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

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

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

Sergeant Doherty: And also by myself, Sergeant Larry Doherty, and Shawn's in charge of

Lieutenant Murphy: Professional Standards.

Sergeant Doherty: And I work in Internal Affairs, and also present with us is [redacted], for the record could you say and spell your name?

[redacted]

Sergeant Doherty: Okay. Is it all right if I call you [redacted]?

[redacted]: Yes.

Sergeant Doherty: And please call me Larry.

[redacted]: Okay.

Sergeant Doherty: So I call you Shawn?

Lieutenant Murphy: Yep.

Sergeant Doherty: Thank you. Um, the date is May 1st, 2019. Time now by my watch is 1102 hours. We are presently in one of the conference rooms at the Sheriff's Office. This is in regards to a case that we've been asked to investigate, and it's, um, 19-IA-0005. [redacted] I want you to understand one thing of you've been asked to come in here, and do you understand that you're a witness?

[redacted]: Yes.

Sergeant Doherty: Okay. So even as a witness you have some obligations to the department and to us. Um, in regards to when you're asked questions, and I am going to order, um, do you understand that word designee of Sheriff?

[redacted]: Yes.

Sergeant Doherty: Okay. Means ****.

[redacted] Mm hmm.

Sergeant Doherty: Okay. Um, uh, I'm gonna ask you, but more so I'm gonna order you to answer all questions honestly and truthfully **** –

[redacted]: Yes, sir.

Sergeant Doherty: Okay? It's Larry. Um, how long have you worked here now?

[redacted]

Sergeant Doherty: [redacted]

[redacted]: Yes.

Sergeant Doherty: How many years?

[redacted]

Sergeant Doherty: [redacted]

[redacted]: Yes.

Sergeant Doherty: And so you've been over here for?

[redacted]

Sergeant Doherty: And currently your assignment is?

[redacted]

Sergeant Doherty: [redacted]

[redacted]

Sergeant Doherty: Congratulations. That's, –

[redacted]: Thank you.

Sergeant Doherty: – that's really quick. That's remarkable. Um, they must think highly of you, so that's very good. Um, so you've been doing it for [redacted]?

[redacted]: Yes.

Sergeant Doherty: And, uh, do you like it?

[redacted]: Yeah.

Sergeant Doherty: You know, I told you to answer all things honestly and truthfully, come on.

[redacted]: It's learning, a learning environment. I like it.

Sergeant Doherty: All right. In that time, um, who's the sergeant in charge of DVSA?

[redacted]: Uh, Sergeant Berges.

Sergeant Doherty: And that's spelled B-E-R-G-E-S, and, um, who are the other detectives that you work with?

[redacted]: [redacted]

Sergeant Doherty: [redacted]?

[redacted]: Yes.

Sergeant Doherty: And It's [redacted] new word, [redacted] Go ahead?

[redacted]: Uh, [redacted].

Sergeant Doherty: And [redacted]

[redacted]: [redacted].

Sergeant Doherty: [redacted] Um, did, uh, somebody else leave that unit recently?

[redacted]: Yes, uh, [redacted]

Sergeant Doherty: [redacted] And it's [redacted]

[redacted]: Yes.

Lieutenant Murphy: Yeah.

Sergeant Doherty: Okay. And, um, all right. We've received some information that, uh, you know what the se, uh, harassment policy is?

[redacted]: Not off the top of my head.

Sergeant Doherty: Not off your top of your head?

[redacted]: No.

Sergeant Doherty: Um, have you reviewed it more than once since you've been here –

[redacted]: Yes.

Sergeant Doherty: – 5 years? Okay. And I'm not gonna ask you to quote it, okay? I can't quote it.

[redacted]: Mm hmm.

Sergeant Doherty: I read it quite often.

[redacted]: Yeah.

Sergeant Doherty: Okay? Um, but there's some people who we might term that are protected class within that document, does that make sense?

[redacted]: Yes.

Sergeant Doherty: Okay. So there's s, s, you haven't been here for 5 years, there's some things we're not allowed to say.

[redacted]: Mm hmm.

Sergeant Doherty: And so our concern is that, uh, your sergeant might have been saying some comments and/or derogatory remarks that he shouldn't have said, and I'm gonna tell you that, are you aware that if you're, there is a policy violation, and you observed it that you're supposed to go tell your boss?

[redacted]: Yes.

Sergeant Doherty: Okay. And then if you're boss did it, you're supposed to tell your boss's boss.

[redacted]: Yes.

Sergeant Doherty: I'm gonna tell you right now that Shawn and I are not concerned about that.

[redacted]: Mm hmm.

Sergeant Doherty: Again, we want you to be honest and truthful about the questions about which we're about to ask you.

[redacted]: Okay.

Sergeant Doherty: Okay?

[redacted]: Yes.

Sergeant Doherty: All right. So where do you work?

[redacted]: Um, –

Sergeant Doherty: [redacted]

[redacted]: [redacted].

Sergeant Doherty: Okay. And that's off site?

[redacted]: Correct.

Sergeant Doherty: Okay. And you guys have your own office out there?

[redacted]: Yes.

Sergeant Doherty: And for the most part is it just usually you guys?

[redacted]: Yes.

Sergeant Doherty: Is, is the secretary in or out, or does she have her own –

[redacted]: She has her desk.

Sergeant Doherty: She has her desk, okay. So, I mean, is it a bullpen style or is it, does she have her own office?

[redacted]: It's like a cubicle I would say, –

Sergeant Doherty: Okay.

[redacted]: – call it.

Sergeant Doherty: I mean, like if we're talking right now, would she be able to hear us?

[redacted]: Yes.

Sergeant Doherty: Okay. But the sergeant has his own office?

[redacted]: Yes.

Sergeant Doherty: Okay. And that's, can be, the door can be closed?

[redacted]: Yes.

Sergeant Doherty: But everybody else is pretty much in the bullpen?

[redacted]: Everybody's offices are closed except the secretary's.

Sergeant Doherty: That's just, so you have your own individual office, and you got a door?

[redacted]: Yes.

Sergeant Doherty: Okay. And so the bullpen is really just a desk like this out front of everybody's office, right?

[redacted]: Yes.

Sergeant Doherty: All right. Now, I just want to make sure we're specific about this. The secretary is out in the bullpen, she doesn't have her own office?

[redacted]: Correct.

Sergeant Doherty: Okay.

[redacted]: Do you want me to describe 'cause **** –

Sergeant Doherty: You pretty much did. Everybody has their own office other than her?

[redacted]: Yeah.

Sergeant Doherty: And she's outside in the bullpen.

[redacted]: Okay.

Sergeant Doherty: Okay. I just want to be specific about comments that might have been spoken. You guys ever sit outside in that bullpen and have conversations together?

[redacted]: Yeah.

Sergeant Doherty: And to discuss cases?

[redacted]: Yeah.

Sergeant Doherty: Okay. And, uh, does that help?

[redacted]: Yeah. It kinda game plan of what you're supposed to do if anybody has questions about a case regar, just, come, it's better to have four people talk about the case and help out than just by yourself.

Sergeant Doherty: Okay. 'Cause really, your most senior guy has how many years?

[redacted]: Three maybe, 3.

Lieutenant Murphy: ****, yeah.

Sergeant Doherty: And that is, –

[redacted]: I would assume it's [redacted], –

Sergeant Doherty: Okay.

[redacted]: – one of them.

Sergeant Doherty: All right. And, um, our concern is, uh, and we're, I want to focus on harassment policies that Sergeant Berges at times, um, do you have any other specialties, like EVOC?

[redacted]: No, sir.

Sergeant Doherty: Okay. ah, Larry, um, our concern is that at times Sergeant Berges though not being directly, uh, derogatory towards a person and/or class has used verbiage which we think is inappropriate, and I'm gonna ask you specific words in regards to whether or not you've heard Sergeant Berges ever say these words. Have you ever heard him say the word fag?

[redacted]: No.

Sergeant Doherty: Fag?

[redacted]: No, never, not that I can remember.

Sergeant Doherty: How about gay?

[redacted]: No.

Sergeant Doherty: Okay. Um, recently were you aware, [redacted]?

[redacted]: I don't know.

Sergeant Doherty: You don't know that?

[redacted]: I didn't, um, unless CLS was told to me, I don't recall ****.

Sergeant Doherty: So it specifically you don't know that he was under another investigation?

[redacted]: Not that told, told me that [redacted] but I think.

Sergeant Doherty: Okay.

[redacted]: I'm not asking, I don't ask, you know, **** business. I just don't know off the top of my head.

Sergeant Doherty: Okay. Um, do you feel like your relationship with Sergeant Berges is still, uh, new?

[redacted]: Pretty new.

Sergeant Doherty: Do you think he'd be comfortable to kinda say these kindas, these kinda words in front of you?

[redacted]: I mean, I think, I think if he was comfortable, yeah.

Sergeant Doherty: Okay. And, and what do you mean you think he was comfortable?

[redacted]: I mean, uh, beside from me being new, I, I never really met him before this.

Sergeant Doherty: Okay.

[redacted]: He has a, besides EVOC, I don't think I've had him as a supervisor or anything, so –

Sergeant Doherty: Okay.

[redacted]: – I really don't **** –

Sergeant Doherty: Does he ever come out to any of your, uh, calls that you can recall?

[redacted]: Uh, like call outs?

Sergeant Doherty: Yeah.

[redacted]: Yes. He's been at call outs.

Sergeant Doherty: Okay. Um, at those call outs have you ever heard him made any kinda comment like that?

[redacted]: No.

Sergeant Doherty: Okay. Have you ever heard him, uh, refer derogatorily towards Captain [redacted]?

[redacted]: No, sir.

Sergeant Doherty: None?

[redacted]: No.

Sergeant Doherty: Okay. You just lifted your head up, and what was that?

[redacted]: 'Cause I called you sir.

Sergeant Doherty: Oh, okay. And you're gonna get in trouble for that one. So you never heard him refer to Captain [redacted] as a porch monkey?

[redacted]: No.

Sergeant Doherty: Okay. Is there anything that you think that Sergeant Berges, and I want you to think specifically about the harassment poly, –

[redacted]: Mm hmm.

Sergeant Doherty: – has used verbiage that you went oh, probably shouldn't of said that?

[redacted]: No **** something, that I would **** if I would of, you know, I prob, I probably would've told somebody.

Sergeant Doherty: Okay.

[redacted]: 'Cause but it do, I haven't heard anything that would rise to my level of, like, I need to go tell somebody yet, you know, and, and then again, I just –

Sergeant Doherty: I'm talking about your gut, your gut is, you know, an amazing trigger. Your gut will say oh, that's not right.

[redacted]: Yeah.

Sergeant Doherty: I mean, you've been here for 5 years now, you know what's right and what's not right, and you've taken the sexual harassment classes like we all have, –

[redacted]: Mm hmm.

Sergeant Doherty: – and so we're just concerned that he might be using some type of verbiage or descriptive, uh, verbiage that is not appropriate and you're saying at this time right now that nothing's ever rose to that level that's gone and upset you?

[redacted]: No.

Sergeant Doherty: Okay. Shawn?

Lieutenant Murphy: I have no questions.

Sergeant Doherty: All right. I'm gonna go ahead and stop the interview. The time now by my watch is 1111 hours.

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