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

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

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

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

[redacted]

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

[redacted]: Yes.

Sergeant Larry Doherty: And please call me Larry. Um, the date is May 15th, 2019. Time now by my watch is 0838 hours. As I said before we went on tape, [redacted], I just want you to know that you're here as a witness. Do you understand that?

[redacted]: Yes.

Sergeant Larry Doherty: And then please answer all questions honestly and truthfully.

[redacted]: Okay.

Sergeant Larry Doherty: Okay, and then you understand that, um, the Lieutenant and I are designees of the Sheriff.

[redacted]: Yes.

Sergeant Larry Doherty: Okay, thank you. Um, how long have you been here now?

[redacted]: [redacted].

Sergeant Larry Doherty: How long have you been here now? You're gonna make me do the math, dude?

[redacted]?

Sergeant Larry Doherty: [redacted]

[redacted].

Sergeant Larry Doherty: Congrats. And any prior?

[redacted] [redacted].

Sergeant Larry Doherty: Current assignment?

[redacted] [redacted]

Sergeant Larry Doherty: You've had that for about a year, right?

[redacted]: Yeah.

Sergeant Larry Doherty: Okay, and then prior to that, you were in patrol?

[redacted]: [redacted].

Sergeant Larry Doherty: Okay.

[redacted]: [redacted]

Sergeant Larry Doherty: How long you been a [redacted] now?

[redacted] [redacted]

Sergeant Larry Doherty: **** –

[redacted] [redacted]

Sergeant Larry Doherty: Wow, well done. That's awesome. Um, what other assignments have you had prior to being a sergeant?

[redacted] [redacted]

Sergeant Larry Doherty: Okay.

[redacted]: Yeah.

Sergeant Larry Doherty: Um, so you've been around a lot of places. Currently, besides your, the assignment you have right now, do you have other specialties?

[redacted]: Yes. [redacted]

Sergeant Larry Doherty: Yeah.

[redacted]: – right now?

Sergeant Larry Doherty: Yeah.

[redacted]

Sergeant Larry Doherty: Okay.

[redacted]: [redacted]. Um, I've, um, been a [redacted] but I've been part of that program since 2012. I'm also, um, [redacted].

Sergeant Larry Doherty: Okay.

[redacted]: And we've had that since, um, 2016. That was right after I got promoted that we got that, um, and I've been running that since then with, uh, a couple of other guys, and I'm the [redacted], and I'm also running, um, the [redacted].

Sergeant Larry Doherty: Okay.

[redacted]: I think that's about all I'm doing.

Sergeant Larry Doherty: Now, when you say the training schedule, are you talking about –

[redacted]: Um, so –

Sergeant Larry Doherty: For –

[redacted]: When we went –

Sergeant Larry Doherty: – firearms DT?

[redacted]: Yeah. It's the payback training day, uh –

Sergeant Larry Doherty: Oh, okay.

[redacted]: – so when we went to this new schedule, um, I had, um, worked with, um, Assistant Sheriff Naugle in creating a training day based off this payback day and, um –

Sergeant Larry Doherty: When they do this payback day, how long are they there for? For eight hours?

[redacted]: Ten, it's a 10-hour, 10-hour training.

Sergeant Larry Doherty: Oh, it's a 10-hour? **** –

[redacted]: It's supposed to be a 10-hour training day.

Sergeant Larry Doherty: You have to do it once a month or once every pay period?

[redacted]: Larry that would be a long conversation if I –

Sergeant Larry Doherty: Okay.

[redacted]: – explained that to you. I, I, I spent, um, if you want.

Other Speaker: No.

Sergeant Larry Doherty: I just thought it was something easy.

[redacted]: If you want a long conversation, I'll explain it to you, but, um, it takes me about a hour with new sergeants for them to understand it.

Sergeant Larry Doherty: Okay. Then I don't want to hear about it.

[redacted]: Yeah. I don't want to explain it to you.

Sergeant Larry Doherty: All right, and what's your focus on EVOC? And I really want you to focus, let's say between January and today, okay? Um, roughly, in that time, how many times do you think he was, uh, instructed out at the track?

[redacted]: The last time I was at the track was either the beginning of January or the end of, end of December.

Sergeant Larry Doherty: So no time between like the middle of January and now?

[redacted]: No.

Sergeant Larry Doherty: Okay. Um, when you're out there, there's two other supervisors along with you. One is, uh, Dave Berges, B-E-R-G-E-S, and, uh, [redacted] and, um, yourself. [redacted]?

[redacted]: We're in, that are in charge of it, have we ever been out there together? I can't remember when. Um, a long time ago when we all used to just be instructors, we used to work that together quite a bit, like 2016?

Sergeant Larry Doherty: Yeah.

[redacted]: We were out there every weekend trying to do the whole department that one year, but I haven't taught with [redacted] for a long time because he's been on the other side of the week, and then I haven't been going out there 'cause I've been busy.

Sergeant Larry Doherty: And then how about Berges?

[redacted]: I have not been out there and taught with Dave. I don't think he was out there that day that I was there, um, and I didn't instruct at all that day. I just did maintenance. I had to weld the brackets to put the gas tank in the back of the new truck. I did that all day.

Sergeant Larry Doherty: Okay, then let me ask you this: How much contact do you have with Dave, based upon your current assignments?

[redacted]: Um, well I have a lot of contact actually. Um, I mean, I watch his unit, uh, when he's gone, and he watches mine when I'm gone. Um, we've been talking, um, we talk a lot about EVOC. Um, uh, a lot of conversations about that kind of stuff, um, about cases that are going on in DVSA. Um, CSI works pretty closely with DVSA on, on cases, um, so we, we've had a lot of, we talk frequently.

Sergeant Larry Doherty: Okay.

[redacted]: Um, we're trying to develop EVOC, you know, but I really don't do that much with it. I'm supposed to be in charge of the motor. We incorporated the motors into quarterly training because our motors didn't have any training at all. Um, that was something that we needed to start doing 'cause we were giving them bikes and not any training. So we just developed that, and I'm, I'm still trying to get our 80-hour course approved so we don't have to sent them out to some other place so we can do it in house, so that's my portion of EVOC.

Sergeant Larry Doherty: Okay.

[redacted]: But Dave's been helping me with it.

Sergeant Larry Doherty: [redacted]

[redacted]: [redacted]

Sergeant Larry Doherty: Okay, uh –

[redacted]: [redacted].

Sergeant Larry Doherty: [redacted]

[redacted]: [redacted]?

Sergeant Larry Doherty: [redacted].

[redacted]: [redacted].

Sergeant Larry Doherty: [redacted]?

[redacted]: [redacted].

Sergeant Larry Doherty: [redacted]?

[redacted]: [redacted] –

Sergeant Larry Doherty: [redacted] –

[redacted]: – [redacted]?

Sergeant Larry Doherty: [redacted].

[redacted]: [redacted] –

Sergeant Larry Doherty: ****.

[redacted]: – [redacted] –

Sergeant Larry Doherty: Well –

[redacted]: – about that.

Sergeant Larry Doherty: [redacted]?

[redacted]: [redacted] –

Sergeant Larry Doherty: Okay.

[redacted]: – [redacted].

Sergeant Larry Doherty: And were you aware he was a little upset about the way that was handled?

[redacted]: Um, we did talk about the fact that we didn't think our agency should be investigating one of our own like that, um –

Sergeant Larry Doherty: Okay.

[redacted]: – we did, and it, because, and we, I mean, hey, I was, I was in displeasure to put my detectives in that position to start, um, I mean, and I don't know how freely we can talk about that case, but –

Sergeant Larry Doherty: More, I'm really want to focus on Dave.

[redacted]: Okay.

Sergeant Larry Doherty: I don't really want to talk about [redacted]

[redacted]: Well, I mean, yeah, he was upset that he had to put his detectives in that position, and I was upset that I had to put my detectives in that position.

Sergeant Larry Doherty: Okay, when you say –

[redacted]: [redacted].

Sergeant Larry Doherty: – [redacted]?

[redacted]: [redacted]

Sergeant Larry Doherty: Sure.

[redacted]: [redacted].

Sergeant Larry Doherty: Okay, but it wasn't your guys's call.

[redacted]: Right.

Sergeant Larry Doherty: Okay.

[redacted]: And we ended up handling it.

Sergeant Larry Doherty: All right, and then so, Dave. Was there anything he ever said specifically in regards to his displeasure about then Lieutenant [redacted], now Captain [redacted]?

[redacted]: No.

Sergeant Larry Doherty: Okay. Have you ever heard him, or how many times have you heard Dave use the word "fag"?

[redacted]: I can't remember a specific time ****.

Sergeant Larry Doherty: 'Cause, okay.

[redacted]: That word kind of, I mean, it, I'll tell you right, I've, we've used that word. I mean, we've –

Sergeant Larry Doherty: Yeah.

[redacted]: – investigated, we were [redacted] so how, how far are we going back here because I've used that word a lot.

Sergeant Larry Doherty: So, okay, let me ask you this.

[redacted]: When you interview somebody, and we both worked, uh, gay cases out on the river together.

Sergeant Larry Doherty: All right, and you're –

[redacted]: And **** –

Sergeant Larry Doherty: – talking about specific cases. I'm just talking in everyday conversation. "Oh, that was gay." "Don't be a fag." See the distinction? I'm not talking about handling a case.

[redacted]: Okay, yeah, I see the distinction. Um, I don't remember a specific time where Dave said that. I mean, those things get said around here all the time.

Sergeant Larry Doherty: Okay.

[redacted]: I mean, in general conversations, uh –

Sergeant Larry Doherty: So –

[redacted]: – with training –

Sergeant Larry Doherty: – you've never heard –

[redacted]: – at DT, everywhere.

Sergeant Larry Doherty: You've never heard Dave use that to malign somebody? So like, if he was to say that to me?

[redacted]: Like, "Hey, Larry, don't be a fag"?

Sergeant Larry Doherty: Yeah.

[redacted]: I mean, do I remember a certain time, Larry? No.

Sergeant Larry Doherty: Okay.

[redacted]: But did he probably say that? Yeah. I mean, I've heard a lot of guys say that here. I mean, it's a, just a general com, common term that, that gets thrown around here at work, not in a derogatory word. It's more of a, hey, buddy, what's going on.

Sergeant Larry Doherty: Yeah. Now, in regards to Captain [redacted], you can't remember a thing, anything specific that Dave might have said disparagly about him?

[redacted]: No, [redacted]. I mean, we're all friends. I mean, I don't know. No. I mean, I never heard Dave disparingly talk about [redacted].

Sergeant Larry Doherty: Okay.

[redacted]: I mean, we helped [redacted] I mean, we were all –

Sergeant Larry Doherty: And he – [redacted]. Okay. Do you have any other questions?

Lieutenant Shawn Murphy: I do not.

Sergeant Larry Doherty: Okay. Is there anything that I haven't asked, now that you know what the direction of this, uh, conversation was, that you think is important?

[redacted]: No.

Sergeant Larry Doherty: Okay. I'm gonna go ahead and stop the time, uh, the interview. The time now by my watch is 0858 hours.

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