



City of Cambridge Police Department

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Ronnie Watson
Police Commissioner

Robert W. Healy
City Manager

Cristina Beamud, Esq.
Legal Advisor

October 22, 1998

Harold F. Murphy
Superintendent

Mr. Robert W. Healy
City Manager

David J. Degou
Superintendent

subject: City Council Order #29, dated 9/28/98

Michael D. Giacoppo
Deputy Superintendent

Sir:

Yvonne M. Hall
Deputy Superintendent

On July 4th, approximately 50 motor vehicles were towed from a private parking lot at 35 Cambridge Park Drive by Phil's Towing Company which holds the contract for the location. These vehicles had parked in the private lot after finding the MBTA parking garage full and inaccessible due to the 4th of July festivities at the Hatch Shell and the Charles River. Due to allegations of possible fraudulent activity on the part of representatives from Phil's Towing Company, this matter was investigated by both the Cambridge and MBTA Police Departments.

Thomas F. O'Connor
Deputy Superintendent

Gloria A. Pimentel
Deputy Superintendent

Lieutenant Steven Williams
Community Relations

Investigators from both Departments concluded that no illegal activity took place on July 4th by any representative of Phil's Towing Company. Investigators interviewed the operators of all towed motor vehicles. None of the operators claimed to have been directed to the private lot and none of the operators claimed to have paid anyone to park there. It was simply a matter of finding the MBTA garage full then one person proceeding to an available, yet private, parking area and everyone else following that lead. The lot was properly posted that all unauthorized vehicles would be towed.

Raymond T. Santilli
*Planning, Budget
& Personnel*

Officer Frank Pasquarello
Public Information Officer

In several newspaper articles, there were claims that witnesses observed a Phil's Towing Company vehicle and employee directing drivers into the private lot. Investigators determined that once the 4th of July festivities ended and people discovered their cars had been towed, a representative of the tow company was dispatched to the scene in order to properly direct the operators as to where they could claim their vehicle.

A committee of City Department representatives has oversight responsibilities on all issues relating to the tow company contracts and city authorized towing of motor vehicles. This committee has responsibility to enforce the tow contracts and make any recommendations to the City Manager. This group represents the City Departments most affected by towing issues. The committee consists of Mr. Ralph Dunphy of the Public Works Department, Ms. Gail Cohen of the Purchasing Department, Mr. Bernie Flynn of the Traffic/Parking/Transportation Department, and Mr. Ray Santilli of the Police Department.

This committee was briefed by investigators of the MBTA Police regarding the case. The committee concluded that, based on the findings of the investigation, Phil's Towing Company did not commit any infraction and thus no recommendation to the City Manager to schedule a hearing was necessary.

for Ronnie Watson
Police Commissioner

A handwritten signature in black ink that reads "Dep. Supt. Thomas O'Connor". The signature is written in a cursive, flowing style.

Deputy Supt. Thomas O'Connor
Acting Police Commissioner

cc., Superintendent Harold Murphy, Operations Division
Superintendent David Degou, Support Services Division
Lieutenant Steven Williams, Community Relations Section



CITY OF CAMBRIDGE
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EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

November 2, 1998

To The Honorable, The City Council:

Please find attached a response to Awaiting Report Item 22, regarding a report on whether Phil's Tow engaged in fraudulent practices on July 4th at the Alewife parking lot, received from Deputy Police Superintendent Thomas O'Connor.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec
Attachment

Consent Agenda #7

6835

Relative to AW #22 regarding a
report on whether Phil's Tow engaged
in fraudulent practices on July 4th
at the Alewife parking lot.

In City Council November 2, 1998

PLACED ON FILE