

**CITY OF PORTLAND
INDEPENDENT POLICE REVIEW
Confidential Taped Statement
Investigator Eric Berry**

Interview Date: 05/26/2016
IPR #: 2016-B-0014
IPR File Name: 2016-B-0014 dempsey.bob.05.26.16.int.wma
Complainant:

Interviewed: Bob Dempsey

BERRY: This is IPR investigator ERIC BERRY. Today's date is Thursday May 26th, 2016. The time is approximately 10:15. I'm present at the [REDACTED] lobby for an interview with BOB DEMPSEY related to case number 2016-B-0014. Mr. DEMPSEY are you aware that I'm recording our conversation?

DEMPSEY: Yes I am.

BERRY: Excellent, thank you very much. Okay, so I always like to start with the easy stuff because I tend to forget it. I spelled DEMPSEY, D-E-M like Mike P-S-E-Y.

DEMPSEY: Correct.

BERRY: Excellent and BOB, do you go by BOB?

DEMPSEY: It's ROBERT.

BERRY: ROBERT.

DEMPSEY: Officially, BOB is what I like to go by.

BERRY: Excellent, all right, okay, and Mr. DEMPSEY could I grab your date of birth please?

DEMPSEY: [REDACTED].

BERRY: [REDACTED], excellent. What's a good mailing address for you?

DEMPSEY: [REDACTED].

BERRY: [REDACTED].

DEMPSEY: [REDACTED].

BERRY: [REDACTED].

DEMPSEY: Yeah, we've lived there about twelve years now.

BERRY: You like it out there?

DEMPSEY: Yeah, got some acreage up there.

BERRY: All right, well, so Mister DEMPSEY I hope to interview you related to an accident that happened out in Eastern Oregon. I understand that it took place during a trip that you went on with some friends.

DEMPSEY: Yes.

BERRY: And who all was on that trip?

DEMPSEY: There was eight of us on the trip and it was – do you want all their names?

BERRY: Yeah, if I could.

DEMPSEY: MIKE LIEB and JIM MILLER rode in one vehicle. LARRY O'DEA and STEVE BUECHTEL rode in another vehicle. BRIAN CARROLL, JEFF PURVIS and myself rode in one vehicle and TIM ZIMMER drove by himself.

BERRY: Okay, TIM ZIMMER did you say?

DEMPSEY: Yeah, Z-I-M-M-E-R, ZIMMER.

BERRY: Thank you.

DEMPSEY: Something like that.

BERRY: All right.

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 2 of 30

52 **DEMPSEY:** It's Z-I-E-M-M-E-R, or—
53 **BERRY:** And so now, this was a – from what I understand this is kind of a semi-regular thing that you
54 guys—
55 **DEMPSEY:** Yes, we—
56 **BERRY:** –go out there?
57 **DEMPSEY:** No, we do this every year.
58 **BERRY:** Excellent, excellent.
59 **DEMPSEY:** Every year, different areas, different scenarios. We bring ATVs or no ATVs. This was
60 more – this last couple years were more exploratory trips. Checking different areas that we've never
61 been in before and that's what this trip was.
62 **BERRY:** Very cool, I've gotten to go out that direction south of Burns.
63 **DEMPSEY:** Mm-hm.
64 **BERRY:** Couple of times, pretty.
65 **DEMPSEY:** Yeah its—
66 **BERRY:** Its beautiful country.
67 **DEMPSEY:** –desolate country and we love that—
68 **BERRY:** I bet it's real desolate there.
69 **DEMPSEY:** We love that kind of country because there's nobody else out there. We can have the free
70 land to ourselves, you know, plan what we want to do and—
71 **BERRY:** Yeah, now, so I've read newspaper stories about this thing. I've heard it called a camping
72 trip, I've heard it called a hunting trip, what – how would you describe it?
73 **DEMPSEY:** I think it was more camping.
74 **BERRY:** Camping.
75 **DEMPSEY:** We're going camping everyday and—
76 **BERRY:** Yeah.
77 **DEMPSEY:** And we're out there hunting sage rats.
78 **BERRY:** Sage rats, all right.
79 **DEMPSEY:** I wouldn't call it hunting them, I think they're just everywhere.
80 **BERRY:** Shooting them, yeah.
81 **DEMPSEY:** You know, but only when we camp. We stop camp and go out for walks and stuff like
82 that.
83 **BERRY:** Now I haven't – I haven't gone hunting in this state. My understanding is if you have a
84 hunting license you're good to go for—
85 **DEMPSEY:** Hunting or fishing.
86 **BERRY:** Yeah, for small stuff and then you need a tag for something big.
87 **DEMPSEY:** For anything that's tagable.
88 **BERRY:** Anything you'd want to eat.
89 **DEMPSEY:** Right.
90 **BERRY:** Yeah, yeah, okay, so in the – I take it, you know, I understand you guys had some firearms
91 there.
92 **DEMPSEY:** Yeah.
93 **BERRY:** There were some firearms, yeah. What—
94 **DEMPSEY:** All except TIM.
95 **BERRY:** Oh really? Okay,
96 **DEMPSEY:** He doesn't shoot. He goes along for the beauty.
97 **BERRY:** Really? I think I'd bring something with me, so—

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 3 of 30

98 **DEMPSEY:** He's got all of us.
99 **BERRY:** Well I suppose that's true, yeah. You bring the stuff and the ammo winds up being an issue
100 too, but well, you know, there's an investigation that concerns a shooting looks like—
101 **DEMPSEY:** Right.
102 **BERRY:** —I have to talk to you a little bit about guns. Can I ask what firearms you brought with you?
103 **DEMPSEY:** The one I was using?
104 **BERRY:** Yeah.
105 **DEMPSEY:** Was a .22 pistol.
106 **BERRY:** .22 pistol and what kind of .22 pistol?
107 **DEMPSEY:** Smith and Wesson.
108 **BERRY:** Okay.
109 **DEMPSEY:** Semi-automatic.
110 **BERRY:** Semi-auto, so the Smiths that I can think that are automatics are — what there's a — the 41
111 and a 22?
112 **DEMPSEY:** It's a 41.
113 **BERRY:** Is it a 41? It's a very nice pistol. I've never gotten to shoot one before, but—
114 **DEMPSEY:** Good luck trying to find one.
115 **BERRY:** I know, but didn't they quit making them a long time ago, didn't they?
116 **DEMPSEY:** They came out with a predecessor one that's a model 622 or something like that. I think
117 it was the predecessor that looks — my buddy has one too and — because you can't find one of mine
118 now.
119 **BERRY:** Oh yeah, well they came out with those — they got their — what are they called the Heritage
120 Series or whatever, old wheel guns they're remaking some of them.
121 **DEMPSEY:** The revolvers.
122 **BERRY:** Yeah, revolvers, yeah.
123 **DEMPSEY:** Yeah.
124 **BERRY:** Okay, so a 41, is that a single action automatic, single action only?
125 **DEMPSEY:** There's no such thing.
126 **BERRY:** Well I mean, by that you slide the slide back chamber round, hammers back?
127 **DEMPSEY:** No hammer.
128 **BERRY:** Oh, striker fired, and then is it a single action pull?
129 **DEMPSEY:** Semi-auto pull, semi-automatic.
130 **BERRY:** Yeah, so does the trigger pull change from the first shot to the second shot?
131 **DEMPSEY:** What do you mean?
132 **BERRY:** Well is it a longer trigger pull to the—
133 **DEMPSEY:** I don't know. I wouldn't know.
134 **BERRY:** Okay.
135 **DEMPSEY:** I've owned the gun for thirty years and I just shoot it.
136 **BERRY:** Got it, a .22 long rifle.
137 **DEMPSEY:** Yes.
138 **BERRY:** All right, and what kind of stuff did the other guys have?
139 **DEMPSEY:** There was — it was a basic .22 trip, so everybody had .22 pistols or rifles.
140 **BERRY:** That's a good way — that's a good way to shoot a lot for not very much money.
141 **DEMPSEY:** If you can find .22s.
142 **BERRY:** Well tell me about it. I put away some .22 several years ago and I'm still shooting off that
143 stack.

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 4 of 30

144 **DEMPSEY:** Yeah.
145 **BERRY:** But I mean, there have been years.
146 **DEMPSEY:** Yeah, spending—
147 **BERRY:** Years where I haven't seen them.
148 **DEMPSEY:** Yeah.
149 **BERRY:** I don't know what's going on. And how about Chief O'DEA, do you know what firearms he
150 had?
151 **DEMPSEY:** I believe he was shooting a .22 rifle that day, that Winchester lever action.
152 **BERRY:** Okay, you know the model number or anything?
153 **DEMPSEY:** No.
154 **BERRY:** All right, lever action. Okay, so there's something I want to ask everyone who I talk to, can
155 you kind of give me a brief rundown of your personal experience in firearms?
156 **DEMPSEY:** I've been shooting guns all my life.
157 **BERRY:** I have too. All right, and did you receive any kind of firearms training anywhere, serve in
158 military or anything like that?
159 **DEMPSEY:** Nope.
160 **BERRY:** No, okay. Do you have prior law enforcement experience?
161 **DEMPSEY:** No.
162 **BERRY:** Okay, all right, but a lifetime of recreational shooting.
163 **DEMPSEY:** Lifetime.
164 **BERRY:** Nice. All right, well and I think the accident in itself happened on the 21st, does that sound
165 right to you?
166 **DEMPSEY:** Uh-huh, yup.
167 **BERRY:** Okay.
168 **DEMPSEY:** Thursday the 21st at 4:15 P.M.
169 **BERRY:** Okay, funny how some things stick with you.
170 **DEMPSEY:** It's going to be with me for a while I think.
171 **BERRY:** Oh my goodness, yeah, so that's a Thursday.
172 **DEMPSEY:** Yes.
173 **BERRY:** When did – how long had you guys been out there?
174 **DEMPSEY:** We left earlier – the Sunday before that.
175 **BERRY:** Left Sunday, okay, and Sunday you left. Sunday, Monday, Tuesday, Wednesday, Thursday.
176 **DEMPSEY:** Coming back on Friday.
177 **BERRY:** Coming back, so it's the day before you guys were—
178 **DEMPSEY:** Didn't ruin the trip totally.
179 **BERRY:** Just that last couple days of it. Okay, so you left on Sunday, you've been out there and I
180 know its remote country. Do you have an idea or sense of where you were when this thing happened?
181 **DEMPSEY:** As far as—
182 **BERRY:** Like the physical location. Do you know—
183 **DEMPSEY:** Oh well, I mean, the one guy MIKE LIEB, he's pretty much the navigator. He's got the
184 maps, the GPS, and when we get together we all talk. Okay, we're going to go this way. What do you
185 guys think about going up this way or that way, you know, so we have a general idea of the direction
186 we're going.
187 **BERRY:** Yeah.

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 5 of 30

188 **DEMPSEY:** And we were in the area we wanted to be in and it just happened to be fairly close to the
189 highway on the last day, which was I think kind of our plan as we ventured through the Pueblo
190 Mountains to, you know, go down and be close to, you know, walk back out.
191 **BERRY:** Get back on the highway and—
192 **DEMPSEY:** Exactly, start heading home.
193 **BERRY:** Yeah.
194 **DEMPSEY:** It's a long drive home, you know.
195 **BERRY:** So somewhere in the Pueblo's kind of getting back closer to the highway?
196 **DEMPSEY:** Yeah.
197 **BERRY:** You able to describe it any closer than that?
198 **DEMPSEY:** It's mostly—
199 **BERRY:** I don't know that I could if I was there.
200 **DEMPSEY:** It's from one end of that state to the other, it's all sage brush, you know what I mean.
201 There—
202 **BERRY:** There's nothing else.
203 **DEMPSEY:** —isn't much difference. Normally, you know what I mean, there's some ground terrain
204 difference, but there's nothing else different. Everything is the same out there.
205 **BERRY:** I've made that drive from Bend over to Burns quite a few times and it starts looking the
206 same pretty soon after Bend and it stays looking the same.
207 **DEMPSEY:** Pretty much the same all the way through that whole country to the Idaho, Nevada
208 border.
209 **BERRY:** What do they call it? The great sage basin, I think something like that. There's a
210 theoretically that country extends out through Nevada and Northern California.
211 **DEMPSEY:** I—
212 **BERRY:** Utah.
213 **DEMPSEY:** I don't know.
214 **BERRY:** Same looking —
215 **DEMPSEY:** That's all the same looking area. We've been doing — that whole area forever, so we
216 know the area pretty well.
217 **BERRY:** Yeah.
218 **DEMPSEY:** As far as generally. This is a new area down south, southern corner of Oregon. We've
219 done, you know, we've done pretty much the whole state of Oregon over the last thirty years.
220 **BERRY:** That's really good.
221 **DEMPSEY:** So we — we're very familiar with the country.
222 **BERRY:** Yeah.
223 **DEMPSEY:** You know what I mean, all that country is the same — rickety roads out to the middle of
224 nowhere land, every one.
225 **BERRY:** Sometimes the roads stop, sometimes they don't.
226 **DEMPSEY:** They stop sometimes.
227 **BERRY:** Could be tricky to turn around. Okay, so the accident happened at 4:15. What was going on
228 the day before that, what were you guys doing?
229 **DEMPSEY:** The — what now?
230 **BERRY:** What was going on, on the day before that, what —
231 **DEMPSEY:** Earlier that day?
232 **BERRY:** Yeah.

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 6 of 30

233 **DEMPSEY:** We got up at like normal day and everybody – we had coffee every morning over the fire
234 and we were all deciding that we were going to go for a walk up the valley, and so I'd say around – I
235 want to say around eleven, twelve o'clock in the afternoon we decided all of us were going to take a
236 walk, and so – other than TIM. TIM stayed back because he was leaving that morning, and so he was
237 packing his gear up in his vehicle, so we all went out for a walk. I think three of us or four of us stayed
238 – went half way out and then the rest of them took off and went farther down the canyon and we –
239 LARRY, JIM, and JEFF PURVIS and myself came back to camp and kind of – how our camp was
240 situated we had open view – field view of the area with a big huge embankment, huge mountain, not a
241 mountain — a hill in front of us where we were shooting at.

242 **BERRY:** Kind of a berm –

243 **DEMPSEY:** Kind of well – It's, you know, a big hill and it – the reservoir – the creek ran down
244 through the bottom of it and we were out there in that area shooting and got our lawn chairs out and sat
245 down outside of camp towards that area and continued to do that for all afternoon. These guys
246 probably came back to our – came back and then we all sat down and people kind of moved around in
247 our – in the line because we had a nice line, you know, safety line.

248 **BERRY:** Mm-hm.

249 **DEMPSEY:** And I had MIKE LIEB on my right side, JIM MILLER on his right side. I had LARRY
250 O'DEA on my left side and at one – at some point there was JEFF PURVIS on his left side.

251 **BERRY:** On Chief O'DEA'S?

252 **DEMPSEY:** Yes.

253 **BERRY:** You can call him LARRY; I'll just keep on–

254 **DEMPSEY:** Okay.

255 **BERRY:** –calling him Chief O'DEA.

256 **DEMPSEY:** And at one point he had gotten up and moved – I think he went over and got – he was,
257 you know, it was in the early – at some point food was involved. We were getting food–

258 **BERRY:** Yeah.

259 **DEMPSEY:** –and whatever they wanted to drink and stuff and BRIAN CARROLL's over by his truck
260 in the very front. STEVE BUECHTEL – one vehicles here, one vehicles here, thirty yards gap. STEVE
261 BUECHTEL was on the left driver side of LARRY'S truck.

262 **BERRY:** Mm-hm.

263 **DEMPSEY:** We were on this side and then our camp is all the way around us, behind us.

264 **BERRY:** Okay, so when you–

265 **DEMPSEY:** They had a nice little diagram of everybody on there, and so–

266 **BERRY:** Do you? That's what I was–

267 **DEMPSEY:** I pointed to that – to them.

268 **BERRY:** Yeah I was hoping to get an idea of things. Let me draw a little picture. Let's call this the
269 line and I'm putting you there, B.D. for BOB DEMPSEY.

270 **DEMPSEY:** Are we looking this way?

271 **BERRY:** Yeah, looking that way.

272 **DEMPSEY:** Okay.

273 **BERRY:** Let's make the berm here.

274 **DEMPSEY:** Okay, okay, that's fine.

275 **BERRY:** Looking that way.

276 **DEMPSEY:** And so MIKE would be on my right and LARRY – and JIM MILLER would be on my
277 right.

278 **BERRY:** Okay.

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 7 of 30

279 **DEMPSEY:** MIKE and JIM and then LARRY.
280 **BERRY:** All right.
281 **DEMPSEY:** Then LARRY on my left. BUECHTEL he's – BUECHTEL, STEVEN BUECHTEL was
282 over here. We told him, I said, you're kind of blocked out. There's better – so he moved here and then
283 moved – there was a rig, LARRY'S rig was right here.
284 **BERRY:** Okay, it's hard from my skills and then–
285 **DEMPSEY:** Yeah, its fine.
286 **BERRY:** –I'm not an artist, but–
287 **DEMPSEY:** Yeah.
288 **BERRY:** We can both agree that's a pickup truck.
289 **DEMPSEY:** So yeah, JEFF was in – and STEVE BUECHTEL were both on this side at one point, but
290 I think STEVE BUECHTEL went in – got himself on this side of the truck because the field of view
291 was better.
292 **BERRY:** Okay.
293 **DEMPSEY:** So he stayed – was stationed there, JEFF PURVIS moved totally out of that spot and my
294 buddy's truck was parked over here. He was at the front of it.
295 **BERRY:** Mm-hm.
296 **DEMPSEY:** And then he had moved – actually had went up the hill to go to the bathroom.
297 **BERRY:** Little further out, okay.
298 **DEMPSEY:** When it actually happened, that was where JEFF was.
299 **BERRY:** So I'm putting him on my right, STEVE one, STEVE two, and STEVE three.
300 **DEMPSEY:** Yeah, well that's–
301 **BERRY:** That is when you gave his position–
302 **DEMPSEY:** That's the movement.
303 **BERRY:** Okay.
304 **DEMPSEY:** That I remember.
305 **BERRY:** So start here–
306 **DEMPSEY:** I remember seeing.
307 **BERRY:** So in terms of the guys who were right next to you when this thing happened, looks like you
308 were there–
309 **DEMPSEY:** Just LARRY.
310 **BERRY:** Chief and then–
311 **DEMPSEY:** These two guys have moved back into camp.
312 **BERRY:** Okay, they were gone.
313 **DEMPSEY:** They were behind me. MIKE was behind me at some point.
314 **BERRY:** Okay.
315 **DEMPSEY:** JIM I think went over to the truck and was digging through the cooler for the – I think we
316 were – it was – hungry time. Everyone's getting food.
317 **BERRY:** Yeah.
318 **DEMPSEY:** And stuff and–
319 **BERRY:** Okay, well, so okay, so around eleven or twelve you go for a walk.
320 **DEMPSEY:** Mm-hm.
321 **BERRY:** Some of you guys came back early.
322 **DEMPSEY:** Right, we went out – there was a structure out there. We went out and checked out the
323 structure.
324 **BERRY:** Checking out the structure.

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 8 of 30

325 **DEMPSEY:** Those guys continued down the valley, it was a cool valley.
326 **BERRY:** Okay, and they came back–
327 **DEMPSEY:** Back.
328 **BERRY:** –with the chairs set up.
329 **DEMPSEY:** We were – we had, you know, we already had been sitting.
330 **BERRY:** Yeah.
331 **DEMPSEY:** Me and LARRY.
332 **BERRY:** Yeah.
333 **DEMPSEY:** And those guys were doing what they were doing over there by there and then when –
334 and when – well JIM MILLER came back with us. MIKE and those guys went a little farther. They all
335 came back. That’s when we were–
336 **BERRY:** Shooting.
337 **DEMPSEY:** Pretty much sitting there from two o’clock – the last couple hours probably.
338 **BERRY:** Okay, and two on or about there.
339 **DEMPSEY:** I was, you know, I wasn’t really paying attention to my watch, but that’s pretty much the
340 time frame for all that.
341 **BERRY:** Yeah, and you guys were shooting at the embankment. What were you all shooting at?
342 **DEMPSEY:** Sage rats.
343 **BERRY:** Sage rats, okay, and I know you probably didn’t have a ruler with you, do you have a sense
344 at how far away from the hill you were?
345 **DEMPSEY:** A hundred yards.
346 **BERRY:** Hundred yards, okay.
347 **DEMPSEY:** I had a range finder.
348 **BERRY:** Oh okay.
349 **DEMPSEY:** A hundred and nine yards to the embankment.
350 **BERRY:** Okay, well that makes sense because I was trying to figure out – okay, how come the sage
351 rats aren’t leaving if there’s a line of guys, but if they’re a hundred yards away–
352 **DEMPSEY:** Yeah, and–
353 **BERRY:** Yeah.
354 **DEMPSEY:** –to the farthest point was a hundred and thirty so on yards.
355 **BERRY:** Okay.
356 **DEMPSEY:** So I was range finding stuff, so we had distance for our shooting.
357 **BERRY:** Yeah, and how were you guys shooting? Were you getting some sage rats?
358 **DEMPSEY:** Oh yeah.
359 **BERRY:** Excellent, well, so when you’re doing that what – I’ve never done that, never shot sage rats.
360 **DEMPSEY:** Mm-hm.
361 **BERRY:** Does it matter – you’re just kind of sitting there waiting for one to pop up?
362 **DEMPSEY:** Mm-hm.
363 **BERRY:** Do they pop up like – okay, and then whoever gets it gets it?
364 **DEMPSEY:** Just like the pop up game.
365 **BERRY:** Yeah, like the whack a mole.
366 **DEMPSEY:** Come up–
367 **BERRY:** And then–
368 **DEMPSEY:** Yeah, you know, first come first serve.
369 **BERRY:** It’s pretty good shooting with a .22 at a hundred yards.
370 **DEMPSEY:** We’re all pretty much experts.

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 9 of 30

371 **BERRY:** Yeah, yeah, that's a—
372 **DEMPSEY:** Been doing it for a long time.
373 **BERRY:** That's really good because they're not all that big are they?
374 **DEMPSEY:** They range from four inches long to eight to ten inches long.
375 **BERRY:** Okay.
376 **DEMPSEY:** That big around to that big around.
377 **BERRY:** They pop up, excellent.
378 **DEMPSEY:** They run around.
379 **BERRY:** Oh yeah, yeah they move fast.
380 **DEMPSEY:** They run around that embankment, you know.
381 **BERRY:** All right—
382 **DEMPSEY:** We got awesome shots, man.
383 **BERRY:** Well, sounds like you're better than I am.
384 **DEMPSEY:** Just a lot of them. I don't know about that.
385 **BERRY:** Okay, so you're going out there shooting. You're talking about eating, were guys drinking
386 beer?
387 **DEMPSEY:** I had three beers.
388 **BERRY:** Kind of over the course of the—
389 **DEMPSEY:** Well I had one before we went on the walk, I had one on the walk, came back and I had —
390 when those other guys came back I brought them all out a beer, so we — that was their first beers and
391 LARRY O'DEA had zero alcohol. He was drinking like a Crystal Light, one of those skinny little —
392 they don't fit in the cup holder I know that because his were always falling over, but—
393 **BERRY:** Yeah.
394 **DEMPSEY:** —it was the little skinny like, Crystal Lights and he's not one of the — notoriously on a trip
395 very light on the alcohol. Always has been for every time we've ever been out.
396 **BERRY:** Okay.
397 **DEMPSEY:** He's never been one to get drunk.
398 **BERRY:** Yeah.
399 **DEMPSEY:** Per se.
400 **BERRY:** Yeah.
401 **DEMPSEY:** You know what I mean, it's just not his style. It never has been.
402 **BERRY:** He's drinking Crystal Light.
403 **DEMPSEY:** He was.
404 **BERRY:** Okay.
405 **DEMPSEY:** Some kind of — something like that.
406 **BERRY:** Something like that. Okay, beer on the walk, beer when you got back, you had one when you
407 were there. The rest of the guys came out and you brought beer to them and—
408 **DEMPSEY:** Not — well just two guys.
409 **BERRY:** Two guys.
410 **DEMPSEY:** Just MIKE and JIM.
411 **BERRY:** Thank you.
412 **DEMPSEY:** And those other guys they, you know, doing whatever they were doing. It was a big —
413 it's a big group, so you know—
414 **BERRY:** Yeah.
415 **DEMPSEY:** —you're not always huddled around an area—
416 **BERRY:** Not checking what they're drinking?

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 10 of 30

417 **DEMPSEY:** No, I don't--
418 **BERRY:** Yeah.
419 **DEMPSEY:** Yeah, they're big boys. I think they can handle it.
420 **BERRY:** Yeah, I think they're probably -- probably big boys.
421 **DEMPSEY:** I think we're all pretty old.
422 **BERRY:** If that -- I don't know how it happens, but it sure happens.
423 **DEMPSEY:** We're getting there.
424 **BERRY:** Yeah, but you're specific that Chief O'DEA, you didn't see him drinking any alcohol.
425 **DEMPSEY:** I know for a fact he wasn't.
426 **BERRY:** Okay, okay.
427 **DEMPSEY:** When you're sitting next to a guy for several hours, obviously--
428 **BERRY:** Yeah.
429 **DEMPSEY:** You know, his table -- we've side tables on our chairs--
430 **BERRY:** Mm-hm.
431 **DEMPSEY:** --you know, so I know what he was drinking because it was right there.
432 **BERRY:** Right off your table.
433 **DEMPSEY:** Right off to my left.
434 **BERRY:** Yeah, folding chairs what--
435 **DEMPSEY:** Folding chairs.
436 **BERRY:** Yeah, like Coleman's or something?
437 **DEMPSEY:** Yeah, sort of like that.
438 **BERRY:** Okay.
439 **DEMPSEY:** I had a brand new one my mom sent me for my birthday in February, so I had a brand
440 new chair.
441 **BERRY:** Excellent, excellent, so kind of that director style chair that folds out.
442 **DEMPSEY:** Yeah, you know, they kind of fold up--
443 **BERRY:** Yeah.
444 **DEMPSEY:** They're not the cloth, you know, the loose ones that are -- these have the hard rigid, you
445 know, lines around them.
446 **BERRY:** Yeah.
447 **DEMPSEY:** A normal director's chair type cloth.
448 **BERRY:** Okay, all right, okay, well I appreciate you bearing with me through all this here.
449 **DEMPSEY:** It's fine.
450 **BERRY:** We'll draw pictures together--
451 **DEMPSEY:** It has to be done, it has to be done.
452 **BERRY:** Yeah, just sitting out there shooting, will you tell me what happened during the accident?
453 **DEMPSEY:** LARRY's shooting his rifle and he's been having feeding problems with it. It was not
454 functioning properly and at one point I remember him saying something about -- he wanted a cleaning
455 kit and JEFF PURVIS offered -- he had one -- excuse me, had a cleaning kit handy, and so he gave him
456 the cleaning kit and LARRY was busy working on his rifle. Shooting it, not function right when he
457 would eject a shell, when something's not functioning proper.
458 **BERRY:** Yeah, was he having failure to feed, failure to eject, what was--
459 **DEMPSEY:** I think it was failure to eject, but I can't be positive because the guys an expert. I mean,
460 that's what he does for living and I'm not.
461 **BERRY:** Yeah.

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 11 of 30

462 **DEMPSEY:** So I think, you know, he pretty much knows what he's doing when it comes to
463 mechanical work on a weapon.
464 **BERRY:** You're not going to offer your--
465 **DEMPSEY:** I don't -- I don't have that kind of knowledge.
466 **BERRY:** Yeah.
467 **DEMPSEY:** It's not my forte. If I have a problem it's like, LARRY fix this for me.
468 **BERRY:** Can you make this go again?
469 **DEMPSEY:** Exactly.
470 **BERRY:** Okay, so you think failure to eject, but you're not sure.
471 **DEMPSEY:** I'm not sure if that was the issue.
472 **BERRY:** Yeah.
473 **DEMPSEY:** He wasn't sure what the issue was, so at one point we were all talking about it there and
474 we changed -- he was just going to change ammo, and so he got up, and he got up and set the rifle
475 down and went back, changed ammo, come back and, because we were talking about the ammo.
476 **BERRY:** Mm-hm.
477 **DEMPSEY:** It was the Remington Golden Boy bullets and we're looking at them, we were saying, oh
478 how much feet per second on this compared to the standard velocity. We're, you know, just talking
479 stuff, bullet stuff.
480 **BERRY:** Yeah.
481 **DEMPSEY:** And we're like oh yeah, look at this, look at this and then he sat back down and was -- I
482 think he was still struggling a little bit with feeding problems or something and at just before it
483 happened I remember sitting there and I look over and he gets up, he was sitting like this. He gets up
484 and he has a rifle in his hands.
485 **BERRY:** Mm-hm.
486 **DEMPSEY:** And then he turns and sets it across the arms of the chair, barrel towards me, so he gets
487 up takes the rifle and I'm sitting there looking at him.
488 **BERRY:** Mm-hm.
489 **DEMPSEY:** He diligently just sets it there like, all right, all good and takes off behind me back to his
490 -- to the camp. I'm like, okay, fine and I continue my look, my focus is out in the field.
491 **BERRY:** Yeah.
492 **DEMPSEY:** And the next thing I know is I got shot, because I don't remember, I don't remember him
493 -- see him coming back to the seat. I was kind of turned a little like this.
494 **BERRY:** Mm-hm.
495 **DEMPSEY:** And he was like that, and so I do not remember him coming back and sitting down or
496 what he was doing.
497 **BERRY:** Okay, let me make sure -- I just want to make sure I understand it.
498 **DEMPSEY:** Sure.
499 **BERRY:** So you guys are shooting, you're aware of the chief having problems we think failure--
500 **DEMPSEY:** We all did, we all did.
501 **BERRY:** --of ejecting. That happens with .22's.
502 **DEMPSEY:** Yeah.
503 **BERRY:** Aware of having him -- possibly failure to eject issues, he's working on it. Shoot, work,
504 shoot, work.
505 **DEMPSEY:** Exactly.
506 **BERRY:** He changes ammo.
507 **DEMPSEY:** Yes.

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 12 of 30

508 **BERRY:** And then, you're aware of him getting up and turning around, placing the rifle--
509 **DEMPSEY:** The rifle across the arms of the chair.
510 **BERRY:** --across the arms of the chair, muzzle pointing in your direction.
511 **DEMPSEY:** Exactly.
512 **BERRY:** And then he walks away.
513 **DEMPSEY:** He goes behind me back to camp.
514 **BERRY:** Do you have any idea what he's doing back there?
515 **DEMPSEY:** I think he was -- food time--
516 **BERRY:** Getting some chow.
517 **DEMPSEY:** --you know, another soft drink. That's what he was drinking.
518 **BERRY:** Yeah.
519 **DEMPSEY:** I mean, it was that kind of -- so it was -- that was the kind of the issue of people kind of,
520 all right, say I'm getting hungry let's go back to camp.
521 **BERRY:** Yeah.
522 **DEMPSEY:** Make a sandwich, the other guy had a sandwich over there and visit behind me and was
523 talking with that guy, he had a sandwich, you don't see anything, you know, it was what we were
524 doing out there and stuff.
525 **BERRY:** Oh yeah.
526 **DEMPSEY:** So that's -- I'm assuming he got up and did what -- you know, his business wherever I
527 have no clue. I wasn't paying attention to what everybody else was doing because I was, like I said I
528 wasn't -- I got hit from behind.
529 **BERRY:** Yeah, yeah, so he -- you're aware of him going.
530 **DEMPSEY:** Yes.
531 **BERRY:** He had set the rifle down, you said the muzzle was pointed your way. Do you have any idea
532 if you were getting swept by it or--
533 **DEMPSEY:** Not swept, but placed with barrel towards me.
534 **BERRY:** Placed, pointing your direction.
535 **DEMPSEY:** Pointing my direction.
536 **BERRY:** Okay, you're not aware of whether or not he comes back.
537 **DEMPSEY:** No.
538 **BERRY:** But at some point you get shot.
539 **DEMPSEY:** Yes.
540 **BERRY:** Okay, and if I may ask, where did you get hit?
541 **DEMPSEY:** Left side of the back.
542 **BERRY:** Left side of the back, all right.
543 **DEMPSEY:** And went through shrapnel, the hollow point and it fragmented--
544 **BERRY:** Did it break up?
545 **DEMPSEY:** It broke up, part of it went across my back they said and others went embedded in the
546 end, different directions because it kind of fragmented out.
547 **BERRY:** Yeah, yeah.
548 **DEMPSEY:** And so that's after the fact, after I've known what's going on.
549 **BERRY:** You found that out--
550 **DEMPSEY:** Yes, yes.
551 **BERRY:** Not in that moment.
552 **DEMPSEY:** I wouldn't -- I didn't know nothing then.
553 **BERRY:** Yeah.

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 13 of 30

554 **DEMPSEY:** Except massive pain.
555 **BERRY:** So tell me about that, what did – can you kind of describe the process of realizing what had
556 happened to you?
557 **DEMPSEY:** How do you describe the most intense pain you've ever had in your life, you know what I
558 mean? Gets in – you get the wind knocked out of you, the initial – the initial blow is just like, it put me
559 – I think I was like, in this position and it hit me and I went to my knees right here holding on my chair
560 and I was swearing.
561 **BERRY:** Well yeah, I would do the same. I try not to have a potty mouth, but I think that's a
562 reasonable grounds to swear.
563 **DEMPSEY:** Yeah, so–
564 **BERRY:** Yeah, so what happened after you got shot?
565 **DEMPSEY:** Well MIKE said he was standing back by his truck or his cot, which was say fifteen
566 yards behind us or so and when – I'm just telling you what he's told me. You want that?
567 **BERRY:** Yeah, that's fine.
568 **DEMPSEY:** Because it's not what I – I don't know.
569 **BERRY:** I understand that you didn't see that.
570 **DEMPSEY:** I did not. I don't know.
571 **BERRY:** But this–
572 **DEMPSEY:** But this is what he's telling me.
573 **BERRY:** This is what LIEB told you, yeah.
574 **DEMPSEY:** And you're going to talk to him, he's going to say the same thing.
575 **BERRY:** Yeah.
576 **DEMPSEY:** He said he heard the shot and then he turned around when he heard me yelling and he
577 looked and he goes – he knew that I had been shot, but he walked up – that's when LARRY and
578 STEVE BUECHTEL were lifting my shirt up seeing the wound and MIKE looked at it and off he went
579 to start getting his truck ready to go because he knew he had to get me out of there.
580 **BERRY:** Well yeah.
581 **DEMPSEY:** So–
582 **BERRY:** Yeah, okay, so that's that, so what – you talked about LARRY and I'm sorry who did you
583 say lifted up your shirt?
584 **DEMPSEY:** STEVE BUECHTEL.
585 **BERRY:** STEVE BUECHTEL, okay, and Chief O'DEA and BUECHTEL are lifting up your shirt.
586 **DEMPSEY:** They – I was on the ground – I was on my knees.
587 **BERRY:** Yeah.
588 **DEMPSEY:** And they were – since they were the two closest guys to me at the time, LARRY being
589 the closest came over and I hear him – I'm – like I said, I'm just swearing.
590 **BERRY:** Mm-hm.
591 **DEMPSEY:** And they were looking and he said – and I remember this distinctly, he goes – LARRY'S
592 saying look for a self-inflicted wound or a gunshot towards the front. Look for an exit wound and then
593 – and see if he shot himself and that's when I yelled I didn't f'ing shoot myself. I said – I'm checking
594 myself, I'm like, you know, I have Carhartts on. I'm like, pulling them–
595 **BERRY:** Yeah.
596 **DEMPSEY:** I go, I didn't fucking shoot myself and then everybody heard that.
597 **BERRY:** And what – I should've asked this earlier, you said you had your – what were you shooting,
598 the Smith and Wesson 41?
599 **DEMPSEY:** .22.

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 14 of 30

600 **BERRY:** .22, yeah and how – where was that Smith at the time that this occurred?
601 **DEMPSEY:** Okay, I was wearing a tanker holster.
602 **BERRY:** Mm-hm, okay, the old GI–
603 **DEMPSEY:** Old–
604 **BERRY:** Yeah, yeah.
605 **DEMPSEY:** The US tanker holsters.
606 **BERRY:** Yeah.
607 **DEMPSEY:** And come back from the walk, set my cot – my camp chair up and my table and I was – I
608 un-holstered my pistol, set it on the table, and so I had all my ammo in my left pocket of my Carhartts,
609 and so gun on safe, I shoot, put the gun on safe, pop the clip out, set the gun down on the table, reach
610 in – stretch out this leg, reach in, grab some ammo, load the clip up, grab the pistol, still on safe, put
611 the clip in, ten plus one on the table.
612 **BERRY:** Yeah.
613 **DEMPSEY:** All that afternoon, I never holstered it.
614 **BERRY:** Never holstered it.
615 **DEMPSEY:** All day.
616 **BERRY:** Did you have it – the pistol in your hands when you got shot?
617 **DEMPSEY:** No, the pistol was on the table.
618 **BERRY:** On the table, okay.
619 **DEMPSEY:** Because when I hit – when I went to my knees–
620 **BERRY:** Mm-hm.
621 **DEMPSEY:** I grabbed my chair and the chair started tilting, the pistol started to go, I grabbed the
622 pistol and threw it in my buddy’s chair next to me and that’s where they found it.
623 **BERRY:** Yeah, yeah, okay, so you weren’t – just to be clear, it doesn’t sound like you were re-
624 holstering it at the time you got shot.
625 **DEMPSEY:** Never, not once.
626 **BERRY:** Okay, it was on the side table.
627 **DEMPSEY:** Always on the table, the side table, always, all afternoon.
628 **BERRY:** Okay, okay, those are kind of neat holsters. I like those old–
629 **DEMPSEY:** I love those holsters.
630 **BERRY:** –tanker holsters, they’re probably – are they good for riding ATV and stuff, I bet.
631 **DEMPSEY:** Don’t need cover-ups, nothing falls off, yeah.
632 **BERRY:** Yeah, that’s true. Oh boy, so the guys are rendering aid, did someone call it in, like–
633 **DEMPSEY:** There’s no cell phone service.
634 **BERRY:** Oh yeah, so what did you guys do next? What happened after that?
635 **DEMPSEY:** Load my ass up and start up the bumpy road.
636 **BERRY:** Oh boy.
637 **DEMPSEY:** With MIKE LIEB driving his Dodge, JIM MILLER in the passenger seat, STEVE
638 BUECHTEL behind the driver’s seat and me in a upright position behind the passenger seat in the
639 back seat, the–
640 **BERRY:** Okay.
641 **DEMPSEY:** – extended cab.
642 **BERRY:** So behind driver and you’re behind the passenger.
643 **DEMPSEY:** I couldn’t lay down, I had to stay in an upright position because they first made a bed and
644 I – I could maneuver.
645 **BERRY:** Mm-hm.

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 15 of 30

646 **DEMPSEY:** I didn't let – I didn't need no assistance. I did everything myself.
647 **BERRY:** Yeah.
648 **DEMPSEY:** You know, it's like, it was all–
649 **BERRY:** Yeah.
650 **DEMPSEY:** –up here.
651 **BERRY:** Boy, yeah, so what – how long did it take you to get to – from camp to help?
652 **DEMPSEY:** I want to say we got to Fields, Oregon at approximately 5:30 because they had a first
653 responder there and she was telling me that it was going to take about a half hour to forty-five minutes
654 for the ambulance or life flight to get there.
655 **BERRY:** Okay.
656 **DEMPSEY:** So around 6:15 is when that – I think that they arrived. I'm not sure.
657 **BERRY:** Yeah, you've got other stuff on your mind.
658 **DEMPSEY:** I wasn't really looking–
659 **BERRY:** Not taking notes on time.
660 **DEMPSEY:** I wasn't timing everybody, to tell you the truth.
661 **BERRY:** Yeah, okay, so you think you got to Fields around 5:30 and that's that – if I remember Fields
662 right, it's kind of a little store in the middle of nowhere.
663 **DEMPSEY:** Little store, restaurant–
664 **BERRY:** Fuel station.
665 **DEMPSEY:** Little – a little fuel station.
666 **BERRY:** Yeah.
667 **DEMPSEY:** Not much there.
668 **BERRY:** Out by like, what's Frenchglen, Round Barn.
669 **DEMPSEY:** Yeah, yeah.
670 **BERRY:** I think there's a couple out there.
671 **DEMPSEY:** All that general area.
672 **BERRY:** Yeah.
673 **DEMPSEY:** Yeah.
674 **BERRY:** You're there, so you got a first responder waiting for you, so somewhere along the ride you
675 got cell coverage?
676 **DEMPSEY:** Oh, we did, we – cruising out, we got on top a big ridge and STEVE BUECHTEL was
677 the whole time holding a cell phone waiting for a signal.
678 **BERRY:** Mm-hm.
679 **DEMPSEY:** As soon as we got on one ridge I got one bar, I got two bars, stop, boom, called 911 from
680 that point.
681 **BERRY:** Raised it, okay, and you got a first responder there waiting for you.
682 **DEMPSEY:** She – I think lives in the community.
683 **BERRY:** Yeah.
684 **DEMPSEY:** And, but, you know, there's, you know, she was saying there was – she said that that's
685 what she does around the area. If someone gets hurt, she's like – I don't think she's an EMT or like
686 that, but I think she just knows–
687 **BERRY:** Oh yeah, well–
688 **DEMPSEY:** –help, helper.
689 **BERRY:** I think they got a real – they've got a real active volunteer fire and medic system out there.
690 **DEMPSEY:** Right, right.
691 **BERRY:** Because they have got to respond to those brush fires, so–

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 16 of 30

692 **DEMPSEY:** Yeah, it's desolate country, so—
693 **BERRY:** Oh yeah, it's real—
694 **DEMPSEY:** You got to have self-help out—
695 **BERRY:** Self-help.
696 **DEMPSEY:** Yeah, exactly.
697 **BERRY:** So first responder, female that you remember.
698 **DEMPSEY:** Mm-hm.
699 **BERRY:** You get there around 5:30 and did you say sometime around 6:15 you think?
700 **DEMPSEY:** I do believe 6:15 or so is when the ambulance and the helicopter arrived at the same time.
701 **BERRY:** Well that's what I was going to ask you, is how you got from Fields to — because you wound
702 up going to Boise, did you?
703 **DEMPSEY:** Right, once the EMTs came in from the ambulance, they hooked me up to IVs and pain
704 meds and all kinds of awesome stuff.
705 **BERRY:** Thank goodness.
706 **DEMPSEY:** Thank goodness and—
707 **BERRY:** Yeah.
708 **DEMPSEY:** Which I don't have a very good tolerance to pain, to pain medicine, so it takes a bunch —
709 different types to make it work.
710 **BERRY:** Oh really?
711 **DEMPSEY:** Yeah, like Morphine doesn't work on me and...
712 **BERRY:** Really?
713 **DEMPSEY:** Yeah, you know, they're like, okay, we're going to fix up you with — I said don't give me
714 Morphine. They're like what? I go don't, it just—
715 **BERRY:** Everyone always asks for Morphine.
716 **DEMPSEY:** Exactly, you know, I mean, it's like it doesn't — I have prior injuries and stuff and—
717 **BERRY:** So you know.
718 **DEMPSEY:** —so they gave me Fentanyl I believe.
719 **BERRY:** Okay, yeah, yeah.
720 **DEMPSEY:** And, but that doesn't last for long, it's like—
721 **BERRY:** No.
722 **DEMPSEY:** —ten minutes, fifteen, I'm like, yeah it's not working no more, but anyway they gave me
723 — set me up.
724 **BERRY:** And then they — did they load you on the helicopter or how did—
725 **DEMPSEY:** Helicopter, yeah my buddy drove me out to where the helicopter landed.
726 **BERRY:** Okay.
727 **DEMPSEY:** And—
728 **BERRY:** And then off—
729 **DEMPSEY:** Off we went. My first helicopter ride.
730 **BERRY:** Wow, I think I'd rather — I've always wanted to ride in helicopter, but I don't know if it's
731 worth it.
732 **DEMPSEY:** Not that way.
733 **BERRY:** Not, I don't know if it is worth it.
734 **DEMPSEY:** Not at a tune of fifty thousand dollars.
735 **BERRY:** Oh, well did you talk to any police before you left?
736 **DEMPSEY:** Well I was — they had me stay right where I was in the back seat of MIKE'S truck.
737 **BERRY:** Mm-hm.

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 17 of 30

738 **DEMPSEY:** First responder crawled in there with me. They had the seat leaned forward, she was
739 leaning against that, so I was real face – because like, this with you.
740 **BERRY:** Mm-hm.
741 **DEMPSEY:** You know, I'm sitting square with her and then she's reaching across looking at the
742 wound. She goes oh they did such a great job patching you up, but – because they had a great trauma
743 kit there with us and that – she goes, I'm not even going to mess with it, it looks too perfect and it
744 wasn't bleeding.
745 **BERRY:** Good.
746 **DEMPSEY:** So it was like, oh, so then – yes until the EMTs came there – I forgot I lost my train of
747 thought.
748 **BERRY:** Oh yeah, well I was asking if you were able to talk to like, a sheriff or anything before?
749 **DEMPSEY:** Oh okay, and the Fish and Wildlife deputy JOHN MEGAN, I didn't know his first name,
750 but – until later.
751 **BERRY:** Okay.
752 **DEMPSEY:** Because I know because I saw his patch with MEGAN on it right there and he was the
753 one talking to me ninety-nine percent of the time.
754 **BERRY:** Okay.
755 **DEMPSEY:** And the sheriff deputy, something NISBET, CHRIS NISBET?
756 **BERRY:** Sounds right.
757 **DEMPSEY:** I have got – oh, I don't have his card. He said on the phone when I finally talked to him
758 that he did come over and talk to me, but I said no, I never talked to you and I was like this.
759 **BERRY:** Mm-hm.
760 **DEMPSEY:** I was thinking like, he said he talked to me. I said, no, you never talked to me. He goes
761 yeah I did. I said, well if you did it wasn't like a conversation. It was over there because it – I was like
762 I just don't remember. I remember him coming in from the back side of me and taking pictures of the
763 wound. I remember him taking the thing off then doing some – I looked over and I saw him doing that.
764 **BERRY:** And that was the deputy?
765 **DEMPSEY:** That was the deputy sheriff.
766 **BERRY:** Okay.
767 **DEMPSEY:** And other than that I never spoke to him.
768 **BERRY:** Okay.
769 **DEMPSEY:** I explained to Officer MEGAN a little bit more detail of stuff, what went on. Well what
770 you guys, you know, what I've told you. We were up there shooting rats, but I had an accidental .22
771 and then he went on, you know, with his stories and stuff.
772 **BERRY:** Yeah.
773 **DEMPSEY:** Trying to get my mind right, you know, as far as this, you know, all this was pretty hard
774 at that time.
775 **BERRY:** Yeah, I imagine you got a lot of stuff on your mind.
776 **DEMPSEY:** Right.
777 **BERRY:** Was he – so MEGAN was he – I mean, was it a statement? I mean, was he interviewing you
778 and taking notes and stuff?
779 **DEMPSEY:** No, no, no, no.
780 **BERRY:** Just talking?
781 **DEMPSEY:** Just talking.
782 **BERRY:** Okay.
783 **DEMPSEY:** As far as I know.

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 18 of 30

784 **BERRY:** Yeah, so you kind of described the incident to him, do you remember how you described it
785 to him?
786 **DEMPSEY:** I do not.
787 **BERRY:** Yeah.
788 **DEMPSEY:** I just don't get that – remember that part. I was still in the pain mode of that.
789 **BERRY:** Yeah.
790 **DEMPSEY:** I didn't have any pain meds even there, you know what I mean?
791 **BERRY:** Yeah.
792 **DEMPSEY:** So it's like, you know, I don't think – I don't remember what I was saying as far as word
793 for word. I just know generally, you know, we talked about this or the EMT talked to me about this
794 and, damn.
795 **BERRY:** That's going to crack me up every time it goes off.
796 **DEMPSEY:** Yeah, who knows these numbers, yeah it's like, they get voicemail.
797 **BERRY:** That's totally fair.
798 **DEMPSEY:** But no I – and then according to my other buddies they all – the deputy sheriff was out
799 talking to them guys.
800 **BERRY:** Mm-hm.
801 **DEMPSEY:** And he was talking, so he was doing one of the interviews with MIKE LIEB and, but
802 then the EMTs called him over to drive me over to the helicopter, so MIKE never got a full interview
803 with the deputy sheriff.
804 **BERRY:** With the deputy, okay.
805 **DEMPSEY:** That I know of.
806 **BERRY:** Yeah.
807 **DEMPSEY:** You know what I mean, this is what they're telling me afterwards they kind of – we're
808 kind of all putting this back together afterwards, you know, as far as in our minds what happened,
809 where everybody was.
810 **BERRY:** Yeah, well not to be – this might sound like a silly question. I've heard you tell me that you
811 don't really remember what you told Officer MEGAN, the Fish and Wildlife guy. You remember
812 talking to him, but you can't tell me–
813 **DEMPSEY:** I talked to him–
814 **BERRY:** –specifically.
815 **DEMPSEY:** I can't, I just–
816 **BERRY:** Yeah.
817 **DEMPSEY:** –don't have that knowledge.
818 **BERRY:** No, I understand, but I have got to ask–
819 **DEMPSEY:** It was just general camping information.
820 **BERRY:** Yeah.
821 **DEMPSEY:** You know, that kind of stuff.
822 **BERRY:** Did you describe the incident accurately to him?
823 **DEMPSEY:** Oh absolutely.
824 **BERRY:** Honestly?
825 **DEMPSEY:** Oh absolutely.
826 **BERRY:** Okay, okay.
827 **DEMPSEY:** I was – I could talk and do everything – just like I'm talking to you.
828 **BERRY:** Yeah.
829 **DEMPSEY:** I was just in intense pain the whole time.

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 19 of 30

830 **BERRY:** Just a whole lot of–
831 **DEMPSEY:** But I was very, very, very – had all my faculties.
832 **BERRY:** Yeah.
833 **DEMPSEY:** All of them.
834 **BERRY:** Yeah, so in their presence, do you remember anyone ever talking about the chief maybe
835 causing the gun to go off?
836 **DEMPSEY:** We didn't talk about it.
837 **BERRY:** Yeah, just that it happened.
838 **DEMPSEY:** We were more worried about me.
839 **BERRY:** Yeah, the wounded person.
840 **DEMPSEY:** Right.
841 **BERRY:** Yeah.
842 **DEMPSEY:** It wasn't until, well obviously I'm out of the picture. I'm going–
843 **BERRY:** You're off and flying.
844 **DEMPSEY:** –I'm gone.
845 **BERRY:** Yeah.
846 **DEMPSEY:** And what these guys told me is that the sheriff got everybody in a circle and–
847 **BERRY:** Talked to them.
848 **DEMPSEY:** –talked to them.
849 **BERRY:** Okay, okay, so how long did you wind up being in the hospital for?
850 **DEMPSEY:** Overnight.
851 **BERRY:** Overnight?
852 **DEMPSEY:** They released me about two o'clock next afternoon.
853 **BERRY:** What kinds – if I can ask, what kinds of stuff did they – how'd they treat you?
854 **DEMPSEY:** Oh, they were awesome.
855 **BERRY:** Good.
856 **DEMPSEY:** Very awesome.
857 **BERRY:** Good.
858 **DEMPSEY:** I couldn't be treated any better.
859 **BERRY:** And what kind of – what kind of medical treatment did you receive?
860 **DEMPSEY:** Being in the emergency room, took me in for a CAT scan and then off to another room, a
861 regular hospital room.
862 **BERRY:** Yeah.
863 **DEMPSEY:** Waited for the surgeon to come back and say, you don't need the surgery. I said, sweet.
864 **BERRY:** Well yeah, so tell me about that. They – it sounds like they decided to keep the bullet –
865 bullet fragments in there?
866 **DEMPSEY:** They said, yes the bullets missed everything, which is the best.
867 **BERRY:** Yeah.
868 **DEMPSEY:** And so – like I said, I don't know it was around 10:15 P.M. when he said that, because I
869 remember calling my wife the first time at 10:30 or so.
870 **BERRY:** Mm-hm.
871 **DEMPSEY:** And they–
872 **BERRY:** That's got to be a hard call.
873 **DEMPSEY:** Yeah, I am still on a short leash, see it?
874 **BERRY:** Oh boy, well so you were released the following day then or–
875 **DEMPSEY:** Yes.

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 20 of 30

876 **BERRY:** Okay.

877 **DEMPSEY:** Yes.

878 **BERRY:** And what kind of contact did you have with the chief after that?

879 **DEMPSEY:** MIKE and JIM drove to Boise, got a motel waited for me the next – waited for me. Got –

880 I called my wife, I called – I think I called – I made a lot of phone calls that night and I don't think

881 LARRY was one of them. I think it was my wife, my mom and dad, and I think I might've called

882 MIKE and told him – I said to give me a call tomorrow. I said, I don't have to have surgery, it should –

883 I said I should be just fine overnight and then doctor came in the next morning and said you're clear to

884 go.

885 **BERRY:** Well that's good.

886 **DEMPSEY:** And I – my wife wanted me to fly home, but I asked them if I could drive home with my

887 buddies and they said as long as you stop every two hours to walk, so I didn't get blood clots.

888 **BERRY:** Oh yeah.

889 **DEMPSEY:** So we – nice seven-hour drive home.

890 **BERRY:** That's a long drive, but it's a long drive, I've been out that–

891 **DEMPSEY:** I don't like flying, so it's like, oh I hate flying.

892 **BERRY:** I would rather drive.

893 **DEMPSEY:** With these guys yeah.

894 **BERRY:** Yeah.

895 **DEMPSEY:** God damn it, sorry.

896 **BERRY:** Sorry.

897 **DEMPSEY:** I am used to it.

898 **BERRY:** All right, and then does – sometime after that did you talk to O'DEA about what happened?

899 **DEMPSEY:** I think the next day he called me to see how I was doing. I can't – I don't remember.

900 **BERRY:** It was a tough time to remember something–

901 **DEMPSEY:** I don't remember exactly, but everybody called me.

902 **BERRY:** Yeah, so – and when you say the next day is that the day after you got–

903 **DEMPSEY:** That'd be Friday.

904 **BERRY:** Friday, okay, so sometime on Friday you think he called you?

905 **DEMPSEY:** I – well yeah, I'm sure. I'm sure everybody's – everyone's calling to find out how I was

906 doing.

907 **BERRY:** How you're doing, yeah.

908 **DEMPSEY:** You know, I said hey looks like I'm not going to have surgery. Everything's fine, just got

909 to heal up and make sure we don't have any infections. That's the bottom line, for me that day, you

910 know, boom and I, you know, and – but every day after that LARRY's calling me. Seeing how I was

911 doing, and so was everybody else.

912 **BERRY:** Well sure. Okay, so you believe you first talked to him on that Friday after the incident and

913 then he was calling you every day after that.

914 **DEMPSEY:** Pretty much, pretty much–

915 **BERRY:** To see how you were doing.

916 **DEMPSEY:** To see how I was – make sure I was in – that I was okay, you know.

917 **BERRY:** Yeah.

918 **DEMPSEY:** That was a pretty serious thing.

919 **BERRY:** Well yeah, absolutely. Across any of these conversations that you had with the chief on the

920 phone did you ever have any kind of conversation with him about how it is that you got shot?

921 **DEMPSEY:** I didn't until Monday or Tuesday.

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 21 of 30

922 **BERRY:** Monday or Tuesday and tell me about that.
923 **DEMPSEY:** I – STEVE BUECHTEL was calling me a lot, LARRY was calling me a lot and I think it
924 was Monday – Tuesday or it might’ve been Wednesday. Couldn’t – I can’t remember exactly what day
925 that I called STEVE or he called me and he – and I say hey, I go one of you guys shot me. You were
926 the only two guys on my left side, so actually I didn’t know.
927 **BERRY:** Yeah.
928 **DEMPSEY:** But nobody said nothing either, and I’m like and STEVE goes it wasn’t me. I said all
929 right, I said, you know, and then I called LARRY up and I say, ‘Hey,’ we’re talking and now we’re
930 doing a little banter. I say, ‘Hey,’ I go, ‘You shot me,’ he goes, ‘Yeah, I know’ and then I go, ‘All
931 right,’ but he – I don’t think it really registered in his mind that whole weekend and just – I think he
932 just blanked out with it.
933 **BERRY:** Yeah, so some time Monday, Tuesday, Wednesday–
934 **DEMPSEY:** Something like that.
935 **BERRY:** –not sure when because you guys were – were you guys having multiple conversations, like
936 he’d call you one day and call you the next day.
937 **DEMPSEY:** Yeah, yeah, yeah and its like, I’ve got–
938 **BERRY:** Some point–
939 **DEMPSEY:** –a whole bunch of calls.
940 **BERRY:** Yeah.
941 **DEMPSEY:** And everybody on the trip, eight guys–
942 **BERRY:** Yeah.
943 **DEMPSEY:** You know and–
944 **BERRY:** Checking up on you.
945 **DEMPSEY:** And plenty of other people beyond that.
946 **BERRY:** Well yeah.
947 **DEMPSEY:** You know, I have relatives and what not. Yeah it – I was always talking to all these guys
948 wanting to know if I’m going to be okay.
949 **BERRY:** Yeah.
950 **DEMPSEY:** So it did not – he did not acknowledge that he did it until MIKE LIEB called him and
951 said what the hell. Matter of fact I think it was on a Wednesday, but MIKE wanted to call him on a
952 Tuesday because he called me the next day.
953 **BERRY:** And if I can ask how do you know that he didn’t acknowledge until he talked to LIEB?
954 **DEMPSEY:** Because when I’m talking to him his demeanor and was like, are you okay. I hope you’re
955 okay. Oh, are you – it wasn’t like he did it and it was like kind of – it made me feel weird.
956 **BERRY:** Mm-hm.
957 **DEMPSEY:** I felt like what’s going with you? I go that’s not – that’s not the right feeling I’m getting
958 from him.
959 **BERRY:** Yeah.
960 **DEMPSEY:** And MIKE called him, so I told MIKE. I said, Mike, he is acting kind of weird on this,
961 like he doesn’t realize he did it and I told him. He said, yeah I know, but it didn’t register though. It
962 was just like it went right through him, and so I – then when MIKE called and said what the hell,
963 whatever he said and MIKE will tell you because, you know, MIKE’s going to tell you the truth. All of
964 us are going to tell you the truth, that’s just facts, but then he called me and then he was just tore up. I
965 mean, just like I expected the first call.
966 **BERRY:** Yeah, yeah.
967 **DEMPSEY:** You know.

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 22 of 30

968 **BERRY:** So I feel like I've got a handle on some of what you've told me. I don't quite understand –
969 was there a moment when you realized somebody else had shot you or–
970 **DEMPSEY:** When?
971 **BERRY:** Well that's what I'm asking. Is there – how did you come to realize that you think it was
972 O'DEA or LIEB?
973 **DEMPSEY:** Oh–
974 **BERRY:** I'm sorry O'DEA or–
975 **DEMPSEY:** Because I didn't shoot myself.
976 **BERRY:** That's clue number one, you didn't do it yourself.
977 **DEMPSEY:** And when I went to the hospital – because someone said something about it could've
978 been a ricochet or self-inflicted wound. I think that came from there – I can't say for positive, and so at
979 – all that stuff happened, at the time and I wasn't as concerned about how it happened.
980 **BERRY:** Just that it happened.
981 **DEMPSEY:** I just – it didn't – it wasn't my concern, I had other things I've got to worry about.
982 **BERRY:** Yeah.
983 **DEMPSEY:** So when I got to the hospital and the surgeon came out and said no, you're not going to
984 have that surgery, buh, duh, duh. I asked him point blank is there anyway that I could've reached
985 around with my pistol and shot myself? He goes, 'There ain't no way in hell.' He goes, 'That bullet
986 went straight across your back at a straight angle and fragmented out, impossible.' And I said, 'It will
987 be in my notes.' I said that's clear – that told me exactly that somebody on that left side did it. That's
988 why, Bucky [BUECHTEL] was on the other side of the truck and there was only LARRY standing
989 there.
990 **BERRY:** Okay, so I don't want to put words in your mouth, that's why I'm asking these fussy
991 questions.
992 **DEMPSEY:** Right.
993 **BERRY:** So you had a talk with the surgeon and you ask him, you know, if you could've done it
994 yourself. He says no it went straight across your back.
995 **DEMPSEY:** Straight across.
996 **BERRY:** Is that when you realized that–
997 **DEMPSEY:** Yeah, then I knew for – then I knew positively in my mind. I was a hundred percent in
998 my mind and–
999 **BERRY:** That it was–
1000 **DEMPSEY:** Yes.
1001 **BERRY:** O'DEA.
1002 **DEMPSEY:** Exactly, that night.
1003 **BERRY:** Okay, okay, but then you're having – people are calling you, checking up on you. Your
1004 buddies are calling, your family's calling you, everyone's calling you, you're having some
1005 conversations with the chief and he's checking on how you are, but he's not talking about–
1006 **DEMPSEY:** Right.
1007 **BERRY:** –having shot you.
1008 **DEMPSEY:** No. That never happened.
1009 **BERRY:** Yeah and you talk about feeling a little funny about that.
1010 **DEMPSEY:** Yes.
1011 **BERRY:** And I think I know where you're coming from on that and then at some point you said, you
1012 shot me.
1013 **DEMPSEY:** I did, I called him up, because I wasn't getting the right feeling from him.

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 23 of 30

1014 **BERRY:** Yeah.

1015 **DEMPSEY:** You know, about – there and it was like, and yes, that is–

1016 **BERRY:** And he said yeah, I know.

1017 **DEMPSEY:** He goes – that’s what exactly. He goes, ‘Yeah I know’ and – but it was not – he wasn’t

1018 serious, serious, you know, like it just went right through him and just like, all right have a great day,

1019 you know, whatever, but he was concerned, but only about my health.

1020 **BERRY:** Yeah.

1021 **DEMPSEY:** But wasn’t acting like he did anything.

1022 **BERRY:** Now and you talk about him being later kind of tore up.

1023 **DEMPSEY:** Oh big time.

1024 **BERRY:** Was that a different conversation or was that the same–

1025 **DEMPSEY:** Oh he called me up and he just was in tears and apologizes and, he couldn’t be – in the

1026 most emotional state I’ve ever seen the man.

1027 **BERRY:** Yeah.

1028 **DEMPSEY:** And it’s been that way ever since.

1029 **BERRY:** And was that a different phone call? Did that happen after–

1030 **DEMPSEY:** It was a different phone call.

1031 **BERRY:** Okay.

1032 **DEMPSEY:** It was like on Wednesday morning.

1033 **BERRY:** So you called him up, you shot me, yeah I know, not really a reaction.

1034 **DEMPSEY:** I called him on Monday because I was on a – I went with MIKE on a little trip to go get

1035 his vehicle in Eugene and we were discussing the situation.

1036 **BERRY:** Yeah.

1037 **DEMPSEY:** You know, I was like how – and I think LARRY – I mean, I think MIKE finally called

1038 and said whatever he said, I’m sure he’ll tell you.

1039 **BERRY:** Yeah.

1040 **DEMPSEY:** And that’s when LARRY, bam.

1041 **BERRY:** That makes sense.

1042 **DEMPSEY:** I think he was in shock.

1043 **BERRY:** Yeah.

1044 **DEMPSEY:** You know, so–

1045 **BERRY:** Oh yeah, well, so that’s a – kind of brings up something that I wanted to ask you about, you

1046 know, if, I shoot myself – I myself am a shooter.

1047 **DEMPSEY:** Okay.

1048 **BERRY:** Sorry, and I go shooting with my friends. I’ve got friends that I’ve shot with for years. We

1049 all have different kinds of ideas about what kind of shot we are and who’s the better shot or–

1050 **DEMPSEY:** Sure.

1051 **BERRY:** –who’s going more comfortable around firearms and stuff. I’ve heard you talk about, you

1052 know, some people as they’re calling for aide or trying to figure out what happened, it might’ve been

1053 self-inflicted, how did that make you feel? Suggesting–

1054 **DEMPSEY:** I was pissed.

1055 **BERRY:** Yeah, I was going to say because it might make me feel that way.

1056 **DEMPSEY:** Because I yelled it out and that’s why the other guy’s way behind me could hear it. I was

1057 like, ‘I didn’t shoot myself.’

1058 **BERRY:** Yeah.

1059 **DEMPSEY:** And I didn’t.

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 24 of 30

1060 **BERRY:** Yeah.
1061 **DEMPSEY:** So – and it made me up – made me – pissed me off.
1062 **BERRY:** Oh yeah.
1063 **DEMPSEY:** To think I did it, and I said I didn't do that.
1064 **BERRY:** Yeah, and then when you said that was there any kind of conversation in that moment when–
1065 **DEMPSEY:** No.
1066 **BERRY:** No, yeah because you've got bigger fish to fry.
1067 **DEMPSEY:** No, no after it was – I was not in a frame of mind to be discussing details at the point.
1068 **BERRY:** Makes a lot of sense.
1069 **DEMPSEY:** And we were, I mean, from the time it happened to on the road was like twelve to fifteen
1070 minutes.
1071 **BERRY:** Which is – yeah.
1072 **DEMPSEY:** So it was like boom, boom, boom, we–
1073 **BERRY:** Scoop up and–
1074 **DEMPSEY:** –have to get you out of here.
1075 **BERRY:** –you have to go. Well that makes a lot of sense.
1076 **DEMPSEY:** Because there's no exit wound. We don't know what's going on.
1077 **BERRY:** Oh boy, yeah, so that's – that happened on Thursday and it's that next Wednesday where
1078 you're finally having a conversation–
1079 **DEMPSEY:** I'm almost positive that's how it went progression wise.
1080 **BERRY:** Yeah.
1081 **DEMPSEY:** I'm almost positive, and you know, but, you know, I mean I'm – it happened I just don't
1082 know just perfectly exactly.
1083 **BERRY:** Exactly what happened.
1084 **DEMPSEY:** I should've maybe wrote all this – I wasn't thinking about that–
1085 **BERRY:** Yeah, you know.
1086 **DEMPSEY:** –kind of stuff, you know.
1087 **BERRY:** Hind sight is twenty-twenty.
1088 **DEMPSEY:** Right.
1089 **BERRY:** You probably didn't realize you were going to have to do all these interviews.
1090 **DEMPSEY:** On the way home from the hospital on interstate, what is it 84?
1091 **BERRY:** Mm-hm.
1092 **DEMPSEY:** Came back home, the sheriff – the deputy sheriff called me and wanted an interview.
1093 That was Friday mid-afternoon sometime, four or five o'clock in the late afternoon. I just told him, I
1094 said, I'm not going to talk to you on the phone right now. I'm on the road home. I'm all medd-ed up
1095 and I said I'll call you when I get home. He goes, okay, so I got home 10:30, eleven o'clock-ish. First
1096 time my wife's seen me.
1097 **BERRY:** Oh boy.
1098 **DEMPSEY:** And I'm just a mess, so I say – I gave her the card. I said you need to call this guy for
1099 me, this sheriff and tell him I'll call in the morning. I'm in – I can't do it tonight and I went to bed.
1100 **BERRY:** Yeah.
1101 **DEMPSEY:** And then she had a conversation with the sheriff and she told me the next day he wanted
1102 to know the position of the gun, going into position of–
1103 **BERRY:** Your gun?

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 25 of 30

1104 **DEMPSEY:** Yeah, was he – because he was under the impression that I shot myself and he goes – she
1105 goes, no he didn't shoot himself. He goes well what did – he was asking, what position the bullet came
1106 across my back and she told him it went left to right straight across. That's what she told me.
1107 **BERRY:** Yeah.
1108 **DEMPSEY:** And he goes well – something about positioning of the holster and she goes, no that, you
1109 know, he had a holster, but he wasn't holstering his gun or something I don't – I can't – I don't know, I
1110 can't put words in her mouth. I can't – even know what all of this conversation was said, but he was
1111 asking her a bunch of questions, but she didn't know much.
1112 **BERRY:** Yeah, just what–
1113 **DEMPSEY:** You know, what I told her on the phone or what not.
1114 **BERRY:** Yeah, and then did you eventually speak to that deputy? Did you give a statement to him?
1115 **DEMPSEY:** When he called – when she called him back he – that was Friday night, he said he was
1116 going on vacation for the next two weeks and would call me back.
1117 **BERRY:** Okay.
1118 **DEMPSEY:** I said, okay, so two weeks later and a couple days, I think, I got a phone call from him,
1119 but just before I got that phone call I was going through my voicemails, which – and like oh there's a
1120 voicemail from the sheriff on Mother's Day. I think it was the fifteenth.
1121 **BERRY:** Think so, don't want to–
1122 **DEMPSEY:** Yeah, yeah, but it was Mother's Day, that Sunday he had left me a voicemail or a thing,
1123 but I never got a thing on my phone. I have an old fashioned phone, but–
1124 **BERRY:** Yeah.
1125 **DEMPSEY:** –it usually tells me if I have a message. This time it did not. It just went to a voicemail,
1126 so I look and I go oh, so he did call me. That was the very first time he called me on my phone, on that
1127 Sunday, Mother's Day.
1128 **BERRY:** And that's NISBET?
1129 **DEMPSEY:** I do believe so.
1130 **BERRY:** Okay.
1131 **DEMPSEY:** And then the next day on Tuesday, he called me in the afternoon I believe, and I talked to
1132 him and told him – well whatever questions he asked, you know.
1133 **BERRY:** Mm.
1134 **DEMPSEY:** But I told him – he asked me who these guys were and I said well, LARRY O'DEA is
1135 the Chief of Police of Portland and MIKE LIEB is a retired SERT team sergeant from Portland and
1136 LARRY – STEVE BUECHTEL is a retired State Police officer and Portland Police officer, retired and
1137 the rest of us are all civilians and he goes, well, so like, all of you guys are all cops. I said no, no I go,
1138 three of them – two of them are retired and one active and I go the rest of us are civilians and I'm like
1139 – he goes okay, and then he acted extremely surprised that LARRY was Chief of Police. He goes – I
1140 mean, the way he expressed himself on the phone like, that was new news to him because at one point
1141 like on Wednesday when LARRY called me or Thursday he called me again he had – LARRY told me
1142 that he had called the sheriff and told him that he did it.
1143 **BERRY:** So LARRY told you that that he had called–
1144 **DEMPSEY:** Yes.
1145 **BERRY:** –NISBET and said–
1146 **DEMPSEY:** One of the sheriffs.
1147 **BERRY:** One of the sheriffs, somebody there.
1148 **DEMPSEY:** Because this other sheriff that – the Harney County Sheriff, I think its DAVE WARD.
1149 **BERRY:** Think so, yeah.

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 26 of 30

1150 **DEMPSEY:** Whatever he said in the Oregonian stuff was all a bunch of crap. He wasn't there.
1151 NISBET was and MEGAN, and I don't know where he's getting his information from, but most of its
1152 wrong.
1153 **BERRY:** Well now tell me about that. Like what – so you've read some newspaper stories about this.
1154 What have you identified as wrong that's in the – this news story?
1155 **DEMPSEY:** On the news – in the Oregonian, for one thing it said a makeshift camp – we don't have
1156 makeshift camps. We were there to have – to enjoy ourselves and these are great camps. Not a
1157 makeshift camp, said it was squirrel hunting and we weren't squirrel hunting.
1158 **BERRY:** Yeah.
1159 **DEMPSEY:** He said that he made several attempts to get a hold of me, BS, zero attempts to get a hold
1160 of me. Otherwise I'd have it on my phone. I have messages, there was more than – he made one
1161 attempt to – and I don't know if it was what he's – I don't know if it was him that's saying that he tried
1162 to get ahold of me or it was NESBIT trying to get a hold of me. I'm thinking it was – the way it was
1163 pronounced, it was the deputy or the sheriff.
1164 **BERRY:** Oh he made it sound like the sheriff himself was reaching out to you–
1165 **DEMPSEY:** Trying–
1166 **BERRY:** – all these times.
1167 **DEMPSEY:** All, but – and I said – and neither one did.
1168 **BERRY:** Yeah.
1169 **DEMPSEY:** Neither one did, period, so I go what the hell. That's not what they're supposed to be
1170 doing.
1171 **BERRY:** Yeah.
1172 **DEMPSEY:** They're not supposed to be saying stuff or whoever's saying it whether it's against them
1173 or they said it or media just say hey, we're just going to put this in. I don't know how all that works,
1174 but his report and whatever – then Harney County sheriff says this, I was like, I was just reading that
1175 and I'm like, no, no this is wrong, wrong, wrong, wrong and it upset me.
1176 **BERRY:** Well I imagine, yeah, yeah.
1177 **DEMPSEY:** But I don't know if it's the media or what, you know, but it's like a lot of facts are wrong
1178 in the paper.
1179 **BERRY:** Well, so you talked about O'DEA being real tore up about this.
1180 **DEMPSEY:** Mm-hm.
1181 **BERRY:** And that has remained so and–
1182 **DEMPSEY:** Yes.
1183 **BERRY:** –with your contacts, but how are things between you guys now?
1184 **DEMPSEY:** He's very sullen and very upset.
1185 **BERRY:** Yeah.
1186 **DEMPSEY:** I mean, he's devastated.
1187 **BERRY:** Yeah, I imagine, I imagine.
1188 **DEMPSEY:** And just apologized billion, billion – over a billion times.
1189 **BERRY:** Well, personal question, you can answer or not answer.
1190 **DEMPSEY:** Yeah.
1191 **BERRY:** Is he still a friend?
1192 **DEMPSEY:** Absolutely.
1193 **BERRY:** Have you guys had any kind of conversation about – has he offered to pay for your medical
1194 care or anything like that?
1195 **DEMPSEY:** Yes, yes, I got the life flight bill.

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 27 of 30

1196 **BERRY:** Mm-hm.
1197 **DEMPSEY:** And I was like uh, fifty thousand two hundred bucks.
1198 **BERRY:** Oh my God.
1199 **DEMPSEY:** So I – we went out to dinner.
1200 **BERRY:** Mm-hm.
1201 **DEMPSEY:** And him and his wife, because his wife does my taxes and we've – our kids have grown
1202 up together and I was like–
1203 **BERRY:** Yeah.
1204 **DEMPSEY:** Hey, I don't know what to tell you, but–
1205 **BERRY:** Here's that.
1206 **DEMPSEY:** –here's this, you know, because I'm not paying for none of this.
1207 **BERRY:** Yeah.
1208 **DEMPSEY:** You know, and he said, quote, whatever the insurance doesn't take care of, I will take
1209 care of. Very popular man.
1210 **BERRY:** Yeah, it's – hooray, right. Okay, so he's offered to pay for your medical care. I have got to
1211 ask these kinds of questions because–
1212 **DEMPSEY:** Sure.
1213 **BERRY:** –it's an investigation. Is he – have you had any kind of conversation with him about how
1214 you were going to describe what happened–
1215 **DEMPSEY:** Nope.
1216 **BERRY:** –to other people?
1217 **DEMPSEY:** Not one word.
1218 **BERRY:** Okay.
1219 **DEMPSEY:** Nope, he just called and said you were going to contact me. I told him, I said, I'm not
1220 talking to nobody unless I know it's an official person.
1221 **BERRY:** Yeah.
1222 **DEMPSEY:** So if you know something that, you know, I'm going to talk to you and that's why – so
1223 when you called I said, oh ERIC BERRY, I know I'm the – guy I need to talk to.
1224 **BERRY:** Yeah.
1225 **DEMPSEY:** I will talk to him, because I'm not talking to nobody. Like, all these calls, half of these
1226 are probably the media calling me.
1227 **BERRY:** Yeah.
1228 **DEMPSEY:** And I'm not talking to nobody.
1229 **BERRY:** Yeah, well I can definitely understand that. I definitely understand that, so you talked to him,
1230 he lets you know that I might be calling.
1231 **DEMPSEY:** Right.
1232 **BERRY:** Has he asked you to change your story or–
1233 **DEMPSEY:** No.
1234 **BERRY:** No, okay.
1235 **DEMPSEY:** And it's never come up, none of it, period, ever.
1236 **BERRY:** Excellent and I'm just looking, I'm thinking through my head about everything you've–
1237 **DEMPSEY:** Sure.
1238 **BERRY:** –told me and I appreciate you talking to me today. You put up with me asking a lot of
1239 nosey–
1240 **DEMPSEY:** Yeah.
1241 **BERRY:** –questions.

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 28 of 30

1242 **DEMPSEY:** It has got to be out there.
1243 **BERRY:** Yeah.
1244 **DEMPSEY:** Got to be done.
1245 **BERRY:** I appreciate it. I just want to – you're pretty clear, I want to step back to the shooting itself.
1246 **DEMPSEY:** Okay.
1247 **BERRY:** You're pretty clear about seeing him get up and turn around and set the rifle down–
1248 **DEMPSEY:** Diligently.
1249 **BERRY:** Diligently, do you have any idea if the hammers back on the lever–
1250 **DEMPSEY:** Wasn't paying attention.
1251 **BERRY:** Wasn't paying – you were just aware of him–
1252 **DEMPSEY:** I just–
1253 **BERRY:** –setting it down?
1254 **DEMPSEY:** –just noticed he got up, set the rifle down, and disappeared behind me.
1255 **BERRY:** And was gone.
1256 **DEMPSEY:** And my focus went right back out in the field.
1257 **BERRY:** Yeah, you said you were looking away from the rifle.
1258 **DEMPSEY:** Yeah, kind of – I'm kind of looking to the right a little bit, so I'm going to turn – because
1259 these guys are gone, so I'm kind of turned a little bit looking out this way and just kind of off to my
1260 left. We're side by side.
1261 **BERRY:** Yeah.
1262 **DEMPSEY:** Kind of like this, you know.
1263 **BERRY:** So were you aware him coming back?
1264 **DEMPSEY:** No.
1265 **BERRY:** Before the gun went off?
1266 **DEMPSEY:** No, hm-mm.
1267 **BERRY:** But at some point after you got shot he's there lifting up your shirt.
1268 **DEMPSEY:** Yes.
1269 **BERRY:** And I'm just wondering when were you first aware that he was back?
1270 **DEMPSEY:** Not until after I got shot.
1271 **BERRY:** They're–
1272 **DEMPSEY:** Because they're patching me up.
1273 **BERRY:** Patching you up, so the first – is it fair to say the first time you're aware of him back is when
1274 he's lifting your shirt and–
1275 **DEMPSEY:** When STEVE and LARRY are–
1276 **BERRY:** Remembering–
1277 **DEMPSEY:** –right on me.
1278 **BERRY:** Okay.
1279 **DEMPSEY:** Which is like that.
1280 **BERRY:** So it's STEVE BUECHTEL, LARRY.
1281 **DEMPSEY:** Mm-hm.
1282 **BERRY:** They responded to–
1283 **DEMPSEY:** Because they were the two closest to my left.
1284 **BERRY:** Yeah.
1285 **DEMPSEY:** MIKE came down from the truck, they already started – I think – I don't know. STEVE
1286 BUECHTEL I think went and got the trauma kit or one of them did.
1287 **BERRY:** Yeah.

CONFIDENTIAL TAPED STATEMENT

IPR #2016-B-0014
/ Bob Dempsey

May 26, 2016
Page 29 of 30

1288 **DEMPSEY:** Which was – the truck was right there, so he had it in the back of his truck, so it was real
1289 close, boom, had it and they were doing what they were doing.
1290 **BERRY:** Excellent and in terms of, you know, I asked you a lot about your own drinking, I asked you
1291 about O’DEA’S drinking.
1292 **DEMPSEY:** Mm-hm.
1293 **BERRY:** What kind of – any sense of how much beer the rest of the guys had?
1294 **DEMPSEY:** Very minimal that day.
1295 **BERRY:** Minimal.
1296 **DEMPSEY:** Everything was very minimal.
1297 **BERRY:** Okay, okay, and do you remember what kind of beers you had?
1298 **DEMPSEY:** Busch – Busch twelve ounce cans.
1299 **BERRY:** Busch twelve, okay.
1300 **DEMPSEY:** I mean pretty cheap and inexpensive beer.
1301 **BERRY:** That’s the – well and the cans are light, easy to truck around.
1302 **DEMPSEY:** And the other guy was Keystone Light and let’s see, LARRY wasn’t drinking, and I
1303 think I got – yeah, and we all – and then I think I bought – I got JIM and MIKE and myself a Fosters.
1304 **BERRY:** Fosters, oh yeah, I like Fosters.
1305 **DEMPSEY:** So we – that was later in the afternoon I was like oh, and we’re all just kind of kicked
1306 back and beautiful weather, you know, its seventies and beautiful. The whole trip was an awesome trip.
1307 **BERRY:** Except for getting shot.
1308 **DEMPSEY:** Until things got all screwed up.
1309 **BERRY:** Yeah, yeah, well I feel like I’ve been able to ask all the questions that I hoped to ask. You
1310 were there, you were involved in the situation, is there anything you want to add to our conversation or
1311 you feel like I haven’t asked you about?
1312 **DEMPSEY:** No, I just think the sheriff department’s got a whole bunch of stuff wrong and I don’t like
1313 what they’re saying.
1314 **BERRY:** Yeah, yeah.
1315 **DEMPSEY:** I think they’re trying to cover something up. The state cop asked me – he goes, how
1316 come no police was there at the hospital, how come they didn’t check back up with you. I think that –
1317 isn’t that Harney County’s responsibility to do that. They were the ones reporting this stuff. How come
1318 they didn’t talk to me, how come – and then all of the sudden later down the line they go oh, I’ve been
1319 calling you, calling you, all this stuff. Like, wait a minute, nothing seems to be jiving right with their –
1320 with Harney County. I don’t think they’re doing the right stuff or they didn’t do the right stuff in my
1321 opinion.
1322 **BERRY:** Yeah.
1323 **DEMPSEY:** Because now I’m seeing stuff in the paper about them what they’re – supposedly what
1324 they’re saying and I’m like, that’s not even true. How can they say that, they were supposed to be up
1325 here, and so I’m not very happy about it.
1326 **BERRY:** Yeah, I think I can understand what you’re saying, so–
1327 **DEMPSEY:** You know, I want the truth, we all do.
1328 **BERRY:** Yeah.
1329 **DEMPSEY:** That’s what–
1330 **BERRY:** Yeah.
1331 **DEMPSEY:** –everybody wants, everybody’s going to say this is the truth.
1332 **BERRY:** Makes sense. Well, I sure appreciate you talking to me. I’m going to go ahead and quit
1333 recording. Time is approximately 11:20, thank you.

CONFIDENTIAL TAPED STATEMENT

**IPR #2016-B-0014
/ Bob Dempsey**

**May 26, 2016
Page 30 of 30**

1334 **DEMPSEY:** Okay.
1335
1336 2016-B-0014 dempsey.bob.05.26.16.int.trs
1337 Transcribed 06/10/2016 @ 2:00 a.m. Halla Stonehouse