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

Sergeant Larry Doherty: The following will be a recorded interview conducted by Lieutenant Shawn Murphy and for the record Lieutenant Murphy, could you spell and say your last name?

Lieutenant Shawn Murphy: Sure, M-U-R-P-H-Y, Murphy.

Sergeant Larry Doherty: And your first name is –

Lieutenant Shawn Murphy Shawn, S-H-A-W-N.

Sergeant Larry Doherty: And is it all right if I call you Shawn?

Lieutenant Shawn Murphy: Yes.

Sergeant Larry Doherty: Okay, thank you. And, also by Sergeant Larry Doherty, and then also in the room is [redacted], could you, um, [redacted] could you say and spell your last name, both names?

[redacted]: Sure, it's [redacted], last name is spelled [redacted], first name [redacted].

Sergeant Larry Doherty: And please call me [redacted]?

[redacted]: That's great.

Sergeant Larry Doherty: Please.

[redacted]: Thank you.

Sergeant Larry Doherty: Okay, please call me Larry. How long you been here now?

[redacted]: [redacted].

Sergeant Larry Doherty: [redacted], prior?

[redacted]: Uh, [redacted] with the Sonoma County Sheriff's Office, [redacted].

Sergeant Larry Doherty: Oh good.

[redacted]: [redacted].

Sergeant Larry Doherty: Oh congrats, so you're well over 20 and current assignment?

[redacted]: Uh, current assignment is, uh, [redacted].

Sergeant Larry Doherty: And how long you been doing that?

[redacted]: [redacted] –

Sergeant Larry Doherty: OK, well done. Specialties?

[redacted]: Uh, I have [redacted] um –

Sergeant Larry Doherty: Which stands for?

[redacted] [redacted]

Sergeant Larry Doherty: C stands for? –

[redacted]: –Course.

Sergeant Larry Doherty: Perfect.

[redacted]: I believe.

Sergeant Larry Doherty: I don't know what it is.

[redacted]: I should know that, uh –

Sergeant Larry Doherty: **** have to type that, now she knows what EVOC stands for –

[redacted]: [redacted]

Sergeant Larry Doherty: You don't have to –

[redacted]: – **** bit.

Sergeant Larry Doherty: You only have to know the first three letters. So it's E-V-O-C? Uh, EVOC, anything else?

[redacted]: Uh, no.

Sergeant Larry Doherty: ****.

[redacted]: [redacted] –

Sergeant Larry Doherty: Oh, congratulations –

[redacted]: –[redacted].–

Sergeant Larry Doherty: Wow. A little bit overtime during the summer?

[redacted]: Little bit.

Sergeant Larry Doherty: Yeah. All right. Uh, the reason we're here today is in regards to an investigation that, um, Shawn's been asked to look into and we wanna ask you some questions, and before doing so I just want you to know, um, this is being done by the Internal Affairs Bureau, of the Sonoma County Sheriff's Office. We're currently in the sheriff's office in a, a conference room and that you are a witness. You understand that?

[redacted]: I do.

Sergeant Larry Doherty: Okay. And so because you're a witness, I'm gonna ask you and tell you that I want you to answer all questions honestly and truthfully.

[redacted]: Yes.

Sergeant Larry Doherty: Okay. And, and truly what I'm gonna be doing is focusing on your, your time as an EVOC instructor. How long have you been doing that now?

[redacted]: Uh, approximately 6 months.

Sergeant Larry Doherty: 6 months? And what'd you say earlier, you're a alternate?

[redacted]: Yes.

Sergeant Larry Doherty: Okay. And what, what does that entail?

[redacted]: So assisting the full-time, um, EVOC instructors, so setting up cones, um, assisting with, uh, chaser calls or interference cars with the pursuit, um, tactical portion of the testing, um, um, basically just being, uh, an extra hand to, to the full-time instructors.

Sergeant Larry Doherty: Okay, so are you there, okay so let's say they do it two, three times a month, or maybe once a month, are you there every time there's a class?

[redacted]: No, I'm not.

Sergeant Larry Doherty: Okay. Okay.

[redacted]: I'm not, and so, um, it's depending on what schedule I have, so, um, I, I'm [redacted], so if there's a Saturday opening, I will, you know, maybe sometimes sign up for a Saturday if I don't have anything –

Sergeant Larry Doherty: Gotcha –

[redacted]: – in my personal life, or a Monday.

Sergeant Larry Doherty: Okay.

[redacted]: Um, most, most of the days are Fridays, um, which conflicts with my, uh, personnel schedule.

Sergeant Larry Doherty: Gotcha.

[redacted]: So, um, I would say in total over the last 6 months I've maybe worked eight to ten shifts –

Sergeant Larry Doherty: Okay.

[redacted]: – I would say.

Sergeant Larry Doherty: Um, who's the sergeant in charge?

[redacted]: There's three sergeants in charge of EVOC, uh, uh, Sergeant [redacted], uh, Sergeant [redacted] and Sergeant Dave Burges.

Sergeant Larry Doherty: And, I understand there's a ton of EVOC instructors?

[redacted]: Um, there's, there's a few, there's –

Sergeant Larry Doherty: And when you say a few, is that a dozen, two dozen?

[redacted]: Uh –

Sergeant Larry Doherty: Six?

[redacted]: I would say there's probably 12 or 13 –

Sergeant Larry Doherty: Okay.

[redacted]: – um, generally there's about seven working, um, depending on schedules and what not, I know especially like on Fridays and Saturdays, the DVSA EVOC instructors are subject to call out so, um, sometimes they have to leave and, uh, but you need at least six to run the pursuit portion of the, the testing so, um, –

Sergeant Larry Doherty: Despite how many students there are?

[redacted]: Yeah.

Sergeant Larry Doherty: Okay. You need at least six. Okay. So, and how many times do you think you've done it in the last 6 months? Eight to ten you said?

[redacted]: I'd say ten times.

Sergeant Larry Doherty: Okay. And then because that's eight to ten times at different dates, is it always consistent or inconsistent, the number, who's actually out there providing the exams and other tests?

[redacted]: Yeah, I mean if, if it's a Monday shift, it's gonna be usually [redacted]. 'cause he's off on that side of the week, uh, if it's uh, Friday or Saturday, uh, usually it's gonna be either [redacted] or Berges, uh, –

Sergeant Larry Doherty: Okay.

[redacted] – um, because they have a Monday through **** so it really depends on what, where the training's, uh, landing on.

Sergeant Larry Doherty: Okay. And then I'm gonna spell their names for you [redacted], um, Dave Berges, B-U-R-G-E-S and the other one was [redacted]

[redacted]: Yeah.

Sergeant Larry Doherty: Um, so eight to ten times. Now, because it's eight to ten times, I guess, is there always a sergeant present?

[redacted]: Um, generally yes.

Sergeant Larry Doherty: Okay, when you're saying generally, you're there ten times, I mean is there a sergeant there –

[redacted]: I think there was one time when, uh, Berges got called away for something –

Sergeant Larry Doherty: Okay.

[redacted]: – um, but I would say generally, uh, there's a sergeant there every time.

Sergeant Larry Doherty: Does the sergeant actually take part in the training or is he supervising?

[redacted]: He takes part in it.

Sergeant Larry Doherty: Okay, so he actually takes an active part in the training? So is he out there, um, driving a car along with –

[redacted]: Um, sometimes driving a car, sometimes providing instruction to ****, it depends on the day and –

Sergeant Larry Doherty: If I recall it's like 2 hours of classroom time and –

[redacted]: Yeah.

Sergeant Larry Doherty: – and then it's 2 hours of that parking stuff –

[redacted]: Slow speed and then, uh, you know you have a, a –

Sergeant Larry Doherty: The afternoon –

[redacted]: – 70, 75 decel, or excuse me 65 decel **** –

Sergeant Larry Doherty: What does decel mean?

[redacted]: Uh, when it's, it's designed to kind of replicate the Todd Road off ramps **** –

Sergeant Larry Doherty: Oh decelerate –

[redacted]: – **** navigate –

Sergeant Larry Doherty: You're talking about decelerating –

[redacted]: – yeah, so, you're supposed to navigate a, a right-hand turn, um, **** and not, uh, you know, leave the track, that's the whole –

Sergeant Larry Doherty: Oh then you've got the lights –

[redacted]: Um, you've got that –

Sergeant Larry Doherty: – the green, red, then you've got the pursuit –

[redacted]: Mm hmm.

Sergeant Larry Doherty: Okay. And then, um, so everybody's kinda spread out, but there are breaks in between?

[redacted]: There are –

Sergeant Larry Doherty: On occasion and then you guys sit, everybody gets to sit around and take a 10-minute pause?

[redacted]: Mm hmm.

Sergeant Larry Doherty: And they actually have a lunch break too.

[redacted]: Yes,–

Sergeant Larry Doherty: Yes. For the most part If you're not actually out there driving.

[redacted]: Um –

Sergeant Larry Doherty: In those eight to ten times, um, have you ever been there with Sergeant [redacted]?

[redacted]: Yes.

Sergeant Larry Doherty: How many times do you think? Rough –

[redacted]: Two times.

Sergeant Larry Doherty: Two times?

[redacted]: Three times.

Sergeant Larry Doherty: Two, three?

[redacted]: Yeah.

Sergeant Larry Doherty: Um, [redacted]?

[redacted]: Three to four times maybe?

Sergeant Larry Doherty: And then how about, uh, Berges?

[redacted]: Uh, maybe three or four times –

Sergeant Larry Doherty: **** –

[redacted]: **** –

Sergeant Larry Doherty: No, no, no, I know that, I'm not gonna ask you to try to recall your calendar off the top of your head, um, okay. What I want you to do is focus on those times that, uh, Sergeant Berges is out there and we, we've received information that there might have been some comments made which, of course lead to being inappropriate once why we're asked to do this investigation. So, in those times that you've been out there with Sergeant Berges, um, have you ever heard and what I'm talking about inappropriate comment, I'm just talking about anything that might be deemed under the harassment policy that we have, okay? So I'm talking about sex, race, creed, you know what I talking aobut, um, it's a policy that we're supposed to review once a year –

[redacted]: Mm hmm.

Sergeant Larry Doherty: – um, so some of the comments that we've heard and made, I wanna ask are you familiar with any times where you like went "oh my gosh, I can't believe he said that" or, are there any circumstances in regards to that, regards to Sergeant Berges that you can think of?

[redacted]: So specifically, um, regarding the County harassment policy?

Sergeant Larry Doherty: Yes.

[redacted]: No.

Sergeant Larry Doherty: Okay. So, um, have you ever heard him refer to women as a lesbo?

[redacted]: No.

Sergeant Larry Doherty: No? Have you ever heard him refer to, um, anybody as being gay?

[redacted]: No.

Sergeant Larry Doherty: Fag?

[redacted]: No.

Sergeant Larry Doherty: Um, negro? Nigger? You're shaking your head no –

[redacted]: No.

Sergeant Larry Doherty: – this doesn't have eyes dude –

[redacted]: No.

Sergeant Larry Doherty: It's all right. Um, how about Essick's Dog?

[redacted]: Essick's Dog?

Sergeant Larry Doherty: Yeah. Have you ever heard him refer to any other employee within the **** Essick's Dog?

[redacted]: No.

Sergeant Larry Doherty: Essick's porch monkey?

[redacted]: No.

Sergeant Larry Doherty: None? Has, have you ever heard Dave even say anything inappropriate?

[redacted]: Yes.

Sergeant Larry Doherty: Okay. And, I'm not talking about swear words, okay, 'cause, um, we all swear and, inappropriate in regards to that policy and what would that be?

[redacted]: [redacted]

Sergeant Larry Doherty: Okay.

[redacted]: – [redacted], uh, I think everybody in this room knows that Dave, you know, and as well as I, we call can be inappropriate at times, I don't know that there's anything that rose to the level of the county harassment policy –

Sergeant Larry Doherty: Okay.

[redacted]: – um, I would say he sometimes says inappropriate things, um, I didn't hear anything inappropriate out there, but, you know –

Sergeant Larry Doherty: So are you generalizing it over the past 14 years?

[redacted]: Yes.

Sergeant Larry Doherty: Okay. Then I wanna be specific, if I use that verbiage and there's somebody that is a party there that could be offended.

[redacted]: Yeah –

Sergeant Larry Doherty: Does that help?

[redacted]: If, if you're talking specifically about March 30 or any time that I've worked with Dave Burges out of EVOC no, I didn't hear anything **** –

Sergeant Larry Doherty: What's March 30th, is that the last time you worked with him?

[redacted]: Yeah ****.

Sergeant Larry Doherty: ****.

[redacted]: Yeah.

Sergeant Larry Doherty: Okay. Um, so when you say things that are inappropriate, are you using a generalization over 14 years –

[redacted]: Mm hmm.

Sergeant Larry Doherty: – not spec to EVOC? Because guys will sit around at times and make comments in, in front of other guys that they're comfortable with –

[redacted]: Mm hmm.

Sergeant Larry Doherty: – and, um, we've heard that he's made some comments specifically that would be in violation and you're saying that you specifically do not recall one?

[redacted]: I don't.

Sergeant Larry Doherty: Okay. Um, Shawn, you got questions?

Lieutenant Shawn Murphy: I do not.

Sergeant Larry Doherty: Okay. I'm gonna go ahead and end this interview. The time now by my watch is 1258 hours. Thank you.

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