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Trooper in OT scandal says many of his colleagues also committed fraud, bosses knew about it

By [Matt Rocheleau](#) Globe Staff, May 29, 2019, 7:26 p.m.



The statements mark the latest revelation about the alleged breadth of the State Police's questionable payroll practices. JOHN TLUMACKI/GLOBE STAFF/FILE 2017

A former State Police trooper facing sentencing for his role in the overtime fraud scandal told a federal judge this week that almost every member of his troop used the same scheme with the knowledge of their superior officers, but “only a

handful of us were singled out for federal prosecution.”

The statements mark the latest revelation about the alleged breadth of the questionable payroll practices. Other troopers ensnared in the scandal and their lawyers have described the theft as both coordinated and systemic. A federal judge this month said the scandal appeared to amount to a [conspiracy](#).

The most recent trooper to describe the scheme, Heath P. McAuliffe, 41, of Hopkinton, made the remarks in a letter to US District Judge Denise Casper, who is scheduled to sentence McAuliffe next week.

McAuliffe, who collected thousands of dollars in overtime, wrote that although he initially felt the charges against him were “unfair,” he now accepts responsibility for his actions and the consequences.

The State Police agency did not respond to requests for comment.

McAuliffe is among seven troopers and a former lieutenant charged by the US attorney’s office in the scandal. All have pleaded guilty.

They allegedly collected money for overtime hours they never worked and took steps to cover up their absences, writing phony traffic citations to meet [unconstitutional ticket quotas](#) and falsifying paperwork to make it appear they had worked.

The former lieutenant and two other ex-lieutenants also face state charges brought by the attorney general’s office. All three have pleaded not guilty in those cases.

Another 36 troopers have been flagged for receiving pay for overtime hours they didn’t work in previous years by an internal State Police audit, and that information was forwarded to federal and state prosecutors, but they have not been

charged.

All 46 troopers accused in the scandal were members of Troop E, representing about one-third of the unit charged primarily with patrolling the Massachusetts Turnpike. The troop was disbanded last year in the wake of the scandal.

McAuliffe was suspended by the department in March 2018, [arrested](#) in December on a federal embezzlement charge, and resigned from his 18-year State Police career weeks later before he [pleaded guilty](#) to collecting more than \$7,800 for overtime hours he did not work between August 2015 and August 2016.

In 2016, McAuliffe received \$164,680 in pay, including more than \$60,900 in overtime. In 2015, he received \$180,215, including more than \$83,400 in overtime.

In the letter to the judge filed in federal court Tuesday, he wrote, “To be honest, it has taken me some time to come to grips with my wrongdoing and stop making excuses, blaming the ‘culture,’ and feeling sorry for myself.”

“When I first learned that I was going to face federal criminal charges, I felt it was unfair,” McAuliffe continued. “I told myself that almost all of my colleagues at Troop E were doing the same thing, that it wasn’t really a big deal, and that it wasn’t fair that I was one of a handful of Troopers being singled out for federal prosecution and having my career and reputation ruined.”

Spokeswomen for the US attorney’s office and the attorney general’s office declined to comment Wednesday, citing ongoing cases.

McAuliffe wrote that in recent months, with the help of his therapist and pastor, he’s taken more time to reflect “on the decisions I made, and on the importance of accepting the consequences of my actions with grace and humility.”

He wrote that police “are given great authority” and with that comes additional responsibilities. “They have to be beyond reproach.”

“I now recognize that when I schemed to take money for overtime I hadn’t earned, I betrayed my oath, my badge, and my community,” McAuliffe wrote. “I stole money from the taxpayers I was supposed to serve. I brought dishonor on myself, my family, and on the State Police, an institution that I love. I also failed as a father who serves as a role model for my young sons.”

“It really doesn’t matter that many other Troopers were doing the same thing, that our superior officers knew about it, or that only a handful of us were singled out for federal prosecution. I am responsible for my own conduct; I chose to commit this crime; and I must now face the consequences of my actions, whatever they may be.”

Before news of the overtime scandal broke, State Police officials for years [had received warnings](#) about payroll irregularities. But, despite the red flags, there is scant evidence that department leaders acted to address the problems raised.

Even one year into the department’s internal audit of overtime abuse, State Police officials [destroyed key evidence](#) that federal prosecutors now say prevents them from examining how far back the scandal extends.

Last spring, after the allegations surfaced, Governor Charlie Baker and Colonel Kerry Gilpin pledged to make changes at the agency. But, one year later, the Globe found that several [promises were partially, if not entirely, unfulfilled](#), and a culture shift has proved elusive.

Matt Rocheleau can be reached at matthew.rocheleau@globe.com. Follow him on Twitter [@mrochele](https://twitter.com/mrochele)

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