Internal Affairs Investigation
19-IA-0005
Sergeant Dave Berges Statement

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

Other Speaker: 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. It's D-O-H-E-R-T-Y. Present also is Sergeant Dave Berges. Um, Dave, for the record can you go ahead and, uh, say and spell your last name?

Sergeant Dave Berges: Dave Berges, B-E-R-G-ES.

Sergeant Larry Doherty: Is it all right if I call you Dave?

Sergeant Dave Berges: Yes.

Sergeant Larry Doherty: Please call me Larry. And you are represented by your attorney Mike Rains. Mike, for the record could you say and spell your last name?

Other Speaker: Yes. Good morning. It's Mike Rains, R-A-I-N-S.

Sergeant Larry Doherty: And is it all right if I call you Mike?

Other Speaker: You betcha.

Sergeant Larry Doherty: Please call me Larry.

Other Speaker: All right.

Sergeant Larry Doherty: Um, prior to goin' on tape Dave, I, you were presented with, uh, what we commonly call an administrative admonishment form. Um, do you have any questions about that?

Sergeant Dave Berges: I do not.

Sergeant Larry Doherty: Okay. You signed it and I noticed that you, uh, witnessed, Mike.

Other Speaker: I did.

Sergeant Larry Doherty: Okay. And then I'm just gonna go on tape and basically, uh, order you. Um, first of all, do you understand that both lieutenant and I are designees of the sheriff?

Sergeant Dave Berges: I do.

Sergeant Larry Doherty: Okay. Um, I gonna now give you a direct order to answer all questions honestly and truthfully and that a failure to do so could get you into trouble. Do you understand that?

Sergeant Dave Berges: I understand.

Sergeant Larry Doherty: Okay. Thank you. Um, and then again, please don't discuss this, uh, interview with anybody else other than, um, the two of us and your attorney, um, and honestly, you can talk to your wife. Okay.

Other Speaker: That's good. That's good.

Sergeant Larry Doherty: Yeah.

Other Speaker: He needs to.

Sergeant Larry Doherty: Yeah. So, you know that you can talk to your wife about that. I never understood why they never waived that. Uh, the date is May 22nd, 2019. Time now by my watch is 1231 hours. We are presently at the DSA Hall in one of their conference rooms.

Other Speaker: How long you worked here now?

Sergeant Dave Berges: Uh, it's just goin' on 20 years.

Other Speaker: Twenty years. Well done.

Sergeant Larry Doherty: Um, how long have you been a sergeant?

Sergeant Dave Berges: Um, 4 ½.

Sergeant Larry Doherty: Four and a half years? And how long have you been in DSA? DVSA. Sorry.

Sergeant Dave Berges: As a sergeant?

Sergeant Larry Doherty: Yeah.

Sergeant Dave Berges: Um, it was since I believe it was November of '16. So, almost 3 years.

Sergeant Larry Doherty: Okay. And then, um, and you said it as a sergeant because I know that you were also a deputy there?

Sergeant Dave Berges: Yes.

Sergeant Larry Doherty: I mean, I'm sorry, detective. And how long were you a detective in DVSA?

Sergeant Dave Berges: I believe it was almost 5 years.

Sergeant Larry Doherty: Five years? How – okay, specialties. What kind of specialties do you have? I know DVSA is actually a pretty extensive assignment as a sergeant but, um, sometimes we're given specialties. Um, do you have any Dave?

Sergeant Dave Berges: I do. It's EVOC.

Sergeant Larry Doherty: Okay. Is that the all, the one?

Sergeant Dave Berges: Yes.

Sergeant Larry Doherty: Okay. All right. And EVOC stands for?

Sergeant Dave Berges: Uh, it's emergency vehicle operations.

Sergeant Larry Doherty: And what's the C for? Course?

Sergeant Dave Berges: Course.

Sergeant Larry Doherty: Course. Okay. And this case is in regards to IA19-IA-0005. You've been a sergeant now for 5 years. Um, what's your role in regards to being the sergeant in charge of DVSA?

Sergeant Dave Berges: Um, well I'm in charge of, uh, 4, usually 5 detectives and I, um, I am responsible for reviewing, uh, domestic violence and sexual assault cases, assign them to, uh, detectives for, for follow up. Um, I'm responsible for, uh, reviewing, I think we're up to about 650, uh, uh, suspected child abuse cases a year. Um –

Sergeant Larry Doherty: And you said detectives. I think you said 4 or 5 and that's because it fluctuates every once in a while depending on promotions and –

Sergeant Dave Berges: It's most, it's normally 5.

Sergeant Larry Doherty: Yeah.

Sergeant Dave Berges: Um, currently there's only 4.

Sergeant Larry Doherty: Okay.

Sergeant Dave Berges: Uh, and we have not had a backfill yet.

Sergeant Larry Doherty: Okay. Who are those detectives presently?

Sergeant Dave Berges: Current detectives are [redacted], [redacted], uh, [redacted] and, uh, [redacted].

Sergeant Larry Doherty: Okay [redacted]. [redacted] is two words, [redacted]. [redacted] and the other one is [redacted]. Um, of those detectives who are EVOC instructors?

Sergeant Dave Berges: Uh, [redacted] and [redacted].

Sergeant Larry Doherty: Okay. Um, you said that you also were responsible, um, as a sergeant, ah supervisor for EVOC. Um, I understand there's two other sergeants that are part of EVOC?

Sergeant Dave Berges: Yes.

Sergeant Larry Doherty: As supervisors?

Sergeant Dave Berges: Yes.

Sergeant Larry Doherty: And who is that?

Sergeant Dave Berges: [redacted] and [redacted]

Sergeant Larry Doherty: Okay. [redacted] Um, okay as a supervisor, um, are you familiar with the harassment policy?

Sergeant Dave Berges: I am.

Sergeant Larry Doherty: Okay. Um, as a supervisor I know that we're required every other year to attend a harassment class. Uh, it's usually presented by the county. Are you familiar with that?

Sergeant Dave Berges: I am.

Sergeant Larry Doherty: Okay. And then also every time we do complete an evaluation there's three policies we use to cover with our employees and one of those is the harassment policy.

Sergeant Dave Berges: That's correct.

Sergeant Larry Doherty: Okay. Um, EVOC. In the last, let's, let's just keep it from January. And I don't need you to be at, exact. Since January 'til now, uh, how many times do you think you were the supervisor of the training? Roughly. 'Cause I don't want you to 10, 20.

Other Speaker: **** 20.

Sergeant Larry Doherty: Twenty times?

Sergeant Dave Berges: From, from January to now. Yeah. I say, uh, 15 to 20; somewhere in there. I'd have to look at the calendar.

Sergeant Larry Doherty: Yeah. Just roughly.

Sergeant Dave Berges: Yeah.

Sergeant Larry Doherty: And then sometimes does [redacted] do it, [redacted], um, and/or [redacted]?

Sergeant Dave Berges: Yes.

Sergeant Larry Doherty: Okay. When you're out there on the tract how many instructors and/or alternates do you usually have assisting you?

Sergeant Dave Berges: There should normally be no more than six.

Sergeant Larry Doherty: Okay. And I understand it's broken down between instructors and alternates.

Sergeant Dave Berges: Yes.

Sergeant Larry Doherty: Okay. And what's the difference between the two?

Sergeant Dave Berges: Uh, we developed an alternate position, um, about a year ago, um, so, um, we didn't have to send these people to, uh, the training, the official instructor training. Um, it was becoming costly and so what we thought we'd do was start bringing on people that were interested and if, uh, if they worked out good then we would start pulling from that group of people, alternates as fulltime instructors.

Sergeant Larry Doherty: Okay. And then what's your role as a supervisor out at the EVOC track?

Sergeant Dave Berges: Um, my specific role, um, is, uh, for the overall safety of the track while instruction is going on. I'm in charge of making sure that we have, uh, all the

vehicles that are needed, all the equipment. Um, I'm in charge of scheduling. Um, I'm in charge of sending people to class.

Sergeant Larry Doherty: Um, so when you're out there, uh, you're actually responsible from the sheriff's, uh, department's perspective as being the one that's supervising the training of the deputies who are, are sent out there?

Sergeant Dave Berges: Yes.

Sergeant Larry Doherty: Okay. Um, so how many instructors roughly do you think you have.

Sergeant Dave Berges: Including sergeants I think 15.

Sergeant Larry Doherty: Fifteen?

Sergeant Dave Berges: I think somewhere in there.

Sergeant Larry Doherty: And does that include alternates?

Sergeant Dave Berges: I believe so. Yes.

Sergeant Larry Doherty: Okay. And then so when you have these things how do you get 'em to sign up to get, go to training, the instructors?

Sergeant Dave Berges: On, uh, the Outlook calendar.

Sergeant Larry Doherty: Okay.

Sergeant Dave Berges: There is a, um, we will schedule the classes and I will put the classes on the Outlook calendar, um, with the students and then I will send out an email to the instructors to say hey there's new classes on the Outlook calendar. Please take a look at it and sign up.

Sergeant Larry Doherty: Okay. And I guess it varies. Uh, you guys try to vary it from Mondays to Fridays so that you capture everybody.

Sergeant Dave Berges: We try to. That track, uh, you know, we don't own that track. Um, so it's scheduling can be difficult. Um, I usually ask the airport, um, to reserve every Monday and Tuesday and Friday and Saturday for the sheriff's office. We usually get what we want from them, and then throughout the year sometimes they'll, they'll take dates back.

Sergeant Larry Doherty: Okay.

Sergeant Dave Berges: If someone else needs it.

Sergeant Larry Doherty: What are the instructors, the EVOC instructors' responsibility when they're out there?

Sergeant Dave Berges: Um, their main responsibility is to provide instruction and set, set the track up and, uh, you know, get, get all the vehicles ready and –

Sergeant Larry Doherty: They actually do examples and stuff when they're driving and stuff, um, so that the students understand what's goin' on?

Sergeant Dave Berges: Of course. Yes.

Sergeant Larry Doherty: Okay. And then, uh, you're just to oversee that to make sure they in fact, uh, accomplish that task?

Sergeant Dave Berges: Oh, sometimes and sometimes I instruct myself.

Sergeant Larry Doherty: Oh, okay. Uh, and I, the class usually start off with?

Sergeant Dave Berges: The class usually starts off with a classroom portion which goes over, uh, it's our PowerPoint presentation which goes over, um, the department policy on, on driving and, uh, and then it goes into, uh, vehicle dynamics and things of that nature.

Sergeant Larry Doherty: And I understand this is a POST class?

Sergeant Dave Berges: Yes.

Sergeant Larry Doherty: And that's P-O-S-T. Um, and you guys actually have to go to a POST EVOC instructors' course before you can signoff students.

Sergeant Dave Berges: That's correct.

Sergeant Larry Doherty: Okay. Um, so in that 20 times it'd be hard for you to even say who might have been there as far as instructors?

Sergeant Dave Berges: In, uh, yes.

Sergeant Larry Doherty: And, and likewise it would be just as hard to determine who the students were?

Sergeant Dave Berges: Um, yes. Both of 'em, I mean could go back to the calendar and that's, that is hoping that the calendar is, was perfect because some people cancel,

some people switch and sometimes, um, I don't go back to that calendar and, and fix that.

Sergeant Larry Doherty: And you guys also are responsible for all our new hires too.

Sergeant Dave Berges: Yes. New hires, uh, jail, uh, be, anyone that drives a car.

Sergeant Larry Doherty: Oh, so actually gets a little more extensive. It's just not the deputies. You guys have the jail people, anybody responsible with a car.

Sergeant Dave Berges: That –

Sergeant Larry Doherty: Works.

Sergeant Dave Berges: – is employed by the sheriff's office.

Sergeant Larry Doherty: Gotcha. Gotcha. Do you ever, do they ever ask you to go outside that and teach other agencies and/or?

Sergeant Dave Berges: Uh, you know I've been instructing since 2003 and –

Sergeant Larry Doherty: Yeah.

Sergeant Dave Berges: – we have, um, we've only done that once with –

Sergeant Larry Doherty: Okay so that's a rare occasion.

Sergeant Dave Berges: It, it's costly.

Sergeant Larry Doherty: Okay.

Sergeant Dave Berges: So that's why they don't wanna do it.

Sergeant Larry Doherty: Oh, for whoever's asking –

Sergeant Dave Berges: Yeah.

Sergeant Larry Doherty: – it to be – gotcha. Gotcha. Um, all right so in that let's say 20 times, um, a lot of times you guys get the opportunity, I have been to one class recently, um, you, there's breaks because, uh, we're switchin' from perhaps the slow to the lights. And I don't know what you guys call that lights where you make a decision which way you're goin', and then you end up doin' low speed, high speed. So there's breaks I know for the students because you guys are switchin'.

Sergeant Dave Berges: Settin' up the course.

Sergeant Larry Doherty: Settin' up different courses and/or requirements. Um, in that time that you can recall, Dave, uh, how many times do you think during the course of maybe 1 day have you used the word fag?

Other Speaker: And, and just so I know. Is, uh, what time period are we talking about?

Sergeant Larry Doherty: January.

Other Speaker: Since January?

Sergeant Larry Doherty: Yes, since January.

Other Speaker: Since January. Okay.

Sergeant Larry Doherty: Just the 20 times.

Other Speaker: Gotcha. Gotcha.

Sergeant Larry Doherty: Um, I mean is it a common word you use?

Sergeant Dave Berges: Yeah. Yes.

Sergeant Larry Doherty: Okay.

Sergeant Dave Berges: Very, very much so. Um, I, I, I know I use that word. Um, I can't, um, I can't think of a specific like incident but I definitely know I use that word.

Sergeant Larry Doherty: When you're using that word, you're, are you purposely being derogatory towards any member of staff?

Sergeant Dave Berges: Absolutely not.

Sergeant Larry Doherty: Okay. How 'bout the word gay? Is that a word that you might also use on occasion?

Sergeant Dave Berges: Yes. That would come out of my mouth too. Yes.

Sergeant Larry Doherty: Okay. And, I mean I can think of circumstances. So that was gay or don't be a fag.

Sergeant Dave Berges: In, in, in that, in that type of nature. Nothing to be derogatory, um, to anybody.

Sergeant Larry Doherty: Okay. You aware there is an instructor, um, who is a homosexual?

Sergeant Dave Berges: Um, allegedly, yes. I hired him.

Sergeant Larry Doherty: Okay. Yes. Um, we're talking about [redacted] with a [redacted]

Sergeant Dave Berges: That's correct.

Sergeant Larry Doherty: Okay. Um, is it possible that you might have, uh, used that common, uh, verbiage gay and/or fag around [redacted]?

Sergeant Dave Berges: Moe, most definitely.

Sergeant Larry Doherty: But was it ever meant in disrespect to [redacted]?

Sergeant Dave Berges: Absolutely not.

Sergeant Larry Doherty: [redacted]

Sergeant Dave Berges: That's correct.

Sergeant Larry Doherty: Okay. Um, I understand that you weren't happy about that decision.

Sergeant Dave Berges: That's correct.

Sergeant Larry Doherty: Okay. And can I ask why?

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: Hmm.

Sergeant Dave Berges: [redacted]

[redacted]

Sergeant Larry Doherty: Mm hmm.

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: Okay.

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted].

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted]?

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted]?

Sergeant Dave Berges: [redacted].

Sergeant Larry Doherty: [redacted]?

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted]

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted]

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted]

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted]

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted]

Sergeant Dave Berges: [redacted]

Other Speaker: [redacted]

Sergeant Dave Berges: – [redacted]

Sergeant Larry Doherty: [redacted]

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted]

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted]

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted]

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted]

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted]

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted]

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted]

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted]

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted]

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: Okay. And in that frustration, um, why would you refer to Lieutenant [redacted] as a porch monkey?

Sergeant Dave Berges: Um, I do not believe I, uh, with regards to that [redacted] case that I ever referred to him as a porch monkey. Now I –

Sergeant Larry Doherty: It was in regards to something else?

Sergeant Dave Berges: I believe so. Yes.

Sergeant Larry Doherty: Well you're the one that said it, so.

Sergeant Dave Berges: Yes. And –

Sergeant Larry Doherty: Why, what was it in reference to?

Sergeant Dave Berges: – and it, and if I can clarify?

Sergeant Larry Doherty: Please.

Sergeant Dave Berges: Um, I, I think I know where this is coming from now that you said that. I was very frustrated with, [redacted]

Sergeant Larry Doherty: Is that the one that you and I had?

Sergeant Dave Berges: Yes.

Sergeant Larry Doherty: Okay.

Sergeant Dave Berges: Um, that, that angered me.

Sergeant Larry Doherty: Okay.

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: And when you say that you gotta express what you mean you think it was terrible?

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted]

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted].

Sergeant Dave Berges: [redacted].

Sergeant Larry Doherty: [redacted].

Sergeant Dave Berges: Um.

Sergeant Larry Doherty: So, I, so nevertheless you were frustrated.

Other Speaker: Larry, can I ask something? I wasn't his lawyer then.

Sergeant Larry Doherty: Right. Right.

Other Speaker: [redacted] –

Sergeant Larry Doherty: [redacted] –

Other Speaker: – ****? [redacted] –

Sergeant Larry Doherty: [redacted] –

Other Speaker: [redacted]?

Sergeant Larry Doherty: [redacted].

Other Speaker: [redacted].

Sergeant Larry Doherty: [redacted].

Other Speaker: [redacted].

Sergeant Larry Doherty: [redacted] –

Other Speaker: [redacted].

Sergeant Dave Berges: [redacted].

Sergeant Larry Doherty: [redacted].

Other Speaker: [redacted].

Sergeant Larry Doherty: [redacted]

Other Speaker: [redacted].

Sergeant Larry Doherty: [redacted],
[redacted].

Other Speaker: [redacted].

Sergeant Larry Doherty: [redacted].

Other Speaker: [redacted]

Sergeant Larry Doherty: [redacted]
[redacted]

Other Speaker: [redacted].

Sergeant Larry Doherty: [redacted]

Other Speaker: [redacted].

Sergeant Larry Doherty: [redacted].

Other Speaker: [redacted].

Sergeant Larry Doherty: [redacted] –

Other Speaker: [redacted].

Sergeant Larry Doherty: – [redacted]
[redacted].

Other Speaker: [redacted].

Sergeant Larry Doherty: [redacted]

Other Speaker: [redacted]

Sergeant Larry Doherty: [redacted].

Other Speaker: [redacted].

Sergeant Larry Doherty: [redacted].

Other Speaker: [redacted].

Sergeant Larry Doherty: [redacted]

Other Speaker: [redacted].

Sergeant Larry Doherty: [redacted].

Other Speaker: [redacted].

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted].

Sergeant Dave Berges: [redacted].

Sergeant Larry Doherty: [redacted] –

Sergeant Dave Berges: [redacted] –

Sergeant Larry Doherty: [redacted]

Sergeant Dave Berges: – [redacted] –

Sergeant Larry Doherty: [redacted].

Sergeant Dave Berges: – [redacted]

Sergeant Larry Doherty: [redacted]

[redacted]

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted]

Sergeant Dave Berges: [redacted].

Sergeant Larry Doherty: [redacted].

Sergeant Dave Berges: [redacted].

Sergeant Larry Doherty: [redacted] –

Sergeant Dave Berges: [redacted] –

Sergeant Larry Doherty: – [redacted].

Sergeant Dave Berges: – [redacted]

Sergeant Larry Doherty: But you go around calling Lieutenant [redacted] a porch monkey? I don't understand that.

Sergeant Dave Berges: Well, um, I, when I was talking to guys about this I, after it was done, I was extremely pissed off. And, um, I believe what I actually said in, in front of, um, that group of people was probably that fucking monkey. And in that same conversation I said, I called [redacted] the same thing. Um.

Sergeant Larry Doherty: A monkey?

Sergeant Dave Berges: Yes.

Sergeant Larry Doherty: Okay.

Sergeant Dave Berges: Um, I don't –

Other Speaker: I wonder what he calls me.

Sergeant Larry Doherty: Yeah. We'll wait to see.

Sergeant Dave Berges: I have called my detectives that. And what I mean by that is you're being stupid. Now I know I was pissed off and, uh, is it possible that I said porch monkey? I, I guess it's very possible 'cause I was pissed off. Um, it's a normal phrase that I use and so that's why I think it said, I said, you know, fucking monkey. However, it's very possible I, Larry, I was pissed [redacted]

Sergeant Larry Doherty: Were you pissed at [redacted]?

Sergeant Dave Berges: Absolutely not.

Sergeant Larry Doherty: Okay. So being a sergeant looking back now do you think those words are appropriately used in front of a deputy that's openly gay?

Sergeant Dave Berges: Absolutely not. I do not think, um, I, I will be honest with you and tell you that EVOC in general, um, and it, it may be EVOC more than any other trainings but EVOC people feel secure up there. It's a closed course. The only people that are up there are us, the instructors and a, and a small group of students who are usually deputies. The people that attend do feel comfortable. They feel like they can say what's on their mind and there is a lot of bantering and 99 percent of it is done in jest. Uh.

Sergeant Larry Doherty: I understand that amongst the deputies. But are you not a sergeant?

Sergeant Dave Berges: Yes, I am.

Sergeant Larry Doherty: Okay. Um, and in that light, I understand your frustrations as you expressed them. Do you think the term porch monkey is appropriately used in front of the troops when referring to somebody that's a part of management?

Sergeant Dave Berges: Absolutely not.

Sergeant Larry Doherty: Have you ever used that term porch monkey in front of your detectives in DVSA?

Sergeant Dave Berges: I do not believe so.

Sergeant Larry Doherty: Only at, at the track where you said it's more of a relaxed feeling, a secure feeling?

Sergeant Dave Berges: Yes.

Sergeant Larry Doherty: LT?

Other Speaker: I don't have anything.

Sergeant Larry Doherty: You don't have anything?

Other Speaker: I don't.

Sergeant Larry Doherty: Go ahead Mike.

Other Speaker: Well, uh, Dave, uh, being somewhat conversant with the case law in this area, case law tells us that an appropriate consideration for the sheriff's office in this kind of a case where you have admitted to using inappropriate language, uh, certainly in the reference to porch monkey or monkey or fag or gay, you agree that's inappropriate. True?

Sergeant Dave Berges: Definitely.

Other Speaker: Okay, so the case law tells us that one of the considerations, a big consideration, of the sheriff's office should be the likelihood of reoccurrence. When they have to decide what to do with Dave Berges they have to decide what is the likelihood of this reoccurring. Certainly, that's an appropriate consideration. So, uh, you sit here, you're being recorded, so, you know, you better fess up. Uh, if you are returned to a position here at the sheriff's department after this interview on this, you know, these statements, can you give these gentlemen in this room, and the sheriff as well who has to make the final decision, assurances that this speech that is referenced to gay and fag, I don't care what the setting, and this, and how informal it is out there in EVOC training, can you give them assurances that, that will never be repeated again?

Sergeant Dave Berges: I, I can most definitely give that assurance. This has, um, this is humiliating, um, and, and I know that there is lax speech everywhere. And think has shown me that, um, you know, I didn't, I did not mean to offend anybody and I can see how words like that can be taken offensive. And that was not my intent. I was angry and, um, or playing around, um, but I can assure you that this will not occur ever again. Um –

Other Speaker: Thank you, and the same would be true, would it, uh, with reference to this either monkey or porch monkey comment? Um, you understand, uh, and I don't know, Lieutenant [redacted], but I understand that he's an African American gentlemen, so you can understand the, the context of the, and what the view may be of using that term, uh, concerning him?

Sergeant Dave Berges: Uh, most definitely and, ye, yes, and by the, there was no intent to attack him as a racial slur. It was out of anger. And yes, can I see how that can be taken by somebody? Mo, most definitely, and it's not acceptable. Um, I'm not gonna make any excuses, um, but I will assure you nothing like this will ever happen again and in fact, you know, I would have a, lo, you know, long meeting with my instructors so that they understand. No joking like this can happen.

Sergeant Larry Doherty: Okay. I can understand it from a deputy's perspective. But if you were to hear a deputy say that, how would that have made you felt, Dave? As a supervisor, which you are.

Sergeant Dave Berges: How would it have made me feel to hear them say something like that?

Sergeant Larry Doherty: Yeah. In front of [redacted] and, or about Lieutenant [redacted].

Sergeant Dave Berges: Not good. It would not made me feel, uh, good. Uh –

Sergeant Larry Doherty: I mean, you said it's a, I mean, they banter. I understand they banter. Um, and in front of [redacted] if they're bantering like that, is that something we let go or just, as a supervisor, is there some expectation that you will, uh, deal with it?

Sergeant Dave Berges: Well, I believe as a supervisor you have to take action on something like that –

Sergeant Larry Doherty: Okay.

Sergeant Dave Berges: Um, most definitely.

Sergeant Larry Doherty: Then who was supposed to take action when you were doing it?

Sergeant Dave Berges: Probably other deputies.

Sergeant Larry Doherty: Probably other deputies. I agree. Mike?

Other Speaker: Nothing else.

Other Speaker: Dave, let me ask you, why were you so, during this whole ordeal, [redacted]

Sergeant Dave Berges: Um, I, uh, I didn't, um – Well, there were a couple things, uh, that I didn't realize [redacted] was upset with me but, the, um, we'll talk about the [redacted]

[redacted]

Sergeant Larry Doherty: [redacted]

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted]

Sergeant Dave Berges: [redacted]

Other Speaker: Sure.

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted]

Sergeant Dave Berges: [redacted].

Sergeant Larry Doherty: [redacted]

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted]

Internal Affairs Investigation
19-IA-0005
Sergeant Dave Berges Statement

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted]

Sergeant Dave Berges: [redacted].

Sergeant Larry Doherty: [redacted]?

Sergeant Dave Berges: [redacted].

Sergeant Larry Doherty: [redacted]?

Sergeant Dave Berges: [redacted].

Sergeant Larry Doherty: [redacted]?

Sergeant Dave Berges: [redacted].

Sergeant Larry Doherty: [redacted].

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted].

Sergeant Dave Berges: [redacted]
–

Sergeant Larry Doherty: [redacted].

Sergeant Dave Berges: – [redacted],
– –

Sergeant Larry Doherty: [redacted].

Sergeant Dave Berges: [redacted] –

Sergeant Larry Doherty: [redacted]

Sergeant Dave Berges: – [redacted]?

Sergeant Larry Doherty: [redacted].

Sergeant Dave Berges: [redacted].

Other Speaker: [redacted].

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted].

Sergeant Dave Berges: So, to answer your, to answer the question about what, like, why would I be, feel angry at him?

Other Speaker: Right.

Sergeant Dave Berges: Uh, because I felt like he was angry at me and he was targeting me.

Other Speaker: So, safe to say it was accumulation between the two things kinda coming together to a head?

Sergeant Dave Berges: [redacted].

Other Speaker: [redacted].

Sergeant Dave Berges: [redacted]

Sergeant Larry Doherty: [redacted]?

Sergeant Dave Berges: [redacted].

Sergeant Larry Doherty: [redacted] –

Sergeant Dave Berges: [redacted] –

Sergeant Larry Doherty: [redacted]

Sergeant Dave Berges: [redacted] –

Sergeant Larry Doherty: [redacted].

Sergeant Dave Berges: –[redacted]

Other Speaker: [redacted]

Sergeant Dave Berges: [redacted]

[redacted].

Other Speaker: [redacted]

Sergeant Dave Berges: Yeah, I felt like he was targeting me.

Other Speaker: Got it.

Sergeant Larry Doherty: Did you ever talk to him about that?

Sergeant Dave Berges: No.

Sergeant Larry Doherty: Okay.

Sergeant Dave Berges: No, I didn't feel comfortable talking to him about it because I didn't realize that he had held a grudge about something that we disagreed on a year and a half ago, um, at, at that time, so I just kind of felt it was futile to, you know, discuss it.

Other Speaker: And so I understand, [redacted]

Sergeant Dave Berges: [redacted] –

Other Speaker: [redacted].

Sergeant Dave Berges: – [redacted]

Other Speaker: [redacted].

Sergeant Dave Berges: – [redacted] –

Other Speaker: [redacted].

Sergeant Dave Berges: – [redacted] –

Other Speaker: [redacted].

Sergeant Dave Berges: – [redacted]

Sergeant Larry Doherty: [redacted]?

Sergeant Dave Berges: [redacted].

Sergeant Larry Doherty: [redacted].

Sergeant Dave Berges: [redacted] –

Sergeant Larry Doherty: [redacted].

Sergeant Dave Berges: [redacted] –

Other Speaker: Yeah.

Other Speaker: So I just –

Sergeant Dave Berges: I did, um, that's how it made me –

Other Speaker: That was your impression.

Sergeant Dave Berges: That's just how it made me feel.

Other Speaker: Okay. Yeah. Okay. All right.

Sergeant Larry Doherty: Is there anything else you'd like to say that we haven't asked that you think's important, Dave?

Sergeant Dave Berges: No. I, could, just, just that I sincerely apologize that this even had to happen.

Sergeant Larry Doherty: Okay, I can appreciate that.

Other Speaker: I agree.

Sergeant Larry Doherty: I'm going to stop the interview. The time now by my watch is 1312 hours. Thank you.

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