



Brewster Police Department
Investigative Report

Case #: 09-1-IA

Date/Time Reported: 01/19/2009 @ 0900
Report Date/Time: 01/21/2009 @ 0937

Complaint Type: CONDUCT UNBECOMING
Disposition: UNDER INVESTIGATION

Reporting Officer: Lieutenant HEATH ELDREDGE

Signature: _____

#	OFFENSE (S)	A/C	CHAPTER	SECTION
	LOCATION TYPE: Other/Unknown TD BANKNORTH GARDEN 100 LEGEND'S WAY BOSTON MA			Zone: AREA ONE
1	[REDACTED]			
2	[REDACTED]			

#	PERSON (S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	LIGHTFORD, GIRARD 240 SOUTHAMPTON ST BOSTON MA 02118 DOB: NOT AVAIL EMPLOYER: MBTA TRANSIT POLICE	WITNESS	M	B		[REDACTED]	[REDACTED]
2	ROYA, ANDREW 240 SOUTHAMPTON ST BOSTON MA 02118 DOB: NOT AVAIL EMPLOYER: MBTA TRANSIT POLICE	WITNESS	M	U		[REDACTED]	[REDACTED]
3	AMERAILT, CHRISTOPHER [REDACTED] EMPLOYER: ALLIED BARTON SECURITY CO	WITNESS	M	W		[REDACTED]	[REDACTED]
4	GONZALEZ, HECTOR 1 SCHROEDER PLAZ BOSTON MA 02118 DOB: NOT AVAIL EMPLOYER: BOSTON POLICE DEPARTMENT	WITNESS	M	U		[REDACTED]	[REDACTED]
5	[REDACTED]	WITNESS	M	W		[REDACTED]	[REDACTED]

Investigative Report

01/23/2009

Case #: 09-1-IA

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
6	[REDACTED]	WITNESS	F	W	[REDACTED]	[REDACTED]	[REDACTED]
7	[REDACTED]	WITNESS	F	W	[REDACTED]	[REDACTED]	[REDACTED]
8	[REDACTED]	WITNESS	M	W	[REDACTED]	[REDACTED]	[REDACTED]
9	[REDACTED]	WITNESS	F	W	[REDACTED]	[REDACTED]	[REDACTED]

#	OFFICER(S)	SEX	RACE	AGE	SSN	PHONE
1	HOUSTON, JOSEPH A [REDACTED]	M	W	[REDACTED]	[REDACTED]	[REDACTED]

CONTACT INFORMATION:
 Work Phone (Primary) . 508-896-7011

HEIGHT: 511 WEIGHT: 200 HAIR: RED OR AUBURN EYES: BLUE
 BODY: HEAVY COMPLEXION: LIGHT
 PLACE OF BIRTH: [REDACTED]
 LICENSE NUMBER: NOT AVAIL. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

INITIAL REPORT/INFORMATION

On January 19, 2009, I was advised by Chief Koch that Officer Joseph Houston had been arrested by the MBTA Transit Police on the evening of January 18th as a result of an incident that took place at the TD BankNorth Garden in Boston. Officer Houston was arrested and charged with Trespassing. A copy of the arrest report, as written by Officer Girard Lightford, is attached.

The preliminary information that I received from Chief Koch, and from Officer Lightford's police report, indicates that Officer Houston was intoxicated on the evening of January 18th while attending a Metallica concert. At some point during the evening, Officer Houston allegedly urinated on a patron who was sitting near him. This action resulted in a physical altercation with the patron in question, who was later identified as [REDACTED]. Both Officer Houston and [REDACTED] were escorted from the area and ejected from the venue. At this point Officer Houston identified himself as a Brewster Police Officer to the security officer involved, Christopher Amerault. Officer Amerault gave Houston a verbal no trespass and advised him not to return. Officer Amerault then advised Officer Lightford of the situation. Officer Lightford then made contact with Houston and advised him again that he needed to leave immediately or face arrest for trespassing. Houston then presented his department issued police badge and identification. Officer Lightford explained to Houston that he still needed to vacate the premises, and he then escorted him out of the venue. Officer Lightford again gave Houston a verbal trespass warning, at which time Houston stated "Look at Obama," which was directed at Officer Lightford.

After ejecting Houston from the venue, Officer Lightford returned to the lobby area to discuss the situation with security personnel, when Houston again, tried to gain entry to the lobby. At this point Officer Lightford and Officer Roya approached Houston and gave him one last opportunity to leave the premises or be arrested. Houston refused to leave and instead tried to engage the officers in conversation. Officer Lightford then advised Houston he was being placed under arrest for trespassing. While attempting to take Houston into custody, he stated, "let me talk to you...I'm a cop." Houston resisted being placed in handcuffs and after a brief struggle he was taken into custody by Officer Roya, Officer Lightford and Officer Gonzalez of Boston P.D.

At some point during the incident [REDACTED] and his family identified themselves to the MBTA Transit officers and stated that they wanted to file a report on the incident that took place inside the TD BankNorth Garden. They were referred to Boston P.D. where they went to file a complaint. I was able to obtain a copy of Officer Paula Pearson's report that was taken from the victims, alleging an indecent exposure. I will be following up with the [REDACTED] family and the officers involved in Houston's arrest.

INTERVIEW WITH [REDACTED]

On January 20, 2009, I received information that [REDACTED] had been present with Officer Houston at the concert where he was arrested. Later that same day I spoke with Officer [REDACTED] at the Brewster Police Department facility. I advised him that I wanted to speak with him regarding the incident that took place on January 18th, which resulted in Officer Houston's arrest. [REDACTED] agreed to provide a statement as to what he observed.

Officer [REDACTED] stated that on January 18th, he travelled to Boston with a friend of his (who did not sit in the same area as the rest of the group), Officer Houston, and Officer Houston's two brothers. [REDACTED] noted that before the concert they had gone to a bar in the Boston area and Houston consumed six beers during a three hour period. Upon departing the bar, they went to the TD BankNorth Garden for the concert. As they were waiting for the band to come on stage, [REDACTED] went to a nearby concession stand, and he states that on his way back to his seat he got held up in an area where the band was about to make their entrance. He states he was stuck in that location for approximately 15 minutes before being able to return to his seat. [REDACTED] notes that when he got back to his seat Houston was gone. When he inquired as to where Houston had gone, he was advised by Houston's brothers, that he had been ejected for spilling a beer on someone.

[REDACTED] stated that he remained inside for the remainder of the concert and he didn't hear from Houston until he departed the TD BankNorth Garden, whereupon he check his voice mail on his cell phone. [REDACTED] had a voice mail from Houston stating that he had been arrested and taken to the MBTA Transit Police lockup facility. [REDACTED] and Houston's brothers then headed over to the lockup facility to pick up Houston.

[REDACTED] stated that after picking him up, Houston stated that he had been ejected for spilling a beer on someone, but was eventually arrested for trespassing.

INTERVIEW WITH [REDACTED]

On January 22, 2009 I met with the members of the [REDACTED] who were present for the incident on January 18th. I spoke with [REDACTED]

During my conversation, [REDACTED], relayed the following series of events:

On January 18th, he and his family were at the TD Bank North Garden in Boston, attending the Metallica concert. They were sitting in the third row. After the two opening acts there was an intermission where the lights were all on and people were milling about. During this intermission period, a group of three men entered the seats in the row behind them (later identified as Officer Houston and his two brothers). The three men all had beers in their hands and were "obviously drunk." [REDACTED] heard the three making comments about his girlfriend (Emily) being "hot." At one point one of the three (later identified as Officer Houston) leaned over and said, "Hey, your girlfriend's hot...you're just average. I'm average too, so hey good for you." [REDACTED] just chuckled and tried to ignore the comment. One of Houston's brothers then said, "Don't worry, we're brothers, he's just drunk...he's harmless."

[REDACTED] then overheard a conversation between Houston and one of his brothers where Houston was claiming that his brother had broken his camera and he was upset about it. The brother then made a comment that he would pay for it and he would write him a check. He then asked to borrow a pen from [REDACTED]'s sister [REDACTED], who did provide him with a pen. After writing out the check, the brother then took Houston's wallet from his pocket to put the check in it. Once the brother had a hold of the wallet, he flipped it open, revealing Houston's Brewster Police badge and said in a mocking tone, "Ooh look at me I'm a cop, I'm a cop," and waved the badge in the face of [REDACTED] and [REDACTED]. Houston then grabbed the wallet back and said, "Yeah I'm a cop, what the fuck...so what?"

After Houston put his badge away, one of his brothers began playing with [REDACTED] and asked if he could braid it during the concert. [REDACTED] told him, "No man she's all set." The brother then noticed [REDACTED]'s sister, [REDACTED] belt buckle. She was wearing a belt buckle with an LED display that blinked "Metallica." The brother exclaimed, "Look, look!!" and waved his hand in the area of [REDACTED]'s belt buckle, coming very close to touching her in the waist/groin area. At this point [REDACTED] was becoming very uncomfortable with the situation and they all turned around to attempt to ignore the individuals. Shortly thereafter, the lights went out for the start of Metallica.

Once the lights went out, [REDACTED] felt someone bump into him from behind. He turned to look over his right shoulder and he could see Houston urinating. He observed Houston's penis to be out and could see a stream of urine coming from his penis. [REDACTED] was shocked by what was happening, and he explained that he didn't want to believe it was really happening. He turned back to face forward and couldn't believe what he had just witnessed. He then looked down on the ground and observed a pool of urine and splatter on the ground and [REDACTED]'s pocket book was covered. [REDACTED] then looked back on his chair and observed that his chair was

wet and so were the back of his clothes. [REDACTED] then told [REDACTED] to pick up her bag and be careful because the guy behind them was peeing all over the place. After a few minutes of trying to take the whole situation in, [REDACTED] went to his father and explained what had happened. [REDACTED] then told one of the brothers to, "Get him under control, we don't want any problems, but get him under control." The brother responded, "He's ok, he just spilled a beer." [REDACTED] then yelled, "Oh yeah, look, look!!" [REDACTED], and [REDACTED] all turned around and could see Houston's penis was still exposed and he was leaning forward on the chairs in front of him. [REDACTED] then put his arm out in an attempt to hold Houston back away from his family. He was then punched in the face by one of the brothers. Houston then lunged towards [REDACTED] [REDACTED] grabbed Houston to hold him back and Houston then toppled over backwards, causing several chairs to spill over. At this point security officers intervened and ejected [REDACTED] and Houston. [REDACTED] family tried to explain the situation to security but they insisted that he leave. The [REDACTED] family then departed the TD BankNorth Garden and took a taxi to the MBTA Transit Police Headquarters to report the incident. They were advised that a police officer had been arrested, but they would have to report the incident to the Boston Police. The [REDACTED] then went to Boston P.D. to report the incident.

During my conversation with the rest of the family, [REDACTED] and [REDACTED] both said that they observed Houston's penis to be exposed. All members of the family said that they were shocked, upset, and disgusted by what took place. They explained that they had purchased the tickets as a family Christmas present and were just there to have a good time, and certainly didn't want to have any problems. They didn't want any confrontation and noted that [REDACTED] has a heart condition and they try to keep things calm so he doesn't get upset.

I asked the family to describe the police officer involved and they said he was wearing a black beanie type hat, had light blond or red hair, blue eyes, and went by the name of Joe. I then showed them a photocopy of Houston's registry photograph and asked them if it looked like the person involved, and all confirmed that it did.

At the end of my interview, I advised the family that they would have to continue to work with the Boston Police regarding any possible criminal charges and that my investigation was for the purpose of an internal, administrative investigation.

CONVERSATION WITH CHRISTOPHER AMERAULT

On February 10th, I spoke with Christopher Amerault via telephone. Officer Amerault works for security at the TD Banknorth Garden and had been involved with Houston's ejection from the venue. I asked Officer Amerault, what his involvement was, and he explained to me that Houston had been escorted to him by the security team on the floor and turned over to him for ejection. The floor team explained to Officer Amerault that Houston was being evicted for a disturbance. Officer Amerault explained to Houston that he was being evicted and could not return. As Amerault was escorting Houston to the exit, Houston appeared to be mad that he was being kicked out and he "flashed his badge" and identified himself as a police officer as they walked. Houston was using the term "Rent-A-Cop" to describe Officer Amerault, in an attempt to demean his position. After escorting Houston to the exit, Amerault said that Houston came right back inside and was continuing to call him a "Rent-A-Cop." At this point, Officer Amerault contacted Officer Lightford, of the MBTA and advised him of the situation.