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

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

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

Larry Doherty: And I am Sergeant Larry Doherty of the Internal Affairs Bureau. Present in this room is also [redacted]. [redacted], for the record, could you say and spell your name?

[redacted]: Sure. It's [redacted]

Larry Doherty: Okay. The date is, uh, May 1st, and the time now by my watch is 1128 hours. We're presently in one of the conference rooms at the Sheriff's Office. Um, this is in regards to an internal investigation 19-IA-0005. Um, [redacted], I just wanna up front tell ya that you are a witness in this matter, um, however, you understand that both Lieutenant and I are – is it all right if I call you [redacted]?

[redacted]: Yes.

Larry Doherty: Please call me Larry. Um, the Lieutenant and I are, uh, designees of the sheriff. Okay.

[redacted]: Right.

Larry Doherty: So, we want ya to answer all questions, um, honestly and truthfully.

[redacted]: 'Kay.

Larry Doherty: Okay. In fact, I'm gonna order ya to do so.

[redacted]: Mm hmm.

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

[redacted]

Larry Doherty: [redacted]

[redacted]: [redacted].

Larry Doherty: Okay.

[redacted]: I've been here for, [redacted]

Larry Doherty: [redacted]

[redacted]

Larry Doherty: Prior?

[redacted]: [redacted].

Larry Doherty: Where?

[redacted]

Larry Doherty: Oh, good for you. And then how long you been in dicks now?

[redacted]

Larry Doherty: [redacted]

[redacted] Yeah.

Larry Doherty: Oh, wow. Good for you. Wow. [redacted]?

[redacted]: Correct.

Larry Doherty: Do you have any collateral assignments other than [redacted]?

[redacted]: No, I don't.

Larry Doherty: Okay. And what I meant ****, I meant like, uh, SWAT, HMT, –

[redacted]: Right.

Larry Doherty: – ****. No, none of that. Okay, you're busy enough doin' this, right?

[redacted]: Yeah.

Larry Doherty: Um, where do you actually work?

[redacted]

Larry Doherty: [redacted]

[redacted], yeah, over on ****.

Larry Doherty: Okay. And in that environment over there, are you guys in a bullpen, or do you have offices?

[redacted]: Um, we, we each have offices. It's one large room, and then offices around the –

Larry Doherty: Okay. And there's one large room. I'll call it a bullpen, and you guys share that?

[redacted]: Yes.

Larry Doherty: Okay. So, you say we have offices, um, that means the other detectives have offices?

[redacted]: That's correct.

Larry Doherty: And how 'bout the sergeant?

[redacted]: Yes.

Larry Doherty: He has his own?

[redacted]: Mm hmm.

Larry Doherty: What about the secretary?

[redacted]: Uh, she has a cubicle.

Larry Doherty: Sh, but is she out in the bullpen then?

[redacted]: Uh, not really.

Larry Doherty: Okay.

[redacted]: Um, there's, uh, there's a dividing wall between the common area and where she is. It's, uh, you know, the old school cubicle style.

Larry Doherty: Okay.

[redacted]: It goes around her.

Larry Doherty: Okay.

[redacted]: But it, it is open. It's not a closed door office.

Larry Doherty: Well, let me ask you this then. If I was out there bullshittin' in the bullpen, would she hear it?

[redacted]: Um, would somebody hear it? Yes. Would [redacted] hear it? Who knows? Sometimes she doesn't know when we leave, so.

Larry Doherty: You're tellin' me you gotta walk right by her. Do you have to walk right by her?

[redacted]: Yeah. You walk right by her to get out the door. She's like hey, is [redacted] here? Um, no, he left 5 minutes ago right past your desk. Oh. So, but –

Larry Doherty: What's [redacted] last name?

[redacted]: – yes, it, it is open. Anybody could hear through there. What's that, say again?

Larry Doherty: What's [redacted] last name?

[redacted]

Larry Doherty: Okay.

[redacted]

Larry Doherty: Okay. Um, working together we some, sometimes get a little bit comfortable with each other, and sometimes, uh, uh, things are said that probably shouldn't be said. Now, what I wanna focus on is we have a policy here at the Sheriff's Office, and it's called the harassment policy. It's one of those three documents where we have to be, uh, we refresh ourselves on every time we get an evaluation. Um, so specifically today, we're going to be talking about a few things that we're concerned that Sergeant Dave Berges B-E-R-G-E-S might have said. Okay?

[redacted]: Okay.

Larry Doherty: Um, who else do you work with in there?

[redacted]: Uh, I currently work with, uh, [redacted] uh –

Larry Doherty: [redacted]

[redacted]: Correct. Uh, [redacted].

Larry Doherty: [redacted]

[redacted]: Yes, and, um, [redacted].

Larry Doherty: [redacted]

[redacted]: Correct. And then [redacted] is our secretary.

Larry Doherty: Okay. And [redacted] common spelling?

[redacted]: Correct.

Larry Doherty: Okay. Um, we're really concerned because we understand that Sergeant Berges, um, though he might not have done it intentionally or with any amount of, uh, disrespect to anybody, has been usin' verbiage which we would consider, uh, somewhat, uh, that might fit underneath that qualifier, uh, in regards to harassment.

[redacted]: Okay.

Larry Doherty: So, I mean I'm just gonna, do you know of any words that he mighta said? Have you ever sat there when Dave's been talkin', and Dave tends to talk, uh, and said something where you've gone, oh, that, he probably shouldn't have said that?

[redacted]: Nothing that sticks out in my mind.

Larry Doherty: Okay.

[redacted]: Um, nothing more than what we would normally con, have a conversation about during, uh, like an investigation or something afterhours, talking about the cases and things like that.

Larry Doherty: Okay.

[redacted]: Um, I mean if I'm bein' honest, I, I spend a lotta time in my office.

Larry Doherty: Okay.

[redacted]: Um, more than anything else because I have 43 cases compared to other people's 35 and less, so. I try to stay on top of that.

Larry Doherty: Oh my god, I used to complain if I got up to 10 or 11 in VCI.

Shawn Murphy: Right?

Larry Doherty: Yeah.

Shawn Murphy: Oh my gosh.

[redacted]: And every time you clear one, you get five more, so.

Larry Doherty: Sure.

Shawn Murphy: Oh my gosh.

Larry Doherty: **** it is. Um, okay. I'm gonna say some words, and I just want you to, yes or no. Um, we've heard that Sergeant Berges has on more than one occasion, um, and it could be flippant, but it doesn't matter because it's not a word that we appreciate here at the department, is he used the word fag.

[redacted]: No.

Larry Doherty: You don't recall that word?

[redacted]: No.

Larry Doherty: How 'bout gay?

[redacted]: No. I, I don't recall any of those.

Larry Doherty: Um, not regarding, how 'bout in regards to, and I wanna be specific, um, not about a case, but said something to the effect of, uh, butt fucker?

[redacted]: No.

Larry Doherty: It doesn't ring a bell?

[redacted]: No.

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

[redacted]: Yes.

Larry Doherty: Okay. And I know he was pretty upset about it, and my concern is that he used derogatory words towards somebody in admin. Um, are you aware of any time him having said something of malign towards, uh, somebody that's maybe a lieutenant or above?

[redacted]: Um, specifically like targeting somebody sayin' somethin'?

Larry Doherty: Yeah.

[redacted]: No. Um, he expressed extreme displeasure, of course. Um, but other than being grumpy, I don't recall anything that was specific –

Larry Doherty: Okay.

[redacted]: – and offensive in my mind.

Larry Doherty: Okay. Have you ever heard him use, use the word nigger?

[redacted]: Never.

Larry Doherty: Okay. Have you ever heard him refer to [redacted] as the black dude?

[redacted]: No.

Larry Doherty: Have you ever heard him refer to [redacted] as the porch monkey?

[redacted]: No.

Larry Doherty: Okay. Um, has he ever, now that you know what direction we're goin' in, –

[redacted]: Mm hmm.

Larry Doherty: – has there ever been an occasion where, based upon harassment policy, um, that you've heard Dave say something, you go oh, Dave probably shouldn't have said that?

[redacted]: Nothin' that sticks out.

Larry Doherty: 'Kay.

[redacted]: Nothin' that, uh, no. I mean I'm tryin' to think. We, we have conversations all the time, but there's nothing ever that, um, other than expressing displeasure about the fact that he has issues, um, I don't recall anything specific.

Larry Doherty: Okay. Um, and, and I wanna just now, qualify the word is, uh, when you say you haven't heard the word gay or fag, um, it's not a word that's frequently used over there, so it's not a big deal. I just wanna make sure that's not the case.

[redacted]: Okay. I didn't follow that, I'm sorry.

Larry Doherty: So, the word gay or fag.

[redacted]: Right.

Larry Doherty: I wanna make sure it's not a word that we use on every occasion, even intermittently, so it's not something that woulda stood out to you.

[redacted]: No, no, that's not the case. No, it's just that I don't recall that ever being used.

Larry Doherty: Okay.

[redacted]: I mean we don't use it with each other. We don't use it at each other. It's not a thing.

Larry Doherty: Okay. Do you have any other questions?

Shawn Murphy: Have you ever heard Dave say something that could be like yeah, I wouldn't, I wouldn't say that word or use that term because it's, uh, probably against policy to use?

[redacted]: I have, I can't recall any of those, um, the, the way you phrased that though, I mean, have I ever been shocked by anything he said? Sure. Um, but it's been more along the lines of, I'm not sure I woulda said that particular phrase to that particular person in the context of you probably coulda handled get rid, getting rid of that ****, and we're talkin' like a outside agency or **** for example or, um, a suspect or somethin' like that. Uh, hey, you probably coulda smoothed it instead of just told 'em to get lost.

Shawn Murphy: Okay.

[redacted]: Uh, 'cause that's more my style –

Shawn Murphy: Right.

[redacted]: – than it is his style.

Shawn Murphy: Got it.

[redacted]: Um, but as far as inappropriate, um, things that would be offensive, I, I can't even give ya any, anything on that.

Shawn Murphy: Okay. And, and referring to, uh, Captain [redacted].

[redacted]: Mm hmm.

Shawn Murphy: I know, uh, Sergeant Doherty threw out several terms to you. Have you ever heard Dave use any derogatory term towards Captain [redacted]?

[redacted]: No, I haven't. Um, and I mean I can honestly tell ya that I, I would not be real thrilled about that myself. I consider, uh, Captain [redacted], uh, a pretty solid friend of mine. Um, and I, I would not have been happy about that myself, so.

Larry Doherty: Is he aware you're a good friend of him?

[redacted]: Uh, yeah, he is, which is funny.

Larry Doherty: Okay.

[redacted]: So, I mean I don't know that he would ever say any, you know, bring anything up around me, um, which is probably why I haven't heard it, so. But, yeah, he, I mean I, I see [redacted] at least once a week.

Shawn Murphy: Right.

[redacted]: So, I'm sorry, Captain [redacted].

Shawn Murphy: Yeah, right. So, nothing you feel, um, is derogatory toward [redacted] or his race?

[redacted]: No. No, I don't recall any, any specifics like that at all.

Shawn Murphy: Okay.

Larry Doherty: I don't have any other questions. Is there anything that you think's important in regards to this that we haven't asked?

[redacted]: No, I don't think so. I see the direction that it's goin', so.

Larry Doherty: Okay. I'm gonna go ahead and end this interview. The time now by my watch is 1138 hours. Thank you.

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