

Boston PD

222094963 - Offense/Incident Report

REPORTED ON DATE / TIME Dec 9, 2022 00:29	DISTRICT / SECTOR / REPORTING AREA / SUBDIVISION 4 / SUBDIVISION 5 B3 / C411 / 453	OCCURRED FROM DATE / TIME - OCCURRED TO DATE / TIME Dec 8, 2022 22:54
--	---	--

REPORTING OFFICER

RENZO MONZON #144476

REPORT TAKEN LOCATION

22 HARVARD ST, HARVARD PARK & HARVARD AVE, DORCHESTER, MA 02124

EVENT STATISTICS

- | | |
|--|---|
| <input checked="" type="checkbox"/> Gun | <input type="checkbox"/> Drugs |
| <input type="checkbox"/> Sexual Assault | <input type="checkbox"/> NIDV |
| <input type="checkbox"/> Child Present | <input type="checkbox"/> Homeless |
| <input type="checkbox"/> CRU - Hate/Bias | <input type="checkbox"/> Car Jack |
| <input type="checkbox"/> Other Agency/Unit Notified | <input type="checkbox"/> Bicycle |
| <input type="checkbox"/> DVIP | <input type="checkbox"/> Licensed Premise |
| <input type="checkbox"/> Warrant Arrest | <input type="checkbox"/> School |
| <input type="checkbox"/> Juvenile | <input type="checkbox"/> Disabled |
| <input type="checkbox"/> Gang | <input type="checkbox"/> Search Warrant |
| <input type="checkbox"/> Homeland Security | <input type="checkbox"/> Shots Fired |
| <input type="checkbox"/> Sex Offender | <input type="checkbox"/> Elderly |
| <input type="checkbox"/> Homeland Security UASI | <input type="checkbox"/> Victim Shot |
| <input type="checkbox"/> Home Invasion | <input type="checkbox"/> Victim Stabbed |
| <input type="checkbox"/> Human Trafficking | <input type="checkbox"/> Child Abuse |
| <input checked="" type="checkbox"/> Body Worn Camera | <input type="checkbox"/> Section 12/35 |
| <input type="checkbox"/> Auto Investigator | |

NARRATIVE

About 10:54 pm, on Thursday, December 8, 2022, members of the Youth Violence Strike Force consisting of Officers Monzon, D'Addieco, S. Lopes, and Panzavecchia, assigned to the VK07, under the supervision of Sgt. Byrne (VK901) did make an onsite firearm arrest of Marvin Chery as a result of a motor vehicle stop in front of 22 Harvard St, Dorchester.

Officers assigned to the Youth Violence Strike Force were wearing plain civilian clothing with black tactical vest with "Boston Police" insignia on the front chest as well as the back. In addition, officers also had their department issued badges displayed on their outermost garment as well as their department issued body worn camera (activated). Officers were operating Boston Police Department vehicle 8567, a black ford explorer with low profile lights (emergency lights on the inside of the vehicle) along with the MDT (Mobile Data Terminal computer) in the center of the vehicle. These markings make it easily identifiable as a police vehicle. Officer S. Lopes was operating the vehicle, Officer Monzon was in the front passenger seat, Officer D'Addieco was in the rear left seat, and Officer Panzavecchia was in the rear right seat.

REPORTING OFFICER SIGNATURE / DATE RENZO MONZON #144476 Dec 9, 2022 02:15 (e-signature)	SUPERVISOR SIGNATURE / DATE PATRICK BYRNE #095168 Dec 9, 2022 02:21 (e-signature)
PRINT NAME RENZO MONZON #144476	PRINT NAME PATRICK BYRNE #095168

Officers were on random patrol in the area of Thane St and Harvard St when their attention was drawn to a dark colored sedan with dark tinted windows (90:9D) and noticed that it did not have a front number plate properly affixed to the motor vehicle (90:6) Both Thane St and Harvard St are public ways in the City of Boston.

As a result of the vehicle being tinted the Officers were not able to see the race and gender of who was operating the motor vehicle. Also, the Officers were not able to see how many occupants were in the motor vehicle. As a result to the motor vehicle infractions, the Officers activated their emergency blue lights and siren, and effected a motor vehicle stop in front of 22 Harvard St.

Officer S. Lopes and D’Addieco approached the driver side of the motor vehicle, and Officers Monzon and Panzavecchia approached the passenger side of the motor vehicle. Officers requested the operator later identified as Marvin Chery, who was the sole occupant of the motor vehicle, for his license and registration which he was able to provide. Officer S. Lopes was able to do a CJISWeb query of the motor vehicle and Chery’s license. The CJISWeb query came back stating that Chery’s license was in fact SUSPENDED. CJISWeb stated that Chery’s license was suspended on 12/06/22.

As Officer S. Lopes was querying Chery’s information, the other Officers on scene began making observations of Chery. As Chery was sitting and not moving, Officers noticed that his breathing started becoming more rapid. Officers made note of this. In casual conversation Chery informed the Officers that this was his car and that he was the registered owner.

Officer S. Lopes was able to relay the information to the other Officers on scene that Chery’s license was in fact suspended. At this point in time, Officer D’Addieco requested Chery to shut the motor vehicle off so that he can step out. Chery did this without incident.

As Chery stepped out of the motor vehicle he was placed in custody for operating a motor vehicle with a suspended license. Officers noticed that the vehicle was parked in a manner that was partially obstructing Harvard Park. The rear of the motor vehicle was blocking the handicap ramp and was within 20 feet of the intersection. The Officers could not leave the vehicle because the residents and motoring public of Harvard Park would have been obstructed by his motor vehicle if it was left there. Officers had no choice but to tow the motor vehicle so that it does not affect traffic. As a result of this, Officers began a motor vehicle inventory. Throughout the inventory Officers observed an open bottle of Tequila underneath the passenger seat.

As Officers Monzon and Panzavecchia finished the motor vehicle inventory of the passenger compartment they began an inventory of the trunk area. As they opened the trunk and began inventorying it, Officer Panzavecchia observed a black cloth like item protruding from behind the carpet liner. This appeared unnatural to the Officers, due to the fact that from training and experience Officers know that people do not tend to store any items behind the carpet liner.

Officer Panzavecchia began pulling on the black cloth like item. Shortly after the item came out from behind the carpet liner, an item consistent with the shape and weight of a firearm was observed inside of the sock. As it was pulled out from behind the carpet liner a loud thump could be heard. Officers ceased their inventory and requested a transport to their location. Officers also requested for a Youth Violence Strike Force Sergeant and a motor vehicle tow to their location.

Officer Monzon demanded Chery to produce his license to carry a firearm and he stated “Why would I have one.” Officer Monzon the mirandized Chery from a miranda card that he always carries on his person. Officers observed that Chery had a chain with the word “DIZZY” on his necklace, they also observed yellow sneakers in the trunk with “DIZZY 32” written on them.

REPORTING OFFICER SIGNATURE / DATE	SUPERVISOR SIGNATURE / DATE
RENZO MONZON #144476 Dec 9, 2022 02:15 (e-signature)	PATRICK BYRNE #095168 Dec 9, 2022 02:21 (e-signature)
PRINT NAME	PRINT NAME
RENZO MONZON #144476	PATRICK BYRNE #095168

At this point in time Sergeant Byrne (VK901), Officers Bernazzani and Butler (VK05) arrived on scene. Sergeant Byrne was able to open the black sock and all Officers on scene observed a black firearm ghost gun. Sergeant Byrne rendered the firearm safe and when he racked the slide of the firearm a spent shell casing ejected from the chamber.

Officer Kadey (C411F) arrived on scene and transported Chery back to B3 for booking. Akiki Towing arrived on scene and was able to secure the motor vehicle (Tow slip # 3239.)

Officer Monzon was able to measure the window tint using a window tint meter. Specifically an Enforcer 2 tint meter model TM1000. Prior to measuring the window tint of the vehicle, Officer Monzon calibrated the window tint meter by using the samples that came with the tint meter, a 25% sample and a 59% sample. The window tint of the vehicle measured at 16% and 17% in all windows. The legal tint in Massachusetts is 35%.

Chery is to be charged with:

Chapter 269 Section 10 a&d: possession of a firearm with a license 2nd offense.

- 1. Guilty – unlawful possession of a firearm – 11/09/15 – DKT# 1582CR00000064

Chapter 269 Section 10h: possession of ammunition without FID card

Chapter 269 Section 10n: carrying a loaded firearm without a license

Chapter 269 Section 10m: possess large capacity feeding device

Chapter 269 Section 10 G: firearm violation with 3 prior violent/drug crimes

- 1. Guilty – unlawful poss of a firearm – 11/09/15 - DKT# 1582CR00000064
- 2. Guilty – armed robbery dangerous weapon – 11/09/15 DKT# 1582CR00640A
- 3. Guilty – possession to distribute Class D – 05/08/18 DKT# 1813CR001612A

Chapter 90 Section 23: operating a motor vehicle with a suspended license

Chapter 90 Section 9D: tinted windows

Chapter 90 Section 6: number plate violation

Chapter 90 Section 24I: possession of open container of alcohol

Massachusetts Uniform Citation T2591394 and T2591395 was completed and issued to Chery. A copy of the citation was left with his property.

The firearm recovered was a black 9 mm ghost gun. The firearm had a spent shell casing in the chamber that ejected when the firearm was rendered safe. The firearm also had a magazine with 16 9mm live rounds of ammunition. Firearm was brought to B3 and placed in the B3 gun locker.

Tow line notified (Harty)

Form 2012 completed.

REPORTING OFFICER SIGNATURE / DATE RENZO MONZON #144476 Dec 9, 2022 02:15 (e-signature) PRINT NAME RENZO MONZON #144476	SUPERVISOR SIGNATURE / DATE PATRICK BYRNE #095168 Dec 9, 2022 02:21 (e-signature) PRINT NAME PATRICK BYRNE #095168
--	---

REPORTING PARTY 1

REPORTING PARTY - (ORGANIZATION)

R-1 Myself

OFFENSE-1

OFFENSE CODE

WEAPON VIOLATION - CARRY/ POSSESSING/ SALE/ TRAFFICKING/ OTHER

OCCURRED FROM DATE/TIME Dec 8, 2022 22:54	OFFENSE COMPLETION <input checked="" type="checkbox"/> COMPLETED <input type="checkbox"/> ATTEMPTED	SUSPECTED HATE CRIME <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	SUSPECTED COMPUTER/ HANDHELD DEVICE USE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
SUSPECTED ALCOHOL CONSUMPTION <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	SUSPECTED DRUG USE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	WEAPON / FORCE INVOLVED Handgun	

CRIMINAL ACTIVITIES / ANIMAL CRUELTY

Possession/ Conceal

OFFENSE LOCATION

LOCATION NAME / STREET ADDRESS/LOCATION NAME / APT, UNIT, SUITE / DESCRIPTION

22 HARVARD ST

CITY DORCHESTER	STATE MA	ZIP 02124	COUNTRY CODE US
INTERSECTION STREET HARVARD PARK		INTERSECTION STREET 2 HARVARD AVE	
LOCATION CATEGORY Highway/ Road/ Alley/ Street/ Sidewalk		DISTRICT / SECTOR / REPORTING AREA / SUBDIVISION 4 / SUBDIVISION 5 B3 / C411 / 453	PUBLIC / PRIVATE Public

VICTIMS 1

VICTIMS- NAME

V-1 Commonwealth of Massachusetts

ORGANIZATION TYPE Criminal Justice	ORGANIZATION INDUSTRY Law Enforcement
--	---

SUSPECTS 1

SUSPECTS- NAME (LAST, FIRST MIDDLE) S-1 Chery, Marvin	DOB / ESTIMATED AGE RANGE 1997-08-11
SEX Male	RACE / ETHNICITY Black / Not of Hispanic Origin
PHONE NUMBER [REDACTED] (Home)	

HOME ADDRESS

248 AUSTIN ST, HYDE PARK, MA 02136

VEHICLE INVOLVED: NISSAN ALTIMA 2019

ITEM CATEGORY Passenger Car/ Automobile	MAKE Nissan	MODEL Altima	YEAR 2019
DESCRIPTION 4 Doors			BIOHAZARD <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
LICENSE PLATE / REGISTRATION # [REDACTED]		VIN # [REDACTED]	
BODY STYLE 4 Door, Sedan	PRIMARY COLOR Black	REGISTRATION STATE Massachusetts	
OWNER Marvin Chery			

REPORTING OFFICER SIGNATURE / DATE RENZO MONZON #144476 Dec 9, 2022 02:15 (e-signature)	SUPERVISOR SIGNATURE / DATE PATRICK BYRNE #095168 Dec 9, 2022 02:21 (e-signature)
PRINT NAME RENZO MONZON #144476	PRINT NAME PATRICK BYRNE #095168

STATUS Impounded/Seized		STATUS DATE Dec 8, 2022	TOTAL (\$) VALUE UNKNOWN	VEHICLE SEARCHED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
IMPOUNDED / TOWED Yes	TOWING COMPANY, ID # 3239			QUANTITY 1
VEHICLE SEARCH CONSENT <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IN POLICE CUSTODY No			

RECOVERING OFFICER / ID # / PERSON
RENZO MONZON #144476

RECOVERED LOCATION
22 HARVARD ST, HARVARD PARK & HARVARD AVE, DORCHESTER, MA 02124

VEHICLE / PROPERTY & ITEMS SUMMARY				
DESCRIPTION / MAKE / MODEL / COLOR	STATUS / DATE / REASON FOR CUSTODY	VIN # / SERIAL #	QTY.	TOTAL (\$) VALUE
4 Doors / Nissan / Altima / Black	Impounded/Seized / Dec 8, 2022	[REDACTED]	1	UNKNOWN

REPORTING OFFICER SIGNATURE / DATE RENZO MONZON #144476 Dec 9, 2022 02:15 (e-signature)	SUPERVISOR SIGNATURE / DATE PATRICK BYRNE #095168 Dec 9, 2022 02:21 (e-signature)
PRINT NAME RENZO MONZON #144476	PRINT NAME PATRICK BYRNE #095168