

Three Massachusetts State Troopers charged today

Three members of the Massachusetts State Police (MSP) were arrested and charged today with theft from an agency receiving government funds, as part of an ongoing investigation. Two recently retired, one recently suspended.

Former Lieutenant David Wilson, 57, of Charlton; Trooper Gary Herman, 45, of Chester; and Former Trooper Paul Cesan, 50, of Southwick, were charged in three separate criminal complaints unsealed today. All three men were assigned to Troop E, which is responsible for enforcing criminal and traffic regulations along the Massachusetts Turnpike, Interstate I-90. They will appear in U.S. District Court in Boston later today.

Wilson, who served as the Officer-in-Charge of several overtime shifts, along with Troopers Herman and Cesan are alleged to have received overtime pay for hours they either did not actually work at all, or shifts in which they departed one to seven hours early.

The alleged conduct involves overtime pay for selective enforcement initiatives, including the Accident and Injury Reduction Effort program (AIRE) and the "X-Team" initiative. Both initiatives are intended to reduce accidents, crashes, and injuries on I-90 through an enhanced presence of MSP Troopers and targeting vehicles traveling at excessive speeds. Wilson, Herman and Cesan were required to work the entire duration of the shifts – either four or eight hours – and truthfully report the date, time and sector of deployment on the citations issued during the shift. As alleged, they concealed the fraud by submitting citations that were issued previously, altered to create the appearance that the citation was issued during the overtime shift, and/or submitted citations that were never issued and never took place.

According to court documents, investigators were able to corroborate the alleged conduct through spreadsheets compiled during MSP's audit of Troop E's overtime, along with data from MSP cruiser radios and other MSP records, to observe individual Trooper radio activity/inactivity patterns, as well as radio transmission location patterns.

In 2016, Lt. Wilson earned approximately \$230,000, claiming to have worked approximately 170 AIRE overtime shifts – equating to about \$68,000 in overtime pay. The investigation revealed that out of those overtime hours worked in 2016, Lt. Wilson earned approximately \$12,450 in overtime pay that he in fact, did not work. Trooper Herman earned \$227,826 in 2016, which included approximately \$63,000 in overtime, of which \$12,468 was attributable to AIRE and X-Team shifts for which Herman either left early or did not show up to work. Trooper Cesan earned approximately \$163,500, which included approximately \$50,866 in overtime pay, \$29,000 of which included pay for AIRE and X-Team overtime shifts that Cesan did not work.

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.

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. 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.