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Wyoming State Parks & Cultural Resources

## The Matthew Shepard Story Rob DeBree – Lead Investigator Interview

**Transcribed by Kim Brokaw, 8 February 2012,  
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- Subject: Rob DeBree
- Occupation: Lead Investigator, Albany County Sheriff's Department
- Interviewer: Mark Junge
- Place of Interview: Albany County Courthouse, Laramie, Wyoming

The following interview is part of a Wyoming oral history series titled "The Matthew Shepard Story." It is produced by Sue Castaneda for the Wyoming State Archives. The interviewer is Wyoming Historian Mark Junge. The entire project is funded by the Wyoming Cultural Trust Fund. In this segment, we interview Detective Rob DeBree.

Junge: My name is Mark Junge and it's the 28<sup>th</sup> of March 2011 and I'm in the office of Sheriff Dave O'Malley. This is at the Albany County Courthouse, right? The old courthouse?

DeBree: Yes, it is.

Junge: In Laramie, Wyoming and I'm talking with Rob DeBree. He was part of the Matthew Shepard case. And so I guess what I would do first of all is let me ask you when and where you were born. How old?

DeBree: I was born in 1958 in Port Huron, Michigan.

Junge: Port Huron. What's the date?

DeBree: Uh, sorry. Seven nineteen of fifty eight.

Junge: Seven nineteen, nineteen fifty eight. So, you're fifteen years younger than me, you're fifty two.

DeBree: Correct.

Junge: Could you just start of by saying, my name is and I was lead investigator and so forth.

DeBree: My name is Robert James DeBree and I was the lead investigator for the Albany County Sheriff's office in the investigation of Matthew Shepard's homicide.

Junge: Okay, I want to go into the investigation a little bit. Is that okay with you?

DeBree: Sure.

Junge: And then the trial and then your perspectives.

DeBree: Okay

Junge: Okay. Can you describe...nobody yet that I've talked to and I've talked to Judge

Voigt, I've talked to Dion Custis, Jason Tangeman, and one other person...I can't...it slips my mind. Oh, the Shepards, I talked to the Shepards. They would like to do another interview after I've talked to everybody.

DeBree: Sure.

Junge: Okay. So I've never had anybody tell me exactly what occurred I mean, sort of go back in your life and describe what occurred that day?

DeBree: Yeah it's kind of a wide variety of events actually. When I first got into work that day, early in the morning I had to meet with the Laramie Police Detective in the northern part of town in reference to an unrelated matter. They were in the process of processing a truck that had been involved in an aggravated assault that had occurred on one of the northern streets here in town. As we sat there and talked, we could actually see quite a bit of blood splatter on the truck, which all of us at the time thought was a little odd considering what the allegation was in that case they were investigating. It was too much blood. One thing that kind of stuck out in my mind as well as another detective from the police department was the credit card or debit card that was sitting on the dash to a young man by the name of Matthew Shepard. At that time, we had no idea what had occurred in reference to Matthew. As a matter fact, he had still been alive lying out east of town. I finished up my business there, came into the sheriff's office, did my regular work day, came home at approximately five in the afternoon...soon as I walked in the door, I get a phone call from our dispatch center advising one of our deputies was on scene with what they thought to be a young child that had been beaten severely and tied to a fence east of town. At that time I immediately began my response

and we were at the crime scene... Throughout the crime scene, we held the crime scene for I believe another almost three days as we investigated it. Upon my arrival Matthew's body had already been moved, we still hadn't (unintelligible) to the hospital, we still didn't know whether or not, at that time I did not know for sure whether it was a child or an adult, but that was updated shortly thereafter by additional responding detectives from the police department...that they believe it to be Matthew Shepard which was confirmed almost immediately. At that point, we started putting things together in reference to that assault earlier in the morning that they had been investigating from that night previous.

Junge: What was your first indication as to the connection between the two?

DeBree: Probably right about then, once we met at the crime scene, the detective and us met. We briefed shortly that the vehicle that was being driven would have belonged to Henderson, it was also that -- or I'm sorry McKinney's father and that Henderson was involved. He had been taken into custody from the aggravated assault situation. At that time we had a quick correlation as to something was tied to these gentlemen...but we didn't know exactly until we starting getting into the investigation.

Junge: Did you see Matthew Shepard -- when did you first see him?

DeBree: I first saw Matt at Poudre Valley Hospital. It was the very first time I laid eyes on him. As soon as he had arrived at Ivinson Memorial Hospital, he was shortly thereafter transported by ambulance to Poudre Valley. I saw Matt the day he died. Actually about six hours before he actually passed away.

Junge: What did he look like?

DeBree: Horrendous is the best way I can...in speaking with Judy and Dennis they would not have originally been able to identify him. He was beaten severely, he's a very small young man, skinny, slim... did give the immediate appearance to me that he did look like a child. His head was beaten severely. He was bandaged. Had quite a bit of tubes and so on, medical care that was in being taken care of him, he was barely... everybody was at that point even still shocked that we was alive. The physicians at Ivinson Memorial when I first met with them advised me that they were more than confident that he was not going to survive due to the injury to the brain which was the brain stem. I confirmed that with the physician in Poudre Valley but the point is like I said, they weren't - they were surprised he was still alive. He was just holding on.

Junge: So this was not a murder case to begin with? This was an investigation into the beating of somebody?

DeBree: Correct. But we definitely knew it was going to be a homicide, so we handling it such as.

Junge: Ahh, Okay. Do you know Beth Loffreda?

DeBree: I do.

Junge: I didn't interview her, but I've talked to her and I've read this book. And in this book as she says she describes what you said about this case. You said I have never worked a homicide with this much evidence. It was like a case of God giving it to us. I'm not kidding. The whole way that it broke down, from the beginning to

the end, it was like here it is boys, work it. It was almost like it pissed off God and he said, oh well come here, let me walk you over here, walk you over there, pick up all this, pick up all that. It was just a gift. Does that pretty well describe it?

DeBree: Pretty much. In law enforcement...circles...when you get on a crime scene obviously what we're doing is looking for evidence, and anything that can physically tie anybody to any crime. And once we got on the scene, there was shoe impressions of the suspects, there was blood splatter throughout the entire scene showing the viciousness of the attack. There was tire tracks that were phenomenal. It was in sand, it was perfectly maintained especially in Wyoming with the winds. We had items that were actually laying on the ground that I believe came out of wallets and things to that effect that we couldn't believe that were still laying there. Later on we were able to locate Matthew Shepard's driver's license in one of the suspects' houses, in addition to his wallet. It never ended. I've never been in a situation where we gained so much evidence. We were able to show where the pickup had actually backed into an embankment enough so where all the dirt collected on the hitch of the truck and once we located the truck, which was at Ivinson Memorial Hospital by the way, we immediately seized that and we could see the dirt on the hitch. And it made sense to us immediately once we brought that in, we later had that tested by the FBI and the experts out of the FBI crime lab actually came and testified at the trial. Actually there was a lot of things that I learned from it but they can actually pinpoint exactly where soil was moved just by the contents. What we had was the known which was out there and we actually put it together with the unknown which had been in the hitch and the FBI agent says without a doubt, that's the

truck. I mean, we had DNA evidence; we had latent evidence, hair evidence. Of course we came across the weapon that was utilized to beat Matthew. It just went on and on and on. It never ended.

Junge: How did the FBI get involved? Why would they be involved?

DeBree We brought in the FBI from the aspect that we...especially with the DNA, the Albany County Sheriff's office is not necessarily a rich office by any means, the State of Wyoming was still unable to actually have that in a crime lab where they were able to do DNA processing. I've been involved with numerous cases where DNA had been utilized. It's extremely expensive. This case actually broke within the first seventy two hours. We had no idea, at least I certainly did not, what kind of reverberations it was going to cause nationwide but one of the phone calls I personally received was from the U.S. Department of Justice. They were under the impression this would be in their terminology considered to be a hate crime and they were offering their assistance in any way possible. They gave it a priority and the FBI crime lab where they could actually get on the DNA immediately. We could send the samples in and things to that effect. We did the same thing with the soils.

Junge: What did you...what were the results of the DNA counts? Did you find everybody's DNA?

DeBree: Everybody's. Everything that was questionable was linked up. We found DNA that was actually Matthew's on the clothing of both suspects. We found DNA from Henderson actually on the some of the clothing belonging to Matthew. I believe there was DNA, I can't recall for sure, but I believe there was some DNA that was

some blood splatter that actually was on McKinney that came from Henderson as well.

Junge: Weren't Matthew's clothes taken to Cheyenne? I didn't understand why they were taken to Cheyenne or who did that and put in a dumpster or something like that?

DeBree: Well, actually the clothing that was on Henderson, which would have been his shoes, were covered with blood. He was dating a girl here locally and he had taken those shoes over to, and clothing because they were bloodied, and he had actually taken them to Cheyenne to dispose of them. Originally they were going to go to the summit and burn them and that's what was part of the reason was these girlfriends ended up being charged with accessory after the fact.

Junge: But they decided to go all of the way to Cheyenne.

DeBree: Correct. It was too cold out. I think there was some snow and they couldn't get a fire lit. So they essentially went into Cheyenne, found a dumpster and put it [the clothing and shoes] in there. From that situation as soon as we found out about it, we immediately notified Cheyenne authorities who actually went all over the area trying to locate them and by that time we determined they had actually been dumped already.

Junge: Oh, you never did come up with that.

DeBree: No, we did not.

Junge: But, it wasn't essential to the case.



DeBree: No, it was not because we had quite a few witnesses that had testified to the fact to what had occurred including the mother of the one girlfriend. (ringing)

DeBree: Hold on a second... And from that point, I mean there was a lot of correlating evidence as far as eyewitnesses as to what they had done. Both girls had testified that they were present when Henderson was getting rid of it. The mother of one of the girls admitted that he was in there, putting something in there. We got quite a bit through the interviews and things to that effect.

Junge: Let's see, did you do the first interview with Aaron McKinney?

DeBree: Mm-hmm, yes I did.

Junge: Can you describe that for me? And how that went?

DeBree: Well, Aaron McKinney had already been taken down to Poudre Valley Hospital due to the head injury he had already received from the other two guys, one of the other two in this assault that was just on the northern edge of town.

Junge: Herrera and Morales, I think?

DeBree: Correct.

Junge: Yeah.

DeBree: And he had been receiving treatments for that head wound and was going to be released... it's kind of hard to remember all of the time frames on this one, but we were probably going on forty-eight hours with out sleep as far as the investigative team was concerned. By that time we had made the decision for everybody to get home and get some rest, and we came back. I knew that McKinney was going to be

brought back during the nighttime, or later that day. I directed the deputies that were going down to pick him up not to question him about the incident at all. Just to bring him back and get him into the detention facility.

Junge: Why did you do that?

DeBree: We just wanted to make sure everything was up and up. We wanted to make darn sure that they had their rights, and I wanted to make my own assessment as to his capability of being able to answer questions due to his head injuries and things to that effect.

Junge: So was he in custody when he left the hospital?

DeBree: Yes he was.

Junge: Okay.

DeBree: Once we brought him back, put him in the detention facility, I gave him another...I think I interviewed him somewhere in between ten and eleven in the morning. I wanted to make sure he'd had enough rest. I called the guys over in the detention facility, they said he'd been in sleep for nine, eight, nine, ten hours. We set up an interview room over there...

Junge: In ...?

DeBree: in the detention facility.

Junge: Across the street, to the west?

DeBree: Correct.

Junge: Okay.

DeBree: And, at that point set up the tape recorder, sat down with him, and read him his rights, which he waived, and was willing to speak with me. It was kind of amazing...it was fairly warm [more] than anything else. It was non-confrontational. It was not the typical kind of interrogation you'd go into trying to get the truth out of somebody. He immediately admitted to beating Matthew, he knew Matthew had yet to die at this point. I was very up front with him, told him that all of the physicians that were involved in his care, with Matthew's care, were totally convinced that Matthew was going to die. At that time, he was under arrest for aggravated assault, robbery and kidnapping. And if Matthew died, I said not if, but when Matthew dies you're going to be charged with homicide.

Junge: What was his reaction?

DeBree: His only reaction at that time was that he screwed up and that he was worried about not seeing his son any longer. They had a new infant boy...pretty nonchalant.

Junge: Really?

DeBree: Yeah, it was pretty...I think that was the thing that kind of bothered me the most. He was just very...almost cold. We talked extensively...when you're breaking it down, when you're doing the interview you're trying to get the...meet all of the statutory requirements for homicide, aggravated assault, kidnapping, everything to that effect. Once at that time it was still in the, and I'm going to admit that I was pretty uneducated as to what "the hate crime" legislation or what the law even

stood for... I spoke with him at length in reference to his feelings towards gays. Throughout the entire interview he would say he had nothing, with no problems about gays but he referred to them as fagots and things to that effect. It was kind of a draining interview because it was the emotional aspect of it from him and us. Like I said, I still...we weren't totally aware of the reaction it was causing at this time.

Junge: But I think I read in Beth's book that initially he tried to defend himself and claim that...he claimed another story.

DeBree: He did. Well, he claimed the other story as far as the reasoning that he hit him.

Junge: Yeah.

DeBree: Well, and then he tried to make a...and it happened for just a short period of time that he tried to say that somebody else had borrowed his truck. We already knew otherwise. Since that's what we get trained to do. We are supposed to do our investigations as best as possible prior to us talking to the suspect. We already knew what the story was going to be. Or at least we felt it. And then he tried to make up the story that somebody borrowed his truck and went out and possibly found Matt Shepard and then went out and did a deal and brought his truck back and parked it in the exact same place.

Junge: At the Fireside?

DeBree: Yeah, which didn't last very long. He immediately broke from that story.

Junge: Did he seem remorseful when he broke, actually broke into the truck...

DeBree: Nope...not at all...not at all. Matter of fact, to this day I don't think he's remorseful. I think Henderson is, but then you've got to play that off a little bit trying to wonder whether or not if it is because they got caught... Henderson had some kind of weird loyalty towards McKinney and I think that Henderson definitely was the most intelligent of the two. Those are the type of questions you are not going to be able to answer. I don't know.

Junge: Yeah. You didn't try to interview or question Henderson?

DeBree: We did but he requested an attorney.

Junge: So that precludes any kind of an interview, right?

DeBree: Correct. But his attorney agreed to do what we call a debriefing with him after he had made his sentencing agreement to life. We went over and spoke with him. It was myself, another police department detective, his attorney...I believe that was all that was present. Essentially what we wanted to do was just tie up some loose ends. I mean, we pretty well had the investigation wrapped at that point. We just wanted to maybe check out a couple more things with Henderson. Henderson had made the, originally made the agreement that he would testify in trial. I think that was one of the reasons why the prosecuting attorney didn't want to continue to seek the death penalty...the parents were also at the very end were willing to drop the death penalty.

Junge: Who was the prosecuting attorney?

DeBree: Cal Rerucha.

Junge: In both cases?

DeBree: Yes.

Junge: Then who was Wyatt Skaggs?

DeBree: Defense attorney for Henderson.

Junge: Was he the guy that initially was called upon by Henderson to be his lawyer...or?

DeBree: Well...

Junge: He just asked for a lawyer?

DeBree: Yeah, he asked for a lawyer and he's [Skaggs] a public defender. Probably one of the state's supreme attorneys as well...even as a public defender...so I mean he was highly experienced in homicide investigations.

Junge: Who was sheriff at the time?

DeBree: At the time of the assault it was Gary Pals, Jim Pawn took over in January of the next following year.

Junge: So when you get a call...I'm kind of curious about this whole process after reading it all in here, in Beth's book, when you get a call or when this department gets a call to investigate, do you just respond according to what the dispatcher says or does the sheriff send you out?

DeBree: No, the dispatcher sends us. I was the detective here.

Junge:: From the very beginning?

DeBree: The very beginning. Once we receive the call we're obviously sending our patrol deputies, but once our patrol deputy arrived on scene she was able to determine that this was definitely not good...that everything was strange about it beyond the typical beating, it was horrific. The quickest reaction is she thought it was a child...which wouldn't have mattered. But in the same aspect things kind of gear up a little bit when you're hearing that.

Junge: Now, what was Dave's position?

DeBree: Dave was the Detective Lieutenant with the Laramie Police department at the time.

Junge: So he has since joined the Albany County Sheriffs department?

DeBree: He just got elected this year.

Junge: Oh, he got elected? So who makes the actual charge of murder?

DeBree: Who makes the charge?

Junge: Yeah, who actually files the charge?

DeBree: County Attorney

Junge: So that was Cal Rerucha?

DeBree: Correct.

Junge: Okay.

DeBree: You know that was another thing that was a little bit strange when we were down speaking with the Shepards ... the Shepards, Judy and Dennis had to come from Saudi Arabia. They were able to finally get a flight...those people went through their own hell that nobody can come close to explaining. But once they arrived, of course by that time they were under media attack, they were trying to simply have time with their family and Matthew. But I think one of the things that was shocking with me is that they were concerned whether or not that if they decided to pull life support for Matthew, whether or not that would affect the murder investigation. Which, I guess to a lay person that would be understandable.

Junge; Right.

DeBree: We immediately contacted the county attorney that night, asked him the same question he goes "Absolutely not. [Because] medically, if they have to take him off his life support, then that's the way it is." Like I said, everybody was just amazed at that young boy stayed alive as long as he did.

Junge: What was it five days? Something like that?

DeBree: Yeah, something to that effect.

Junge: Yeah, tougher than people thought. Of course, he was fighting for his life too.

DeBree: Yeah.

Junge: So who makes the case for the death penalty?

DeBree: That is up to the prosecutor as well. He's the one that makes the decision to actually go forward with the death penalty.



Junge: Okay.

DeBree: He has to look at a wide variety of reasons why they go forward. He had made that decision, he had also of course, brought us in as a team...and spoke with us as law enforcement and spoke with the family...both Dennis and Judy were both supportive of it at the time. And he takes our information into his decision but it all rests with the prosecutor.

Junge: Okay. How did Judy and Dennis respond to all of this?

DeBree: You know, between their tears...I guess from my experience at watching them I was amazed at their strength. Totally amazed, I mean they had already gone through the crap that was going on in Casper with a simple funeral. I think Dennis had lost his uncle that same day, you have to sit back and wonder how two human beings can do what they did. Just to hold up. They still had another boy here that was going to school...I don't know how they did it. I still don't know how they do it.

Junge: Well, you got emotionally involved too.

DeBree: I did eventually. You try to always keep yourself out of it, that's what they try to teach you in the academy or when you're getting into law enforcement that you are supposed to separate your emotions, but there is no way you can.

Junge:: Well I heard somebody say that you can't really do a good job when you separate yourself too much.

DeBree: I agree. Totally...just from the aspect that you've got to get involved. You've got to be a human being and you've got to feel other people's feelings. You know, you just have to...something has to drive you. We're not robots...and that's what...when I'm dealing with homicides which I've worked quite a few, that's an easy thing for me to tap into is other people's emotions and you become part of it.

Junge: How many murder cases had you been involved in?

DeBree: Nine.

Junge: Nine before this?

DeBree: Mm-hmm.

Junge: So was this anything new then, or was it just...

DeBree: Yeah, I've been asked that question a thousand times about whether this a worse homicide than the other ones...it wasn't too much longer previous to this one that I had a thirteen year old girl that got murdered up on the summit. Stabbed, repeatedly and we had solved that. But I don't know how you can say what's worse, I think the thing that drug out...in this situation things drug out for that week period of time.

Junge: You said that this was a year of, well not just that week, but you said it was a year from hell.

DeBree: It was. We had a lot of motion hearings we had to go through especially once you identify the death penalty. Once the prosecutor identified that, most people don't understand we have to prove the case itself, the homicide and in this case, the

kidnapping, the robbery, and things to that effect. So law enforcement immediately gets taxed with not only proving the case, but there's almost a bifurcation as to going to now you have to prove the death penalty. If there's enough evidence to lead the prosecutor into the death penalty conviction. So, the prosecutor had us going a thousand ways...of course that poor guy was under the gun throughout the entire thing. He was a catholic...

Junge: Cal was? Rerucha?

DeBree: And he was receiving a lot of problems from the church...from death threats to...law enforcement didn't receive any death threats so to speak...we had to make sure that we had proper security for our prisoners because they were receiving death threats...it became a circus, like the clown out of Kansas that came, I mean...

Junge: Phelps?

DeBree: Yeah, and I mean that guy is a clown. But finally, some of the states throughout the nation are making some pretty standard laws to keep him and his type away from these type of things.

Junge: What did you think of that decision made by the Supreme Court recently?

DeBree: It was good. Excellent.

Junge: Freedom of speech is the most important thing.

DeBree: Yeah.

Junge: Interesting. You know, where's the difference ... and I don't want to go too far down that track...

DeBree: What do you mean about the Supreme Court decision?

Junge: Well, the Supreme Court said recently that at the funeral of a veteran, that Phelps had a right to speak and to demonstrate at the funeral saying basically that vets died because it's God's punishment against fags and to me, and everybody that I've talked to said it was a good decision that the Supreme Court said basically you have a right to speak. To me, it seems like there's more involved than just the right to speak, it's almost like I can come to your house and assault you, not physically but verbally abuse you?

DeBree: Well, from what I understand from that court decision is that you weren't...granted, you have the freedom of speech but you don't have the right to do it right there. And, they can move the actual distance back away from it.

Junge; Oh, okay.

DeBree: I mean if you want to be involved with some clowns like that, I mean that's...I've never been around anything that's so revolting in my entire life. You know if you continue to add things on to us as investigators and watch a clown like that...how can you do that to a family?

Junge: Yeah.

DeBree: No matter what your beliefs are, how can you do that? It's just unbelievable.

Junge: I think that maybe an extreme point of view would be that we must be intolerant when it comes to tolerance of things like homosexuality. We must not tolerate

that, and to tolerate it means that's the height of intolerance. They turn it around on its head.

DeBree: True. It really becomes the big issue.

Junge: Yeah. The hardest parts for you were the initial couple of weeks?

DeBree: Though out the entire year, I mean yeah, the first couple of weeks is typical of a homicide investigation...you're putting a lot of stuff together, you're trying to get reports completed, you're trying to get interviews completed...we'd meet consistently with the prosecutor, by that time we were starting to meet on and off with Dennis and Judy. We are receiving phone calls like you would not believe...all of a sudden we are getting phone calls from the top of the nation...you know...actors and...it got to a point where it was almost ridiculous. Usually when I would come in, in the morning which was about four or five o'clock in the morning so I would assume that I would have some quiet time, I would spend two to three hours answering phone calls that were on my recorder. So eventually when we were able to finally get that taken off my plate so to speak, through we established a good PIO at that time, it was overwhelming. Once the media got involved...a homicide investigation is draining in time anyway but once the media got involved it was incredulous. I've never seen anything like it. You probably see it on TV, about what can happen in certain cases but you never think it's going to happen in little Laramie, Wyoming. It really got ridiculous.

Junge: And that took you by surprise?

DeBree: It did. It did.

Junge: Now Beth mentions that you had to work with... the L.A. officers offered their help because they had been involved with the O.J. case?

DeBree: We had officers from nationwide, believe it or not, that were offering their assistance...the sheriff from Texas that was just dealing with the Bird homicide. We were more or less putting our arms out requesting help on courtroom security, how they were taking care of that, how to take care of the media...it was a learning situation for everybody. And there wasn't a single person that was not affected.

Junge: And you also...Columbine...you conferred with Denver people?

DeBree: Yeah, I believe so.

Junge: Rob, what role do you play in motion hearings? I don't understand all of the motions. There were like how many motions? Like three hundred or something?

DeBree: (Chuckle) I forgot. Essentially, my role is sitting next to the prosecutor and having my notebooks in front of us, our reports. Prosecutor Cal, at the time, wanted us to be present because if we hear something coming up in court, we can say "No, that's not true" or "Yeah, this is true" if he'd turn around... Actually, in all reality what we're doing is assisting him and making sure what arguments that you know... I can't even imagine as a prosecutor when you're getting hit with that many motion hearings. Another thing that's atypical of a death penalty case is the motion hearings. So they're doing whatever they can to get whatever they can to one thrown out. We never lost a single bit of evidence...none.

Junge: Really?

DeBree: That was like mind altering to any defense, I mean to that point (laughter). And I think both defense attorneys were willing to go ahead and just plead them guilty from the outset. But once the death penalty was announced, of course they are going to fight that as best as they can.

Junge: At that point in time though isn't that when the decision was made by somebody to say let's just plead guilty? Judy and Dennis?

DeBree: The defense attorneys approached myself and Dave O'Malley and asked if we'd be willing to facilitate them meeting with them.

Junge: Oh, okay.

DeBree: We agreed that if ...only if we were present. Judy agreed... more or less Custis made his plea -- so to speak -- in talking to them. With Henderson's aspect of it, they agreed with it because they were under the belief that, and rightfully so that Henderson, yes he was part of the crime and responsible but he wasn't the true attacker. And that's why they wanted to go forward with the death penalty on McKinney at the time. But once the guilty plea had come in, that's when they asked to meet...we set up a room and sat down and talked and...

Junge: But he was guilty of first degree murder...

DeBree; First degree murder due in the commission of a felony, which would be robbery.

Junge: So it wasn't premeditated then?

DeBree: Well, that's what they come back and say, yeah.

Junge: So he was going to suffer whatever penalty because it was a murder connected with a felony?

DeBree: Correct. While in the commission of a felony...

Junge: Okay, so...

DeBree: And both of those felonies could have been kidnapping and robbery.

Junge: In Judy Shepard's book, she mentions that the argument that there was gay panic involved was thrown out by Judge Voigt because...well for various reasons that she shows in her book but according to Judy that more or less cut the defense attorneys off at the knees.

DeBree: It did.

Junge: But they don't say that. Both defense attorneys don't say that. They're saying that you know, it wasn't just... we didn't go into the gay panic thing that much, that was just one of the things.

DeBree: Well, I don't know but that was truly what their defense was going to attempt and it got shut down. I mean, what else do you have? They tried to say that a wide variety of things when they were trying to say the gay issue had nothing to do with the crime but all of a sudden then they're making that their defense...which just led to being more credible as to what the real true reason why he continued to beat him.

Junge: Bob Beck, KUWR's Chief of Operations, he mentions in Beth's book that this was a case of a robbery gone wrong. It's just a stupid thing.



DeBree: Mm-hmm.

Junge: And he breaks it down like that. I don't think he mentions that it had anything to do with gay panic or, I mean not gay panic, but a sexual issue.

DeBree: Okay. One thing that I've learned from this is that everybody has their own opinions. The people that actually were truly involved in the investigation, from A to Z, were able to learn things that I would have never, ever learned. But if it was truly going to be a robbery, the robbery would have been completed within five minutes. There was no reason to take him and continue out to where they were, tie him to a fence, beat him and do so viciously. There was no reason for it, none at all. If that was going to be just the robbery...you know that's the other thing... people are trying to make it sound lesser just because well it was a robbery gone bad, well since when is a robbery ever good? (Chuckle) So all of a sudden the robbery goes bad because I murdered the guy, so that's the difference?

Junge: Mm-hmm.

DeBree: The true difference a lot of it is the way that he talked, McKinney, during the interview. First it was faggot, and then he tries to change his story later on...well I don't have any problems with it but you've got to remember what he doing over in the jail all of the time with the other prisoners. We were getting a lot of information out of the detention facility, in and of itself. While they're housing him, he's trying to put himself off as some kind of hero. There was a lot of prisoners that came forward, believe it or not, that were revolted...this guy's sick. I mean, it just goes on and on but I mean you can look at it in a wide variety of

ways but there's no doubt in my mind that it played in...it was an issue. I'm not going to say it was all of the issue, but it was part of it.

Junge: What about the story that Matthew came onto these guys?

DeBree: Yeah, that was a nice attempt (laughter). Yeah, no...it wasn't...number one, Henderson in the debriefing interview that we had with him after his case was complete countered that. Said no, he didn't touch him. Meaning, Shepard didn't touch...

Junge: McKinney.

DeBree: He never saw any of that, blah blah blah. It just continued, I mean we can go through and assume a lot but when you get the eyewitness testimony of the co-defendant, I considered that to be pretty overwhelming. Both of them, both of them [emphasis] admitted to going into the bathroom at the bar, planning to rob him. Both of them assumed that he was gay, by the...because...I don't know what... the way he was dressed, or...

Junge: Just by his appearance...

DeBree: Or by the way he talked, but they both assumed he was gay. They both assumed that he would be a good robbery victim. They both needed money obviously, so that goes part to the robbery. People say "Well, if it was that bad, why didn't they shoot him?" Because he was out of ammunition, he didn't have any ammunition with him so he utilized the gun as a club. That's why he didn't shoot him.

Junge: Did anybody say, like the bartender, did anybody say who approached who first?

DeBree; Yeah. Henderson actually did the approach. That he was setting the lure, so to speak, to get him out.

Junge: So, it wasn't a matter of Matt's approaching them and talking to them?

DeBree: No. We got quite a few witnesses that countered that.

Junge: Is that bartender still around...what's his name?

DeBree: Matt Galloway.

Junge; Yeah, something like that...

DeBree: Yeah.

Junge: Yeah, Matt Galloway.

DeBree: No, I don't know where he is at right now but I don't think he's here in Laramie.

Junge: Well, I'm trying to get all different sides of the story.

DeBree: Sure.

Junge: And, that's my job.

DeBree: He was the one who was extremely adamant about it. I was kind of amazed with him because he took it so personal that he felt bad about the whole situation. It was almost to a situation where he wanted to grab Matthew and say "Don't go with them." He had a bad gut feeling and something was not right.

Junge: Did he know these two guys?

DeBree: He had seen them, but he didn't know their names.

Junge: Well, Matthew too was a little guy. I mean if you're going to commit a robbery, I guess you want to...you don't want to face a guy like you. A big, strapping man...you want to take out a kid, maybe.

De Bree: Sure. Yeah.

Junge: Okay, so I'm not wrong about that.

DeBree: But why would they come out and pretend they're gay. Are they setting the lure so to speak? You know, I mean that's what they admit. (Laughter) Okay, so that goes into part of it if you look as to what the hate crime definitions are. Problem is there was no hate crime definition at the time.

Junge: Yeah, that's right.

DeBree: So some states had it, but the federal system didn't have it. The Feds had come forward saying they were going to give us all of these assistants...you know we lost positions because of this...for a period of time.

Junge: You lost like four positions.

DeBree: Correct.

Junge: Because you couldn't afford to pay people?

DeBree: It was taxing on the county budget. I mean, we gained them back after a period of time...it caused some problems.

Junge: Well, I can imagine. You can't do your jobs adequately if you don't have enough people, right?

DeBree: Correct. Correct.

Junge: But you still had to let them go.

DeBree: No, we didn't have to let them go. The positions were ready to be filled and the commissioners pulled them from us. They just...it was just like kind of a short attrition type thing that was happening and we're going...

Junge: Oh. They were already empty positions?

DeBree: Yeah.

Junge: Oh, okay that makes a difference. You're pretty candid, you're pretty forth right in talking to Beth Loffreda about this whole thing. I think you said to her that your opinions of gays and lesbians was different before you got involved in this case. Is that right?

DeBree: Yeah.

Junge: In what way?

DeBree: Negative. I think a lot of it was just the conservative raising I believe. But the problem is with my Mom and my Dad would never stand to be anti-gays or ... my Dad was probably one of the guys that...it's kind of a hard way to paint it...kind of a conservative guy but very liberal, I mean he worked for universities and ...

Junge: What did he do?

DeBree: His last job, where he retired from was the University of Wyoming under agriculture extension. He was the director.

Junge: Oh, okay. Is he still alive?

DeBree: Yeah.

Junge: Okay, and your Mom too?

DeBree: Correct.

Junge: Have you talked to them much about this whole thing or were you allowed to do that?

DeBree: Oh yeah. Yeah, especially once it's concluded.

Junge: What did your dad think? That you did the right thing?

DeBree: Yeah.

Junge: That you did a good job?

DeBree: Yeah, yeah.

Junge: Did you talk about gay issues?

DeBree: Yeah...extensively. There were quite a few different things that actually, I truly experienced...I had a week to be able to get out of here and we went up pheasant hunting in eastern Montana in a little rural town. We were, me and two buddies, were in a lounge right before dinner and we had a beer and there were these farmers ...they're in there and they're just having a beer after work kind of a nice, quiet lounge and all of a sudden ... you know maybe, but the media, I couldn't believe that I couldn't get away from this and it was on this big TV right there at the bar and they're talking about the homicide. And it got really quiet in there and

I was going, well, my true belief at that time is it was such a conservative area that they are going to be saying quite a few things about gays here in about two seconds. It became extremely quiet almost to a point where I was uncomfortable about it, and then one farmer it was right to my left about five men down said "You know I don't give a damn about gays, the gay issue", he says "I wouldn't do that to my animal." And a whole bunch of farmers started agreeing with him. And I'm going, wow that made a point. That made a point to me, personally.

Junge: Did you get involved in the conversation with him?

DeBree: No.

Junge: But it surprised you?

DeBree: Yeah, and it does. It shocks you. Once you start hearing the views of people that are outside of the... The big thing with me is when we went to Washington DC and we were meeting with people that were gay...so what? I mean, they're good people. And that's what I really finally started to learn is like, they're good people.

Junge: So this was a gradual process?

DeBree: Yeah.

Junge: There wasn't a revelation all of a sudden at night? You know I believe it's okay.

DeBree: No. No. I can continue to say I don't agree with the lifestyle aspect of it but I have nothing against the people. Nothing.

Junge: Do you think there should be a (pause) law that gives equality in all respects to gays and lesbians?

DeBree: It's got to be a law that's equal to all citizens of the United States.

Junge: I'll be the devils advocated here Rob, but a gay might say no. You can get fired...now let me just read you an opinion here. This came from Beth's book it had to do with this Bill Dobbs. Do you remember him?

DeBree: Not sure if I do.

Junge: He was head of Queer Watch. He was not happy with Elton John's refusal to make political statements about this when he gave his concert. So anyway, Bill Dobbs is with Queer Watch and he says he's mad at Elton John..."If Mr. John lived in Wyoming he could be fired from a job, evicted from housing, and refused medical care, shocking but true because there is no Wyoming law that stops discrimination on the basis of sexual orientation. And as I have come to understand, if you're gay and you have a spouse in the hospital who's on life support you don't have the right to make a decision regarding that spouse's pulling the plug or you don't have a part in his estate...or her estate.

DeBree: Correct. Or insurance benefits or anything to that effect.

Junge: So I guess what the gay rights person would say is "No, no we don't want special rights, we just want equality." Would you agree with that or not?

DeBree: Yeah, I don't think they should be anything outside of the...the people that I have been around, they don't necessarily want any special rights. They do want rights. How can you argue with that?

Junge: You can't.



DeBree: I mean I really can't... Once you're involved with something like this and you're halfway intelligent, you sit and you open your ears up...open yourself up a little bit and listen to their arguments, everything they're saying is correct. You know, granted you might have an argument about one thing or another but I think we are basing ...you have the federal government that is all of a sudden taking the words "In God we trust" off of money but it's okay for them to do it. There's too much controversy going on in our own governments and our own nation as a whole. There's a lot that's just not making sense. I mean, why are we trying to put some stipulations on some people just for being human beings?

Junge. Yeah. What religion are you?

DeBree: Protestant.

Junge: Protestant. Okay, so did you have any problems with this whole issue in your religion too? Because I mean, Protestants and Catholics alike think that homosexuality is a sin.

DeBree: No, I didn't have a problem with it.

Junge: You made an interesting comment in her book about how, you know if it's a problem in front of God, let God take care of it.

DeBree: Yeah, it's the truth.

Junge: I thought that was really appropriate...interesting comment.

DeBree: How can you argue with that? I mean, we're not the judges. If you follow the Bible that's the way it is. You're not supposed to be doing that.

Junge: But see, we've got to watch out. We've got to take what the Bible says and we have to be God's enforcers here on earth. We have to be intolerant of tolerance because it's tolerance that's killing us.

DeBree: Yeah, but who's the final judge? So... it's not you, it's not me. But there is a lot to be said for how you are going to treat a fellow human being too. And I've got a big problem with the way they treated Matthew Shepard. And they are exactly where they belong.

Junge: Have you had any contact at all with these two guys?

DeBree: Nope.

Junge: Since the trial?

DeBree: Have not...

Junge: Where are they, by the way?

DeBree: Don't know. (Laughter)

Junge: You don't know?

DeBree: The prison system is pretty intense and they've bounced all over. I know that they've gone to Nevada, of course Wyoming, and I just don't know exactly where they are all at. There's some security issues there with it.

Junge: I guess they were in Torrington for a little while. Or one of them was...

DeBree: That I don't even know until I talked to Judy as little as last week.

Junge: Really?

DeBree: Yeah, and I hadn't seen Judy for a while and that kind of shocked me.

Junge: McKinney had a gag order or whatever you call it. He wasn't supposed to talk to the press?

DeBree: Didn't do that very long. (Laughter)

Junge: Is that right?

DeBree: Yeah, he already talked to the press.

Junge: Really?

DeBree: Oh yeah.

Junge: How can you punish him anymore I guess?

DeBree: Exactly. But that was...just goes to show the quality of the people.

Junge: Yeah. Yeah.

DeBree: I mean, they agreed... You know, the Shepards and Cal had a lot to do with those, at least Mc Kinney, being alive any longer. I think there would have been some strong argument for the death penalty in this situation.

Junge: But wouldn't it have been a mess according to what Judge Voigt was telling me that you know, when you've got a capital punishment situation then he says you can bring in a lot more things like the gay panic thing?

DeBree: May have...I don't know.

Junge: It can be a real mess.

DeBree: Yeah, yeah.

Junge: And they didn't want a mess, right?

DeBree: I don't know.

Junge: Now, if you were in my boots and you could talk to these guys again...maybe it's an unfair question, what would you ask them...at this point in time?

DeBree: To be totally honest with you, I am so unimpressed with McKinney, I wouldn't even strike up a conversation with the guy. I saw what he's like as a human being, especially after the homicide. I saw what he was striving to try to be, was some type of a hero because he killed a gay. That's the other thing a lot of people don't understand which never really came out in evidence in court. He's over here laughing about killing a gay or in his mind, a faggot, ok laughing about it, talking to prisoners about it. We've intercepted letters to other people that you know, what his outward feelings were. Henderson, you know I guess they have affected so many people's lives forever,

Junge: Including yours.

DeBree: Yeah. But mine, in a positive way.

Junge: You think so...in the final analysis?

DeBree: Yeah.

Junge: Do you?

DeBree: Yeah. I'm not near as critical...I'm critical about human behavior when it hurts others. Probably the reason I became a cop. But you don't necessarily have to physically hurt somebody to hurt somebody...just to talk. And you really don't get to witness that until you become involved in something like this where you actually just sit down and watch...it hurts. It hurts. One of the things that really bothered me from the very beginning about the investigation is when we started meeting with the gay community, is how terrified they were. And until you try to put yourself in their shoes, I was going come on, we're in Laramie, Wyoming. But in the same breath, well yeah we are in Laramie, Wyoming and a kid just got murdered. Again, not totally all because he was gay, a good portion of it was. I've become more sensitized to that aspect of it. It's not necessarily what you do, it's also what you say.

Junge: Do you ever give sensitivity training workshops to people about this?

DeBree: No.

Junge: I wonder why you haven't been asked.

DeBree: I don't know. I don't know.

Junge: Are you trying to put it out of your mind?

DeBree: No, I mean it's something that's always going to be there. Life goes on and Dennis and Judy are probably one of the greatest examples of that. They're going on and they're trying to do good stuff with their lives and Judy has taken it to war, so to speak and she won't back down to. And you know, you've got to admire that woman because she was not that type of a gal previous to this homicide.

Junge: She's grown into that position.

DeBree: Oh yeah and fantastic. She's just fantastic. I don't know...I've guess I've never been asked to bring it about...I've never been asked to be a part of anything like that.

Junge: Do you think there's any...in her doing all of this work for lesbians and gays and bisexuals and transgendered people...do you think that in a way...this is a horrible question to ask you...but in a way is Matt's death redeemed or justified by what people have accomplished since his death or has there been any accomplishments?

DeBree: Well, yeah and I guess then again I have to go back and wonder whether or not I'm critiquing myself...the case so much that I became more attentive to what was going on with gay issues. I think it was at that time that I started to see, wow, now it's hitting the fan. And it was, all of sudden we're going to talk...we're going to [Washington] DC to simply speak about a couple of issues about funding and when I left DC, I was never to disgusted in the Federal Government in my entire life. All I hear was people paying lip service to things, but it was all of a sudden we were the famous group to see in Washington DC. And all of sudden you were given an audience to republican senators, republican whatever...democrats alike, but I was always anti Ted Kennedy. Probably just from what you read and what you hear and things to that affect or whatever he believed in...blah, blah, blah. But as far as senators are concerned, holy smoke, that guy worked! Daily and I mean really, truly worked. Yeah, as a human being did he have some problems? I'm sure he did like all of us do, but in the same aspect the guy probably actually earned his

money. And I saw a lot of people just sitting on their butts not earning their money and just paying lip service to it. And that's all it was. I was disgusted. I was truly disgusted. And that went all of the way from the President down.

Junge: Yeah.

DeBree: The President at that time was Clinton and he had his own problems. And that was disgusting in and of itself, but at least he was taking a stand for what he believed.

Junge: Do you feel like in going back there and meeting these people and seeing like you said, Kennedy being a worker, was that a benefit to this whole thing for you? Was that a plus?

DeBree: Watching somebody like that, that I always had these preconceived...again this is coming back into my mind, these preconceived ideas of what I was seeing... Janet Reno, for instance, everybody was down on her at the time...yeah, you could actually watch the people that were busting their butts to do their job. Janet Reno, you had to sit back and admit that woman was extremely intelligent until you watched something on the news that tries to paint her as being ridiculous and an idiot. Okay, it just kind of depends on what kinds of things we are going to do where the media is concerned. I lost a lot of respect for the media as a whole because we saw the truth, we heard the truth, I stood in front of the truth, nobody could counter it, nobody could come up with some excuse as to what occurred. We saw it...we smelled it. Okay? We saw the tears, I held the hand of Matthew Shepard... Yeah, there's a lot of things that get me fired up...now that you're talking about it.

Junge: Yeah.

DeBree: When I go back into it, there's a lot of things that just fire me up. I've never seen such a herd of elephants as the media. They're ridiculous. It's the most ridiculous thing I've ever seen in my entire career. And they are unchecked, nobody checks them, sometimes I wonder are you checking the right people? Are you checking the government, are they doing their job and things to that effect? And I don't have people questioning us about doing our job. But we had people from Court TV that said they have never seen a finer investigation, ever in their entire careers. And these are people that covered this daily, you know, every single homicide...the lady that just left the OJ Case as a matter of fact...they were just stunned, like "Wow."

Junge: That's a compliment to you.

DeBree: Yeah. Well, they came out to us as a team and once they started sitting in the courtroom and watching what the prosecutor and us put together in court they just went "Holy Smokes, this is a done thing." And we busted our butts. Those are the personal issues, those are the things that push my buttons. And the media tried to at one time make Laramie look like some bunch of rednecks which just irritated the crap out of me. Considering they'd never lived here, they had no idea what was going on...but you could talk to somebody from the Denver Post as a matter of fact and they were probably one of the few that actually printed things that were right or at least quoted it correctly. TV media is a joke as far as I'm concerned. It's sound bites is all it is and they make it into what they want to make it.



Junge: Isn't interesting that...I just talked to Jason Tangeman and he would agree with you about the media but from a different perspective.

DeBree: Sure.

Junge: You would agree on overall perspective that the media was a circus? I think both of you would agree with that. But I think...

DeBree: There's probably a lot that I would agree with Jason on.

Junge: Yeah.

DeBree: You know?

Junge: You think?

DeBree: It just all depends, I don't know necessarily but...

Junge: Well, he has great respect for you.

DeBree: I have no problem with Jason Tangeman, period. None at all, so I mean... He is a good attorney. He does what his job is.

Junge: Do you think the lawyers on both sides did equally as good as they could do?

DeBree: Yeah.

Junge: In this situation?

DeBree: Yeah, and it's stressful on them just as much as on anybody else. As defense council and (chuckle) I'd hate to be sitting where Custis and Tangeman were, I really would. What do you play with, you know? What do you do?

Junge: To save a guy's life.

DeBree: Yeah, and essentially I think that's what Dion Custis' full focus was because he was the lead attorney for the defense on that end of it, was that...I think one of the quotes I was trying to remember exactly was "Well, my job was to save his life." Okay. That is. That's fine, that's his job.

Junge: Are you allowed to say what your opinion of the death penalty is?

DeBree: Yeah, I just don't know quite where I stand on it anymore. It's not necessarily just a ...I really believe it should be there now for a point of true elimination of a pariah on the community. If you have a guy that's a serial killer there's no way you are going to do anything for him. Mentally he's not going to come out of this. He's always a true threat to the public and he can be again. He can kill prisoners, prisoners are citizens. Whether we want to accept that or not they are, they are human beings. Serial killers have killed others in prison, and it can go on and go on and go on. They are the true pariah on our systems. You hear about these cases a lot when the death penalties...when they are concerned about putting people to death because they might not be guilty. You've got to really play off a lot of things...I was amazed at the amount of time that went into one case. I mean, it's bad enough on a homicide, any major investigation actually, but I was totally dumbfounded. This was the first death penalty case I was involved in. And I was dumbfounded as the amount of the work load that just automatically doubled.

Junge: To you, or the...?

DeBree: To all of us. All of us.

Junge: In enforcement.

DeBree: Just the getting ready for the death penalty. Most people don't see what all's got to take place. The security around here was like an army. It became the typical little Laramie, Wyoming but all of sudden you get to this point, it was...nobody was walking in and out of this courthouse unless we knew about it.

Junge: What's wrong with taking criminals and making them pay back their victims by working it off...maybe I'm wrong, maybe they do this but it seems to me that you can't rehabilitate some of these people, right?

DeBree: Correct.

Junge: Okay, so what do you do for the victims? Well, I'm sorry so you're sentenced to fifty years to life or whatever. Why can't we make these people earn money like I'm thinking Madoff, for example. Why can't we take him and say, "We know you're smart, we know you bilked a lot of people because you're smart and you know how to work the system. We want you to work the system in a legal way and payback all of these people you screwed"?

DeBree: Would love to see it.

Junge: Would you?

DeBree: Yeah (chuckle). Think we ever will?

Junge: No. No, because we want punishment.

DeBree: Yeah.

Junge: We want vengeance.

DeBree: Yeah, and that's one thing you've got to look at. That's where you've got to be totally amazed with the Shepards. If anybody that would want vengeance, I'm totally convinced that Dennis wanted vengeance, but I think once he became calm...he calmed a little, he got on board with Judy. Judy's the one that...they were trying to say that Matthew wouldn't have supported the death penalty and all...it was far from the truth. I guess Matthew was very adamant about the death penalty as is Judy.

Junge: In favor of it, you mean?

DeBree: Yeah. But I don't know where they stand, as far as Dennis and Judy now -- I don't know necessarily where they stand. One thing that revolted me that I think that really, truly hit me -- I was asked upstairs right after the trial that if he was to receive the death penalty would I be asking to attend. And that sickened me immediately. Number one that's not part of my job and I think that was the point where I really started to question the death penalty. Because you are invited, law enforcement that investigated is invited to the death of who ever as well as family. And it was at that point where something clicked in me and I...I've got enough to do, we all do, and it's bad enough to watch what families go through at the death of somebody but I'm a cop and people immediately assume that we'd be the first ones there to watch the guy get killed. Until you're ever confronted with that question, I would challenge your reaction. Because that hit home with me, totally, immediately infuriated me...that's not what I get paid to do. And I will not be there if that's what occurs. That's where my true raising came from my Mom and

Dad. That's what hit home and that's where it began that I could pick apart death penalty cases a little bit, you know? Yeah, it needs to be there for the protection of society to ensure that that individual can never get out again, to never do any...or kill again. Simple as that...

Junge: So can McKinney and Henderson get out of jail? Is it conceivable?

DeBree: I don't believe so, no. I mean they've got two life sentences and I don't think that's ever going to be conceivable.

Junge: So the only way they can get out is if their sentences were commuted?

DeBree: Or escape.

Junge: Or escape. And didn't he try...he did try to escape one time didn't he? Kind of half...

DeBree: Over here he was making plans for it, yeah?

Junge: Was the trial here in this building?

DeBree: It was, yes.

Junge: And this is where he was held and Henderson was held? Or was that across the street?

DeBree: Across the street. The courtrooms are right up here in this building.

Junge: Ok. When it comes to the actual trial of the two killers, Henderson and McKinney, do you still have a role? Do you still have to go to these things?

DeBree: No.

Junge: You don't? Your job is done at that point?

DeBree: What do you mean...as far as?

Junge: Well, I mean you've done your investigation, the motions are all filed, you've been there sitting next to Rerucha but then when it actually goes into trial, which it did, then you don't come in at all to testify?

DeBree: Oh yeah, absolutely, during trial?

Junge: Yeah.

DeBree: Oh yeah. (Laughter)

Junge: Okay, now they acquitted them. I forgot about this or else I didn't even realize it but they acquitted McKinney of the first charge, didn't they?

DeBree: First degree homicide which was as a set separate charge. This is confusing and the jury instructions were totally confusing as far as I was concerned...and actually to quite a few people that were involved in the trial. The charges that I can recall directly were first degree homicide while in the commission of a felony, kidnapping, robbery...they didn't necessarily acquit, I think they came back at second degree. I think it would have been a little bit different in some of their minds if, for instance, Matthew would have died immediately. But still, what's the difference first degree homicide in the commission of a felony is first degree homicide.

Junge: All right.

DeBree: They were thinking about first degree...more or less, the county attorney threw the whole platter at them and he was going to make sure it stuck. And there was not going to be any question about it. Needless to say, if he got the death penalty, how many times can you put the person to death? (Chuckle) You know what I'm saying? I mean, it's just kind of like...

Junge: Yeah...exactly...yeah. What do you think about the impact of this case in retrospect now? It's been twelve years, what do you think about the impact of this case?

DeBree: It's been ongoing. I really, sincerely thought it would just die off in a year and be gone...but as little as two weeks ago I'm receiving...and believe me, I'm not one of those guys...my wife signed me up for Facebook, without my knowledge (chuckle) but all of a sudden I'm getting these Facebook emails from kids that are representing me in their play just because of the "Laramie Project". They just wanted to talk to me, you know? But they're high school kids and...

Junge: Do they ask some pretty good questions?

DeBree: Yeah. Some are pretty poignant.

Junge: They're not afraid to ask questions?

DeBree: Some I have spoken with on the phone...it just doesn't end. It's one thing about working homicides, or being in law enforcement I should say, you've never seen a family at their lowest point than when you have to tell them their family member is dead or murdered. For some reason, a friendship begins...like for some reason, don't ask me. .. I think that a lot of it has to be that they're leaning on you, and

then it becomes something that... You know Dennis and Judy and I and Dave will go to our graves thinking of each other. I mean, that's just the friendship that exists. And it's not just this case, it's other cases that I've worked. It's a very important part of somebody's life, and you're standing for them for justice. Essentially, that's something they don't ever forget.

Junge: What do you think the historical importance of this is for the State, for the Nation?

DeBree: I don't know. I really don't. It was an ugly, ugly thing that occurred and it's almost beyond politics. It's like maybe I said, there's going to be a judge someday that's going to deal with them. And I'm not a bible pounder by any means, far from it, you know you asked what my religion was and yeah...it's the church I was kind of raised up with my Mom and Dad but I'm not a strong church goer.

Junge: Mm-hmm.

DeBree; Which isn't something to brag about. But in the same aspect, you have a...I don't know...historically, maybe just by the term history it happened.

Junge: But in the whole history of say, let's call it the gay liberation movement, do you think that this is...

DeBree: Oh, it fired things. And they utilized him again, through the media but depending on what faction they were on that, yeah, they utilized it to the hilt.

Junge: Do you think it speeded things up for the positive? Or it didn't make much difference.



DeBree: I think it made it more talkable around the dinner table for people that were uncomfortable talking about it. My father-in-law who is a lifetime rancher who has just recently passed and boy, if you ever brought up the word “gays” or anything like that around him I mean, that was...he was the rancher type, you know? The first time my wife just about...my wife’s an educator and she’s got a liberal mind. And my mother-in-law who’d died before my father-in-law did was very liberal in her thinking as well, yet very conservative. But as ranch...okay...

Junge: Yeah. Yeah.

DeBree: But in the same aspect when my father-in-law made that statement, he changed his views. That was emotional to me.

Junge: How are doing now? You’re doing all right?

DeBree: Mm-hmm.

Junge: Has the emotion worn out of you? Or can you still be roused by people asking the wrong questions?

DeBree: It can get aroused.

Junge: Really?

DeBree: Yeah, it just depends on what the situation is. I don’t allow people to be around me and attack gays anymore at all now. I don’t partake in the joking about it anymore. I can remember that used to be just a bunch of boys hanging around calling people whatever, making jokes about gays and things to that effect until the day I started to be around them and meet them. And actually, truly see how much

it hurt them. It was almost like taking a rod and just sticking it in their gut. But they try to be so good about it and upstanding and not be rude to other people about it. You know, you're going to have your activist gays just like we have our activist clowns like ...I don't even like referring to that guy anymore...

Junge: Phelps?

DeBree: Phelps. I don't like even giving him any kind of notoriety. You know, it's not right when people can't walk the streets of their own town and feel safe. And until you sit there and you watch their faces and then you really identify true fear. They were terrified and a lot of it, yeah, perception. But it was their perception and they were scared to death and they didn't know what was going to happen.

Junge: Yeah, Beth says that she talked to a Latino Black girl and she talked to a Native American guy and there are people who say, and if they are white, I guess they say well, this is an isolated incident. This is not who we are. But these other people who have had... been discriminated against let's say, they feel different about it. They felt scared. They felt like...the girl felt like she needed to get out of town. And that refers right back to what you were saying, is that it's your perception about these things.

DeBree: Yeah. And when you've got the media coming in and stirring it up... I can go back and forth, but the problem and I'm not going to blame everything on the media because they are just trying to make a buck. That's exactly all they're trying to do is make a buck. I don't appreciate the way they go about it. But it comes down to I know who did something wrong here and it's those two individuals who are in custody. And they'll die in prison.

Junge: You feel like you did a good job?

DeBree: Yeah. As a matter of a fact, I'm damn proud of what we did. And that spread of law enforcement circles all the way to the FBI academy. So when you're hearing things like that, like they said, "It was a classic homicide investigation where we gathered all of this evidence, we formulated a team that was unbreakable" ...no way could I have done this by myself period. There's just no way, you know? And the Laramie Police Department got involved and helped because some of the crimes were occurring here in town obviously and we just formulated as a team and we went forward.

Junge: What's your ambition in the future, Rob? Do you want to remain in this position?

DeBree: As Under Sheriff? Until I retire...(laughter) I'm on the down end of my career and I'm going to be happy to walk out the door.

Junge: (Laughter) You're only fifty-two.

DeBree: Yeah...you get to be an old man as a cop (laughter)...real quick.

Junge: What are you going to do after you retire?

DeBree: I don't know. My wife and I have been beating it around...my wife's been doing it for quite a while...the teaching...we've both been in this career for over twenty-five years. I don't know...I talk big. Sometimes, it depends on the way you're feeling during the day. (Laughter) But the other day I feel fine, I'll keep going for another few years.

Junge: Beth Loffreda that's how you pronounce her name?

DeBree: Loffreda...

Junge: Loffreda, she's got tremendous respect for you and she said that you're perspective on this whole thing is solid, unique in that respect. Like I said, I just talked to Jason Tangeman and he's got great respect for you...

DeBree: Good.

Junge: Yeah, and you've got a reputation as I think of being a down to earth, solid common sensical type of person. Would you characterize yourself that way?

DeBree: I hope so. I'm not out for anything else and I'm just here for a certain period of time on this earth to do something and I like being in law enforcement...I love it.

Junge: Where you interested in doing this since the time you were a kid?

DeBree: Yeah, it's kind of weird. It went way back and it was something that, even as a child for some reason. I don't know why. I got into the military once I...that was my goal, to become...to start...I was working with security patrol at the time,

Junge: What makes a person want to do this?

DeBree: I have no idea. (Laughter) Sometimes I'm kicking myself in the butt as to why I made the decision. Maybe because I wasn't smart enough to do something else I guess, when it comes down to it.

Junge: I don't think that's true.

DeBree: But I like being involved I guess and trying to be the big brother and standing up for people. And that's kind of what led me into my career as a detective. I've been in this gig for over twenty-five years and I've been a detective for almost half of it.

Junge: And this particular case, the Shepard case, was pretty...in a way it was easy, not by terms of facing any...

DeBree: You know, you're right and that's a neat perspective. I enjoy that perspective. As far as the case is concerned, you could not have had an easier case. Everything else that came with it, all the crap that arrived with it and there's a lot of the emotions and there's a lot of me going to DC and watching the lazy government people that we have, and dealing with certain individuals with the media and then, even then you still have to accept what other people's opinions are. Okay, I mean, yes and you do and they still might be anti-gay and okay, that's your opinion. But you're not going to say faggot around me, and you're not going to make jokes around me, I mean, if you want to...

Junge: What would you do?

DeBree: Well, I've walked away but I've also asked them to leave.

Junge: Really?

DeBree: Yeah. I've got a brother-in-law that was on the receptive end of me one time and he hasn't said a word since. When you've got kids around and you're talking...I said you guys are teaching the hate. If anybody's teaching it, you're teaching it. I've taught it before...kids are around it, that's what boils. If you really look at it realistically ninety-nine percent of the people that live here in Wyoming probably

don't know a gay person personally. And why would you become so hateful?

Because you're going to listen to the Phelps of the world?

Junge: Well, one last thing. If you could come back here fifty years from now, would you still see the same attitudes in some people about this whole issue/

DeBree: I'm sure.

Junge: Would it be as rife? Would it be as rampant? What do you call it, intense...do you think? Or are we progressing...I guess is what my question is?

DeBree: I think so. I really do. I think it's progressing. And that's not just Laramie, Wyoming. I'm talking about the world, I mean, now we have TV shows that with gays...I can go on and on about...it doesn't necessarily seem to be the fear factor anymore.

Junge: Right.

DeBree: Because the fear factor really probably just simply doesn't exist. The unknown will always exist, so that's where the fear aspect comes in I think. That's just my opinion, I don't know.

Junge; What should I ask Dave in talking with him?

DeBree: Same thing. Dave is extremely articulate, very well educated; he's going through a...he's been on a national tour this last year, year and a half on speaking with the Department of Justice on hate crime issues. They tap on it him...poor guy; he's going all of the time. But he'll be gone for two days, a month easy, all over the United States, speaking for the Department of Justice. They found him to be so

good in their trainings for hate crime that the U.S. Department of Justice has gotten him on board.

Junge: Why haven't you done this too?

DeBree: I don't know. I'm just not one of the guys who's going to sit up there and Dave's a better speaker than I would ever be. Dave had a...

Junge: You're pretty good...one to one.

DeBree: ...well thanks. But he's a...he's so intelligent and so articulate, but he's very upfront, very honest and he and I kind of came from the same cookie cutter in that yeah, we all did the jokes and we were mean and things about the gays and as far as the life style and things to that effect.

Junge: So his life has changed too?

DeBree: His life has changed huge. Dave and I have become extremely sensitized as to the issues of gays, but in the same breath we've become... I feel really good because it made me become sensitized to human beings as a whole. Granted you're human and you're going to make your own judgments from time to time...but that's what individuals, not so much as a group anymore. Definitely not as a group, I feel good about it. I can actually go home and lay my head down and go to sleep and feel a little bit better that you're as hateful against a certain group of people.

Junge: Yeah, that's great.

DeBree: Yeah, it is. It kind of makes you feel good.

Junge: I do appreciate everything you've said and I appreciate your time too.

DeBree; Well, I appreciate your time.