

| | | | |
|--------------------------------|---|---------------------------|--|
| DOCKET | DOCKET NUMBER 0952CR001747 | NO. OF COUNTS 1 | Trial Court of Massachusetts District Court Department |
| ADDRESS MA 02138 | DOB [REDACTED] | GENDER Male | COURT NAME & ADDRESS Cambridge District Court 4040 Mystic Valley Parkway Medford, MA 02155 |
| | DATE COMPLAINT ISSUED 07/17/2009 | | INTERPRETER REQUIRED |
| | PRECOMPLAINT ARREST DATE 07/16/2009 | | |

FIRST FIVE OFFENSE COUNTS

| COUNT | CODE | OFFENSE DESCRIPTION | OFFENSE DATE |
|-------|----------|-----------------------------|--------------|
| 1 | 272/53/F | DISORDERLY CONDUCT c272 §53 | 07/16/2009 |

ARREST

| | | |
|--|---------------------------------------|--|
| DEFENSE ATTORNEY <i>Priv. Atty. Walter Pince</i> | OFFENSE CITY/TOWN Cambridge | POLICE DEPARTMENT CAMBRIDGE PD |
|--|---------------------------------------|--|

| DATE & JUDGE | DOCKET ENTRY | DATE & JUDGE | FEES IMPOSED |
|--------------|--|--------------|--|
| | <input type="checkbox"/> Attorney appointed (SJC R. 3:10) <input type="checkbox"/> Atty denied & Deft. Advised per 211 D §2A <input type="checkbox"/> Waiver of Counsel found after colloquy | | Counsel Fee (211D § 2A(2)) <input type="checkbox"/> WAIVED \$ |
| | Terms of release set: <input checked="" type="checkbox"/> PR <input type="checkbox"/> Bail <input type="checkbox"/> See Docket for special condition <input type="checkbox"/> Held (276 §58A) | | Counsel Contribution (211D § 2) <input type="checkbox"/> WAIVED \$ |
| | | | Default Warrant Fee (276 § 30(1)) <input type="checkbox"/> WAIVED \$ |
| | | | Default Warrant Arrest Fee (276 § 30(2)) <input type="checkbox"/> WAIVED \$ |
| | Arraigned and advised: <input type="checkbox"/> Potential of bail revocation (276 §58) <input type="checkbox"/> Right to bail to review (276 §58) <input type="checkbox"/> Right to drug exam (111E § 10) | | Probation Supervision Fee (276 § 87A) <input type="checkbox"/> WAIVED \$ |
| | | | Bail Order Forfeited |
| | Advised of right to jury trial <input type="checkbox"/> Waiver of jury found after colloquy <input type="checkbox"/> Does not waive | | |
| | Advised of trial rights as pro se (Dist. Ct. Supp.R.4) | | |
| | Advised of right of appeal to Appeals Ct. (M.R. Crim P.R. 28) | | |

SCHEDULING HISTORY

| NO. | SCHEDULED DATE | EVENT | RESULT | JUDGE | TAPE START/STOP |
|-----|----------------|-------------|---|-------|-----------------|
| 1 | 07/17/2009 | Arraignment | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input checked="" type="checkbox"/> Cont'd | | |
| 2 | 8-26-09 | for ACP | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd | | |
| 3 | | | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd | | |
| 4 | | | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd | | |
| 5 | | | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd | | |
| 6 | | | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd | | |
| 7 | | | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd | | |
| 8 | | | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd | | |
| 9 | | | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd | | |
| 10 | | | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd | | |

APPROVED ABBREVIATIONS

ARR = Arraignment PTH = Pretrial hearing DCE = Discovery compliance & jury selection BTR = Bench trial JTR = Jury trial PCH = Probable cause hearing MOT = Motion hearing SRE = Status review
 SRP = Status review of payments FAT = First appearance in jury session SEN = Sentencing CWF = Continuance-without-finding scheduled to terminate PRO = Probation scheduled to terminate
 DFTA = Defendant failed to appear & was defaulted WAR = Warrant Issued WARD = Default warrant issued WR = Warrant or default warrant recalled PVH = probation revocation hearing.

| | | | |
|----------------------------|--------------------------------------|---------------------------|------------------|
| A TRUE COPY ATTEST: | CLERK-MAGISTRATE / ASST CLERK | TOTAL NO. OF PAGES | ON (DATE) |
| | X | | |

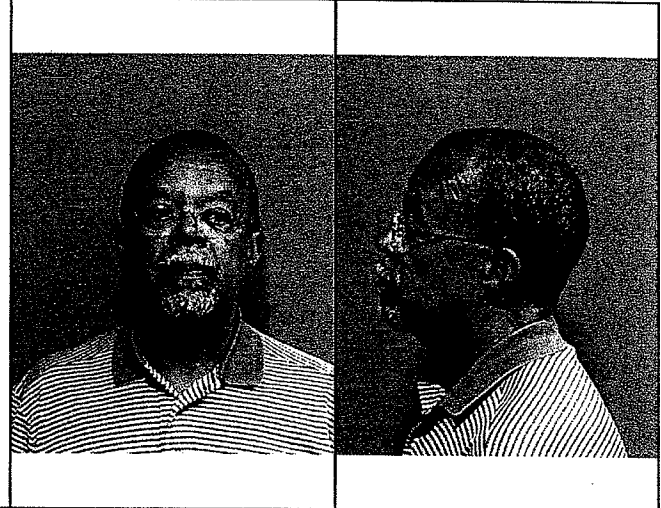


POLICE DEPARTMENT
CAMBRIDGE, MASSACHUSETTS

RECORD OF BOOKING
PLEASE PRINT

| | | | |
|------------------------------------|---------------------------------------|--|-----------------------------------|
| CELL NUMBER HOLDING AREA | ARREST NUMBER TCAM200901187 | DATE & TIME OF BOOKING 07/16/2009 13:18:12 | INCIDENT NUMBER 9005127 |
| LAST NAME GATES | FIRST HENRY | MIDDLE NAME | D.O.B. AGE SSN |
| TRUE NAME HENRY GATES JR | | MAIDEN NAME | HOME PHONE |
| STREET NO. | STREET NAME WARE ST | APT # | CITY/TOWN CAMBRIDGE |
| | | STATE MA | ZIP 02139 |
| | | PHONE (WORK) (CELL) | |

| | | | |
|--|-----------------------------------|--------------------------------------|----------------------|
| SEX M | HEIGHT 507 | WEIGHT 150 | RACE BLACK |
| HAIR GRAY/PARTL GRAY | EYES BROWN | BLD SMALL | SKIN BLACK |
| ETHNICITY NOT OF HISPANIC ORIGIN | SCARS RIGHT HIP SCAR | LOCATION OF ARREST WARE ST | |
| PLACE OF BIRTH KEYSER WV | MARTIAL STATUS DIVORCED | DRIVER'S LICENSE | |
| FATHER'S NAME HENRY | MOTHER'S NAME PAULINE | MOTHER'S MAIDEN | |
| EMPLOYER HARVARD UNIVERSITY | OCCUPATION PROFESSOR | | |
| ADDRESS OF EMPLOYER | | | |



IF CUT VISIBLE ON PERSON, DESCRIBE KIND & LOCATION
no injuries reported

TREATED WHERE ATTENDING PHYSICIAN

PRISONER ADVISED OF RIGHTS UNDER G.L. CHAP 276 33A YES BY WHOM
 CROWLEY, JOSEPH

FINGERPRINTS TAKEN YES PHOTO TAKEN YES

IF PRISONER WAS ARRESTED FOR OPERATING UNDER THE INFLUENCE, FILL IN BELOW

PRISONER ADVISED OF RIGHTS UNDER G.L. CHAP 263 5A YES BY WHOM

BREATHLYZER READING BY WHOM

I have been advised of and understand my right to remain silent, use a telephone to call a lawyer or have one provided, and to have my own physician test for alcohol.

PRISONER SIGNATURE
ARRESTING OFFICER **CROWLEY, JAMES** BOOKING OFFICER **CROWLEY, JOSEPH**
COMPLAINANT **CROWLEY, JAMES** OFFICER IN CHARGE **BERTOLINO, CHRIS**

OFFENSES

- DISORDERLY CONDUCT c272 S53**
-
-
-
-

ARREST ON WARRANT? YES WARRANT NUMBER CITY/COURT

CHARGES

DID ARRESTED PERSON HAVE POSITIVE IDENTIFICATION ID TYPE: **DRIVERS LICENSE**

IS ARRESTEE A JUVENILE YES NAME OF PROBATION OFFICER NOTIFIED TIME

NAME OF PARENT OR GUARDIAN NOTIFIED OFFICER MAKING NOTIFICATION TIME

BAIL COMMISSIONER AMOUNT OF BAIL DATE AND TIME OF BAIL

DISPOSITION



CAMBRIDGE POLICE DEPARTMENT
CAMBRIDGE, MA

Incident Supplement #9005127 - 1

Report Entered: 07/16/2009 13:52:50

| | | |
|--|---------------------------------|------------|
| Case Title | Location | Apt/Unit # |
| DISORDERLY CONDUCT | █ WARE ST | |
| Date/Time Reported | Date/Time Occurred | |
| 07/16/2009 12:44:00 | to | |
| Incident Type/Offense | | |
| 1.) DISORDERLY CONDUCT c272 S53 — | | |
| Reporting Officer | Approving Officer | |
| FIGUEROA, CARLOS (509) | WILSON III, JOSEPH (213) | |

Persons

| Role Name | Sex | Race | Age | DOB | Phone | Address |
|-----------|-----|------|-----|-----|----------|---------|
| █ | | | 40 | █ | H C █ | █ MA |

Offenders

| Status | Name | Sex | Race | Age | DOB | Phone | Address |
|--------|------|-----|------|-----|-----|-------|---------|
|--------|------|-----|------|-----|-----|-------|---------|

Vehicles

Property

| Class | Description | Make | Model | Serial # | Value |
|-------|-------------|------|-------|----------|-------|
|-------|-------------|------|-------|----------|-------|


Narrative

On July 16, 2009 at approximately 12:44 PM, I Officer Figueroa#509 responded to an ECC broadcast for a possible break at █ Ware St. When I arrived, I stepped into the residence and Sgt. Crowley had already entered and was speaking to a black male.

As I stepped in, I heard Sgt. Crowley ask for the gentleman's information which he stated "NO I WILL NOT!". The gentleman was shouting out to the Sgt. that the Sgt. was a racist and yelled that "THIS IS WHAT HAPPENS TO BLACK MEN IN AMERICA!" As the Sgt. was trying to calm the gentleman, the gentleman shouted " You don't know who your messing with!"

I stepped out to gather the information from the reporting person, █ Ms. █ stated to me that she saw a man wedging his shoulder into the front door as to pry the door open. As I returned to the residence, a group of onlookers were now on scene. The Sgt., along with the gentleman, were now on the porch of █ Ware St. and again he was shouting, now to the onlookers (about seven) ,"THIS IS WHAT HAPPENS TO BLACK MEN IN AMERICA"! The gentleman refused to listen to as to why the Cambridge Police were there.

While on the porch, the gentleman refused to be cooperative and continued shouting that the Sgt. is racist police officer.

| | | | | |
|--|---------------------------------|----------------|--|---|
| STATEMENT OF FACTS IN SUPPORT OF APPLICATION FOR CRIMINAL COMPLAINT | APPLICATION NO.(court use only) | PAGE 2 OF 2 | Trial Court of Massachusetts District Court Department Cambridge District Court 4040 Mystic Valley Parkway Medford, MA 02155 |  |
|--|---------------------------------|----------------|--|---|

The undersigned alleges the following as a full or partial statement of the factual basis for the offense(s) for which a criminal complaint is sought

COURT DIVISION

On Thursday July 16, 2009, Henry Gates, Jr. [REDACTED], of [REDACTED] Ware Street, Cambridge, MA) was placed under arrest at [REDACTED] Ware Street, after being observed exhibiting loud and tumultuous behavior, in a public place, directed at a uniformed police officer who was present investigating a report of a crime in progress. These actions on the behalf of Gates served no legitimate purpose and caused citizens passing by this location to stop and take notice while appearing surprised and alarmed.



| | | | |
|------------------------------------|--|--|--|
| PRINTED NAME SGT. JAMES CROWLEY | SIGNATURE  | I AM A: <input checked="" type="checkbox"/> LAW ENFORCEMENT OFFICER <input type="checkbox"/> CIVILIAN COMPLAINANT OR WITNESS | (Use additional sheets if necessary) DATE SIGNED 7-16-09 |
|------------------------------------|--|--|--|

ADDITIONAL FACTS BY CLERK-MAGISTRATE/ASST. CLERK/JUDGE BASED ON ORAL TESTIMONY

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| REMARKS | SIGNATURE OF CLERK-MAGISTRATE/ASST. CLERK/JUDGE X | DATE SIGNED |
|---------|--|-------------|