

More charges brought against four Boston Police Officers involved in overtime fraud scheme

'Four Boston Police Officers have been charged in a superseding indictment in connection with an ongoing investigation of overtime fraud at the Boston Police Department's (BPD) evidence warehouse.

Lieutenant Timothy Torigian, 57, of Walpole; Sergeant Robert Twitchell (retired), 61, of Norton; Officer Henry Doherty (retired), 64, of Dorchester; and Officer Kendra Conway, 52, of Boston, were charged in a superseding indictment with one additional count each of conspiracy to commit wire fraud. The original indictment returned in September 2020 charged the defendants and five others with one count of conspiracy to commit theft concerning programs receiving federal funds and one count of embezzlement from an agency receiving federal funds. Four of the co-defendants charged in original September 2020 indictment have since pleaded guilty and are awaiting sentencing. Charges against the remaining co-defendant were dismissed.

According to the charging documents, the defendants were assigned to BPD's Evidence Control Unit (ECU), where they were responsible for, among other things, storing, cataloging and retrieving evidence at the warehouse. ECU officers were eligible to earn overtime pay of 1.5 times their regular hourly pay rate for overtime assignments. It is alleged that beginning in at least May 2016, the defendants routinely departed overtime shifts two or more hours early but submitted false and fraudulent overtime slips claiming to have worked the entirety of each shift.

One overtime shift, called "purge" overtime, was focused on reducing the inventory of the evidence warehouse. The shift was supposed to be performed from 4:00 to 8:00 p.m. on weekdays. It is alleged that on days which the defendants claimed to have worked until 8:00 p.m., the warehouse was closed, locked and alarmed well before 8:00 p.m., and often by 6:00 p.m. or before. Despite this, it is alleged that the defendants routinely submitted false and fraudulent overtime slips claiming to have worked from 4:00 to 8:00 p.m. Supervisors, who also left early from this shift, allegedly submitted their own false and fraudulent slips and knowingly endorsed the fraudulent overtime slips of their subordinates.

Another shift, called "kiosk" overtime, was available to two ECU officers one Saturday per month from 6:00 a.m. to 2:30 p.m. This shift involved collecting materials, such as unused prescription drugs, from kiosks in each police district in the city and then transporting the materials to an incinerator in Saugus. It is alleged that defendants who performed this overtime shift routinely submitted overtime slips claiming to have worked eight and a half hours when in fact the defendants frequently completed the work and left the shift early, often before 10:00 a.m.

Between May 2016 and February 2019 the defendants allegedly collectively embezzled over \$200,000 in overtime pay. According to court documents, Torigian received over \$42,000 for overtime hours he did not work; Twitchell and Doherty each received over \$25,000 for overtime hours they did not work; and Conway received over \$16,000 for overtime hours she did not work.

From 2016 through 2019, BPD received annual benefits from the U.S. Department of Transportation and U.S. Department of Justice in excess of \$10,000, which were funded pursuant to numerous federal grants.

The charge of conspiracy to commit wire fraud provides for a

sentence of up to 20 years in prison, up to three years of supervised release and a fine of up to \$250,000 or twice the gross gain or loss. The charge of embezzlement from an agency receiving federal funds provides for a sentence of up to 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 conspiracy provides for a sentence of up to five years in prison, three years of supervised release and a fine of \$250,000. Sentences are imposed by a federal district court judge based upon the U.S. Sentencing Guidelines and statutes which govern the determination of a sentence in a criminal case.

United States Attorney Rachael S. Rollins; Russell W. Cunningham, Special Agent in Charge of the Department of Justice Office of the Inspector General, Washington Field Office; and Joseph R. Bonavolonta, Special Agent in Charge of the Federal Bureau of Investigation, Boston Division made the announcement today. Assistant U.S. Attorney Mark Grady of Rollins' Criminal Division is prosecuting the case.

The details contained in the charging documents are allegations. The defendants are presumed innocent unless and until proven guilty beyond a reasonable doubt in a court of law."-Massachusetts Department of Justice.