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

Larry Doherty: The following will be a recorded interview conducted by Lieutenant Sean Murphy of the Professional Standards yet, Unit. Um, Lieutenant, for the record, could you say and spell your name?

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

Larry Doherty: And myself, Sergeant Larry Doherty of the Internal Affairs Bureau, 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] [redacted].

Larry Doherty: Is it all right if I call you [redacted]?

[redacted]: Yeah.

Larry Doherty: Please, please call me Larry.

[redacted]: All right.

Larry Doherty: Um, the day is May 15, 2019. Time now by my watch is 0959 hours. We're presently in one of the conference rooms at the sheriff's office. This is in regards to an internal investigation, 19-IA-0005. Do you understand that we're both designees of the sheriff?

[redacted]: Yes.

Larry Doherty: Okay. And so you're here as I told you earlier as a witness. Um, so I'm gonna ask/order you to answer all questions honestly and truthfully. You understand that?

[redacted]: Yes.

Larry Doherty: How long you been here now?

[redacted]: [redacted]

Larry Doherty: Two years? Welcome. How long, uh, did you work ****?

[redacted] [redacted]

Larry Doherty: Oh, in actually the [redacted]

[redacted]: Yeah, City of –

Larry Doherty: Oh, okay. I thought you worked for [redacted].

[redacted]: Yeah, um, [redacted]

Larry Doherty: Um, current assignment?

[redacted]: [redacted]

Larry Doherty: Okay. Everybody's gotta do it.

[redacted]: Eh, it's a, it's kind of a welcome vacation.

Larry Doherty: Yeah, I know. You know what, it's actually a great learning ground.

[redacted]: Yeah.

Larry Doherty: 'Cause you're gonna see things up there, you know. Guys are gonna make mistakes see proper ways to, uh, handle –

[redacted]: Mm hmm.

Larry Doherty: – yourself. It's actually a great learning ground, I think. Um, when you were up in [redacted], did you have any specialties?

[redacted]. Um, feel like I'm missing something, but I think that's about it.

Larry Doherty: Okay. Um, your [redacted] here now, do you have any specialties?

[redacted]. Uh, and that's it.

Larry Doherty: Well done. That's awesome. Uh, what I really wanna do is focus on your time as an EVOC instructor. Okay. And I know that thing went from back to November, okay. Let's, I wanna focus a little bit more, um, like, from January 'til now.

[redacted]: Okay.

Larry Doherty: Okay? So roughly, roughly since January to now, how many times do you think you've actually instructed out at the track?

[redacted]: From January until now, um, I'd have to look at my phone to be sure, but I'd probably say, um –

Larry Doherty: Roughly.

[redacted]: – probably done ten, maybe.

Larry Doherty: Ten times?

[redacted]: Yeah, something like that.

Larry Doherty: So roughly ten times. So, divided by 5, maybe twice a month?

[redacted]: Yeah, that sounds about right.

Larry Doherty: Okay, so in that ten times, you guys have three supervisors. One's [redacted], one is [redacted] and the other one is Dave Berges B-E-R-G-E-S. You have three supervisors. In that time that you were out there instructing, do you recall ever instructing with Sergeant [redacted]?

[redacted]: Um, I have been out there instructing with, uh, Sergeant [redacted]. I don't recall if that was from January until now though.

Larry Doherty: So it might have been –

[redacted]: Yeah.

Larry Doherty: – in the past?

[redacted]: Yeah.

Larry Doherty: Okay. How about with, uh [redacted]?

[redacted]: Uh, same thing. I know I've been out there with [redacted], I don't know if it fell in between January and now, but I have been out there with him.

Larry Doherty: So then you'd say the majority of the time you've been out there, since January has been with Sergeant Berges?

[redacted]: Correct.

Larry Doherty: Okay, and then, I understand there's an alternate. [redacted]

[redacted]

Larry Doherty: Okay. And so that's usually 8 hours, um, based upon your schedule, is that how you pick where you go?

[redacted]: Um –

Larry Doherty: [redacted]

[redacted]: –



Larry Doherty: Oh.

[redacted]: – um –

Larry Doherty: Even after you've signed up? They can bump you off?

[redacted]: Yeah it's only happened like one time –

Larry Doherty: Oh –

[redacted]: – but, um, it's not a, not a normal thing.

Larry Doherty: When did you go [redacted]?

[redacted]: Uh, shift bid so, mid August.

Larry Doherty: Okay, so you've been [redacted] since that time?

[redacted]: Yeah.

Larry Doherty: So you get, I've, you almost get stuck just doing Saturdays then?

[redacted]: Uh, not necessarily, um, usually [redacted] 'cause [redacted] I can usually find, uh, like [redacted] would usually fill in for me or, I, I can find coverage [redacted] pretty easily usually on [redacted].

Larry Doherty: [redacted]?

[redacted]: Yeah, that's typically, uh, what I teach is [redacted]. Every once in awhile a [redacted] if I can find somebody to cover it, but that's fairly rare.

Larry Doherty: All right during that time, so we're going like from January 'til now, and you've been out there ten times, and for the most part it is with, uh, Dave Berges,

um, when you guys do this, what would your role be when you're out there, [redacted]

[redacted]: Um, getting out there, uh, setting up cones, maintenance on the cars, um, I mean we also have to kinda take care of the grounds too so we've got water pumps for our water tank, uh, generators, um, you know, weed eaters, mowers stuff like that, that we've gotta keep running, um, get the cars moving, see which one's gotta go back and forth to fleet, um, get the Powerpoint going, maybe do the Powerpoint, um, and then , uh, getting in the cars, instructing with the guys, going through the slow speed, accident avoidance, um, you know, sometimes we're, we all kinda rotate around being in the car, uh, doing dispatch, being an interference vehicle, uh, and then evaluating, um, you know how each guys does and, um, I guess that's about it.

Larry Doherty: And, and, for the most part what does the sergeant do, just oversee?

[redacted]: Uh, oversees and then they, they rotate in and out too, they'll, um, uh, especially when we do like high speed, they'll jump in a car and be a rabbit car, um, do dispatch, interference call, they just kinda jump in the mix and, and, uh, yeah and just kinda rotate through with the rest of the instructors.

Larry Doherty: When you're out there, uh, with Sergeant Berges, how many times do you think if, if you can recall, how many times do you think he's used the word fag?

[redacted]: I don't think I've ever heard him say fag?

Larry Doherty: How about gay?

[redacted]: I don't recall him saying that either.

Larry Doherty: This is just a common word then?

[redacted]: No, I, I, I think I would probably –

Larry Doherty: Are you aware that there's –

[redacted]: – remember hearing something like that?

Larry Doherty: – are you aware there's an instructor on your team that is homosexual?

[redacted]: Yeah.

Larry Doherty: Okay. Um, in your time out there, when [redacted] been there, have you ever heard, uh, Dave say like "oh that's gay", when [redacted] around?

[redacted]: No.

Larry Doherty: Or how about, "oh don't be a fag" when [redacted] around?

[redacted]: No.

Larry Doherty: And if he had done that in front of you, um, would that be one of those things that kinda, you know, some of them go, oh, you probably shouldn't have said that Dave?

[redacted]: Oh yeah.

Larry Doherty: Okay. I'm just trying to distinguish what, 'cause, I mean that's a word that's commonly heard, I just wanna make sure that you've have a trigger in your stomach or something that would have said "ooh, probably shouldn't have said that".

[redacted]: Oh yeah, that would –

Larry Doherty: So you don't recall that?

[redacted]: No, that would have definitely made me uncomfortable and I would have, it would have been something that would have kinda set off an alarm in my head of, you know, yeah –

Larry Doherty: Um, were you aware that Dave was [redacted]?

[redacted]: No I was not.

Larry Doherty: Okay, have you ever heard him talk disparagingly about management, admin?

[redacted]: Mm, just, I mean the, the common frustrations, but nothing, nothing overtly specific or anything –

Larry Doherty: So you weren't aware he was [redacted]?

[redacted]: No.

Larry Doherty: Have you ever heard him talk about Lieutenant and/or Captain [redacted]?

[redacted]: No.

Larry Doherty: Have you ever heard the word, words "porch monkey"?

[redacted]: No.

Larry Doherty: Okay. You've never heard Dave say that?

[redacted]: I've never heard Dave say that no.

Larry Doherty: Okay. Um, lieutenant?

Shawn Murphy: I have nothing.

Larry Doherty: Okay. So now you see what the line of question was –

[redacted]: Mm hmm.

Larry Doherty: – is there anything in regards to what Dave might have said that you think is something that we should address?

[redacted]: I mean I can't think of anything that he had said, you know, while I was out there that ever, like shocked me or, you know, set off an alarm, like, oh many this is not good, so –

Larry Doherty: Okay.

[redacted]: – yeah, I've got nothing.

Larry Doherty: All right. I'm gonna go ahead and stop this interview, the time now by my watch is 1008 hours. Thank you.

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