

# Retired Boston Police Captain Found Guilty of Overtime Fraud Scheme

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## For Immediate Release

U.S. Attorney's Office, District of Massachusetts

BOSTON – A Retired Boston Police Captain was convicted today by a federal jury in Boston of orchestrating and participating in a long running overtime fraud scheme at the Boston Police Department's (BPD) evidence warehouse that cost taxpayers hundreds of thousands of dollars in fraudulent overtime payments.

Richard Evans, 65, of Hanover, was convicted of conspiracy to commit theft concerning programs receiving federal funds; theft concerning programs receiving federal funds; conspiracy to commit wire fraud; and wire fraud. U.S. District Court Judge Richard G. Stearns scheduled sentencing for June 20, 2024. Evans was arrested and charged in March 2021.

*“Every resident of Massachusetts has a right to expect that those of us in law-enforcement will uphold the law. When an individual violates that expectation, it hits to the core. It undermines the public’s confidence in our profession,” said Acting United States Attorney Joshua S. Levy. “Mr. Evans’ greed is not a reflection of the Boston Police Department or the many men and women in law-enforcement who serve with integrity. However, when individuals put their greed before their public duty, they must be held accountable.”*

“Today’s verdict proves no one is above the law. Captain Richard Evans shrugged off his sworn oath, broke the law to pad his paycheck, failed to lead by example and betrayed the citizens of Boston,” said Jodi Cohen, Special Agent in Charge of the Federal Bureau of Investigation, Boston Division. “The FBI will continue to root out police corruption on behalf of the vast majority of hard-working officers who carry out their duties honestly and honorably. We thank the Boston Police Department for its full cooperation with this investigation.”

From May 2012 to March 2016 Evans was the commander of BPD's Evidence Control Unit (ECU), where he was responsible for, among other things, overseeing the storing, cataloging and retrieving evidence at the warehouse. A 37-year BPD veteran and one of highest-ranking officers in BPD, Evans was responsible for, among other things, approving ECU officers' overtime, which was paid at 1.5 times their regular hourly pay.

Beginning virtually as soon as Evans took command of the ECU, Evans submitted and approved overtime slips that grossly inflated the amount of time worked. Evans submitted hundreds of overtime slips for overtime hours he did not work. As a supervisor, Evans routinely approved overtime slips – certifying false overtime hours submitted by subordinates. The standard overtime shift was supposed to be performed from 4:00 to 8:00 p.m., Monday through Thursday. However, officers only worked about two hours of that shift. In the beginning the officers "split" the overtime shift – one half of the officers worked the 4-6 p.m. shift, the other half of the officers worked the 6-8 p.m. shift, but all of the officers claimed that to have worked the full four-hour shift from 4-8 p.m. By splitting the shift, Evans and officers were paid for twice as much as they actually worked. The split shifts also made it seem like everyone was in the warehouse for the full four-hour shift, thus hiding the overtime theft. Towards the end of Evans' tenure, he and other officers stopped splitting the shift and consistently left two or three hours early, as shown in the warehouse alarm records, while still billing for a full four-hour shift.

Evidence presented at trial established that Evans misled his superior officers about the purge overtime scheme to cover up the fact that officers were inflating their overtime hours. Evans, himself, earned over \$120,000 in overtime payments in his 3.5 years as commander of the ECU, on top of his base salary, which exceeded \$200,000.

The charge of conspiracy to commit theft concerning programs receiving federal funds provides for a sentence of up to 10 years in prison, three years of supervised release and a fine of up to \$ 250,000. The charge of theft concerning programs receiving federal funds provides for a sentence of up to 10 years in prison, three years of supervised release and a fine of up to \$250,000. The charges of conspiracy to commit wire fraud; and wire fraud provides for a sentence of up to 20 years in prison, three years of supervised release and a fine of up to \$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.

Acting U.S. Attorney Levy; SAC Cohen; Russell W. Cunningham, Special Agent in Charge of the Department of Justice Office of the Inspector General Washington Field Office; and Boston Police Commissioner Michael Cox made the announcement today. Assistant

U.S. Attorneys Kunal Pasricha and Elysa Wan of the Criminal Division are prosecuting the case.