

State Police uncovered more trooper payroll issues last year. This time, they kept it in-house

The sergeant went on to become president of the police union

By **Matt Rocheleau** Globe Staff, Updated September 14, 2020, 7:23 p.m.





Graduating members of the State Police 85th Recruit Training Troop marched out of Gillette Stadium in May after Governor Charlie Baker swore them in. JONATHAN WIGGS/GLOBE STAFF

Sergeant Mark Lynch took over as head of the State Police union in 2018, when the law enforcement agency was in the [midst of crisis](#). A federal investigation into widespread payroll fraud had implicated dozens of troopers, and the previous union boss was under scrutiny for an alleged kickback scheme.

“The character and integrity of us all is being questioned and scrutinized like never before,” Lynch later wrote in a letter to the 1,900 members of the State Police Association of Massachusetts. “This is not representative of who we are, what we stand for and what we do.”

What was not publicly known then was that Lynch himself was facing an internal investigation that ultimately found he had manipulated or skipped portions of about 30 shifts over a four-month period, after the agency’s payroll practices had already been called into question.

When indictments were unfurled, his name was never mentioned. The state’s largest law enforcement agency never forwarded its investigation to prosecutors. The agency released it only last month, in response to a records request the Globe filed in December.

Lynch, who [resigned](#) as union president last year while facing union dissent, remains on the force today as a supervisor, relocated to a barracks that was at the center of the overtime fraud scandal. He collected \$62,900 in overtime pay through August of this year, records show, significantly more than he earned in any year over the last decade.

ADVERTISING



Lynch's case raises questions about how seriously the department handles pay abuse and how many other troopers may have escaped sanctions.

Dennis Galvin, a retired State Police major and president of the Massachusetts Association for Professional Law Enforcement, said prosecutors should examine the case.

"This continues to smear the image of the Massachusetts State Police," he said. "It does not provide confidence that significant and meaningful changes have been made."

In a statement, State Police spokesman David Procopio said the department never shared details with prosecutors because Lynch's misconduct was "administrative in nature" and "relatively minor." Procopio said Colonel Christopher Mason has since made changes to "foster a culture of accountability," and the department "has reiterated to its members that such actions are not permissible under policy and implemented mandatory training."

Procopio declined to say what discipline Lynch faced, but records reviewed by the Globe show he received a letter of counseling — the second-lowest form of discipline — ordering him to reread internal policies and not violate them again.

Governor Charlie Baker, through a spokeswoman, declined to comment, as did public safety Secretary Thomas Turco.

Reached by phone, Lynch said: “I’m not going to comment on this.”

The internal investigation determined Lynch was paid more than the actual hours he worked, including for a shift along the 2017 Boston Marathon route. He also had overlapped work assignments and changed the start time of paid details without authorization, including detail shifts directing traffic for Sunday services at a Revere church.

The department also found he had “misrepresented his knowledge” to a superior officer when first questioned. The department told the Globe it ultimately did not consider this lying, a more serious charge.

While the investigation does not identify how much he earned improperly, a conservative estimate is at least \$2,000 during the four months investigators examined.

By comparison, troopers criminally charged or suspended without pay in the overtime scandal were accused of fraudulently collecting from nearly \$3,000 to more than \$51,000 over three years.

A spokeswoman for Attorney General Maura Healey declined to comment, but confirmed the office was never notified of Lynch’s case. US Attorney Andrew E. Lelling’s office declined to comment.

Brenda J. Bond-Fortier, a law enforcement expert and Suffolk University professor, said Lynch's case is likely to anger taxpayers.

"People want assurances that the organization is changing, and these kinds of cases work against them," she said.

This is not the first time State Police uncovered payroll abuse internally and kept the matter in-house. [For years prior](#), internal reports documented warning signs of fraud, but there is scant evidence department leaders took action.

When details of the overtime scandal emerged, the agency [did not initially report](#) the fraud to federal prosecutors, despite claims by State Police leaders and Baker that the federal probe originated with a referral from police. The scandal ultimately implicated 46 troopers. Ten have been charged criminally, nine of whom pleaded guilty; the other case is pending.

An expert on police culture, Michael Sierra-Arévalo, said the case underscores why independent oversight of police departments is needed to break through the "blue wall of silence" and root out corruption.

"It's not a reasonable expectation to think this will change in a meaningful way by continuing to have departments police themselves," said Sierra-Arévalo, a University of Texas Austin assistant professor.

The investigation into Lynch stemmed from a dispute with another trooper in June 2018. The colleague noticed Lynch was missing on assignment, called Lynch, and asked to meet, according to the report. The colleague later told investigators he "wanted to be able to say he saw" Lynch at his post and "was trying to help" Lynch so that he "wouldn't get 'jammed up' for not being at his assignment."

Lynch refused to meet, saying, "If anyone asks, just say you never made it over to check me," the trooper reported. Lynch confronted the colleague a few weeks later.

“You’re a rat,” Lynch yelled, according to the colleague. “I thought this was gonna stay between us.” Lynch asked if he wanted to “go out back to settle this.”

The other trooper, whose name was redacted from the 114-page report, filed a complaint, triggering a workplace violence probe. Eventually, it broadened into a review of Lynch’s pay and attendance.

When interviewed by department investigators, Lynch denied much of the other trooper’s claims. Lynch acknowledged that for construction detail shifts, he sometimes had put in for more pay than he actually worked if the contractor agreed with it. “He’s the one that’s paying the bill,” Lynch told investigators.

Lynch, a 39-year member of the force, said some violations stemmed from his misunderstanding of policies around paid leave. He refused to answer many questions about specific shifts he was accused of skirting, invoking his right not to incriminate himself.

Months into the probe, Lynch was [voted](#) in as SPAM president after the previous leader, Dana Pullman, resigned amid a [federal investigation](#). Pullman was [indicted](#) last year on racketeering, conspiracy, and other charges. Prosecutors [allege](#) he took kickbacks from the union’s former lobbyist and used union money for personal expenses.

Lynch’s tenure leading SPAM lasted just under a year. He [stepped down](#) when members [raised concerns](#) about his leadership and scheduled a recall vote.

In a statement, SPAM said Lynch has not held any union leadership role since, but remains a rank-and-file member.

“While SPAM supports all of its members, we do not condone any conduct which violates the State Police Mission and

Policy.

Lynch could be called to testify against Pullman. Attorney Robert Sheketoff, who represented Lynch when federal authorities questioned him about Pullman, said he did not know what role Lynch might have in a potential trial.

Sheketoff acknowledged sustained charges could weaken Lynch's credibility as a witness.

Records show Lynch was flagged by State Police investigators before.

In 2013, an internal charge was sustained against Lynch for driving an unmarked cruiser without authorization while off-duty. He [rolled over](#) the cruiser around 1 a.m. on Route 3 in Billerica, a couple hours after the Red Sox World Series victory. Lynch, who refused medical treatment, said he was cut off by a dark minivan.

Lynch was also cited for failing to properly document 15 detail shifts in less than a month in 2014. The department ordered him to correct his payroll and reread the policy on details. He'd have to read the same policy again years later after he got caught skirting shifts.

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

 [Show 237 comments](#)

©2020 Boston Globe Media Partners, LLC