


**ARLINGTON POLICE
ARLINGTON, MA**
INCIDENT # / REPORT #

20014397 / 1

OFFICER

WELCH D

RANK

CIV

REVIEW STATUS

COMPLETED

INCIDENT #20014397 DATA

As Of 10/15/2020 16:13:14

BASIC INFORMATIONCASE TITLE

ANIMAL/NIEGHBOR COMPLAINT

LOCATION

65 THESDA ST

APT/UNIT #DATE/TIME REPORTED

08/19/2020 14:49:36

DATE/TIME OCCURRED

On or about 08/19/2020 14:49

INCIDENT TYPE(S)/OFFENSE(S)

(9904)DOG COMP

PERSONSROLE

REPORTING PERSON

NAME

GRAZIANO, SCOTT W

SEX

MALE

RACE

WHITE

REPORTING PERSON

O'ROURKE, ALYSSA

[NO OFFENDERS]

[NO VEHICLES]

[NO PROPERTY]

OFFICER REPORT: 20014397 - 1 / WELCH D (4710)DATE/TIME OF REPORT

10/14/2020 12:18:07

TYPE OF REPORT

INCIDENT

REVIEW STATUS

COMPLETED

NARRATIVE

On the morning of 8/19/20 both myself, ACO Welch, and Kylee Sullivan from the Arlington Board of Health went to the Graziano residence at 59 Thesda Street in Arlington to do our annual Kennel Inspection. The Graziano's have 8 dogs all of them being a Shepard mix. In Arlington if a resident has 4 or

more dogs they must purchase (\$100) a Kennel License.

The Graziano brothers Scott and Jay had one female dog, 5 years ago she got pregnant and had 7 puppies. They kept all 7 puppies.

Kylee and I were particularly looking for fecal pick up and signs of rats. We met and spoke with Jay as Scott, who's a truck driver, was out on the road. He usually brings two dogs with him. We emphasized the need to pick up after the dogs due to the fact that the rats are eating dog feces as it is high in protein. The yard was pretty clean and there was only very minimal signs of rats.

There was fresh water for the dogs, shade was available when the dogs needed it. They had recently put in a dog door in order to make it easier for the dogs to come in when it's too hot or cold. The fencing was the same that they've had up for some time. Jay said he had recently reinforced it on the back left side.

The Kennel License was approved with a note stating:
Great job in keeping dogs fenced in - no more escapes. Need to take care of small/minimal rat evidence. Clean up some of the clutter.

A couple hours later a call was received into dispatch from Alyssa O'Rourke of 65 Thesda Street DOB 1/18/72. She was extremely upset as 4 of the Graziano's dogs had gotten over or through the fence and into her backyard. Captain Richard Flynn and I went over to speak with them. In the backyard were Alyssa, her husband Dan O'Rourke DOB 5/15/70 and their 9 year old daughter, Alyssa's brother Brad Goldberg, his wife Nicole Goldberg and their two children Hannah, 13 years old, and Shane, 11 years old. This was the first time they had gotten together since Covid. The Goldberg's are from 174 Gafield Place Brooklyn NY 11215 phone # 646-621-1047. Also in attendance were the O'Rourke's new puppy and the Goldberg's 2 small sized dogs (about 20-30 lbs).

The Graziano dogs chased the Goldberg's small and very shy,

submissive dog through the yard and up the back stairs to the high deck. Dan O'Rourke was able to get the dogs away from the smaller dog who was not bitten but covered in saliva. I was able to speak to Jay Graziano through the fence asking what happened. He mumbled something about them selling drugs. I told him to stop it and that he sounded ridiculous. At this time I received a call that a couple of the dogs were at Glenbrooks Estates in Arlington. After Captain Flynn had a talk with Jay about the fencing and that this could not happen again Jay left to go pick up the dogs. Captain Flynn spoke with the O'Rourke's and the Goldberg's to help calm them and make clear to them that this would be taken very seriously.

REPORT OFFICERS

Reporting Officer:

WELCH D

4710

Reviewing Officer:

Approving Officer:


**ARLINGTON POLICE
ARLINGTON, MA**
INCIDENT # / REPORT #
20014397 / 3

OFFICER
WELCH D

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REVIEW STATUS
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INCIDENT #20014397 DATA

As Of 10/15/2020 16:13:14

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(9904)DOG COMP

PERSONS
ROLE

REPORTING PERSON

NAME

GRAZIANO, SCOTT W

SEX

MALE

RACE

WHITE

REPORTING PERSON

O'ROURKE, ALYSSA

[NO OFFENDERS]

[NO VEHICLES]

[NO PROPERTY]

OFFICER REPORT: 20014397 - 3 / WELCH D (4710)
DATE/TIME OF REPORT

10/15/2020 14:56:58

TYPE OF REPORT

SUPPLEMENT

REVIEW STATUS

APPROVED

NARRATIVE

I am entering this as a timeline as there have been so many times I've been contacted.

To inspect the property Captain Richard Flynn and myself were scheduled to go out on:

9/23 - rescheduled

10/2 - pushed date to 10/9

10/9 - Captain Flynn went over to inspect fencing

8/21 - Alyssa contacted me via text asking if she could call me later. She had videos of the Graziano's dogs very worked up pacing and barking at the fence.

8/24 - Scott Graziano contacted me (many times via messenger) to say he got a contract to have the fencing done.

8/27 - Alyssa called.

9/12 - Graziano's fence is done.

9/13 and 9/14 - Saturday and Sunday. She has been living there for 7 years. She said they never use their back yard because of the dogs next door. Alyssa has signatures from neighbors re: instance dogs and also has a video of

Graziano's handling their dogs very roughly, dragging them and lifting them by their collars. She is reporting them to the MSPCA.

She called 911 and said it took 20 minutes for the Police to get there. She said the dogs breached the fence within 30 seconds. All 8 dogs were let out at once to test the fence. Two dogs escaped but came back.

9/17 - I met Officer Nadia of the MSPCA at the Graziano's. She talked to Jay Graziano about handling the dogs in a better, kinder way. Scott was away and 2 of the dogs were with him. She asked Jay to pass the message on to Scott. She said the dogs seemed to be healthy.

9/17 - Chuck Richard called me to say he's been a neighbor of the Graziano's for many years. He wanted to say what good people

they are and how very much they love their dogs.

9/20 - Alyssa texted to say that the Graziano's put up privacy slats on the fence. The Graziano's then contacted me to say that Alyssa then came over to harass them about the slats.

10/3 - Scott wrote to me via messenger (many times) stating that he asked the APD to come over as he thought his new fence had been cut. He said the police saw footprints where the fence had been cut.

10/13 - Alyssa called asking me to document that one of his dogs had escaped. She stated that a neighbor down the street has a toddler that was out in their yard when the Blonde and Brown dogs of the Graziano's came running through.

10/30 - Captain Flynn and I go back to visit the Graziano's to check on piles of fencing and wire. They need to be removed as they could be a danger to the dogs.

REPORT OFFICERS

Reporting Officer:	WELCH D	4710
Reviewing Officer:		
Approving Officer:	FLYNN R	2445


**ARLINGTON POLICE
ARLINGTON, MA**
INCIDENT # / REPORT #
20014397 / 2

OFFICER
FLYNN R

RANK
CAPT

REVIEW STATUS
APPROVED

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(9904)DOG COMP

PERSONS
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REPORTING PERSON

NAME

GRAZIANO, SCOTT W

SEX

MALE

RACE

WHITE

REPORTING PERSON

O'ROURKE, ALYSSA

[NO OFFENDERS]

[NO VEHICLES]

[NO PROPERTY]

OFFICER REPORT: 20014397 - 2 / FLYNN R (2445)
DATE/TIME OF REPORT

10/15/2020 13:39:22

TYPE OF REPORT

SUPPLEMENT

REVIEW STATUS

APPROVED

NARRATIVE
Wednesday August 19, 2020:

On the afternoon of August 19, 2020, at 1530 hours, this Captain accompanied ACO Welch to 59 Thesda Street. At approximately 1449 hours that day the APD had received a call that the dogs at

59 Thesda Street had escaped from the yard and possibly had bitten another dog (see ACO Welchs report). ACO Welch and a member of the BOH (Kylie Sullivan) had been to this location earlier in the day regarding an annual inspection of a kennel license (see ACO Welchs report).

While on scene this Captain had the opportunity to talk to Jay Graziano. Jay Graziano and his brother Scott Graziano own the home. I informed Graziano on the reason for our visit and asked for an explanation of why his dogs were able to get loose from the yard. Graziano blamed the escape on a bad gate and pointed out the gate in question. It was obvious to this Captain that the gate was not a secure and functioning gate, in fact it look like it had been built with many different pieces of fencing material. At the time of the visit all of the dogs (8 in total) were accounted for and secured in the home.

As I looked at the backyard of the property I first noticed the size. This property is a double lot and I would estimate the backyard to be some 10,000 square feet. The yard itself was in disarray with numerous piles of debris, building materials, tree stumps/logs, etc. My focus then turned to the surrounding fencing which spans the entire perimeter of the yard. This fencing was unstable and much like the gate appeared to be made up of several different types of fencing products and left over building materials.

I informed Jay Graziano that I did not believe the fencing was secure and was not up to the standards to keep his animals secure and all those in the area safe. I informed Graziano that new fencing and a new gate would have to be installed to replace the existing fencing so that the yard was escape proof. I also informed Graziano that I questioned if the animals were safe in a yard that contained so much debris (See Dog Kennel License Inspection Form Part 1. Subsection b. Dog run clean, safe, and escape proof?). At this time I also informed Graziano that there appeared to be an abandoned tractor and trailer on the property

that would need to be removed as it was in violation of an existing Town By-Law.

Jay Graziano said he would need to talk to his brother Scott Graziano on the next steps. I informed Graziano if he had any questions to please contact ACO Welch or myself. Before leaving the property I informed Graziano that we would be back on September 23, 2020 to re-inspect the property. Graziano was advised that he must keep his pets secure and avoid another escape. Graziano thanked the ACO and myself and said he would have his brother contact us with any questions he might have.

Wednesday September 23, 2020:

Prior to 9/23/2020, this Captain had a phone conversation with Scott Graziano. The purpose of this call was that Graziano requested addition time to address the fence issues at his home. He stated that due to COVID-19 he could not get a fencing contractor to complete the job at his home. I informed Graziano that I understood the difficulties during these times and granted him two additional weeks until Friday 10/2/2020. Unfortunately ACO Welch was not available on 10/2/2020 due to personal reasons so a new inspection date of Friday 10/9/2020 was set.

Friday October 9, 2020:

On Friday 10/9/2020, at approximately 1100 hours this Captain went to 59 Thesda Street to inspect a new fence that had been installed. I was accompanied by Officer Dundutsang who was responding to take report of a neighbor problem/suspicious condition between 59 and 65 Thesda Street (see incident report #20017346 attached). ACO Welch was not available to make this visit due to illness.

On location I viewed the property with Scott Graziano. Graziano had a new fence and gate installed as requested. He had also installed a material at the base of the fence which prevented the

dogs from digging under the fence and a barrier which blocked the view through the fence (see attached photos). The new fencing and gate seemed very secure and should prevent the dogs from escape in the future if used and maintained properly.

I did point out to Graziano that there was still an issue with debris and abandoned vehicles in the yard that create not only an unsafe condition but was also in violation of Town By-Law. It was apparent that the Grazianos were working to get the vehicles and the debris/materials removed from the yard (see photos attached). Upon request I granted Graziano until October 30, 2020 to have the abandoned vehicles and debris cleared from the property. At that time ACO Welch and I would re-visit the property regarding the kennel license and if the abandoned vehicles were not removed they would receive a fine, and continue to receive fines until they were removed.

Before leaving the yard Graziano pointed out an issue with his neighbor regarding signs. This appeared to be in retaliation to signs Graziano had put up on his fence facing his neighbors property which read Smile Youre On Camera. I suggested that Graziano remove those signs and replace them with profession signs that indicated This Area Under Video Surveillance. He was told that one sign on each side of his property would be sufficient. Graziano agreed and I told him we would be back on 10/30/2020.

Sunday October 11, 2020, 1400 Hours:

On Sunday October 11, 2020, at approximately 1400 hours, This Captain received a call from Alyssa ORourke from 65 Thesda Street. Alyssa was upset that the Grazianos had placed several additional signs on their fence facing the ORourke yard. I informed ORourke that I had advised the Grazianos on Friday 10/9/2020 to remove the Smile Youre On Camera signs and replace them with one This Area Under Video Surveillance sign. ORourke still upset said that they had put up addition signs but

also put up signs that read White Lives Matter. At the time I was on the road and I decided to stop by Thesda Street.

Once on Thesda Street I made contact with Alyssa and Dan ORourke. Alyssa was still upset and pointed to the new signs that were hung on the fence (see photo attached). The Grazianos had added a series of additional signs indicating the yard was under video surveillance, signs stating white lives matter, and had failed to take down the Smile You're On Camera sign as advised. I also noticed that the ORourkes had put up several signs facing the Graziano property. These signs both were related to the Black Lives Matter cause.

When asked why they had put up these signs Alyssa ORourke said they were used to block the Graziano signs from their children. I informed the ORourkes that I thought this could have been accomplished in a different way and now there seems to be a series of signs up with conflicting messages. I again informed the ORourkes that I had advised the Grazianos to place one professional sign facing their property letting them know that they had video cameras. These cameras were focused on the Graziano property and that they did not record audio. I told the ORourkes that I would have another conversation with the Grazianos and that I would ask them to take down all their signs except the one new video recording sign. I advised the ORourkes to take down their signs and refrain from communicating with the Grazianos in any way.

This Captain then had a conversation with Scott and Jay Graziano. I informed them that I was disappointed that they had failed to take my advice and place just one new video recording sign on the ORourke sign of the fence. Scott Graziano immediately blamed the ORourkes for putting up a second Black Lives Matter Sign. I advised the Grazianos to take down all their signs except the new video recording sign. I also advised them to not have any contact with the ORourkes and that I had advised the ORourkes the same.

Graziano added that it was his girlfriend Joyce Clarke who had put up the White Lives Matter signs in retaliation for the ORourke's signs. I informed the Grazianos that the property belongs to them and it is their responsibility to control what happens there.

I cleared the area and called in to dispatch to log an entry for my visit (see CAD Incident Report #20017473). After I had left the area (approximately 1455 hours), I received a text message from Alyssa ORourke stating she believed Joyce Clarke had threatened them (see Incident Report #20017475). ORourke included two video clips on that text showing the Graziano dogs barking. Videos appear to have been taken before Graziano had installed the barrier in the new fence to block the view between the animals.

REPORT OFFICERS

Reporting Officer:	FLYNN R	2445
Reviewing Officer:		
Approving Officer:	FLYNN R	2445