Internal Affairs Investigation
19-IA-0005
[redacted] Statement

Larry Doherty: The following will be recorded interview conducted by Lieutenant Shawn Murphy of the Professional Standards Unit and myself, Sergeant Larry Doherty of the Internal Affairs Bureau. Lieutenant, could you say and spell your name?

Lieutenant Murphy: Sure, Shawn Murphy, S-H-A-W-N M-U-R-P-H-Y.

Larry Doherty: And mine's Doherty, D-O-H-E-R-T-Y, and present with us is [redacted]. [redacted], for the record, could you say and spell your name?

[redacted]

Larry Doherty: Thank you. Um, the date is May 14, 2019. Time now by my watch is 1158 hours. We are presently in one of the conference rooms at the sheriff's office. This is in regards to Internal Investigation 19-IA-0005. [redacted], is it all, all right if I call you [redacted]?

[redacted]: Yes.

Larry Doherty: Please call me Larry. Um, as I said before we went on tape, you're just a witness in this matter and so, you understand that we're designees of the sheriff?

[redacted]: Yes.

Larry Doherty: Do, do you know what that means?

[redacted]: No.

Larry Doherty: It's, it's an IA thing.

[redacted]: **** sheriff's office ****.

Larry Doherty: Um, I'm just gonna ask, order you to, um, answer all questions honestly and truthfully.

[redacted]: Okay.

Larry Doherty: How long you been at the sheriff's office now?

[redacted]

Larry Doherty: Oh, time flies.

[redacted]: Crazy, huh?

Larry Doherty: Congrats.

[redacted]: [redacted].

Larry Doherty: Wow, has it really already?

[redacted]: It's flyin' by.

Larry Doherty: You gotta be kidding me.

[redacted]: I can't believe it. [redacted]

Larry Doherty: Wow. What, um, shift are you on now?

[redacted]: [redacted].

Larry Doherty: Okay, um, what [redacted]?

[redacted]

Larry Doherty: [redacted], okay. Um, specialties?

[redacted].

Larry Doherty: Okay, and, and I know some, there's some distinction between the instructor and a **** recruit.

[redacted]: Alternate.

Larry Doherty: Alternate.

[redacted]: Yeah.

Larry Doherty: Okay, so you're an [redacted]?

[redacted]

Larry Doherty: Oh, you're an alternate, okay. Um, and I guess the only difference is going to school and not being on assigned somethin' somebody off for breaking, charting or whatever?

[redacted]: Yeah, I don't have the ability to actually do one on one instruction.

Larry Doherty: Okay.

[redacted]:

Larry Doherty: Okay, so that's the difference?

[redacted]: That's I think mainly the difference, and my –

Larry Doherty: And to –

[redacted]: –

Larry Doherty: Okay, all right, and I understand during a training day that there are a limited number of alternates, as opposed to instructors?

[redacted]: Yeah, I believe recently they changed it to only – there's a different sign up to where a certain amount of instructors could sign up and then a certain amount of alternates, and I believe it's only two alternates that can sign up at a time.

Larry Doherty: Okay, and you've been doing it since what? What'd you say, November?

[redacted]:

Larry Doherty: Okay. All right, so going back to when you signed up, November and October, how many times, and [redacted], I just want you to give me a rough number. I don't want you to try to come up with an exact number 'cause I know we can't do that. How many times do you think since October, November have you instructed at EVOC? You see – that's why I said rough.

[redacted]: Yeah, um, I would say anywhere between eight and ten.

Larry Doherty: Okay.

[redacted]: Somewhere around there.

Larry Doherty: So maybe once a month.

[redacted]: Yeah, probably about once a month.

Larry Doherty: Okay, 'cause you go to a lot of other trainings with – you got [redacted]

[redacted]: Yeah, I, I do a lot of ****.

Larry Doherty: Okay.

[redacted]: Uh, overtime trainings.

Larry Doherty: So, let's just say once a month, and during that once a month, so let's say that's, let's say it's eight, eight times. How many times do you think you worked with – you got three super sergeants in this unit, uh, sergeants, [redacted] and/of Berges, B-E-R-G-E-S. Um, how many times do you think you might've worked with [redacted] when, in that time if you re, can recall?

[redacted]: That's hard 'cause he's also my use of force instructor sergeant, so –

Larry Doherty: Oh, okay.

[redacted]: Uh, stuff gets ****, but I would say probably two times.

Larry Doherty: Okay.

[redacted]: Maybe three times.

Larry Doherty: How 'bout [redacted]?

[redacted]: Uh, probably four or five. He's, I think he's generally out there a little bit more.

Larry Doherty: Okay, and how 'bout, uh, Berges?

[redacted]: Probably similar to [redacted], four or five times.

Larry Doherty: Okay, okay. Now, you guys are out there for 8 hours and you say, you know, usually you're, you're the go to guy to go get all this stuff set up or, and/or tag along with instructors. Um, the supervisor, what does he usually do out there?

[redacted]: It depends. Uh, he's either in the room gettin' ready for the PowerPoint or he's assisting with cone set up or, uh, talkin' to the other students, I guess, gettin' **** prepped for the day or standing by with – and all the supervisors are different, so, uh, or standing by with the other instructor talkin' to the course while I'm out settin' stuff up.

Larry Doherty: Okay. What I want you to do, in those four or five times when you were with, uh, Sergeant Berges, I want you to think back in the times that you were with him, over the course of that 8-hour day, um, have you – how many times you think you heard him use the word gay?

[redacted]: Hmm, uh, and I gotta think.

Larry Doherty: I know, I know.

[redacted]: ****.

Larry Doherty: It's not somethin' you would've wrote down in your logbook.

[redacted]: No, I'm not really a keepin' track of what people say kinda guy, but, um, I can't recall any specific incidents where he said it.

Larry Doherty: Okay.

[redacted]: But at the same time, I can't tell you that he hasn't said it.

Larry Doherty: Okay.

[redacted]: So, I guess my answer would be I can envision him sayin' that word –

Larry Doherty: Okay.

[redacted]: – but I can't envision him with context or how many times he would've said it.

Larry Doherty: Okay, how 'bout the word gay? Did I say gay already?

[redacted]: Yeah. You said it.

Larry Doherty: How 'bout fag?

[redacted]: And that would probably be my same answer for –

Larry Doherty: Okay.

[redacted]: – gay. It's just one of those things that –

Larry Doherty: Now –

[redacted]: – it doesn't stick out.

Larry Doherty: – are you aware there is, um, an instructor who's homosexual?

[redacted]: Yes.

Larry Doherty: Okay.

[redacted]: **** yes.

Larry Doherty: So, under those circumstances, if you're thinking that that individual is out there, when Sergeant Berges might have used the word gay and/or fag, do you think that would've stuck in your craw, like uh oh, I shouldn't have said that?

[redacted]: Like if he had said it around that specific person?

Larry Doherty: Yeah.

[redacted]: Yeah, that would've stuck in my ****.

Larry Doherty: Okay, so then thinking of that hypothetical situation, can you think of when that ever might have occurred that you went uh oh?

[redacted]: I don't think I've witnessed that in the uh oh. I think if you were to say –

Larry Doherty: Okay.

[redacted]: – gay or fag and ****.

Larry Doherty: It might happen.

[redacted]: In this interview –

Larry Doherty: Yeah.

[redacted]: – it would've been directed at me or in that context.

Larry Doherty: Okay, but, and again, it's, um, it wasn't a derogatory term. It was just verbiage?

[redacted]: That's how I would describe it.

Larry Doherty: However, if he would've said that to [redacted], it could've been conceived as being derogatory, that's why I'm askin'. Do you think that would've stuck in your craw?

[redacted]: That would've stuck in my head and I –

Larry Doherty: Okay.

[redacted]: It probably would've pissed me off.

Larry Doherty: Okay, um, were you aware that Sergeant Berges was [redacted]?

[redacted]: I heard rumblings about [redacted] –

Larry Doherty: Okay.

[redacted]: – know any specifics.

Larry Doherty: Okay, how 'bout [redacted]?

[redacted]: I've heard rumblings about that.

Larry Doherty: Okay.

[redacted]: Yeah.

Larry Doherty: Um, when you've been out there, uh, how many times do you think you've heard Sergeant Berges refer to Captain [redacted], then Lieutenant [redacted], as a porch monkey?

[redacted]: I've never heard that.

Larry Doherty: Okay.

[redacted]: And that's the same instance with referrin' to that specific subject on that matter, I would be pissed off about it.

Larry Doherty: Okay. I, I mean have you ever heard him say that word?

[redacted]: No.

Larry Doherty: Okay, so it's kind of a weird word.

[redacted]: That's a word that would stick out.

Larry Doherty: And how 'bout if – has he ever referred to him as a, a nigger?

[redacted]: No.

Larry Doherty: Okay, and that's another one that would stick out, um, specifically? It's not s, uh, a word that we commonly use. Um, any other questions?

Lieutenant Murphy: I got nothin'.

Larry Doherty: Okay, is there anything else that you can think of that you might think's important in regards to now that you know what we're asking?

[redacted]: Yeah, um, no, I mean in reference to him and twhat you asked, I can't think of other stuff. Um, you know, he makes, it's Berges. We all know Berges, so he makes jokes and stuff, but, uh, nothing I've seen that's directed at someone –

Larry Doherty: Specific.

[redacted]: – specifically for the purposes of, you know, discriminating against them.

Larry Doherty: Okay.

[redacted]: ****.

Larry Doherty: I'm gonna go ahead and end this interview. The time by my watch is 1206 hours.

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