[redacted]: Allergies and I'm taking my **** for about, for a month and a half, so.

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

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

Larry Doherty: And myself, Sergeant Larry Doherty, D-O-H-E-R-T-Y, of the Internal Affairs Bureau. Present with us in a conference room is [redacted]. [redacted], for the record, could you say and spell your last name?

[redacted]

Larry Doherty: The date is May 14th, 2019. The time now by my watch is 1029 hours. Again, um, we're presently in one of the conference rooms at the sheriff's office. This is in regards to an Internal Investigation 19-IA-0005. Is it all right if I call you [redacted]?

[redacted]: It is.

Larry Doherty: Please call me Larry.

[redacted]: Okay.

Larry Doherty: How long have you been here at the sheriff's now?

[redacted]

Larry Doherty: Well done. Current assignment?

[redacted]

Larry Doherty: Okay, and how long you've been doing that, [redacted]?

[redacted]: [redacted].

Larry Doherty: Um, specialty assignments?

[redacted]: Uh, I'm an [redacted] and I'm a [redacted].

Lieutenant Murphy: What, what is the first word you said?

[redacted].

Lieutenant Murphy: No, Vir –

[redacted]: [redacted].

Larry Doherty: Okay, somebody has to type it. What is it, [redacted] or somethin'?

[redacted]

Larry Doherty: Okay.

Lieutenant Murphy: Does it mean something?

[redacted] A. Uh, I think it just means [redacted].

Lieutenant Murphy: Oh.

[redacted]: Yeah.

Lieutenant Murphy: Virtual.

[redacted]: Yeah, it's not, it's not a [redacted]l, but it's, yeah, yeah, it's kinda abbreviation for [redacted] even though it's –

Larry Doherty: Okay.

[redacted]: Yeah.

Larry Doherty: Gotcha, um, you got notified by the lieutenant, but I just wanted you to understand that you are a witness in this matter, okay, and therefore, I'm just gonna ask you, then, or you, to answer all questions honestly and truthfully.

[redacted]: Okay.

Larry Doherty: Okay, um, do you understand lieutenant and I are designees of the sheriff?

[redacted]: I do.

Larry Doherty: Okay, sorry, that we have to start it off. So, just, gimme the honest rendition.

[redacted]: Yes.

Larry Doherty: Um, [redacted]

[redacted]: Um, last 6 months –

Larry Doherty: Roughly.

[redacted]: – quite a bit. Uh, more than ten.

Larry Doherty: More than ten?

[redacted]: Yeah.

Larry Doherty: Okay, so you 've done basically not quite two times a month?

[redacted]: Probably, yeah.

Larry Doherty: Okay, now –

[redacted]: Give or take.

Larry Doherty: – when you do that, um, do you do it because it's on your days off or can you float your shift or how, you know, how you pick a day?

[redacted]: It's on my days off. We do [redacted]. There are some Mondays now, but most of 'em are [redacted].

Larry Doherty: Okay, and so roughly ten times?

[redacted]: Yeah, give or take, yeah, maybe, you know, 8 to 12, somewhere in the middle.

Larry Doherty: Okay, um, out of those – I know the sergeants are [redacted] uh, [redacted] and Berges, B-E-R-G-E-S. Out of that last 6 months you've done it ten times. How many times you think [redacted] was out there, [redacted]? Roughly.

[redacted]: Um, before baseball season he was there more, not as much lately 'cause he's got ball, so, uh, maybe –

Larry Doherty: And that starts in February?

[redacted]: I don't remember.

Larry Doherty: Remember?

[redacted]: I just know he started disappearin'.

Larry Doherty: Okay.

[redacted]: Um, I know he was always playin' with the kids. Uh, maybe three or four times.

Larry Doherty: Okay, um, [redacted]?

[redacted]: Uh, [redacted] was on the other s – actually [redacted] three or four times and then his schedule changed, and now he was on the other side, so probably about the same.

Larry Doherty: And then Berges?

[redacted]: Um, would be mostly the remainder of those times, so probably –

Larry Doherty: Two or three?

[redacted]: – six to – no, probably –

Larry Doherty: Oh, more?

[redacted]: – five or six, yeah.

Larry Doherty: Five or six?

[redacted]: Yeah.

Larry Doherty: Okay.

[redacted]: Maybe more than that. He, he was there the majority of the time.

Larry Doherty: So, when you say majority is that like 50 percent of it he was there?

[redacted]: No, more than that.

Larry Doherty: Okay.

[redacted]: Um, 'cause there was days before where we still need instructors, so [redacted] or [redacted] would be there and Berges would still be there as the safety quote unquote sergeant, so, um –

Larry Doherty: Okay, kind of a supervisor.

[redacted]: Yeah.

Larry Doherty: Okay, um, your role when you're out there kind of changes depending on the day and who else is out there?

[redacted]: Um, it does. I have a primary role of takin' care of a lot of the equipment 'cause I'm good with motors and stuff, so I do cone setup, equipment maintenance. Um, I always get there early 'cause I don't sleep real late, so I'm always first guy there gettin' shit open. Um, I'll open a classroom up, get the diesel generator on, get the computer goin', and then I go outside. Somebody else teaches the class.

Larry Doherty: Okay, and that's a full 8-hour day?

[redacted]: Yeah, it's a big day.

Larry Doherty: With lunch, um, and the number of students varies?

[redacted]: Uh, yeah, it does.

Larry Doherty: Yeah.

[redacted]: Sometimes we have bigger classes than others.

Larry Doherty: Okay. Uh, during that time when Sergeant Berges went out there with you how many times you think he's used the word gay?

[redacted]: How many times has he used the word gay? Um, I, I don't know. I haven't –

Larry Doherty: I mean does he use the word gay?

[redacted]: – even thought about it before. Um, that's kind of a funny question. I don't know. I can't specifically think of him using gay.

Larry Doherty: Okay.

[redacted]: But I know people say it. I don't, I mean I can't, I know I've heard it here. I can't tell you when. I mean I, I've been here 20 years. I don't know.

Larry Doherty: Okay.

[redacted]: Uh –

Larry Doherty: How 'bout the word fag?

[redacted]: Uh, same answer. Uh, I can't think of when –

Larry Doherty: Okay.

[redacted]: – like a time we used it though.

Larry Doherty: All right, then I'm gonna ask you this, [redacted]. Do you guys have an instructor who is homosexual?

[redacted]: Okay, yeah, we do.

Larry Doherty: Okay. If you heard Sergeant Berges use the word gay and/or fag in front of that instructor, would you have gone hmm, he probably shouldn't have done that?

[redacted]: Um, yeah, I guess I would. I, I don't. I know you're talkin' about [redacted]. I don't – uh, [redacted] and I have never talked about him being gay. I assume he is 'cause I know there's some kind of **** with him, but –

Larry Doherty: Okay.

[redacted]: – um, I can't, I can't think of somethin' where I thought that hey, that was weird or [redacted] gonna be weird. I, I don't really see him as a gay kid. I just see him as one of the guys out there workin' with us, so.

Larry Doherty: Okay, um, so I guess what I'm gettin' at then is when Dave may have said gay and/or fag, you never felt like it was directed towards [redacted]?

[redacted]: No. I, I don't remember an incident where he said it in front of him.

Larry Doherty: Okay. It's just a word you've heard before?

[redacted]: Well, well, yeah.

Larry Doherty: Not specifically out there?

[redacted]: Yeah, I've heard lots of, lots of shit here, so –

Larry Doherty: Okay. All right, um, did you ever hear Dave express, he, he was [redacted]? Do you recall that at all?

[redacted]: No.

Larry Doherty: Okay, um, did you ever hear him talk **** about the – well, he doesn't. Um, in this ****.

[redacted]: Uh, uh, not that I can recall, no.

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

[redacted]: Uh, not that I recall, no.

Larry Doherty: How 'bout porch monkey?

[redacted]: Uh, no.

Larry Doherty: Okay, so right now you have him basically using – he could've used the words gay or fag, but it's, it wasn't meant – somethin' that stands out in your mind 'cause you've heard that word before?

[redacted]: Y, yeah. I, I'm not saying he did or didn't say it. I'm just sayin', uh, uh, you hear a lot of shit here. I couldn't tell you when somebody said gay or fag or –

Larry Doherty: But there was never a circumstance where you went, ooh, probably shouldn't have said that out loud?

[redacted]: No, there was no circumstance like that.

Larry Doherty: Oh.

[redacted]: I'm not shy. If somebody did somethin' I don't like, I, I, I can say somethin', so yeah.

Larry Doherty: Um –

[redacted]: ****.

Lieutenant Murphy: Say what?

[redacted]: Nothin'

Lieutenant Murphy: Oh.

Larry Doherty: I think he said eat.

[redacted]: No, I said **** talkin', so, um, no.

Larry Doherty: No, no, or no. I'd never get anything done. Um, any questions?

Lieutenant Murphy: I have no questions.

Larry Doherty: Is there anything that you think's important that I haven't asked?

[redacted]: Uh –

Larry Doherty: In regards to this?

[redacted]: – no.

Larry Doherty: Um, I'm just gonna ask you. Do you understand you got this notification from the lieutenant in regards to not sayin' anything? I'm gonna ask that you don't talk to anybody else in regards to EVOC in, in regards to the past.

[redacted]: Okay.

Larry Doherty: Uh, as you know, we still have several people we need to talk to and I don't want them, oh, I heard this or I heard that. I know what you guys are doin'.

[redacted]: Sure, no problem.

Larry Doherty: Okay. All right, I'm gonna go ahead and end this interview. The time now by my watch is 10, uh, 38 hours. Thank you.

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