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# Former Medford police chief knew of major payroll scandal, but didn't seek outside probe

By [Matt Rocheleau](#) Globe Staff, November 24, 2019, 8:24 p.m.



Leo Sacco retired as police chief in Medford last fall after confronting officers. KATE LAGRECA

Weeks after news broke last year of a payroll fraud scandal within the State Police force, longtime Medford Police Chief Leo A. Sacco Jr. learned that about a quarter of the officers in his own department were allegedly padding their pay by either falsifying their hours or skipping out on detail shifts.

Following an anonymous tip, Sacco quietly conducted his own monthslong, informal inquiry and had numerous officers admit to him that they had fleeced a contractor paying for traffic safety patrols at a construction project, according to an internal investigative report obtained by the Globe.

Sacco, the chief of 28 years, called dozens of the officers involved to a meeting at a hotel last fall, said their actions were part of a “cultural and systematic problem,” and told them to stop their scheme, according to the report, which was obtained through a public records request. Ultimately, the chief handed down no discipline, issued no written reprimands, and retired two days later.

News of the potential fraud became public only [two months ago](#), when a probe by an outside investigator uncovered the alleged scam, which involved possible criminal wrongdoing by a mix of patrolmen and their supervisors.

Now, 27 Medford officers have been disciplined and ordered to pay back \$17,000 collectively, as the city police department joins a growing list of law enforcement agencies in Massachusetts embroiled in payroll scandals.

“Police chiefs across Massachusetts ought to be — if they’re not already — paying very close attention to what’s going on here,” said Tom Nolan, a former Boston Police lieutenant who teaches criminology at Emmanuel College.

“If I were a chief, I’d want to get ahead of this. You don’t want the US Attorney’s office looking at your department.”

[Numerous State Police](#) troopers and three [Boston Police](#) officers are under federal criminal investigations into payroll abuse allegations. The cases have included allegations of no-show shifts, phony citations, and cover-ups.

In Medford, city officials learned of the payroll fraud allegations this past spring — months after Sacco retired — through a deposition in an “unrelated civil legal matter,” said mayoral spokeswoman Deanna Deveney. City officials ordered an independent probe and hired retired State Police Captain Paul L’Italien to investigate.

His report, which concluded in August, included details on the former police chief’s inquiry, as well as interviews with nearly 50 officers. L’Italien determined 25 of the 45 officers who worked the details collected pay for hours they didn’t work.

Two additional officers were sanctioned for violating other department policies. The city’s police department has about 102 officers.

Nearly a dozen officers invoked their right to remain silent to one or more questions from L’Italien, according to the report. One officer admitted to filling out detail slips for two colleagues who didn’t show up for their shifts. Another officer was blunt about the lucrative opportunity in these paid detail shifts, calling the assignment a “ten-minute score,” according to notes kept by Sacco and turned over to L’Italien.

The details were paid for by Feeney Brothers, a construction company performing work for the natural gas utility National Grid. Businesses regularly pay officers for private, off-duty work that is approved and coordinated by the department.

Middlesex District Attorney Marian Ryan’s office has an open investigation into the allegations, spokeswoman Meghan Kelly said.

The 27 officers disciplined in Medford took home between \$108,000 and \$257,000 in 2018, which included significant overtime, according to pay records obtained by the Globe.. Their base pay was between \$60,000 and \$95,000. The figures do not show how much officers made from paid details.

The report doesn't explain why Sacco handled the matter the way he did. Sacco was interviewed as part of the outside investigation and acknowledged undertaking his own informal inquiry. He could not be reached for comment last week. Medford Mayor Stephanie M. Burke also declined to comment for this story.

Harold MacGilvray, president of the Medford Police Patrolmen's Association, the union that represents officers, told the outside investigator that Sacco had assured him "he was gonna handle it, and when it was handled that that would be the end of it," according to the report. MacGilvray also said Sacco's assurances prompted the officers to be more candid about their actions.

The assignments at issue were late evening and overnight details for construction work scheduled from late February until late April 2018, according to the investigation. Officers initially received \$50 per hour for the detail. That figure increased to \$60 per hour in April 2018.

The report said Sacco learned of pay discrepancies with those detail assignments sometime in late April or early May of 2018, though exactly when and how was unclear. Sacco's inquiry appeared to be fueled in part by an anonymous letter that many in the department speculated was written by an officer who had been disciplined years earlier for misconduct on a paid detail. After receiving the letter, Sacco sent a departmentwide e-mail reminding officers of the rules and policies regarding paid details.

In the ensuing months, he interviewed a host of rank-and-file officers who had worked the shifts and many admitted to submitting paperwork to be paid for hours they didn't work and weren't contractually entitled to, the report said.

However, he never interviewed some higher-ranking sergeants and lieutenants, including his own son, a detective sergeant, who worked one of the detail shifts in question and was exonerated by the subsequent outside investigation, the report stated.

Sacco told the investigator that he had planned to interview the higher-ranking officers but, with retirement looming, ran out of time, according to the report.

Sacco turned 65 in November 2018, which under Massachusetts law, required him to retire from law enforcement.

Sacco's successor, Chief Jack D. Buckley, told the Globe that officers have fully repaid the money they improperly collected — amounts ranging from \$230 to \$2,000 per officer. Twenty officers have served unpaid suspensions ranging from one day to 30 days. Officers also were barred from working details for periods ranging from one week to one year.

Buckley declined to say whether he believes the alleged pay fraud was isolated to the details that were investigated.

Ken Anderson, a Medford Police Patrolmen's Association attorney who represented nearly all of the officers, called the case an anomaly.

"They have a very good department and some outstanding officers and this was really an aberration," Anderson said. "Chief Buckley handled it very appropriately and sternly."

The details in question were scheduled in unorthodox six-hour blocks, instead of the typical four-hour shifts, the report noted, and Anderson said that created some "ambiguity" as to how much pay officers would be entitled to under union contract provisions.

A spokeswoman for Feeney Brothers, which paid for the police services, said “there were no issues that were brought to their attention.” National Grid, which hired Feeney Brothers, declined to comment.

Nolan, the criminologist, noted that the costs of officers working fraudulent shifts — even on private paid details — ultimately affects the public. “They’re going to be passed on to either utility ratepayers or taxpayers,” he said.

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