

State Police trooper allegedly stole twice as much OT as previously known, records show

By [Matt Rocheleau](#) Globe Staff, Updated January 29, 2020, 5:42 p.m.





Retired Massachusetts State Trooper Daren DeJong (right) is pictured as he leaves the Moakley Federal Courthouse last year. JIM DAVIS/GLOBE STAFF

A new court filing exposes just how damning the records were that the State Police didn't provide to prosecutors for a year and a half during their investigation into trooper overtime fraud.

The records have led federal prosecutors to more than double the amount of overtime pay they allege one former trooper, Daren DeJong, embezzled from the department, according to the filing Monday by US Attorney Andrew E. Lelling's office.

DeJong is among 46 troopers and [higher-ranking officers](#) who have been implicated in a [payroll fraud scheme](#) that included writing phony tickets and falsifying time sheets to collect overtime pay for hours they never worked.

Over the summer, about 18 months into [sprawling criminal investigations](#) and a full 2½ years into its own internal audit, State Police [unearthed boxes](#) of additional materials, which prosecutors had subpoenaed but State Police had said didn't exist.

The records were from 2014 and earlier — years for which prosecutors said they suspected there was fraud but hadn't been able to fully investigate because of a lack of records.

By the time those older records were given to prosecutors, they were just past, if not near, the five- and six-year statute of limitations for bringing additional fraud and embezzlement charges.

State Police officials have said the records were found after internal investigators in early June learned about the existence of copies of traffic citations, which prompted a broader search that uncovered other types of records. The department has said it immediately told prosecutors about the records when they were found and made them available

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Legal specialists have questioned how it took State Police so long to discover the additional records and raised concerns about the ability and willingness of the [embattled department](#) to investigate its own troopers.

In a statement Tuesday, State Police said they were focused on the “thousands of documents” the agency has provided to prosecutors, calling them “a massive referral of information that has made possible numerous criminal convictions and terminations.”

“As with any complex investigation involving large volumes of data spread over several years, the production of records is a collaborative process, a fact that the MSP and prosecutors mutually accept,” said the statement from spokesman David Procopio. “The Department initiated the investigation in 2018 with the referral of voluminous data, and several times subsequently has provided additional potential evidence whenever we became aware of it.”

Sarah Finlaw, a spokeswoman for Governor Charlie Baker, said the administration supports State Police’s efforts to refer information to prosecutors, and “is focused on the implementation of new disciplinary reforms and other efforts outlined by Colonel [Christopher] Mason to rebuild public trust in the department.”

In their filing this week, prosecutors said that in June, once notified of the records discovery, they “renewed requests for previously subpoenaed materials from 2013 and 2014” for DeJong.

A few weeks later, State Police produced payroll records and cruiser radio data for those years as well as cruiser fuel records dating back to 2012 — all types of records prosecutors have relied on to build their cases.

Prosecutors initially only received records from State Police covering DeJong’s activity from 2015 to early 2017. With

that information, they estimated he stole about \$31,000 over those years. But, after reviewing the records they got in June, prosecutors more than doubled that estimate to \$63,600.

DeJong was only charged with, and later [pleaded guilty to](#), embezzling about \$14,000 during 2016. But the alleged theft from other years may factor into his sentencing, which is scheduled for next week. His attorney declined to comment Tuesday, as did federal and state prosecutors.

Other troopers implicated in the scandal have been charged for alleged embezzlement in 2015 and 2016. But prosecutors said the scheme may have stretched back much further, noting how the overtime programs abused by troopers [dated back more than a decade](#).

In May, US District Judge Mark Wolf [criticized](#) prosecutors for not going back further to examine the roots of the scheme. Prosecutors called it impossible because State Police officials had destroyed older records as part of routine efforts to get rid of dated documents.

The State Police previously [have come under fire](#), including from Lelling and Baker, for destroying records that could show wrongdoing and for [trying to destroy](#) decades of payroll, attendance, and personnel documents while under scrutiny.

Individual troopers and supervisors charged with overtime fraud also allegedly [destroyed](#) documents to cover up their absences from work — actions that, prosecutors said, point to [systemic cultural problems](#) and [lax oversight](#) at the agency.

Earlier this month, Baker and Mason [announced](#) a series of policy changes and proposals to supplement a previous set of reforms launched in the spring of 2018. The efforts take aim at corruption and cultural problems that have plagued the force for years.

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