

Sixth Massachusetts State Trooper Charged in Overtime Abuse Investigation

A suspended Massachusetts State Police Trooper was charged and agreed to plead guilty today in connection with being paid over \$11,000 for overtime hours that he did not work.

Kevin Sweeney, 40, of Braintree, was charged with one count of embezzlement from an agency receiving federal funds and one count of wire fraud. Sweeney has agreed to plead guilty; a court date has not yet been scheduled.

According to court documents, Sweeney was a MSP Trooper assigned to Troop E, which was responsible for enforcing criminal and traffic regulations along the Massachusetts Turnpike, Interstate I-90. In 2015, Sweeney earned \$249,407, which included approximately \$111,808 in overtime pay. In 2016, Sweeney earned \$218,512, which included approximately \$95,895 in overtime pay.

Sweeney was allegedly paid for overtime shifts that he either did not work at all or from which he left early. Sweeney concealed his fraud by submitting fraudulent citations designed to create the appearance that he had worked overtime hours that he had not, and falsely claimed in MSP paperwork and payroll entries that he had worked the entirety of his overtime shifts.

For example, on Dec. 14, 2016, Sweeney claimed in MSP payroll submissions and other paperwork to have worked a "D AIRE" overtime shift from 7:00 p.m. to 11:00 p.m. Sweeney allegedly wrote eight motor vehicle citations during the shift and submitted copies of those citations to MSP as evidence that he had worked. Yet, Sweeney's cruiser radio was not turned on during the overtime shift, he did not run any driver histories

during the shift, and Registry of Motor Vehicle records reflect that none of the motorists that Sweeney claims to have cited actually received a citation that day.

Sweeney has agreed to plead guilty to being paid \$11,103 for overtime hours that he did not work. The overtime in question involved the Accident and Injury Reduction Effort program (AIRE) and the "X-Team" initiative, which were intended to reduce accidents, crashes, and injuries on I-90 through an enhanced presence of MSP Troopers who were to target vehicles traveling at excessive speeds.

In 2015 and 2016, MSP received annual benefits from the U.S. Department of Transportation in excess of \$10,000, which were funded pursuant to numerous federal grants.

Sweeney is the sixth trooper charged as a result of the ongoing investigation. On June 27, 2018, former Lieutenant David Wilson, 57, of Charlton; Trooper Gary Herman, 45, of Chester; and former Trooper Paul Cesan, 50, of Southwick, were arrested and charged with the same crime. On July 2, 2018, former Trooper Gregory Raftery, 47, of Westwood was charged and pleaded guilty. On July 25, 2018, retired Trooper Daren DeJong, 56, of Uxbridge, was also charged.

The charge of theft of government funds provides for a sentence of no greater than 10 years in prison, three years of supervised release, and a fine of \$250,000 or twice the gross gain or loss. The charge of wire fraud provides for a sentence of no greater than 20 years in prison, three years of supervised release, and a fine of \$250,000 or twice the gross gain or loss. Sentences are imposed by a federal district court judge based upon the U.S. Sentencing Guidelines and other statutory factors.

United States Attorney Andrew E. Lelling; Harold H. Shaw, Special Agent in Charge of the Federal Bureau of Investigation, Boston Field Division; and Douglas Shoemaker,

Special Agent in Charge of the U.S. Department of Transportation's Office of Inspector General made the announcement today. Assistant U.S. Attorneys Dustin Chao and Mark Grady of Lelling's Public Corruption Unit and Neil Gallagher of Lelling's Economic Crimes Unit are prosecuting the case.