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

Larry Doherty: So, I'm gonna be recording an interview conducted by Lieutenant Shawn Murphy of the Professional Standards Unit. Um, Lieutenant, for the record, could you say and spell your name?

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

Larry Doherty: And also by myself, Sergeant Larry Doherty of the Internal Affairs Bureau and present with us in this conference room is [redacted]. Uh, [redacted], for the record, could you say and spell your name?

[redacted]

Larry Doherty: And that's two words [redacted] and then, um, is it all right if I call you [redacted]

[redacted]: Please do.

Larry Doherty: And please call me Larry. Uh, the date is May 2nd, 2019. The time now by my watch is 1002 hours. Presently at the sheriff's office in one of the conference rooms this is in regards to Case No. 19-IA-0005. As I said prior to going on tape, um, I'm gonna ask you and actually order you, um, to answer all questions honestly and truthfully.

[redacted]: Yes, sir.

Larry Doherty: Okay. Yes, Larry.

[redacted]: Yes, Larry.

Larry Doherty: And you understand that, uh, Lieutenant and I are both, uh, designees of the sheriff? Okay.

[redacted]: Yes, Larry.

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

[redacted]: [redacted]

Larry Doherty: Mm, already? Congrats.

[redacted]: Thanks.

Larry Doherty: [redacted]? Roughly.

[redacted]: [redacted].

Larry Doherty: [redacted]?

[redacted]: [redacted].

Larry Doherty: Okay. Do you have any, uh, specialties?

[redacted]: I do. [redacted]

Larry Doherty: Uh huh.

[redacted]: [redacted]

Larry Doherty: Okay. Okay ****.

[redacted]: [redacted]

Larry Doherty: Uh huh.

[redacted]: [redacted]

Larry Doherty: Just say that again.

[redacted]: [redacted]

Larry Doherty: Okay.

[redacted]: So, just those three things.

Larry Doherty: Okay. And your assignment currently is?

[redacted]: [redacted]

Larry Doherty: Okay. [redacted]

[redacted]: Correct.

Larry Doherty: Okay. [redacted]

[redacted]: We walk in the front door. The first thing you'll encounter is, uh, the secretary's desk, [redacted]. Um, as you make your way through the door, you will see [redacted] office to the right. As you come into the bullpen area, um, where there's a table similar to this one with chairs on it, um, you'll see [redacted]

which is off to the right, [redacted] office, detective, or excuse me, Sergeant Berges' office and then my new office to the left which was [redacted] old office.

Larry Doherty: Okay.

[redacted]: But I used to sit in the same office as [redacted].

Larry Doherty: Okay. [redacted], um, Berges is B-E-R-G-E-S and who did I miss. Oh, [redacted]

[redacted] Yeah, he's only been up there s –

Larry Doherty: Couple months?

[redacted] – jul, October ****.

Larry Doherty: November?

[redacted] Since November ****.

Larry Doherty: Okay.

[redacted] Uh, we kinda had that transitional period with another detective and, uh, he has translated for us so –

Larry Doherty: Mm hmm, so who's –

[redacted] – I think he got in there nov, probably December, November, somewhere in that realm.

Larry Doherty: – so who's the old dog in the unit now?

[redacted] [redacted] I think the, the most senior detective.

Larry Doherty: Oh, okay. Um, the reason we're doing this investigation is 'cause we received word, um, that some comments were made not only in your office but, um, out at the track. Now, you say you're an EVOC instructor. Well, let's say in the last 6 months, how many times do you think you were an instructor? Roughly.

[redacted]: Probably say tw, mm, 20.

Larry Doherty: Twenty times?

[redacted]: Twenty times.

Larry Doherty: Okay, and Sergeant Berges is your sergeant in charge of, um, DVSA. Um, I understand there's actually three sergeants that work for EVOC.

[redacted]: Mm hmm.

Larry Doherty: Um, and one of 'em being Berges, one of 'em being [redacted], and one of them being [redacted]. Um, –

[redacted]: ****.

Larry Doherty: Yeah. I had to spell it a lot 'cause I, it was my own IAs, it was always on my letters. Um, Berges, how many times out of those 20 do you think he was the supervisor out there at EVOC, 20 just rough?

[redacted]: Sixteen, 17, I mean there was a couple days [redacted] was out there.

Larry Doherty: Couple day [redacted] was –

[redacted]: So, if I had to guess, 16.

Larry Doherty: Okay and, and [redacted].

[redacted]: Um, when I worked Mondays prior to going up to DVSA, he would –

Larry Doherty: Be there?

[redacted]: Right, because I couldn't work Fridays. It was my assigned shift.

Larry Doherty: Right.

[redacted]: So, I would work a Monday. I would, I would pick up a Monday.

Larry Doherty: So, plus or minus a couple too?

[redacted]: Yeah.

Larry Doherty: Okay. Um, so about 20 times and out of that time's the majority it's, uh, uh, Dave?

[redacted]: Correct.

Larry Doherty: And Dave's, uh, first name for Berges. Our concern is that – you know the sexual harassment policy?

[redacted]: Correct.

Larry Doherty: Okay. Um, they usually review it when we do our evaluations. Um, it's one of the critical policies they consider. In it, eh, there are some protected classes, um, people that, um, – so we have to be careful about the verbiage we use at times, um, unless we're referring to cases. And when I'm asking you these questions today, I don't want you to think about cases. I want you to just think about, um, similar to what we're doing right now. We're just talking. Okay? Um, we've heard, and I want to know how many times do you think over the course of the last 6 months, uh, that you've been in, uh, DVSA and out at EVOC, how many times do you think Sergeant Berges has used the word fag? Rough.

[redacted]: I, I don't recall him ever saying fag.

Larry Doherty: Okay. How about gay?

[redacted]: I don't recall a specific time where he said gay. Um, I have heard that word used regarding a situation, not at somebody.

Larry Doherty: Okay. All right. Uh, and I'm not being specific. I don't want to say he's ever accused somebody of being a fag and/or gay but is it part of his verbiage? Is it something that he might commonly say well that's gay?

[redacted]: I don't recall a specific time I've heard it.

Larry Doherty: Okay.

[redacted]: Uh, I've heard the word, um, but I can't, I can't tell you a date or time or **** or anything like that.

Larry Doherty: But **** –

[redacted]: I just, 'cause I can't remember.

Larry Doherty: No, that's okay. And, and, and who would sit there and think that you had to put it in your calendar.

[redacted]: Right.

Larry Doherty: Okay? So, all we're doing is we're just trying to establish that it is somethin' that he uses, um, not specific towards anybody like you said and/or a case but it's somethin', a word he might say and, and you said you don't recall fag at all?

[redacted]: I don't recall.

Larry Doherty: How about –

[redacted]: I don't keep track of his, of things that other people say.

Larry Doherty: Yeah. Um, have you ever heard him say butt fuck?

[redacted]: N, I've never heard that –

Larry Doherty: Okay.

[redacted]: – come out of his mouth.

Larry Doherty: Okay. Um, blowjob?

[redacted]: Um, like you said, about our cases, yeah. We've –

Larry Doherty: Okay.

[redacted]: – we've all said it, but it's case related.

Larry Doherty: All right. Um, you know that [redacted]

[redacted]: Um, well, yeah, because I was –

Larry Doherty: [redacted]?

[redacted]: Correct.

Larry Doherty: Okay. Um, I know he was pretty upset about it. Um, and Dave being Dave, Dave is a little bit expressive. Um, I know that he made some comments, his displeasure with admin. Um, my concern is that some of the comments he made in regards to Captain [redacted]. Um, are you familiar with those comments? Okay, so –

[redacted]: I'm not.

Larry Doherty: Go ahead.

[redacted]: I'm not familiar with those comments.

Larry Doherty: Okay. You, you, has he ever talked bad about Captain [redacted]?

[redacted]: Dave has voiced his displeasure with the administration.

Larry Doherty: Okay, so when I say captain, it wasn't specific towards, um, [redacted] then? It was – and [redacted], two [redacted], [redacted] –

[redacted]: I think it's one [redacted].

Larry Doherty: – [redacted], one[redacted]

[redacted]: One [redacted]

Larry Doherty: It's [redacted], yeah, [redacted]. Um, go ahead, I'm sorry to interrupt.

[redacted]: Uh, repeat, I'm sorry, can you ask the question again?

Larry Doherty: All right, so I'm gonna ask you a specific thing. Have you ever heard him call Captain [redacted] a nigger?

[redacted]: No.

Larry Doherty: Never?

[redacted]: Never.

Larry Doherty: Have you ever heard him call him a porch monkey/

[redacted]: No.

Larry Doherty: No? Have you ever heard him, uh, refer to him in any other der, derogatory way?

[redacted]: No. And –

Larry Doherty: Just in general?

[redacted]: – Captain [redacted] and I sit on the [redacted] um, and I consider him, you know, we're not beer drinking friends, but I consider him a friend. I don't, don't think – and Dave knows that. I don't think he would say those things in front of me knowing that [redacted] with.

Larry Doherty: [redacted]?

[redacted] [redacted].

Larry Doherty: Oh, okay. I didn't understand what the initials meant.

[redacted] [redacted]

Larry Doherty: Okay.

[redacted]: So the, the money that retirees, we put money into that account. You can get it when you retire –

Larry Doherty: Oh, okay.

[redacted]: – to help pay for medical costs.

Larry Doherty: So, you're saying that Dave would know that you have a relationship with Captain [redacted]?

[redacted]: Yeah, because I have to sometimes leave the office to go to the [redacted]

Larry Doherty: Okay.

[redacted]: That's where I'm going. Um, and it's, everybody knows that, uh, Captain [redacted] is, is on that as well so –

Larry Doherty: Okay.

[redacted]: – I don't think he would say those things in front of me full well knowing that I have a relationship with Captain [redacted] as we, we sit on the board together.

Larry Doherty: Okay. Um, some of the people we've talked to have said, um, specifically within a month there was a training going on out at EVOC, and they heard Dave use the verbiage fag and gay.

[redacted]: Okay.

Larry Doherty: And but you don't recall him saying that?

[redacted]: I'm new, so when I get to EVOC, I'm setting up cones. I'm doing the PowerPoint.

Larry Doherty: Oh, okay.

[redacted]: I'm taking people outside. I'm showing 'em how to do it. Uh, I'm sitting on the quad jumpin' back and forth helping people out. I don't have time to sit and bullshit.

Larry Doherty: Okay.

[redacted]: Um, I'm new to EVOC. Well, well, [redacted], so I'm fairly new. I, I, I'm working. I'm pick, throwin' cones. I'm helping people. I'm sittin' in cars doing pit because you gotta stay in the car with them for pit. I don't have time to sit around and, and bullshit. Uh, I'm out there workin'.

Larry Doherty: Okay.

[redacted]: So, he may have said it out there. I don't know. I, because I'm working. I'm not payin' attention to what other people are doing.

Larry Doherty: Okay.

[redacted]: I have a specific job, and I go out there and do it.

Larry Doherty: Lieutenant, you got any questions?

Other Speaker: I don't.

Larry Doherty: I'm gonna go ahead and end this interview. The time now by my watch is 1014 hours.

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