



# Department of Justice

**Acting United States Attorney Nathaniel R. Mendell  
District of Massachusetts**

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## **FORMER BOSTON POLICE CAPTAIN ARRESTED FOR OVERTIME FRAUD SCHEME**

BOSTON – A former Boston Police Captain was arrested today and charged in connection with an ongoing investigation of overtime fraud at the Boston Police Department’s (BPD) evidence warehouse.

Richard Evans, 62, of Hanover, was charged in an indictment unsealed today with one count of conspiracy to commit theft concerning programs receiving federal funds, one count of embezzlement from an agency receiving federal funds, one count of conspiracy to commit wire fraud and three counts of wire fraud. Evans will make an initial appearance via videoconference in federal court in Boston later today.

“The public counts on police supervisors to lead by example and serve as models of honor, integrity and professionalism,” said Acting United States Attorney Nathaniel R. Mendell. “When they break the law for personal financial gain with the officers they supervise, they not only violate the trust of the public, but they dishonor their fellow officers. I want to thank the Boston Police Department for its continued cooperation with our investigation.”

“Captain Richard Evans is accused of betraying the public’s trust, and the reputation of his fellow police officers, by conspiring with officers he supervised at BPD’s Evidence Control Unit to steal tens of thousands of dollars in taxpayer money for work they did not do, over the course of five years,” said Joseph R. Bonavolonta, Special Agent in Charge of the FBI Boston Division. “It is deeply troubling when officers who have sworn to uphold the law violate their oath and use their badge as a license to commit a crime. We would like to thank the Boston Police Department for its cooperation and commitment to ending this practice.”

“Former Captain Evans allegedly conspired to commit theft and defraud taxpayers. The alleged conduct is antithetical to the job we trust law enforcement officers to do – uphold the law and act with honesty and integrity,” said Russell W. Cunningham, Special Agent in Charge of the Department of Justice Office of the Inspector General Washington Field Office.

According to the indictment, Evans oversaw the BPD's Evidence Control Unit (ECU), which was 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 March 2015, Evans and other officers 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.

The indictment alleges that the fraud occurred during one overtime shift, called "purge" overtime, that 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. On days which Evans 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 earlier. Despite this, it is alleged that Evans routinely submitted false and fraudulent overtime slips claiming to have worked from 4:00 to 8:00 p.m. Evans also endorsed the fraudulent overtime slips of his subordinates.

From March 2015 to February 2019, Evans and his co-conspirators allegedly collected tens of thousands of dollars in fraudulent overtime. Specifically, Evans allegedly received over \$12,395 for overtime hours he did not work and endorsed dozens of fraudulent overtime slips submitted by subordinates.

From 2015 through 2018, 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 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. The charges of wire fraud and conspiracy to commit wire fraud provide for a sentence of up to 20 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 other statutory factors.

Acting U.S. Attorney Mendell, FBI Boston SAC Bonavolonta and DOJ-OIG SAC Cunningham made the announcement today. Assistant U.S. Attorney Mark Grady of Mendell's Public Corruption & Special Prosecutions Unit is prosecuting the case.

The details contained in the indictment are allegations. The defendants are presumed innocent unless and until proven guilty beyond a reasonable doubt in a court of law.

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