



City of Boston, Massachusetts
Office of the Mayor
Michelle Wu

June 9 2022

Dear Boston City Council,

Please find attached a set of documents relating to former Boston Police Officer Patrick M. Rose, including a redacted version of the entirety of Rose's Boston Police Department (BPD) Internal Affairs ("IA") file, BPD Personnel File, and City of Boston Office of Labor Relations (OLR) File.

Multiple administrations have been involved in the review and release of related documents, weighing challenging public records and transparency questions. Under the Massachusetts Public Records Law, records related to a law enforcement misconduct investigation are not exempt from disclosure under the exemption for personnel records. That rule, codified by the 2020 state police reform law, is intended to provide transparency to the public about those entrusted to serve as police officers and about how cities administer discipline and management. At the same time, police departments are bound by the Victim Privacy Act, MGL Ch. 41, S. 97D ("97D"), which requires confidentiality for all reports of rape, sexual assault, and abuse, and all communications between police officers and victims of such offenses. That important rule protects victim privacy and encourages future victims to trust that they can convey such information with the police without fear that some of the darkest and most intimate details of their life will be shared with the public. There is no case law clarifying how to draw the line between those competing legal obligations.

Today we are releasing the entire IA file, with redactions invoked only to protect survivor privacy and identity. The City's legal team and I spent many hours over many weeks reviewing each word of these documents. Redactions were made only under 97D or to uphold additional statutory confidentiality obligations, including avoiding unwarranted release of information of a highly personal nature that would also interfere with future investigations into sexual assault if victims could not rely upon the confidentiality of information provided to the police. In many cases, more than one reason underlies the redaction of a portion of the record. Our determination is that redactions within sentences or documents do not distort the meaning of the underlying content.

Patrick Rose should have been terminated immediately after the IAD investigation concluded, regardless of the status of the criminal case against him. The public call for the full release of the Patrick Rose files has been driven by a need to understand how the Department and the City could possibly have allowed Rose to keep his badge and his gun, even after learning he had sexually assaulted a child. Regrettably, while the IA file reflects the full investigation into Rose, neither the IA file nor the other city records we are releasing here document the decision not to discipline or terminate him. To the best of our knowledge, no such city documentation exists.

These newly released documents do tell a fuller story and show a timeline of steps taken. They also point to necessary lessons for Boston to ensure that this can never happen again. As we seek to name a new Boston Police Commissioner and undertake needed steps for reform, the lessons and questions from these documents will shape our hiring and planning decisions. It is clear that the

City and BPD must have full authority and resources to quickly and thoroughly investigate serious misconduct and criminal allegations, and to immediately terminate police officers who are found to have violated the public trust.

We hope the recognition of necessary and urgent reforms is shared by the City's police unions, and we will seek to codify that in upcoming collective bargaining for the police contracts.

Sincerely,

A handwritten signature in black ink that reads "Michelle Wu". The signature is written in a cursive, flowing style.

Michelle Wu
Mayor of Boston

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