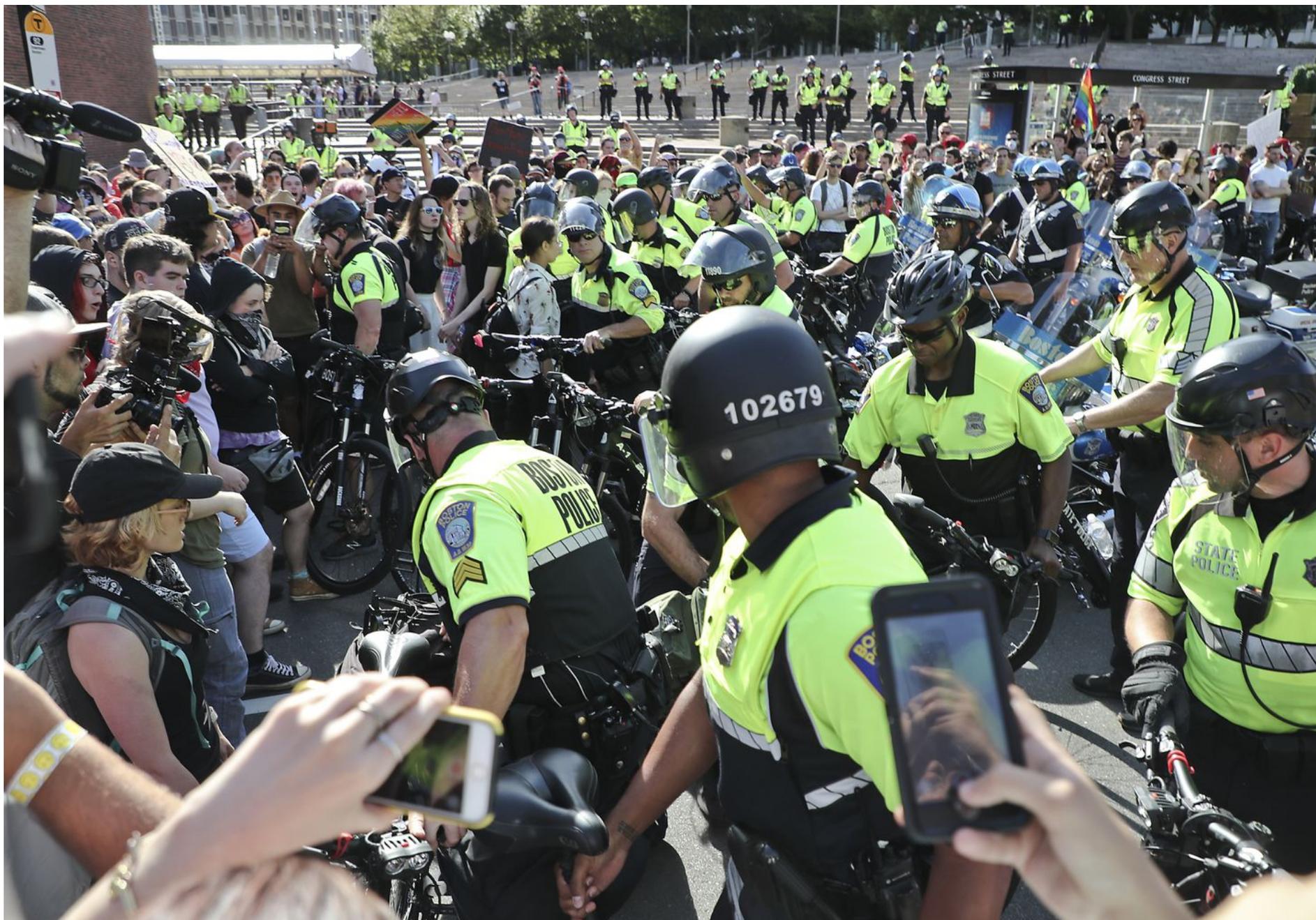


# Boston's highest-paid worker: a cop accused of payroll abuse in 2007

By [Matt Rocheleau](#) and [Dugan Arnett](#) Globe Staff, Updated June 17, 2020, 9:04 p.m.



Boston police confronted protesters at the Straight Pride Parade who were blocking the route of the motorcycle police outside City Hall Plaza last year. The city's second-highest-paid worker: a cop accused of payroll abuse in 2007 - The Boston Globe  
<https://www.bostonglobe.com/2020/06/17/metro/amid-defunding-debate-boston-police-payroll-surges-dozens-officers-earn-more-than-300k-year/>

highest-paid official last year, John Danilecki is currently the subject of an internal department investigation regarding his conduct at the event. MATTHEW J. LEE/GLOBE STAFF

Boston police Lieutenant Timothy Kervin appeared finished in 2007.

An internal investigation into the 20-year department veteran at the time found numerous payroll abuses: 191 violations in all, including 68 counts of inaccurate reporting on a paid, off-duty detail card.

The supposed scheme helped Kervin collect \$237,272 of pay in 2005 — more than any other city official that year. And in a press release announcing Kervin's impending firing, then-commissioner Ed Davis didn't mince words. "Based upon the nature of this case," he said, "termination was an appropriate response."

But for reasons not entirely clear, Kervin retained his job with the BPD. And today, state records show, he is once again the city's highest-paid employee, earning \$355,538, including \$115,361 in overtime pay, in 2019. He made another \$41,360 in off-duty details, which are paid by private companies, and earned \$35,492 in city money via education incentives. He is one of more than two dozen police officers who earned more than \$300,000 last year.

As calls for [police defunding](#) gain momentum nationwide, a Globe review of city payment records shows that the police payroll has jumped dramatically in the past decade, increasing by \$125 million — or 43 percent — since 2011. Overtime growth has been even more significant, with an additional \$35.5 million — 84 percent — spent over the same period.

The average pay for police department employees last year was \$127,094, including nearly \$30,000 in overtime and \$20,000 in detail pay, in addition to a base salary. The tally includes civilian workers and sworn personnel.

By contrast, the average pay for a Boston Public Schools teacher was \$87,787.

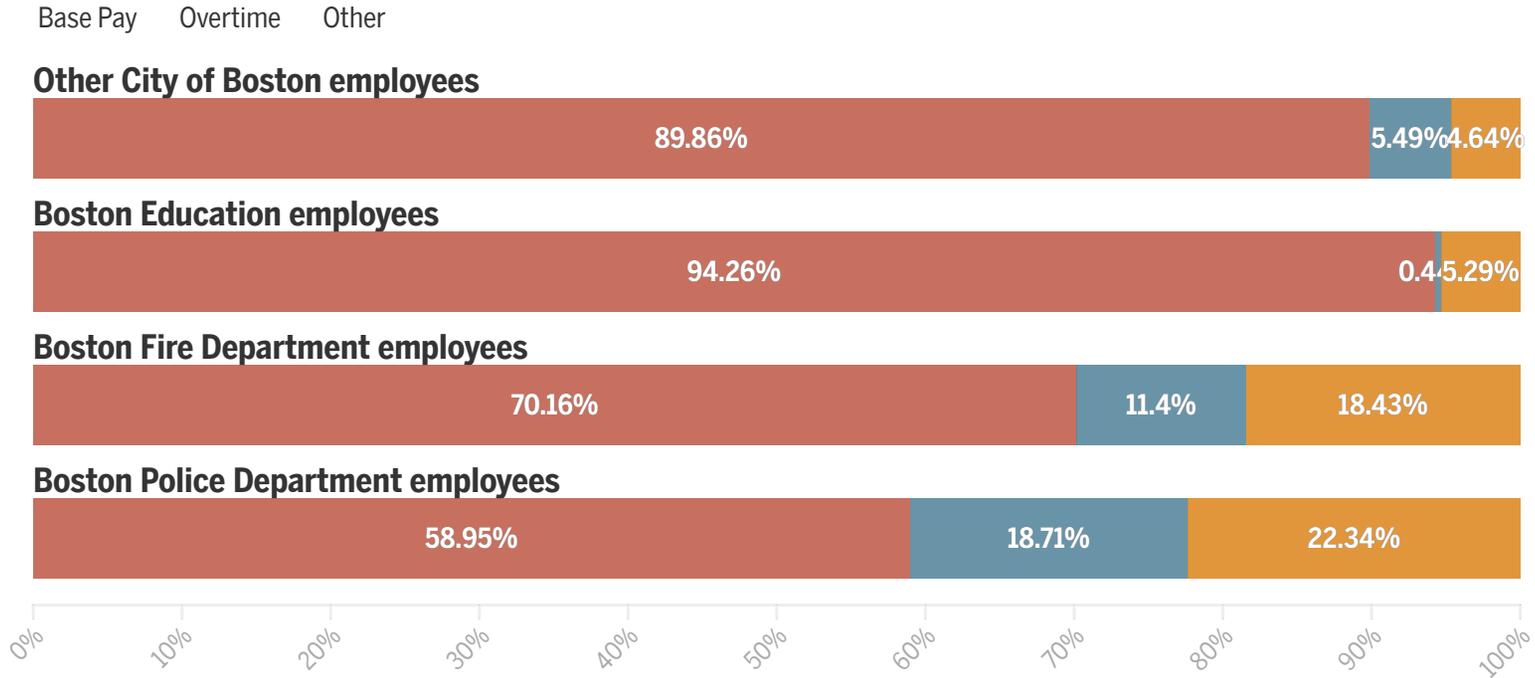
“There are people who work for the city right now who live in government-assisted housing or are facing housing insecurity, so to see the select few who earn so much makes you question what our priorities really are,” said Councilor Julia Mejia, who has been outspoken about police spending. “We always talk about how the budget is a values statement, and if that’s the case, we need to seriously reevaluate how we pay our public servants, particularly those in the Police Department.”

Last week, following [widespread calls](#) for a 10 percent reduction in funding in the department’s \$414 million budget, Mayor Martin J. Walsh announced that 20 percent of the overtime budget, about \$12 million, would be [transferred to social service programming](#), and that \$3 million would be sent directly to the Department of Public Health.

“This significant reform underscores Mayor Walsh’s record of responsible fiscal planning, allowing for strategic investments grounded in equity and inclusion that will have the greatest impact to residents,” mayoral spokeswoman Samantha Ormsby said in a statement.

But critics say the move is relatively minuscule, pointing out that it’s less than 3 percent of the department’s total budget. Some are calling for greater scrutiny of the department’s finances.

## Breakdown of pay in several city departments



Source: Analyze Boston

 A Flourish chart

Police officers can receive pay beyond their base wages several ways, such as overtime shifts, which are one-and-a-half times their base pay; off-duty police detail assignments, which are paid for by utility, construction, and other private companies; and through education incentives that boost earnings for officers with college degrees.

For veteran officers well-versed in the department's inner workings, there are a variety of ways to pad one's salary, according to former Boston police lieutenant Tom Nolan.

Nolan, who now teaches at Emmanuel College, said that at least some of the top earners manage to collect such high sums of pay by gaming the system; what they're doing isn't necessary illegal or in violation of rules, procedures, or contract provisions, he said. "But like with anything, there are loopholes, and they can be exploited."

In an interview Wednesday, Boston police spokesman Sergeant Detective John Boyle attributed the rise in the department's payroll and overtime to increased workload for officers, as well as pay raises approved as part of collective bargaining with unions that represent the force.

"Since the Marathon bombings, we've seen increases in the number of events as well as the force we're required to deploy at these events," said Boyle, referring to large gatherings such as protests and sports championship parades. "The overall overtime in the department remains somewhat flat when you remove large-scale events that we've been dealing with."

And though the department has seen numerous officers [accused of pay abuse](#), Boyle said that audits on overtime and detail work are conducted regularly throughout the year, with any violations leading to a department investigation.

Officials at each of the three unions representing BPD officers either declined to comment or did not respond to messages. Kervin, who serves as vice president of the Boston Police Superior Officers Federation, did not respond to requests for comment.

Kervin, according to Boyle, was ultimately suspended without pay for six months in 2008, though he served only four. Boyle was unable to say why Kervin's firing was changed to a suspension.

Among the department's highest earners, several others have checkered histories. At least two of the top-10 highest-paid officers last year have been accused of using excessive force in federal lawsuits. Those cases were ultimately

dismissed.

Another officer — Windell Josey, who took home \$325,187 in 2019 — was charged 11 years earlier with assaulting his girlfriend while working as a member of the BPD's domestic violence unit. Court records show that the charges were ultimately dismissed by a judge in April 2008, though Boyle said an internal affairs investigation sustained charges against Josey, and he was suspended without pay. Josey could not be reached for comment.

Meanwhile, John “Jack” Danilecki, the city's second-highest-paid official last year at \$348,055, is currently the subject of an internal department investigation regarding his conduct during last year's Straight Pride Parade in Boston, Boyle said. Various videos appeared to show him acting aggressively toward seemingly peaceful protesters.

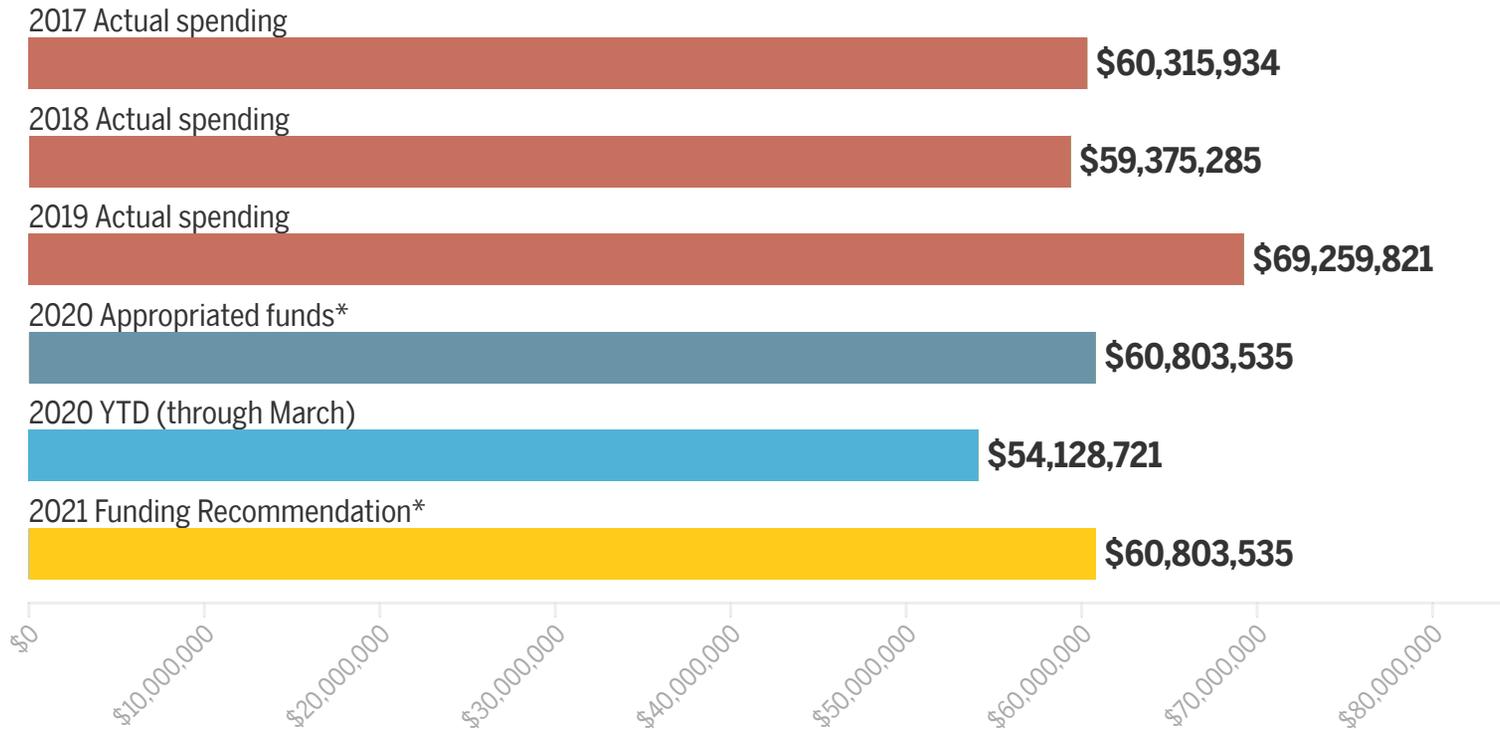
In one video, Danilecki can be seen pulling the mask from a protester's face. In another, he can be seen pushing a protester to the ground.

“It was shocking,” said Christopher Schmidt, a Cambridge resident who gathered social media footage of Danilecki from the day in question and compiled it in [a lengthy online post](#). “Every time I'd turn around, there'd be another video where I'd be like, ‘Wait, that's him again.’ ”

Boyle, the BPD's spokesman, said Wednesday that a department investigation into Danilecki's conduct at the parade was ongoing. Records reviewed by the Globe, however, show Danilecki received a department commendation for his actions that day for leading a team of officers who “put themselves in harm's way” and were able to keep opposing protesters from clashing.

Boyle said Danilecki, Kervin, and Josey declined to comment for this story.

## Boston Police Department overtime spending report



Source: [City of Boston](#) • \*Represents fiscal year period

 A Flourish chart

For years, Boston police officers have been among the highest-paid city employees, leaning on a combination of overtime and off-duty details.

Officers are allowed to work up to 90 hours a week — sometimes longer with supervisor permission — and many take advantage of the opportunity. Some officers “are working every available minute of every available hour of every available day to reach the limit,” said Nolan, who served nearly three decades in the department.

For instance, detectives who normally work evening shifts often make court appearances during daytime hours on an overtime basis, he said. Those appearances can be brief, as little as 15 minutes, but contract rules dictate that a detective is paid, at a minimum, four hours. Once the court appearance is over, a detective could pick up an additional eight-hour detail assignment before their regular evening shift starts. “So you’ve already worked 11 or 12 extra hours before you’ve even shown up for your normal tour of duty,” said Nolan.

Still, Nolan said, many officers accrue overtime hours not because they want to, but because they’re forced to by managers. “And they hate it,” he said. “They’d much rather go home to their families or to their kid’s Little League games.”

Ricardo Arroyo, a city councilor who worked previously as a public defender, said the optics of police pay are “demoralizing.” He remembers starting out making \$40,000 a year in 2015, less than many officers make only in overtime pay. “These kinds of salaries aren’t new, and they keep happening, over and over and over again.

“Overtime isn’t supposed to be a normal thing,” he added. “And yet, it’s been normalized.”

There are questions, too, about how effective an officer can be while working a weekly shift more than twice as long as a traditional workweek.

“If you’re working 80 or 90 hours a week, you’re going to be tired — I don’t care who you are,” said Dennis Galvin, president of the Massachusetts Association for Professional Law Enforcement and a retired State Police major. “There’s a concern about the impact that has physically, emotionally, and temperamentally on officers.”

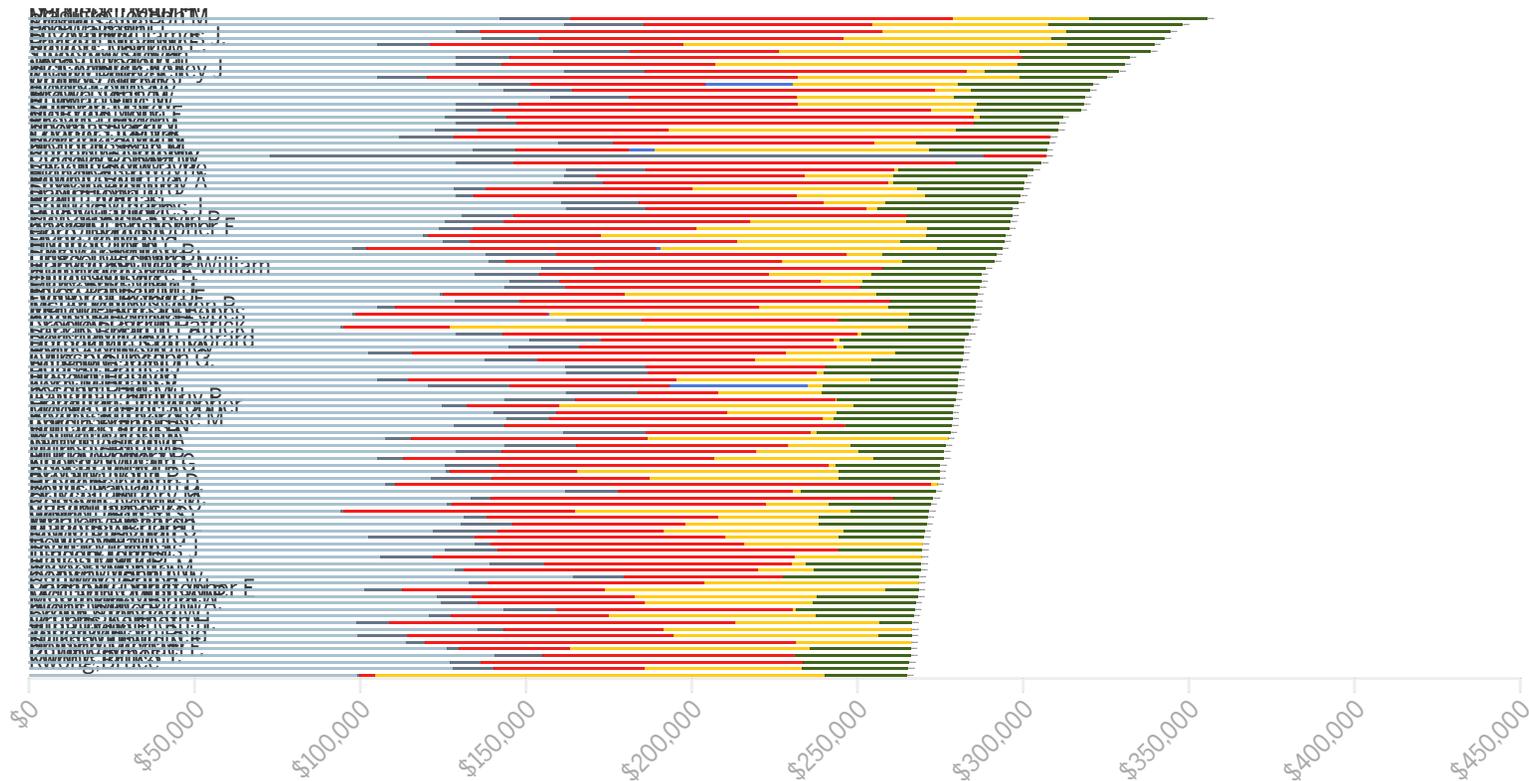
Nolan suggested spending could be trimmed by having administrative work done by civilian personnel instead of highly paid sworn officers and rethinking the need for certain specialty units.

But he quickly dismissed the idea that the abundant overtime hours being paid were the result of a police shortage.

“The only people [who] will tell you there’s a shortage of police,” Nolan said, “are the police.”

### Top 100 Boston Police Department employee earnings in 2019

BASE PAY RETRO OTHER OVERTIME INJURED DETAIL QUINN/EDUCATION INCENTIVE



Source: [Analyze Boston](#) • Base pay: Base salary and anything that does not fall into one of the other categories; Retro: Regular Retro earnings or Overtime Retro; Other: Bonus Incentive Earnings, Earnings beyond base salary that relate to special titles, skills or education AND NOT related to hours worked beyond the normal workday schedule, Grievance/Settlement, Regular Stipend Earnings, Reimbursement expenses paid through payroll. Examples include Uniform Allowance, Tool Reimbursement, and Mileage Reimbursement. Injured: Regular or Retro Injured Earnings. Detail: Paid Detail earnings; Education Incentive: Renamed to be Education Incentive Earnings for CY2015; Includes Quinn, Edu Earns...Police Uniform EE only

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