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

**Interview Date:** 06/17/2016  
**IPR #:** 2016-B-0014  
**IPR File Name:** 16b0014-hendrie.dave  
**Complainant:**

**Interviewed:** Dave Hendrie

**HENDRIE:** That would not be the first time that something like that has happened.

**HURLEY:** This is Lieutenant ERICA HURLEY. It's June 17, 2016, at 0900. We are at City Hall with ERIC BERRY, DEIRDRE PEREZ and DAVE HENDRIE. This is on IA case number 2016-B-0014. Commander HENDRIE has been advised that his conduct or the conduct of any other Bureau member present on April 21<sup>st</sup>, 2015, at 1638 at Harney County, Oregon – and actually this is about a meeting. What date was the meeting?

**BERRY:** The meeting was I believe June 6<sup>th</sup>. It could be –

**HURLEY:** So, let's clar –

**HENDRIE:** It could be.

**HURLEY:** – on June 6<sup>th</sup> or thereabouts –

**HENDRIE:** Thank you.

**HURLEY:** – Commander HENDRIE has reviewed information necessary to be reasonably apprised of the nature of the nature of the allegations of the complaint. Commander HENDRIE has been informed that he is a witness member in this case and that CONSTANTIN SEVERE is in charge of the investigation. I had advised Commander HENDRIE that he can have an attorney or advocate present during the interview and he has chosen to proceed without an attorney or an advocate.

**HENDRIE:** Correct.

**HURLEY:** Commander HENDRIE, under the authority of the Mayor of the City of Portland, I am ordering you to answer all of my questions fully and truthfully. If you fail to respond fully and truthfully, you will be – you may be disciplined up to and including dismissal. Do you understand?

**HENDRIE:** I do.

**HURLEY:** Okay.

**BERRY:** All right, well good morning commander.

**HENDRIE:** Good morning.

**BERRY:** Thanks again for meeting with us today.

**HENDRIE:** You bet.

**BERRY:** We really appreciate it. I will just start with some basic stuff. I don't know that I know how long have you been with PPB?

**HENDRIE:** Coming up on 23 years.

**BERRY:** 23 years.

**HENDRIE:** Yeah, so in October it will be 23.

**BERRY:** My gosh, yeah. And I understand you're currently the commander of East, correct?

**HENDRIE:** That's correct.

**BERRY:** Excellent. What all is involved in being a precinct commander? I've sure never been one.

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48 **HENDRIE:** It's a lot. You're basically responsible for the entire day-to-day operations of the operational  
49 sector of the city. So, whatever the geographic boundaries of each precinct you have full responsibility to  
50 manage both your resources and crime trends that are happening as best as you can.

51 **BERRY:** Now, East is a pretty big patrol area isn't it?

52 **HENDRIE:** It's a pretty big swath yeah, So –

53 **BERRY:** Yeah, in looking at the map it seems large.

54 **HENDRIE:** Two hundred and twenty-five thousand folks live in the precinct in about 36 square miles.

55 **BERRY:** Wow.

56 **HENDRIE:** So, it's – yeah it's a pretty good chunk of the city and it's also the most active precinct we  
57 have.

58 **BERRY:** Excellent. I forgot to ask a moment ago, can you tell me a little bit about some of the other  
59 assignments you've had over the course of your career?

60 **HENDRIE:** Yeah, I did, you know, both routine patrol as an officer. Spent the majority of my career  
61 working tactical operations in the Gang Enforcement Team both as an officer and then I came back as a  
62 lieutenant and a captain there so I've had a lot of different stops there.

63 **BERRY:** Interesting.

64 **HENDRIE:** Worked Central Precinct downtown in the Street Crimes Unit as a sergeant. Was a sergeant  
65 down obviously at Central as well and then I'm trying to think of the other. I've had a couple of different  
66 assignments, but I also did a stint of about 2-1/2 years as a robbery sergeant up in detectives.

67 **BERRY:** Okay. Now I think I first met you by way of an RRT training.

68 **HENDRIE:** That's correct.

69 **BERRY:** Have you ever actually been a member of the RRT?

70 **HENDRIE:** Yes, I was one of the founding members of RRT when it started –

71 **BERRY:** Oh, no kidding.

72 **HENDRIE:** – when the city realized that they needed to get some type of crowd control unit formalized.  
73 Previous to that, they had been using specialty units to kind of fulfill those duties without –

74 **BERRY:** Without (inaudible).

75 **HENDRIE:** – without having the equipment and the training to do mass work like they do. So, RRT has  
76 come a long way.

77 **BERRY:** Yeah, it sure seems like it. Excellent. Do you remember – when did you, yourself, first learn of  
78 the Chief's negligent discharge incident?

79 **HENDRIE:** I think I got a text. I can't tell you from who, I can't remember, but it was like – I think it was  
80 the story, as the story broke and I was off duty. I remember reading that going oh wow like that was like  
81 not what I anticipated so.

82 **BERRY:** I think there were some media stories that started to come out on a Friday.

83 **HENDRIE:** Yeah.

84 **BERRY:** Does that sound right to you?

85 **HENDRIE:** Yeah, it could have been. I remember I was off.

86 **BERRY:** Yeah.

87 **HENDRIE:** You know, and it was like whoa not good.

88 **BERRY:** Yep. Well, now I hope to talk to you today, I understand that an assistant chief came out to East  
89 to speak at a meeting?

90 **HENDRIE:** Yes.

91 **BERRY:** Yeah, do you remember which, which AC are we talking about?

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- 92 **HENDRIE:** Well, AC DAY came out. Probably the meeting you're referring to is we had a staff meeting  
93 for sergeants, so just a shift staff meeting.
- 94 **BERRY:** Oh, okay.
- 95 **HENDRIE:** I think that would have been my day shift staff meeting that we had. We had both – we had a  
96 morning relief, an afternoon relief and a night relief meetings over a period of about two weeks.
- 97 **BERRY:** Oh, okay, and do you remember which – did he speak at all of them or was this one of the  
98 meetings?
- 99 **HENDRIE:** He came out to all of them.
- 100 **BERRY:** All of them?
- 101 **HENDRIE:** Yeah.
- 102 **BERRY:** Okay, and what – kind of broadly speaking, what is the purpose of a staff meeting?
- 103 **HENDRIE:** Well, the purpose of our staff meetings, I mean, just to give you a little context, usually the  
104 precinct commanders will hold at least twice a year or sometimes more an all staff meeting, which is all the  
105 supervisors, administrative assistants and stuff that come together in one large group to work together. And  
106 we've had a few of those already. This time, we focused on just breaking down the shifts, so it was just a  
107 little more – it was a little more intimate and gives a little more opportunity for the shift folks to talk with  
108 each other and it's just sergeants –
- 109 **BERRY:** Mm-hm.
- 110 **HENDRIE:** – the lieutenant, the captain and myself and then the AC if they're available usually likes to  
111 come in and kind of give you the 30,000 foot view of where the city is at –
- 112 **BERRY:** Yeah.
- 113 **HENDRIE:** – and just kind of answer questions like that, but it's a nice more informal time because when  
114 you have 25-30 people in the room, not everybody gets to be heard. Not everybody gets to get their hand up  
115 so –
- 116 **BERRY:** Yeah, not everyone is willing to raise their hand.
- 117 **HENDRIE:** Yeah, exactly. So, that's the purpose and it's really an opportunity for us to, you know, kind  
118 of get my commander's intent, talk about issues that are emerging and current issues within the precinct,  
119 kind of direction where we're going forward and it is an opportunity really for them to just ask the  
120 questions. You know, like hey when where are we going on this? What do you think about this?
- 121 **BERRY:** Makes sense, and forgive me if I've already asked, but do you think that was around June 6<sup>th</sup>?  
122 Does that sound right to you?
- 123 **HENDRIE:** Yeah, that sounds about right.
- 124 **BERRY:** Okay.
- 125 **HENDRIE:** Yeah, I mean, I might be able to check my calendar here –
- 126 **BERRY:** Yeah.
- 127 **HENDRIE:** – if you can bear with me in my lack of technology there.
- 128 **BERRY:** I know how that goes.
- 129 **HENDRIE:** Let's see –
- 130 **BERRY:** I've learned more about Outlook calendaring recently than –
- 131 **HENDRIE:** It doesn't show up on June 6<sup>th</sup>, but it – it could have come off it. I mean, I will trust your date.
- 132 **BERRY:** (laughter) thank you.
- 133 **HENDRIE:** Like I said, that date sounds familiar, but I just don't see it on my phone.
- 134 **BERRY:** Well, will you tell me a little bit about what AC DAY talked about during those meetings?

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135 **HENDRIE:** Well, I think this came right at the heels of the news that the Chief had this incident and I  
136 can't remember exactly the whole timing of it, but I think it was after the Chief had been put on  
137 administrative leave potentially. I can't remember. It was just on the forefront of everybody and the reason  
138 why I know I can remember that very clearly is there just – there is just a lot of distractions because of this.  
139 I mean, it's, you know, we haven't faced one of these things in quite a while and it was just – it was  
140 distracting for me personally because of my long time working with Chief O'DEA and it was distracting to  
141 our officers and the sergeants. It was just – so, any of the hope that I had had of a very more lighthearted,  
142 you know, general discussion about how things in the precinct really was kind of sidetracked by this news.  
143 And so the Chief had come out and talked generally about, you know, just the direction where he's going  
144 operational, you know, talking about our staffing issues, you know, that we're very short, what that looks  
145 like in the future potentially and then he, he did address, you know, the fact that with Chief O'DEA being  
146 gone that things were going to be in a flux for a little bit. Actually, you know what, that might have been  
147 the day – that might have been before he was actually – we actually knew what was happening with him. In  
148 fact, I think it was.

149 **BERRY:** Okay.

150 **HENDRIE:** And I just had that recollection. I think that was actually before Chief O'DEA was put on  
151 administrative leave. So, that might have been – if I remember correctly – yes, because that was the thing  
152 because one of the questions well what about – what's going to happen with it? I remember getting that  
153 question in roll call before that and I'm like I don't know where this is going to go.

154 **BERRY:** And can you remember – can you kind of describe how he talked about the situation involving  
155 the Chief, Chief O'DEA.

156 **HENDRIE:** I think AC DAY was just pretty matter of fact. Like here's what, you know, this is what the  
157 news is saying. This broke and then he talked about, you know, we – he said we, you know, before the ACs  
158 knew about this – found about it we couldn't talk about it. You know, unfortunate incident and, you know,  
159 sorry that it's a distraction for the work that you guys are trying to do. I mean, that's the general context of  
160 how I remember that conversation.

161 **BERRY:** Okay.

162 **HENDRIE:** But just very human I guess if that's what I'm saying. I mean, we can talk and be very, you  
163 know, chosen with our words and very kind of not providing any information and he just kind of said this  
164 is what we're going through, I'm sorry, this is where we're at. I don't know what the process is going to be.  
165 I don't know what that's – I don't know where this ends.

166 **BERRY:** Mm-hm.

167 **HENDRIE:** But, you know, kind of the reassurance that we're going to figure out a way through this and  
168 you guys focus on what you're doing here at East.

169 **BERRY:** Did he make any statements – did he describe how the Chief described the incident or anything  
170 like that?

171 **HENDRIE:** I don't – I don't remember that. I think all he said was that the Chief had told him and the  
172 ACs when they briefed – briefed them on it that there had been a negligent discharge and I don't think there  
173 was much detail. In fact, what I recall is, you know, saying we don't know much more than what's being  
174 relayed in the media.

175 **BERRY:** Yeah.

176 **HENDRIE:** So –

177 **BERRY:** Yeah, okay. Did AC DAY, did he talk about any police directives in reference to that?

178 **HENDRIE:** Yeah, there was some discussion relating to kind of directives and I think it came from one of  
179 the sergeants saying well now is there a double standard? Is there two – what directive we going to use?

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180 And it was a pretty – I'm going to use the term I think I'm using it right, a cheeky comment. It was more  
181 rhetorical in nature from the sergeant and what I could tell you from where I sat it was – that sergeant and  
182 the feeling from the other sergeants was that this issue about, you know, the Chief, they were really driving  
183 home this accountability piece and they felt like they were slighted. And so I think the comment, in my  
184 opinion, came from that frustration and so it was kind of like well what directive are we using for the Chief  
185 or something similar to that.

186 **BERRY:** Yeah.

187 **HENDRIE:** And AC DAY was clear it's just one directive. You know, we all follow the directives and so  
188 I think it was more, you know, there was a little sense of frustration on the sergeant's part I think.

189 **BERRY:** You comfortable telling me who that sergeant was?

190 **HENDRIE:** Yeah, I think that was RICHARD STAINBROOK.

191 **BERRY:** Okay, yeah. STAINBROOK?

192 **HENDRIE:** Yeah.

193 **BERRY:** Okay, yeah.

194 **HENDRIE:** Oh, STEINBRONN, sorry.

195 **BERRY:** STEINBRONN. I was going to ask you –

196 **HENDRIE:** I apologize.

197 **BERRY:** – if it was STAINBROOK or STEINBRONN.

198 **HENDRIE:** It's like no, I do that every time it seems like.

199 **BERRY:** Mm-hm. Okay.

200 **HENDRIE:** Get the wrong guy in here, and he'd be like –

201 **HURLEY:** Yeah.

202 **BERRY:** As AC DAY was talking about that, did he ever talk about whether or not directives apply to  
203 kind of senior command staff at the Bureau?

204 **HENDRIE:** Yeah, I think he talked about that. I mean, we both talked about it in that the directives apply  
205 but, you know, I think, you know, I remember I made a comment like, you know, when the directives were  
206 written it wasn't written for the Chief of police and I didn't get a chance to even follow up on that  
207 conversation before the, you know, they're like 'Ah!' You know, I'm like, 'Just stop' and I said what I  
208 mean is is like for the reporting requirement and that was the one that was kind of being talked about –

209 **BERRY:** Mm-hm.

210 **HENDRIE:** – is that from the reporting requirement piece, you know, the Chief has one boss and that's the  
211 Mayor, right, who they report to and I said it's a different thing and they said well I could report it to a  
212 sergeant and I'm like really do you see the head of the organization reporting to calling one of you guys? I  
213 mean, so that was kind of the discussion and then there was discussion – and I want to be clear because I  
214 don't know exactly what the allegation was that was said, but I mean I said something and then it caused  
215 some whoa, whoa and I'm trying to explain it.

216 **BERRY:** Mm-hm.

217 **HENDRIE:** And then there was a talk really about, you know, more about SOPs not so much a policy  
218 decision, more of, you know, when the Chief has – in this case when there's an investigation opened up on  
219 the Chief, there's no set protocols and I would use the terms firewalls that are clearly established that he  
220 was aware of that said okay if the Chief is investigated, this is how the chain of command now works –

221 **BERRY:** Mm-hm.

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222 **HENDRIE:** – because of the, you know, the intricacies involves in that. And I think that was one of the  
223 things that was said that the sergeant was like how – basically how can that be? I'm like well how can a lot  
224 of things be?

225 **BERRY:** Yeah.

226 **HENDRIE:** You know, that's just the way it is.

227 **BERRY:** Okay. So, I don't want to put words in your mouth. I just want to make sure I understood what  
228 you told me. As you're discussing the issue with your sergeants, AC DAY is there –

229 **HENDRIE:** Mm-hm.

230 **BERRY:** – you made a statement like the – these directives weren't written with the Chief in mind.

231 **HENDRIE:** Something similar to that, yeah.

232 **BERRY:** You intended to talk about kind of protocols for how to address the situation –

233 **HENDRIE:** Yeah.

234 **BERRY:** – involving the Chief.

235 **HENDRIE:** Yes.

236 **BERRY:** That initial statement you made kind of created a big hullabaloo.

237 **HENDRIE:** Well, I think – I can't remember the order of it. I think AC DAY had made the statement  
238 about no SOPs in the office necessarily as it relates to that.

239 **BERRY:** Mm-hm.

240 **HENDRIE:** The sergeant started bristling. I tried to kind of help and say let's be – let's just be rational  
241 about what we're talking about here. The majority of police directives have to deal with what line officers  
242 are doing, what our, you know, I mean anywhere from investigations to, you know, all the way up to the  
243 conduct pieces and it's for the larger group. And then when I said that about what the – like the Chief is  
244 like hey, you know, the reporting thing for the Chief that was – if this is written more for them because it's  
245 rare that a chief is the one who is actually doing any police work quite honestly.

246 **BERRY:** Right.

247 **HENDRIE:** So, off-duty encounters are very rare. And I just think it didn't really matter quite honestly  
248 what was said. It was just – there was such a – I think from the sergeants and just general I think there is  
249 folks are just like very frustrated when that came out. That feeling that, you know, accountability for the  
250 Chief was the same and it didn't really – it sidetracked really the meeting.

251 **BERRY:** Mm-hm.

252 **HENDRIE:** That, that – we couldn't get past that.

253 **BERRY:** Well, yeah, you've used the term distraction.

254 **HENDRIE:** Mm-hm.

255 **BERRY:** Can you describe what – if you are able, if you feel like you understand it, what is, what is the  
256 concern of the sergeants and the patrol officers?

257 **HENDRIE:** Well, I think the larger piece has been relayed to me specifically is that it just seems like there  
258 is that double standard. I mean, from the officer's standpoint. Now, I know because I'm privy to more  
259 information because of where I sit in the command ranks –

260 **BERRY:** Mm-hm.

261 **HENDRIE:** – the accountability goes up and down. I mean, I've been in the chair. I've sat there. I've been  
262 to PRB's. I know, but those are the things that aren't talked about because they're confidential, so people  
263 will like where's the accountability and you're like I can't tell you where that accountability is and that's  
264 kind of a – it's a necessary flaw in our system.

265 **BERRY:** Mm-hm.

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266 **HENDRIE:** So, the distraction pieces is it feels like well we as the officers are constantly being judged by  
267 one level of standard and, you know, the upper command and of course they're always very clear who to  
268 say who the upper command is. It's always the mystical 15th floor, you know, are not. And it's like that's  
269 not the case, but I think that what, you know, it's the perception piece and that's the distraction and so I  
270 think a lot of their ire was raised by this because at least on the initial media blast it appeared that there  
271 was, you know, that the Chief had not followed through on what he was required to by policy –

272 **BERRY:** Mm-hm.

273 **HENDRIE:** – and no amount of explaining, you know, my position of how I believe he met that standard  
274 mattered. It just was falling on deaf ears.

275 **BERRY:** Do you think – you mentioned that you believed that this meeting took place before the Chief  
276 was placed on administrative leave?

277 **HENDRIE:** Yeah, right.

278 **BERRY:** Do you think that his not being on leave did that – impact feelings?

279 **HENDRIE:** Yeah. I mean, and so that's why I said it as I recall it. So, I had had that question in roll call I  
280 believe and then it was followed up with, which is like this – kind of this feeling he's still at work. He's not  
281 under any – he hasn't been pulled from the street, which is, you know, cop term for, you know, saying you  
282 have been either 10-2'd or put on some type of administrative review.

283 **BERRY:** Yeah.

284 **HENDRIE:** And so I think that that, that was that piece of like what's happening with this? If this was one  
285 of us we would have been pulled off the street.

286 **BERRY:** Okay. Well, and I'll just ask since you're here. Have you had any kind of contact with anyone in  
287 Professional Standards about this incident, the negligent discharge?

288 **HENDRIE:** As far as just other than just wow this happened type of thing?

289 **BERRY:** Yeah, other than –

290 **HENDRIE:** No, I mean, I think we've talked – I talked with Lieutenant HURLEY a little bit about hey  
291 I'm, you know, about this. About like hey you got this notice coming up.

292 **BERRY:** Yeah.

293 **HENDRIE:** No, I haven't had a talk with DEREK about it and I haven't talked with any of the  
294 investigators.

295 **BERRY:** Well, can you talk a little bit more about the – we've talked a little bit about directives maybe  
296 being problematic to apply once you get up to the –

297 **HENDRIE:** Right.

298 **BERRY:** – level of ACs and chiefs.

299 **HENDRIE:** Yeah.

300 **BERRY:** Can you tell me a little bit about that?

301 **HENDRIE:** Well, I just think, you know, as far as the reporting piece.

302 **BERRY:** Mm-hm.

303 **HENDRIE:** You know, like an example that I gave is when an officer has to make an official report for  
304 either off-duty conduct or, you know, name it by policies. We have a lot of policies that cover that  
305 language. There's a whole lot of people they can get a hold to that are going to be, you know, they're  
306 supervisors, right? So I said for instance in this group, you know, I've got six sergeants sitting here. There  
307 is six people they can call. There is a lieutenant they can call. They can call the captain, they can call the  
308 commander. If they can't get ahold of me they can call the assistance chief of operations. If they can't get

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309 anybody from there, they can't get ahold of Professional Standards, they have the Chief that they can call. I  
310 mean, there's a long line –

311 **BERRY:** Right.

312 **HENDRIE:** – but as you start working up through the leadership chain, you know, the people that you are  
313 held accountable for as far as your direct report as your boss becomes smaller and that was kind of my  
314 point of the meeting is from the directive piece. It's like if you're supposed to contact your boss related to  
315 an off-duty incident, you know, the Chief has one direct report and that's the Mayor. Not that he's not  
316 responsible and accountable. There's a different term for everybody else on his actions, but as far as his  
317 reporting requirements by the way I read policy it says, you know, he's reporting and it's usually to your  
318 supervisor.

319 **BERRY:** And can you think of - did AC DAY make any other comments that stand out in your mind  
320 during that meeting?

321 **HENDRIE:** I don't. I mean, I just, like I said that meeting was really – I jokingly said we're going to have  
322 to redo a meeting, you know, because really what we tried to accomplish. It was just a lot of distraction  
323 people were working through. I mean, it was still, like I said, relatively fresh. There was bitterness,  
324 frustration on the side of the sergeants I think for feeling that there wasn't going any type of accountability  
325 here and really I think this whole incident kind of brought up a lot of the frustrations that are happening in  
326 the bureau right now.

327 **BERRY:** Mm-hm.

328 **HENDRIE:** We're short staffed.

329 **BERRY:** Mm-hm.

330 **HENDRIE:** We had a change in shift configuration. You know, there's, there's the perception of lack of  
331 support from the community and etc. and I just think, you know, Chief O'DEA and his incident became  
332 like a lightning rod for all of that emotion to come out.

333 **BERRY:** And as you listened to AC DAY talk to your sergeants, can you think of any concerning  
334 statements that he made or anything that concerned you?

335 **HENDRIE:** No. I mean, like I said, I can't remember – it would be if you had a specific comment it might  
336 trigger my memory, but I don't. I just remember him, like I said, to recap, just talking generally about SOPs  
337 not, you know, how notification was made, how, you know, what the rule is, how it reports how it changes  
338 once the Chief of police is being investigated –

339 **BERRY:** Yeah.

340 **HENDRIE:** – that we don't have a policy in place for that and then that was pretty much it that I can  
341 remember.

342 **BERRY:** Yeah, in terms of specific comments, that's – just as I've been given to understand, there's some  
343 statement about directives not applying to ACs or chiefs.

344 **HENDRIE:** Yeah, and I think if that's, if that's the statement, it was taken out of context much like what I  
345 explained from my part it's just like there was a follow-up to that. You know, it's like, and I don't  
346 remember him saying directives don't apply to assistant chiefs or the Chief and I don't recall that. I think  
347 there was some talk about it being difficult and if any comment was made I can say for me I said something  
348 similar to they weren't written for – with the Chief of police in mind. This was written on a downward  
349 structure for our officers.

350 **BERRY:** Mm-hm.

351 **HENDRIE:** And, of course, then I went back and clearly could have said that better, but in my mind I  
352 thought people were tracking on a nonemotional level and clearly not the case. So, I had to, you know, go  
353 back and say come on this is and reel them back into the reality. It's like really do you expect the Chief of

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354 police to come to a sergeant and say, hey I had this incident. I said and I just – and then, you know, it's kind  
355 of like no I get what you're talking about, but it's just, you know, like I said a lot of frustration on their  
356 parts feeling like the standard was different for them when the standard is clearly not different but, you  
357 know, emotionally that's where they're at.

358 **BERRY:** Well, now you've put up - I appreciate your coming in. You put up with me asking all sorts of  
359 nosy questions.

360 **HENDRIE:** No worries.

361 **BERRY:** Is there anything you want to add to our conversation?

362 **HENDRIE:** No, I don't think so. I mean, I think you've kind of covered your questions and I kind of, you  
363 know, my hope was just to convey the tone of the meeting and where it was at and that, you know, there's a  
364 lot of emotion I think from the downward side of it and quite honestly just a lot of distraction all the way  
365 through. You know, our Commander in Chief had just been recently, you know, had an incident that was  
366 the talk of the town literally and I think for all of us that was just a huge distraction and incredibly sad for  
367 people who have worked for this man for my 23 years.

368 **BERRY:** Yeah.

369 **HENDRIE:** So, it's just emotionally exhausting I think for everybody.

370 **BERRY:** Investigator PEREZ, is there anything you'd like to ask?

371 **PEREZ:** Just for clarification, do you directly report to AC DAY?

372 **HENDRIE:** I do.

373 **PEREZ:** Okay, and what do you think his responsibilities were in regards to the shooting and reporting it?

374 **HENDRIE:** Well, I think his responsibilities were to provide as good of counsel as he could to the Chief;  
375 and so, you know, and this is just my understanding. Like I said, I can't – I don't know 100% but, you  
376 know, it is my understanding that when the Chief briefed the ACs about the incident, the ACs were very  
377 clear that, you know, he said hey I've contacted my boss, which is the Mayor, so that checks that part. I  
378 contacted PSD, which checks the other part, so that would go to Captain RODRIGUES because and I'd  
379 have to pull the policy, but I do know that eventually your office, IPR, you do all the investigations for  
380 command rank officers, correct?

381 **PEREZ:** Yeah.

382 **HENDRIE:** So, I think that happened. Those two protocols were met by policy and then I think that, you  
383 know, if I was in that position I think I would be really as urgently as I could without being – well I'd be  
384 insubordinate probably. I'm pretty sure I – ERICA is laughing because she knows I would be  
385 insubordinate. Just to really drive the home the fact that this is not something that can stay, you know, just  
386 swept, you know, it can't just be something quiet and contained even though you've made your  
387 notifications, but publically when this gets out and it will get out, this is something that has the ability to  
388 really flip an agency upside down –

389 **PEREZ:** Mm-hm.

390 **HENDRIE:** – because just the dynamics of working in the city and just the intense scrutiny that the  
391 officers and the position of law enforcement has here, and so I think, you know, for me like I said I would  
392 argue stringently up that. It's like we've got to get ahead of this. This is, you know, there's a messaging  
393 piece. There's all those things that need that to happen in order not to lose credibility both externally and  
394 internally.

395 **PEREZ:** Mm-hm.

396 **HENDRIE:** But at the end of the day if I don't see that the Chief has violated policy in his reporting  
397 requirements and hasn't given me an unlawful order, then I feel like I'm kind of stuck and the difference  
398 being is if I'm given an unlawful order, then I have the absolute right and ability to say that's an unlawful

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399 order and I'm not going to follow through on that. And I don't know all the facts because I certainly don't  
400 sit in those chairs, but if an order was given and it didn't violate policy, then I think we're stuck by  
401 following the orders of our command unless it's immoral or illegal as I said.

402 **PEREZ:** Thank you. That's it.

403 **BERRY:** Lieutenant HURLEY anything you'd like to ask?

404 **HURLEY:** I have no questions.

405 **BERRY:** Thanks so much for coming in. I appreciate it.

406 **HENDRIE:** You bet.

407 **HURLEY:** 9:28 a.m. we'll be done.

408

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410 Transcribed 06/30/2016 @ 6:30 p.m. Cathy Daley