael Owens to Individual 14 (and others): Re: Octavian Spanner incident (06/07/24)
27. Email from Individual 14 to Individual 2: Octavian Spanner Incident (06/06/24)
28. Letter from Chief Bonilla, CC Director Michael Owens: Confidential Personel Matter (06/05/24)
29. Email from Individual 15 to Matthew Wardle (and others): Acting Chief Castro (04/22/24)

30. Email from **Individual 11** to Chief Bonilla: Re: Urgent Reporting of Violation to POST (04/20/24)
31. Email from **Individual 15** to Chief Bonilla: *REMINDER* Your Agency's Investigation is due to POST in 15 days! (04/17/24)
32. Email from Acting Chief Castro to **Individual 15**: Email Response (03/14/24)
33. Email from **Individual 15** to POST: Acting Chief Castro Continued Harassment and Interfering with IA Caes (03/05/24)
34. Email from **Individual 15** to Acting Chief Castro (and others): Fermin Extended timeline AI2023-006 (02/23/24)
35. Email from **Individual 15** to POST: Lawrence Police Acting Chief Castro AI2024-001 (02/21/24)
36. Email from Mayor DePeña to **Individual 15**: Confidential Information (02/20/24)
37. Email from Attorney Houten to Acting Chief Castro: Fermin (02/14/24)
38. Letter from **Individual 15** to Mayor DePeña: Acting Chief Castro Motor Vehicle Pursuit & Policy Violations (02/07/24)
39. Email from **Individual 2** to **Individual 15**: LPD Incident # 2400-0690 (02/03/24)
40. Letter from **Individual 15** to Massachusetts Civil Service: Request for Investigation into hiring Process (01/05/24)
41. Email from **Individual 15** to Steven Smith: Lawrence Police possible lateral Scott Wood (01/10/24)
42. Email from **Individual 15** to Director Caggiano: City of Lawrence (01/09/24)
43. Email from **Individual 15** to Acting Chief Castro: Re: James Fermin (11/26/23)
44. Email from Acting Chief Castro to POST: James Fermin (11/16/23)
45. Email from **Individual 15** to Attorney Houten: Fw: Captain Mangan's Investigative Report for AI2023-002 (08/17/23)
46. Email from **Individual 15** to Chief of Staff Castro: Captain Mangan's Investigative Report for AI2023-002 (08/15/23)
47. Email from **Individual 15** to Chief of Staff Castro: James Fermin (06/21/23)
48. Email from **Individual 15** to Deputy Chief Michael McCarthy: Review of Recruit Richard Abreu's Background and POST Application (06/13/23)
49. Email from **Individual 15** to Acting Chief Castro: Outside Investigator for LPD (05/08/23)

Legal Precedent

50. M.G.L. – Part 1, Title II, Chapter 6E, Section 10: Revocation of Officer Certification

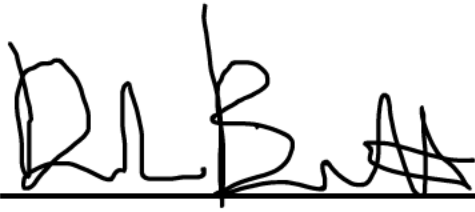
Lawrence Police Dept. Documents

- 51. Lawrence Police Department Rules and Regulations
- 52. Lawrence Police Department Vehicle Pursuit Report
- 53. Lawrence Police Department Incident Report #24000690
- 54. Lawrence Police Department Supplementary Report #24000690/2
- 55. Lawrence Police Department Supplementary Report #24000690/3
- 56. Lawrence Police Department Supplementary Report #24000690/4
- 57. Lawrence Police Department Manual Policy No. 1.04: Motor Vehicle Pursuits
- 58. Lawrence Police Department Manual Policy No. 4.21: Oath of Office (Sworn)/Code of Ethics (Sworn and Non-Sworn)

Other Documents

- 59. POST Agency Official's Attestation Regarding Candidate for Certification as a Law Enforcement Officer (William Castro evaluation of James Fermin)
- 60. POST Order of Suspension for William Castro
- 61. Notice of Investigation to Acting Chief Castro
- 62. Letter from Mayor DePeña no investigation of motor vehicle pursuit.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'DLB' followed by a stylized flourish or 'A'. The signature is positioned above a solid horizontal line.

Daniel Bennett

Comprehensive Investigations and Consulting, LLC.

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