

C# 1407246

Arrest – Shoppers World, 1 Worcester Road, Framingham, MA 01701

On Wednesday, October 29, 2014 at approximately 10:22 AM, the reporting officer Sergeant Michael J. Esposito while working a paid detail at the Logan Express Construction Site had occasion to observe and make an arrest of a subject for Trespassing and being a Disorderly Person.

Sergeant Richard Pomales, Sergeant Kathryn Esposito and I, Sergeant Michael Esposito had been assigned to the construction detail at the Consigli Construction Site. This company is building the new Logan Express Bus Terminal.

The detail consists of three officers assigned to various areas at the site depending on the movement of men and equipment.

I, Sergeant Michael Esposito was assigned the Route 30 and Burr Street intersection. After observing a truck run over some of the orange barricades on Burr Street I drove to the construction trailer to report that one of the oversized trailer trucks that carry the cement pre-cast decking for the project had just ran over and crushed 4 of the protective plastic traffic barriers.

Sergeant Kathryn Esposito was manning construction gate #2 on Burr Street and Sergeant Pomales was manning gate #1. After making the notification, Sergeant K. Esposito was relieved to take a break. It was at this time that I took over the duties at gate #2.

As soon as I pulled up in the cruiser a large oversized truck and trailer combination was attempting to make his move and back into the work site. It was at this same time that Construction site LABOR Shop Stewart Anthony Gines pointed out a subject that was on the grassy area where a sign and guard rail was. This area is an unimproved area with no sidewalk or any "way" for safe pedestrian traffic to navigate. Where this subject was standing was causing a distraction and was dangerously close to the nose of the trucks as they negotiated their moves to back into the job site.

This was not only a danger to the construction workers but a danger to the individual himself. It was also noted that this person was holding a camera to his eye and appeared to be taking pictures of the job site.

This subject was approached and advised that he could not stand in the area where he was. This subject was now recognized as a subject known to me as one Harold J. Wolf. Wolf replied that he could stand there if he wanted to. It was explained to Wolf that the property where he stood was private and was not improved or protected for pedestrian traffic. He was also advised that the entire property of Shoppers World is posted to prevent trespassing. Wolf disagreed and stated he saw no signs.

Note: All entry points leading onto the private property commonly known as Shoppers World as a sign stating:



"PRIVATE PROPERTY" Shoppers World and its parking area are private property, hand billing, soliciting, overnight parking or ANY OTHER USE other than shopping is absolutely prohibited and regarded as TRESPASSING – M.G.L. 266 sec. 120D"

Wolf was again for the second time told to leave the area. He was told that he could take pictures and stand in safe areas all day long but had to leave this area now. He stated "what's your name you don't know anything I'm not moving".

I, Sergeant Michael Esposito again for the third time ordered Wolf to immediately leave the area as he was now being disorderly (his actions were not for a legitimate purpose as well as posing a danger to himself and others) and was continuing to Trespass on private property after having been ordered to leave. Wolf replied "you don't know what you're doing and you also know nothing about policing". Wolf was then advised that after having been told three times and given ample time to leave the property and cease his actions that he was now under arrest and no longer free to leave.

Wolf was handcuffed and his camera was removed from his hand and placed in his pocket. Wolf was escorted over the guard rail onto the roadway and moved to a safe area to await the arrival of a transport vehicle. While waiting for the transport vehicle Wolf was advised of his Miranda rights which were read to him via a printed card. After hearing his rights Wolf was asked if he understood them and he replied "no". As a result of the "no" answer no questions were put to Wolf.

While waiting for responding officers Detective Sergeant Scott Brown arrived as a result of hearing the radio transmission and remained with the writer until backup arrived.

Officers Christopher Burrell and Paul Duncan arrived and facilitated the transport of Wolf to the station for booking.

At the time of booking the camera and a recording device was secured as evidence with regards to this case.

This camera was taken as evidence to memorialize Wolf's position at the time of his arrest. It was also at this time that it was learned that Wolf had secretly recorded (me) Sergeant Michael Esposito without my permission as I stood upon a private way and without any knowledge of being audio recorded.

As a result of this event Wolf was charged with:

Trespassing – 266/120

Disorderly – 272/53

Unlawful Secret Recording – 272/99C

Respectfully submitted, Sergeant Michael J. Esposito #123