

COMMONWEALTH OF MASSACHUSETTS

Bristol, SS.

Superior Court

MASSACHUSETTS COALITION FOR THE  
HOMELESS, JOHN CORREIRA and JOSEPH  
TREEFUL,

Plaintiffs,

v.

THE CITY OF FALL RIVER, et. al.,

Defendants.

Civil Action No. 1973-CV-00299

AFFIDAVIT OF JESSICA LEWIS

I, Jessica Lewis, hereby depose and state and follows:

1. I am an attorney with the American Civil Liberties Union Foundation of Massachusetts ("ACLUFM") at Boston, Massachusetts.

2. On January 22, 2019, ACLUFM sent a public records request pursuant to M.G.L., c. 66, § 10 to the Fall River Police Department requesting, *inter alia*, "[a]ll records reflecting or containing all criminal complaints filed by members of the Department on or after January 1, 2018, that cite or refer to M.G.L. c. 85, § 17A."

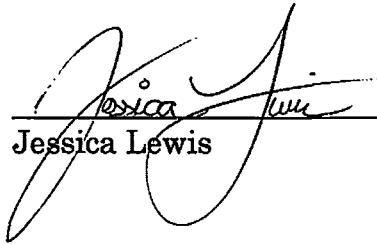
3. The Fall River Police Department ("Department") responded to the public records request on February 27, 2019, by providing, in part, an Excel spreadsheet which lists case numbers, locations of incidents, and reporting officer names and alpha numbers for all requests for criminal complaints filed pursuant to M.G.L., c. 85, § 17A ("Statute") on and after January 1, 2018. Based on that spreadsheet, which I have personally viewed, the Department filed 169 reports

recommending for criminal action, including prosecution, individuals who were alleged to have violated the Statute between January 1, 2018 and February 27, 2019.

4. The Department also provided copies of the "Summons Reports" for the relevant police activity conducted in 2019, which I reviewed. I have also reviewed some of the Summons Reports issued in 2018 against Plaintiffs John Correia and Joseph Treeful, which were provided to me by Plaintiffs through their defense counsel.

5. According to the Summons Reports, officers of the Department's Special Operations Division "specifically concentrate [their] patrols in response to the chronic and numerous complaints regarding the pan handlers." *See* Exhibit A, Defendant Sgt. James Smith Summons Report, Ref. Nos. 18-5009-AR, 18-4272-AR, 18-4229-AR. Based on the location information provided in the Excel spreadsheet identified in paragraph 3 as well as the Summons Reports, these officers patrol the area of Plymouth Ave which "is a public way in a designated CDA area and is a site for homeless people that solicit from motor vehicles." *See* Exhibit B, Defendant Officer Michael Paavo Summons Report, Ref. Nos. 18-3522-AR, 19-528-AR, 19-79-AR. These officers purportedly concentrate their patrols in this manner in order to address alleged complaints expressed in neighborhood community meetings that "[m]any citizens fear the individuals who walk up to their vehicles" or "are annoyed by panhandlers blocking traffic and soliciting money." *See* Exhibit C, Defendant Officer Derek Amaral Summons Report, Ref. No. 19-203-AR.

Signed under the pains and penalties of perjury this 3<sup>rd</sup> day of April, 2019.

  
\_\_\_\_\_  
Jessica Lewis

# Exhibit A



Fall River Police Department  
Summons Report

Page: 1  
12/17/2018

Summons #: 18-5009-AR  
Call #: 18-88923

Date/Time Reported: 12/17/2018 @ 1244  
Arrest Date/Time: 12/17/2018 @ 1652

OBTN: TEAL201805009  
Reporting Officer: Sergeant James Smith

Signature: \_\_\_\_\_

1 CORREIRA, JOHN  
HOMELESS ST  
FALL RIVER MA

M W 53

Military Active Duty: N

HEIGHT: 510 WEIGHT: 145 - 150 HAIR: BROWN EYES: BROWN  
BODY: SKINNY COMPLEXION: FAIR  
DOB: [REDACTED] PLACE OF BIRTH: FALL RIVER, MA  
STATE ID: [REDACTED] FBI ID: [REDACTED]  
LICENSE NUMBER: [REDACTED] ETHNICITY: NOT HISPANIC  
PCF #: [REDACTED]

[CONTACT INFORMATION]

Home Phone (Primary) [REDACTED]

[APPEARANCE]

GLASSES WORN: YES

ALIAS LAST NAME FIRST NAME MIDDLE NAME SSN DOB  
CORREIRA JOHN NOT AVAIL NOT AVAIL

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: SINGLE

FATHER'S NAME: [REDACTED]

MOTHER'S NAME: [REDACTED]

EMPLOYER/SCHOOL: UNEM

OCCUPATION: UNEMP.

LOCATION TYPE: Highway/Road/Alley/Street Zone: Zone 202, Sec 4  
PLYMOUTH AVE ONTO RT 195W  
300 RT 195W HWY  
FALL RIVER MA 02721

1 SOLICIT FROM PERSONS IN MOTOR VEHICLES N Ordinance  
85/17A/A 85 17A  
OCCURRED: 12/17/2018 1244

Fall River Police Department

Page: 1

NARRATIVE FOR SERGEANT JAMES SMITH

Ref: 18-5009-AR

On Monday, December 17, 2018, I, Sergeant James Smith, was assigned to the Fall River Police Department's Special Operations Division. I was specifically concentrating my patrols in response to the chronic and numerous complaints regarding the pan handlers aggressively pan-handling by walking out in front of traffic, which creates a dangerous situation. Some of them also intimidate lone females, and the elderly for money.

At 12:44 PM, my attention was drawn to a male that I know from multiple, past police related encounters as John Correia, [REDACTED]. Correia was standing out in the middle of the highway and collecting money from the driver of a small, black car, which was possibly a Hyundai. This was at the intersection of the Route 195 West bound off-ramp, and Plymouth Avenue. Due to the Hyundai that was stopped, no cars could proceed down the on-ramp, even though they had the green light. There were multiple cars behind the vehicle, which created traffic congestion, but no one was beeping their horn. This was a result of Correia and the driver of the Hyundai had effectively stopped traffic flow in the roadway.

Correia appeared to have collected the money and walked back to the side of the highway again. When he stepped out of the highway, vehicle traffic began to flow again. Correia was now standing back on the median and still holding a make-shift cardboard, homeless sign. I activated my air-horn in order to get Correia's attention and called out to him. I told him that he needed to cease his actions and that we would be summoned into court again.

It should be noted that Correia has been charged and warned multiple times about pan-handling, but he continually and willfully flouts the law. Based on the above mentioned facts and circumstances, I would like to respectfully request that John Correia, DOB [REDACTED], be summoned into court for pan-handling. This report is being submitted under the pains and penalties of perjury.

Investigating Officer: \_\_\_\_\_  
Sgt. James Smith



Fall River Police Department  
Summons Report

Page: 1  
10/26/2018

Summons #: 18-4272-AR  
Call #: 18-76233

Date/Time Reported: 10/26/2018 @ 1333  
Arrest Date/Time: 10/26/2018 @ 1806

OBTN: TFAL201804272  
Reporting Officer: Sergeant James Smith  
Assisting Officer: Officer Matthew Mendes

Signature: \_\_\_\_\_

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE
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1	CORREIRA, JOHN	M	W	53		
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Military Active Duty: N

HEIGHT: 510

WEIGHT: 145 - 150

HAIR: BROWN

EYES: BROWN

BODY: SKINNY

COMPLEXION: FAIR

DOB: [REDACTED]

PLACE OF BIRTH: FALL RIVER, MA

STATE ID: [REDACTED]

FBI ID: [REDACTED]

LICENSE NUMBER: [REDACTED]

ETHNICITY: NOT HISPANIC

PCF #: [REDACTED]

[CONTACT INFORMATION]

Home Phone

(Primary) [REDACTED]

[APPEARANCE]

GLASSES WORN: YES

ALIAS LAST NAME

FIRST NAME

MIDDLE NAME

SSN

DOB

CORREIRA

JOHN

NOT AVAIL

NOT AVAIL

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: SINGLE

FATHER'S NAME: [REDACTED]

MOTHER'S NAME: [REDACTED]

EMPLOYER/SCHOOL: UNEM

OCCUPATION: UNEMP.

#	OFFENSE(S)	ATTEMPTED	TYPE
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LOCATION TYPE: Highway/Road/Alley/Street  
EXIT 7 RT 195W  
205 PLYMOUTH AVE  
FALL RIVER MA 02721

Zone: Zone 202, Sec 4

1	SOLICIT FROM PERSONS IN MOTOR VEHICLES	N	Ordinance
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85/17A/A

85

17A

OCCURRED: 10/26/2018 1333

Ref: 18-4272-AR

On Friday, October 26, 2018, Officer Matthew Mendes, and I, Sergeant James Smith, were assigned to the Fall River Police Department's Special Operations Division. We were specifically concentrating our patrols in response to the chronic and numerous complaints regarding the panhandlers aggressively pan-handling by walking out in front of traffic, which creates a dangerous situation. Some of them also intimidate lone females, and the elderly for money.

Around 1:33 PM, while we were travelling north on Plymouth Avenue, we observed a male that was known to us from past police related encounters, as John Correia, DOB [REDACTED]. Correia walked directly out into on-coming traffic, coming off of Route 195 westbound. He took money from the driver of a black SUV, and these vehicles had the green light. As a result, all of the vehicles located directly behind said vehicle, had to stop and couldn't drive forward unless they drove around the SUV. Correia took the money from inside the motor vehicle and then walked back off of the ramp. Officer Mendes and I confirmed it was in fact Correia, and we informed him that he couldn't stay there.

I am aware that Correia is homeless, but refuses to go to the homeless shelter. He was still holding a make-shift, cardboard, homeless sign again. It should be noted that Correia has been charged and warned multiple times about pan-handling, but he continually and willfully flouts the law.

Based on the above mentioned facts and circumstances, I would like to respectfully request that John Correia, DOB [REDACTED], be summoned into court for pan-handling. This report is being submitted under the pains and penalties of perjury.

Investigating Officer: \_\_\_\_\_

Sgt. James Smith





Fall River Police Department  
Summons Report

Page: 1  
10/24/2018

Summons #: 18-4229-AR.  
Call #: 18-75706

Date/Time Reported: 10/24/2018 @ 1354  
Arrest Date/Time: 10/24/2018 @ 2204

OBTN: TFAL201804229  
Reporting Officer: Sergeant James Smith

Signature: \_\_\_\_\_

1 CORREIRA, JOHN

M W 53

Military Active Duty: N

HEIGHT: 510

WEIGHT: 145 - 150 HAIR: BROWN EYES: BROWN

BODY: SKINNY

COMPLEXION: FAIR

DOB: [REDACTED]

PLACE OF BIRTH: FALL RIVER, MA

STATE ID: [REDACTED]

FBI ID: [REDACTED]

LICENSE NUMBER: [REDACTED]

ETHNICITY: NOT HISPANIC

PCF #: [REDACTED]

[CONTACT INFORMATION]

Home Phone

(Primary) [REDACTED]

[APPEARANCE]

GLASSES WORN: YES

ALIAS LAST NAME  
CORREIRA

FIRST NAME  
JOHN

MIDDLE NAME

SSN

NOT AVAIL

DOB

NOT AVAIL

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: SINGLE

FATHER'S NAME: [REDACTED]

MOTHER'S NAME: [REDACTED]

EMPLOYER/SCHOOL: UNEM

OCCUPATION: UNEMP.

LOCATION TYPE: Highway/Road/Alley/Street  
PLYMOUTH AVE ONTO RT 195W  
201 RT 195W HWY  
FALL RIVER MA 02721

Zone: Zone 202, Sec 4

1 SOLICIT FROM PERSONS IN MOTOR VEHICLES  
88/17A/A 85 17A

N

Ordinance

OCCURRED: 10/24/2018 1354

Fall River Police Department

Page: 1.

NARRATIVE FOR SERGEANT JAMES SMITH

Ref: 18-4229-AR

On Wednesday, October 24, 2018, I, Sergeant James Smith, was assigned to the Fall River Police Department's Special Operations Division. I was specifically concentrating my patrols in response to the chronic and numerous complaints regarding the panhandlers aggressively pan-handling by walking out in front of traffic, which creates a dangerous situation. Some of them also intimidate lone females, and the elderly for money.

Around 1:54 PM, I was travelling South on Plymouth Avenue. As I got closer to the Route 195 West-bound intersection, I observed a male that was known to me from past police related encounters, as John Correia, DOB [REDACTED]. Correia had just walked back off of the off-ramp and traffic began to flow regularly after he got out of the roadway, as the driver's had the green light.

Upon reaching his destination, he was back standing off the side of the highway. I confirmed it was in fact Correia, and informed him that he couldn't stay here. I told him once again that it was not only illegal to pan-handle, which he already knew, as he has been charged numerous times, but also was not safe.

I am aware that Correia is homeless, but refuses to go to the homeless shelter. He was still holding a make-shift, cardboard, homeless sign again. It should be noted that Correia has been charged and warned multiple times about pan-handling, but he continually and willfully flouts the law.

Based on the above mentioned facts and circumstances, I would like to respectfully request that John Correia, DOB [REDACTED] be summoned into court for pan-handling. This report is being submitted under the pains and penalties of perjury.

Investigating Officer: \_\_\_\_\_

Sgt. James Smith

# **Exhibit B**



Fall River Police Department  
Summons Report

Page: 1  
09/14/2018

Summons #: 18-3522-AR  
Call #: 18-64803

Date/Time Reported: 09/13/2018 @ 1309  
Arrest Date/Time: 09/13/2018 @ 1311

OBTN: TFAL201803522

Reporting Officer: Officer Michael Pavao

Signature: \_\_\_\_\_

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE
1	TREEFUL, JOSEPH E JR HOMELESS ST FALL RIVER MA 02721	M	W	49	[REDACTED]	[REDACTED]

Military Active Duty: N

HEIGHT: 602 - 602

WEIGHT: 238

HAIR: BROWN

EYES: BLUE

BODY: SKINNY

COMPLEXION: MEDIUM

DOB: [REDACTED]

PLACE OF BIRTH: FALL RIVER, MA

STATE ID: [REDACTED]

FBI ID: [REDACTED]

LICENSE NUMBER: [REDACTED]

ETHNICITY: NOT HISPANIC

PCF #: [REDACTED]

[CONTACT INFORMATION]

Home Phone

(Primary) [REDACTED]

[APPEARANCE]

GLASSES WORN: NO

SCARS: SC ARM(DRAGON)

TATTOOS: TAT ARM(HEART), TAT ARM(WIZARD), TAT ARM(TRIBAL DRAGON)

TAT R CHK(2 BLK DOTS(SIDE RIGHT EYE)

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: SINGLE

FATHER'S NAME: [REDACTED]

MOTHER'S NAME: [REDACTED]

OCCUPATION: UNEMPLOYED

#	OFFENSE(S)	ATTEMPTED	TYPE
	LOCATION TYPE: Restaurant/Cafeteria APPLEBEE'S NEIGHBORHOOD GRILL AND BAR 311 PLYMOUTH AVE FALL RIVER MA	Zone: Zone 157, Sec 11	
1	SOLICIT FROM PERSONS IN MOTOR VEHICLES 85/17A/A 85 17A OCCURRED: 09/13/2018 1309	N	Ordinance

**Fall River Police Department**

**Page: 1**

**NARRATIVE FOR OFFICER MICHAEL PAVAO**

**Ref: 18-3522-AR**

On Thursday, September 13, 2018, I Officer Michael Pavao was assigned to the Fall River Police Department Special Operations Division. At approximately 9:30 a.m., Officer Michael Hadaya (Walking beat 11A) and I (Walking beat 4A) were on patrol in an unmarked police cruiser traveling south on Plymouth Ave. near the route 195 east off ramp to Plymouth Ave. This area of Plymouth Ave is a public way in a designated CDA area #4 and is a site for homeless people that constantly solicit from motor vehicles.

While stopped at a red traffic signal, I observed a male standing against a posted traffic sign holding a cardboard sign saying that he was "Homeless". This is common behavior when someone is asking for monetary donations from motorists that are passing by. I exited my cruiser and approached this male who is known to me as Joseph Treeful, D.O.B. [REDACTED]. Mr. Treeful told me that he recently chose this area to solicit from people because he was homeless. Mr. Treeful stepped into the roadway several times approaching motorists for money as they pass by. At one point he was talking to a motorist who handed him money while the traffic signal was green holding up traffic briefly. Mr. Treeful confirmed that he was homeless but claimed that he was trying to register himself into a local homeless shelter, however, because he is frequently under the influence of alcohol he has been unsuccessful getting assistance. Mr. Treeful told me that he was fully aware the police were enforcing this offense but said he would continue his business of solicitation even if it meant relocating to another area of the city. Mr. Treeful has been known to become violent toward police but on this day he left the area without incident. Mr. Treeful has been charged with solicitation in the past but despite numerous warnings he continues to solicit from persons in motor vehicles on a daily basis.

Based on the incident described above, I respectfully request a Summons be issued to Joseph Treeful to appear in Court for *Soliciting From Persons in Motor Vehicles*.

\_\_\_\_\_  
Officer Michael Pavao  
Requesting Officer

\_\_\_\_\_  
Date



Fall River Police Department  
Summons Report

Page: 1  
02/11/2019

Summons #: 19-528-AR  
Call #: 19-9950

Date/Time Reported: 02/10/2019 @ 1037  
Arrest Date/Time: 02/11/2019 @ 1553

OBTN: TFAL201900528

Reporting Officer: Officer Michael Pavao

Signature: \_\_\_\_\_

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE
1	CORREIRA, JOHN HOMELESS ST FALL RIVER MA	M	W	53		

Military Active Duty: N  
HEIGHT: 510      WEIGHT: 145 - 150      HAIR: BROWN      EYES: BROWN  
BODY: SKINNY      COMPLEXION: FAIR  
DOB: [REDACTED]      PLACE OF BIRTH: FALL RIVER, MA  
STATE ID: [REDACTED]      FBI ID: [REDACTED]  
LICENSE NUMBER: [REDACTED]      ETHNICITY: NOT HISPANIC  
PCF #: [REDACTED]

[CONTACT INFORMATION]

Home Phone (Primary) [REDACTED]

[APPEARANCE]

GLASSES WORN: YES

ALIAS LAST NAME      FIRST NAME      MIDDLE NAME      SSN      DOB  
CORREIRA      JOHN           NOT AVAIL      NOT AVAIL

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: SINGLE

FATHER'S NAME: [REDACTED]  
MOTHER'S NAME: [REDACTED]

EMPLOYER/SCHOOL: UNEM

OCCUPATION: UNEMP.

#	OFFENSE(S)	ATTEMPTED	TYPE
	LOCATION TYPE: Highway/Road/Alley/Street      Zone: Zone 106, Sec 5 SUPPLY NEW ENGLAND 186 PLYMOUTH AVE FALL RIVER MA		
1	SOLICIT FROM PERSONS IN MOTOR VEHICLES 85/17A/A      85      17A OCCURRED: 02/10/2019      1037	N	Ordinance

**Fall River Police Department****Page: 1****NARRATIVE FOR OFFICER MICHAEL PAVAO****Ref: 19-528-AR**

On Sunday, February 10, 2019, I Officer Michael Pavao was assigned to the Fall River Police Department Special Operations Division. At approximately 10:37 a.m., I was on patrol in an unmarked police cruiser traveling north on Plymouth Ave. near the route 195 west off ramp to Plymouth Ave. This area of Plymouth Ave is a public way in a designated CDA area and is a site for homeless people that constantly solicit from motor vehicles.

While stopped at a red traffic signal, I observed a male standing against a posted traffic sign holding a cardboard sign saying that he was "Homeless". This is common behavior when someone is asking for monetary donations from motorists that are passing by. I exited my cruiser and approached this male who is known to me as John Correia, D.O.B. [REDACTED]. On April 22, 2018, I arrested Mr. Correia for outstanding arrest warrants which also included the offense of Soliciting From Persons in A Motor Vehicle according to Massachusetts General Law C. 85 S. 17A. Since that day, Mr. Correia has been charged with the repeated offense of solicitation which he has also been arrested for. Mr. Correia has been warned numerous times not to approach motorists for money as they pass by, however, he continues to return to the same location on a daily basis. Mr. Correia confirmed that he was homeless but claimed he was trying to register himself into a local homeless shelter, however, because he is frequently under the influence of alcohol he has been unsuccessful getting assistance. Mr. Correia told me that he was fully aware the police were enforcing this offense but said he would continue his business of solicitation even if it meant relocating to another area of Plymouth Ave. On this day, Mr. Correia left the area without incident upon first warning but then returned to the same location a short time later.

Based on the incident described above, I respectfully request a Summons be issued to John Correia to appear in Court for Soliciting From Persons in Motor Vehicles.

Michael Pavao  
Officer Michael Pavao  
Requesting Officer

2/11/19  
Date



Fall River Police Department  
Summons Report

Page: 1  
03/06/2019

Summons #: 19-79-AR  
Call #: 19-1510

Date/Time Reported: 01/07/2019 @ 1107  
Arrest Date/Time: 01/10/2019 @ 1531

OBTN: TFAL201900079

Reporting Officer: Officer Michael Pavao

Signature: \_\_\_\_\_

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE
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1	[REDACTED] FALL RIVER MA 02723	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
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Military Active Duty: N

HEIGHT: 511

BODY: SKINNY

DOB: \_\_\_\_\_

STATE ID: \_\_\_\_\_

LICENSE NUMBER: MA \_\_\_\_\_

PCF #: \_\_\_\_\_

WEIGHT: 140 - 150

HAIR: BROWN

EYES: BROWN

COMPLEXION: LIGHT

PLACE OF BIRTH: FALL RIVER MA

FBI ID: \_\_\_\_\_

ETHNICITY: NOT HISPANIC

[CONTACT INFORMATION]

Home Phone

(Primary) \_\_\_\_\_

[APPEARANCE]

GLASSES WORN: NO

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: SINGLE

FATHER'S NAME: \_\_\_\_\_

MOTHER'S NAME: \_\_\_\_\_

EMPLOYER/SCHOOL: UNEMPLOYED

FALL RIVER

OCCUPATION: UNEMPLOYED

#	OFFENSE(S)	ATTEMPTED	TYPE
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LOCATION TYPE: Highway/Road/Alley/Street  
SUPPLY NEW ENGLAND  
186 PLYMOUTH AVE  
FALL RIVER MA

Zone: Zone 106, Sec 5

1	SOLICIT FROM PERSONS IN MOTOR VEHICLES 85/17A/a	N	Ordinance
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OCCURRED: 01/07/2019 1107



Ref: 19-79-AR

On Monday, January 7 2019, I Officer Michael Pavao was assigned to the Fall River Police Department Special Operations Division. Around 11:07 a.m., Officer Derek Amaral (Walking beat 4B) and I (Walking beat 4A) were on patrol in an unmarked police cruiser traveling north on Plymouth Ave. near the route 195 east off ramp to Plymouth Ave. This area of Plymouth Ave is a public way in a designated CDA area #4 and is a site for homeless people that constantly solicit from motor vehicles.

While stopped at a red traffic signal, I observed a male standing against a posted traffic sign holding a cardboard sign saying that he was "Homeless". This is common behavior when someone is asking for monetary donations from motorists that are passing by. I exited my cruiser and approached this male who identified himself as [REDACTED]. [REDACTED] told me that he recently chose this area to solicit from people because he was homeless after being discharged from the SSTAR Treatment Center. [REDACTED] remained in the roadway approaching motorists for money as they passed by. At one point he was talking to a motorist who handed him money while the traffic signal was green holding up traffic briefly. [REDACTED] confirmed that he was from Taunton but is living on the streets of Fall River claiming that he was trying to register himself into a local homeless shelter but has been unsuccessful. Boudria said that he had recently been warned by the police not to solicit on Plymouth Ave. however despite that warning he returned to collect donations from motorists.

Based on the incident described above, I respectfully request a Summons be issued to [REDACTED] to appear in Court for *Soliciting From Persons in Motor Vehicles*.

\_\_\_\_\_  
Officer Michael Pavao  
Requesting Officer

\_\_\_\_\_  
Date

# Exhibit C



Fall River Police Department  
Summons Report

Page: 1  
03/06/2019

Summons #: 19-203-AR  
Call #: 19-3773

Date/Time Reported: 01/16/2019 @ 1659  
Arrest Date/Time: 01/16/2019 @ 1928

OBTN: TFAL201900203

Reporting Officer: Officer Michael Pavao

Signature: \_\_\_\_\_

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE
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1	[REDACTED] FALL RIVER MA 02720	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
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Military Active Duty: N

HEIGHT: 508

WEIGHT: 170

HAIR: SANDY

EYES: BROWN

BODY: MEDIUM

COMPLEXION: LIGHT

DOB: \_\_\_\_\_

PLACE OF BIRTH: FALL RIVER, MA

STATE ID: \_\_\_\_\_

FBI ID: \_\_\_\_\_

LICENSE NUMBER: MA \_\_\_\_\_

ETHNICITY: NOT HISPANIC

PCF #: \_\_\_\_\_

[CONTACT INFORMATION]

Home Phone

(Primary) \_\_\_\_\_

[APPEARANCE]

GLASSES WORN: NO

TATTOOS: TAT L HND(B), TAT R HND(BUNNY), TAT LEG(RIGHT LEG PLANET)

ALIAS LAST NAME FIRST NAME MIDDLE NAME SSN DOB

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: SINGLE

FATHER'S NAME: [REDACTED]

MOTHER'S NAME: [REDACTED]

EMPLOYER/SCHOOL: WILLIAMS VINYL SIDING

OCCUPATION: UNEMPLOYED

#	OFFENSE(S)	ATTEMPTED	TYPE
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LOCATION TYPE: Highway/Road/Alley/Street  
250 JEFFERSON ST @ 756 BRAYTON AVE  
FALL RIVER MA

Zone: Zone 083, Sec 8

1 SOLICIT FROM PERSONS IN MOTOR VEHICLES  
85/17A/A 85 17A

N

Ordinance

OCCURRED: 01/16/2019 1659

Ref: 19-203-AR

On Wednesday, January 2019, Officer Derek Amaral (Walking Beat 4B) and I, Officer Michael Pavao (4A) were assigned to the Fall River Police Special Operation Division. During my assigned shift I was patrolling in an unmarked cruiser in the area of Brayton Ave and Rt 24. It should be noted that this is a public way in a known CDA area (CDA area #3). While traveling east on Brayton Avenue, I observed a male known to me as [REDACTED] standing on the median at the Rt.24 South on/off ramp. This male was holding a cardboard sign stating, "Homeless Anything Will Help." It should be noted that the Special Operation Division attends neighborhood community meetings throughout the city. One common complaint from all the neighborhood groups is regarding pan handling at the city's off ramps and traffic lights. Many citizens fear the individuals who walk up to their vehicles; others are annoyed by panhandlers blocking traffic and soliciting money.

[REDACTED] was walking by vehicles stopped at the red light waving to the operators. However, I observed [REDACTED] walk up to a vehicle during a green light and obtain monies from the operator. After that he stopped and talked to the motorist for approximately one minute. Due to the operator stopping during a green light, it forced vehicles behind them to stop causing unnecessary traffic congestion. I approached [REDACTED] whom has been charged with soliciting in the past and explained to him that he would be charged again. [REDACTED] stated that he knew he wasn't supposed to be soliciting and said he would leave to which he did without further incident.

Based on the facts and circumstances in regard to this incident, I, respectfully request that [REDACTED] (Homeless) be summoned into court for the charge of: *Soliciting from Persons in Motor Vehicles.*

Reporting Officer: \_\_\_\_\_ Date: 1/16/19  
Officer Michael Pavao

Approving Supervisor: \_\_\_\_\_ Date: 1/16/19