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

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

Lieutenant Murphy: Uh, 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, Doherty, D-O-H-E-R-T-Y. Present also in the room is [redacted]. [redacted], for the record, could you say and spell your name?

[redacted]: [redacted]

Larry Doherty: And [redacted], is it all right if I call you [redacted]?

[redacted]: Yes.

Larry Doherty: And please call me Larry.

[redacted]: All right.

Larry Doherty: Um, the date is May 14th, 2019. The time now, by my watch, is 1041 hours. We are presently in one of the conference rooms at the sheriff's office. This is in regards to an Internal Investigation 19-IA-0005. And again, like we discussed beforehand, do you understand that you are just a witness?

[redacted]: Yes.

Larry Doherty: And, and, um, do you understand we're designees of the sheriff?

[redacted]: Yes.

Larry Doherty: Okay. And then I want you to understand that I'm gonna ask you, or he is, to answer all questions honestly and truthfully.

[redacted]: Yes.

Larry Doherty: Okay. How long have you been here now?

[redacted]: Um, in total or on patrol?

Larry Doherty: Yeah, in total.

[redacted] [redacted].

Larry Doherty: No, no, no. How many years? Don't, don't make me do the math, dude.

[redacted]

Larry Doherty: [redacted]

[redacted]

Larry Doherty: [redacted]. Wow. Did you have prior before that? Did you go –

[redacted]: Uh, –

Larry Doherty: – work somewhere else?

[redacted].

Larry Doherty: Oh, okay. Another year, it's gonna, you know, you'll notice it in your pay when you retire.

Lieutenant Murphy: Mm hmm.

Larry Doherty: It'll make a difference. Was, was it PERs?

[redacted]:

Larry Doherty: Oh, right. Right, right.

[redacted]: **** work ****.

Lieutenant Murphy: They scooted around that, yeah.

[redacted]: ****.

Larry Doherty: Was it assignment?

[redacted]:

Larry Doherty: How long you been there?

[redacted]:

Larry Doherty: Write down [redacted], extra patrol. And one other one.

[redacted]: I ****.

Larry Doherty: Um, specialties?

[redacted]: [redacted]

Larry Doherty: Well done.

[redacted]: ****.

Larry Doherty: Um, what shift do you work right now?

[redacted]: ****.

Larry Doherty: What's your days off?

[redacted]: [redacted]

Larry Doherty: Um, as you deduced from the notice, this is in regards to EVOC that we need to talk to you. And so roughly, [redacted] in the last 6 months, how much do you think you worked out at the track?

[redacted]: Um, I, I don't know. There was, in the last 6 months, not that much.

Larry Doherty: What's that?

[redacted]: Probably not that much.

Larry Doherty: Okay.

[redacted]: I was movin' back in my house the last few months, I'd been kind of puttin' it off and not sign up. And we recently picked up some more guys, so I've been lettin' them carry the load.

Larry Doherty: But I mean, like last summer, –

[redacted]: Okay, ****.

Larry Doherty: So let's say from back from November until now, when you say not that much, is that one, is that five, is it ten?

[redacted]: Well, maybe, like, between one and five.

Larry Doherty: One and five? Okay. Um,

[redacted]: ****. I know.

Larry Doherty: Can you remember back that far?

[redacted]: No, I can't, –

[redacted] – I can't remember what I ate for breakfast.

Larry Doherty: Yeah. Um, thinkin' back to that one to five times, you have three sergeants out there, [redacted], you got [redacted]

[redacted]: ****.

Larry Doherty: – and, and Berges, B-E-R-G-E-S. Okay? Um, in that time, in one to five times, how many times do you think you actually worked with Sergean [redacted]?

[redacted]: In the last 6 months?

Larry Doherty: Yeah.

[redacted]: Um, –

Larry Doherty: Or do you even remember workin' with him?

[redacted]: A couple times.

Larry Doherty: A couple?

[redacted]: Yeah. No, I've seen him out there. I don't, I, the timeframe is hard for me.

Larry Doherty: No, I, I totally understand that. Um, [redacted]?

[redacted]: He's up there a lot.

Larry Doherty: And then how 'bout –

[redacted]: But since he promoted, I don't know how many months ago that was, he's, he now works the other side of the week, which sometimes I do.

Larry Doherty: Okay.

[redacted]: He's, he use to be out there a lot.

Larry Doherty: How 'bout Berges?

[redacted]: He's out there a lot, too.

Larry Doherty: Okay. And when you're sayin' a lot, is that, like, for [redacted] or [redacted] or him, is that the majority, or do they, are there, are they there at the same time? I'm under the impression there's only gonna be one of 'em out there as a supervisor. Am I wrong? Can sometimes there be two sup, uh, sergeants?

[redacted]: Uh, yeah, there's been more than one sergeant out there before.

Larry Doherty: Oh, okay, okay.

[redacted]: Yeah.

Larry Doherty: I don't know how it works. That's the only reason I'm askin' is –

[redacted]: Yeah, and that's, they, I think they were gonna change it, but they didn't, or something happened –

Larry Doherty: Okay.

[redacted]: – about somewhere back in, months ago.

Larry Doherty: Okay.

[redacted]: But I don't, **** and it didn't affect me, so –

Larry Doherty: Okay. What I want, want you to do, what's your role when you go out there, um, ****?

[redacted]: Um, uh, set up the track, I usually try to be the first one out there, um, so I can get everything opened up, get the track, start, start to set up the track. Um, the **** comes out. And then the days, the schedule's already previously laid out at this point. Everybody's been doin' it for a long, we know the schedule. So there's not much more than that, other than setup, and then instruct the courses for when people come out. Sometimes I do the classroom. Sometimes I do some of the exercises. We split it up usually, try to do, mix it up a lot.

Larry Doherty: Okay.

[redacted]: But just to change it up.

Larry Doherty: Okay. Well, I want you to think back now in this, maybe one to five times that you were out there. And I just want to focus on when Sergeant Berges was out there too. Okay? Um, have you ever heard Sergeant Berges use the word fag?

[redacted]: No, not that I remember.

Larry Doherty: Okay. Um, have you ever heard him use the word gay?

[redacted]: No, not that I remember.

Larry Doherty: Okay. Have you ever heard anybody say, ever say the word fag?

[redacted]: You're saying ever, it's too broad.

Larry Doherty: What?

[redacted]: You're saying, that's pretty broad.

Larry Doherty: I mean, at the track –

[redacted]: I don't remember anything specifically anybody saying anything like that at the track, no.

Larry Doherty: Um, so not even, uh, not necessarily using it as a derog, derogatory word, but using it just in, uh, common-day verbiage? Does that ring a bell?

[redacted]: Any, anybody?

Larry Doherty: Yeah, anybody out there at the track.

[redacted]: No, not that I can pinpoint, no, not that I can recall.

Larry Doherty: Um, since you've been out there, uh, Sergeant Berges has been under a few investigations, internal investigations. Are you aware of that?

[redacted]: No.

Larry Doherty: Okay. Have you ever heard him, uh, speak disparagingly about management –

[redacted]: No.

Larry Doherty: – in the public setting?

[redacted]: No.

Larry Doherty: Okay. Um, do you know you have somebody who is a homosexual instructor?

[redacted]: Do I –

Larry Doherty: You don't have to –

[redacted]: – know for certain? No.

Larry Doherty: I'm not askin' for certain –

[redacted]: Have I ever asked, have I ever asked somebody about their sexual or, orientation? No.

Larry Doherty: Okay.

[redacted]: Has anybody told me that they were homosexual? No.

Larry Doherty: Are you aware there, uh, potentially is one out there?

[redacted]: Potentially.

Larry Doherty: A homosexual?

[redacted]: Yeah.

Larry Doherty: Okay. Um, okay, think of this, I want you to do hypothetically now. When that gentleman's sittin' out there in a group setting, and Sergeant Berges uses the word fag, would that cause your stomach to go uh-oh?

[redacted]: Yeah, it would. I'd probably remember it.

Larry Doherty: Yeah, or the word gay.

[redacted]: Yeah, I'd probably remember it.

Larry Doherty: Okay. Um, have you ever heard him use, use the verbiage, uh, porch monkey?

[redacted]: No.

Larry Doherty: Okay. And, uh, have you ever heard him use the word nigger?

[redacted]: No.

Larry Doherty: Okay. Um, so it doesn't stand out to you them ever using the word fag and/or gay?

[redacted]: No.

Larry Doherty: Okay. Um, any questions, Lieutenant?

Lieutenant Murphy: I do not.

Larry Doherty: Okay. Is there anything that you think's important that I haven't asked, based upon what you know where my direction is now?

[redacted]: No.

Larry Doherty: Okay. Um, do you understand we're still doin' an investigation and he wrote you that, uh, little memo that says please don't talk about it?

[redacted]: Yeah.

Larry Doherty: Um, until you hear from the lieutenant again, please don't talk about it. Okay, 'cause, um, we got a few more guys to talk to. Okay? Um, I'm gonna go ahead and stop the interview. The time now, by my watch, is 1049 hours.

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