

Case: State of Missouri v. Darren Wilson

Transcript of: Grand Jury, Volume XV

Date: October 23, 2014

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STATE OF MISSOURI

VS.

DARREN WILSON

GRAND JURY

October 23, 2014

VOLUME XV

1 IN THE CIRCUIT COURT OF ST. LOUIS COUNTY

2 STATE OF MISSOURI

3

4 STATE OF MISSOURI

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6

7 vs.

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9 DARREN WILSON

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12 The following is a hearing before the Grand
13 Jury of St. Louis County, at the offices of St.
14 Louis County Prosecuting Attorney's Office, 100
15 South Central Avenue, in the City of Clayton, State
16 of Missouri, on the 23th day of October, 2014,
17 before

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1 APPEARANCES OF COUNSEL:

2

3 FOR THE STATE:

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6 County

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1 GRAND JURY HEARING VOLUME XV

2 MS. ALIZADEH: Good morning.

3 (Everyone says good morning.)

4 MS. ALIZADEH: It is Thursday,

5 October 23rd at 9:06 a.m. This is Kathi Alizadeh,

6 Sheila Whirley is also present, all 12 grand jurors

7 are present as well as , the court reporter,

8 and we need to take up a few matters before we begin

9 with witnesses today.

10 Um, I would imagine all of you, I mean,

11 most of you, if not all of you, have been aware that

12 there have been media reports out there that seem to

13 indicate that there are leaks in the investigation

14 and that reports have been leaked and testimony has

15 been leaked and so forth.

16 And first off, as I've said from the very

17 beginning, you all have to be guided by what occurs

18 in this room. We all know sometimes the media

19 doesn't get things right, but you know, if you do

20 read those things, you need to make sure you take

21 that with a grain of salt. You all have heard all

22 the evidence together, so you know what you have

23 heard and seen.

24 But I do want to say, and Sheila and I

25 have had a conference, we've had a conference with

1 Mr. McCulloch, we've had conferences with a lot of
2 others, with the County Police Department and
3 everything, and I can assure you that we know that
4 the leak, that the leaks are not coming from the
5 grand jury. There is no doubt in our minds that
6 none of you are the source of that.

7 And to tell you the truth, one of the
8 reasons that I know that is the medical examiner's
9 report is out there and I've looked at what's out
10 there, what was leaked by the Post-Dispatch, it was
11 put out there by the Post-Dispatch and I can tell
12 you it is not the copy that you have. It is the
13 medical examiner's report, but every medical
14 examiner's report that we get has a stamp on it. It
15 says not for secondary release.

16 And the report that is out there that was
17 published by the Post-Dispatch does have that stamp
18 on there, but it is not the same stamp that I have,
19 and I know it is not the same stamp that is on your
20 copy.

21 So it says the same thing, but their's is
22 in a straight line and it is different looking than
23 our stamp, the stamp that we have on our copies.

24 And the same thing with the County Police,
25 it is different than the stamp that they have from

1 their copies.

2 So wherever this came from, it did not
3 come from our office, it did not come from you guys.
4 You don't have a copy that looks like that, it did
5 not come from the County Police.

6 And the other reason why we're fairly, not
7 fairly, we're 100 percent confident that this is not
8 coming from the grand jurors or from the County
9 Police is that in the very beginning when there was
10 a supposed leak, this was a story that was broken by
11 the New York Times, but it was their Washington
12 Bureau that published the story and they cited their
13 source as a government official who had been briefed
14 on the civil rights investigation.

15 We are sharing our information with the
16 federal government because they are conducting their
17 own independent investigation and so they have all
18 the same reports and the same things that we have.

19 And so we are confident that the leak is
20 someone in probably the Department of Justice and is
21 not coming from St. Louis County Police, not from
22 our office, and not from this grand jury.

23 I know you all maybe were concerned about
24 that, but we are 100 percent confident that we're
25 all good.

1 The other reason being you all don't take
2 your things home with you. We collect your
3 materials before you leave so that being said, I
4 just want everybody to know that we still have
5 complete confidence in the grand jury and the
6 judicial system and we know that you're going to do
7 your duty and you're going to be guided by the
8 evidence that you've heard during your
9 investigation.

10 So that's the first thing. Anything else
11 that we discussed that needs to be said?

12 The other thing that we have talked about
13 at the very beginning of this process we kind of had
14 set a goal for ourselves that we were going to try
15 to complete this by mid November.

16 If you recall that was originally the idea
17 that we could extend the grand jury or that it could
18 be a six month term and that would put you at like
19 mid November. It was then again extended to
20 January, that was done just out of an abundance of
21 caution in case we didn't get done by mid November.

22 We still would like to finish by mid
23 November. I can tell you that the light is at the
24 end of the tunnel so to speak. We have discussed
25 what we have left to put on and I will tell you

1 there are approximately 15 eyewitnesses or lay
2 witnesses who we believe would have valuable
3 testimony to give. However, I will tell you that I
4 don't know, we are making our best efforts to get
5 everyone in, but I can tell you that you some of
6 these witnesses are resisting.

7 Some of them have frankly said there is no
8 way I'm coming in, no way I'm going to testify.
9 We're trying to get witnesses under subpoena, but if
10 you knock on the door and nobody answers, we have no
11 right to, you know, kick in the door and serve them
12 with a subpoena.

13 We can only do so much. So even though we
14 have potentially 15 lay witnesses that we may still
15 call, I expect we are not going to be able to call
16 all of those witnesses. We are going to do our
17 best.

18 But in the event that we want to wrap this
19 up, if we try our best to wrap this up in mid
20 November, we talked about possibly going to again a
21 three day a week schedule. That would, you know,
22 again, we're trying to get this completed and by all
23 means, there is no deadline so you all don't feel
24 that you have the time, there is no magic date,
25 there is no reason this hasn't to be done on a

1 certain date.

2 With that in mind, if you can talk during
3 your lunch break today about your November schedule
4 because we don't have any dates yet for November and
5 think about including an additional day.

6 I know you've been very generous to give
7 us two days a week, and keep in mind as well that
8 from the very beginning we've said if you all need
9 to meet in the evening or Saturday or Sunday, even
10 if it is a half day on Saturday or Sunday, we will
11 be there, we will do it.

12 The other thing that we talked about is
13 that there was a question early on about possibly
14 getting the police vehicle for you all to see for
15 yourself, which I've already investigated that and
16 we can't.

17 It's been repaired, so it has a window in
18 it now and I haven't seen it myself whether or not
19 the demarcation where the bullet hole was, I don't
20 know if that's still there. But I know that you are
21 interested in how big the vehicle is, how tall it
22 is, what it might be like to stand next to it and so
23 forth.

24 We can have that done a number of ways.
25 We can have that done a number of ways. We can

1 bring that here and made available for you in the
2 parking garage for you all to get in, examine, get
3 around. However, if we do it here, it would be wise
4 not to do it during business hours, because there's
5 really no place in the parking garage where we can
6 do this where people won't see you up and around a
7 Ferguson Police car.

8 We have construction workers in the
9 parking garage, there are county employees, we have
10 just members of the public that can park in the
11 parking garage.

12 If you would like to see the vehicle here
13 in this location, I would suggest that maybe if we
14 do that on an evening or weekend where nobody will
15 be down here, no construction workers, very few
16 county employees.

17 The other possibility is that we could
18 bring the vehicle to the St. Louis County Police
19 Academy, which is in Wellston, it is maybe a 15
20 minute drive from here. We put you all in a van and
21 take you out there.

22 They've got a secure garage and you could
23 exit there. If you recall Detective talked
24 about it, they had towed it to their garage which is
25 a secure facility here in Clayton. I can

1 investigate whether or not that garage might be
2 available.

3 The problem with that is, it contains
4 other evidence, there might be things in there the
5 County Police may say, yeah, we can't let these
6 people in here, we have other evidence in other
7 cases and it would be compromised, the integrity of
8 other investigations. So, plus I'm not 100 percent
9 sure that that garage is even still there.

10 They're in the process of demolishing
11 buildings, that might not even be available, but
12 those are a couple options bringing it here and
13 seeing it on a weekend or evening or taking a field
14 trip to the police academy to exit there. So you
15 guys can talk about that as well.

16 Sheila has a better recollection than me,
17 so I have to always ask her did I forget everything.

18 MS. WHIRLEY: She has the gift of grab.

19 MS. ALIZADEH: I do. I'm the mouth and
20 she's the brains. So you all had asked for a
21 topographical map at some point, I have one that I
22 will pass out today. Don't know how helpful it is
23 going to be for you. I looked at it, I don't know.
24 It is the only one that we can come up with without
25 actually, you know, I guess hiring a company to go

1 out there and do that.

2 And then also you had asked for the floor
3 plans of the apartments in the complex, I've got
4 that as well.

5 Also, there was a question about whether
6 or not we were going to call Dr. , the
7 pathologist who was hired by the family of Michael
8 Brown to perform an independent autopsy. It was
9 actually the second autopsy on the remains.

10 There was then later a third autopsy that
11 was done by the Department of Defense medical
12 examiners, which I expect we'll call one of them to
13 tell you what their findings were.

14 We have contacted the attorney who
15 represents the family of Michael Brown and asked
16 that they contact Dr. and invite him to
17 testify.

18 So we haven't heard back if he's going to
19 be available to do that, or if he's willing to do
20 that, but we're going to make those efforts to try
21 to get him here because I know that there was a
22 question about that.

23 What would I do without Sheila. Now, as I
24 said, we have potentially 15 more eyewitnesses who
25 may be testifying. And it's been our habit and our

1 process during this time to play for you every
2 recorded statement that a witness has made.

3 We initially were, our goal and plan was
4 to do that before the witness testified, sometimes
5 that didn't work out, but we've always gotten around
6 to playing it eventually for you.

7 As you know, sometimes these witnesses
8 make two or three recorded statements, sometimes
9 you've got, you know, statements that are in excess
10 of an hour, hour and a half, hour and 40 minutes,
11 two hours.

12 And so our question to you is we can
13 proceed in that manner as we've done in the past or
14 we're wondering if you find it helpful to listen to
15 those statements if those statements are consistent
16 with what the witness testifies to.

17 So if the witness testifies, like if we
18 put a witness on and they testify, and Sheila and I
19 who have listened to these tapes feel that there's
20 really no inconsistency in what they already said.
21 I mean, obviously, any statement there could be, you
22 know, minor inconsistencies, and that will be
23 something that she and I will discuss together about
24 whether we think that there are inconsistencies.

25 And if we feel that there are not, it

1 would be possible if you feel that that doesn't help
2 you to hear this tape statement again, that we then
3 just forgo playing that taped statement.

4 Obviously, it takes up a lot of time and I
5 know it is tiring for you all to sit here and listen
6 and read transcripts.

7 So maybe you can discuss that during your
8 lunch as well. If you think that that would be a
9 way to go to try to speed through this. I don't
10 mean speed through it in a way that's not efficient.
11 I don't want to say we're rushing through anything,
12 but if you are finding that it is not really that
13 helpful and you don't need to hear it, then we don't
14 have to play it.

15 We have it, we have all of them and, of
16 course, if at any time you would have some issue
17 with, you know what, maybe we should hear that
18 witness' statement that they made before, at any
19 time we can play it for you, okay. So that's
20 something for you to consider. All right.

21 Is there anything, you know, that anybody
22 has an issue or question about? You can discuss
23 this during your lunch and then we'll ask questions
24 during the lunch break, especially if we are talking
25 about scheduling issues and things of that nature.

1 Don't necessarily need to afford those kind of
2 things, but let me know after lunch and we have, I
3 think, two people here right now, and going to have
4 to give me a second to get somewhat organized.

5

6 MS. ALIZADEH: Yes.

7 Officer Wilson, he only
8 had one recorded statement? I know we only heard
9 one, if I'm not mistaken.

10 MS. ALIZADEH: If I'm not mistaken,
11 Officer Wilson's statement was not recorded prior to
12 him testifying. Check your folders to see if you
13 have a transcript of the testimony of Darren Wilson?

14 We have one.

15 There was supposed to have
16 been one with Detective .

17 MS. WHIRLEY: Detective did one that
18 wasn't recorded and then there was one that was
19 recorded, you have a transcript of that?

20 We have one that is
21 recorded.

22 MS. ALIZADEH: My recollection is, we can
23 certainly go back and look at the transcripts, but
24 that Sergeant testified about statements that
25 he made right at the scene when he first got there,

1 and none of that was recorded. And then
2 was the detective who went to the police
3 station and did a cursory interview and that was not
4 recorded. And then, you have one?

5 That must have been done on the 9th at
6 10:00 in the morning?

7 August 10th.

8 MS. ALIZADEH: 10th, okay. The 9th is the
9 day of. I knew it was the next morning. All right.
10 And then there was Agent who came
11 in and testified that she had interviewed him, but
12 that their interview was not recorded, I believe.

13 MS. WHIRLEY: Right.

14 MS. ALIZADEH: All right. I forgot about
15 that.

16 Again, if there is a need to bring any
17 witness back that you have already heard from
18 because now you have additional questions, you just
19 need to let us know. We put on things in a way that
20 we think was easier for you to understand the case,
21 but, you know, just the sake of when we put on a
22 witness early on in the process and then now later
23 in the process you might think well, I didn't know
24 that when I heard from that witness before, so now I
25 have a couple of additional questions.

1 evidence of him saying that?

2 MS. ALIZADEH: Not that I'm aware of. And
3 I will tell you that, you know, as you can probably
4 imagine, any news agency is not going to reveal to
5 me who the source of their information is. They
6 have this First Amendment thing, freedom of the
7 press.

8 And so while it might be -- make sense for
9 me to call them and say, hey, where did you get that
10 because we're interested and if you've heard that
11 from another source, we'd like to hear who told you
12 that, but they're not going to tell me.

13 And that might be something that if you
14 would care to have another witness back to testify
15 to ask that question, but I don't know where that
16 information came from for that particular news
17 article.

18 Two quick
19 things. One, Grand Jury Exhibit Number 2 is the map
20 that we use almost daily. I notice also it still
21 says not to scale. Do you know if you would ever
22 get one to scale or even if it is that much of a
23 difference?

24 MS. ALIZADEH: That's another thing. That
25 brings up something else. There was a question

1 awhile back about getting a transparency that maybe
2 would have the diagram images that we could lay on
3 top of the map. I did look into that and the
4 problem that I learned with doing that is that map
5 is not to scale and so just because on the map I'm
6 holding my fingers out, if the map says this is
7 137 feet, I'm just making up a number, of course.
8 There might be another place on the map that says
9 this is 150 feet. And the actual measurement was
10 accurately done, but the map might not be to scale,
11 you know, the entrance, the driveway, you know, to
12 some of these parking entrances might not be as wide
13 in real life as it appears on the diagram. The size
14 of the police vehicle is not necessarily on the
15 diagram the exact size of what it is in the street.

16 I would suggest that, you know, I have all
17 of those crime scene photos and if you ever are
18 curious about, you know, the real size of things,
19 you can sift through those photos to see if they can
20 help you determine or answer some of those
21 questions, but I can ask about the possibility of
22 having a diagram to scale.

23 It is my, this is strictly my belief based
24 upon my experience that when the police officers do
25 these diagrams, they use a computer program that, I

1 don't think they are done freehand, I think they use
2 a computer program to do these diagrams. And so to
3 do one to scale would require someone, actually, a
4 draftsman type of person, I think, to actually make
5 sure that the diagram is to scale.

6 So that would probably have to be done by
7 not the police department, we probably would have to
8 look into whether or not there could be some
9 draftsman that could do that, but I mean, I can
10 investigate that as well if you think it would be
11 helpful.

12 But as far as the transparency goes, I'm
13 afraid it might even be misleading if we had a
14 transparency and you laid it on top of the aerial
15 photograph, it might appear that oh, look, this is
16 actually not where it is in the picture because on
17 the transparency it is past the fire hydrant. Well,
18 that just might be because it is not to scale. So I
19 wouldn't want you to rely on something and be misled
20 by that.

21 Yes.

22 Prior to knowing
23 I was on this case, I remember vaguely hearing in
24 the news there was a gentleman on some sort of audio
25 phone that recorded the succession of gunshots and

1 didn't know, again, I didn't pay much attention to
2 it, I kept it in my memory. I didn't know if that
3 was something even credible or something we will get
4 to.

5 MS. ALIZADEH: Yes. That is something
6 that the police have the custody of that recording
7 and we will be putting that on for you as well.

8 And there was a question quite some time
9 ago about surveillance cameras in the complex and I,
10 believe me, before you guys even got this
11 assignment, that was one of the first questions out
12 of my mouth. Are their surveillance cameras? I was
13 told no.

14 Now, before you complete your
15 investigation, probably the very last witness that I
16 will call for you to hear from is going to be
17 Detective , because as the primary case agent,
18 he knows more about this case than any other person.

19 So there are some things that he's going
20 to testify about that he did himself and whatnot,
21 but he would be the person to ask a lot of these
22 questions to because he was in charge of the
23 investigation.

24 What was done, what did you do about this,
25 did you ever try to get ahold of this person, he can

1 answer a lot of those questions with firsthand
2 knowledge.

3 Me, all my knowledge about this comes from
4 other sources because I was not out there
5 investigating the case. So I don't want to be the
6 person to actually have you rely on what I'm telling
7 you, I'm just telling you that it is my
8 understanding that there were not, but that would be
9 a question better put to Detective about
10 that, all right?

11 Anyone else?

12 Okay. We have a witness here, the first
13 witness we are going to call and I'm not organized
14 this morning.

15 . I know
16 that had asked sometime ago would it
17 be possible for us to see where this happened. And
18 I know we had discussed it before and that probably
19 wouldn't be in our best interest to go there. I
20 think somebody had talked --

21 I think it was

22

23 About getting pictures of
24 the distance and things like that?

25 MS. ALIZADEH: That's one of the things

1 we've had that done. I think that Detective
2 when I put him on last we're going to have him show
3 you those pictures because he'll be able to point
4 out for you in the picture this apartment building
5 right here or this window right here, this balcony
6 right here, that's where witness so and so was. And
7 if you see right here, that's where witness so and
8 so was because he's the one that knows that
9 information and in very intimate detail.

10 So we do have pictures that we have the
11 police and Detective went out with them to
12 take those pictures to make sure we got the vantage
13 points. We weren't able to take vantage point
14 pictures from where the witness was that would
15 require going into people's apartments and they felt
16 that that wasn't going to be safe or welcomed.

17 So the pictures that they took are from
18 the location of where the vehicle was, the location
19 of where Michael Brown's body laying in the street
20 and then the location of the corner near a light
21 post. And those pictures are done in 360, so you
22 might be able to see from here can you see that
23 witness' balcony who says they can see this. That's
24 the best we can do as far as getting vantage point
25 pictures.

1 I guess I do have a
2 question. I know that some of these media reports
3 they're saying that he had marijuana in his system.
4 And I guess that's another way of knowing it didn't
5 come from us because we were never told that he had
6 marijuana in his system.

7 So is there still like evidence out there
8 that we haven't heard like that?

9 MS. ALIZADEH: Yes.

10 The DNA on the gun?

11 MS. ALIZADEH: Yes, there's going to be,
12 you know, our plan was to try to get through the
13 eyewitnesses and then at the end put on some of the
14 scientific evidence because frankly those witnesses
15 are there at my fingertips and are going to come in
16 whenever I tell them to come in.

17 And so I just knew that when it came time
18 to try to wrap things up, we would be able to get
19 them through in and out fairly quickly. So I do
20 anticipate that you are going to hear additional
21 evidence from experts who have tested various
22 things, all right?

23

24

25

1
2 of lawful age, having been first duly sworn to
3 testify the truth, the whole truth, and
4 nothing but the truth in the case aforesaid,
5 deposes and says in reply to oral
6 interrogatories, propounded as follows, to-wit:

7 EXAMINATION

8 BY MS. ALIZADEH:

9 Q Do you remember the second part of the
10 oath talks about what happens here, okay?

11 A Okay. All right.

12 Q Have a seat, thank you. You're sure you
13 don't want a glass of water.

14 A No.

15 Q Can you introduce yourself to the grand
16 jurors?

17 A My name is

18 Q And, ma'am, I'm going to stand back here
19 because the microphone that is up there is not, it
20 is not going to amplify your voice.

21 A Okay.

22 Q And so you just need to keep your voice up
23 so that I can hear you back here and then if I can
24 hear you, I know that everybody back here can hear
25 you, okay?

1 **A** Okay.

2 **Q** And, ma'am, back in August of this year,
3 were you living in the Canfield Green Apartment
4 Complex?

5 **A** Yes.

6 **Q** And were you home on Saturday, August 9th?

7 **A** Yes.

8 **Q** Now, and I told you when I talked to you
9 that I was not going to ask you to give your
10 address, but there is a laser pointer that is
11 sitting right in front of you there.

12 **A** Uh-huh.

13 **Q** And if you press this gray button here, it
14 makes a laser pointer. Can you show the grand
15 jurors on the map, which is marked Grand Jury
16 Exhibit Number 25, do you recognize these streets,
17 it says Canfield Drive, and for your reference over
18 here is West Florissant, okay?

19 **A** Uh-huh.

20 **Q** And then over here is the Northwinds
21 Apartments. So that does help orient you to
22 understand the buildings that are shown on the map?

23 **A** Yes.

24 **Q** Can you put the laser pointer on the
25 building that you were living in back in August?

1 **A** (Indicating)

2 **Q** Okay. This building right here?

3 (indicating)

4 **A** Yes.

5 **Q** And can you, now, we've heard testimony
6 already how these buildings are, that there's three
7 floors to every building, correct?

8 **A** Yes.

9 **Q** What floor were you living on?

10 **A** Third.

11 **Q** So that's the top floor?

12 **A** Right.

13 **Q** And so this particular building has
14 entrances for units that would be, actually those
15 units would face the west if this is west. And then
16 there's also some entrances to the building that
17 face the east. Was your apartment facing the west
18 or facing the east?

19 **A** I'm kind of confused because the building
20 sits like this and I can see out and see Canfield
21 Court.

22 **Q** Okay. Do you know your apartment number
23 back then?

24 **A** Yeah.

25 **Q** Does it help you to look up here? Can you

1 see the number?

2 **A** Yeah.

3 **Q** And so I'm going to point, I'm not going
4 to say it out loud, but is that your apartment
5 number?

6 **A** Uh-huh.

7 **Q** This one right here? (indicating)

8 **A** Yes.

9 **Q** So you're, this little out jet right here,
10 that's like a little covered stairwell, staircase;
11 is that right? You take some exterior steps up to
12 the third floor; is that right? Is that how you get
13 in your apartment?

14 **A** Right.

15 **Q** So the front door of your apartment is
16 actually right there where that stairwell is,
17 correct?

18 **A** Right.

19 **Q** And so you have a window, you have a
20 sliding glass door that's on the front of your
21 apartment?

22 **A** Yes.

23 **Q** And then there's a window that's also on
24 the front?

25 **A** Yes.

1 **Q** And is there also a window that would be
2 around the corner?

3 **A** No.

4 **Q** No, okay. So you have a sliding glass
5 door and a window, is that like a bedroom window?

6 **A** Right.

7 **Q** Okay. So when you are looking out of the
8 front of your apartment, can you see down to
9 Canfield Drive?

10 **A** Yes.

11 **Q** All right. So do you recall on the
12 morning of August 9th, was there anything special
13 about that day, that morning that you recall oh, it
14 was, I remember it because it was, had these plans
15 to do something or was it an ordinary day?

16 **A** It was an ordinary day. I was just kind
17 of looking out the window.

18 **Q** And do you recall that this was a
19 Saturday?

20 **A** Yes.

21 **Q** Sunny day?

22 **A** Yes.

23 **Q** And does your apartment, did your
24 apartment back then have air conditioning?

25 **A** Yes.

1 **Q** And this was August 9th, and I know that
2 it got warmer in the day, but do you recall if you
3 had your windows opened or closed?

4 **A** Closed.

5 **Q** Do you normally run the air conditioning
6 in the month of August?

7 **A** Yes.

8 **Q** Okay. And so you said that you were
9 looking out the window, was there a reason you
10 looked out the window? Was there anything that drew
11 your attention outside or were you just happening to
12 be working out the window?

13 **A** I just happen to be looking out.

14 **Q** All right. And then once you were looking
15 out, did you see something unusual?

16 **A** Not unusual at first.

17 **Q** Why don't you describe what you saw?

18 **A** Um, these two boys or two guys walking
19 down the street. They were kind of out in the
20 street, but not all the way out. They weren't quite
21 to the yellow line.

22 Then I kind of stepped back a little
23 bit. Then for some reason I looked again and I saw
24 the police car pull up, and he said something to the
25 boys. They, obviously, said something back because

1 you could see the motion of their hands, but I
2 couldn't hear anything because my window was closed.

3 Then the boys kind of went on, walked
4 on and then he backed up, the cop backed up, the
5 policeman backed up.

6 Then, I guess, I'm not sure what else
7 happened after that, but I could see the one boy,
8 the shorter one, he kind of stepped a little bit
9 past the window of the police car. It was actually
10 an SUV, it wasn't just a regular car, but the bigger
11 guy was standing at the window, near the window of
12 the car. And I could see the top of his head and I
13 could see their hands moving. And so it seemed like
14 they were kind of, I guess, tussling through the
15 window of the car.

16 Then the boy, the guy broke loose and
17 began to go down the street and that's when the
18 policeman got out of the car. Then he proceeded,
19 the boy was ahead of him and that's all I could see.

20 **Q** Okay.

21 **A** Because they were past, they were past my
22 building. See, like my building is here, well, I
23 couldn't see, I could only see the police car and
24 him going so far. I could not see after it passed.
25 They I said, um, in a few seconds I heard a shot. I

1 don't know whether it was three or four because I
2 really did not necessarily count them, but I knew it
3 was more than two. Oh, my God. I don't guess, you
4 know, they were shooting. This had anything to do
5 with it and I just went on back and started to put
6 my clothes on.

7 By that time the crowd of people had
8 started, people had started to come, not a lot of
9 them but, you know, I knew something had happened.
10 So by the time I got out, it was all over. The boy
11 was in the street and the police was beginning to
12 put some cones out.

13 Q Okay. So let's, you know, we're going to
14 need to go back. We're going to go through step by
15 step and ask some more detailed questions, okay?

16 A That's fine.

17 Q So when you say you were looking out the
18 window.

19 A Uh-huh.

20 Q First off, was anybody home with you at
21 that time?

22 A No, I was there by myself.

23 Q And so when you said you happen to look
24 out the window, was it the sliding glass door or was
25 it a bedroom window?

1 **A** It was my bedroom window.

2 **Q** Are there any window coverings on that
3 window, blinds, shades?

4 **A** Blinds.

5 **Q** Are they horizontal blinds?

6 **A** Yes.

7 **Q** And were they, were the blinds down?

8 **A** No, I had it pulled up so high because I
9 was just, you know, looking out. Sometimes I just
10 look out to see what's going on, you know.

11 **Q** So did you have to move the blinds in
12 order for you to see out the window?

13 **A** No.

14 **Q** Okay.

15 **A** Because they were high enough and by me
16 being up high, I can see on the street, so.

17 **Q** And so, and that's a good point. When
18 you're on the third floor of this building, is there
19 a little rise, is this a little bit on a hill
20 somewhat, a small hill?

21 **A** The street? You mean my building?

22 **Q** Does the ground, is there any elevation to
23 this, like if you are driving up here and if you
24 walk up to your building, are you walking uphill at
25 all?

1 **A** No.

2 **Q** Okay. So it is pretty level at this
3 point?

4 **A** Uh-huh.

5 **Q** And from the third floor, from your
6 bedroom window, you could see down to the area that
7 you were seeing the police car?

8 **A** Right.

9 **Q** Okay. And so when you look down you said
10 you first saw two boys walking in the street?

11 **A** Right.

12 **Q** Did you know either boy?

13 **A** No.

14 **Q** Hadn't seen them before?

15 **A** No.

16 **Q** What about them do you recall. Can you
17 tell me anything about them?

18 **A** One was short, he had dreads, he was
19 darker skin. The other one was a big guy, over
20 6 feet. You know, he was just a big guy that's
21 basically. I couldn't say whether he was -- the
22 only thing I can say was he was a big guy and that
23 he was a lighter skin than the smaller one and that
24 the smaller one had dreads. Because of the fact
25 that I wasn't that close, I couldn't give you

1 details of what they look like.

2 **Q** Okay. You refer to them as boys. I want
3 to ask you if you have an opinion as to how old they
4 were?

5 **A** Well, I knew they were all under 25.

6 **Q** Okay.

7 **A** One of them seemed like he might have been
8 close to 18, 19 years old, the bigger one. He was a
9 big guy, he didn't really look that old. The other
10 one he looked, I don't know, maybe he could have
11 been just a year or so older than the other one. As
12 far as the size and the way they were dressed, and
13 what have you.

14 **Q** Did you, at this point now do you recall
15 any time when you have seen either of them in the
16 apartment complex before that day?

17 **A** Not to my knowledge I haven't seen them.

18 **Q** And so how about how they were dressed or
19 what they were wearing, do you have any memory of
20 what either one of them had on?

21 **A** Not specific. I really didn't pay that
22 much attention to it. All I know is that they were,
23 let's see, I really didn't pay that much attention
24 to them. Just had normal clothes on.

25 **Q** Okay.

1 **A** I wasn't specifically looking for
2 anything.

3 **Q** Sure.

4 **A** As far as they were concerned they were
5 just people walking down, two guys walking down the
6 street.

7 **Q** And was that unusual that there would be
8 two older teenagers walking down the street?

9 **A** No, no. It's an apartment complex and
10 there is apartments on each side. There are
11 families, there are a lot of youngsters living in
12 the apartment complex at this point. When I first
13 moved in, there wasn't quite as many males, younger
14 males in the apartment.

15 So you see them all day. You just
16 see them when I'm home, you know.

17 **Q** Hanging out, walking around?

18 **A** Hanging out, they're walking around, what
19 is it, they are interacting with each other.
20 Sometimes they have cars parked, they are sitting on
21 cars. I don't really pay a whole lot of attention.

22 **Q** Sure.

23 **A** It is just that particular morning, which
24 I do every morning, I just look out. It is really
25 more of a safety thing. If I'm going to leave out

1 of my house, out of my apartment, I want to know
2 what is surrounding me.

3 Q Okay.

4 A So I don't really always look at features
5 and clothing they have on, this kind of thing. I
6 know this little guy with the dreads, he was so much
7 shorter than the bigger guy.

8 Q Okay. And when you saw them, can you use
9 that laser pointer and show me where on the map here
10 the boys were when you first saw them. Were they on
11 Canfield Drive?

12 A Yes.

13 Q Can you use that and show me where you
14 first saw them?

15 A They were on this, let me see. They were
16 kind of, this map is really confusing me because
17 they were on this side of the street.

18 Q Okay. I don't know if that's, that might
19 be pointing up to high?

20 A I'm just saying they were on this side of
21 the street.

22 Q So on --

23 A They were on this side of the street.

24 Q On the south side of the street?

25 A They were on this side of the street. My

1 apartment, wait a minute, I'm getting confused. My
2 apartment is over there.

3 Q Uh-huh. Over here? (indicating)

4 A Yeah, they were on this side of the --

5 Q Over here? (indicating)

6 A That's too far over. You have Canfield
7 Drive and Coppercreek and all of this over there.
8 They were on the opposite side of the street from my
9 apartment.

10 Q Okay.

11 A There is a fire hydrant on my side of the
12 street. They were like the fire hydrant was right
13 here and they were kind of just a little bit, I'm
14 trying to think now. They were a little bit, not
15 quite even with the fire hydrant.

16 Q But the opposite side of the street?

17 A Okay. So that is kind of confusing me
18 because I'm looking at it from my side.

19 Q Sure, yeah. This is an aerial view.

20 A They were on the opposite side of my
21 apartment.

22 Q Okay.

23 A Which means that when they were coming,
24 they were coming like walking kind of like, not
25 straight, they were kind of walking at an angle and

1 they were like not all the way in the middle of the
2 street, but they were still in the street.

3 Q Okay.

4 A And when the policeman pulled up to them,
5 it kind of like blocked my view of what was going on
6 because of the size of the vehicle that the cop was
7 in.

8 Q Okay. Let's back up then.

9 A Uh-huh.

10 Q So the boys were walking on Canfield?

11 A Right.

12 Q Were they walking in that direction toward
13 Northwinds or were they walking towards --

14 A No, they were walking toward Northwinds.
15 The policeman was going toward West Florissant.

16 Q Okay. So the policeman's vehicle is
17 moving toward them and they are walking to the
18 police vehicle. They're facing each other, the
19 vehicle and the boys as the boys are walking?

20 A Yes, the police were going this way and
21 the boys were running this way.

22 Q Could you tell this was a police vehicle?

23 A Sure, it had the emblems and everything on
24 it.

25 Q Okay. Had how about the lights, you know,

1 police cars have the red lights?

2 **A** He didn't have any lights on.

3 **Q** All right.

4 **A** It seems likes he was coming from
5 Northwinds from that way, that is the way he was
6 coming.

7 He had no signal light on and then he
8 just stopped. He didn't stop all the way because he
9 still had, his car was still running, he just had,
10 like you just know how you pull up to somebody and
11 you switch to put on your brake and he was talking
12 to them.

13 **Q** Okay. So you observed the vehicle come up
14 to the boys and you said it looked like they're
15 talking. You could see their hands moving and
16 stuff?

17 **A** Yeah, that's all I could see was movement.
18 I knew that there was some kind of verbal
19 conversation going on between the three people.

20 **Q** So the car is between you and the boys,
21 correct?

22 **A** Right.

23 **Q** And so does that mean that the boys would
24 have been on the driver's side of the vehicle?

25 **A** Yes.

1 **Q** It looked like they were near the driver's
2 door?

3 **A** At that time the first beginning of it
4 they were kind of a little ways away from him
5 because he was talking to them through the window.

6 **Q** Okay. And so about how long do you think
7 this part of it last?

8 **A** A couple of seconds, not really long.

9 **Q** Could you see the officer inside the
10 vehicle?

11 **A** I could see him inside the vehicle, but,
12 you know, just the shadow of him because, you know,
13 his window on my side was up, so I could only see
14 the shadow of him.

15 **Q** So could you tell if he was white or
16 black, or male or female, or anything about the
17 officer?

18 **A** You mean when he was in the car?

19 **Q** Yeah.

20 **A** Not really.

21 **Q** What about, could you tell if there was
22 anyone else inside the vehicle?

23 **A** There was only one person.

24 **Q** All right. And so you said that this part
25 of it where they appear to be talking to each other

1 last just a couple of seconds and so what happens
2 next?

3 **A** The boys walked away.

4 **Q** Okay. And then at this point are the boys
5 just still walking casually or they running?

6 **A** They still in the street, they still just
7 walking casually.

8 **Q** They're not running?

9 **A** No.

10 **Q** Okay. So then what happens?

11 **A** The cop backs up, he backs up a just a
12 little bit and stops and gets out. He backs up to
13 catch up with them.

14 **Q** Okay.

15 **A** He catches up with them, by then the boys,
16 the little one, he's kind of away from, he was not
17 at the window, he's kind of walking away. The
18 bigger guy was having some kind of interaction with
19 the cop.

20 **Q** Okay. I think you described, initially
21 you described that you could see their hands going
22 back and forth?

23 **A** Yeah, it was like. It was like, if I'm
24 talking to you in the car and we're having a
25 discussion and something happens and you're like

1 wrestling with each other, not wrestling, you know,
2 the hands are going, you can see the hands going.

3 Q Okay.

4 A I could not see what was actually
5 happening, all I could see was the moves.

6 Q Was the police vehicle moving?

7 A No, the vehicle was stopped.

8 Q Was it rocking or anything like that?

9 A No, it didn't look like it was rocking to
10 me.

11 Q And just from your, just from what you
12 could see, could you tell or did you have an
13 impression as to might have initiated the physical
14 part of it, could you tell? Could you see the
15 officer reach his hand out of the vehicle to grab
16 the boy or you saw the boy stick his hand in the
17 vehicle first, could you tell who started it?

18 A No.

19 Q Okay. And so could you tell whether any
20 punches were exchanged?

21 A Not from where I could see because, I
22 never saw anything other than the top of the kid's
23 head and the fact that they were tussling with each
24 other. I never seen him bend or I never seen any
25 movement where there was punching or anything. All

1 I could see was like they were wrestling through the
2 window.

3 Q I want you to think and if you need to
4 close your eyes and picture it in your head, did you
5 ever see the boy that's wrestling at the officer's
6 vehicle with the officer, did you ever see, you can
7 see his head, he's taller than the car then, right?

8 A Yes.

9 Q Did you ever see his head disappear?

10 A No.

11 Q All right. And you couldn't see what was
12 going on inside of the car?

13 A No.

14 Q All right. And then how long did that
15 wrestling part last?

16 A I don't know, maybe, not long, it wasn't a
17 long confrontation. Maybe about ten seconds or
18 something, I'm not sure, that's just a guess.

19 Q And then what happened next?

20 A The boy broke away and started to leave.

21 Q Okay. Now, at this point had you heard
22 any gunshots?

23 A No.

24 Q So when you say the boy broke away, you
25 mean the taller, bigger boy?

1 **A** Yeah.

2 **Q** And I know you said that the smaller boy
3 kind of was not right at the driver's window, but
4 was kind of off to the side?

5 **A** Well, he was out of my sight.

6 **Q** Okay.

7 **A** I don't know where he went, but he was not
8 in my sight, which means he could have just went
9 further down the street and would have been out of
10 my view.

11 **Q** Okay. So you don't know what happened to
12 him?

13 **A** What happened to the other boy?

14 **Q** Right.

15 **A** No. All I know is he's walking away.

16 **Q** And at this point did you notice any other
17 cars that were on Canfield Drive?

18 **A** I didn't see any other cars.

19 **Q** And so you say that the boy broke away and
20 then what happened, what did he do?

21 **A** He just walked away and he walked out of
22 my view.

23 **Q** When he broke away, did he, so if I'm the
24 boy and this is the police vehicle. And, obviously,
25 they were close enough that they were touching each

1 other at the point where they were wrestling?

2 **A** At the window, yeah.

3 **Q** Okay. So when you said the boy broke
4 away, did he step backwards or did he turn back from
5 the vehicle and walk away or did you see any of
6 that?

7 **A** Um, all I saw was whatever they were
8 engaged in, obviously, must have been over or
9 somebody was able to get their hand off of each
10 other and the boy walked away.

11 **Q** Okay.

12 **A** He kind of walked away not real slow, but
13 not real fast.

14 **Q** Okay.

15 **A** And that's when the policeman got out of
16 the car.

17 **Q** Okay. So now at this point, when you say
18 the boy broke away and started walking not real
19 fast, but not slow, which direction was he going?

20 **A** Toward what is the name of those
21 apartments?

22 **Q** Northwinds.

23 **A** Northwinds.

24 **Q** Okay.

25 **A** He just proceeded in the direction he was

1 going before the incident with the policeman.

2 Q Okay. So at this point you see the
3 officer get out of the patrol car?

4 A Uh-huh.

5 Q Or the patrol vehicle. Could you see him
6 at that point enough to tell if it was a man or a
7 woman, white or black?

8 A Yeah.

9 Q Was it a man?

10 A Yes.

11 Q White or black?

12 A White.

13 Q Could you tell if he's wearing a
14 policeman's uniform?

15 A Yes.

16 Q At this point could you see that he had a
17 gun?

18 A I don't remember.

19 Q Okay.

20 A Seeing him with a gun, I'm not sure.

21 Q Did the police officer get out of his
22 vehicle immediately after the bigger boy started to
23 walk away or was there any because before he was out
24 of the vehicle?

25 A It took him, he had to like open the door

1 and get out.

2 Q Okay.

3 A So I'm saying whatever time it took him to
4 get, because if you are sitting in a vehicle you
5 have to step out, get out, and he come out kind of
6 almost at a run. He come out kind of fast.

7 Q And at the time that the officer came out
8 of the vehicle, did he then move in the direction
9 that you saw the boy moving in?

10 A Uh-huh, that same direction.

11 Q At the time that officer got out of the
12 vehicle and you said started, you said kind of
13 started to go kind of fast, kind of run?

14 A Uh-huh.

15 Q Could you still see the big boy?

16 A No.

17 Q When the officer began running in that
18 direction on Canfield, could you see if he had a
19 gun?

20 A I could see his left side and I don't
21 know, I'm not sure if he had anything, but he held
22 his hand like he had something in his hand and I
23 could not see it.

24 Q You are motioning with your right hand.
25 So did it appear to you that he might of had

1 something?

2 **A** He might have had something, but I did not
3 see it. It can if you get out you have something in
4 your hand, you carry in your hand a little bit
5 differently, so I don't really see it then.

6 **Q** Okay. Did the police officer then move
7 quickly or return out of your sight?

8 **A** Out of my sight.

9 **Q** And then how long after you lost sight of
10 police officer did you hear some gunshots?

11 **A** A couple seconds.

12 **Q** You said it was more than two, could have
13 been four?

14 **A** It could have been. It was kind of
15 shocking to hear it because it was such a minor,
16 thought minor thing that I saw before the gunshots.

17 **Q** Okay.

18 **A** And so I know I heard pow, pow, pow, and
19 then I just said, you know, how you say it, I don't
20 believe this, can't be a shooting back here.

21 **Q** So at this point everything that you see
22 at this point are you still looking out the same
23 window?

24 **A** No, I left the window.

25 **Q** From the time you first looked out the

1 window and you saw the officer and the bag boy out
2 of your the window?

3 **A** I moved away from the window.

4 **Q** When did you move away from the window?

5 **A** After the policeman went down and when I
6 heard the shot.

7 **Q** Okay. But before then had you been at the
8 window the whole time, from the time when you first
9 saw the boys talking to the time you moved away, or
10 did you like step away and get your cell phone and
11 then come back to the window?

12 **A** No.

13 **Q** You were at the window the whole time that
14 you said you were watching this. Do you understand
15 my question?

16 **A** Yeah, I understand your question. What
17 I'm trying to say was, when I saw the boys, I kind
18 of backed away from the window a little. When I
19 kind of just look back, I didn't really go back, I
20 kind of look back and that's when I saw the police
21 car. That's the only time I'm at the window until
22 the cop moved.

23 **Q** Okay. And now you said after you heard
24 the shots, you didn't see the shooting, you said you
25 got dressed?

1 **A** Yeah. I just had on some shorts and
2 things in the house, so I couldn't go out like that.
3 I just put on my pants and went out.

4 **Q** You went outside?

5 **A** Yes. I'm hearing the shots and then I'm
6 seeing people, you kind of could hear too, you know.
7 I heard the shots and then I said, I saw people, you
8 could hear people by then, people were kind of
9 screaming.

10 So I could hear them through the
11 window. So that's when I put my clothes on to go
12 out.

13 **Q** Okay. So other than the shots, you
14 couldn't hear anything that was going on between the
15 boys and the officer?

16 **A** No.

17 **Q** You didn't hear anybody yelling or say
18 anything that maybe you couldn't make out?

19 **A** No.

20 **Q** And so when you left your apartment, did
21 you go down to Canfield Drive, did you see the boys?

22 **A** I had just come out of my apartment, still
23 in the apartment lot. I had never left the parking
24 lot where I could see. I wasn't going to get too
25 close to that, so I stayed back.

1 **Q** Could you see someone lying in the street?

2 **A** Yeah.

3 **Q** And did it look like the same big boy that
4 you had seen?

5 **A** Same one.

6 **Q** Could you tell?

7 **A** Yeah, I could tell. It was the same one.

8 **Q** Okay. Did you, when you got down there.
9 Already officers at the scene down there or the
10 police hadn't gotten there yet?

11 **A** That's kind of questionable. I saw this
12 one white cop, blond hair, he looked like the same
13 one that was in the confrontation. He was putting
14 out some cones, put some cones down to make sure
15 that traffic gets, you know, doesn't get through
16 there. And then after that I saw another policeman
17 coming.

18 **Q** Okay. Was it in a police car?

19 **A** Yes.

20 **Q** Did he come from the direction of West
21 Florissant or from the northbound direction?

22 **A** Uh, looked like to me the car was, I'm not
23 sure. I didn't really pay a whole lot of attention
24 to that. All I saw was the two of them standing on
25 the side, the one was like here, my apartment was

1 over here and they was on the other side of the
2 street because they were further down. From further
3 down from where I was.

4 Q Okay. How long did you stay out in that
5 area in the parking lot area that day?

6 A About an hour or so.

7 Q Could you hear people talking, people that
8 gathered, people were coming out of their
9 apartments, right?

10 A Coming out of their apartments. There was
11 too many for them. After a while they were coming
12 from other apartments on the other side.

13 Q Did it appear to you that the people that
14 were beginning to gather, were they becoming angry
15 or agitated?

16 A They were more, more like in shock. You
17 just don't see a body laying in the street every
18 day, you know. There were some people there that I
19 think must have been family members that were real
20 upset. I didn't see anybody who was actually
21 violent.

22 Q Did anyone that was out there ask you if
23 you had seen anything?

24 A No.

25 Q Did you hear anybody saying anything about

1 don't talk to the police?

2 **A** No.

3 **Q** Was it later that day that a police
4 officer knocked on your door?

5 **A** No.

6 **Q** Where is it that you saw the police
7 officer?

8 **A** Never.

9 **Q** No one ever knocked on your door?

10 **A** No.

11 **Q** Anybody leave a card for you?

12 **A** Later on, much later on.

13 **Q** And would that have been like the next
14 Saturday?

15 **A** I saw them, but they never put a card on
16 my door.

17 **Q** But you talked to the FBI?

18 **A** No.

19 **Q** You didn't talk to the FBI?

20 **A** No.

21 **Q** Who did you talk to?

22 **A** I have a son who is in law enforcement.

23 Found out my daughter called him to let him know. I
24 told him I saw that, but I really didn't want to be
25 involved in it. And we went downtown to see and

1 talk to the FBI. The never came to my house, ma'am.
2 The police nor the County Cops, Ferguson Police
3 never asked me any questions.

4 Q Okay. So you did talk to the FBI and talk
5 to them about what you saw?

6 A Yes.

7 Q Was there any other law enforcement
8 officers that you talked about what you saw?

9 A No.

10 Q Any other people besides that came and
11 talk to you about what you saw?

12 A No.

13 Q Do you know any Ferguson police officers?

14 A No.

15 Q Do you know any members of Michael Brown,
16 you know, Michael Brown was the boy that was killed?

17 A Right.

18 Q Do you know any members of his family?

19 A No.

20 Q Anybody in his family or representing his
21 family, ever try to come and talk to you?

22 A No.

23 Q Is there anything else, let me ask you,
24 ma'am. You are wearing glasses today?

25 A Uh-huh.

1 **Q** Do you need those glasses to see?

2 **A** No, ma'am.

3 **Q** I'm not going to test you.

4 **A** The only thing these are for is for me to
5 read.

6 **Q** Yeah, I got the same so. So you can see
7 distance without your glasses?

8 **A** Without my glasses.

9 **Q** And what about that day, do you remember
10 if you had your glasses on?

11 **A** No.

12 **Q** You don't remember or you didn't?

13 **A** I didn't have it on.

14 **Q** You didn't?

15 **A** No.

16 **Q** How about your hearing, do you have any
17 problems with your hearing?

18 **A** No.

19 **Q** Is there anything that maybe I haven't
20 asked you so far that you think is important for the
21 grand jurors to know about what you saw that day or
22 what happened after that?

23 **A** Not really, except for the fact that I'm
24 kind of living in fear. I don't know whether to
25 stay where I am because it wasn't a good place to

1 stay. It wasn't the best in the first place, but
2 now it's like you get all kind of elements, people
3 are always there, it is just bad.

4 Q Have you, do you think that people in that
5 area know that you've seen this, do you talk to your
6 neighbors about it?

7 A No, and the reason for that was that's the
8 only reason why I agreed to make a statement was,
9 and that's why we did it the way we did it. He said
10 it was the safest way. He didn't want to put me in
11 harms way was for me to go to the FBI rather than, I
12 told him I wasn't going to talk to Ferguson.

13 Q And why is that? Did you have any prior
14 experiences with the Ferguson Police Department that
15 would make you feel that way?

16 A No, but I seen things.

17 Q Okay.

18 A And, um.

19 Q You've seen things that make you leery of
20 talking to Ferguson?

21 A Yes.

22 Q And is that, let me ask you this. The
23 thing that you saw, do you know if it had to do with
24 that same police officer?

25 A I really did not know the police officer

1 that was involved in the shooting. I have to kind
2 of give you a background on me. I don't have a lot
3 of interaction with policemen.

4 I think I've gotten a ticket twice
5 and they were completely out of my area. Anything
6 else, I just don't get involved with them. I do
7 what I'm supposed to do, try to follow what I'm
8 supposed to do. I work, I work most of the time,
9 I'm gone five days a week, most of the time working.
10 And when I'm home, when I'm there in that apartment,
11 I stay in my apartment, I mind my own business.

12 I know of maybe one or two of the
13 neighbors that's in the apartments. I speak to them
14 and I keep going.

15 But I sit in my apartment, I see the
16 police coming down the streets. I have a problem
17 with them doing 50, 60 miles an hour coming down the
18 complex where you've got children and people walking
19 all the time and it is five, six, seven, eight cops
20 and they're all speeding down the street. Less than
21 five minutes later you see them coming back. You
22 see them, they all pull up into the parking lot and
23 there will be, oh, I don't know in these funny
24 looking suits and playing cards.

25 They surround the parking lot to go

1 in, and they go into some apartment, and I don't
2 know which one, and then they come back out. I
3 mean, it is just a lot of things that go on.

4 Frankly, I'm really not use to this.
5 This is my first experience with an apartment. I've
6 always lived in a house and never lived in an
7 apartment before.

8 And the things that go on, you know,
9 make me kind of leery of the police because they,
10 when they come in, if you come to go get in your
11 car, get back in your apartment, get back in your
12 apartment. When there is really nothing going on.

13 If you got a warrant for somebody to
14 go in or something, you know, it is for you to talk
15 to people. The little bit that I did do interaction
16 that I did see with them, the tone, the way they
17 talk to you, the way they approach you.

18 I had a couple of them knock on my
19 door because they was looking for somebody. You
20 knock on my door and you want me to give some
21 information, there is certain way you talk to me.
22 I'm not violating anybody.

23 Q You feel that the police officers --

24 A Sometimes I think they're bullies.

25 Q And disrespectful?

1 **A** Disrespectful, very disrespectful.

2 **Q** And so I understand, is that some of the
3 reasons why you didn't feel comfortable talking to
4 Ferguson. Is it Ferguson Police Department that you
5 have that feeling about or is it all police
6 officers?

7 **A** Not all, Ferguson.

8 **Q** And, again, just to clarify, did you ever
9 witness the officer involved in the shooting?

10 **A** No.

11 **Q** Ever see him behave in that manner?

12 **A** No, I never saw him. To know him, I never
13 seen him.

14 MS. ALIZADEH: I don't have any questions.
15 Sheila?

16 MS. WHIRLEY: Yeah, hi.

17 **A** Hi.

18 **Q** (By Ms. Whirley) When you were interviewed
19 by the FBI, that would have been August the 12th, a
20 couple days after this occurred; is that right?

21 **A** Right.

22 **Q** A few days, I guess. When you talked with
23 them, I've read your statement, it indicates that
24 you thought, it appeared to you that Michael Brown
25 was trying to get away from the officer when you saw

1 what was going on in the car. Do you still have
2 that opinion?

3 **A** Yeah, they were, I mean, they were just
4 like, you know, I mean, it is like tussling with
5 each other. And he was like, I guess, he was trying
6 to get away and he finally was able to break away
7 and that's when he walked away.

8 **Q** Okay. It appeared to you that the police
9 officer was actually holding onto Brown as he was
10 trying to get away?

11 **A** Yeah, he was holding, I mean, they was
12 tussling. They were just tussling. And it was like
13 one was trying to hold the other, you know what I'm
14 saying?

15 **Q** I do. And at the time that you were
16 talking to the FBI, you thought it was the officer
17 that was trying to hold onto Brown?

18 **A** Yes.

19 **Q** And Brown was trying to get away, that's
20 what it appeared to you?

21 **A** Uh-huh.

22 **Q** When you saw the officer, once Brown did
23 get away, you said he was kind of, the first you
24 said running, but more walking fast?

25 **A** Walking fast.

1 **Q** Okay.

2 **A** He was a big guy and when he broke loose,
3 he just like went at a fast pace, but not in a total
4 run.

5 **Q** I understand. And he was going in the
6 opposite direction of the officer?

7 **A** Right. Same direction he was going when
8 the policeman approached him.

9 **Q** Approached him, okay. And then you saw
10 the officer get out of the car and I think in your
11 statement you said it appeared that he was running
12 after Brown and his gun was drawn, does that sound
13 familiar that his gun was drawn?

14 **A** I'm trying to mentally see.

15 **Q** Sure, that's what we want you to do.

16 **A** Because it has been a while. I don't
17 really want to deal with it.

18 **Q** I understand.

19 **A** When he got out of the car, he jumped out,
20 I could see him when he was getting out of the car,
21 okay. When he got out of the car, wherever his gun
22 was, he must of had to reach for it because when he
23 got out, I could see his hand on this side and then
24 when he got so far, I could see the beginning of the
25 gun, like he had something in his hand.

1 **Q** Okay. And it looked like a gun?

2 **A** Yeah.

3 **Q** In his right hand?

4 **A** Yeah.

5 **Q** You are motioning with your right hand.

6 **A** Yeah, with his right hand because it was
7 all on that side. That is why nothing is really
8 totally just say clear because he was on the
9 opposite side of me and I'm looking at him from this
10 side.

11 **Q** Okay.

12 **A** From this side.

13 **Q** From the passenger side?

14 **A** Yeah, because he was on the passenger side
15 of the car.

16 **Q** Who is on the passenger side of the car?

17 **A** The cop when he got out, he got out of the
18 passenger side of the car.

19 **Q** Okay. He didn't get out of the driver's
20 door?

21 **A** I mean, I'm sorry, the driver's side of
22 the car. I'm saying on the passenger side of the
23 car.

24 **Q** So your window is facing the passenger
25 side of the car?

1 **A** Passenger side of the car and he's on the
2 driver's side.

3 **Q** Driver's side?

4 **A** That's what I meant to say.

5 **Q** Okay. But you could see the tussle from
6 where you were looking?

7 **A** I can see movement.

8 **Q** Okay.

9 **A** That's why I say it is not clear to me who
10 was doing what.

11 **Q** Okay.

12 **A** All I can see is the top of Michael
13 Brown's head and then I can see figures or --

14 **Q** Can you see their hands?

15 **A** You can, yeah, because I can see them
16 tussling through the car, it is like movement.

17 **Q** Okay. Can you see --

18 **A** You can see Michael's arms and things up
19 here and you can see him moving.

20 **Q** Did you ever see Michael Brown's hands go
21 for the officer's weapon?

22 **A** All the way inside the car?

23 **Q** Yes.

24 **A** No, I didn't see that. I'm not saying it
25 didn't happen, but I did not see that.

1 **Q** Okay. And the other guy that was with him
2 who has identified as Dorian Johnson, where did you
3 see him once Michael Brown walked fast away from the
4 car?

5 **A** I didn't see him.

6 **Q** You didn't see him any more?

7 **A** Huh-uh. He had already went past my view.

8 **Q** Before Michael Brown left?

9 **A** Before he broke loose.

10 **Q** Before he broke loose, okay. Did you hear
11 any shots while the tussling was going on?

12 **A** No.

13 **Q** So at what point did you hear, I think you
14 heard two shots; is that right?

15 **A** I say I counted two and then after that I
16 just didn't count any more.

17 **Q** Okay. At what point did you count two
18 shots, what was going on when you counted hearing
19 two shots?

20 **A** I started hearing two shots, the policeman
21 had already gotten out of my view and next thing I
22 heard was shot.

23 **Q** Okay. So Michael Brown was walking fast
24 away from the officer?

25 **A** Uh-huh.

1 **Q** The officer get out with his gun drawn and
2 was following him, is that when you heard two shots?

3 **A** Right, I heard the shots after that.

4 **Q** Okay. And then after that did you hear
5 some additional shots? Like was there a pause
6 between the first shot you heard and then more shots
7 were fired?

8 **A** I'm trying to think if it was a pause. It
9 was a very little pause between the shots that I
10 heard.

11 **Q** Okay. You heard a certain amount of
12 shots, a very little pause and then some more shots?

13 **A** Uh-huh.

14 **Q** And then I think I read that you heard
15 someone yelling after you heard the last shots?

16 **A** Yeah, there was somebody yelling, but I
17 don't know who it was.

18 **Q** Okay. I think you just said you couldn't
19 make out --

20 **A** I heard some yelling and then I guess
21 that's when whoever heard the shots that was closer
22 to him must have started to come out of their
23 apartments.

24 **Q** But you didn't see any of that?

25 **A** I didn't see anything, but I could hear.

1 By then you could hear some sounds from people
2 hollering because then it was over with.

3 Q Okay.

4 A So you hear the aftereffect of people
5 realizing something has happened they are coming out
6 screaming and hollering, and there was a lot of
7 screaming and hollering.

8 Q How did you know that it was over with,
9 like what happened to let you know it was over with?

10 A You didn't hear any more shots.

11 Q Okay. So when you heard those last shots,
12 then you heard someone yelling?

13 A Uh-huh.

14 Q And no more shots?

15 A No more shots.

16 Q No more shots, okay. When you got dressed
17 and went back out or went out, where did you go when
18 you went out. Did you go like on your porch, did
19 you go down to the street, where did you go?

20 A I come down into the parking lot.

21 Q Can you show us here on the map if it is
22 visible or if you can figure out where you were?

23 A There's a parking lot, see this parking
24 lot here?

25 Q Use the laser pen.

1 **A** This really confuses me.

2 **Q** And if you can't do it, it's okay.

3 **A** When you come out of my apartment, there's
4 a parking lot and a parking lot there and there's a
5 parking on the side, which is like they got there
6 looks like that's the parking on the side, but there
7 is also parking in between.

8 **Q** Okay.

9 **A** I just come down and walked out of my
10 apartment and walked over toward.

11 **Q** Canfield Drive, this is Canfield Drive.

12 **A** But I didn't leave the parking lot, I
13 stayed back on the parking lot because they were
14 already, by the time I got down they were putting
15 out cones.

16 **Q** Okay.

17 **A** So I just stayed back. I was able to see
18 even with me standing back, you can see the boy in
19 the street. All I had to do was walk so far and
20 then I could see down the street.

21 **Q** Okay. So they were putting cones out by
22 the time you came?

23 **A** Uh-huh.

24 **Q** So you saw other police officers and
25 police cars by the time you came downstairs?

1 **A** Well, when I first came downstairs I only
2 saw one policeman and then another one showed up and
3 then another one showed up.

4 **Q** Shortly thereafter?

5 **A** Uh-huh.

6 **Q** But at the time of the altercation, the
7 shooting occurred, you only saw one officer?

8 **A** I saw only one police car.

9 **Q** One police car. Were the people, you said
10 they started coming out, when you came out when they
11 were putting out cones, is that when you saw a lot
12 more people coming out?

13 **A** People started coming out. Boy's laying
14 here, on the side I am, you could see them flowing
15 from back here. And then they started from that
16 side, and then all of the sudden they were coming
17 out, because see, there is apartments back there.
18 So they were coming out, they were coming around
19 into where, where my apartment is into that parking
20 lot.

21 And then there wasn't, I'm trying to
22 think how long after all this happened that I saw
23 his mother come out. She was easy to recognize, she
24 had the blond hair.

25 **Q** Did you know his mother?

1 **A** No.

2 **Q** Never met her before?

3 **A** I heard, the people were saying she kept
4 hollering, my baby, my baby, you know she was the
5 mother.

6 **Q** Right.

7 **A** And they were trying to hold her. There
8 was just a lot of people, a lot of people and a lot
9 of screaming.

10 **Q** Can you show us on the map where you saw
11 his body fall? You didn't see it fall, but where it
12 was when you came out? If you can. Can you tell on
13 this map where his body rested, Michael Brown's
14 body?

15 **A** It is kind of hard for me to say because.

16 **Q** Can you hit that little button. If you
17 cannot --

18 **A** Canfield Drive, why is Canfield Drive up
19 there. Copperfield, should be, I thought that
20 was --

21 **Q** Coppercreek?

22 **A** I thought that was on the other side of
23 where I am, but anyway, he was -- like my apartment
24 is right there, I'm right here, he was down from me
25 somewhere in here. (indicating)

1 **Q** Okay, all right.

2 **A** Cause see right here, right here on this
3 end is the dividing line where my view gets, but not
4 there, but you know what I'm saying?

5 **Q** I do.

6 **A** As you come out of my apartment you come
7 there, right there, I can't see after that.

8 **Q** Okay.

9 **A** That's the end of, like the apartment ends
10 there and then I can't see any more from there. I
11 have to come out of my apartment and come to the end
12 of the parking lot and look down the street.

13 **Q** One thing you mentioned that it was such a
14 minor incident to end up, I think, in somebody being
15 dead?

16 **A** Right, it was.

17 **Q** Tell me what you mean by that?

18 **A** Here is two guys walking down the street.
19 They're in the street. The policeman pulls up and
20 says something to them. They say something back,
21 they start to walk away. Then the police backs up
22 and then there is a confrontation between him and
23 one of the guys. Then the next thing you hear is
24 shots.

25 I mean, it was such a small incident

1 if they were in the streets, he didn't want them in
2 the streets and he told them get on the sidewalk.
3 That should have been it.

4 Q And if they didn't obey and get on the
5 sidewalk, then what are your thoughts?

6 A What are my thoughts?

7 Q Yes.

8 A I don't think he should have died from it,
9 he could have arrested him.

10 Q Okay.

11 A Jaywalking, and that's basically what it
12 was if that's what it was. It just seemed to me it
13 was just such a, I mean, that's just my point of
14 view that it was such a minor incident, the boys
15 didn't have a gun, there was no big deal on just
16 jaywalking and just to me it seems a waste of life
17 to me, that's just me.

18 MS. WHIRLEY: Okay. Questions?

19 MS. ALIZADEH: I just want to clarify some
20 things.

21 Q (By Ms. Alizadeh) Ma'am, I totally
22 understand and agree that as we sit here now some
23 several weeks later and we have learned a lot about
24 what happened that day, it does seem like a waste,
25 it seems terrible that this happened. A couple of

1 questions I have for you though is that when you
2 were looking out your window, you said you could see
3 the hands going back and forth?

4 **A** Right.

5 **Q** Do you remember telling the FBI agents
6 that you could see Michael Brown's hands in the
7 police vehicle?

8 **A** In the window of the vehicle.

9 **Q** Right. Inside the vehicle, past the
10 window. If the window were up, the hands were
11 inside, correct?

12 **A** Yeah, if they're wrestling, there's
13 confrontation, I'm in your window, my hands are in
14 your window.

15 **Q** Okay. From your vantage point, because
16 when Sheila asked you if you could see Michael Brown
17 going for or trying to grab the officer's gun and
18 you said no.

19 **A** I didn't see that.

20 **Q** So what I want to clarify is, are you
21 saying that didn't happen because you could see what
22 was happening, or are you saying, you know, I can't
23 tell what was going on in the car so I didn't see it
24 go on, but I don't know what happened?

25 **A** That's what I'm trying to tell you. All I

1 could see was their hands going back and forth.

2 **Q** Okay.

3 **A** I never saw anybody reaching for a gun or
4 reaching into the car to try to get his gun. In
5 that case from what I could see, if he had to, if he
6 reached into the car, he would of had to have been
7 in some kind of way, no way he could have stood up
8 straight and reach in the car without me seeing it.

9 **Q** Okay.

10 **A** And all I ever saw was the top of his head
11 and them wrestling through the thing. I never saw
12 him bend to reach in the car, I never saw the
13 policeman reaching in his gun holster to get his
14 gun, all I saw was them wrestling at the thing.

15 **Q** Okay.

16 **A** Now, but that don't mean that I didn't,
17 there's something I could have missed something, but
18 I did not see anything beyond that.

19 **Q** Okay. When you first saw the boys, and
20 you just said today you really don't recall what
21 they were wearing in particular. You could see
22 their hands when they were walking, right?

23 **A** Uh-huh.

24 **Q** Did you see anything in their hands?

25 **A** I don't remember seeing anything in their

1 hands, no. I don't recall seeing anything in their
2 hands.

3 **Q** And now, I mean, we know today, we know,
4 and nobody is disputing that Michael Brown, we know
5 he did not have a weapon, okay. I'm not trying to
6 imply that he did when I ask you these questions,
7 but when you saw him, you couldn't tell if he could
8 of had a weapon in a pocket, in a waistband, from
9 your vantage point you wouldn't be able to tell
10 that, would you?

11 **A** No.

12 **Q** And once he ran out of your sight, and if
13 you're here and this building right here, this one
14 right here, once they run past a certain point, you
15 can't see beyond that building to what happens,
16 right?

17 **A** No.

18 **Q** And so whatever happened after they ran
19 out of your sight, you can't say one way or another
20 what happened; is that right, is that fair to say?

21 **A** Fair to say.

22 **Q** Okay. So at the time, and today I know we
23 know a lot more today than, obviously, people knew
24 as it was going on. But at you sit here today, I
25 know you said it just seemed like such a minor

1 incident, the officer should have arrested him for
2 jaywalking?

3 **A** No, no, that's what I'm saying. I was
4 just saying in the real world or in a good scenario
5 what I saw just seemed like such a minor thing for
6 it to end up the way it did.

7 **Q** Okay.

8 **A** That's all I'm saying.

9 **Q** Okay.

10 **A** Just seemed such a waste. I'm not saying
11 what happened when it got past me because I can't
12 testify to that, I don't know anything about that.

13 **Q** And exactly what was happening inside that
14 car, you really couldn't tell?

15 **A** No, and when I made the statement to the
16 FBI I told them that. I could not see inside the
17 car.

18 **Q** Okay.

19 **A** All I could see was them wrestling at the
20 window.

21 **Q** And from your vantage point, you did not
22 see him, Michael Brown, I mean the big guy, it
23 didn't look to you like he was reaching far enough
24 in the car to where he would be reaching for a
25 weapon?

1 **A** No, but then if I'm looking at you, there
2 might be some things that I don't see.

3 **Q** Uh-huh.

4 **A** Some things that my memory don't record.
5 I'm not going to say what did or did not happen. I
6 can only tell you what I saw.

7 **Q** If, I'm not saying this is true or not,
8 I'm just asking you to think about this. If the
9 officer had drawn his weapon and he was holding his
10 weapon closer to his, the door. In other words, if
11 he has a right handed holster, and then if he had
12 removed a weapon and had it closer to the door,
13 would Michael Brown have been able to, given what
14 you were judging from his height and from what you
15 saw where his head was and everything, could he have
16 touched or reached the weapon if that were the case?

17 **A** Well, I guess if the policeman had the gun
18 up in his, up high enough where he didn't have to
19 bend to get it or to move his body to get it, I'm
20 assuming that could have happened, that could
21 happen. I don't know that.

22 **Q** And I think that, I don't want to imply
23 that you are saying it did or did not happen because
24 I think it is clear that you don't know.

25 **A** No, I don't.

1 **Q** And that's fair, but when you said you
2 didn't see him, it couldn't have been like he was
3 reaching for his gun, are you basing that assumption
4 on if the officer still had the weapon in his
5 holster on his right hip, you never saw Michael
6 Brown go far enough in the vehicle to actually
7 remove, try to get the gun off of his right hip,
8 would that be fair to say?

9 **A** Yeah, that would be fair to say. I can
10 say that, that I didn't see that.

11 **Q** Okay. But if the gun were already out of
12 the holster and maybe being held across the
13 officer's body, is it possible then from where
14 Michael Brown was, that he could reach the gun
15 without having to lean in the way you would of
16 thought he would have to lean?

17 **A** Could be. If I was in the same position
18 and you could see me and he put it up high enough
19 for me to do it within arms reach, I guess I could
20 do it to.

21 **Q** And, again, I'm not saying one way or
22 another, I'm just asking you because I think you
23 made certain assumptions when you were saying he
24 couldn't reach the gun and that's based upon you
25 believing that the officer's gun was still in his

1 holster that he couldn't reach it?

2 **A** Yeah.

3 **Q** Okay.

4 MS. ALIZADEH: I know you all have a lot
5 of questions.

6 MS. WHIRLEY: Just one thing. My question
7 wasn't could he reach the gun, was it did you see
8 Michael Brown struggling with the officer over the
9 gun?

10 **A** No.

11 MS. WHIRLEY: That's my question.

12 MS. ALIZADEH: I understand, Sheila.

13 MS. WHIRLEY: I was making it clear.

14 MS. ALIZADEH: I didn't know if she meant
15 that didn't happen because I saw, I could see it and
16 it didn't happen, or if her answer was I didn't see
17 that.

18 **A** Well, see what I was saying when I say
19 that I didn't see him reaching in the car, I did not
20 see that. All I saw was them tussling at the
21 window, I never saw him reach in, or anything like
22 that.

23 Now, that's not saying that what you
24 said about the gun as far as the policeman was
25 concerned that it was in a different position, but

1 when the question was asked of me was, did he reach
2 in to try to take the cop's gun. And I said, no, I
3 did not see that.

4 MS. ALIZADEH: Okay. I think that's, and
5 these are all just points we are trying to clarify.

6 **A** Uh-huh.

7 MS. ALIZADEH: I'm absolutely not trying
8 to imply one thing or the other. So questions?

9 Did
10 you ever at any time see him stick his head inside
11 the police car?

12 **A** No.

13 When you,
14 the first time you saw the two guys walking and the
15 police approaching them and you say you saw the
16 police drive away and proceeded on or the young man
17 proceeded on. When the police came back, could you
18 tell if he came back in a speedy way or did he just
19 back up normally?

20 **A** What happened was, he said something to
21 the boys. The boys said something to him. The boys
22 proceeded to walk away. The policeman must have
23 thought for a second, he backed up to go back to
24 where they were.

25 That's what happened. I mean, he

1 didn't speed up any because they only had gotten a
2 few feet from him when he decided, when I guess he
3 wanted to have some more to say to them, he just
4 backed up.

5 Okay, thank you.

6 **A** Uh-huh.

7 When you saw
8 Michael Brown's head on the top of the SUV, do you
9 know if he was wearing anything on his head?

10 **A** I think he had a hat on, a cap or
11 whatever, you know.

12 Thank you.

13 MS. ALIZADEH: Ma'am, I'm just asking you
14 if you recall when you talked to the FBI agents, and
15 these were two women agents, right?

16 **A** Right.

17 MS. ALIZADEH: Do you remember telling
18 them that you saw, and I'm talking about when the
19 vehicle backed up, that you saw the vehicle jerk and
20 back up a short distance?

21 **A** Yeah, he did. Cause when he backed up he
22 jerked, like he put his foot on the brake or
23 something.

24 MS. ALIZADEH: I was trying to clarify
25 when you were asking about and I wanted to know what

2 **A** If the policeman probably wanted to say
3 something, he didn't want them to get away. So what
4 he did when he put it, just when he backed it up, he
5 just put on his brakes real hard, real fast and the
6 car kind of jerked.

7 MS. ALIZADEH: From your position, did it
8 look like he came close to hitting the boys or did
9 his vehicle contact either boy when he backed up?

10 **A** I didn't see that.

11 MS. ALIZADEH: Okay.

12 You
13 said you don't know if you want to continue to live
14 there any more. Do you feel it is because of the
15 police or because of the residents and the danger or
16 everything?

17 **A** I'm going to move anyway.

18 Okay.

19 **A** I've got a lease and I can't move right
20 now. I mean, my family's having major problems.

21 Yeah.

22 **A** There's a lot of things that make me want
23 to move. Too many young people, too much riffraff,
24 there is shooting, they get out at night, on
25 weekends and shoot up in the air and all that stuff.

1 October 23rd, 11:07 a.m. Present in the grand jury
2 is Sheila Whirley and all 12 grand jurors and ,
3 the court reporter.

4 The next thing we're going to do is play a
5 statement for you. The statement is from a witness
6 named . I believe it's,
7 , I'll verify that.

8 She had previously talked to the County
9 Police, but this is a statement you're going to hear
10 is a statement that was done yesterday, I believe,
11 at FBI headquarters. I can't be sure, but the
12 statement is being taken by, the questioning is
13 being done by , who is the attorney for the
14 Department of Justice. You have heard her voice on
15 several statements. You will also hear the voice of
16 , who is the assistant United States
17 attorney who you probably heard his voice on several
18 statements.

19 And there is also an FBI agent who is a
20 female who is a female who pipes in a couple of
21 times during the statement. I'm not sure as I sit
22 here today because I listened to this last night
23 because I got it last night because it happened
24 yesterday afternoon.

25 I can't recall if they identified who the

1 FBI officer, but this was a statement done
2 yesterday.

3 The statement lasts an hour, and hour 40
4 minutes, 38 minutes. So it might be that we break
5 after hearing the first hour of it. Since it is a
6 little after a 11 now, and then you guys can have
7 your lunch, then we would resume and let you listen
8 to the last part of it and then have the witness
9 testify in the afternoon, all right.

10 With that being said, , because we
11 don't have a transcript, I would like you to
12 transcribe the interview. But we can pause the
13 recording since we've marked this disc that contains
14 the interview as Grand Jury Exhibit Number 50.

15 (Grand Jury Exhibit Number 50
16 marked for identification.)

17 : I don't know street names,
18 but I can give you detail directions that I went.

19 MS. : Oh, that's fine, I'm just
20 going to go ahead and just kind of do a little
21 introduction, okay.

22 It is October 22nd, 2014. It is
23 approximately 2:14 p.m. This is special agent
24 at the FBI field office, 2222 Market
25 Street, St. Louis, Missouri. I am here with USA

1 , DOJ prosecuting attorney

2 and we are interviewing?

3

4 MS. : And, , can you spell,
5 is it, your name for me?

6 It's capital

7

8 MS. : Do you have a middle name?

9

10 MS. : What's your date of birth?

11

12 MS. : And your social security
13 number?

14

15 MS. : What is the best contact
16 number for you?

17 That's area code

18

19 MS. : Is that your cell phone?

20 : Yes, I'm straight cell.

21 MS. : What's that?

22 : I'm straight cell.

23 MS. : Oh.

24 : No landline.

25 MS. : What's your address.

1

2

3

4 MS. : Okay. All right.

5 MS. So before we begin, you

6 introduced as , is that okay if I call you

7 that?

8 : Yes.

9 MS. : Okay. I want to let you know

10 we talked a little bit when you came in. We're just

11 trying to figure out what the truth is and so we

12 don't want to talk about what you may have heard

13 from other people or what you have seen on TV or

14 read or anything like that, just what you know,

15 okay. This investigation, like any other, where we

16 are just trying to get at the truth.

17 We have to let you know that, we tell this

18 to everybody, if you lie to a federal agent, and

19 you, (inaudible) it is a crime. You are better off

20 not saying a word and just not talking to us if you

21 plan on lying and sitting in here and telling us

22 lies.

23 With that in mind, we just ask you, we are

24 going to ask you to tell us what you remember. If

25 you don't know something, or don't remember, that's

1 perfectly fine. Just, you know, as I said, our goal
2 is to figure out what happened, okay?

3 : Right.

4 MS. : We don't want you to think if
5 one way or the other (inaudible) of what you have to
6 say, you are just a piece of the puzzle, okay?

7 : Okay.

8 MS. : Can you just tell us, we know
9 what you originally said in your first statement,
10 but we as prosecutors wanted to get to meet you. So
11 can you just rundown what you saw and experienced on
12 August 9th?

13 : Um, okay. You want me to
14 start from where I started at QT?

15 MS. : Well, yes, I know you stopped
16 at the QT, but you were on your way somewhere to
17 begin with?

18 : I was on my way to visit a
19 friend from high school that I thought lived off
20 Florissant, but turned out lived in Florissant.

21 MS. : Okay.

22 : I ended up in Florissant --
23 or on Florissant Road.

24 MS. : Okay.

25 Once I realized that I was

1 lost, this is before I had my GPS. I stopped at the
2 QT. 270 is up here and I stopped at the QT and I
3 asked for directions. And I didn't follow them very
4 well, instead of making a right out of QT, I made a
5 left. And I realized I went the wrong way, so I
6 made another immediate left.

7 But then I seen the apartments, my friend
8 lived in an apartment. I thought, well, maybe I was
9 in the right spot after all.

10 And I went down that street and I passed
11 two streets and then a parking lot and went into the
12 second parking lot, which is technically the same
13 one because it loops around a building. And I
14 pulled in there and I made a left and I parked there
15 and then I walked back out in front of that building
16 to ask for directions.

17 MS. : Okay.

18 : And then that's when I seen
19 the officer's SUV for the first time, it is a bigger
20 vehicle, for the first time. And he was talking to
21 two African-American gentlemen.

22 And then he started to leave and then he
23 put the car in reverse and said something, and I did
24 not hear what was said. And then the next thing I
25 know, the heavier set African-American was in the

1 car from approximately the waist up. And then I
2 heard the gun go off, I didn't hear any kind of
3 conversation. I heard noises, but not what was
4 being said.

5 I heard the gun go off, I only remember
6 one gunshot. The skinnier African-American took off
7 running and the heavier set one that they call Mike
8 Brown stood up, and I seen him pull his shorts up
9 and take off running.

10 The officer got out of the car and had his
11 left hand on the left side of his face and the gun
12 in his right hand. And his right hand was shaking
13 and he was stumbling from one foot to the other, and
14 I don't know what he said. All I heard was, or I'll
15 shoot.

16 And then that's when Michael Brown, the
17 heavier set, turned around and face-to-face with the
18 officer and he had his hands out extended like this,
19 or whatever, kind of like, you know, what are you
20 going to do.

21 MS. : Okay.

22 : He wasn't saying anything at
23 that time that I heard. And then the officer had
24 his gun, was drawn and pointed at him, and that's
25 when Brown started to charge, you know, kind of like

1 a football, like this, with his hands out.

2 MS. And your hands are clenched.

3 Right, his hands were
4 clenched at this time. He was slightly bent, but
5 not much. It was kind of like a football charge
6 not, you know, and then that's when the gunshots
7 started.

8 I don't remember the sequence or the
9 order. I know that the gun went off a couple of
10 times and then stopped and then went off again.

11 And then when the last gunshot went off,
12 which was in the head, that's when I started to get
13 freaked out and I got in my car and I left. As I
14 was leaving, I couldn't go out the same parking lot
15 I had come in, they had, that was all blocked. So I
16 zigzagged through the parking lot and I popped out
17 the third one over here, and I made a right and went
18 through the neighborhood.

19 I got lost in there for about 20 minutes,
20 but I ended up on a street that goes in a complete
21 circle and then I made a right and popped out on a
22 side road next to QT, which is where I asked the
23 person at QT again where the nearest highway was.

24 MS. : So let me go back and ask you
25 some questions I have.

1 : Okay.

2 MS. Starting with the QT. When you
3 went and asked for directions, did you go inside or
4 did you ask somebody in the parking lot?

5 : I asked somebody at the gas
6 pump.

7 MS. Both times or first time?

8 : Both times.

9 MS. : And did you go inside at all.
10 : No.

11 If we got surveillance
12 video from the gas pump, you would be on it?

13 : Yes.

14 MS. : Okay. And so when you drove,
15 you said you ended up by an apartment complex. You
16 thought it was your friend's apartment complex, what
17 made you think that?

18 : Because she had said she
19 lived in apartments right off Florissant. And I
20 thought she meant right off Florissant, she meant in
21 Florissant. I never did find my friend.

22 MS. : Okay. Before you were
23 describing it you said that you thought that you
24 noticed these apartment complexes and you went in
25 thinking that was where she lived and then you got

1 out and asked for directions again. At what point
2 did you still think you were at the apartment
3 complex?

4 : No, once I got in there
5 because once I got past the first two streets and I
6 started to go around the bend, it didn't look like
7 the pictures that I had from her, and that's why I
8 was confused.

9 MS. : What is your friend's name.
10 :

11 MS. : Do you have a phone number for
12 her?

13 : I do, it is at home. She's,
14 we met when

15
16 MS. : So you said in high school,
17 right?

18 : We met my freshman year of
19 high school.

20 MS. Okay.

21 MR. : She was one of the
22 ?

23 : Correct.

24 MS. : What school did you go to?

25 :

1 It was early '80s I guess.

2 MR. : you
3 went to?

4 : Yes.

5 MR. : is her name?

6 : Yes.

7 MR. : How do you spell her last
8 name?

9
10 MS. : And how do you spell
11 with an I or a Y?

12 :
13 MS. : Have you spoken to her since
14 this?

15 Just a couple times. We
16 were really, really close when
17 And then
18 they had that situation

19 , what do you call,
20 , and we let her

21
22 so she wouldn't have to deal with
23 it. We went through a lot together, so.

24 MS. : You said you never made it to
25 her house that day, did you call her afterwards?

1 : I emailed her and told her.

2 MS. : What did you tell her?

3 Just that I had gotten lost.

4 I didn't tell anybody anything except for my

5 ex-husband, which he --

6 MS. : Who is --

7 : He's being obnoxious.

8 MS. : What do you mean?

9 : Well, he told me not to come
10 in here at all.

11 MS. : Why?

12 : Just because we have three
13 .

14 MS. : Meaning what?

15 : He doesn't, he has cable, I
16 don't. He hears about the death threats and
17 everything and just says that he doesn't want his
18 mixed up in it.

19 MS. : So why did you decide to go
20 against his suggestion?

21 : Because the one thing my
22 father taught me before he passed away regardless,
23 you always tell the truth and you always admit to
24 whatever, if it's the truth.

25 Unfortunately, I have been in trouble once

1 before by the law.

2 MS. : Okay. How did you get in
3 trouble, what was that?

4 : I grabbed a black checkbook
5 instead of a brown checkbook or blue checkbook.

6 MS. : Did you get convicted of
7 anything?

8 : Yes, because my dad, even
9 though it was an accident, it is still my signature
10 and the adult thing to do would be to accept
11 responsibility, so I pled guilty.

12 MS. : What did you plead guilty to,
13 what was the charge?

14 : You know, I really am not
15 100 percent sure. I think it was check fraud is
16 what it would have gone down.

17 MS. : How long ago was that?

18 : In '07, I believe.

19 MS. Did you --

20 : I didn't do any time. I
21 explained the situation to the judge and the judge
22 said since I was taking responsibility, he would
23 give me just probation.

24 MS. How long were you on probation
25 for?

1 : Three years.

2 MS. : Was it a felony.

3 : It was considered two
4 felonies, but they did an SIS.

5 MS. : Okay.

6 : So that as long as I didn't
7 get in trouble throughout the three years that it
8 wouldn't be on my record.

9 MS. : Okay.

10 MR. : Did you have any trouble
11 during that three years?

12 No.

13 MR. : Have you had any other kind
14 type of problems at all like that?

15 : I haven't even got so much
16 as a ticket so, before or after.

17 MS. : So when you pulled into the
18 parking lot in this complex, you got out of your car
19 to ask for directions, was there somebody that you
20 were going over to ask directions or were you just
21 looking for somebody?

22 : I walked up to the first
23 gentleman I seen, he was kind of a heavy set guy
24 with a green shirt, and had his hair in braids and
25 it was real short.

1 MS. : Okay. Why did you park your
2 car and walk up to him as opposed to just drive up
3 to him?

4 : It's just what I do.

5 MS. : Okay.

6 : It is easier for me just to
7 park, get out, and then I can sit and conversate and
8 I was able to have a cigarette.

9 MS. : I guess, you know, if it is all
10 good but --

11 : I've always done it.

12 MS. : And that's fine. I'm talking
13 about the reality of life is you are in a
14 neighborhood that you don't know and you are getting
15 out of your car and walking up to somebody you don't
16 know, and I don't know, you are more trustful than
17 the average person, or maybe I'm more skeptical than
18 the average person, especially a woman in a
19 neighborhood that you don't know.

20 : I just always have. I don't
21 know, I could be down in the city or whatever and
22 ask for directions, and I will get out.

23 MS. : Okay. So you get out --

24 : I don't get lost any more,
25 my mom bought me a GPS.

1 MS. : Okay. You get out of the car
2 and you see this guy, and at what point did you
3 notice the police car?

4 : I didn't notice him until
5 they were talking the first time. And no, I didn't
6 hear anything that was said the first time around.
7 He was just kind of driving up next to him.

8 MS. : Did you get the opportunity to
9 ask this guy for directions or was your attention
10 diverted to the police car?

11 I started to ask him, and
12 then I lit a cigarette, and then my attention became
13 drawn to the police car. That's why I had to ask
14 directions again at QT.

15 MS. : Was the guy you are talking to,
16 was he watching was going on also?

17 : Yes.

18 MS. : So you look over and you see
19 the police car and you say that, when I say car, I
20 mean SUV, and you see some sort of interaction
21 between the police officer and who?

22 : The, well, I know it is Mike
23 Brown now, at the time it was a heavy set
24 African-American and a skinny African-American.

25 MS. And did you --

1 Oh, I'm sorry, I didn't mean
2 to interrupt you, when, um, he backed up, when he
3 first tried to get out, the heavier set one did push
4 the door shut, but so did the skinnier one. And the
5 skinnier one lost a bracelet on the ground, it is a
6 gold bracelet.

7 MS. : Okay.

8 : I'm sorry.

9 MS. : You're fine, totally fine, okay
10 I know in your last statement you said one of the
11 things you kept saying was I'm not a very good
12 witness.

13 I'm not.

14 MS. Let me tell you this as a
15 prosecutor. A good witness is somebody who is
16 truthful. And that's all it takes to be a good
17 witness, right, nobody should be a professional
18 witness, right. Because we just ask about what we
19 see going on in our daily lives.

20 I kind of want to get that out of your
21 head, just focus on the fact that all we want is the
22 truth, right, so and that's ultimately what we are
23 getting at. However, you characterize yourself good
24 or bad, that doesn't matter either as long as you
25 tell the truth, okay.

1 : Okay.

2 MS. : Back up to when you saw the SUV
3 and you said you saw interaction and you can call
4 him Mike Brown, you know their names now?

5 : I know their names now.

6 MS. So then you can call them Mike
7 or Dorian, whatever you feel comfortable.

8 : Okay.

9 MS. : You see the SUV and you see the
10 interaction, who was interacting with whom?

11 : They both were interacting
12 the second time.

13 MS. : So the initial thing that you
14 see.

15 : The initial time I only seen
16 the officer say something to Mike Brown.

17 MS. Okay. How do you know the
18 officer was talking to Mike Brown.

19 He was closer and Mike was
20 responding. And it was definitely conversation, I
21 just have no idea what was said.

22 MS. : Okay. Was Mike Brown going in
23 the same direction or opposite direction of the SUV.

24 : When I looked over there
25 they were side by side.

1 MS. Okay. Where was Dorian Johnson
2 relative to the SUV?

3 The first time?

4 MS. : Right, in this initial, when
5 you initially see him.

6 He was off about 3 feet.

7 MS. : Was he closer to the back of
8 the SUV or the front of the SUV compared to Mike?

9 Compared to Mike, I would
10 say the back, but I don't really remember.

11 MS. : Okay.

12 : I don't, I honestly, I mean,
13 I didn't give it a whole lot of thought until after
14 Mike Brown went into the car.

15 MS. : We understand that. Our job is
16 to push you and see how much detail we can get out
17 of you.

18 : Right.

19 MS. : If you don't know, you don't
20 know, that's why we are asking all of these
21 questions.

22 MR. : When did you first see Mike
23 and Dorian?

24 From the first time that
25 they were communicating.

1 MR. : Okay.

2 I paid absolutely no
3 attention, there was a ton of people there.

4 MR. : You didn't see them until
5 they were actually, until the police car was
6 actually beside them and they were communicating
7 with the policeman?

8 Correct. I'll stick with
9 that because I might have seen them, I just didn't,
10 it's not dawned, I can't say for sure or anything,
11 you know, I didn't give them any of my attention.

12 MS. : How long were you there
13 before you saw that?

14 It was like instantly.

15 MS. So you didn't notice when you
16 were driving in, you didn't notice anything?

17 No. I didn't pay, I mean, I
18 was staring so much at the building addresses and
19 where there were the most people that I could get
20 out and ask for directions.

21 MS. : So if you saw anybody close to
22 the road, you would have stopped and get out of the
23 car.

24 : I would have stopped and get
25 out of the car so I could have a cigarette, and

1 actually get step by step instructions. I'm not
2 good on directions. So I couldn't get ahold of
3 anybody, I didn't have of my cell phone on me at the
4 time so.

5 MS. : Okay. So you see, you are at
6 the part where you see some sort of interaction
7 between the police officer and Michael Brown,
8 because your statement is based upon what you,
9 yourself, saw. You could tell there was some sort
10 of interaction, correct?

11 : Correct. I didn't realize
12 that the officer was even an officer. When I first
13 pulled in, or whatever, he was coming this way, I
14 guess, and I never even acknowledged that he was an
15 officer when I pulled in.

16 MS. : What sort of vehicle was he in?
17 Looks like one of those like
18 van or SUV type.

19 MS. Okay.
20 Big vehicles.

21 MS. : Was it marked?

22 : Yes, it had police and then
23 underneath it said Ferguson.

24 MS. : So then what about when you say
25 you didn't realize he was an officer?

1 : I wasn't paying any
2 attention. I was so focused on staring at the
3 building numbers that when I pulled in, or whatever,
4 and I passed and there was a lot of people standing
5 right here, I just pulled in right away. It wasn't
6 until I got out and walked this way, or whatever,
7 that I realized that, you know, that it was even an
8 officer. I was going to wait and just get
9 directions from the guy because the officer was
10 already busy.

11 MS. : Okay. My next question was,
12 did you consider getting directions from the
13 officer.

14 I didn't, no, because he was
15 already occupied.

16 MS. : Okay.

17 And he looked very occupied.

18 MS. : All right. So after you see
19 this interaction between Michael Brown and the
20 officer, then what's the next thing you see?

21 : After the first altercation?

22 MS. : We are just talking about step
23 by step.

24 : Okay.

25 MS. You're getting out of your car,

1 you see him before you spoke to the man about
2 directions; is that right?

3 : Correct.

4 MS. : And then what?

5 : And then the officer goes
6 up, you know, like he's going to drive away, he
7 doesn't really go too far, just a few rolls of the
8 tire, or whatever. And then he comes back, or
9 whatever, you know, comes and backs up. And Dorian
10 and Michael Brown, Brown walked up to the car and
11 words were exchanged and then Brown entered into the
12 vehicle from the waist up.

13 MS. : Let me ask you when you say
14 words were exchanged, what do you mean by that?

15 : The officer's mouth was
16 moving. I have no idea what was said.

17 MS. I'm just asking why you chose
18 that phrase.

19 Right.

20 MS. : You use that phrase exchange,
21 the officer's mouth was moving, was there any --

22 : I did not hear Mike Brown.

23 MS. : Were you able to see Mike
24 Brown's face at that point?

25 : No, he was facing, because I

1 was here on the sidewalk and the officer's car was
2 kind of cockeyed or crooked, or whatever, and Brown
3 was right at the window.

4 MS. : Your vantage point was of the
5 driver's side?

6 : Correct.

7 MS. Based on what you are
8 describing now. Okay. And so you see words were
9 exchanged and then what happened?

10 : The officer had words.

11 MS. : Okay.

12 : I seen him talking, but I
13 don't know what he had said. And then the next
14 thing I know, Mike Brown was lunging into the car,
15 like dived in and it was only from the waist up that
16 he was in the car.

17 MS. : What was your reaction when you
18 saw this?

19 : My honest reaction?

20 MS. : Yeah, absolutely.

21 I was cussing. At the time
22 I was just like, I actually even said to the guy, is
23 he F-ing crazy.

24 MS. : You can use the language, we
25 have heard worse, we've said worse.

1 : I said, is he fucking crazy.

2 MS. : Okay.

3 : And then it just starts
4 happening, I didn't say anything more than that.

5 After the gun went off, I did say damn and then I
6 said shit, and then I got really nervous.

7 MS. : I don't need a litany of curse
8 words you used. I just kind of want to understand
9 your reaction to what is going on. So you see, you
10 said lunge in and from how far down his body?

11 : To about his belt, naval.

12 MS. : Okay. And that's when, and
13 your reaction was one of, I guess, surprise, right?

14 : I had never seen anybody
15 treat an officer like that way before.

16 MS. : What was Dorian doing at the
17 time?

18 At that time he punched the
19 car door shut because he punched it with his wrist
20 and he punched it with his wrist, something gold
21 fell off his hand out of his right wrist I think.

22 MS. Let me ask you this. At what
23 point did the door open to get punched shut by
24 Dorian?

25 When did it open?

1 MS. : Yeah.

2 : After I heard the gunshot.

3 MS. : Okay. So when you're saying,
4 maybe I'm getting confused. When you are talking
5 about Dorian punching the door shut, that's after
6 the gunshot?

7 Before the gunshot.

8 MS. : Okay.

9 Once the gunshot went off,
10 Dorian took off.

11 MS. Okay. Let's back up a little
12 bit.

13 : I'm sorry.

14 MS. : No, no, no, don't apologize.
15 When you see the officer saying some sort of words
16 to Michael Brown, Michael Brown is by the door, was
17 the door open or closed?

18 : At that time the door was
19 shut.

20 MS. : Okay.

21 He attempted to open it,
22 because it did open, it did unlatch.

23 MS. : He, meaning who?

24 : The officer unlatched the
25 door.

1 MS. : How do you know it unlatched?

2 It started to open, you
3 could tell that it was definitely in the process of
4 opening.

5 MS. : Okay. And then how did it
6 close?

7 With Michael Brown's hands.

8 MS. : You are showing --

9 The base of his hands, he
10 shoved it shut the first time, and then the second
11 time he, I can't, I don't know. I don't know if it
12 was his fist or with his gut.

13 MS. : You are saying the officer
14 tried to open the door twice in a row?

15 : Correct.

16 MS. When did Dorian get involved
17 with that?

18 : That was right after the
19 second time he went up and punched the rear view
20 mirror.

21 MS. : Punched, meaning what?

22 : With his wrist, with his
23 right wrist.

24 MS. : So you are showing the side of
25 his hand?

1 The side of his wrist.

2 MS. : The side of his wrist?

3 : In a fist motion.

4 MS. : Okay. And then what did you

5 say about something gold?

6 : Something gold fell off

7 Dorian Johnson's wrist, the skinnier one.

8 MS. : Okay.

9 : And it fell on the ground.

10 MS. : And after that happened, is

11 that when --

12 : That's when the gun went

13 off.

14 MS. : When did Brown lunge into the

15 car.

16 : Okay. I'm sorry, you are

17 making me nervous.

18 MS. : I don't want to make you

19 nervous.

20 After the second time Brown

21 shoved the door shut, the second time, I don't know

22 if it was with his fist or with his, you know, with

23 his gut. And Dorian Johnson was standing there at

24 that time, he looked like he punched the rear view

25 mirror, but he ended up knocking something off his

1 right wrist and it fell on the ground.

2 He went to bend down to pick it up and
3 that's when Mike Brown jumped into the car head
4 first, but only went up to his naval into the
5 window.

6 MS. : Were you able to see what the
7 officer was doing when Mike Brown did that, when he
8 went through the window?

9 : He was getting punched.

10 MS. : How can you tell?

11 : Because Mike Brown's fist
12 kept going up and down. You knew he was getting
13 hit, even though he was all the way back.

14 MS. : When you say he was getting hit
15 all way back, you talking about who?

16 : The officer was being shoved
17 back.

18 MS. Okay.

19 As Brown was laying on top
20 of him from the waist up and Brown's fist was going
21 up and down on the side.

22 MS. : How were you able to see this
23 if when I asked you before you said Brown's body, a
24 lot of it was blocking the doorway of the car?

25 : He was in the car from here

1 up, bent over and the officer was laid back in the
2 car and Dorian was almost completely on top of him.

3 MS. : Dorian was?

4 : No, the heavier set one.

5 I'm going to stick with that if that's all right.

6 MS. : Whatever makes you feel --

7 I really don't know which
8 one is which.

9 MS. : I want you to describe this to
10 me in the way that is most comfortable for you.

11 Okay. I don't want you to think we are trying to
12 get any certain way out of you.

13 I need to go with the
14 heavier set and the skinnier one.

15 MS. : Okay. I don't want you to be
16 nervous at all. If at any time you don't want to
17 talk to us, we are not forcing you to.

18 : Right.

19 MS. : I don't want you to feel
20 uncomfortable or we're making you nervous, we just
21 want to know what happened, okay?

22 Right.

23 MS. : And you tell us in the easiest
24 way that you can, all right.

25 : All right.

1 MS. : If you want to use bigger one
2 and little one, that's fine.

3 Okay.

4 MS. : The bigger one you said was in
5 the window and the officer you said was leaning
6 back?

7 Right. And there's about
8 this much of a gap between Brown, the heavier set
9 one's body and the thing of the car, the window.

10 MS. : So there is a gap --

11 There is just enough of a
12 gap that you could see the heavier set one's fist
13 going up and down into the officer's face.

14 MS. : Okay.

15 Or into the officer's body,
16 put it that way because I didn't know where the
17 officer was getting hit until after the officer got
18 out.

19 MS. : All right. And so while this
20 is going on, what's your reaction?

21 At this time I was really
22 scared, but I was just kind of standing there, it
23 almost seemed fake at some point or whatever, and
24 now and then just disbelief.

25 MS. : Was the guy next to you, was he

1 saying anything to you?

2 At that time, no.

3 MS. : Were you standing next to him?

4 I was standing exactly next
5 to him.

6 MS. : Do you know his name?

7 No.

8 MS. : Did you ask him his name?

9 I didn't really care about
10 names at that point.

11 MS. : Okay. Did you know anything
12 else about him other than?

13 Green T-shirt, heavy set,
14 and braids.

15 MS. : Okay. Do you know, do you
16 happen to know the address near where you were
17 standing, did you look at the numbers?

18 No, but when you pull into,
19 down there and as soon as you go around the bend and
20 you start to see the buildings, it is the very first
21 building on the right.

22 MS. : Okay. All right. So let's go
23 back. You see the bigger one, these punching
24 motions and then what's the next thing that
25 happened?

1 : That's when I heard the gun
2 go off.

3 MS. : Okay.

4 And Dorian Johnson, the
5 skinnier one, took off towards the street that QT is
6 on.

7 MS. : Okay.

8 Heavier set one took off in
9 the opposite direction down towards into the
10 complex.

11 MS. : Okay.

12 And then the officer opened
13 the door, and he had his left hand on the left side
14 of his face and the gun was in his right hand, and
15 he was wobbling from foot to foot and he looked
16 confused, you know. He was kind of stumbling, or
17 whatever, like he wasn't with it, does that make
18 sense?

19 MS. : You're fine.

20 : He obviously had just got
21 hit.

22 MS. : You said obviously got hit
23 based on what?

24 : The way he was acting, it
25 just looked like he was dizzy.

1 MS. : Okay. When you say his left
2 hand, was it above his ears on his face?

3 : Get out of the car, right
4 hand was on the gun, so yeah.

5 MS. : Where was his hand, on his
6 face?

7 : Now, you got me confused. I
8 want to say the left side of his face, but now you
9 got me confused.

10 MS. : I don't want to confuse you.
11 It was like right up here.
12 (indicating)

13 MS. : You showing his entire palm.
14 : Yeah, he just had it up to
15 his head.

16 MS. : Up to his head?
17 Yeah.

18 MS. Was his palm from his mouth all
19 the way up.

20 Correct.

21 MS. : From what I can flap his head
22 from what you remember.

23 From what I remember.

24 MS. : Okay. And then what happened?
25 : And then he wobbled from

1 foot to foot, I don't know what he said. I remember
2 hearing or I'll shoot, but that's all I remember
3 hearing. And then that's when the heavier set one
4 turned around and faced him. And they were still
5 that distance away.

6 MS. : Had the officer, when the heavy
7 set one turned around, had the officer run or pulled
8 forward in his car or was he still by his war.

9 : He was still by his car. He
10 didn't go towards, Dorian, I didn't see him head
11 that way towards the heavier set one until after the
12 heavier set one turned around and proceeded, you
13 know, started to come this way.

14 MS. : Okay. So describe when the
15 heavier set one turned around, describe what he was
16 doing?

17 He turned around and he put
18 his hands out like this. (indicating)

19 MS. : That's, now, your hands are
20 here, your hands are kind of out at your sides.

21 It was like a football
22 thing.

23 MS. : Okay.

24 : They weren't like this.
25 (indicating)

1 MS. Your hands are clenched?

2 Right.

3 MS. : Out, but not up, is that fair
4 to say?

5 Correct.

6 MS. : They are out, but a little bit
7 higher than waist high?

8 : Correct.

9 MS. : And did he put his hands out
10 like that before or after he turned around?

11 : After he turned around.

12 MS. : What were his hands doing?
13 That's the easier way around it.

14 He looked like he was having
15 an attitude, he looked like my .

16 MS. : How so?

17 : What are you going to do.

18 MS. : That expression or that motion
19 he as he turn around.

20 : Correct.

21 MS. : What was your vantage point,
22 was your vantage point on him when he turned around,
23 was he facing you?

24 : At this time, yeah, when he
25 turned around, he was facing the officer, which

1 would have been facing this way. I was more in the
2 middle of the building and he was more at the
3 entrance of the parking lot.

4 MS. : When he turned around to get a
5 view of Michael Brown's front.

6 Correct. Left side, partial
7 front like, you know, like the side view.

8 MS. : Okay. As he was running away,
9 do you remember what he was doing with his hands?

10 : Just running, I mean it was.

11 MS. : You just demonstrated a
12 running.

13 Just running, yeah.

14 MS. : And his arms are pumping back
15 and forth?

16 : He pulled his pants up once,
17 I know that.

18 MS. : Did his pants appear to be
19 falling to you?

20 Yes.

21 MS. : How so, can you describe that?

22 He was half mast.

23 MS. Meaning what?

24 : His rear end was hanging
25 out.

1 MS. : Okay.

2 : He pulled them up twice
3 cause when he first got out of the car, when the
4 altercation stopped at the vehicle before he took
5 off running, he pulled them up as well.

6 MS. : Okay. Then he pulled them up
7 again as he running away?

8 And then he pulled them up
9 again as he was running down the street and then he
10 turned around and then after that he never pulled
11 them up again.

12 MS. : You said his hands were in like
13 a running position?

14 : Correct.

15 MS. : So then what happened?

16 After he turned around, he
17 was like that and then --

18 MS. : When you say like that, that's
19 the what you are going to do about it look?

20 What are you going to do
21 about it look.

22 MR. : When you do that, you've got
23 your hand and fists and are leaning forward.

24 He started with the attitude
25 and then he immediately went down into like that

1 football with the fist.

2 MS. : Okay. So what are you going to
3 do attitude his palms are open?

4 : Correct.

5 MS. : And then you said he shifted
6 into this like fist, like --

7 Well, because at this time
8 the officer actually had the gun pointed right at
9 him. I mean, it was obvious that he was getting
10 ready to do something.

11 MS. : Who was getting ready to?
12 The officer. I mean, when
13 the hand was on the gun, the hand was on the
14 trigger, he was ready to go.

15 MS. : Okay.

16 And he was focused. He no
17 longer had that confused just got smacked look, I
18 mean, he was determined to, you know, not --

19 MS. : So when this is all happening,
20 you are watching it. So the officer is in one
21 position and Michael Brown, the big one, is in
22 another position. Where are you, who are you
23 looking as you are describing what Brown is doing --

24 When Brown turned around
25 with the, what are you are going to do about it, or

1 whatever. And then I looked at the officer who had
2 his gun, and by this time he come to the back of the
3 SUV. I did not see him go there, when I turned back
4 to him he was already there.

5 And I looked back at the heavier set one,
6 and he had, by this time bent down in the football
7 position and had his fist made and he began to
8 charge at the officer.

9 MS. Okay.
10 : More of a head type first
11 thing.

12 MS. : Can you describe anything about
13 the heavier set guy, what he looked like, what his
14 facial expression was?

15 : At that time he just looked
16 like he was on something.

17 MS. : What makes you say that?
18 The officer just started
19 shooting him and he didn't do anything. He didn't
20 flinch, he didn't wiggle anyway and he just didn't
21 stop, he just kept going.

22 MS. : Okay.

23 And that is when I said to
24 the guy in the green shirt, I said, oh, my gosh, is
25 he ever go to F, you know, quit.

1 MS. : What did you say?
2 : I said, is he ever going to
3 fucking stop.

4 MS. : What did the man in the green
5 shirt say to you?

6 : If he said anything, I don't
7 know. I mean, it was more of just talking his
8 direction.

9 MS. : Okay.
10 : I mean, he just kept going.
11 And then the gun stopped and he was still alive and
12 if he would have just laid down, and then there was
13 like --

14 MS. : What?
15 A lot of blood.

16 MS. : Okay. So let's go back. The
17 guy starts charging at the officer and when did the
18 officer start firing the gun?

19 : After he turned around and
20 started charging after him.

21 MS. : Do you remember, did the
22 officer give any commands or say anything?

23 He did say something, but I
24 don't know what.

25 MS. : How about the big guy, the

1 heavy set guy?

2 : The heavier guy sounded like
3 he was grunting.

4 MS. : Okay.

5 Now, whether he was talking
6 and I wasn't understanding him, I don't know. To me
7 it sounded like grunts.

8 MS. Were there any pauses in the
9 shots?

10 Yes.

11 MS. : What sorts of pauses?

12 I don't remember the
13 sequence, but I know that there was at least what
14 seemed like a lifetime, but it was probably just a
15 few seconds between up until the last two shots I
16 mean, the shots kind of went boom, boom, four almost
17 right in a row it seemed like, but then there was
18 just enough of a pause and it was just, he wouldn't
19 stop.

20 MS. : What was he doing?

21 He was still going after
22 him, he was still charging, he was bent down more.

23 MS. : And we're talking about the
24 heavy set guy?

25 Correct.

1 MS. And what was the officer doing
2 while the heavy set guy is charging at him?

3 At that time he was, he was
4 standing completely still and he was in focus mode.

5 MS. : At any point did the officer
6 either come forward or come back?

7 He actually came back it
8 looked like, about two steps, there right before the
9 last two shots. It looked like he went back a
10 couple steps and then up one step and then it was
11 just boom, boom.

12 MS. : Tell me about the last shot?

13 That last shot, I didn't
14 like the last shot.

15 MS. : Okay. What about it?

16 Too much blood. And then he
17 went down and he went down face first and I just
18 wanted to leave, so I left.

19 MS. : Okay. Did you the guy go down
20 right away after the last shot?

21 : After the last shot, it was
22 like two shots, the first one he started to go down
23 and the second shot he was down.

24 MS. : Do you see where either one of
25 those shots hit?

1 The final shot, you know, I
2 didn't actually see where it hit, I just seen all
3 the stuff that come out.

4 MS. : Come out of where?

5 His head.

6 MS. : Did you notice any other
7 injuries?

8 I'm not saying there wasn't,
9 I can honestly say --

10 MS. : Okay.

11 I didn't pay any attention
12 if there was.

13 MS. : I understand you wanted to get
14 out of there, but you were at this point still
15 standing on the sidewalk, correct?

16 Correct.

17 MS. : So what did you do, did you
18 turn to the guy in the green shirt and say anything?

19 No, I just left, but I was
20 stuck in that parking lot.

21 MS. : Did you go right back to your
22 car.

23 : No, I went directly back to
24 my car. Not the spots that were up against the
25 building, but the spots that were facing that way.

1 MS. : Okay.

2 I know you are probably
3 turned around. When you come down you have the
4 first building here, you miss that first parking lot
5 and you have that second entrance. When you pull in
6 to the right and I parked facing into the
7 neighborhood.

8 MS. : Okay. Did you ever see that
9 other kid, again?

10 He went down towards the
11 street that QT is on.

12 MS. : West Florissant.

13 Yeah, I don't know the
14 street name.

15 MS. The street that you came
16 from?

17 : Correct. He took off his
18 shirt and he stripped down to a, my calls them
19 wife beaters. I don't know, the tank tops.

20 MS. : Did you see him actually?

21 : Yeah, he took that off right
22 away.

23 MS. : When did he, I know you said he
24 ran away, when did he reappear, when did you see him
25 again?

1 : He reappeared real close to
2 that guy in the green as I was leaving the parking
3 lot because when I was in the parking lot, I backed
4 up this way with my rear end towards the heavier set
5 body and I started to go this way, and he was like
6 right there at that time, he had just reappeared.

7 MS. : So how much time had passed
8 from the time of the final shot and to the time that
9 you saw this kid reappear?

10 : 15 seconds, 30 seconds. I
11 guess. I don't know. It is in 20, 30 feet for me
12 to get over to my car.

13 MS. : Okay. Did you notice him
14 changing his shirt?

15 He had taken his shirt off
16 and he had drawn it over his left shoulder.

17 MS. : You are positive it was him
18 or someone that looked like him?

19 No, I was positive.

20 MS. : And then what you are saying.

21 : Correct.

22 MS. : At any point did you see any
23 other police officers around?

24 There were two officers that
25 arrived, but I won't want to swear to when they

1 arrived. I remember two showing up, I remember one
2 having his gun drawn, but not firing his gun but I
3 don't remember because I don't remember when they
4 showed up.

5 MS. : What about the officer that
6 fired the shot, after he fired that last shot, what
7 did he do?

8 He looked like he was going
9 to throw up. He didn't look good. I mean, he just
10 didn't look, um, I don't know.

11 MS. : Not how he looked, like what
12 did he do, what were his actions?

13 : What was his actions?

14 MS. : He just fired the last shot and
15 what did he do?

16 I don't know, I was leaving.

17 MS. : He fired the last shot, you saw
18 the big guy fall to the ground.

19 Correct.

20 MS. And then what do you remember
21 about the officer?

22 Nothing really. I mean, he
23 just kind of, I mean, the shot went in and I left.
24 I didn't focus on anything or anybody any more after
25 that.

1 MS. : Okay. So you left, you went
2 back to the QT and asked for directions, correct?

3 : But I had to go through the
4 neighborhood.

5 MS. : When you asked for directions,
6 what did you ask for directions to?

7 To nearest highway, I wanted
8 any highway.

9 MS. : Okay.
10 And the guy told me to make
11 a right here and just go till you get to 270.

12 MS. : And why didn't continue to go
13 to your friend's.

14 I just wanted to go home. I
15 didn't want anything to do with anybody.

16 MS. : Okay.
17 I get on 270 and actually
18 went the wrong way and again, and then got off and
19 went back the other way.

20 MS. : When you got home, what did you
21 do?

22 When I got home, what did I
23 do. I locked myself in my house for like two weeks.

24 MS. : Why?
25 : Don't want to go outside.

1 MS. : Why?

2 : Just, that was just a lot of
3 stuff.

4 MS. : Can you explain to us what you
5 mean?

6 There's just a lot of blood.

7 MS. : A lot on the roadway that day?

8 Uh-huh. There was just,
9 this was just a lot.

10 MS. : I know, I don't know whether
11 I'm asking you a hard question or I'm asking a
12 question that should be obvious, explain to us what
13 you mean. You said you have kids, right?

14 : We have , but I only
15 have that still live in my home.

16 MS. : Okay. So when you say you
17 locked yourself in your house for two weeks, did you
18 literally not go out for two weeks?

19 No, I didn't leave my
20 complex for two weeks. I didn't have any
21 communication with anybody or go out. I took my
22 kids to and from school and took them to their
23 activities right there in

24 MS. : Did anybody in your family or
25 anybody that you know that you talked to anyone

1 about what you saw?

2 : I talked to my ex-husband,
3 but he swears up and down he doesn't remember the
4 conversation. So I don't know. But my ex-husband
5 is heavily medicated, so I can fully understand him
6 not.

7 MS. : Heavily medicated with what?

8 : He's and
9 he's on like three or four different medications.

10 MS. : Okay. When did you tell him
11 what happened?

12 : Almost immediately after
13 because I gave him step by step instructions on how
14 to get there and everything that happened.

15 MS. What do you mean?

16 : I told him everything. And
17 the first thing he said was, you know, better not
18 tell nobody.

19 MS. : Why not?

20 Because he doesn't want
21 anybody to cause any problems for the .

22 MS. : Why did you think your
23 would have problems?

24 By this time, I mean, this
25 was because that happened Saturday, this would have

1 been Sunday, and by this time you already had death
2 threats on whoever did it, I guess, is what he says.
3 I don't know, we don't have cable.

4 MS. You don't have cable, but do
5 you have the internet?

6 : Yes.

7 MS. : Do you look at the news at all?

8 : I did for about the first
9 week and then it drove me nuts and that's all there
10 is.

11 MS. : Did you consider reporting what
12 you saw to either St. Louis County or the FBI, it
13 took you a while to come forward?

14 It's been a long time. I
15 didn't consider it, not really at first.

16 MS. : Why?

17 : Because I didn't want
18 anything to do with it. In my opinion, and this is
19 just my opinion, I felt like the officer does his
20 job and it just kept going on, and on and on and on,
21 and it was like.

22 MS. : Yeah, well, I guess this is my
23 question. You said you were (inaudible) you know
24 where the attention was?

25 That is where I learned the

1 name and which one was which.

2 MS. : So not only was there a lot of
3 attention nationally and all of that, there was
4 actually riots going on and not far away from where
5 you live, right?

6 : Yeah, I -- I knew, I heard
7 about them.

8 MS. : My next question is right when
9 you came in earlier, you know, from your dad to come
10 in and do the right thing and that's why --

11 There is a difference.

12 MS. : All right. So explain it to
13 us.

14 You do what's right and
15 that's what ultimately made me come in. But at the
16 time I just, I mean, at the time I just didn't want
17 to be in the middle of it. I still don't want to be
18 in the middle of it.

19 MS. : I don't think nobody ever does
20 no matter what the investigation, right, whether it
21 gets media attention or not. But so -- so giving
22 what you're saying where your dad, you know, tells
23 you and all of that and doing the right thing, but
24 you're saying it never even dawned on you to come in
25 and report it?

1 I didn't say it didn't dawn
2 on me, I mean, yeah, because it's, you don't get
3 into the middle of an officer and his job. Do you
4 know what I mean? Does that make sense?

5 MS. : I understand what you are
6 saying, but yet --

7 : That's what finally broke me
8 was the fact that it just kept going and going and
9 going. Every time you logged onto Facebook or any
10 of the news websites, that's all there was. Nothing
11 existed but Ferguson.

12 MS. : Okay. What prompted you to
13 call St. Louis, that's what you did, right, you
14 called St. Louis County too, right?

15 Correct.

16 MS. : So what prompted you to call
17 them?

18 I actually called a few
19 times before that and then I guess I made a comment
20 that went too far.

21 MS. : What sort of comment?

22 I have no idea. I called
23 Clayton and made the comments, you know, about the
24 situation.

25 MS. : Like what, like what sorts of

1 comments? You don't have to tell me like word for
2 word.

3 : Just that the officer had
4 done his job and that, you know, he had been hit. I
5 don't know word for word, because this is back in
6 August.

7 MS. So you called Clayton, you
8 called Clayton where?

9 : From my cell phone.

10 MS. Okay. Did you call the police
11 department?

12 Clayton nonemergency police
13 department.

14 MS. : Okay. You did this how soon
15 after the shooting?

16 : Probably within the first
17 day or two, well, Tuesday, so one, two, I believe
18 the first three or four days.

19 MS. : This is why I'm confused.
20 Because first you are saying you didn't really
21 consider reporting it, but yet you were calling
22 information out and then commenting. So tell me
23 what's going on --

24 But when I commented, I did
25 not give them my name. I did not want anything to

1 do with it, it is a different type of violence, it
2 is a different type of people.

3 MS. : What do you mean?

4 The situation is scary.

5 MS. : We are not judging you at all,
6 we just need to know.

7 It is not the environment
8 that I grew up in.

9 MS. : What do you mean by that?

10 : It is just not the
11 environment I grew up in. I grew up, you know, from
12 the day I got at five. I grew up right
13 there by and that's where
14 I spent my whole childhood,

15 It was just different, you know.

16 I remember the day I got stopped for
17 jaywalking when I was 13 and the officer threatened
18 to turn me over my knee and take a belt to my rear
19 end, and that was just the way times were back then.
20 And we didn't dare tell them no, it was yes, sir, or
21 we caught it, you know, we got it. If we got in
22 trouble outside the house, we got in trouble inside
23 the house for disrespecting our elders or something
24 else.

25 So to me up there it is just not --

1 MS. You don't think there is any
2 repercussions for their actions, for anyone's
3 actions.

4 : What do you mean?

5 MS. : Well, you said an officer
6 stopped you for jaywalking and if you did something
7 wrong, you respected it. But if you got in trouble
8 there, you are getting in trouble at home.

9 Right.

10 MS. : And you're saying that's
11 different because people in North County don't have
12 responsibilities for their actions?

13 : It is not so much North
14 County as it is the times.

15 MS. For anyone?

16 The situation that I had
17 witnessed is not the same as what it was, is not the
18 environment that I live in.

19 MS. So you didn't want to tell us
20 --

21 : I didn't want anything to do
22 with it, I still don't. I know it doesn't make any
23 sense. I want to tell you because it is the right
24 thing to do. I don't because I don't want to get in
25 the middle of it.

1 MS. : And you're not alone, that's a
2 common feeling, like I said, for anybody that ever
3 witness's something. You have to spend the time
4 talking to police officers as well as prosecutors.

5 You guys are nice, but you
6 make me nervous.

7 MS. : I'm glad we are nice. Why do
8 we make your nervous?

9 Police make me nervous, and
10 you are higher than the police, that makes me a
11 little extra nervous.

12 MS. : We are trying to find out what
13 your motivation might be. As prosecutors,
14 especially, we have to try to figure out what kind
15 of case we have, if we can put a case together.
16 When we speak to witnesses, everybody has a reason
17 why they say something whether they're telling the
18 truth or they have other motivation behind it.

19 So when we have somebody who is telling us
20 what you are, takes you five weeks to come forward,
21 we just want to understand what was going through
22 you in those five weeks. That means you ultimately
23 say I am going to tell you who I am.

24 Honestly, this may sound
25 corny, but I did a lot of praying.

1 MS. : Okay. Tell us about that.

2 That's different from what you are saying now to us,
3 I didn't think about it, if you were praying about
4 it, you were thinking about it.

5 : I did do a lot of praying,
6 especially at night. And I had been staying up till
7 3, 4, or 5 in the morning. And then I wouldn't be
8 able to get up in the morning.

9 MS. What would you dream about,
10 what was your issue?

11 : Just going over what I had
12 seen step by step every night and just asking, you
13 know, I did go in and tell them this or I could go
14 in and tell them that, and not really have to get
15 involved.

16 And then the next day I would pray and I
17 would go like, I can't do that. Cause if I go in
18 there and tell them what I seen, you're going to
19 want to know everything.

20 MS. : So what were you concerned
21 about telling us?

22 Just, you know, I don't want
23 to tell you any of it.

24 MS. : Okay.

25 : I mean, it was just praying

1 do I tell them that I seen it, or did a friend see
2 it, or I don't know, I kept going back and forth.
3 But when I pray, I'm not one of these, my ex-husband
4 is Catholic. I'm not one of those, you know, the
5 rosary and the cross and the holy water. You know,
6 I lay in bed at night and stare at the ceiling and
7 just talk.

8 MS. : Okay. What ultimately made you
9 decide it was actually time to come forward?

10 Just seeing my dad. Not
11 seeing him physically, I mean, he's deceased.

12 MS. : Okay.

13 Just remembering that he,
14 you know, you do what, you do respect. That's it,
15 end of the line. You can screw up in life, we're
16 human, but you are to respect the law, you respect
17 your elders, you were always to speak the truth and
18 if you know something, then you are to come forward.

19 And it is not tattling, it's, you know.

20 : Did you say at the beginning
21 you talked to after this?

22 Correct.

23 : What did you tell her?

24 I told her I got lost up in
25 the Ferguson area and that's all I said. She never

1 really asked and we agreed that we would get back

2 together, but we never have, but she --

3 : Does she know at all about

4 this, about the shooting?

5 : I didn't tell anybody except

6 for my ex-husband.

7 : Why did you tell him?

8 I had already told my

9 ex-husband and he told me not to tell anybody and

10 then I never told anybody after that. I mean, I

11 live right next door to several county officers and

12 I never told them either so.

13 : And , she went to high

14 school with you?

15 : Correct. Not the earlier

16 grades, it is whenever, I think they call them

17 whenever they bring, you have no idea.

18 So it would have

19 been like 83, '84 when they started

20

21 : Okay. This is at

22

23 Correct, that's where we

24 met.

25 : is that

1 correct?

2 Correct.

3 : Was she the same year as you
4 in school?

5 Yes, but I had been held
6 back a year, so technically she would have been a
7 year younger. The way my birthday fell, I should
8 have graduated when I was 17, but because I was held
9 back in the first grade, I became 18.

10 : Okay. You mention you have
11 her number at home?

12 Correct.

13 : You have her email address
14 also?

15 At home, yes.

16 : You said you sent her an
17 email also after that?

18 Yes.

19 : Did you say anything in the
20 email about this?

21 I emailed her the day I got
22 lost. I got lost and I will get in touch with her
23 in a few days.

24 : Do you still have that
25 email, do you know?

1 : That way we don't have to
2 start it over and all that.

3 : Okay.

4 (Break in the interview.)

5 MS. ALIZADEH: At this point they take a
6 break for a few minutes. It is 12:06. said
7 your lunch was supposed to be here at noon. She's
8 not here, so I think she might have gone to go get
9 it. Do you want to fast forward past the break and
10 keep listening until she gets here or you want to go
11 to the bathroom and kind of --

12 How much time is left?

13 MS. WHIRLEY: We got through 55 minutes.

14 MS. ALIZADEH: About another 40 minutes.

15 MS. WHIRLEY: Do you know where to pick up
16 at?

17 (Continue recorded interview of
18)

19 When I get nervous I have a
20 tendency of cracking my knuckles, so I apologize in
21 advance. You are going to hear a lot of that later
22 on.

23 : So we just have some more
24 questions to just help us understand some stuff.

25 Okay.

1 : So can you describe again how
2 you left the complex after the shooting?

3 : Yeah. When I left, I went
4 first, second entrance, I went from here and went
5 over this way. I don't know, I'd have to look at a
6 map because I don't remember, you know, zigzag
7 because I popped out in the third parking lot is how
8 I popped out.

9 : You said something about a
10 circle that you went around?

11 : Right, well, I went to the
12 right and then I know I went to the left, and then I
13 went down a bunch of different streets and I ended
14 up on the street that went like this.

15 : Okay, a circle.

16 But you can drive around it
17 and if I remember correctly, it was a parking lot,
18 like you can park, but you drive around it. And
19 then there's some buildings right here and I turned
20 that way and then I made a left and that street
21 dropped me off on the side of QT.

22 : Here is the problem that we
23 have.

24 That's what I remember.

25 : You are saying you came into

1 the apartment complex from the direction that QT WAS
2 in, right?

3 Right.

4 : And you pulled out of the
5 lot and then you saw all of this?

6 Well, I couldn't, I'm sorry,
7 what?

8 : And you saw all of this that
9 we've talked about, right. You go back to your car
10 and then when you went to leave there, did you turn
11 the opposite way of the way you came in or did you
12 go back the way you came in?

13 I couldn't go the way I came
14 in.

15 : Why is that?

16 : It was blocked.

17 From the police incident,
18 the shooting incident?

19 Right. Here is the building
20 and the entrance and another, you know, you had the
21 parking lot here and here, or whatever, and building
22 right here. And the officer's car was here and the
23 heavier set Brown was like here, there was no
24 getting in and out of this parking lot.

25 : Okay. So where you were in

1 the parking lot was past where the body was and
2 where the police car was, so you had to go the
3 opposite direction of the way you came in?

4 Right, I had to go out, I
5 popped out over here in this third parking lot.

6 : Uh-huh.

7 Or whatever..

8 : Okay.

9 Well, you couldn't go in or
10 out. You couldn't go back the way that you came
11 into the apartment complex; is that right?

12 I couldn't go back to the
13 street QT was on, no.

14 Okay, that's what I'm asking.
15 So you couldn't go back the way that you came. So
16 you went the opposite direction --

17 : I went into the --

18 : You went further into the
19 complex?

20 Correct.

21 And then back there you were
22 able to find a way out onto the street where QT is.

23 Right, correct.

24 : And that was around a circle
25 drive?

1 I remember the circle drive.
2 I don't know all the different streets I took.
3 Because I zigzagged through there for about 15 or 20
4 minutes going up and down streets. I remember a
5 couple that dead end into parking lots and you go
6 down it and just dead end into a building, and then
7 I would turn around and go back.

8 You never came back there, I'm
9 sorry.

10 MS. : I'm sorry, you said dead end
11 into a building, what kind of building?

12 Apartment building. If you
13 go down and you make --

14 MS. How many story apartment?

15 I don't even know. I just
16 turned around.

17 MS. : It was at least two or three
18 stories?

19 I just turned around. I
20 went down to that stop and I made a left and then I
21 know I made the first left and that's where I
22 couldn't go. Because I had to turn around and I
23 went back and I went, I don't know where I went.

24 MS. : Was it all Canfield
25 Apartments, they all look pretty similar?

1 At that point, yeah, they
2 all look the same to me. I don't know, I just
3 wanted out of there. But I didn't go back to the
4 street that QT is on the same way I went. I ended
5 up way over here.

6 MS. : I just want to explain to you
7 a little bit, you understand that part of what we do
8 here is we have to evaluate, you know, basically
9 every statement a witness gives us, correct?

10 : Correct.

11 MS. So part of us doing that is
12 just why we are going through that with you is just
13 saying, okay, you were here and turned around and we
14 know you were here.

15 Because sometimes people will say how does
16 she know what happened she actually was never there,
17 she doesn't live in the area. What we are trying to
18 establish right now is that you, in fact, were
19 there, okay?

20 Okay.

21 MS. : That's just why we are
22 asking.

23 Okay. I can't give you step
24 by step instructions.

25 MS. : That's not what we are

1 asking.

2 I just know for a fact that
3 it wasn't the same way I came in.

4 : Our job as prosecutors, you
5 know, we're trying to decide, you know, we're among
6 the people who would decide whether this case is
7 charged or whether it is not or whether it would go
8 to trial or not, okay?

9 : Okay.

10 So we have to evaluate
11 witness as we sit here.

12 : She's making me nervous like
13 I told her the wrong way.

14 : Oh, no.

15 I only know I went that way.

16 : We're not worried about the
17 details when you turn left or right whatever.

18 : Okay.

19 : There are a few things that
20 do concern us some, okay, and just to be upfront
21 with you.

22 Okay.

23 : We want to let you know that
24 basically what you are telling us is that you went
25 further down into the apartment complex and you were

1 able to get out that way without going back the way
2 you came?

3 Correct.

4 : There is no way out that
5 way, that's the thing. We've got investigators who
6 have been up there plenty and know all of those
7 streets and --

8 Yeah, there is because when
9 you go around that thing, there is buildings and
10 buildings and you go right through that parking lot.

11 : Uh-huh.

12 And it pops out on a street
13 that goes along the QT.

14 MS. : Right now, here is kind of a
15 map of the area. I think that's the circle you are
16 talking about, here is Canfield Drive, here is the
17 way -- you can't get, there is a blockade here and
18 there is a blockade there. The only way to get out
19 once you go down this street is to go all the way
20 down here.

21 And it has been that way a long time, long
22 before August 9th and it is that way today. You
23 cannot get out through that circle.

24 Okay. Well, I came out
25 right there because QT is right there.

1 MS. Right, correct, but you
2 cannot get there from these two streets, it is
3 impossible.

4 And there is around the
5 corner I went somewhere because --

6 MS. The street, the QT goes here
7 and you cannot get to those streets. There are
8 blockades, because we've had investigators try to
9 get out on Canfield and you just can't.

10 I don't know, I know for a
11 fact I popped out on the side of QT.

12 MS. : Okay.

13 I can't change that because
14 that's where I popped out at. How I got there, I
15 don't know, but that is how I came out.

16 MS. You have a tremendous level
17 of detail in some respects, but then very little
18 detail in very simple things that I'm not quite
19 understanding.

20 I don't know the area. I
21 apologize if I'm screwing it up, I just remember I
22 came out alongside QT.

23 MS. Right.

24 I know I didn't go the same
25 way that I did. Did I zigzag and end up how I got

1 there, I really don't know.

2 : That's just an example, I
3 mean, there are a few other things.

4 I could go back up there,
5 not that I want to, but I could.

6 : Let me ask you this, we
7 talked about your computer and your emails earlier.
8 You think after you leave here you can get us
9 email address and phone number?

10 Yes, sir.

11 : Would she tell us that you
12 were coming to see her that day?

13 Um, I don't know what she
14 would tell you, but she definitely tell you that I
15 had, we were going to, oh, yeah, okay.

16 Did she know to expect you that
17 day if we asked her to come in and we said to her,
18 were you expecting your friend to come visit
19 you on August 9th?

20 I don't know.

21 : What would she say?

22 She knows I was on my way.

23 : What were the two of you
24 going to do that day?

25 She has a the same

1 age as my and we really want the two kids
2 to meet, but I wanted to get to see her, I haven't
3 seen her since 1988.

4 Why do you hesitate about what
5 she'd answer, what would you expect to say?

6 Were you expecting? I don't
7 know if she'll remember if she was actually, because
8 it was nothing, we had her address, I told her I was
9 going to try to stop by. You know, did she really
10 expect me at a given time on that day? I don't
11 know. But she will be able to tell you that she
12 knew that I was headed that way that day after the
13 fact, does that make sense?

14 : She knew you were on your way?

15 I don't know what she knows.

16 : So you didn't make a plan --

17 It wasn't an actual, I will
18 be here at 2:00 p.m., I will be here at 1:00 p.m.

19 : Had you emailed her beforehand
20 to say I might stop by?

21 Yes.

22 : So that email should be on your
23 computer too?

24 Yes, ma'am.

25 : Would you give us permission to

1 look on your computer?

2 Yes.

3 : What if we looked at your
4 search history, were you doing a lot of reading
5 about the case and looking at articles about it?

6 I was for about a week or
7 whatever trying to find out as much information as I
8 could as far as, you know, where was it going.

9 : What about like in the last few
10 days or in the week or so?

11 It would have been just this
12 past week.

13 : Did you read about it in just
14 this past week?

15 As far as like what, are you
16 asking if I what?

17 : Did you do internet searches
18 about the Ferguson shooting, about Dorian Johnson,
19 about Michael Brown?

20 I did maybe one or two
21 searches about Dorian Johnson, that's the skinnier
22 one.

23 : Uh-huh.

24 (Stopping the audio recording.)

25 MS. ALIZADEH: This is Kathi Alizadeh. It

1 is 12:18 on October 23rd. We are going to go ahead
2 and break for lunch because your lunch is here. We
3 still have a good 20 some minutes maybe to finish
4 this statement. So rather than let you get hungry,
5 we are going to feed you. And go ahead enjoy your
6 lunch and let us know when you are ready to resume
7 and we will finish the playing of the statement and
8 then we'll have testify, all right.

9 (Lunch recess taken)

10 MS. WHIRLEY: We're resuming at
11 approximately 1:18 p.m. October 23rd, 2014. We're
12 resuming the statement of . We
13 stopped at 11237. And then it kind of skipped a
14 little bit. I'm at 11241. I'm going to try to get
15 back a couple seconds and see if that will be easy.
16 Sometimes not too easy. It is 11229 is as close as
17 I can get.

18 (Resuming of the playing of the audio
19 recording of after lunch recess.)
20 : I believe maybe one or two
21 searches about Dorian Johnson, that's the skinnier
22 one. And then when you do a search for any of that,
23 the easiest way to do is just type in Mike Brown
24 because everything comes up then.

25 MS. : You think you have done it in

1 the last few days?

2 Yes.

3 MS. : You did some searching before
4 you talked to the County detectives?

5 Um, yeah, yes, I'm sorry.

6 MS. : Do you remember a specific
7 articles that you read?

8 No, I don't do well reading
9 and this is why I told, that's why I was held back
10 and that's why I told the officer that I didn't
11 think I was the best witness.

12 MS. : All right. Can I ask you
13 something about that?

14 Because of the reading.

15 MS. : What do you mean about the
16 reading, why you wouldn't be the best witness?

17 Reading is
18 not the easiest thing.

19 MS. : Okay.

20 I mean, it's, it does not.
21 And then when I start to read the words get jumbled
22 and I get bored.

23 MS. : Okay.

24 : I don't know if that's
25 or what, but I become frustrated with it and I just

1 won't read it. I'll skip and I'll get hit and miss
2 stuff, and then I will just say forget it and I'll X
3 it out.

4 MS. : What about, do you take any
5 sort of like, is there any reason that medication
6 would affect your ability to remember things or
7 recall things or receive things?

8 I went to through the
9
10

11 MS. : Okay. You said somebody was
12 born in ?
13
14
15
16
17
18

19 MS. : You said
20 ?

21 It was a head-on collision.

22 MS. : Did you have a traumatic injury
23 from that?
24

25 MS. :

1 I had
2 and then the short term memory still is
3 affected, and then the word thought process, like
4 what's in my brain doesn't come out of my mouth
5 properly.

6 MS. : Can you tell me about the short
7 term memory, what kinds of stuff do you forget?

8 I get lost really easy.

9 MS. : Okay.

10 For a while it was really
11 bad. Like I would go for a walk, I grew up in
12 at the time of
13 the accident. And I took a two block walk to
14 and got lost and didn't know how to
15 get home.

16

17

18 MS. : How does that affect your
19 memory on a day-to-day basis?

20 On a day-to-day basis, I
21 will never remember your name, numbers are
22 ridiculous. I will never remember numbers. Unless
23 I deal with something day-to-day or it's a traumatic
24 experience, 99 percent of the time I will forget.

25 MS. : Okay. And so is it possible

1 that there were things you forgot from this that you
2 want to refresh your memory by looking at things to
3 make sure that your memory stayed intact for that?

4 You want me to look at
5 things?

6 MS. : No, I want to know was your
7 memory, does your memory problems affect --

8 My memory was affected by
9 where I was standing because I remember standing in
10 front of a building, with the parking lot and a
11 parking lot and a fire hydrant across the street.
12 But I kept, I remember being on the officer's
13 driver's side. But I could not remember, you know,
14 which parking lot or which way I went to get back to
15 QT.

16 MS. : Do you take medication?
17 Not any more. I used to
18 have to take

19 MS. : Do you take any sort of
20 medication now that would affect your ability to
21 remember things or --

22 No, no, I'm not on any
23 medication, no.

24 MS. : Okay. One of the questions I
25 have was the guy that you spoke to that you were

1 going to ask directions for, what did you say he was
2 wearing?

3 Heavy set, green shirt with
4 braids.

5 MS. : Okay. So you know before
6 had mentioned there were things we were having
7 trouble kind of putting the pieces together and in
8 your previous statement when you spoke to the guy
9 you described this guy as wearing a, the same color
10 wife beater shirt.

11 That's what Dorian Johnson
12 had on.

13 MS. : Okay. You also said that the
14 guy that you were talking to was wearing that wife
15 beater shirt.

16 Okay. I don't, I know he
17 had a green shirt and he was heavy set.

18 MS. : Okay.

19 I might have talked to
20 somebody else.

21 : The searches online that you
22 may have seen, does this look familiar to you at
23 all? Would you have seen that if you were
24 searching, does that look familiar to you?

25 Yes.

1 : Okay.

2 Because I was trying to
3 figure out if that was the gold thing that I had
4 seen.

5 : Okay.

6 : That's what I asked you before,
7 right, that's what I was wondering if you used -- if
8 you looked or used the article.

9 I'm sorry.

10 MS. Did you look online to remember
11 things?

12 Yes, yes, ma'am because I
13 remember the gold thing and the officer's car. I
14 remember it coming off, a gold thing coming off
15 Dorian's right wrist and, yeah, I remember looking
16 at this.

17 : Okay. So what did you search
18 to get to that article?

19 I have no idea, Mike Brown,
20 Mike Brown shooting or Mike Brown shooting in
21 Ferguson.

22 I think I searched the name Darren Wilson
23 a couple of times because I was trying really hard
24 to figure out how

25 You know,

1 but other
2 than that, I've never searched.
3 : Did you say earlier
4 the friend that you were going to go by her house,
5 you
6
7 : Is that when you
8 ?
9
10 : Okay, all right.
11 : How did you guys get in contact
12 initially?
13 Facebook.
14 : Okay.
15 She's on my friends list.
16 : Okay. So you know what,
17 (inaudible) you give us to look at?
18 : Facebook, oh, yes, ma'am.
19 : Okay. That's just an article
20 we're showing you.
21 : Can we take one more quick
22 break, I don't want to take up a lot of your time.
23 If we just pause for a minute, we'll be right back,
24 okay.
25 Okay.

1 (The interview takes a break at this
2 point.)

3 (Resuming of the audio interview of
4)

5 : , we're going to wrap
6 things up here in just a minute, thanks for your
7 time.

8 Okay.

9 : you know what, we have
10 been through your account, obviously, especially the
11 news article we just showed you. You know what,
12 here is the thing, I know there's so much been going
13 in the community around here and people that just
14 want to help in either way. And so I just need to
15 ask, what you told us sounds a lot like what we have
16 read in the newspaper.

17 I haven't read any of that,
18 I swear to God on a stack of Bibles, I looked at
19 pictures to try to figure out which way I left the
20 neighborhood and where I was parked.

21 : We know that you looked at that
22 article that we just showed you because we just
23 showed --

24 I looked at the picture, I
25 swear, I swear I did not read any articles.

1 : We know that you read articles,
2 and that's fine.

3 Well, no, like this, I know,
4 yes, I looked at that, I looked at that multiple
5 times because I was trying to figure out if that's
6 the gold thing that I seen.

7 : What we are trying to
8 determine here, and you're not in any kind of
9 trouble.

10 I swear I have not --

11 : That's fine. You are not in
12 any kind of trouble. What we need to be able to do
13 out of fairness to you and out of all of the
14 witnesses to this, okay, is just to be able to tell
15 you is what you are telling us doesn't add up in
16 with some ways, okay.

17 Okay.

18 : And that's our concern.
19 Listen, I know this has been all over the media,
20 it's been all over the internet. And you talked
21 before about how you did go back, and you know, it
22 is human nature to want to go back and look at
23 what's going on about this thing, okay.

24 Right.

25 : Our concern is that maybe

1 you were very much sort of emersed in going through
2 this on the internet, or whatever. And you're hear
3 and you think you are trying to help, but maybe that
4 you didn't see everything that you said that you
5 saw, okay.

6 And it is important for us to be able to
7 determine who is telling us exactly what they say
8 and who might have just seen some things and sort of
9 put those together.

10 I'm not 100 percent sure
11 where I was parked.

12 : That's fine, we're not
13 concerned about where you were parked.

14 Refresh my memory on where I
15 was parked and the MapQuest that you showed me, when
16 you do get down and get close, I used that to help
17 me figure out how I got out of there.

18 : Right, that's our concern is
19 because on a map it looks like you could get out the
20 way that you've described.

21 I don't know how I got out.

22 : Yeah, I understand that.

23 Those are details, okay. The point is are you
24 100 percent sure that you were up there that day.

25 That's our big question, okay. If you're not sure

1 about that, we just need to know that, all right?

2 I was there that day, I just
3 don't remember how I got in and how I got out. I
4 don't remember, you know, I didn't hear words that
5 were said or anything like that. I remember, can I
6 look at this?

7 MS. : Yeah, go ahead.

8 I remember looking at this
9 because I was trying to figure out if that was the
10 gold thing, what it was. And then I remember
11 watching that a half dozen times.

12 : Did you comment on this
13 article, did you send any comments?

14 : When this first happened, I
15 made comments for the first few weeks. Some were
16 really obnoxious, some were pretty vulgar and then I
17 realized that that is not the Christian thing to do.

18 You talking about actually
19 typing comments?

20 On Facebook.

21 : On Facebook, okay.

22 : What sort of comments did you
23 make?

24 I used the N word a few
25 times, a half a dozen times. I used the F word a

1 few times. I was not, I was having a hard time
2 dealing with what I did see and trying to remember
3 things that I knew I seen, but I couldn't remember.

4 : That's what we're worried
5 about. It is understandable you said you have
6 memory problems, if you are trying to fill in the
7 gaps by using the internet and reading things, is
8 that possible.

9 That is possible. I know
10 what I seen though, I know that I seen the
11 altercation in the car and I know I seen the shot
12 that killed him.

13 : But a lot of what you told
14 us today you've actually had to fill in the blanks
15 because your memory problems by looking at the
16 internet.

17 As far as where I park and I
18 how I got in and out, yes. And where I was
19 standing, I remember being in front of that building
20 and the only thing I remember is there was a fire
21 hydrant right across the street, that I do remember.

22 MS. Did you notice any other cars
23 in the area, any other people standing around?

24 When I left over here, when
25 I was over here, there was a really nice yellow car,

1 really nice.

2 MS. It the parking lot or in the
3 street?

4 Half and half. It was like
5 it had pulled in this way, because I couldn't get
6 out that way at first.

7 MS. Out of the third parking lot?
8 Correct.

9 MS. I'm talking about in the
10 area, a lots of people were in that area and you
11 said you saw lots of people around, but other than
12 that guy you were standing right next to as you are
13 watching this scene unfold, did you see cars on
14 either side of the street because it is noon,
15 there's going to be cars there that want to come
16 through.

17 There was that and then over
18 here there was a white car, I think it was a
19 two-door and then there was that really nice yellow
20 car. I remember thinking it was really sweet.

21 MS. Right behind the white car,
22 two-door car.

23 : No, I remember the yellow
24 car being in the third parking lot. Like it just
25 had pulled in.

1 MS. So the white two-door car,
2 was that really close to where?

3 There was another car there
4 too because that entrance was blocked, I could not
5 go out right away.

6 MS. : The third entrance?

7 Correct. The white car with
8 the two door --

9 : this is something
10 else I want to ask you about. These pictures here,
11 neither of those are your car, right?

12 No, I remember being it like
13 white.

14 : I'm talking about your car,
15 would that be your car?

16 Oh, my car. What kind of
17 car is that?

18 : What kind of car is yours?.

19

20 : That's like a small sort of
21 station wagon?

22 Yeah says it's a
23 station wagon.

24 : Okay. But neither of these
25 is your car; is that right?

1 : No, sir. Doesn't look like
2 it, I don't have tinted windows.

3 : Okay. And these are two
4 different cars here.

5 : I thought you were asking me
6 what it looked like the car that I seen.

7 : Yeah, no, I'm talking about
8 your car. Neither of these pictures is your car; is
9 that right?

10 No, sir. My car that was I
11 in was there.

12 : It is actually out there
13 today, right?

14 Yes.

15 : It's a --

16

17 :

18 It is a

19 And that's the thing is, we,
20 you know, were aware of your previous statement and
21 the investigators went back and pulled pictures of
22 any cars that would have been going down the
23 street when all of this happened that day. There
24 doesn't appear to be any car that matches the
25 description of your car. That was another concern

1 that we had as it appears that this car was not
2 there at the time that this happened.

3 Okay, well, I was there.

4 : How do you explain that?

5 I don't know how I got in
6 and out. I don't know what cameras took pictures.

7 : Okay. Is it fair to say at
8 least that at least some of your account you have
9 had to go back and find that information on the
10 internet in order to fill in the blanks; is that
11 right?

12 Yes, sir, because like here
13 I was trying to figure out if that was the gold
14 thing I seen. This one I remember looking at
15 because I was trying to figure out which hand it was
16 because I knew it was the hand that had nothing on
17 it.

18 : Okay. But some of the
19 details in your account you have had to go back on
20 the internet to get those details?

21 Not what I seen, just
22 details as far as the way cars were positioned, yes,
23 and where I was located and how I got in and out of
24 the parking lot.

25 : Some of the other things

1 that you talked about, the bracelet and those
2 things?

3 Well, the bracelet I
4 remember. That I know that he had on and I watched
5 that come off and I don't know if that's it or not,
6 but that's what I was looking for, yes. I was
7 trying to figure out where (inaudible) and so forth.
8 I couldn't remember if it was the right or the left.
9 I couldn't remember actually where it landed, but I
10 do remember it fell off his wrist cause I remember
11 him trying to pick it up.

12 I remember looking at this, I'm sorry,
13 because I was trying to figure out what parking lot
14 I was in.

15 : Okay. You are talking about
16 a picture that's in the article that we showed you?
17 In this one?

18 : Yeah.

19 Is that the same article? I
20 was more into the pictures.

21 : Okay.

22 Because I was trying to
23 figure out, you know, because there's the first
24 building parking lot, parking lot and there is a way
25 to get over to this third parking lot.

1 : All right.

2 So I don't know, I mean, I
3 don't know how I got out. I mean, I could have
4 ended up going in circles and I could have ended up
5 going over here, I don't know.

6 MS. : Just kind of go onto after it
7 happened, you were making some comments, you were
8 really angry. You said you used the N word, what
9 kind of comments would you make when you used it?
10 Word for word?

11 MS. Uh-huh.
12 They need to kill the
13 fucking niggers. It is like an ape fest, and then,
14 it just, it is just not right. It is just not
15 right. So I put my, focused my energy into with a
16 couple of Wilson supporters and we made
17 and we
18 have been collecting donations and we have schools
19 making homemade Christmas cards.

20 : You are doing what you can
21 to help Darren Wilson?

22 Right, I quit posting on
23 any, you know.

24 MS. Okay. But when you did post,
25 can you give me that user name you used? Did you

1 just use your ?

2 Yeah, I don't Twitter, I

3 don't know how.

4 MS. Okay.

5 I think I have Twittered

6 three times in my entire life.

7 MS. : And is your name on ,

8 is it?

9

10

11 MS. :

12 Yeah, my is

13 the blue, .

14 MS. The

15 : . I have no

16 idea what my banner is.

17 MS. : You said EIN number, what is

18 that?

19 MS. : Social Security account

20 number for a business.

21 Right, you can apply through

22 the IRS and make it nonprofit. If you are going to

23 buy and sell and do things, then you need something

24 called a C-3.

25 MS. You got all of that?

1 I don't need a C-3 they said
2 because we're not doing that, all we're doing is
3 straight up collecting donations for, like we have
4 is making homemade Christmas cards.

5 MS. : Okay.

6 is
7 decorating homemade Christmas box.

8 MS. How many people are in this
9 organization that you formed?

10 Three. There is myself,
11 and she is in my cell phone, and then
12 another girl that keeps saying she wants to be in
13 it. I have a ton of emails with her, but her
14 husband won't let her. Her name is

15 MS. : what?

16 I don't know.

17 MS. : Do you have position in this
18 organization, there is two of you?

19 Two of us are the

20

21 MS. : Okay.

22 And the EIN number things is
23 in my name.

24 MS. : What's the
25 name?

1 I can't --

2 : In coming in here and
3 talking to us, are you trying to help Darren Wilson
4 by talking to us here today?

5 I don't know if that helps
6 him or not.

7 : Okay. You mention before
8 that your husband,
9 is that right?

10 Uh-huh.

11 : Have you had any kind of
12 similar issues at all?

13 I was diagnosed as
14 when I was 15.

15 : Okay.

16 I'm not medicated for that.
17 That is one of the things that they say later on in
18 life they said

19 Which also interferes with my ability to
20 focus on reading and so forth.

21 But as I got older and worked my way
22 through therapy.

23

24

25

1 : Okay. Listen, it was good
2 to meet you today and thank you for your time.

3 I'm sorry if I wasted --

4 : No, you didn't --

5 I know what I seen, I know
6 you don't believe me. As far as being out there, I
7 know I probably searched too much to try to refresh
8 my memory.

9 : It is not a matter of believing
10 you, it is difficult when you say to us that you are
11 posting things online that people might consider
12 racist.

13 It is racist and that's why
14 I turned to the other thing.

15 : So you are posting racist
16 things online and you are telling us, you know, and
17 you are telling us, you know, your account and then
18 there are videos that doesn't show your car. And
19 then there is a map that shows you couldn't left the
20 way you left from.

21 I don't know how I left.

22 : But, obviously, we find out
23 what people's motivations are when you say you
24 posted things online that are racist and you come in
25 here and tell us an account that supports Darren

1 Wilson. We're not saying --

2 Well, it is not for Darren

3 Wilson, it is all first responders. Because we do

4 fire department, we do EMS, or whatever, and local

5 law enforcement. We do not focus, we do not post on

6 Darren Wilson.

7 : You raised money for Darren

8 Wilson.

9 No, we're doing it for the

10 local law enforcement that have been dealing with

11 the riots, not Wilson himself.

12 : All right. But as you said

13 in your first statement, I mean, you may not be the

14 best witness because of your memory problems and the

15 other issues that you have.

16 Right, oh, I know that.

17 : Okay.

18 And in part why I didn't

19 come forward.

20 : Okay. I know you said that you

21 think we don't believe you, but do you think overall

22 we treated you fairly here today?

23 Oh, I do yes, ma'am. I have

24 no problems with, you all make me nervous as heck.

25 : Okay.

1 I have no problems with law
2 enforcement, even the officer that was forced to
3 arrest me when I grabbed the wrong checkbook.

4 : Okay. Did we force you to say
5 anything you didn't want to say?

6 No, ma'am.

7 MS. : Okay. I'm going to end the
8 recording. The time 3:52 p.m.

9 MS. WHIRLEY: So that ends the recording
10 of It is approximately 1:43 p.m.
11 October 23rd, 2014. Let me go get that witness.

12
13 of lawful age, having been first duly sworn to
14 testify the truth, the whole truth, and
15 nothing but the truth in the case aforesaid,
16 deposes and says in reply to oral
17 interrogatories, propounded as follows, to-wit:

18 EXAMINATION

19 BY MS. ALIZADEH:

20 Q Could you please introduce yourself to the
21 grand jurors?

22 A My name is

23 Q And do you go by

24 A Yes.

25 Q How old are you,

1 **A**

2 **Q** And whereabouts do you live?

3 **A**

4 **Q** Did you grow up in St. Louis?

5 **A** Since the age of five, yes.

6 **Q** Okay. And I'm going to stand back here.

7 That's because the microphone that's there is not
8 going to amplify your voice. If I can't hear you,
9 then I know they can't hear you. So make sure you
10 keep your voice up loud enough all the way back
11 here, okay?

12 **A** Okay.

13 **Q** Now, you know why you are here
14 today, correct?

15 **A** Correct.

16 **Q** And you and I had a brief discussion,
17 well, earlier today and just now before you came in,
18 right?

19 **A** Yes.

20 **Q** And you had originally made a statement
21 with St. Louis County Police Department detectives;
22 is that right?

23 **A** Yes.

24 **Q** That was when, do you recall?

25 **A** No, ma'am.

1 **Q** If I said September 11th, does that sound
2 about right?

3 **A** I have no idea.

4 **Q** Okay. And then just yesterday you met
5 with some FBI agents and assistant U.S. attorney and
6 an attorney from the Department of Justice and you
7 talked to them a little over an hour and a half; is
8 that about right?

9 **A** Yes, that's correct.

10 **Q** Okay. Now, when you and I met prior to
11 your testimony, I told you how this was going to
12 work in here. That you are going to be under oath
13 and I'm going to ask you questions and Sheila may
14 ask you questions, Miss Whirley, the attorney there
15 you had already met, and then the grand jurors get
16 to ask you questions, okay?

17 **A** Okay.

18 **Q** Did I stress outside to you how important
19 it is that you tell the truth?

20 **A** Yes.

21 **Q** And did I tell you that if you lie under
22 oath, if you intentionally lie under oath to this
23 grand jury, did I tell you what the consequences
24 would be?

25 **A** Yes.

1 **Q** I told you that that's a crime and
2 considered perjury?

3 **A** Yes.

4 **Q** Do you intend to tell the truth to the
5 grand jury today?

6 **A** Yes.

7 **Q** All right. So, why don't you start
8 out by telling the grand jurors back on August 9th
9 of this year, were you still at that time living in
10

11 **A** Yes.

12 **Q** And when we say I assume we
13 are all thinking

14 **A** I guess.

15 **Q** It is not ?

16 **A** Oh, no.

17 **Q** County?

18 **A** Yes.

19 **Q** The

20 **A** Yes.

21 **Q** All right. Was there anything special
22 about that day, that morning, did you have any
23 particular plan or was there something going on?

24 **A** I went to go and I wanted to meet up with
25 an old friend of mine from high school.

1 **Q** And what's the name of this friend?

2 **A** Her name is

3 **Q** And how long have you known all
4 through high school or just at the end of high
5 school?

6 **A** We met in our freshman year of high
7 school.

8 **Q** Were you friends in high school?

9 **A** Yes.

10 **Q** Did you maintain your friendship after
11 high school?

12 **A** Not really. We went our separate ways
13 until we reconnected .

14 **Q** How long ago was it that you reconnected
15 with ?

16 **A** Well, I got my in 2010,
17 so it would have been shortly thereafter.

18 **Q** So you've been communicating with
19 for about four years?

20 **A** Here and there, not on a good friend type
21 basis, no. I mean, , quick messages,
22 you know, she sent me some pictures of her daughter.

23 **Q** All right. And did tell you where
24 she lives?

25 **A** She lives in .

1 **Q** In is the City of St. Louis
2 County?

3 **A** It's in , yes.

4 **Q** Okay. So what made you decide to visit
5 on the 9th?

6 **A** We had talked about getting together and
7 we kept postponing it and I decided I was going to
8 go meet up with her because I wanted to see her and
9 spend time with her before we let our children meet.
10 She has a the same age as my .

11 **Q** And what age is that?

12 **A**

13 **Q** And so why is it that you needed to meet
14 up with her before you would let her meet
15 your , I mean, they're old?

16 **A** I hadn't seen actually hadn't
17 face-to-face seen her since .

18 **Q** And so was there some concern that maybe
19 you didn't want your to be socializing with
20 ?

21 **A** No, I'm just cautious over where my kids
22 go and there are other friends that I have from high
23 school that have drug addiction problems and so
24 forth. I just make sure that before I let my kids
25 go anywhere, I go first.

1 **Q** Did you think that had a drug
2 addiction?

3 **A** No, no, but it's just the way I am. I
4 have to go and I have to see the house, I have to
5 visit and make sure that it is where I want to leave
6 my child for a play date or whatever.

7 **Q** So did you ever consider inviting to
8 come down to your house? I mean, your house, you
9 would know your house is a safe environment, right?

10 **A** The last time I had spoken, actually
11 spoken to her, she did not have a vehicle.

12 **Q** All right. So did you then have your
13 with you on that Saturday when you were
14 going to go visit

15 **A** No.

16 **Q** And so how is it that you and had
17 arranged for this get-together on Saturday?

18 **A** I had told her I was going to pop in on
19 Saturday and she said that was fine.

20 **Q** And was there any other detail about this,
21 like you get there around noon or it would be in the
22 afternoon or?

23 **A** We were going to have lunch together.

24 **Q** Were you, did you go someplace for lunch
25 or have lunch at her place?

1 **A** Have lunch at her place, I guess, but it
2 was never discussed.

3 **Q** All right. Now, is married?

4 **A** No.

5 **Q** Does she have other children besides her
6 old?

7 **A** Not that I know of, not that I've ever
8 heard, no.

9 **Q** So what is her old
10 name?

11 **A**

12 **Q**

13 **A** Yes.

14 **Q** And do you know where she goes to school?

15 **A** No.

16 **Q** What does do?

17 **A** I have no idea.

18 **Q** Is she employed?

19 **A** I have no idea. We haven't been that
20 close since . We were really close through high
21 school and then we went, like I said, we went our
22 separate ways, other than a quick chat here and quit
23 chat there.

24 **Q** You've seen her , I guess,
25 correct?

1 **A** Correct.

2 **Q** Does she post things about herself on her
3 ?

4 **A** Here and there and her .

5 **Q** So you have seen, does she say anything
6 where she's employed, how you can fill out your bio
7 on your

8 **A** I have no idea. I've never looked at the
9 about part of it.

10 **Q** What about a telephone conversation, have
11 you had a telephone conversation with

12 **A** Just one, two.

13 **Q** When did that happen?

14 **A** One happened towards the end of July and
15 then again August 10th.

16 **Q** What was the reason for those
17 conversations?

18 **A** The first one was I was going to come up
19 and just pop in, we could have lunch and I got lost
20 as all get out and I didn't make it.

21 **Q** So the one in July was in order to plan
22 for this, was it a vague plan that you made on the
23 phone conversation in July, or did you say on
24 Saturday the 9th I may pop in?

25 **A** I just said around on that weekend I was

1 going to try to pop in, would she be around. And
2 she said, yes. Because that was a scheduled weekend
3 for my kids to go with their dad.

4 Q So driving from all
5 the way up north, I mean, that's not right around
6 the corner, obviously?

7 A Right.

8 Q Did you call her before you left to make
9 sure it was still on or that she was going to be
10 home?

11 A No.

12 Q What about, when you guys made this plan,
13 did she give you directions on how to get to your
14 house?

15 A I Googled it to a point and then got basic
16 directions. But I misunderstood the directions and
17 I misunderstood where she lived, so I had it all
18 wrong.

19 Q Had you used Google Maps before?

20 A I have.

21 Q You know when you put in an address of
22 where you're starting, an address of where you're
23 stopping, of where you're going to, it gives you not
24 only a step-by-step, turn-by-turn direction, but it
25 always gives you a map that shows you where you are

1 going, right?

2 **A** Correct, but I had put in the wrong
3 address.

4 **Q** How is it, did you have the wrong address?

5 **A** Yes.

6 **Q** Did give you the wrong address?

7 **A** No, I wrote it down wrong. It is
8 something I do.

9 **Q** So do you recall what the address was that
10 you had written down?

11 **A** The one I had written down at home I think
12 was , but I'm not 100 percent sure.

13 **Q** So you put that address in Google, did you
14 print out directions or get directions?

15 **A** I got directions. No, I did not print it
16 out.

17 **Q** Why not?

18 **A** Because I don't have a printer.

19 **Q** Now, we've already heard that said that
20 you have problems with your memory, did you write
21 down the directions?

22 **A** I wrote down basic directions, not the
23 entire length, no.

24 **Q** Now, we know that you didn't get to your
25 friend that day, correct?

1 **A** Correct.

2 **Q** And you didn't have a cell phone with you
3 when you drove up there, right?

4 **A** Correct.

5 **Q** So how is it that you know that you have
6 the wrong address for

7 **A** How do I know I had the wrong one?

8 **Q** Yeah, you just said that you put the
9 address in but it was the wrong address.

10 **A** Because I never found it. And when I got
11 up there I was told that they didn't know what I was
12 talking about or that address wasn't around that
13 area.

14 **Q** So you assume that meant you wrote it down
15 wrong?

16 **A** Correct. It's common for me.

17 **Q** So did you have a cell phone at this
18 point?

19 **A** I had an inexpensive phone that I had
20 given my old that was using.

21 **Q** So you set out on your own by yourself?

22 **A** Yes.

23 **Q** Drove up to North County?

24 **A** Yes.

25 **Q** From your home ?

1 **A** Yes.

2 **Q** Did you tell anybody that you were going
3 up there like, you know, your other children, a
4 friend or neighbor, hey, I'm going to go up to visit
5 my friend in this afternoon?

6 **A** I don't know that I told them I was going
7 to , I said I was going to visit a friend.

8 **Q** Who did you tell that to?

9 **A** Everybody, that lives upstairs and a
10 woman named that lives in the complex.

11 **Q** So weren't you at all concerned, well, let
12 me ask you this, are you familiar with North County?

13 **A** No.

14 **Q** Do you know the streets and the places up
15 in North County?

16 **A** I know basic directions, but no, not
17 really.

18 **Q** So were you at all concerned that you were
19 going up to North County and to a place that you
20 were really not familiar with to visit a woman you
21 haven't seen in, I don't know, since ?

22 **A** I know it sounds silly, but no, I do it
23 all the time.

24 **Q** And so when you got up there, when is it
25 that you first realized that you didn't know where

1 you were going?

2 **A** I don't remember the name of the street.

3 I think it was Florissant Road, I had gotten off the
4 highway and I had gone all the way down that street.

5 **Q** So which highway did you get off of?

6 **A** I guess it is still called 270 up there.
7 I get on at and follow it up.

8 **Q** Do you remember what exit you got off at?

9 **A** No.

10 **Q** The name of the street?

11 **A** No.

12 **Q** So when is it that you realized that you
13 didn't know where you were, right when you got off
14 the exit?

15 **A** About a block after the exit I decided I
16 better stop and ask for directions.

17 **Q** So did you?

18 **A** I went down a ways and asked for
19 directions at QT.

20 **Q** About how far did you go down West
21 Florissant before you stopped at the QuikTrip?

22 **A** I don't know because I went right a couple
23 times and then popped back out onto that other road.
24 So I don't know how far down it was.

25 **Q** So you stopped at QuikTrip and you talked

1 QuikTrip you take a left?

2 **A** Yes, that's my short term memory problems,
3 yes.

4 **Q** So then where did you go after you turned
5 left off of, onto West Florissant from the QuikTrip?

6 **A** Another immediate left.

7 **Q** All right. Where did you go after that?

8 **A** That's when I ended up in there.

9 **Q** When you turn, when you pulled out of the
10 QuikTrip, did you pull directly onto West
11 Florissant?

12 **A** It is not that side street, I turned onto
13 the busy road. I guess that was West Florissant. I
14 don't know the street names.

15 **Q** All right. And then you found yourself,
16 you turn left and you were, where were you when you
17 turned left, why is it that you turn left?

18 **A** Because I had felt like I went the wrong
19 way.

20 **Q** Okay. So you were going to turn around?

21 **A** Yes.

22 **Q** So what street did you turn onto, was it
23 the street that led you into the complex?

24 **A** Yes.

25 **Q** So when you first turn onto that street,

1 when you are on West Florissant when you turned onto
2 that street, did you turn right or left?

3 **A** Left.

4 **Q** All right. And so when you then, as soon
5 as you turn onto Canfield Drive off of West
6 Florissant, is that where the apartments are?

7 **A** No, I went down past a few streets first.

8 **Q** Are there apartment buildings or
9 businesses or restaurants or do you recall?

10 **A** I don't remember. I just remember I went
11 down and went past a couple of streets on, I believe
12 it was the right-hand side.

13 **Q** Why would you go past those streets, why
14 wouldn't you turn around, you turned onto Canfield
15 so that you could turn around and go back to 270,
16 didn't you?

17 **A** Yes.

18 **Q** You didn't turn around when you had an
19 opportunity to turn around?

20 **A** I don't -- yes, correct. I don't make U
21 turns in the middle of the street and I don't pull
22 into people's driveways. When I realized the
23 apartments were there, originally, I thought I was
24 just going to turn around in the parking lot and
25 decided to ask for directions again.

1 **Q** So the map that is right here to your
2 right is Grand Jury Exhibit Number 25. Do you
3 recognize this map, the streets, the buildings, does
4 that look familiar?

5 **A** I recognize the buildings, yes.

6 **Q** Okay. Do you see this street that kind of
7 snakes across the whole map, you see that is
8 Canfield Drive?

9 **A** Correct.

10 **Q** To reference and orient you, West
11 Florissant is over here. (indicating)

12 **A** Okay.

13 **Q** And that's to the left side of the map and
14 back here is --

15 **A** The complex.

16 **Q** Well, you are driving further east at that
17 point, okay?

18 **A** Right.

19 **Q** So is it this street that you came onto
20 into the complex?

21 **A** Yes.

22 **Q** Can you use that laser pointer and tell me
23 how far you got before you stopped your car?

24 **A** Before I stopped it?

25 **Q** Where did you go?

1 **A** I parked right there. Right where that
2 car is. (indicating)

3 **Q** Okay. So you drove east on Canfield, did
4 you turn right then on Caddiefield Road?

5 **A** Yes.

6 **Q** You put the laser pointer right here?
7 (indicating)

8 **A** Right, I pulled into that one. There was
9 a lot of vehicles, there was vehicles there that
10 didn't look like, you know, they were busy and the
11 parking lot was full, so came down to this one.

12 **Q** So you took the second right?

13 **A** Correct.

14 **Q** Once you were in the complex?

15 **A** That's what I believe, yes. I was lost by
16 then and that's where I believe I was, yes.

17 **Q** All right. And so when you first pull
18 into the complex, you know, I know that you said
19 that you first saw a police vehicle and there was
20 some boys?

21 **A** Correct. Well, I had already gotten out
22 of my car.

23 **Q** All right. So when you pulled in here and
24 turned right, I have to go like this, right turn
25 onto Caddiefield, at that point you hadn't seen the

1 police vehicle or the boys?

2 **A** I don't know if the boys were there or
3 not, I wasn't paying any attention. I was paying
4 attention to just parking and I had not seen the
5 officer.

6 **Q** As you drove down this way, if there was a
7 couple of guys walking in the middle of the street
8 you would have noticed them, wouldn't you?

9 **A** No.

10 **Q** In the middle of the street?

11 **A** People do that all the time everywhere.
12 You just watch out for them, you don't hit them and
13 you don't pay attention to who they are.

14 **Q** So if there were people walking in the
15 middle of the street, you wouldn't have paid
16 attention to it?

17 **A** I would have paid attention, you know,
18 making sure I didn't hit them. I would not have
19 paid attention to who they were.

20 **Q** Do you remember if there people, boys
21 walking in the middle of the street?

22 **A** There were people walking in the middle of
23 the street down here and then there was people
24 walking in the middle of the street up here. I
25 don't remember if there was some right there or not.

1 **Q** Okay. The people that were walking in the
2 middle of street up here. (indicating)

3 **A** Yes, they were young.

4 **Q** What does that mean?

5 **A** They looked young, under 18. And I won't
6 ask an under 18-year-old for directions, I won't
7 roll up on a child.

8 **Q** Were they boys, girls, ten of them, two of
9 them?

10 **A** Just two boys.

11 **Q** Two boys?

12 **A** They were just walking.

13 **Q** Which direction?

14 **A** Towards that way. (indicating)

15 **Q** They were walking west?

16 **A** Correct.

17 **Q** Toward West Florissant?

18 **A** Yes.

19 **Q** Were they in the street or on the
20 sidewalk?

21 **A** They were in the middle of the street at
22 that time.

23 **Q** Okay.

24 **A** But when I came down around the corner
25 they stepped off to the side.

1 **Q** Those two boys that you saw, were those
2 the two boys that you later describe at the police
3 vehicle?

4 **A** I don't know. They looked young to me, I
5 don't know.

6 **Q** You don't think it was the same?

7 **A** They looked like teenagers. I don't know,
8 I can't say if it was or if it wasn't. I just
9 remember there were two boys there at that time.

10 **Q** So you drove, continue to drive and turn
11 right onto Caddiefield Road, you said you saw some
12 people walking in the street around this area, which
13 would be somewhere between Coppercreek Court and
14 Canfield Court?

15 **A** Correct.

16 **Q** Were they boys, girls, how old, how many?

17 **A** Two or three. I don't remember, I didn't
18 really pay much attention and they look like girls.

19 **Q** All right. So what did you do after you
20 turned onto Caddiefield Road, did you park in a
21 parking spot or did you stop your vehicle?

22 **A** I parked in the parking spot right there.

23 **Q** Okay. Show me again?

24 **A** In these parking lot spots.

25 **Q** Okay. So right around here? (indicating)

1 **A** Yes.

2 **Q** So somewhat on the southeast side of
3 Caddiefield Road?

4 **A** Correct.

5 **Q** And then you say you got out of your car?

6 **A** Correct, because there was a whole lot of
7 people right there and I walked up to the one.

8 **Q** Why did you get out of your car?

9 **A** Main reason was to ask for directions and
10 then I decided to have a cigarette, so I got out.

11 **Q** At this point you know you're lost, you
12 know you turned off of West Florissant and drove
13 straight down Canfield Drive.

14 **A** Correct.

15 **Q** You are trying to find 270, right?

16 **A** Correct.

17 **Q** Why would you just not turn around here
18 and then go back up to West Florissant?

19 **A** My memory on my directions does not work
20 like other people.

21 **Q** Well, you knew your friend was expecting
22 you?

23 **A** Right.

24 **Q** You were going to have lunch with her.

25 You had no way to call her and say, hey, I'm going

1 to be late because I'm stopped, I'm lost, and I'm
2 stopping to have a cigarette, but you just decided
3 to get out of your car and stop, ask directions and
4 have a cigarette?

5 **A** I stop to ask for directions and I went
6 ahead and lit a cigarette, yes. At that time on
7 that day I did not smoke in my vehicle.

8 **Q** Who did you ask for directions?

9 **A** I asked a gentleman that was standing
10 under the tree.

11 **Q** I'm guessing you didn't know him, you
12 haven't seen him before?

13 **A** No, ma'am.

14 **Q** Was it a black man, a white man, Hispanic?

15 **A** African -- black man, African-American.

16 **Q** Teenager, older than me?

17 **A** I remember him being older.

18 **Q** Okay. What did you ask him?

19 **A** I asked him if he knew how to get to the
20 nearest highway. I figure if I can get to any
21 highway, I'd be fine.

22 **Q** What did he tell you?

23 **A** He started to give me directions, but he
24 was looking in the direction of that way as he was
25 talking, so I did not hear him. And that is when

1 all of that other stuff --

2 Q Have you lit your cigarette at this point?

3 A Yes, I have.

4 Q So you're standing there, he's giving you
5 directions, but he's not talking directly at you so
6 you can't hear what he's saying?

7 A Right, right, I could not get step-by-step
8 instructions when he was looking the other way.

9 Q Did you have a piece of paper and
10 something to write with?

11 A No.

12 Q You were just going to try to remember
13 what he was going to tell you knowing that you have
14 a problem with directions and short term memory?

15 A Yes.

16 Q So what happened then when you were
17 standing there talking to this man?

18 A That's when the officer drove up, which
19 I'm not 100 percent sure, I want to say he was like
20 approximately right there when I seen him and he was
21 talking to the two boys. His mouth was moving and I
22 don't know what he said. Then he started to pull
23 forward and when he was about here, he started to
24 back up.

25 Q So you're standing about somewhere in this

1 area under a tree?

2 **A** Correct, like right there. (indicating)

3 **Q** Right at 2960; is that right?

4 **A** Okay, yes.

5 **Q** Does that say 2960, hang on?

6 **A** I can't --

7 **Q** Hold, please, yes 2960.

8 **A** Okay.

9 **Q** So it was right in front of here?

10 **A** Correct.

11 **Q** And so where did the police officer come
12 from?

13 **A** From this way. (indicating)

14 **Q** And what was he driving?

15 **A** It is a big vehicle. I didn't know what
16 kind of vehicle it was at the time. It is a marked
17 police car.

18 **Q** Is it a sedan, is it a van, is it a pickup
19 truck?

20 **A** I know now it is an SUV, at the time to me
21 it was just a bigger vehicle.

22 **Q** Okay. So when he drove up, where does he
23 stop the vehicle?

24 **A** I don't remember the first time. The
25 first time he just drove up and like around this

1 area and said something to the boys and then drove
2 on.

3 Q So where were these boys he stopped and
4 talked to?

5 A In the middle of the street.

6 Q Where did they come from?

7 A I was talking to that other guy, I have no
8 idea.

9 Q It wasn't these kids?

10 A It wasn't those because I believed that
11 they were female.

12 Q It probably wasn't these guys since these
13 guys, they were walking that direction?

14 A I don't know.

15 Q So you don't know where those boys came
16 from?

17 A No, ma'am.

18 Q So when the officer pulled up on them,
19 were they on the side of his vehicle?

20 A I don't remember the first time, the
21 second time they were, they were on the driver's
22 side when he backed up. I didn't pay much attention
23 to anything until the second time around.

24 Q What do you mean the second time around?

25 A When the officer put the car in reverse.

1 **Q** So the officer stopped, talked to the
2 boys.

3 **A** He said something, I don't know what he
4 said.

5 **Q** Did the boys look like they were talking
6 too or did they just keep walking?

7 **A** It wasn't paying any attention to them.
8 He rolled up on them, he slowed down or stopped, I
9 don't know.

10 **Q** And then what happened?

11 **A** His mouth moved and then he started to
12 pull forward and didn't go forward very far and then
13 he put it in reverse and came back.

14 **Q** All right. When he put it in reverse and
15 came back, did he do that quickly, slowly,
16 leisurely, did he spin his tires, did you hear the
17 screech of tires when he backed up?

18 **A** I don't remember. I just know I was
19 talking to that guy. I looked, the officer was
20 talking to him. I looked back to the guy and then
21 something caught my attention and I looked back over
22 there and he was coming in reverse.

23 **Q** So when he reversed, were the boys still
24 in the street?

25 **A** When I looked over there, when he came in

1 reverse, it was like his car was like that and they
2 were at his driver's side.

3 Q So did they stop or were they still
4 walking when he backed up on them?

5 A When I looked back over there they were
6 stopped.

7 Q And how was the officer's car parked, I
8 mean not parked, I know it wasn't parked. How was
9 it when it came to stop?

10 A Like not straight on the street, like he
11 was backing into on the curb.

12 Q So whereabouts was the vehicle when it came
13 to a stop?

14 A I'm not 100 percent sure, but around this
15 area right here. (indicating)

16 Q So if the vehicle had been traveling that
17 direction.

18 A Correct.

19 Q When it came to a stop.

20 A It was pointed --

21 Q I want you to use this. Come up here and
22 show me, I know this is way bigger than the vehicle,
23 but if the vehicle is traveling like this when it
24 came to a stop, how was it?

25 A Just like that. Like it was backing up to

1 the curb slightly with the head of the car going
2 that way.

3 Q Was the front of the car still in the
4 correct lane, the right side lane?

5 A I don't remember, I believe so.

6 Q What about the rear of the vehicle, was it
7 in the other lane at this point?

8 A I don't remember. I know it was like he
9 was backing up to the curb area.

10 Q So do you recall what, tell the jurors
11 what happened then, after he backed up and the boys
12 were at the side of the car?

13 A He said something, I don't know what he
14 said and then the next thing I remember the heavier
15 set one was in the window from his naval up.

16 Q His naval being his belly button?

17 A His belly button.

18 Q So his upper body was inside the police
19 vehicle?

20 A Correct.

21 Q Do you see inside the police vehicle?

22 A No.

23 Q Before he, before the bigger guy put his
24 upper body in the police vehicle, could you see
25 inside the police vehicle?

1 **A** Before?

2 **Q** Yes.

3 **A** Just the side view of the back, side view
4 of the officer.

5 **Q** Was it a man or a woman?

6 **A** It was a male.

7 **Q** White or black or Hispanic or something
8 else?

9 **A** White.

10 **Q** Uniform?

11 **A** Yes.

12 **Q** What color?

13 **A** Blue.

14 **Q** Did he have a tie on his uniform?

15 **A** I don't remember.

16 **Q** How about long sleeves or short sleeves?

17 **A** Don't remember. All I seen were the
18 shoulders.

19 **Q** Well, at some point you see him get out of
20 the car, right?

21 **A** Yes. I don't, I didn't look into the
22 detail of what they were wearing.

23 **Q** How about the officer, was he wearing a
24 hat, like his policeman's hat or a baseball cap?

25 **A** No. The other guy was wearing a baseball

1 cap.

2 Q Which other guy?

3 A The heavier set African-American.

4 Q What color was it?

5 A Red.

6 Q What color were his shorts?

7 A Khaki.

8 Q How about his shirt?

9 A I don't remember, I think it was white,
10 but I'm not 100 percent sure.

11 Q How about the officer, what color were --
12 did he have shorts or long pants on?

13 A The officer? I don't know, I wasn't
14 focusing on him, I was focusing on the heavier set
15 African-American because of what he was doing.

16 Q How about were his pants darker than his
17 shirt, same color?

18 A Who?

19 Q Lighter than his shirt?

20 A I don't remember.

21 Q So after you saw him back up, you saw the
22 bigger guy put his upper body inside the vehicle,
23 what did you see happening then?

24 A I just seen his right hand moving up and
25 down.

1 **Q** Whose right hand?

2 **A** The larger, the African-American, larger
3 one.

4 **Q** Could you tell what it was doing?

5 **A** No.

6 **Q** What about the other boy, what was he
7 wearing, what did he look like?

8 **A** At that time he had a black T-shirt on and
9 he had, his hair was braided.

10 **Q** Braided?

11 **A** I believe, I mean.

12 **Q** What about, what was he wearing?

13 **A** I don't know what color shorts he had on.

14 **Q** But you remember shorts?

15 **A** No, I mean, I don't remember from the
16 waist down, I don't remember the bottoms, I only
17 remember the dark shirt.

18 **Q** So what was the smaller kid doing?

19 **A** When he first went in, when the officer
20 tried to open the door, the heavier set one pushed
21 it shut with his hand open. The second time I don't
22 know if he punched it with his hands or with his
23 stomach. And then by the time he punched it shut
24 the second time, the skinnier one punched the rear
25 view mirror or the mirror that's on the side of his

1 car with his wrist.

2 Q So the skinnier one was up by that side
3 mirror, are you talking about the side mirror?

4 A Yes, right outside the door.

5 Q Did it break the mirror?

6 A Something fell off his wrist and I believe
7 that the mirror broke, yes, but I can't remember now
8 at this point 100 percent sure.

9 Q Did you see glass on the ground?

10 A No, I seen something gold fall off his
11 wrist.

12 Q Off of the skinnier guy's wrist?

13 A Correct.

14 Q And you remember it being gold?

15 A Correct.

16 Q And then what happened then?

17 A He went to bend down to pick it up and
18 that's when I heard the gunshot.

19 Q The skinnier guy went to pick it up?

20 A He went to pick up whatever fell.

21 Q The gold thing?

22 A Yes.

23 Q Did he pick it up?

24 A No, I don't think so. I don't remember if
25 he did or not. I just remember he went down too as

1 he's picking it up.

2 **Q** So were there other cars at this point
3 behind the officer's car or in front of the
4 officer's car, you remember seeing other cars?

5 **A** I only remember seeing, really focusing on
6 two other cars. There were other cars there yes,
7 there were other people there yes, but the two that
8 caught my attention was a white two-door that was
9 catty-corner that was across like approximately
10 right there, in this stretch. And then there was
11 a -- at that time that was the only car I seen. And
12 then after it was all over I seen a really nice
13 yellow car, like a sports car.

14 **Q** That yellow car had nothing to do with
15 what's going on?

16 **A** No, those are the only two vehicles that
17 really, and the white one caught my attention
18 because it was in my eyesight the other one was
19 because of the type of car it was.

20 **Q** What about any vehicles in front of the
21 police officer's car, did you see a blue truck?

22 **A** (Shakes head.)

23 **Q** Minivan?

24 **A** (Shakes head.)

25 **Q** Don't remember?

1 **A** Don't remember.

2 **Q** So what happened then if you get to the
3 point where after the gunshot went off, you said you
4 heard a gunshot?

5 **A** Correct.

6 **Q** What happens then?

7 **A** The skinnier one took off running in that
8 direction.

9 **Q** Toward West Florissant?

10 **A** Yes. And then the other one, he stood up
11 and pulled his shorts up and ran this way.
12 (indicating)

13 **Q** So he ran right past you?

14 **A** Correct.

15 **Q** Was he running in the middle of the
16 street, on the sidewalk, on the grass?

17 **A** He wasn't in the sidewalk or the grass,
18 but he wasn't really in the middle of street. He
19 was like coming, you know, he ended up in the middle
20 of the street, but he started over here and went
21 this way. (indicating)

22 **Q** When you first heard that gunshot ring
23 out, did you recognize it as a gunshot?

24 **A** No, I had never heard a gun before other
25 than on TV. Common sense told me it was.

1 **Q** So after you saw the bigger guy running
2 away from the police vehicle, what did the officer
3 do?

4 **A** He got out of his car and he had his left
5 hand on his face and the gun in his right hand and
6 when he stood up, he was wobbling from his left foot
7 to his right foot. He said something, I don't know
8 what he said. All I remember hearing is the word
9 shoot. I didn't hear any other words before that.
10 And he had his hand on his gun and he was pointing
11 it right at the larger of the African-Americans.
12 And after he said the word shoot, that's when the
13 young man turned around.

14 **Q** The young man, the bigger guy?

15 **A** Yes.

16 **Q** And when he turned around, did he have his
17 hands up?

18 **A** When he first turned around, he turned
19 around with his hands swinging and they were more
20 down like this with his palms open in the form of an
21 attitude that you get from a teenager. Like, you
22 know, what are you going to do about it.
23 (indicating)

24 **Q** Okay. When he swung around then he, point
25 with the laser pointer where he was when he turned

1 around?

2 **A** Approximately like right there.

3 (indicating)

4 **Q** So, again, that's like right in front of
5 you?

6 **A** Correct. I've more over here though, but
7 yes.

8 **Q** Did you see any bullet injuries on him at
9 that point, blood on his shirt?

10 **A** I was not looking.

11 MS. WHIRLEY: Excuse me, 2:30.

12 MS. ALIZADEH: You all want to ask
13 questions now and then if we can't finish today,
14 we'll see if she can come back on another day, is
15 that all right?

16 I'm going to let them ask you some
17 questions, see if we can finish up today.

18 Anybody have any questions?

19 So we heard your recorded
20 statement earlier, okay.

21 : Yes, ma'am.

22 In that recorded
23 statement you admitted to posting that stuff that
24 was racist.

25 Yes, ma'am.

1 Were you posting racist
2 stuff before this incident?
3 : No, ma'am.
4 So you have never made
5 any kind of racist remarks?
6 No, I've never posted on
7 Facebook any racial remark.
8 But you have made racist
9 remarks?
10 : Yes, ma'am. I don't like to
11 be considered racist. I try very hard. And I know
12 for a fact my children are not, but does it sound
13 with my language and my behavior that I am racist?
14 Yes, ma'am, but it's not something I approve of, if
15 that makes sense.
16 : Honestly, no, but that's
17 okay. You were going to see an African-American
18 friend, you said was a very good friend?
19 : Correct.
20 The weeks following this
21 incident, you didn't call her until the next day,
22 but in your recorded statement you said that you
23 called her that day to tell her that wouldn't be
24 coming by. So which was it, you call her that day
25 or the following day?

1 : Now that I don't know, I'd
2 have to have my phone records checked.

3 Okay. You said that you
4 have some short term memory problems?

5 : Yes, ma'am.

6 In that you turned left
7 instead of right, did you get confused? Do you get
8 your left and your right confused because of your
9 short term memory problems or you not remembering
10 which way he told you to go?

11 : I wasn't remembering which
12 way he told me to go.

13 Okay. In the FBI
14 statement you said you saw an apartment complex, you
15 turned into the apartment complex because you
16 thought maybe this was where you miraculously found
17 out where your friend lived; is that right?

18 No, I turned into, I turned
19 left on that into there.

20 : Okay.

21 When I seen the apartments,
22 they looked like the apartments that my friend had
23 posted.

24 Okay. Because today you
25 said you turned into the apartment complex to turn

1 around to get to 270. Did you think they were your
2 friend's apartments or were you intending to turn
3 around?

4 : When I went in here, I was
5 attempting to go in there and turn around.

6 Okay.

7 And then I seen the
8 apartments and I thought that they looked like my
9 friend's apartment, but I still needed to ask for
10 directions.

11 Okay. I think we
12 established earlier that you passed up several
13 streets where you could have turned around?

14 Correct. I passed up two
15 that I remember.

16 You're lost.

17 Yes.

18 You admit you get
19 confused?

20 Yes.

21 You said you venture out
22 all the time not knowing where you're going?

23 Correct.

24 I'm just confused and I
25 find it hard to believe that you didn't take your

1 first opportunity to turn around. Can you help me
2 understand why that is?

3 Because I don't make U turns
4 in the middle of the street and I don't pull into
5 people's driveway.

6 Right, you said that, but
7 you said there were several streets that you passed
8 up. Could you not have turned around in some other
9 streets?

10 I only remember two.

11 : Okay. Two instead of
12 three?

13 Right. I only remember the
14 two streets and then when I come around the corner,
15 I was looking for a parking lot.

16 I do have other
17 questions, but I'll ask one more. You said you
18 could not see inside the car very well?

19 Correct.

20 But then you said you
21 could see the heavy set man's hands moving up and
22 down and you could tell he was punching him, and
23 this is according to what you said here and your
24 recorded statement. right?

25 Yes, ma'am.

1 Just a general question, I
2 guess.

3 MS. ALIZADEH: We can --

4 I guess for them too. On
5 August 9th after this happened when I got home, I
6 wrote everything down on a piece of paper, would
7 that be easier if I brought that in?

8 MS. ALIZADEH: Sure.

9 Sure, why not.

10 Because that's how I make
11 sure I don't get things confused because then it
12 will be word for word.

13 MS. ALIZADEH: Sure. Okay.

14 (End of the Grand Jury Hearing Volume 15.)

15

16 State of Missouri

17 SS.

18 County of St. Louis

19 I, , a Licensed Certified Court
20 Reporter by the Supreme Court in and for the State
21 of Missouri, duly commissioned, qualified and
22 authorized to administer oaths and to certify to
23 depositions, do hereby certify that pursuant to
24 Notice in the civil cause now pending and
25 undetermined in the County of St. Louis, State of

1 Missouri.

2 The said witness, being of sound mind and being
3 by the grand jury first carefully examined and duly
4 cautioned and sworn to testify to the truth, the
5 whole truth, and nothing but the truth in the case
6 aforesaid, thereupon testified as is shown in the
7 foregoing transcript, said testimony being by me
8 reported in shorthand and caused to be transcribed
9 into typewriting, and that the foregoing page
10 correctly sets forth the testimony of the
11 aforementioned witness, together with the questions
12 propounded by counsel and grand jurors thereto, and
13 is in all respects a full, true, correct and
14 complete transcript of the questions propounded to
15 and the answers given by said witness.

16 I further certify that the foregoing pages
17 contain a true and accurate reproduction of the
18 proceedings.

19 I further certify that I am not of counsel or
20 attorney for either of the parties to said suit, not
21 related to nor interested in any of the parties or
22 their attorneys.

23

24 -

25



1 COURT MEMO

2

3

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5 State of Missouri vs. Darren Wilson

6

7

8 CERTIFICATE OF OFFICER AND

9 STATEMENT OF DEPOSITION CHARGES

10

11 DEPOSITION OF Grand Jury, Volume XV

12

13 10/23/2014

14 Name and address of person or firm having custody of
15 the original transcript:

16

17 St. Louis County Prosecuting Attorney's Office

18 100 S. Central Ave.

19 Clayton, MO 63105

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21

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24

25

1 ORIGINAL TRANSCRIPT TAXED IN FAVOR OF:

2

3 St. Louis County Prosecuting Attorney's Office

4 100 S. Central Ave.

5 Clayton, MO 63105

6 Total:

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1 Upon delivery of transcripts, the above
2 charges had not been paid. It is anticipated
3 that all charges will be paid in the normal course
4 of business.

5 GORE PERRY GATEWAY & LIPA REPORTING COMPANY
6 515 Olive Street, Suite 700
7 St. Louis, Missouri 63101

8 IN WITNESS WHEREOF, I have hereunto set

9 STATEMENT OF DEPOSITION CHARGES

10 my hand and seal on this _____ day of _____

11 Commission expires

12 _____

13 Notary Public

14

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