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State Police got many warnings on payroll abuse. And they did nothing



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Colonel Kerry Gilpin, now head of State Police, had written at least three inspection reports that flagged some troopers for remarkable overtime hours but didn't probe further.

By [Kay Lazar](#) and [Matt Rocheleau](#)

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Internal affairs investigators for the Massachusetts State Police spent much of 2014 searching for

evidence that two troopers were secretly escorting funeral processions and taking cash under the table. What they stumbled on went far beyond that. They discovered the two members of troubled Troop E had routinely filed for more than 30 hours a week in overtime and paid details, but, according to the investigators, didn't work the entire shifts, and sometimes no part of them at all.

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Yet the apparent overtime abuse never made it into the investigators' final report, which concluded only that the officers had wrongly freelanced a few funeral procession escorts.

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The 2014 instance was just one of many red flags signaling potential payroll fraud in the state's largest law enforcement agency in recent years, according to a Globe review of dozens of internal files. Despite numerous warning signs, there is scant evidence leaders acted to address a culture of impunity that has now landed the agency at the center of a [sweeping federal fraud investigation](#).

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Today, the department says it is unable to easily identify even a single trooper suspended for payroll irregularities in recent years. Yet at least eight of the people flagged in the department's own internal inspections for extraordinary overtime since 2011 are now under investigation by prosecutors for suspected fraudulent overtime more recently.

The department's reports show that leaders were repeatedly confronted not only with remarkable amounts of overtime hours but also suspicious sick time claims and sloppy record keeping across the agency.

A department spokesman said he was "unaware of any systemic response" to potential overtime discrepancies pinpointed in the agency audits, yet scores of troopers continued to [routinely rake](#) in more than \$100,000 a year just in overtime and paid details.

Officials regularly received inspection reports identifying the highest overtime and paid detail earners, showing many bumping up against — and sometimes surpassing — the department's own rules limiting work weeks to 85 hours.

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Meanwhile, audits and disciplinary letters reviewed by the Globe show that at least 67 troopers were suspected of abusing sick leave since 2011, though they received little, if any, punishment beyond an

infrequent written warning. One trooper regularly worked a paid detail, then clocked in for his regular shift, then filed for a partial sick day.

The bar for getting flagged for sick time abuse is high: A trooper must use sick leave virtually every month and call in sick in conjunction with other time off or weekends at least 80 percent of the time. To complicate matters, State Police audits show that payroll records in about 40 percent of the barracks contained inaccurate or unclear entries or were missing key information, such as when and where troopers worked.

“The dynamics of what you are seeing [in the Massachusetts State Police] is the culture has taken hold where officers think the rules don't apply to them,” said Christy E. Lopez, a Georgetown Law School professor who had investigated law enforcement agencies for the Department of Justice.

Widespread financial irregularities tend to signal larger institutional problems, Lopez said, and overtime and sick time abuse are not only “wasting taxpayer dollars and depriving people of police protection but are also fostering this culture of a lack of accountability.”

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Dana Pullman, the head of the State Police union who was briefly suspended in 2006 for payroll irregularities as a trooper, said there is plenty of blame to go around but none of it seems to reach the doorstep of State Police leaders.

“Where is the accountability at the top? To consistently assault the lowest common denominator doesn't solve anything,” Pullman said. “The inmates are running the place, and people are left to their own devices.”

Leadership of the Massachusetts State Police has turned over almost completely in the last year, as four top commanders [retired amid a scandal](#) involving troopers who say they were ordered to falsify a police report to protect a judge's daughter.

The major promoted to restore the agency's reputation, Colonel Kerry Gilpin, authored at least three inspection reports that flagged some troopers for remarkable overtime hours but didn't probe further. In a 2014 report, just months before the window covered by the current federal probe, Gilpin, then a lieutenant in the Division of Standards and Training, reviewed the records of Troop E, which is at the epicenter of today's overtime scandal.

She determined that troopers and their supervisors did “an outstanding job” in tracking payroll records, according to her inspection reports. Some of the troopers Gilpin examined are now under federal investigation — one of them, Gary S. Herman, is charged with embezzlement. Herman allegedly altered

traffic citations to make it look like he issued tickets during phony overtime shifts. Another trooper reviewed by Gilpin was involved in the funeral escort scheme.

In an interview with the Globe, Gilpin insisted she didn't miss any warning signs of a larger overtime abuse problem at Troop E, the unit that was [disbanded in May](#) after the overtime scandal became public. Her role as inspector, she said, was merely to document potential problems, such as the extraordinary overtime hours, while superior officers and internal investigators were tasked with following up and addressing misconduct.

She said auditors didn't have tools such as GPS to track whether troopers were actually working the shifts they claimed.

Gilpin, who [took over](#) the agency in November, said she now requires troopers to show up for a face-to-face roll call at some point in each eight-hour shift. Also, she said inspectors now track the 50 highest earners four times a year and will soon have access to GPS devices.

"We owe the public to be transparent and do whatever we can do to show people we are serious about earning back the public trust," Gilpin said.

The State Police, with about 2,200 uniformed members, rely on the Division of Standards and Training to root out problems before they fester.

In late March, the Globe requested all inspection reports dating back to 2010 but State Police have released only half the audits.

The inspection reports don't note if officials took steps to address the red flags, though other records indicate written warnings went out to a small fraction of troopers cited for potential sick time abuse. The troopers caught taking cash for unauthorized funeral escorts, John Adams and John Arone, were eventually disciplined for their escort misdeeds, records show. Arone received a five-month suspension without pay and Adams was handed 25 days without pay.

Internal affairs investigators also compared records from the troopers' laptop computers in their cruisers and turnpike toll transponders and found they didn't match the times and locations they were supposed to be working some overtime shifts. Federal prosecutors are now using similar methods to probe allegedly fraudulent overtime by other members of Troop E.

But the department's findings of suspected overtime abuses by Adams and Arone seemed to have disappeared into the ether — no further penalties, no criminal investigation, no slap on the wrist for supervisors.

Arone, in a brief phone conversation, said that the 2014 case was "a long time ago," and that he had "no recollection" of the details. Adams could not be reached for comment.

Records show Arone earned \$187,340 last year, including about \$72,000 in overtime and additional pay. Adams earned roughly \$181,661, including about \$82,000 in overtime and other pay.

State Police spokesman David Procopio said the current command staff only "became aware of potential

overtime discrepancies” when it reviewed the case file after the Globe’s inquiries, and each time they learn of discrepancies, officials turn the matter over to prosecutors. He said more than 40 troopers within the past year have been referred to federal and state prosecutors.

Asked broadly about the department’s handling of payroll fraud allegations, Procopio said the agency is “unable to comment on investigations and decisions that occurred in the prior administration under a former colonel.” He noted that Gilpin has continued an internal probe, started by former Colonel Richard McKeon in 2016, into overtime abuse.

To date, one supervisor, former Lieutenant David Wilson, has been charged with embezzlement. Samuel Walker, a professor emeritus at the University of Nebraska who has written several books about police accountability, said corruption spread across the ranks is a signal that change is needed at the top. Walker noted that Massachusetts law requires the State Police commander to come from within the ranks — a rule he said is ripe for reform.

“They need to get a top executive from outside the state coming in with fresh eyes and different experience in a quality state police agency, and no personal ties to anybody in the department,” said Walker.

The department last month [tapped](#) Kathleen M. O’Toole, a former State Police lieutenant colonel and Boston police commissioner, as a consultant who will assist in reforms.

The overtime investigation is just one black eye for the State Police, who have been pummeled by [several recent scandals](#), including the agency’s former head of payroll [pleading guilty](#) in June to stealing \$23,900 from the department — a case that was initiated and investigated within the agency as the overtime scandal unfolded.

“There has been a total breakdown in the supervisory structure right from the top down through the ranks” to the barracks level, said Dennis Galvin, a retired major and president of the Massachusetts Association for Professional Law Enforcement. “When you strip away a lot of the structure, the longstanding practices get lost and people get lost.”

Complaints about double-dipping and other alleged time-sheet cheating go back years and are spread across the agency’s six troops.

A 2015 inspection of Troop F pinpointed 12 troopers suspected of abusing sick time. Troop F, which patrols Logan International Airport and the Seaport, [came under fire earlier](#) this year for hiding its payroll, including hefty overtime payouts, from public scrutiny.

Inspectors found that one Troop F member coupled so many sick days with other time off that he worked just four Fridays during 2014.

Procopio said he was unable to comment on how the suspected sick time abuse cases were resolved but said it would have been up to the station commander to take action.

A separate 2016 inspection of Troop F uncovered 11 senior officers who failed to clearly document what work they did during significant chunks of overtime. The report deemed the problems “minor” and noted measures were taken to correct payroll discrepancies and to boost oversight, but it’s unclear if any punishment was doled out.

Also in 2016, an inspection of Troop A in Andover found the troop’s commander had approved an unwritten policy allowing troopers to alter the start times of extra paid details to make them more convenient with their regular work schedules.

Procopio said two of the troopers were ordered to adjust their pay slips to reflect the correct start times. The commander also issued a reminder to staff on the procedure for filling out the pay slips.

In many instances, audit recommendations appear copied from the same template, advising troop commanders to monitor sick time, and for supervisors to ensure troopers enter their hours more carefully in the daily administrative log.

The log “is not merely for internal purposes,” multiple inspections concluded. “In the event any investigation is conducted by the [Massachusetts State Police] or an outside agency, the log will be closely scrutinized. Errors and omissions may reflect negatively on the State Police.”

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