

Case: State of Missouri v. Darren Wilson

Transcript of: Grand Jury Volume XVI

Date: October 27, 2014

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STATE OF MISSOURI

VS.

DARREN WILSON

GRAND JURY

October 27, 2014

VOLUME XVI

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1 GRAND JURY HEARING VOLUME XVI

2 MS. ALIZADEH: Good morning. This is
3 Kathi Alizadeh with the prosecutor's office. I
4 believe it is October 27th; is that correct? And it
5 is a little after it is 8:50 a.m. Sheila Whirley is
6 here, but she just stepped out to get the first
7 witness of the morning, who will be .
8 And all 12 grand jurors are present, as the court
9 reporter's also present and taking things down.

10 We just had a brief conversation before we
11 got started about transcripts and listening to
12 witness' statements, about best way to proceed with
13 that. And during our lunch break today, I'm going
14 to do everything I can to make sure I have
15 transcripts for statements. Some of our statements
16 do not have transcripts. We have played some
17 statements that we didn't have transcripts for and
18 we may now have those transcripts as they have all
19 been kind of getting done along the way. So I will
20 make sure that we have transcripts for all the
21 statements that we have for every witness.

22

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25

8 BY MS. WHIRLEY:

1 **Q** August 9th?

2 **A** Yes.

3 **Q** Do you remember that morning pretty well?

4 **A** Um, I remember some of it vaguely because

5 I do have like hard time remembering some things.

6 Some things I can remember.

7 **Q** Let me ask you a question though, when you
8 say you have a hard time remember things, what do
9 you mean?

10 **A** I mean that I can be talking about
11 something for a minute and then all of the sudden if
12 I'm sidetracked, I forget what I was talking about.
13 If somebody says something, then they can bring my
14 memory back.

15 **Q** Okay, all right.

16 **A** I'm just going to come out and tell what I
17 know.

18 **Q** And that's all we want, tell us what you
19 know.

20 **A** Okay. On that day I heard some shooting.

21 **Q** Well, let's start at the beginning. We
22 want to know, do you recall what you did the first
23 thing that morning?

24 **A** Yes, I got up, took my shower, cook me
25 some breakfast, I had two eggs, three pieces of

1 bacon that was turkey, two pancakes, a glass of
2 orange juice, milk and coffee.

3 **Q** Great memory. So you had that breakfast
4 and then what did you do?

5 **A** I took my meds, I took my morning meds, I
6 take meds for high blood pressure, my mood swings at
7 night, I didn't take that one. I took my hormone
8 medicine, I took my allergy medicine, Benadryl and
9 Claritin. And I also took, I can't remember the
10 name of it, but it is for when I be itching, it
11 ain't Benadryl, it is the other medicine.

12 **Q** Okay.

13 **A** I take it because I itch a lot with dry
14 skin.

15 **Q** Now, were you at home then, I'm assuming?

16 **A** Yes, I was home, yes. And after I did all
17 of that, I was watching television in my living
18 room, but I was watching some cartoons that come on
19 Saturdays and then I heard some shooting.

20 **Q** Let me ask this question. Where do you
21 live?

22 **A** I stay in .

23 **Q** Okay. And you see that pointer there,
24 that's a laser pointer, there's a button?

25 **A** Let me get these eyes on.

1 **Q** I have my on standby.

2 **A** Okay.

3 **Q** There's a button that you push. I don't
4 want to talk the same time you talk. I have to ask
5 a question and be quiet and then you can answer.

6 **A** Okay. is here.

7 **Q** Now, did you live in on August
8 the 9th of 2014?

9 **A** Yes.

10 **Q** You still live there?

11 **A** Yes.

12 **Q** Okay. So where were you inside --

13 **A** This is my address here

14 **Q** Okay. Where were you when you were
15 watching TV?

16 **A** In my living room.

17 **Q** Does your living room have a window?

18 **A** Yes. No, I don't have a window here, I
19 have patio doors.

20 **Q** Where does it face, what street does it
21 face?

22 **A** It faces the street I stay on, Coppercreek
23 Court.

24 **Q** So it faces this way? (indicating)

25 **A** Yes. Basically where you see the cars

1 right there.

2 Q Sort of west?

3 A Yes.

4 Q This is West Florissant over here?

5 A Yeah.

6 Q All right. This map looks familiar to
7 you?

8 A No, I don't look at maps.

9 Q But you can tell that's where you live
10 ?

11 A Yeah.

12 Q From this map?

13 A Right.

14 Q So you say you heard a shot?

15 A I heard shooting.

16 Q Shooting. About what time of day was it?

17 A Uh, it was around about like a quarter to
18 11:00, something like that.

19 Q You're not sure of the time?

20 A No, I really wasn't looking at the clock
21 like that.

22 Q Okay.

23 A But I did come out of my door.

24 Q Describe to me what you meant by you heard
25 shooting?

1 **A** Um, it sounded like fireworks, I say like
2 that. Sounded like gunfire.

3 **Q** How many shots?

4 **A** At the time that I heard it, it was like
5 four shots that I heard.

6 **Q** All right. So you heard four shots then
7 what did you do?

8 **A** Then I, I came outside and I went next
9 door, that's right here. that's where my
10 godson stays.

11 **Q** Your godson?

12 **A** Yes.

13 **Q** Was he at home?

14 **A** Yes, he was at home.

15 **Q** Did he have to open the door for you?

16 **A** No.

17 **Q** Did he have a key?

18 **A** No, I was on the, okay, like you got
19 certain levels of steps. So when I went up the
20 step, it is like a little porch like before you get
21 to the second level, and that's where I was at. He
22 was coming out of his apartment, coming out where I
23 was at. He came right there, I ran down to let me
24 get this thing back on. I ran down from here, I ran
25 down and I was like right here. (indicating)

1 **Q** Was anybody with you?

2 **A** No, not that I know of.

3 **Q** Your godson, he didn't do go with you?

4 **A** No, he was up on the porch at the time
5 that I know of.

6 **Q** Okay. Did it appear he was watching what
7 was going on too?

8 **A** Yes.

9 **Q** What is his name?

10 **A** His name is .

11 **Q** Okay.

12 **A** And so by the time I made it to where I
13 could see what was going on, Michael Brown was on
14 his knees.

15 **Q** So by the time, so you heard four shots?

16 **A** Yes.

17 **Q** And then you come down to Coppercreek
18 Court?

19 **A** Right.

20 **Q** And how far, where do you go?

21 **A** I was right in this part right here.

22 (indicating)

23 **Q** Near the intersection of Coppercreek?

24 **A** Yeah, I went all the way in.

25 **Q** And Canfield?

1 **A** I was like right here.

2 **Q** Is that a parking lot?

3 **A** Yeah, that's a parking lot.

4 **Q** All right. Near Canfield Drive?

5 **A** Yes.

6 **Q** And where did you see Michael Brown, you
7 said he was on his knees, where was he?

8 **A** He was in this area right in here.

9 (indicating)

10 **Q** On Canfield Drive?

11 **A** Yeah, he was on Canfield Drive.

12 **Q** Was he in street or in the grass?

13 **A** He was in the street.

14 **Q** All right. When you saw him on his knees,
15 what was he doing?

16 **A** He had his hands up like this.

17 (indicating)

18 MS. ALIZADEH: I was writing, I didn't see
19 what you did with your hands. Can you show me?

20 **A** He was on his knees was like this.

21 (indicating)

22 **Q** (By Ms. Whirley) You're showing that his
23 hands are raised up in the air, what, above his
24 head?

25 **A** It wasn't all the way up like that, it was

1 like, it was like this. (indicating)

2 **Q** Somewhat above his head?

3 **A** And that's when he started falling and
4 went on down.

5 **Q** Okay. So on his knees falling down when
6 you saw him. Were any shots being fired?

7 **A** Um, I saw the officer and before he was
8 like, Michael Brown was like falling down, the
9 officer shot him again and that's when he went down.

10 **Q** Okay. So let me make sure I understand.
11 You heard four shots, you come out onto the parking
12 lot on Coppercreek near Canfield, you see Michael
13 Brown on Canfield in the street on his knees with
14 his hands up above his head, but not straight up and
15 then you hear or you see one more shot to his head
16 did you say?

17 **A** Yes, ma'am.

18 **Q** And then he falls down?

19 **A** Yes, ma'am.

20 **Q** Which way does he fall?

21 **A** He falls face ward, not backwards like
22 this, he went forward.

23 **Q** So you heard a total of five shots?

24 **A** I heard more shots than that.

25 **Q** Okay. Tell me about the other shots that

1 you heard?

2 **A** Um, it was like, it was like, you know,
3 how you got a full automatic pistol and they go off
4 like, that's the way going like that. (indicating)

5 **Q** It sounded like a fully automatic pistol?

6 **A** Yeah that's what it sounded like.

7 **Q** That's what it sounded. How many shots do
8 you think you heard total?

9 **A** Total I heard 11 shots.

10 **Q** 11 shots?

11 **A** But it could have been nine shots because,
12 you know, echo.

13 **Q** Okay. So 9 to 11 shots?

14 **A** Yes.

15 **Q** You first, how many shots did you hear
16 when it first got your attention that somebody was
17 shooting?

18 **A** Four.

19 **Q** Four?

20 **A** Four.

21 **Q** And where were those others, I guess?

22 **A** I was constantly, as I was coming out, I
23 reached my son's porch, I heard like three or four
24 more shots. As I started running down, I was still
25 hearing shots and then when I made it to where I was

1 at, the police was where he was at, he was facing
2 the officer and the officer shot him and shot him in
3 the head.

4 Q That's the one shot you saw?

5 A Yeah.

6 Q When you heard the first four shots, could
7 you see anything?

8 A No.

9 Q I mean, could you figure out what was
10 happening? You just knew somebody was shooting?

11 A Yes.

12 Q And that's when you go to the parking lot
13 and you see Michael Brown on his knees?

14 A Yes.

15 Q Had you seen Mike Brown before the
16 shooting started?

17 A I had not personally knowing him, I known
18 him for like two years.

19 Q I'm going to get to that, let me ask this
20 question. Did you see him that day before the
21 shooting occurred?

22 A Yes, I did.

23 Q What did you see when you saw him that
24 day?

25 A That he was heading up the street like he

1 normally do, I was coming down from the store, he
2 was going up to the store.

3 Q Like which way was he going?

4 A He was going this way and I was coming
5 down this way. (indicating)

6 Q He was going toward West Florissant?

7 A Right.

8 Q And how, how much time before the shooting
9 occurred did you see him going towards West
10 Florissant?

11 A Um, I cannot pace that.

12 Q Okay. Was it earlier that morning?

13 A Yeah, it was earlier that morning.

14 Q What was he wearing?

15 A He was wearing some khaki like shorts. He
16 had on some yellow socks that look like bumblebee
17 socks that he had pulled up to his knees. He had on
18 his flip flops that he loved so much cause every
19 time I seen him, he always have flip flops on. And
20 he had on like a T-shirt and a red Cardinals
21 baseball cap.

22 Q Okay. And you say you have known him for
23 about two years?

24 A About two years.

25 Q What is your relationship?

1 **A** If I see him, I just speak. We will talk
2 about God and he talk about how he's going to change
3 his life, about making something out of his life.
4 Like the boys in the neighborhood, he going to go to
5 school and make something with his life working on
6 people's home with air conditioners, stuff like
7 that. Help people that can't afford to pay big
8 bucks to get their air conditioner and furnace,
9 basically fix it for them, stuff like that.

10 I told him that's good, keep that
11 thought and keep positive and everything it will
12 work out fine. And that's the last talk we had.

13 **Q** When you talk about changing his life, did
14 you know what he meant by that?

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

16 **Q** Okay. All right. Did you know his
17 parents?

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

19 **Q** His grandmother?

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

21 **Q** Now, when did you first talk to the police
22 and tell them about what you knew?

23 **A** I didn't talk to the police officers.

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

25 **A** I talked to the FBI.

1 **Q** To the FBI. Do you recall when you first
2 spoke with the FBI?

3 **A** Um, I don't know, they just kept on
4 calling my house irritating me.

5 **Q** They were calling your house?

6 **A** Yes, and I felt I was being harassed.

7 **Q** Do you know how they knew about you?

8 **A** No.

9 **Q** Okay.

10 **A** They told me that the leasing office
11 supposedly gave all the information who stayed in
12 where. They was going door to door knocking on
13 people's door. And they had a hard time catching up
14 with me, I take small walks in the morning too
15 sometimes beings how my arthritis is doing. If it
16 flares up, I can't do it, but I was having good days
17 because it was warm outside so I was able to take my
18 walks.

19 **Q** Okay.

20 **A** And, um, so I can't remember his name, I
21 should have remembered his name because he called me
22 so much he started upsetting me. I don't want to
23 talk, I don't want to get involved, I mind my own
24 business, I help anybody if they need to be helped.
25 I talk to everybody, but I don't want to get

1 involved with that because I've already been
2 traumatized from six years old to the age I am now,
3 and just talking about it is upsetting me. And I
4 don't likes to be upset.

5 **Q** And we understand.

6 **A** That's what he said, I understand. It
7 ain't going to take long, so my son said momma, you
8 always told us to do the right thing, so do the
9 right thing. I said okay.

10 So I called him back, I couldn't get
11 him, he called me back I told him okay, I do this.
12 And he brings a person with him, oh, Lord.

13 **Q** Do you need some water, ?

14 **A** No. I told him that I didn't want to
15 relive that day. I said I didn't want to relive
16 that day. So I told him same thing I told you all.
17 I saw him in the middle of the street on his knees
18 with hands up. Officer came up to him and shot him
19 in his head and he fell.

20 **Q** What did you do when you saw him fall?

21 **A** Oh, I cried because it brought back
22 memories that I've been suppressing for years.

23 **Q** Is that something you want to tell us
24 about the memories you have been expressing?

25 **A** When I was six years old I was in the

1 store and this officer shot this man with a shotgun.

2 He had just shot him down.

3 Q And that's what you thought of when you
4 saw Michael Brown shot?

5 A Yes.

6 Q All right. And you went back into your
7 house or did you stand around?

8 A I stayed there for a while.

9 Q What did you see happen after you stood
10 there for a while?

11 A Um, people started coming out.

12 Q What did the police officer do?

13 A They snatched him up and they took him
14 down to the leasing office and they had that all
15 blocked, nobody could get near him. But when I saw
16 the officer's side of his face, it was like red.

17 Q How far away?

18 A I don't know if it was a bruise or he
19 turned red because he was mad, I don't know.

20 Q Did you hear the officer say anything?

21 A No.

22 Q Did you hear Michael Brown say anything?

23 A No.

24 Q Okay. You never heard either one of them
25 say anything?

1 **A** No, if they was saying anything, I
2 couldn't hear it.

3 **Q** You couldn't hear it?

4 **A** No.

5 **Q** And you said the officer's face looked red
6 or bruised?

7 **A** On this side of his face it looked red.

8 **Q** Right side?

9 **A** It looked red. I can't say if it was a
10 bruise or not because I wasn't that close to
11 actually see.

12 **Q** And how close were you, would you say,
13 from the officer when you saw his face?

14 **A** I was like on the grass right here. Right
15 here is where I was at. (indicating)

16 **Q** How many feet do you think that would be
17 apart?

18 **A** I don't know.

19 **Q** As close as we are now?

20 **A** I don't know.

21 **Q** Okay. So even if I kind of walked it out,
22 you couldn't tell me?

23 **A** Now, turn sideways okay. Now that's --

24 **Q** About this close?

25 **A** Yeah.

1 **Q** Where you could see the officer?

2 **A** Yeah.

3 **Q** Okay. Would you be looking at his left
4 side?

5 **A** Yes, it had to be his left.

6 **Q** But you said it was his right side that
7 was bruised?

8 **A** I didn't say it was bruised, I said it was
9 red.

10 **Q** You could see both sides of his face?

11 **A** No, if he was looking directly at me, then
12 I could see the whole face.

13 **Q** Was he ever looking directly at you?

14 **A** No, we never made eye contact.

15 **Q** Did he face you?

16 **A** No, we never made eye contact.

17 **Q** You think his left side was to you?

18 **A** It could have been left or right, I'm not
19 good on left and right stuff.

20 **Q** All right. And then could you see Michael
21 Brown's face?

22 **A** No, I just saw the back of him.

23 **Q** Okay. So when you see Michael Brown on
24 his knees, did you say you were somewhere like in
25 the parking lot?

1 **A** Yeah, I was right where them cars, but
2 those cars wasn't parked there.

3 **Q** Were you about the same distance from
4 Michael Brown as you were from the officer when you
5 saw him on his knees?

6 **A** Uh-huh.

7 **Q** And we're probably 10 or 15 feet, I guess,
8 kind of what you said to me?

9 **A** I don't know, I just know I heard the
10 officer say that the incident didn't happen a 100
11 feet from where I stayed at.

12 **Q** When did you hear the officer say that?

13 **A** The officer that came to my home.

14 **Q** I see. An officer did come to your home?

15 **A** Yeah, he was tall, he was cut clean head.

16 **Q** Did you talk to that officer?

17 **A** His face was clean. I tried until he
18 upset me and called me a liar.

19 **Q** He called you a liar?

20 **A** Yeah, he told me I was a liar, stop lying.
21 I told him I had no reason to lie about nothing. I
22 told the other one he had black hair, he was not as
23 tall as him and I don't know if they was playing bad
24 cop, good cop stuff, you know. And like I told
25 them, I'm too old to be playing games like that.

1 Y'all ask me to let y'all in my home, I did that.
2 If y'all came to my home to upset me, you need to
3 leave.

4 Q Had you ever really seen Darren Wilson
5 before?

6 A No.

7 Q You never had any interaction with him at
8 all before this incident?

9 A You say Darren Wilson?

10 Q The police officer involved with the
11 shooting who shot Michael Brown, his name is Darren
12 Wilson?

13 A Oh, yeah, once.

14 Q You did once?

15 A Yeah, when I was running from QuikTrip
16 because I had to pee, because I normally walk to
17 QuikTrip and get my donuts and coffee and
18 cigarettes, and I was running down Canfield trying
19 to make it home to pee. I didn't buy no coffee that
20 day, I just had donuts and cigarettes.

21 Q And what happened?

22 A As I was running, he was asking me what
23 are you running from. I say I'm running from
24 QuikTrip to try to get home, I got to pee. He
25 pulled in front of me and I ran straight into it,

1 that's why my knees is kind of messed up a little
2 bit worse than what they are.

3 Q How long ago was that?

4 A This was like, I've been in Canfield for
5 four years, this was like two and a half years ago.

6 Q And your knee is messed up because of it?

7 A No, I already had chronic arthritis, it
8 just got worse.

9 Q So you said you ran into the car?

10 A Yeah, and then I called the captain of
11 Ferguson.

12 Q Let me ask you what happened when you ran
13 into the car?

14 A I peed on myself.

15 Q Did you have any discussion with the
16 officer?

17 A Yes, I did.

18 Q Tell us about that?

19 A I told him I say, uh, why is you blocking
20 my way of getting home. I said I'm trying, I got to
21 pee, I said I'm peeing on myself. I said I ain't
22 peed on myself since I was two. I'm feeling very
23 violated. Could you please move your vehicle so I
24 could pee.

25 He looked at me, he smiled, and then

1 he pulled his car back. And I was on the phone
2 talking to the captain as I was running down the
3 street to finish peeing in the toilet.

4 Q What captain, who did you call?

5 A I can't remember the captain's name I
6 called, but I called and said I want to speak to the
7 captain, lieutenant, or a sergeant.

8 Q Was this with the Ferguson Police
9 Department?

10 A Yes, this was Ferguson Police Department.

11 Q Did you speak with one of them, with the
12 captain?

13 A Yes, that's what he said who he was. I
14 can't say that's who he was because I'm on the
15 phone.

16 Q Okay.

17 A And he say, well, did the officer do any
18 bodily harm to you or nothing. I said he just made
19 me feel smaller than what I would be because I had
20 peed on myself. He say, did he let you go? Yeah,
21 after I peed on myself. I don't think that's right.

22 You know, I say I don't steal, I
23 don't beat up nobody, I do nothing like crazy stuff.
24 I'm just running down the street. I can go on the
25 south side city or south side county, west side and

1 run anywhere I want to run and not be stopped by an
2 officer at all. I can run anywhere I want to run
3 and not be stopped by an officer at all.

4 Q Did he get out of the car when he stopped
5 you?

6 A No, he stayed in his vehicle, he didn't
7 get out.

8 Q Did you see him ever again before the
9 shooting occurred?

10 A I saw him in Jennings.

11 Q Okay. And that was before the shooting
12 occurred?

13 A Yeah, that was before the shooting
14 occurred.

15 Q When you saw him in Jennings, was this
16 before or after the incident where you peed on
17 yourself?

18 A It was before I saw him in Jennings. I
19 saw him in Jennings twice.

20 Q What was going on when you saw him in
21 Jennings twice?

22 A I can't remember, I seen him at Jennings.
23 I stay at Jennings sometimes.

24 Q Did you have conversation with him those
25 two times?

1 **A** Hi and bye, that's it. Because he would
2 speak to me and I say hi, he'll say hi and I'll say
3 hi, officer.

4 **Q** So you knew him when you saw him and he
5 knew you when he saw you?

6 **A** We didn't have no like personal thing,
7 when I saw you, I say hi, you know, it is just me.
8 I just speak.

9 **Q** Okay. So after this happened, after you
10 peed on yourself, did you have occasion to see him
11 after?

12 **A** Uh, no, I didn't see him no more until
13 that incident.

14 **Q** Until that incident?

15 **A** And I wasn't for sure that was him or not
16 cause I saw like the side of him, so and then when
17 they showed a picture of him, I say I know him.

18 **Q** So as you sit here today, you know that
19 the Darren Wilson that they've shown that did the
20 shooting is the one that stopped you when you were
21 running trying to get home?

22 **A** Right.

23 **Q** Now, when you talked with the FBI,
24 according to my notes it was maybe August 26th of
25 2014. I think you first talked to them on the phone

1 August the 13th, a few days after this happened.

2 Then they actually had an interview with you

3 August 26th, do you remember that?

4 **A** Yes, I called them. They left a card on
5 my door.

6 **Q** Okay.

7 **A** So I called them, I told them, I said I
8 don't do court. I help you in any way I can help
9 you. But I'm not trying to get involved, but this
10 is what I can tell you what I saw and said y'all can
11 take it from there.

12 **Q** They actually came to your apartment; is
13 that right? Did they come to your apartment?

14 **A** They came knocking, but I wasn't there,
15 that's when they left their card the first time.
16 And then, I can't remember his name, I should
17 remember that name, I can't remember.

18 **Q** That's okay.

19 **A** He just kept on calling, kept on calling
20 me. And then my son told me that by him being my
21 power of attorney, he figured I should not talk to
22 him because you upset my momma, I don't want to talk
23 to you either.

24 **Q** Where did they have the interview with you
25 at?

1 **A** In my home, in my kitchen. I went behind
2 my son's wishes and behind his back and I let him in
3 anyway.

4 **Q** Why does your son have power of attorney?

5 **A** He have power of attorney because I had
6 cancer in my back. Thank God that it ain't there no
7 more. And I was having blackouts and I couldn't
8 take care of my business at the time, so I had to
9 stay with my son for like almost two years.

10 **Q** So was that like two years ago?

11 **A** Yes.

12 **Q** But he still has power attorney?

13 **A** No, sir, cause I never took it away back
14 from him.

15 **Q** Okay. Do you need him now to have power
16 of attorney?

17 **A** No, I do not. I just went through that
18 stuff right now.

19 **Q** When you talked to the police that day, do
20 you recall stopping the recording when they were
21 recording your statement?

22 **A** Yes, I did. The one that is tall, clean
23 cut, started irritating me, called me a liar, it
24 just irritated me so bad, that I really wanted to
25 choke him. I ain't going to lie and say I didn't, I

1 wanted to choke him.

2 **Q** Okay.

3 **A** I told him, after I cut it off, I said I'm
4 done, I said what I had to say and I cut it off.
5 They need to leave my home. They refused to leave
6 my home.

7 **Q** Okay. And did you --

8 **A** And then the one with the black hair told
9 me, he say just calm down. He told the other two to
10 leave my home. And that's when they brung a female
11 come in. Before she came in, he cut it back on. He
12 said, , I want to ask a few more, I said okay.

13 **Q** So you did let them record some more?

14 **A** Right. I told them I say, that they said
15 that since I'm lying that what I said at first must
16 have been a lie. Right now I'm going to tell you
17 the truth, is what I put on the recording.

18 **Q** So you admitted on the recording that you
19 lied initially?

20 **A** Right, although I wasn't, but that's what
21 they wanted to hear, so I just gave them what they
22 wanted to hear.

23 **Q** Okay.

24 **A** Then I told them, I said, okay, I'm going
25 to tell you the truth. And that's when I told them

1 about the part that I saw him on his knees, the
2 police shot him in his head, his arms was up and
3 then he fell.

4 I just made it clean cut and short.
5 I'm not trying to give the beginning of the details
6 to the end, they weren't trying to hear that. You
7 need to get out of my house because I don't need to
8 hear this. You can't tell me I'm lying, you don't
9 even know me to tell me I'm lying. I don't have any
10 reason to lie to you or nobody else.

11 They just start to irritate me so bad
12 that then, I went to go from my kitchen drawer to
13 get me a spoon so I could get me some Jello to eat
14 so I can take a pill with my Jello.

15 And he thought I was going for a
16 knife. I say no, I'm not suicidal.

17 **Q** Why would you --

18 **A** That's because I'm with BJC Behavior
19 Health. I don't use weapons on myself, I take
20 pills.

21 **Q** You mean you tried to commit suicide
22 before?

23 **A** Yes, like what I'm going through now, all
24 of these questions about death and stuff, that
25 brings back other stuff that I'm trying not to

1 remember.

2 Q I understand.

3 A Cause I have a dream about this stuff, I'm
4 seeing it now when I talk to you now and I'm not
5 liking what I'm seeing. And I'm trying to hold
6 myself where I can help y'all out of what y'all need
7 to know.

8 Q We don't want you to help us, just tell us
9 what happened?

10 A What I mean by helping you is telling the
11 truth, that's helping you all telling the truth.

12 Q Right, that's all we want.

13 A That's what I'm doing, that's why I say
14 I'm trying to keep myself, oh Lord, I'm feeling like
15 I was in my apartment.

16 Q Okay, all right.

17 MS. WHIRLEY: Kathi?

18 A Anything else?

19 MS. ALIZADEH: Pardon me?

20 A Anything else?

21 MS. ALIZADEH: You know what, I have some
22 clarifying questions.

23 A Okay, clarify.

24 Q (By Ms. Alizadeh) And , I'm not
25 saying, these questions are not intended to

1 embarrass you in any way, okay. But you mentioned
2 that you take pills?

3 **A** Yes.

4 **Q** Is it for a mental health condition?

5 **A** Yes.

6 **Q** Do you know what your diagnosis is?

7 **A** They say I have mood swings, three
8 personalities.

9 **Q** How long have you been taking medications,
10 do you remember how old you were when you started?

11 **A** I can't remember.

12 **Q** Okay.

13 **A** It has been a long time.

14 **Q** And I know you stated you take blood
15 pressure medication and --

16 **A** That's morning.

17 **Q** And allergy medication?

18 **A** Yeah.

19 **Q** Those things are not for your mental
20 health?

21 **A** No, they are just for my morning stuff.

22 **Q** Okay. Do you know what the name of your
23 medication is that you take for your mental health?

24 **A** I started with the for the mood
25 swings to suppress stuff.

1 I don't know, I take 14 medicines a
2 day, I can't remember them all.

3 Q Okay. Would you say are you good about
4 taking your medication every day or do you sometimes
5 go off of it because you don't like what it makes
6 you feel like?

7 A I take them every other day, sometimes, I
8 don't know if I took it or not. See, I have the
9 nurse come every Monday and do my medicine for the
10 week. And I was without a nurse for like eight
11 weeks, so I took morning meds, but I couldn't take
12 my psych meds because I didn't know which one I was
13 supposed to take.

14 Q Do you live by yourself?

15 A Yes, I do.

16 Q So somebody comes in once a week to make
17 sure you are okay, make sure your medications?

18 A I have a worker come five days a week.

19 Q Okay.

20 A She makes sure I take my meds.

21 Q Okay.

22 A And my nurse, she make sure that my meds
23 have been taken, my doctor comes and see me once a
24 month.

25 Q When you take your meds as you are

1 supposed to, how does that make you feel?

2 **A** Some will make me feel good where I don't
3 feel like I'm a threat to myself or nobody else. I
4 can take criticism, when I take certain meds.
5 Certain meds if I don't take them, I can't take
6 nobody hollering at me period. Just makes me angry,
7 makes me want to hurt them.

8 **Q** Okay.

9 **A** But if I take them, I'm like normal.

10 **Q** So they make you feel calmer?

11 **A** Yeah, and they make me feel normal.

12 **Q** If you are not taking your meds like
13 you're supposed to, it makes you more agitated?

14 **A** Yes.

15 **Q** Do you ever get paranoid?

16 **A** No.

17 **Q** What about it, it might make you angry
18 with people?

19 **A** Yeah.

20 **Q** When you don't take your meds, and again,
21 I'm not asking you this to embarrass you or
22 anything?

23 **A** No, just go ahead.

24 **Q** Are you able to --

25 **A** Function right?

1 **Q** Perceive things or do you ever have
2 trouble, you know, like perceiving what's really
3 going on around you?

4 **A** Yes, I do.

5 **Q** Okay.

6 **A** If I see anything that isn't there it
7 ain't like, it is something like, I know, these
8 glasses here. It won't be like the glasses I'm
9 thinking ain't there, no, I'm never like that.

10 **Q** Okay. Do you know if on August 9th you
11 have been taking your medication regularly?

12 **A** Yes, I did take my meds.

13 **Q** You took it that morning?

14 **A** Yes.

15 **Q** You already said that?

16 **A** Yes.

17 **Q** What about today, did you take them today?

18 **A** No, I didn't take them today because I
19 was, I thought I had to be here at exactly 8:00. So
20 I didn't get that much sleep because I was trying
21 not to miss the cab and so when I got up, I got a
22 chance to get my shower, get dressed, and I thought
23 maybe I got time to fix something to eat and I was
24 trying to fix something to eat. And then my son
25 said, the cab is here. So I couldn't get nothing to

1 eat, so I cannot take my meds unless I have food on
2 my stomach first.

3 Q So you said your son told you your cab was
4 here, was your son at your apartment this morning?

5 A No, he came and knocked on my door today.

6 Q Does your son live in the complex?

7 A He stays at and I stay at It is
8 like a walkway.

9 Q What's your son's name?

10 A , that's my godson.

11 Q And he's here today with you?

12 A Yes.

13 Q He's your godson?

14 A Yes.

15 Q You're not related by blood then?

16 A No, huh-uh.

17 Q Is that the same person that has the power
18 of attorney for you?

19 A The one that has power of attorney is
20 , that's my birth son.

21 Q Okay, all right. You remember you and I
22 talked last week about you coming in; is that right?

23 A Yes.

24 Q Do you remember having a conversation on
25 the phone with me?

1 **A** Yes.

2 **Q** I know that upset you, you didn't really
3 want to have to do that?

4 **A** Yes.

5 **Q** But one of the things you talked to me
6 about that time you had mentioned that you wear a
7 body camera?

8 **A** Yes.

9 **Q** How long have you been wearing the body
10 camera?

11 **A** I've been wearing the body camera for
12 almost two months.

13 **Q** Were you wearing the body camera on
14 August 9th?

15 **A** No.

16 **Q** Do you have it on today?

17 **A** No, that's because you told me that I
18 couldn't wear it. That's respecting what you are
19 telling me.

20 **Q** Why did you decide two months ago to start
21 wearing the body camera?

22 **A** I don't want to be disrespected no more by
23 officers. I've been called, excuse my French, a
24 nigger bitch, a bitch ass nigger by officers. One
25 was County Brown and one was Ferguson. It hurt me,

1 like it cut me with a knife. I said I respect
2 everybody, I don't care what color you is, what
3 belief you have, I respect everybody.

4 Q Okay.

5 A So I can understand why these officers did
6 that to me. So when I was offered the body camera,
7 I wore it. And when they see body camera, how you
8 doing, ma'am. You have a good day. You have a good
9 day too, sir. When I have the body camera on. When
10 I didn't have that on me, that's what I was called.

11 Q Okay.

12 A You know, the N word didn't bother me.
13 The B word did, but that's a female dog. I don't
14 walk on fours, I walk on two.

15 Q Well, I understand and frankly the N word
16 is --

17 A No, cause that didn't bother me I was not
18 acting a fool, you know, that's what that word
19 really actually stands for, a person that is acting
20 stupid and doing stupid things.

21 Q Let me ask you, you started wearing this a
22 couple of months ago, were you wearing it when the
23 police came to your house and upset you the way you
24 talked about that he was calling you?

25 A I didn't have it on, but it was in my

1 home.

2 Q Okay.

3 A So when they came, they came in the
4 morning and I still had my pajamas on that day.

5 Q Okay. So the first police that came to
6 your house, were those the County Browns, were those
7 detectives with St. Louis County?

8 A No, they was FBI.

9 Q Okay. But when they first came to your
10 house, you didn't talk to them, you didn't make a
11 statement at that time?

12 A I wasn't there. They kept on missing me.

13 Q Okay. And then eventually you did talk to
14 them; is that right?

15 A Yes.

16 Q And Sheila asked you during the interview
17 you got upset and you grabbed the recorder and
18 turned it off is; is that right?

19 A I didn't grab it, it was on my table, I
20 just pushed the button off.

21 Q Okay. You said you were upset because
22 they were telling you you were a liar?

23 A Right.

24 Q Were they saying that while it was
25 recording?

1 **A** Yes, they did.

2 **Q** Okay. And so --

3 **A** He said you're lying because we talked to
4 a whole lot of other people, they ain't said nothing
5 you are saying, you lying. And that's when I say
6 okay, you say I'm lying, then I'm lying, I cut it
7 off. I said get your recorder and get out of my
8 apartment.

9 **Q** Okay. And then at some point you calm
10 down or they got you to calm down?

11 **A** The one with the black hair, he's the one
12 that told me, , just overlook him. He's being
13 an ass, just overlook him, just go on with this
14 interview.

15 **Q** So they turned on the recorder again?

16 **A** I cut it on.

17 **Q** Okay. And then you started telling them
18 what you saw; is that right?

19 **A** Right.

20 **Q** Just so I'm clear, I know you said you
21 live in this right here? (indicating)

22 **A** Right, uh-huh.

23 **Q** What floor do you live on?

24 **A** The bottom.

25 **Q** Okay. So from when you exit your house,

1 do you have to walk up steps?

2 **A** That's five little steps.

3 **Q** So you don't have like a balcony?

4 **A** No.

5 **Q** When you look out the window of your
6 house, can you see out to Canfield?

7 **A** No, I can only see the parking lot and
8 building across from me. That's why I left my
9 apartment and went to (sic)

10 **Q** Okay.

11 **A** It is still it is is
12 their address.

13 **Q** Okay. So you said you were watching TV
14 when you first heard shooting?

15 **A** Right.

16 **Q** And then you went outside at that point?

17 **A** Yes.

18 **Q** Do you remember when you were talking to
19 the FBI agents, do you remember telling them that
20 you heard nine shots and two clicks, do you remember
21 telling them about the clicks?

22 **A** The clicks. I told them I heard click,
23 click.

24 **Q** Okay.

25 **A** I did say that.

1 **Q** Do you know what that was, the clicks?

2 **A** I just heard click, click.

3 **Q** When did you hear the click, click in
4 relation to what you saw?

5 **A** That was after.

6 **Q** After?

7 **A** He hit the ground.

8 **Q** Okay. So after Michael Brown hit the
9 ground, you hear two clicks; click, click and you're
10 shaking your head yes?

11 **A** Yes, I forgot.

12 **Q** That's all right, I'll catch you. So you
13 said, you testified here today that you saw when you
14 came around kind of down by the street, you saw
15 Michael Brown on his knees in the street with his
16 hands in the air; is that right?

17 **A** They weren't all way up in the air, they
18 was like this. (indicating)

19 **Q** Okay. And the officer you said you saw
20 him shoot him in the head at this point?

21 **A** Yes.

22 **Q** Do you remember when you talked to the FBI
23 you told them that you didn't actually see any of
24 the shots?

25 **A** No, I did not tell them that.

1 **Q** Okay. You don't recall saying that?

2 **A** No.

3 **Q** Okay. And did you ever see another
4 African-American young man that was around there at
5 the time?

6 **A** That was running?

7 **Q** Yes.

8 **A** At the time?

9 **Q** Yes.

10 **A** Yes, I did see a young man running on like
11 that side, this right here.

12 **Q** How about can you use the map to say where
13 he was running?

14 **A** I can imagine that there is Canfield.

15 **Q** Okay.

16 **A** And that's the side I'm on, and that side
17 there is where like the mailbox be in the other
18 apartments. He was on that side running and going
19 toward.

20 **Q** You are talking about the south side of
21 Canfield, right?

22 **A** Yeah, on that side that is outside and he
23 was there and he was running. Okay. This is where
24 the male basically stood before he be going this way
25 and he was running behind the building. But he was

1 coming from this way, coming down, he shot across
2 the street to the grass area he was running.
3 (indicating)

4 Q What did he look like?

5 A He had dread, dreadlocks as they called
6 them, call them dreads.

7 He was, he was my complexion. He was
8 not chubby or real skinny, he was like mid frame, if
9 I can find somebody in here, he was your size.
10 (indicating)

11 Q Do you remember anything about what he was
12 wearing?

13 A He had on a white T-shirt, I don't
14 remember if he had a hat on because I saw the hair.
15 He had on short blue jeans pants, you know how they
16 sag, that's the way they were.

17 Q Okay. Do you remember what the officer
18 looked like that day?

19 A Caucasian, he had blond hair. The eye
20 color I only saw the side of his face, so I couldn't
21 see his eyes.

22 Q Do you remember what he was wearing?

23 A He was wearing a blue uniform.

24 Q Do you remember if it was long sleeve,
25 short sleeve?

1 **A** Short sleeve.

2 **Q** How about a hat, did he have a hat on?

3 **A** No hat.

4 **Q** You saw the officer's face and I know you
5 said you're not real good at left and right, but you
6 saw a side of his face that you said looked red?

7 **A** Yes.

8 **Q** But you don't know why that side of his
9 face was red?

10 **A** No, I don't know because he was mad, he
11 was blushing or whatever, I don't know. I just know
12 that it was red.

13 **Q** Okay.

14 **A** If he was like turning like I am to you,
15 his whole face was red.

16 **Q** And so you recall today that Michael Brown
17 was on his knees with his hands about like this?
18 (indicating)

19 **A** Yes, ma'am.

20 **Q** You saw the officer shoot him in the head?

21 **A** Yes, ma'am.

22 **Q** You saw him fall on the ground?

23 **A** Yes, ma'am.

24 **Q** And did the officer shoot any more after
25 his knees had fallen on the ground?

1 **A** I know I heard his hands did, I guess,
2 like this on the gun.

3 **Q** Did you hear gunshots?

4 **A** No, I just heard click, click and it could
5 have been behind me clicking, I just heard click,
6 click.

7 **Q** But you could see the officer's hand
8 pulling the trigger?

9 **A** Yes.

10 **Q** Do you remember which hand the gun was in?

11 **A** No, not at this time, no.

12 **Q** Did you see any blond or when Michael
13 Brown was on his knees with his hands in the air,
14 did you see any blood on his shirt?

15 **A** I just saw the back of him.

16 **Q** You just saw him from the back?

17 **A** Right.

18 **Q** Did you see any blood on his back?

19 **A** I wasn't looking for no blood or nothing
20 like that. If I want to make some stuff up, I'm not
21 going to say I saw blood. I did see blood later. I
22 didn't see none when he was on his knees and stuff
23 like that.

24 MS. WHIRLEY: Okay. I don't have any
25 other questions. The grand jurors might have

1 questions for you. Anyone have questions?

2 **A** No questions, thank you.

3 I have two questions.

4 You stated that you saw Michael Brown that morning
5 walking, you met him in the street, you had been out
6 taking your morning walk, you saw him and he was on
7 his way to the store?

8 **A** (Nods head.)

9 : And you said that Michael
10 had told you that he wanted to change his life and
11 become better?

12 **A** He said he wanted to change his life from
13 what he was doing.

14 : Okay.

15 **A** What he was doing, don't nobody know that
16 but him. I knew who Michael Brown was, cause he was
17 staying with his grandma, I found out later, he was
18 staying with his grandma, which was at Northwinds,
19 which was around the corner where I was staying.

20 But he socialized with everybody in
21 Canfield because he basically join the younger folks
22 in Canfield, there was older folks in Canfield. So
23 he hung out there, so that's where I got a chance to
24 know where he was.

25 : You don't know if he was

1 troubled?

2 **A** No. Every time I saw him he just, you
3 know, told me that and we talk about God all the
4 time. If I'm not going up, he's coming down, and if
5 I'm not coming down, he's going up. That's the way
6 we have our conversation. And we have maybe like
7 five, ten minute talks, he go his way and I go mine.

8 : Do you know, ma'am, if
9 you took your medicine the day before?

10 **A** I only missed three weeks and that's just
11 recently.

12 : Okay. Thank you so much.

13 MS. WHIRLEY: Anyone else?

14 Good morning.

15 **A** Good morning.

16 . I know
17 that you testified and I know you have been through
18 a lot since this incident, but you're not holding
19 any animosity about the situation?

20 **A** Oh, no, ma'am.

21 Okay. So this is straight
22 from your heart?

23 **A** Yes, it is. That's is one thing I cannot
24 do is hard my heart for nobody.

25 : All right. Thank you.

1 **A** I still love everybody.

2 Yes, sir.

3 . That day you
4 heard the shots and you left your apartment, did you
5 walk, did you run, did you, what kind of -- how did
6 you move to the scene?

7 **A** I ran.

8 : When you hear the shots,
9 do you think you want to stay in the apartment for
10 safety or what kind of drew you out to --

11 **A** Because the way that the sound was coming,
12 it never came from that way, it always came from
13 behind in Northwinds. And Northwinds is known for
14 shooting up the town, that's what I thought. It is
15 an apartment complex back from behind.

16 Come from a different angle, it is
17 new, it is just me, I want to know where it is
18 coming from, that's why.

19 : Okay.

20 **A** Anyone else?

21 MS. ALIZADEH: Okay. Sit here.

22 **A** I wasn't leaving.

23 MS. WHIRLEY: Before we do that, let me
24 ask you, is there anything else you want us to know
25 that we didn't ask you that you would like to

1 express to this grand jury?

2 **A** Um, not at this moment.

3 MS. WHIRLEY: Okay.

4 **A** Maybe before I leave, but not right now.

5 MS. WHIRLEY: Now is the time to do it.

6 **A** Now is the time?

7 MS. WHIRLEY: If you want to do it, you
8 got to do it now. We don't want to stop you from
9 saying anything. You need to tell us, or to tell
10 this jury.

11 **A** Well, I appreciate you all giving me the
12 opportunity to tell my side that I've seen. And God
13 bless you all, and that's it.

14 MS. WHIRLEY: All right.

15 MS. ALIZADEH: You know what ,
16 when you saw Michael Brown walking earlier and he
17 was walking like toward West Florissant, was there a
18 young man with him when he was walking toward West
19 Florissant or was he by himself?

20 **A** He was by hisself when I saw him earlier.

21 MS. ALIZADEH: Okay. Nothing else.

22 (End of the testimony of)
23
24
25 ,

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

EXAMINATION

7 BY MS. WHIRLEY:

8 Q Good morning.

9 A Good morning.

10 Q Please introduce yourself to the grand
11 jury and spell your name for the court reporter?

12 A My name is ,
13

14 Q Okay. , you know why we are here?

15 A Yes, I do.

16 Q About the Michael Brown shooting?

17 A That's correct.

18 Q Do you remember that morning, August the
19 9th, it was a Saturday, 2014?

20 A Clearly.

21 Q Clearly, good. Tell us what you remember
22 about that morning? And you don't have to jump
23 straight to the shooting, I want you to lead us into
24 it.

25 A Okay. Basically I was sitting on my porch

1 around 11-ish, I say 11:35, somewhere around there.

2 Q Okay. You have, there's a laser pointer
3 right there. Do you know how to use that? There's
4 a button right here, there will be a red light.

5 You said you were sitting on your
6 porch, does this map help you to show us where your
7 porch would be?

8 A Exactly, right here.

9 Q What's that address?

10 A

11 Q That's in on the map and this
12 is Grand Jury Number 25. We are looking at, all
13 right. So you were sitting on the porch. What time
14 did you go sit on the porch?

15 A Around 11-ish, 11:35.

16 Q What had you been doing before that?

17 A I was preparing coffee and to go get
18 better reception on my porch to talk to a friend
19 that was in because I was preparing myself to
20 go out of town.

21 And I heard a gunshot or two.

22 Q So one or two shots?

23 A Yeah, one or two. And it caught my
24 attention because I'm sitting on the porch and I'm
25 talking to her and I'm like, hold on, let me call

1 you back. And, uh, I seen to go right into it.

2 Q Go ahead.

3 A I seen an officer, as well as Mike Brown,
4 this is east down, I guess, I don't know.

5 Q Yes, that would be east, on this would be
6 West Florissant over here.

7 A Okay. Mike Brown was running in this
8 direction and I came further to my porch balcony
9 because I couldn't believe it, you know. I'm used
10 to hearing noises in the neighborhood, gunshots and
11 to see that it was a police officer shooting at an
12 individual running eastbound on my street was kind
13 of like far fetch for me to believe.

14 Q All right. So you saw Mike Brown running
15 eastbound and the officer was chasing him shooting
16 after him?

17 A It wasn't so much him chasing him, it was
18 just gunshots going on. I seen Mike Brown running
19 eastbound on my street.

20 Q What was the officer doing?

21 A The angle that I was in, I seen him in
22 view after he came from this building, he came more
23 clearer to me as he came going up more Coppercreek.

24 Q You are not suggesting that this officer
25 left this street, are you?

1 **A** No, he did not.

2 **Q** You are talking about you were moving?

3 **A** I wasn't in clear view of him until he
4 came in the view of chasing Mike Brown eastbound.

5 **Q** Okay. When the officer came into view,
6 for you, show me again where you were?

7 **A** I was on my porch.

8 **Q** Outside?

9 **A** On the balcony, on the balcony.

10 **Q** Is that outside?

11 **A** Yes, ma'am.

12 **Q** All right. And where was Mike Brown?

13 **A** He was running east bound.

14 **Q** Where was the officer?

15 **A** Not too far from, a little bit up further
16 because he wasn't like real clear view of me seeing
17 him as of yet. I seen Mike Brown clear as day. And
18 then I started to see the officer as he was getting
19 closer, but he didn't get that close. He didn't
20 cross 9422 Coppercreek, he did not cross over.

21 **Q** Okay.

22 **A** Basically when a shot went off, again, I
23 seen Mike Brown put his arms up and he turns around.

24 **Q** So he puts his arms up before he turns
25 around?

1 **A** He puts his arms up, yeah, when he turns
2 around when he turns around.

3 **Q** Why don't you demonstrate for us?

4 **A** When he turns around --

5 **Q** I'm going to kind of talk to get where I
6 want to go to, okay, listen to me.

7 **A** All right.

8 **Q** Mike Brown is running eastbound.

9 **A** Yes.

10 **Q** The officer is coming after him and you
11 hear shots fired?

12 **A** Yes, ma'am.

13 **Q** And so what does Mike Brown do?

14 **A** After the shot, I guess when it grazed him
15 on his arm.

16 **Q** Now, you're guessing, why are you guessing
17 that?

18 **A** Because I didn't know where he got shot
19 at, I'm assuming that he got shot.

20 **Q** And you learned that later from news?

21 **A** Autopsy. All I know that he turned around
22 after the gunshot went off, he turned around and did
23 this. (indicating)

24 **Q** Okay. Turn your back to us like you are
25 running.

1 **A** You running and pow, pow, so I guess he
2 felt something and he turned around, and he turned
3 around right on Coppercreek directly in front of
4 where I was able to see in eyes view. He started
5 walking back toward West Florissant where the
6 officer was in view of me to see him from my porch.

7 **Q** And what was the officer doing as Mike
8 Brown walks?

9 **A** He had his gun raised. (indicating)

10 **Q** Was he coming toward Mike Brown, backing
11 up --

12 **A** They was both coming at each other at a
13 moderate pace. Mike Brown was walking towards him,
14 just walking towards him.

15 **Q** Like walk towards me.

16 **A** Walking towards him. And the officer had
17 his gun up like this is all I seen was him having
18 his arms raised and he was coming closer and Mike
19 was coming like, stop shooting. And he's shooting
20 him and kept shooting him. (indicating)

21 I'm like, he don't pose no threat,
22 where is his weaponry to where you deem him to being
23 hostile.

24 I mean, there was two construction
25 workers over there on the side of my building that

1 was viewing the same thing I was viewing. And they
2 seen what I seen, so did other people seen what I
3 seen. It wasn't justifiable in my eyes and I didn't
4 see it to be a hostile situation.

5 **Q** So when you saw Mike Brown with his arms
6 up coming towards the officer, he did not appear to
7 be rushing the officer to you?

8 **A** Not at all, not at all.

9 **Q** Did he appear to be charging the officer?

10 **A** Not at all, not at all.

11 **Q** What in your mind is going on?

12 **A** I was discombobulated, I didn't know what
13 was going on because I seen this individual, like I
14 said, running eastbound on my street like what's
15 going on.

16 I didn't see, I didn't deem it to be
17 a hostile situation to where the officer needed to
18 of have had his gun raised at the level in which he
19 had it at, you know what I'm saying? Facing Mike
20 Brown. So I know that this sign is a sign of
21 surrender. (indicating)

22 **Q** And you clearly saw his hands raised above
23 his head?

24 **A** Clearly, clearly, I was in plain view of
25 seeing it.

1 **Q** They were not straight up?

2 **A** They was at an angle.

3 **Q** At an angle above his head?

4 **A** It was simply I surrender. I don't know,
5 like I said, I don't know if he got hit or shot at
6 that point, but based on the autopsy of the news, I
7 didn't know until that came through.

8 **Q** Did you hear Mike Brown say anything?

9 **A** Stop shooting me.

10 **Q** Did you actually hear him say that?

11 **A** Yes, in the distance that I was at because
12 I think that was he was in pain based on the
13 gunshots due to his body because he was taking them.

14 **Q** Did you see any blood?

15 **A** I didn't see any blood, but I seen that
16 the gun was fired off into his upper torso.

17 **Q** And you heard him say, stop shooting me?

18 **A** Stop shooting me.

19 **Q** At what point was he saying, stop shooting
20 me?

21 **A** When they came close.

22 **Q** Was his hands raised when he said that?

23 **A** Still, still his hands was still raised.

24 **Q** You said the officer shot at him several
25 times in his torso when his hands were raised?

1 **A** Yes, ma'am.

2 **Q** How close were they when the officer was
3 shooting at him when his hands were raised? I can
4 walk it out for you. Like if you are the officer
5 and I'm Mike Brown, tell me when to stop.

6 **A** Come further.

7 **Q** Up closer?

8 **A** Okay. Get the arms up like, okay, so he's
9 shooting.

10 **Q** So they're this close?

11 **A** At this point right here. And as he was
12 shooting, he was moving back because they got close.

13 **Q** Like we're a few feet apart?

14 **A** Exactly, and he had his arms up.

15 **Q** Okay. Who starts moving back?

16 **A** The officer starts moving back after
17 shooting, still shooting, he was shooting, and then
18 he start moving back.

19 **Q** And how many times did he shoot him when
20 Mike Brown had his hands up?

21 **A** Uh, from what I seen it was multiple, like
22 two to the upper torso, two down to the lower torso
23 and the remaining portion, I'm still on my porch.
24 They start to walk further on Canfield going back
25 this way to where it becomes a blind spot for me

1 because of . I'm not able to see at a
2 certain angle.

3 So I don't know the closure of the
4 remaining bullets that caused to the head, I can't
5 see it because I'm in a blind spot.

6 Q So you didn't see Mike Brown hit the
7 ground?

8 A I can only assume based on after shot.

9 Q You did not see him hit the grown?

10 A No, I did not.

11 Q So when you saw him after taking those
12 shots to the torso, he was still --

13 A He was still standing.

14 Q Standing and walking towards the officer?

15 A Yes.

16 Q Was the officer saying anything?

17 A I didn't see the officer's lips move or
18 nothing.

19 Q You would have heard him if he was saying
20 anything?

21 A If he would have said it at a tone to
22 where I was able to hear based on me being on my
23 porch.

24 Q And when Mike Brown said, stop shooting
25 me?

1 **A** I clearly heard him from this point, from
2 over here to my parking lot. I mean, over here in
3 the street, I was able to still hear this.

4 **Q** Was he loud in your opinion?

5 **A** Yes, after with the gun, yes.

6 **Q** Stop shooting me, was he saying that,
7 yelling that?

8 **A** It was a scream like. If the bullets is
9 piercing his skin.

10 **Q** Okay. You are still on your porch, you
11 never went downstairs?

12 **A** I went down after he fell to the ground.

13 **Q** Okay. So when you are at your porch,
14 that's when you see what you see?

15 **A** Yes.

16 **Q** You don't see anything happening when you
17 go down?

18 **A** I don't see the closure of the situation.

19 **Q** Okay. So from where you were on your
20 porch to where the incident, the shooting was
21 occurring, any idea how far apart you were?

22 **A** The distance between my apartment and the
23 street?

24 **Q** Uh-huh.

25 **A** I don't know the radius, I don't know.

1 **Q** Okay. And your vision, is it pretty good?

2 **A** No, I got bad vision.

3 **Q** You got bad vision?

4 **A** Yeah, I've got bad vision. I've got
5 contacts in to where I'm able to see what I saw
6 because of the daylight.

7 **Q** So your contacts were in then?

8 **A** Yes, they were.

9 **Q** And your hearing?

10 **A** Yes, it's good.

11 **Q** Okay. All right. So total number of
12 shots that you heard that morning?

13 **A** I'm going to say at least ten, that's it.
14 I can't give you no more.

15 **Q** You think ten. I know you have heard
16 information on the news about the autopsy and where
17 shots were on his body, right?

18 **A** Yes and no, because I did not listen to or
19 look at a lot of news. I just --

20 **Q** But you know some of the information by
21 where he received the shots?

22 **A** Yes, yes.

23 **Q** Okay. Now, do you recall when you first
24 talked to the police?

25 **A** I did not talk to the police.

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

2 **A** FBI.

3 **Q** Do you recall when you first talked to the
4 FBI?

5 **A** Yes, I do.

6 **Q** When was that?

7 **A** It was the following Saturday they came to
8 everybody's apartment and questioned individuals.

9 **Q** So approximately a week after --

10 **A** Somewhere like that.

11 **Q** -- this occurred?

12 **A** Yes, ma'am.

13 **Q** And you did give them a statement?

14 **A** Yes, I did.

15 **Q** Okay. As you are telling us here today, I
16 believe you did not see the initial --

17 **A** No, I did not.

18 **Q** -- when he first made contact with the
19 police officer?

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

21 **Q** Okay. You only saw it when the police
22 officer was pursuing him east on Canfield Drive?

23 **A** Yes, ma'am.

24 **Q** And just to make sure I'm clear, were you
25 hearing shots fired as Michael Brown's back was

1 turned?

2 **A** Yes, ma'am.

3 **Q** So it would be reasonable to assume that
4 he's shooting based on what you are telling us, that
5 he's shooting at Mike Brown as he's running away?

6 **A** Yes, ma'am.

7 **Q** You say you didn't hear him?

8 **A** I didn't hear him say anything.

9 **Q** Initially you thought he actually shot him
10 in the back, right?

11 **A** Initially.

12 **Q** Before you knew where the shots were?

13 **A** Exactly.

14 **Q** You realized he wasn't shot in the back,
15 does that make sense with what you saw?

16 **A** Yes, it does, it makes sense, it does, it
17 makes sense to coincide with what I thought.

18 **Q** Okay. Now, did you see anyone with
19 Michael Brown when you saw this incident occurring?

20 **A** No, ma'am. All I seen was Mike Brown
21 running eastbound on the street.

22 **Q** And tell me again why you believe that he
23 was hit before he turned around? We now know he
24 wasn't shot in his back. You said you believe he
25 was shot in his back, why did you think he was hit

1 before he turned around?

2 **A** Because I heard gunshots, you know, I
3 heard the gunshot and when he turned around, I
4 figure he was hit. And so he immediately submitted,
5 subdued himself like, okay, this is real, you know.

6 **Q** You didn't see anything that gave you the
7 impression that he was injured?

8 **A** No, I did not. I didn't see no physical
9 indication on his body whatsoever based on distance.

10 **Q** Okay. Was it strange to you that he was
11 walking towards the police officer?

12 **A** No, it was not because he was ready to, I
13 guess, give himself up from running based on being
14 grazed by the bullet and I did not know that
15 information until, like you said, the autopsy came
16 out.

17 **Q** But, I mean, with his hands up and walking
18 towards the officer, what was your thinking when you
19 saw him do that?

20 **A** He was ready to give himself up.

21 **Q** And you didn't see him do anything
22 threatening towards the officer?

23 **A** No, I did not, none whatsoever.

24 **Q** Now, you seen the movie clip, I call it
25 movie, but it's a news clip with the two

1 construction workers?

2 **A** Yes, ma'am.

3 **Q** And there's someone saying he wasn't a
4 fucking threat?

5 **A** That was my voice.

6 **Q** You have seen this and you verified that's
7 your voice?

8 **A** Yes.

9 **Q** Okay. Now, once he, well, you already
10 said you didn't see him hit the ground?

11 **A** No, I did not.

12 **Q** So where do you go after --

13 **A** After he's on the ground.

14 **Q** I mean, you just hear, see him approaching
15 the officer, the officer is still shooting, what do
16 you do?

17 **A** I get closer. I come from my porch. I
18 walk and he's laying there dead on the ground.
19 After hearing a couple more shots go off.

20 **Q** Did you hear more shots go off from when
21 you were leaving your porch to get out here on
22 Canfield Drive?

23 **A** Yes, I did, yes, I did.

24 **Q** Did you see the officer shooting into
25 Michael Brown's body as he laid on the ground?

1 **A** No, I did not. I can only assume that
2 that happened.

3 **Q** Did you see him get shot in the head?

4 **A** No, I did not.

5 **Q** Now, how did you make contact with the
6 FBI?

7 **A** They made contact with me.

8 **Q** Okay. So they came to your apartment?

9 **A** (Nods head.)

10 **Q** Okay. Now, when you initially talked to
11 the FBI, and we've listened to your statements, or
12 Kathi Alizadeh and I have, there is information in
13 there that the officer was standing over him while
14 he laid on the ground and finished him off?

15 **A** You know, I said that out of an assumption
16 based on me being where I'm from and that can be the
17 only assumption that I have.

18 **Q** You didn't see him hit the ground?

19 **A** I didn't physically see none of that
20 because of the blind spot in which I'm located at
21 and this is , there is a cutoff
22 margin so where I'm not able to see. My assumption
23 and my common sense leads me to believe that's what
24 occurred.

25 **Q** That once he hit the ground that the

1 officer finished him off?

2 **A** (Nods heads.)

3 **Q** You did not see that?

4 **A** I did not physically see that.

5 **Q** Okay. You never saw the officer standing
6 over him shooting into his body?

7 **A** No, I did not.

8 **Q** Okay. Now, did you know Michael Brown?

9 **A** Uh, my nephew knew Michael Brown, my
10 sister knew Michael Brown, he was a friend of my
11 nephew's. They played and he came over to my
12 sister's house occasionally to play with my nephew
13 and they was real cool and my sister said he was a
14 well-mannered individual.

15 **Q** Did you have any interaction?

16 **A** Never whatsoever.

17 **Q** Okay. You learned all of this after he
18 died?

19 **A** After he died.

20 **Q** Okay. Now, did you talk to anyone that
21 day about what happened?

22 **A** As far as who?

23 **Q** About what was going on and what you saw
24 and I mean, just, like the construction workers or
25 other neighbors?

1 **A** Yes, neighbors was conversing with each
2 other all through the day, all through the night.

3 **Q** Okay. And you were talking?

4 **A** We was all discombobulated.

5 **Q** What do you mean discombobulated?

6 **A** Just confused, couldn't believe that it
7 happened.

8 **Q** Okay, all right. You went out here where
9 the body was, was the officer still there?

10 **A** He was present for a few moments or so
11 until he was relieved.

12 **Q** What's he doing, what did you see him
13 doing, if anything?

14 **A** Pacing back and forth, you know, that's
15 about it.

16 **Q** Did he still have his weapon drawn?

17 **A** No, he did not. He had it in the holster.

18 **Q** Anybody appear to give Mike Brown any type
19 of assist?

20 **A** They tried to, but they had it taped off
21 where, you know, individuals could not even enter
22 into, not even close relatives could even enter into
23 the scene.

24 **Q** Okay.

25 **A** I had to hold off his step dad because he

1 was so emotional.

2 Q You actually held him off?

3 A Held him off. He was ready to go and see
4 his son, you know, I had to use all my strength.

5 Q Did you know the police officer Darren
6 Wilson?

7 A No, I do not.

8 Q Never had any contact with him whatsoever?

9 A No, I did not.

10 MS. WHIRLEY: Kathi?

11 Q (By Ms. Alizadeh) All right. ,
12 the first time you talked to the FBI, which was a
13 week after this happened, you told them a story that
14 had a bunch of lies, isn't that right?

15 A A bunch of lies?

16 Q Well, you told them that you saw the
17 officer stand over Michael Brown and empty his clip
18 into his body and finish him off, didn't you say
19 that?

20 A Well, you know, I did say that, but it was
21 based on assumption. Like I told her earlier
22 because the blind spot, me being in and that's
23 I'm not able to physically see the closure of
24 the situation.

25 Q You told them that you saw Michael Brown

1 get shot in the back and that's not true, is it?

2 **A** That's not true based on the truth of the
3 autopsy coming out.

4 **Q** But you told them --

5 **A** Yeah, I told them that.

6 **Q** You saw Michael Brown get shot in the
7 back?

8 **A** I didn't have no indication of where he
9 was shot at based on me seeing what I seen.

10 **Q** And you told them that you saw the officer
11 within an arm's length of Michael Brown shoot him in
12 the head and you didn't see that, did you?

13 **A** Based on assumption.

14 **Q** But you told them?

15 **A** Yes, I did.

16 **Q** You saw that?

17 **A** Yes, I did tell them that based on
18 assumption.

19 **Q** And then you also told them that after
20 Michael Brown was on the ground, the officer stood
21 over him and empty his clip into him and finished
22 him off, and you told them that you saw that?

23 **A** Based on assumption again.

24 **Q** But you didn't tell them that you were
25 basing that on assumption, you told them that you

1 saw that?

2 **A** I told them in the second meeting with the
3 FBI, we all sat down and it was solely based on
4 assumption because I'm not able to be at a point to
5 where I'm not able to see. I told them based on
6 assumption, if you see the report it says that based
7 on assumption and my common sense, I wasn't
8 physically there, so therefore, I can only assume
9 that happened.

10 **Q** Well, okay. So I listened to your
11 statement.

12 **A** You can read it.

13 **Q** In your first statement you didn't tell
14 them that you were assuming that, you told them that
15 that's what you saw?

16 **A** And that's what the second visit was for
17 to clarify the first recording.

18 **Q** So in the second interview, they told you
19 that, by the time you gave the second interview, at
20 that point you had seen on the news there was an
21 autopsy?

22 **A** Once again, I did not look at the TV or
23 listen to reports. I looked at the reports as far
24 as knowing his autopsy, I looked at it once to
25 verify my clarification for myself because I did not

1 know where initially where the bullets landed.

2 **Q** Well, you changed your story in the second
3 interview to say that when he was running away, the
4 officer's shot actually grazed him in the arm?

5 **A** And that's what it did.

6 **Q** And you saw that?

7 **A** Based on the autopsy once again.

8 **Q** So you are basing all of this on not your
9 personal observation?

10 **A** Well --

11 **Q** -- let me finish my question.

12 **A** Okay.

13 **Q** So you are basing this on, not your
14 personal observation, but on just things that you
15 heard in the media?

16 **A** It is concrete once the autopsy come out.
17 I can assume anything based on me looking, I don't
18 know, I don't know where the bullet was landing.

19 **Q** Didn't you say in your second interview
20 you admitted that those things that you said you saw
21 you really didn't see them and you were basing it on
22 what you had seen in the media?

23 **A** That was the truth based on the autopsy
24 coming back. I don't have no knowledge of giving
25 autopsy, so yeah.

1 **Q** So it was after you learned that the
2 things that you said you saw couldn't of had
3 happened that way, then you changed your story about
4 what you seen?

5 **A** Yeah, to coincide with what really
6 happened.

7 **Q** So is what you're testifying about today
8 what you really saw or you also basing your
9 testimony today --

10 **A** I'm not --

11 **Q** -- let me finish my question. Are you
12 also basing your testimony today on things that you
13 assumed?

14 **A** You know, it is not a thing of assumption,
15 based on being in the position when it happened in
16 the beginning because I don't know where the bullets
17 was flying to, I can only assume that they landed
18 where they landed.

19 And that wasn't the truth of the
20 matter being the autopsy came out and gave clarity
21 based on what I thought I saw. The autopsy didn't
22 lie. I didn't know in the beginning, I was full of
23 emotion and I knew that this individual was getting
24 shot. So I assume the portions of the body that I
25 named, he was getting shot. The autopsy came out to

1 where it clarified everything where he got shot at
2 so.

3 Q So you assumed when you made your first
4 statement that the officer stood over him and empty
5 his clip into him and finished him off?

6 A Once again, based on me being in
7 and that's , I can only assume. I can
8 only assume.

9 Q Why did you assume that?

10 A Because some individual getting shot by
11 police, it was like, really, this just didn't
12 happen.

13 Q I mean, don't you think is it possible
14 that you said that because that's what other people
15 were saying they seen?

16 A I didn't base that on anybody else's
17 knowledge of. I only based it on my assumption,
18 once again, because I'm in and that's
19 and that's a blind spot. I only assume
20 based on bullets being fired and a dead body laying
21 on the ground.

22 Q You never saw Michael Brown fall on the
23 street?

24 A No, I did not. I can only assume that he
25 did because of the bullets that was due to his body.

1 **Q** And you said that you could clearly hear
2 Michael Brown saying the thing he said screaming,
3 right?

4 **A** He yelled, don't shoot me, stop shooting.

5 **Q** You remember in your first interview
6 Michael Brown put his hands up and said okay?

7 **A** He was saying that too as well as the
8 bullets was going off of his body, okay, he was
9 saying okay.

10 **Q** You never told the agent in your first
11 interview that he was saying don't shoot me, you
12 said he was saying okay.

13 **A** I never told him in the first interview?

14 **Q** Yes. Do you recall?

15 **A** It comes out, to actually see somebody get
16 gunned down, you might miss a couple of things, you
17 know, because it's just a shock to see an officer
18 shoot somebody the way he did. So you might forget
19 something.

20 **Q** And I'm going to correct myself, I've got
21 my notes from your first interview. You said
22 Michael Brown said don't shoot, and then you said
23 you saw him fall to the ground and the officer
24 continue to shoot him. The officer stood over him
25 and finished him off in the head.

1 **A** Once again, based on my location,

2

3 **Q** When you were interviewed first, you said
4 Michael Brown said don't shoot?

5 **A** He was saying that, he was saying that.

6 **Q** And then in your second interview you said
7 Michael Brown was saying okay.

8 **A** He was saying okay based on getting shot
9 in his upper torso once again.

10 **Q** And now you are saying he was saying stop
11 shooting me?

12 **A** He goes don't shoot, stop shooting, okay.
13 There was a whole bundle of things of getting
14 pierced with a bullet to his upper torso once again.

15 **Q** And in your interview, your second
16 interview with the FBI, do you remember an attorney
17 named that was talking to you?

18 **A** Maybe.

19 **Q** Black hair guy. And he said, you know,
20 that it is important that you talk about what you
21 saw and not what you assume happened?

22 **A** Okay.

23 **Q** And it was after he explained to you that
24 you have to talk about what you actually saw and you
25 also at that point knew that there was no shots in

1 Michael Brown's back, correct?

2 **A** At that point you're saying I didn't know
3 there was shot to his back?

4 **Q** Well, in your second interview you talk to
5 about the fact you knew he was grazed
6 in arm because of the autopsy?

7 **A** Yes.

8 **Q** You knew about the autopsy results during
9 your second interview?

10 **A** Based on what I seen with the graze on the
11 arm and him turning around. As far as the other
12 bullets are concerned, I wasn't concerned about them
13 because of the fact the closure of the bullets, I
14 was only concern of the graze of the arm based on
15 his turning around and putting his arms up and what
16 I seen when he was walking toward the police. He
17 was getting shot in the upper torso and lower torso,
18 that's all I can give you based on me visualizing
19 and seeing what I saw, that's it.

20 I can't give you the closure of him
21 standing over him and finish him off with a head
22 shot. I don't know. I don't know. I assume, once
23 again, based on me being where I was at in
24 there's a blind spot. I
25 can only assume by common sense that occurred.

1 **Q** So today did you see the officer shoot
2 Michael Brown as he was running away?

3 **A** Yes, I did.

4 **Q** You saw him shoot Michael Brown as Michael
5 Brown was running away?

6 **A** I saw him shoot in the direction, he
7 became clear to, once again, he became clear to me
8 as Mike Brown running eastbound on the street, he
9 became clear to me when he made hisself visual
10 outside of . When he became clear to me,
11 this is the angle I'm able to see him at. He became
12 clear to me and I notice that Michael Brown run this
13 way, he became clear to me when he left this
14 building right here, .

15 **Q** But my question is today, do you remember
16 the officer shooting Michael Brown as Michael Brown
17 was running away?

18 **A** Yes, I do.

19 **Q** You saw him shoot him as he's running
20 away?

21 **A** I saw him shoot in the direction Mike
22 Brown was running into, eastbound.

23 **Q** Okay. And then as you sit here today, do
24 you remember seeing Michael Brown get shot in his
25 chest and his torso?

1 **A** Yes, I did.

2 **Q** Do you remember Michael Brown falling on
3 the ground?

4 **A** I can only assume him falling on the
5 ground due to me being in and this
6 , I wasn't able to see him physically fall
7 to the ground.

8 **Q** So from is your where your porch is?

9 **A** Yes.

10 **Q** Michael Brown would have been right around
11 this area, right?

12 **A** Yes, he would of.

13 **Q** And so at that point you kind of have a
14 side view of him, is that fair to say?

15 **A** Side view with a blind spot.

16 **Q** Side view with a blind spot?

17 **A** Yes.

18 MS. ALIZADEH: I don't have anything else.

19 MS. WHIRLEY: Questions?

20

21 Can you show us on the map at which point Michael
22 Brown turned around?

23 **A** At what point?

24 Yes, how far east did he
25 go?

1 **A** He was approximately, he was about right
2 here. He was about right here when he turned
3 around. (indicating)

4 : Can you show us where his
5 body ended up?

6 **A** His body ended up about right there on the
7 ground. (indicating)

8 : I'm trying to estimate
9 that distance how far he traveled back to the west
10 as he was being shot at.

11 **A** Right.

12 : I mean, I don't know that
13 area well, is that 50 feet, 100 feet, that looks
14 like a pretty good distance.

15 **A** Yeah, it's a pretty good distance.

16 That whole time as he's
17 advancing towards the officer he's being shot at and
18 the officer is backing up for part of that, I guess
19 to keep his distance or what's happening in your
20 mind?

21 **A** In my mind I see Mike Brown with his hands
22 up once again, and they are coming closer and I'm
23 like, why is you shooting this individual if he's
24 showing a surrender, you know, I don't get it. He
25 started backing up and still letting rounds off

1 like, you don't pose no threat, what is the threat.

2 So I'm really puzzled, you know.

3 Okay, thank you.

4 .

5 **A** How you doing.

6 I have some questions.

7 You said that you made your changes in your story

8 after, um, the facts were revealed from the autopsy?

9 **A** Yes.

10 : So you said that Michael
11 Brown was running eastbound?

12 **A** Yeah.

13 : Okay. And the police
14 officer was shooting at him?

15 **A** Yes.

16 And you saw him get shot
17 in the upper torso story?

18 **A** Yes, I did.

19 : So are you telling us
20 that he got shot in the upper torso through his
21 back?

22 **A** No.

23 : Okay.

24 **A** What I'm saying is based on --

25 : Not assumption, I want to

1 know what you saw. Did you see blood, how did you
2 know he was shot?

3 **A** Well, basically his upper torso I was able
4 to see with my own two eyes.

5 : Okay. And after he
6 turned around?

7 **A** After he turned around, the officer is
8 coming closer, he's coming closer and I was able to
9 physically see, no assumptions.

10 : Okay.

11 **A** He was shooting in his upper torso.

12 : Okay.

13 **A** And I seen this.

14 : And how do you know he
15 was shot?

16 **A** Cause I seen it with my eyes.

17 : Okay. What did you see
18 blood, did you see holes, did you see smoke, what
19 did you see?

20 **A** I seen the gun being fired, I seen the gun
21 being fired into his upper torso.

22 You saw the gun being
23 fired towards Michael Brown?

24 **A** Yes.

25 You didn't see anything,

1 a jerk or a fall or anything that would lead you to
2 believe, I'm just playing the devil's advocate here,
3 to lead you to believe that he was shot. You didn't
4 see him, you saw him get shot at?

5 **A** I seen him get shot.

6 : Okay.

7 **A** I didn't see him get shot at. At that
8 point you are asking me, but as far as when he was
9 running eastbound is when he get shot at, that's
10 shot at, but being shot.

11 : Okay.

12 **A** I seen him get shot in his upper torso.

13 : Okay. And what makes you
14 say he got shot, did you see the holes, did you see
15 the blood?

16 **A** The distance between the officer and
17 Michael Brown and where he had his gun raised, I
18 seen him physically get shot in his upper torso.

19 : Okay. And you say he was
20 moving toward the police with his arms up and he was
21 not posing a threat?

22 **A** None whatsoever.

23 : Okay. And I'm going to
24 ask you this, and I believe you, but you live there
25 so you knew he wasn't a threat to you, but if you

1 were a police officer and he's still moving toward
2 you, how could you be sure that the police officer
3 didn't think he was a threat? If I were being shot
4 and I were being shot at, even though I had my hands
5 up, I'd get on the ground.

6 Couldn't it be possible, why didn't he
7 stop moving? I mean, it would seem to me that there
8 could still be perceived as a threat if he's still
9 moving toward the police officer and the police
10 officer is backing up. Look at it from another
11 point, I just want you to tell me if it's possible?

12 **A** It may be possible in your world.

13 : In my world?

14 **A** Yeah.

15 : Okay. What does that
16 mean?

17 **A** That means that you more than likely not
18 to be shot the way he was shot. So he did not know,
19 being as young as he is, not knowing the seriousness
20 the situation. After getting pierced with the gun,
21 his torso to get down on his knees because he's
22 thinking to himself, I'm assuming that this officer
23 what is he doing. He's here to protect and serve,
24 he's here to protect and serve.

25 : If you were being shot,

1 wouldn't you want to get down on the ground?

2 **A** Immediately, but he did not know,
3 apparently, he did not know to get down on the
4 ground.

5 : So I want to ask you a
6 question. Again, about that, and you say it was
7 quite a distance that he moved toward the police
8 officer, 50 to 100 feet?

9 **A** Uh-huh.

10 : Okay. And at that point
11 he was out of your sight?

12 **A** Uh-huh, correct.

13 : So you don't know, he's
14 moving toward the police officer, even though he has
15 his hands up, he's still moving towards him.

16 **A** After getting shot in the upper torso.

17 : After getting shot in the
18 upper torso, how many times has he been shot?

19 **A** I say, I say, about four times, I think
20 about.

21 : Four times in upper
22 torso?

23 **A** Two upper torso and two down lower
24 portion. At that point it becomes a blind spot once
25 again.

1 : So he's been shot four
2 times, he's still moving forward, he hasn't gotten
3 down on the ground, and then he gets out of your
4 sight and you do not know what happens after that.
5 You don't know if his hands went down, you don't
6 know if he charged, you just know that his hands
7 were up and he was still moving forward.

8 **A** Correct.

9 And the police officer
10 was moving back?

11 **A** Correct.

12 : Okay. So I need to know,
13 you said, and you have to help me understand, I want
14 to make a good decision here. You said he said stop
15 shooting, but then you said he was saying okay,
16 okay, okay. Why are you shooting me. I need to
17 know what you heard, not what you think you heard or
18 what you heard.

19 **A** I'm assuming, I'm not going to assume, I'm
20 going to tell you based on you get pierced with a
21 bullet.

22 : Uh-huh.

23 **A** Multiple things will come out your mouth
24 you never spoke of.

25 : Okay.

1 **A** That's what he was going on. He was
2 getting pierced by some bullets. He was pleading
3 for his life.

4 : Okay. Thank you.

5 You have said
6 earlier today that your story matched those of the
7 construction workers, did you talk to them earlier
8 that day?

9 **A** No, I did not.

10 : Did you talk to them after
11 this incident happened?

12 **A** We don't even know each other.

13 : Okay. You haven't
14 communicated since this incident?

15 **A** I haven't communicated to him, no.

16 : How do you know that your
17 story matches their story?

18 **A** Excuse me?

19 : How do you know that your
20 story matches their story?

21 **A** I say this much, we was looking in the
22 same direction at the same given time. If it
23 differs, then we both blind.

24 Thank you.

25 . Immediately

1 after the shooting stops, were you still on your
2 balcony?

3 **A** I started to get closer because I was
4 curious to want to know why was the extra rounds let
5 off.

6 : Okay. Did you see any
7 cars go by?

8 **A** Traffic stopped because of the officer's
9 blocking off Canfield.

10 : Okay. So from the time
11 that you were on your balcony to the time that you
12 started getting closer to where Michael Brown had
13 fallen, did you notice any cars going up and down
14 Canfield.

15 **A** None whatsoever.

16 : I'm sorry, one other
17 question. When you saw, when Michael Brown was
18 running from the police officer, he first came into
19 your field of vision, as he's running east towards
20 the Northwinds Apartments, can you describe how he
21 was running, was he in a dead sprint.

22 **A** It wasn't so much of a dead sprint, he was
23 light footed, he had socks on. And he was trying to
24 get little, in this expression I mean little, he was
25 trying to get up, but he wasn't fast, it wasn't

1 fast. It was a moderate pace, you know.

2 Okay. And at that point
3 he turned and as he's turning, his hands go up in
4 the air?

5 **A** That's correct.

6 And he starts moving back
7 towards the police officer and the police officer is
8 moving back. Was it, can you describe how he was
9 moving at that particular point?

10 **A** The way in which he was walking toward
11 West Florissant?

12 : Yes.

13 **A** He was walking at a moderate pace to where
14 he has his arms up, he was walking like this at a
15 moderate pace. There was not no running whatsoever.

16 : Okay. And that's when you
17 started to hear what he had to say?

18 **A** Because the gunshots was going off.

19 : Okay, all right, thank
20 you.

21 At the
22 point that you see him coming back with his hands
23 up, did he ever appear to you that he was charging
24 the police officer?

25 **A** None whatsoever, not to me.

1 Did it appear to you that
2 he put his hands on his shirt or in his pants?

3 **A** No indication of that whatsoever.

4 : Thank you.

5 Prior
6 to this incident, have you ever seen anyone or view
7 anyone shot before?

8 **A** I, myself, have been shot before.

9 : Okay. And where did you
10 get shot?

11 **A** In the arm, in the lower torso.

12 : Okay. And can you tell me
13 what distance you were shot, was it the same
14 distance at which Michael Brown was shot?

15 **A** Much closer.

16 : Much closer, okay. And
17 when you were shot, did you immediately start
18 bleeding?

19 **A** Yes, I did.

20 Okay.

21 . Were
22 you shot by the police?

23 **A** (Shakes head.)

24 . Did you
25 say that you ever got a visible facial expression,

1 the police officer, could you see his face at all?

2 **A** Yeah, he was looking based on what I seen,
3 just in a state of confusion, I guess, that's the
4 best I can express it to be.

5 : Is this afterwards?

6 **A** Yes.

7 : Could you see him at all
8 during?

9 **A** Yeah, he was in the street. He was pacing
10 back and forth talking to his fellow officer.

11 : Okay. While Michael was
12 running, could you see the police officer, did he
13 ever become visual?

14 **A** He became visual to me after he left this
15 point. I was able to visibly see him when he came
16 in view.

17 Could you see his face of
18 any color issue or anything?

19 **A** At that time there wasn't no physical
20 damage to his face that people say, there was
21 nothing on his face.

22 : Thank you.

23 MS. ALIZADEH: , you came down
24 to the scene closer eventually; is that right?

25 **A** Yes, I did.

1 MS. ALIZADEH: Did you see people around
2 that area?

3 A A lot of people.

4 MS. ALIZADEH: Anybody you recognize?

5 A A lot of people that live in the complex.

6 MS. ALIZADEH: You recognize anybody that
7 you know by name.

8 A Yeah, I did.

9 MS. ALIZADEH: What names do you remember
10 seeing down there?

11 A Um, they got nicknames, they don't have
12 even use their real names over there. So there is a
13 lot of people that live in the complex with me. I
14 seen , a lot of other little people
15 and they was just in awe.

16 MS. ALIZADEH: And as the shooting was
17 happening, I know you said you saw the construction
18 workers there.

19 A Uh-huh.

20 MS. ALIZADEH: As the shooting was
21 happening, not afterwards, as it was happening, did
22 you see anybody that was in this vicinity? I'm just
23 going to generally say, did you see anybody that was
24 on foot in this general vicinity?

25 A Did I see anybody on foot? They only came

1 about being out there when they heard what they
2 heard or seen what they seen based on Mike Brown
3 being on the ground.

4 MS. ALIZADEH: Okay. So did you ever see,
5 and is your stepmom, not stepmom,
6 godmother?

7 **A** She's play mom, she stays next door to me.

8 MS. ALIZADEH: Did you ever see her that
9 day?

10 **A** Yes, she was out there.

11 MS. ALIZADEH: Where was she when you
12 first saw her?

13 **A** I wasn't, I wasn't paying attention to
14 nobody. I was zoning in to what I seen. I just had
15 a blockage.

16 MS. ALIZADEH: Okay. You said you saw her
17 out there?

18 **A** After I came from my porch and everybody
19 kind of gathered up as Mike Brown laid on the
20 ground.

21 MS. ALIZADEH: You weren't paying
22 attention to anything before you saw her at the
23 scene after he was on the ground?

24 **A** Exactly.

25 MS. ALIZADEH: All right. Did you talk to

1 her about what you had seen?

2 **A** No, no.

3 MS. ALIZADEH: Did she talk to you about
4 what she had seen?

5 **A** No, she kept stuff to herself, you know,
6 like I was. I'm like, did this really just happen.
7 It's like, it is hers, you know.

8 MS. ALIZADEH: Did you ever, I know there
9 is a part of it at the end that you say you didn't
10 see?

11 **A** Exactly.

12 MS. ALIZADEH: You never saw Michael Brown
13 on his knees?

14 **A** No, I did not.

15 MS. ALIZADEH: All right. Thank you.

16 MS. WHIRLEY: Anybody else?

17 . Did you know
18 prior to August 9th?

19 **A** I've seen her off and on.

20 So you have met her?

21 **A** Yes, off and on. Just, just the situation
22 just brought everybody close together in a sense
23 because, you know, you see people passing and you go
24 hi, bye, it is just that.

25 : Okay.

Will

1

2 you tell us why you were shot?

3 **A** Could you repeat the question?

4 : Why you got shot,

5 somebody shot you?

6 **A** Why did I get shot?

7 : Yes.

8 **A** Um, it was a misunderstanding between me
9 and a brother-in-law.

10 : Between you and who?

11 **A** A brother-in-law. It was a family related
12 situation to where you know, it just occurred.
13 That's not on the record?

14 MS. ALIZADEH: Pardon me.

15 MS. WHIRLEY: Any other questions?

16 MS. ALIZADEH: , is there
17 anything else that you can think of or that we
18 haven't asked you that you think is important for
19 this grand jury to know and understand when they
20 make their decision?21 **A** Basically I think you guys are doing your
22 best to dissect and analyze this case. I just ask
23 that you be forever mindful of both sides, of both
24 families and give just due.

25 MS. ALIZADEH: Okay. Anyone else have

1 anything any other questions? All right.

2 (End of the testimony of .)

3

4 of lawful age, having been first duly sworn to

5 testify the truth, the whole truth, and

6 nothing but the truth in the case aforesaid,

7 deposes and says in reply to oral

8 interrogatories, propounded as follows, to-wit:

9 EXAMINATION

10 BY MS. ALIZADEH:

11 Q Could you tell us your name?

12 A

13 Q Okay. remember when I told you
14 you are going to have to speak up so we can hear you
15 all the way back here?

16 A Yes.

17 Q So first of all, can you spell your name
18 for the court reporter?

19 A

20 Q Can I call you

21 A Yes.

22 Q How old are you?

23 A

24 Q And when was your birthday?

25 A

1 **Q** You live with your mom; is that right?

2 **A** Yes.

3 **Q** Now, your mom doesn't live in Canfield
4 Green; is that correct?

5 **A** No.

6 **Q** Who lives in Canfield Green that you know?

7 **A** My dad.

8 **Q** And do you know what your dad's address
9 is?

10 **A** I don't know.

11 **Q** Okay. Do you remember when the police
12 first came to talk to you on the day of the
13 shooting?

14 **A** Yes.

15 **Q** Were you at your father's apartment when
16 they talked to you?

17 **A** Yes.

18 **Q** Okay. So if the, can you look on this
19 map, this is Grand Jury Exhibit Number 25. These
20 are the buildings and the roads that are in Canfield
21 Green, can you see where your building is?

22 **A** No.

23 **Q** Okay. Do you know that your address is,
24

25 **A** No.

1 **Q** You don't know that?

2 **A** No.

3 **Q** Okay. So here is . So if your dad
4 told the police that on the day that you were
5 interviewed that that was your address, would that
6 be, do you have any reason that your dad wasn't
7 truthful, right, your dad told the police where you
8 lived?

9 **A** Uh-huh.

10 **Q** Okay. And the police were at your house
11 when they interviewed you, your dad's house?

12 **A** Yes.

13 **Q** Okay. So here is on the map right
14 here. Do you know what floor your dad lives on?

15 **A** Third floor.

16 **Q** The top floor?

17 **A** Uh-huh.

18 **Q** And so when you were in your dad's
19 apartment and you look out the window, the front
20 windows, you can see Canfield Drive; is that right?

21 **A** Yes.

22 **Q** Okay. Now, were you staying with your dad
23 when you were on, August 9th that day were you
24 staying there, like the weekend or something?

25 **A** Yes.

1 **Q** Do you spend weekends with your dad?

2 **A** Yes.

3 **Q** Do you know people in the complex, do you
4 have friends in the complex?

5 **A** No, that was my second time over there.

6 **Q** That was the second time you had ever been
7 there?

8 **A** Uh-huh.

9 **Q** Have you been there since?

10 **A** Yes, once.

11 **Q** Did you know, now you know that this is
12 about the day that Michael Brown got shot, right?

13 **A** Yes.

14 **Q** Did you know Michael Brown before that
15 day?

16 **A** No.

17 **Q** Had you ever seen him in the complex?

18 **A** No.

19 **Q** All right. Do you know a guy named Dorian
20 Johnson or DJ?

21 **A** No.

22 **Q** Okay. Um, so why don't you tell the grand
23 jurors what you were doing on that day on August 9th
24 when you heard something?

25 **A** Um, I was listening to some music on the

1 TV until I heard some screaming.

2 Q Okay. Nobody can hear you back here.

3 That microphone isn't going to amplify your voice.

4 So let's practice something, say

5 A

6 Q But louder?

7 A

8 Q A little louder low.

9 A

10 Q There you go, okay. I know you can do it.

11 I bet you raise your voice sometimes, right?

12 A (Nods head.)

13 Q All right. So on the day that the
14 shooting happened you were at your dad's, right?

15 A Yes.

16 Q Where in the apartment were you, is your
17 dad's apartment a two bedroom or one bedroom?

18 A One.

19 Q One bedroom?

20 A Uh-huh.

21 Q So when you would stay at your dad's,
22 where would you, would you sleep in the living room?

23 A The living room.

24 Q Like on a couch?

25 A Yes.

1 **Q** And so, um, when you're in the living room
2 and you look out the windows, do you look onto
3 Canfield?

4 **A** Yes.

5 **Q** Okay. So I think you said that, were you
6 in the living room when you heard something?

7 **A** Yes.

8 **Q** What were you doing?

9 **A** Listening to some music.

10 **Q** Listening to some music?

11 **A** Yes.

12 **Q** Was it on the radio or were --

13 **A** No, I was YouTube.

14 **Q** On YouTube?

15 **A** Yes.

16 **Q** Was it on a computer then or on TV?

17 **A** It was on a game.

18 **Q** On a game?

19 **A** Yes.

20 **Q** Like a handheld kind of game?

21 **A** Yeah.

22 **Q** What kind of game was it?

23 **A** A Play Station III.

24 **Q** Okay. So this is a game that plays on
25 your TV?

1 **A** Yes.

2 **Q** Was the music turned up real loud? Like
3 sometimes my kids turn their music up really, really
4 loud, was your music up loud?

5 **A** No.

6 **Q** And what happened that suddenly drew your
7 attention to something?

8 **A** I heard some screaming.

9 **Q** And did the screaming, did you think it
10 was inside the apartment or outside the apartment?

11 **A** Outside.

12 **Q** And did you, could you tell at that time
13 if it was a man's scream or a woman's scream or a
14 boy's scream?

15 **A** Um, no.

16 **Q** You couldn't tell?

17 **A** No.

18 **Q** Was the scream a word or words or was it
19 just a sound?

20 **A** It was just a sound.

21 **Q** Prior to the scream, did you hear anything
22 else that drew your attention?

23 **A** No.

24 **Q** So that's the first thing that you heard
25 that you thought, what was that?

1 **A** Yes.

2 **Q** All right. So what did you do when you
3 heard the scream?

4 **A** I walked to the window and started to look
5 out the window.

6 **Q** So now in your living room, because we
7 heard people talk about the apartments there, is
8 there a sliding glass door?

9 **A** Yes.

10 **Q** Is that the window that you looked out?

11 **A** Yes.

12 **Q** And are there blinds on that sliding glass
13 door?

14 **A** Yes.

15 **Q** On that day, do you know were the blinds
16 open or closed?

17 **A** They was open, but there was some missing
18 so I didn't have to touch the blinds.

19 **Q** They were open?

20 **A** Yes.

21 **Q** You didn't have to touch them?

22 **A** Yes.

23 **Q** They were in a way where you could look
24 through the blinds?

25 **A** Yes.

1 **Q** So the blinds were across the window, but
2 they were open?

3 **A** Yes.

4 **Q** All right. So when you looked out the
5 window, let me ask you first. Was there anybody
6 else home with you?

7 **A** No.

8 **Q** So when you looked out the window from
9 what did you see when you looked out the
10 window?

11 **A** I saw a police car parked in a funny kind
12 of way.

13 **Q** Okay. Let's back up. I'm going to repeat
14 what you say so everybody can make sure they hear
15 your answers and you tell me if, remember if I say
16 if I say something and it is not what you said, you
17 need to correct me, okay?

18 **A** All right.

19 **Q** So you said you saw a police car?

20 **A** Yes.

21 **Q** Was it, can you describe the car?

22 **A** Um, I guess it was a truck.

23 **Q** A truck?

24 **A** Uh-huh.

25 **Q** So are we talking about like a pickup

1 truck or like an SUV truck?

2 **A** Like an SUV truck.

3 **Q** Okay. Did it have markings on it or was
4 it just a plain color?

5 **A** It was a white car with blue police light
6 on it.

7 **Q** All right. Now, so this was a marked
8 police SUV?

9 **A** You said it was what?

10 **Q** It was a marked, meaning it had letters on
11 it?

12 **A** Yes.

13 **Q** That said police?

14 **A** Yes.

15 **Q** Did it have a light bar on the top of the
16 truck?

17 **A** Yes.

18 **Q** Were the lights on?

19 **A** No.

20 **Q** Okay. So you see the police truck and you
21 said it was parked in the street?

22 **A** Yes.

23 **Q** You said it was kind of, I can't remember,
24 did you say it was kind of parked funny?

25 **A** Yes.

1 **Q** How so?

2 **A** It was like it was in the street kind of
3 like tilted so nobody could get past.

4 **Q** Okay. So from where you were looking at
5 it, which side of the police truck were you looking
6 at, the driver's side or the other side?

7 **A** The driver's side.

8 **Q** And so if this is the map of that street
9 and if you live here, can you use this, this is a
10 pointer, if you press that button see look, so you
11 can use this to point on here. Can you point on
12 there where the truck was when you saw it parked
13 kind of funny?

14 **A** It was about right there. (indicating)

15 **Q** So pretty much in front of your apartment?

16 **A** Yes.

17 **Q** Okay. And so when you looked out and saw
18 the police car, did you see any people?

19 **A** Yes, I saw one other person.

20 **Q** One other person?

21 **A** Uh-huh.

22 **Q** And what did that person look like?

23 **A** He was dark skin, had dreads and he had on
24 a black shirt.

25 **Q** And where was he?

1 **A** He was standing about like right here on
2 the side. (indicating)

3 **Q** So he was a little, a little further down
4 the street east from where the police car was?

5 **A** Yes.

6 **Q** So if he, from where he was, could he
7 reach out and touch the police car?

8 **A** No.

9 **Q** No. Too far away to touch it?

10 **A** Yes.

11 **Q** What was he doing?

12 **A** He was just sitting there watching.

13 **Q** So when you say he was sitting there, was
14 he actually sitting?

15 **A** No, he was standing.

16 **Q** Was he in the street or on the side?

17 **A** On the sidewalk.

18 **Q** On the sidewalk?

19 **A** (Nods head.)

20 **Q** Was he on the opposite side of the street
21 or was he on your side of the street?

22 **A** Opposite side.

23 **Q** Okay. And so did you see anybody else on
24 the street or around the police car?

25 **A** I saw two cars trying to get through

1 coming from each direction.

2 Q So were these regular cars or police cars?

3 A Regular cars.

4 Q And you said they were going east to west,
5 were they going this way on Canfield?

6 A One was going that way and one was going
7 the other way. (indicating)

8 Q One was coming this way and one was coming
9 that way? (indicating)

10 A Yes.

11 Q Were they able to get by?

12 A Yes.

13 Q So they went ahead and passed the police
14 car?

15 A Uh-huh.

16 Q And did the car that was going westbound,
17 did that pass the police car too?

18 A Yes.

19 Q Okay. What was going on at or around the
20 police car, did you see anything?

21 A Yes.

22 Q What did you see?

23 A I saw, um, the man like trying to pull
24 away from the police, pull his arm out of the police
25 car.

1 **Q** Okay. So let's stop. You said you saw
2 the man was trying to pull away from the police car?

3 **A** Yes.

4 **Q** So is this the man with the dreads in the
5 black shirt?

6 **A** No.

7 **Q** So this is another person. So let's
8 describe this person, what did he look like from
9 what you could see?

10 **A** I saw a red hat, some yellow and black
11 socks and flip flops.

12 **Q** All right. Red hat, what kind of hat?

13 **A** I think the Cardinals.

14 **Q** Was it a ball cap style hat?

15 **A** Yes.

16 **Q** Okay. And you said what color socks?

17 **A** Yellow and black.

18 **Q** Yellow and black. And then you said some
19 Nike flip flops?

20 **A** Yes.

21 **Q** And what about his shirt, could you tell
22 what kind of shirt he had on?

23 **A** No, I saw khaki shorts he had on.

24 **Q** Khaki shorts?

25 **A** Uh-huh.

1 **Q** And so when you looked out and you saw
2 him, were you looking at his back, his side or his
3 front?

4 **A** His back.

5 **Q** And so could you see his face when you
6 were looking out, when you first looked out?

7 **A** No.

8 **Q** Was this, I mean, we've said a he, it was
9 a male, correct?

10 **A** Yes.

11 **Q** Was he African-American?

12 **A** Yes.

13 **Q** And can you give me an idea of how old he
14 might have been?

15 **A** Like 17 or 18.

16 **Q** So like a young man?

17 **A** Yes.

18 **Q** Not an older person?

19 **A** No.

20 **Q** What about his size, what was his size
21 like?

22 **A** I'd say about 210.

23 **Q** About what?

24 **A** 210.

25 **Q** Like that would be his weight, 210?

1 **A** (Nods head.)

2 **Q** About how tall, how tall are you ?

3 **A** 5'8".

4 **Q** And looking at what you could see of this
5 person, did he look like he was taller than that?

6 **A** Yes.

7 **Q** All right. And so where was he when you
8 first, you said that you saw him look like he was
9 trying to pull away. Where was he when you first
10 looked out and saw him?

11 **A** That's what he was doing, trying to pull
12 away.

13 **Q** Pull away from what?

14 **A** The police car, inside the police car.

15 **Q** So he was at the side of the police car?

16 **A** His arm was.

17 **Q** His arm was?

18 **A** (Nods head.)

19 **Q** Describe what you remember seeing. Is he
20 next to the police car, in front of the police car,
21 behind the police car?

22 **A** He was next to it.

23 **Q** Was he on the driver's side or on the
24 other side?

25 **A** Driver's side.

1 **Q** Was he closer to the front of the car or
2 the middle of the car or the back of the car?

3 **A** The front.

4 **Q** Okay. Could you see, you said his arm,
5 you said something about his arm, what was his arm
6 doing?

7 **A** His arm was inside the police vehicle.

8 **Q** All right. His arm was inside the police
9 vehicle?

10 **A** Yes.

11 **Q** Do you remember which arm?

12 **A** No.

13 **Q** And did you get any, could you see what
14 was going on inside the police vehicle?

15 **A** No.

16 **Q** Could you see if there was anyone inside
17 the police vehicle?

18 **A** I wasn't paying attention to that.

19 **Q** Okay. So at this point you just notice
20 him?

21 **A** Yes.

22 **Q** And one of his arms is inside the police
23 vehicle?

24 **A** Yes.

25 **Q** So I don't want to assume anything, but is

1 it, is the door open, is the window open, how is it
2 that his arm is inside the vehicle?

3 **A** The window is down.

4 **Q** Okay. Which window, the front, like the
5 driver's window or back window?

6 **A** The driver's window.

7 **Q** All right. And so you said he was like
8 trying to pull away?

9 **A** Yes.

10 **Q** Okay. Can you describe what you mean by
11 that, what was he doing that you say it looked like
12 he was trying to pull away?

13 **A** Because he had one of his arms on the
14 police vehicle moving back trying to pull away.

15 **Q** So one of his arms was on the police
16 vehicle?

17 **A** (Nods head.)

18 **Q** And the other one was inside?

19 **A** Yes.

20 **Q** And you think he was trying to pull away?

21 **A** Yes.

22 **Q** Could you see why he couldn't walk away
23 from the vehicle, could you tell what was keeping
24 him from --

25 **A** I guess he was grabbing on like.

1 **Q** Okay. And you're guessing that or you can
2 see it?

3 **A** I'm guessing.

4 **Q** So you couldn't tell what was holding him
5 from pulling away?

6 **A** No.

7 **Q** You said it was like he was trying to pull
8 away?

9 **A** Yes.

10 **Q** And, okay. So what did you see then?

11 **A** Then, uh, I seen the police officer try to
12 tase him.

13 **Q** Okay. So you said you saw the police
14 officer try to phase him?

15 **A** Uh-huh.

16 **Q** Could you see a police officer?

17 **A** You said, did I see a police officer?

18 **Q** Yeah.

19 **A** Yes.

20 **Q** Okay. Where was the police officer?

21 **A** In the car.

22 **Q** Was he in the back or the front?

23 **A** The front.

24 **Q** Was he in the passenger or driver's side?

25 **A** Driver's side.

1 **Q** And you said you saw him try to tase him?

2 **A** Yes.

3 **Q** So what do you mean by that, describe what
4 you saw?

5 **A** I saw him pull out something. I also saw
6 something go past.

7 **Q** You saw who pull out something?

8 **A** The police officer.

9 **Q** All right. And did you see where he
10 pulled it out of?

11 **A** No.

12 **Q** And what did this thing that he pulled out
13 look like?

14 **A** It looked like a yellow and black kind of
15 thing.

16 **Q** I'm sorry, it was like a yellow?

17 **A** Yellow and block.

18 **Q** Yellow and black?

19 **A** Yes.

20 **Q** So you described it, you said that he
21 tried to tase him, have you seen a taser before?

22 **A** No.

23 **Q** All right. What do you think a taser
24 looks like?

25 **A** Uh, I think it is yellow and black.

1 **Q** Okay. So does it look like, all right.
2 You said the officer had that in his hand. Do you
3 remember which hand it was in?

4 **A** Yes.

5 **Q** Which hand?

6 **A** His right.

7 **Q** And what was he doing with it?

8 **A** Like he pointed it at the victim.

9 **Q** So he pointed it at the guy that was at
10 the car?

11 **A** Yes.

12 **Q** Okay. And you said you saw something come
13 out of it?

14 **A** Uh-huh.

15 **Q** Did you hear anything?

16 **A** No.

17 **Q** You didn't hear any kind of pow or noise?

18 **A** Not until he shot.

19 **Q** Okay. So at this point something comes
20 out of the taser?

21 **A** Yes.

22 **Q** What did that look like?

23 **A** It was like a string.

24 **Q** Like a string?

25 **A** Like a metal string.

1 **Q** Okay. And so does that look like it hit
2 the boy or the man at the car?

3 **A** No.

4 **Q** Did you see that it didn't hit him or you
5 couldn't tell?

6 **A** I saw that it didn't hit him.

7 **Q** So did it go past his body then?

8 **A** Yes.

9 **Q** Have you ever seen like a taser being
10 fired like on television or anything?

11 **A** No.

12 **Q** You never seen a taser being fired?

13 **A** No.

14 **Q** Okay. So then what happened then you saw
15 the taser and the thing came out and went past the
16 boy in the car, what happened then?

17 **A** I saw him pull out his gun.

18 **Q** You what?

19 **A** I saw him pull out his gun.

20 **Q** You saw him with his gun?

21 **A** Yes.

22 **Q** You saw who with his gun?

23 **A** The officer.

24 **Q** So where did the gun come from, did you
25 see how the gun came into the picture?

1 **A** No.

2 **Q** Did the gun look different than the taser?

3 **A** No.

4 **Q** It looked like the same thing?

5 **A** Just a different color.

6 **Q** Different color. So the taser kind of
7 looks like a gun?

8 **A** Yes.

9 **Q** Only it was yellow and black?

10 **A** Yes.

11 **Q** And then a string thing came out of it?

12 **A** Yes.

13 **Q** And the gun, what color was that?

14 **A** Black.

15 **Q** Was the officer still in the car or out of
16 the car or where?

17 **A** He was just about to get out. He was
18 opening up the door.

19 **Q** Okay. So you saw the officer opening up
20 the door?

21 **A** Yes.

22 **Q** And did he get out of the car?

23 **A** Yes, but he waited until after he fired
24 the shot.

25 **Q** Let's back up then. You saw the gun and

1 do you know what hand the officer had it in?

2 **A** No.

3 **Q** You said that he fired a shot?

4 **A** Yes.

5 **Q** Where was the boy who had been at the car,
6 where was he when the shots were fired?

7 **A** He was at the apartment complexes.

8 **Q** Was he running into the apartment complex
9 when the shot was fired from the gun?

10 **A** Yes.

11 **Q** Okay. So did you ever see or hear that
12 gun being shot while the boy was up at the car?

13 **A** Yes.

14 **Q** Okay. So let's back up. You see a taser
15 being fired and then you see the gun?

16 **A** Yes.

17 **Q** And the first shot of the gun, where was
18 the boy when it was first shot?

19 **A** He was still at the car.

20 **Q** Still at the car?

21 **A** (Nods head.)

22 **Q** And then what happened?

23 **A** Then that's when he took off.

24 **Q** He took off.

25 **A** Yes.

1 **Q** And then where did he go?

2 **A** He ran down the street.

3 **Q** So when you say he ran down the street,
4 was that Canfield Drive?

5 **A** Yes.

6 **Q** And did he run west towards West
7 Florissant or east towards Northwinds Apartments?

8 **A** East.

9 **Q** So the officer got out of the car?

10 **A** Yes.

11 **Q** Do you remember talking to the police
12 about what you had seen?

13 **A** Yes.

14 **Q** Okay. And did the officer have any
15 trouble getting out of his car?

16 **A** No.

17 **Q** Okay. Do you remember telling them that
18 the officer opened the door to shoot and then got
19 out of the car?

20 **A** Yes, I remember.

21 **Q** So where was the officer when he first
22 shot the gun?

23 **A** He was still in the car.

24 **Q** In the car?

25 **A** (Nods head.)

1 **Q** So when you said that he opened the door
2 to shoot, when he first shot the gun, was the car
3 door open or closed?

4 **A** Open.

5 **Q** It was what?

6 **A** Open.

7 **Q** Open. So he had opened his door?

8 **A** (Nods head.)

9 **Q** And Michael Brown was still at the
10 vehicle?

11 **A** Yes.

12 **Q** Okay. Did he open his door all the way?

13 **A** Yes, he opened it.

14 **Q** So was Michael Brown hit by the door when
15 the door open?

16 **A** No.

17 **Q** And I said Michael Brown, you know that's
18 Michael Brown, right?

19 **A** Yes.

20 **Q** Okay. So was he farther away from the
21 vehicle when the door came open?

22 **A** He was like almost towards the back.

23 **Q** So he had started moving at that point?

24 **A** Yes.

25 **Q** And he was close to the rear of the

1 vehicle?

2 **A** Yes.

3 **Q** And so you, when the officer fired the
4 gun, was he still sitting in the driver's seat?

5 **A** Yes, he was still sitting.

6 **Q** So he would of had to turn around, if he
7 was shooting at Michael Brown and he was close to
8 the rear of his vehicle, did he have to lean out and
9 turn around?

10 **A** Yes, he was halfway out.

11 **Q** Halfway out of the car?

12 **A** (Nods head.)

13 **Q** And so after that shot, did you see where
14 that shot went?

15 **A** No.

16 **Q** No?

17 **A** No.

18 **Q** What happened then?

19 **A** That's when he kept running.

20 **Q** So Michael Brown kept running?

21 **A** I guess.

22 **Q** Okay. Don't guess. I thought that's what
23 you said he kept running. I'm just trying to repeat
24 it because I want to make sure they hear you.

25 **A** After that first shot I turned to look

1 away, I thought everything, he had him in custody, I
2 guess, or whatever.

3 Q So after that first shot, you turned away
4 and you didn't watch it?

5 A Yeah, I didn't watch it.

6 Q Okay. Was there something that was going
7 on that drew your attention away from what was going
8 on outside?

9 A No.

10 Q Why is it that you turned away?

11 A Because I didn't hear no more gunshots
12 until, actually, I sat down and then I heard some
13 more.

14 Q All right. So when you say you turned
15 away, let's back up. When you were looking out the
16 sliding glass door, were you sitting down or
17 standing up?

18 A Standing up.

19 Q And so when you turned away, did you
20 actually turn your body away from this or did you
21 just not look?

22 A I turned my body away.

23 Q Did you then go back into the living room?

24 A You say what?

25 Q Did you stay in the living room?

1 **A** Yes.

2 **Q** Did you go sit down?

3 **A** Yes.

4 **Q** All right. So once you turned away, now
5 at this point you said, you have gotten to the point
6 where you said you heard one gunshot?

7 **A** Uh-huh.

8 **Q** And you saw the officer shooting his gun
9 as Michael Brown was running away?

10 **A** Yes.

11 **Q** Or he was near the back of the vehicle?

12 **A** He was running, yes, he was.

13 **Q** Can you tell me where Michael Brown was,
14 how his body was when you saw that first gunshot,
15 was he facing the officer, was he facing away from
16 the officer?

17 **A** He was facing away.

18 **Q** Facing away. Had he started to run when
19 you saw that first gunshot?

20 **A** Yes.

21 **Q** Okay. And then you turned away from the
22 window and you sat back down?

23 **A** Yes.

24 **Q** Did you hear anything after that?

25 **A** Yes.

1 **Q** What did you hear?

2 **A** I heard several more gunshots.

3 **Q** Okay. Were those was there a pause
4 between any of those gunshots?

5 **A** No.

6 **Q** And you said several or seven, I want to
7 make sure?

8 **A** Several.

9 **Q** Several?

10 **A** Uh-huh.

11 **Q** Can you in your head imagine them and see
12 if you can tell me how many you think there were?

13 **A** Four to five.

14 **Q** Okay. And then what, if anything, did you
15 do after you heard those four to five shots?

16 **A** I stood there and watch him get on his
17 walkie-talkie thing and I saw more officers come.

18 **Q** Okay. So I got to come up here so I can
19 hear you. You still what?

20 **A** I stood right there and I saw him get on
21 his little radio thing.

22 **Q** So let's go back. So at some point you
23 went back to the window?

24 **A** Yes.

25 **Q** When the four or five shots went off, were

1 you still on the couch or were you up at the window?

2 **A** I was still on the couch.

3 **Q** Okay. So when you went back to the
4 window, what did you see, was it still going on?

5 **A** No.

6 **Q** Okay. What did you see when you looked
7 back out the window?

8 **A** I saw him laying down. He was already on
9 the radio.

10 **Q** You said you saw him laying down, so would
11 that be Michael Brown?

12 **A** Yes.

13 **Q** And he was bleeding?

14 **A** Yes.

15 **Q** Can you use the pointer and show me where
16 he was laying down?

17 **A** (Indicating.)

18 **Q** Was he me the street, or in the grass or
19 on the sidewalk?

20 **A** In the street.

21 **Q** Where was the officer?

22 **A** He was over him.

23 **Q** Over him?

24 **A** Uh-huh.

25 **Q** So standing over him?

1 **A** Yes.

2 **Q** What was he doing?

3 **A** He was like on his radio thing.

4 **Q** So you pointed to your shoulder, was he
5 talking, did it look like he was talking on a radio
6 on a shoulder?

7 **A** Yes.

8 **Q** Could you hear what he was saying?

9 **A** No.

10 **Q** Did you hear Michael Brown and the
11 officer, other than the scream that you heard, did
12 you ever hear them say anything?

13 **A** No.

14 **Q** Did you ever hear any other screams?

15 **A** No.

16 **Q** When you say the officer was standing over
17 him and he was talking on the radio, did the officer
18 still have his gun?

19 **A** Yes, he still had it out.

20 **Q** Where was it?

21 **A** In his right hand.

22 **Q** So it was still out?

23 **A** Yes.

24 **Q** Was he shooting it?

25 **A** No.

1 **Q** After you turned away, after you saw the
2 first gunshot, did you ever see the officer fire the
3 gun?

4 **A** No.

5 **Q** So when you looked, when you said that his
6 gun was out, can you stand up for me and show them
7 how it was?

8 **A** How the officer was?

9 **Q** Yeah.

10 **A** He was like this on his thing.
11 (indicating)

12 **Q** So the gun was like down at his side?

13 **A** Yes.

14 **Q** Was it pointed at anybody?

15 **A** No.

16 **Q** Okay. You can sit back down.

17 Now, at some point you were talking
18 to the police you told them that you saw, well,
19 initially when you were first interviewed you said,
20 and I want to make sure I get it right. You said I
21 saw a man with his hands in a police car trying to
22 snatch it away and then he got away. Do you
23 remember saying that?

24 **A** Uh-huh.

25 **Q** What do you mean by that. That he was

1 trying to snatch it away, I don't know what you mean
2 by that?

3 **A** Like he was trying to prevent him from
4 grabbing, keep grabbing his arm.

5 **Q** Okay. So let's clarify. When you say I
6 saw a man with his hands in a police car trying to
7 snatch it away, who was trying to snatch something
8 away?

9 **A** The deceased.

10 **Q** Michael Brown?

11 **A** Uh-huh.

12 **Q** What was he trying to snatch away?

13 **A** His hand.

14 **Q** So he was trying to get his hand out of
15 the police car?

16 **A** Yes.

17 **Q** Did you see anything in his hand?

18 **A** No.

19 **Q** Okay. And then you also said in the
20 second, now you, last week you actually met with the
21 FBI and the attorney and gave them another
22 statement, right?

23 **A** Yes.

24 **Q** And that was downtown at their FBI
25 headquarters?

1 **A** Yes.

2 **Q** Or did they come to your house?

3 **A** Downtown.

4 **Q** Downtown. Okay. And you said at that
5 time you said the officer, it was like the officer
6 was trying to pull him into the car, did you say
7 that just last week?

8 **A** Yes.

9 **Q** So describe what you saw that makes you
10 say that?

11 **A** Okay. Cause I saw him pulling away so.

12 **Q** So you saw who pulling away?

13 **A** The deceased.

14 **Q** Okay. And why is it that you say you saw
15 the officer was trying to pull him into the car?

16 **A** Because I saw him going in like a back and
17 forth motion.

18 **Q** A back and forth motion?

19 **A** Yes.

20 **Q** So did you ever see the officer, other
21 than the time you saw the taser and then saw the
22 gun, did you ever see the officer's hands?

23 **A** No.

24 **Q** So when you say a back and forth motion,
25 what was moving back and forth?

1 **A** Um, the --

2 **Q** The arms?

3 **A** The decease's body.

4 **Q** The decease's body?

5 **A** Yes.

6 **Q** Was it moving forward and back, or was it
7 from side to side or both?

8 **A** Forward and back.

9 **Q** Forward and back?

10 **A** Yes.

11 **Q** And you said already that you saw a hand,
12 one of his hands was inside the police vehicle?

13 **A** Yes.

14 **Q** And one was on the police vehicle?

15 **A** Yes.

16 **Q** Okay. And you said you saw the police
17 officer grabbing, I couldn't understand what you
18 said, and then you said he was reaching for
19 something and he was trying to open the door.

20 **A** Yes.

21 **Q** So let's go back. I couldn't hear on your
22 taped statement because you are so quiet you said
23 you saw the officer grabbing. Do you remember
24 saying that?

25 **A** Yes.

1 **Q** What did you see the officer grabbing?

2 **A** I just saw him reach.

3 **Q** Pardon me?

4 **A** I just saw him reaching.

5 **Q** You saw him reaching?

6 **A** Yes.

7 **Q** With his arm or hand?

8 **A** Hand.

9 **Q** Reaching what?

10 **A** To his side, right side.

11 **Q** To his right. So you could see officer's
12 hand reaching to his right side?

13 **A** I could see his arm.

14 **Q** Yeah. You said the officer tried to open
15 the door and then he shot his taser. So when you
16 say he tried to open his door, was, I don't want to
17 assume something, I don't know if that means he
18 couldn't open the door, or he did open the door, but
19 what do you mean when you say he tried to open the
20 door?

21 **A** He did, he opened it. That's when he
22 started to open it.

23 **Q** Okay. Did anything prevent him from
24 opening the door?

25 **A** No.

1 **Q** When he tried to open the door, was
2 Michael Brown still right up against the car?

3 **A** No, he was towards the end.

4 **Q** It was towards the end. Okay. So Michael
5 Brown, you already said was backed a little bit away
6 toward the back of the vehicle?

7 **A** Yes.

8 **Q** And you also said that one of the things,
9 one of the reasons why you turned away is you assume
10 that Michael Brown would have been in custody and in
11 handcuffs?

12 **A** Yes.

13 **Q** Why did you assume that?

14 **A** Because I didn't hear any more shots.

15 **Q** Okay. So when you turned away, you turned
16 away after the first gunshot?

17 **A** Yes.

18 **Q** And then you said you heard four more
19 shots?

20 **A** Yes.

21 **Q** Was there any pause between the first
22 gunshot and the four more shots?

23 **A** Yes.

24 **Q** Okay. Do you know how long it would have
25 been?

1 **A** About five seconds.

2 **Q** About five seconds?

3 **A** (Nods head.)

4 **Q** So when you say you turned away and you
5 didn't look because you assume that Mike Brown or
6 assume that that guy would have been in custody in
7 handcuffs, did you assume that before you heard the
8 four gunshots or after?

9 **A** Uh, before.

10 **Q** Before. And then you hear four gunshots
11 and then you are went back and looked out the
12 window?

13 **A** Yes.

14 **Q** And that's when you saw him on the ground?

15 **A** Yes.

16 **Q** When Michael Brown was moving away from
17 the police officer, did you ever see his hands up in
18 the air like this in this motion? (indicating)

19 **A** I don't remember.

20 **Q** Okay. And so you don't remember?

21 **A** (Nods head.)

22 **Q** All right. Did you ever see Michael Brown
23 doing anything with his hands around this area of
24 his midsection?

25 **A** No.

1 **Q** No, you didn't?

2 **A** No.

3 **Q** Because you are shaking your head, no, I
4 don't want to put, I don't want to put this in your
5 mouth, you tell me, it is yes or no. And if you
6 don't remember, remember I said the correct answer
7 is, I don't remember or I don't know, okay?

8 **A** Uh-huh.

9 **Q** Did you recall seeing anything like that
10 where his hands were somewhere in this area of his
11 body doing anything?

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

13 **Q** Did you ever see Michael Brown running?

14 **A** Yes.

15 **Q** Okay. So can you describe the way he was
16 running, was he running with his arms at his sides
17 or was he running with his arms outstretched in any
18 way?

19 **A** He was running to the side.

20 **Q** Arms to the side?

21 **A** Yes.

22 **Q** And so when you saw him running, was he
23 running away from the officer?

24 **A** Yes.

25 **Q** Was he running fast or was he kind of

1 **Q** What made you think he was being tased?

2 **A** Um, because I saw like --

3 **Q** You got to talk loud enough for me to
4 hear.

5 **A** I said because I saw him reaching for
6 something and then I saw a metal string come out.

7 **Q** You sought the officer reach for something
8 and you saw a metal string come out?

9 **A** Yes.

10 **Q** Okay. When Mike Brown ran away, you said
11 he was kind of jogging as he is running away from
12 the officer, was the officer shooting at him?

13 **A** No.

14 **Q** Did you hear a shot fired at that point?

15 **A** It got silent.

16 **Q** I'm sorry?

17 **A** It was silent.

18 **Q** It was silent?

19 **A** Uh-huh.

20 **Q** What do you mean?

21 **A** After the first shot, I didn't hear no
22 more shots until like five seconds later.

23 **Q** Okay. So the first shot, what was
24 happening when you heard the first shot?

25 **A** He was trying to exit the vehicle.

1 **Q** He was what?

2 **A** Trying to exit the vehicle.

3 **Q** Where was Mike Brown when the officer is
4 trying to exhibit the vehicle?

5 **A** Towards the end.

6 **Q** Towards what?

7 **A** The end of the car.

8 **Q** He was trying to get away from the car?

9 **A** Yes.

10 **Q** And the officer was exiting the vehicle
11 and shot?

12 **A** Yes.

13 **Q** What direction did he shoot at?

14 **A** Like he had, he was halfway out the car.
15 So he turned like towards his way to shoot.

16 **Q** Turn towards Michael Brown?

17 **A** Yes.

18 **Q** He was shooting at Mike Brown as Mike
19 Brown is running away from the car?

20 **A** Yes, as he's starting.

21 **Q** Okay. And then you didn't hear any other
22 shots?

23 **A** No.

24 **Q** And that's when you stopped looking?

25 **A** Yes.

1 **Q** When you saw Mike Brown at the driver's
2 side window, when you said you thought he was trying
3 to get away?

4 **A** Yes.

5 **Q** Could you see them pretty clearly?

6 **A** Yeah, I only saw the side of the officer's
7 face.

8 **Q** I'm sorry?

9 **A** I only saw the side of the officer's face
10 and I saw the back of Michael Brown.

11 **Q** You could see the back of Mike Brown and
12 the side of the officer's face?

13 **A** Yes.

14 **Q** Could you see their hands, you could see
15 Mike Brown's hands?

16 **A** Yes.

17 **Q** Could you see the officer's hands?

18 **A** No, I just saw his arms.

19 **Q** You saw his arms. Did he have on sleeves?

20 **A** He had short sleeves.

21 **Q** Short sleeves. So you could clearly see
22 his sleeves?

23 **A** Yes.

24 **Q** You could tell he was white?

25 **A** Yes.

1 **Q** How far do you think you were aware from
2 them, anyway to tell me?

3 **A** I don't know.

4 **Q** Do you have pretty good eyesight?

5 **A** Yes.

6 **Q** You don't wear glasses or anything?

7 **A** No.

8 **Q** So you saw Mike Brown's hands, was Mike
9 Brown striking the officer?

10 **A** No.

11 **Q** When you saw him he wasn't hitting the
12 officer?

13 **A** No.

14 **Q** You never saw him with a balled up fist or
15 anything?

16 **A** No.

17 **Q** Did you see him reach in for the officer's
18 gun?

19 **A** No.

20 **Q** You never saw him reach for the officer's
21 gun?

22 **A** No.

23 **Q** Were you close enough to see what was
24 going on in the car?

25 **A** No.

1 **Q** You were not?

2 **A** No.

3 **Q** But you were close enough to see, what
4 could you see?

5 **A** Well, I saw him reaching and I saw --

6 **Q** You saw who reaching?

7 **A** Mike, and then I saw the officer reaching
8 for his taser, that's all I saw.

9 **Q** So you could see inside the car, you
10 thought he was reaching for his taser?

11 **A** But I can barely see.

12 **Q** You can see the officer reaching for
13 something?

14 **A** Yes.

15 **Q** Did you see Mike's hands go to where the
16 officer's hands were reaching?

17 **A** No.

18 **Q** Were you in a position to see?

19 **A** Yes.

20 MS. WHIRLEY: I think that's it for me.
21 Questions?

22 At any
23 point did you see his whole top of his body, Mike
24 Brown's, go inside the police vehicle?

25 **A** No.

1 Do you know what mace
2 looks like?

3 **A** What?

4 : Mace?

5 **A** No.

6 . You are in
7 , correct?

8 **A** Yes.

9 : So you didn't see
10 anybody, a man down in the grass area in a green
11 shirt, or did you?

12 **A** No, I didn't see nobody.

13 : You didn't see anybody
14 out there, no people?

15 **A** I saw one person on the sidewalk with a
16 black shirt.

17 : No, I'm sorry, what?

18 **A** I saw one person on the sidewalk with a
19 black shirt.

20 : A person on the sidewalk,
21 can you show me where on the sidewalk that person
22 was?

23 **A** He was right here. (indicating)

24 : What about your side of
25 the street, by your building?

1 **A** There was nobody.

2 : There was nobody there?

3 **A** Nobody.

4 : You know for sure or
5 didn't see them?

6 **A** I know for sure.

7 : Thank you.

8 MS. ALIZADEH: Did you notice a white lady
9 out there?

10 **A** No.

11 MS. ALIZADEH: Is it that you didn't
12 notice or you say I looked and there wasn't anybody
13 out there.

14 **A** I looked.

15 MS. ALIZADEH: Nobody out there?

16 **A** Nobody out there.

17 . When the
18 officer exited the car, the vehicle, could you see
19 his face?

20 **A** Yes.

21 : Was there any coloration
22 to his face?

23 **A** No, he was like a regular white guy.

24 MS. WHIRLEY: I didn't hear you.

25 **A** He had a beard and a mustache.

1 MS. WHIRLEY: You think he had a beard and
2 a mustache.

3 A Yes.

4 MS. ALIZADEH: What color was his beard
5 and mustache.

6 A Like a yellow-ish color.

7 MS. ALIZADEH: Huh?

8 A Like a yellow-ish color.

9 MS. ALIZADEH: I am just wanting to know
10 was it like blond, or was it brown or dark?

11 A It was a blond color.

12 MS. ALIZADEH: Blond colored.

13 A Yes.

14 MS. ALIZADEH: Was it a full beard, like
15 full beard like this guy kind of has, Number 1, or
16 was it more of a partial beard like the guy in the
17 blue shirt?

18 A It was like a partial beard.

19 MS. ALIZADEH: Kind of like goatee and
20 mustache.

21 A It wasn't a goatee, it was just --

22 MS. ALIZADEH: I describe it as a goatee,
23 I don't know, but it was not the full beard.

24 A Yeah, it wasn't full beard.

25 MS. WHIRLEY: Did his face look injured.

1 **A** No.

2 : I have one more question.

3 . When he exited the vehicle, did you
4 see his lips moving at all, you know, telling Mike
5 Brown to do anything?

6 **A** I wasn't paying attention.

7 : That's when you left okay.

8 . I have one
9 more question. When you say at the very beginning
10 you said you heard screaming, did it appear that
11 there were two people screaming or was it just one
12 voice you heard.

13 **A** I heard one voice.

14 : One voice.

15 **A** Yes.

16 MS. WHIRLEY: You couldn't make out what
17 the screaming was, could you?

18 **A** No.

19 MS. WHIRLEY: Can you demonstrate what the
20 screaming sounded like?

21 **A** It was like --

22 MS. ALIZADEH: That's going to actually
23 require he actually raise his voice, I don't know.

24 MS. WHIRLEY: That's exactly why I asked
25 the question.

1 MS. ALIZADEH: And you've had two
2 interviews, right?

3 A Yes.

4 MS. WHIRLEY: Did you talk to anybody in
5 the apartment complex about what happened?

6 A No besides my dad and his girlfriend.

7 MS. WHIRLEY: Your dad. You said you
8 didn't know, there is a lot of young people I
9 understand that live in the complex, but you had not
10 become friends with any of them?

11 A No.

12 MS. WHIRLEY: You didn't hang out with
13 anybody?

14 A No.

15 MS. WHIRLEY: Or talk to anybody about
16 what happened?

17 A Huh-uh.

18 MS. WHIRLEY: Even when you went back
19 later to visit with your dad?

20 A No.

21 MS. WHIRLEY: Okay. All right.

22 (End of the testimony of
23)

24 MS. ALIZADEH: It is October 27th, this is
25 Kathi Alizadeh, it is 12:11 p.m. We just took a

1 little bit of a break so we could print-out some
2 transcripts because the grand jurors have asked to
3 listen to the recorded statement of
4 that was made to the FBI on September 30th. So we
5 have that disc queued, it is about 22 minutes. We
6 were going to try to play that before lunch, we
7 didn't get to it because we were busy making the
8 copies. You all still want to start that or do you
9 want lunch. It is not out there right now. So go
10 ahead and start this?

11 The only other thing, and Sheila and I had
12 a discussion about this before now is, she and I are
13 going to kind of wing how we are doing this, after
14 testified and she had come here with
15 who she said was her godson and were
16 in the waiting room here and testified after
17 she did.

18 So when we walked out and we were
19 kind of saying goodbye to them and they were getting
20 ready to walk out , I made the comment
21 about how it is too bad there weren't surveillance
22 cameras in the complex.

23 And then said that she had video
24 the entire thing on her phone and I said, what
25 portion, what part did you video the whole thing I

1 said the shooting, you have the shooting taped on
2 your phone. And she said yes, but I dropped the
3 phone in the toilet.

4 MS. WHIRLEY: Then I asked her, you know,
5 where is the phone, thinking we might be able to
6 recover it with forensic examination. She said it
7 is in the junk yard. She got so mad she threw it
8 away.

9 MS. ALIZADEH: This is information that
10 I've never known about.


11 MS. WHIRLEY: Neither have I.

12 MS. ALIZADEH: And Sheila has never known
13 about this, and from my observation of her godson
14 , he was, this was news to him as well
15 because he asked her where is the phone and, you
16 know, he seemed to indicate that he had not heard
17 that information before.

18 So I thought it was important that you
19 know that.

20 MS. WHIRLEY: I agree.

21 MS. ALIZADEH: Sheila and I kind of
22 unwittingly became witness to that statement. I
23 don't think it is appropriate that we testify as
24 witnesses, but what we discussed is that knowing
25 that there was a statement made like that.

1 f you desire we can bring
2 back in and question her under oath about whether,
3 about that and you can ask her whatever questions
4 you want, but I wanted you to have that information
5 so that you could make a decision amongst yourselves
6 about whether you want to have her come back in and
7 ask her about that.

8 So you guys can talk about that during
9 your lunch break and for now we will go ahead and
10 start the pass out the transcripts.

11 Did she mention was the
12 recorder, was it on when the FBI was there or was it
13 just sitting on her counter?

14 MS. ALIZADEH: My recollection and this is
15 what you all are going to have to discuss amongst
16 yourselves what she testified to, I believe I asked
17 her if she was wearing the camcorder when the
18 shooting occurred, and she said no. I think she
19 said it was in her house, she said that during the
20 first interview she was in her pajamas when they
21 came.

22 She said that.

23 MS. ALIZADEH: You all are going to have
24 to look at your notes. I don't want to represent
25 she said something that maybe I'm wrong about that.

1 I did ask her if she had the camera on during the
2 shooting and she said no. But whether or not she
3 had it on when she was being interviewed by the
4 officers, I recall something about that, you all are
5 going to have to talk amongst yourselves about that.

6 : So no more questions?

7 MS. ALIZADEH: I don't know that I can
8 answer, I don't want to characterize the witness'
9 testimony or clarify it because that's something,
10 that will be my interpretation and I don't want to
11 have to do that. I will tell you that I think that
12 there was talk about that if it is helpful, we can
13 go back and, of course, we have the testimony on
14 audio, we also will eventually have a transcript of
15 it as well.

16 If you want to make a note that once those
17 transcripts are available to me, that I can give
18 them to you and you can go back and look and see
19 exactly what she said in regard to that, all right.

20 I'm not being rude, I just need to have
21 you guys decide that.

22 You ready?

23 (Playing of the audio recording of
24 .)

25 MS. WHIRLEY: We are stopping this

1 recording of at one minute and 56
2 seconds and we will resume after lunch. This is
3 October the 27th, 2014. The statement is actually
4 approximately 33 minutes and some seconds, so we
5 will resume it after lunch, thank you.

6 (Lunch recess taken)

7 MS. WHIRLEY: It is October the 27th,
8 2014. Approximately 1:17 p.m. We are going to
9 resume the recording of . We stopped
10 at about 2156. It looks like 2158, so it inched up
11 a couple seconds. I don't think they're talking
12 yet. I'm going to start it and then I'm going to
13 find when they resumed the conversation.

14 (Resume playing of the audio recording of
15 .)

16 (End of the audio recording of
17)

18 (Grand Jury Exhibit Number 55
19 marked for identification.)

20 MS. WHIRLEY: It is October 27th, 2014 at
21 approximately 1:35 p.m. I'm getting ready to play
22 the video recording, I'm sorry, the audio recorded
23 statement of . You guys heard from her
24 earlier today. It is identified as Grand Jury
25 Exhibit Number 55. There's two transcripts that I

1 passed out because as she testified, she turned off
2 the recording and then they started recording again.
3 I did not know exactly how long her statement is, it
4 is not very long at all. So with that --

5 MS. ALIZADEH: The transcript, they're
6 both dated August 26th, but the one, the first one
7 is 9:32.

8 (Playing of recorded interview of
9 .)

10 MS. ALIZADEH: This is Kathi Alizadeh, it
11 is about 2:07. And I told you that I had a
12 conversation this weekend with . We
13 had talked about her coming in to complete her
14 testimony today. I asked her to be here by 1:00 and
15 I said if you can be here by 12:30 that would be
16 great, and here it is ten after 2:00, she's not
17 here.

18 I did call the number I have for her, I
19 got her answering message and I left her a message
20 to call me about trying to reschedule. So I don't
21 have any other live witnesses for today. Based upon
22 what you all have told me before, told us, I have
23 transcripts for two statements that were done by a
24 woman whose already testified woman who has already
25 testified,

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1 There was an interview of her on
2 August 9th, the day of the incident at 4:00 p.m.
3 That interview was done by St. Louis County
4 Detective and lasted two minutes and 23
5 seconds. So I have this transcript I can pass out
6 to you. You guys can look at that right now if you
7 would like.

8 And then there's a transcript of an
9 interview of that's done on
10 August 16th, 2014 at 11:43, I'm sorry, 11:34 a.m. by
11 Special Agent and Special Agent
12 , and so this interview was 24 minutes
13 and 26 seconds so I will pass those transcripts out
14 to you.

15 If you guys just want to take the rest, I
16 know we're breaking at 2:30 today. So if you guys
17 want to take the rest of that time to review those
18 transcripts. And then if you have any need to hear
19 those statements, those prior statements, we can
20 play those at another time, or if you have a need to
21 review testimony after having
22 reviewed her, the transcripts of her prior
23 statements, we can get that testimony, either play
24 it back audio wise or we can get you transcripts of
25 those as well. All right.

1 So at this time we'll cease the recording
2 probably. We plan on recessing by 2:30 today. So
3 at this time we'll just call the record quit for you
4 all to review this until it is time to go, all
5 right.

6 (End of Grand Jury Volume XVI.)

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2 State of Missouri

3 SS.

4 County of St. Louis

5 I, a Licensed Certified Court
6 Reporter by the Supreme Court in and for the State
7 of Missouri, duly commissioned, qualified and
8 authorized to administer oaths and to certify to
9 depositions, do hereby certify that pursuant to
10 Notice in the civil cause now pending and
11 undetermined in the County of St. Louis, State of
12 Missouri.

13 The said witness, being of sound mind and being
14 by the grand jury first carefully examined and duly
15 cautioned and sworn to testify to the truth, the
16 whole truth, and nothing but the truth in the case
17 aforesaid, thereupon testified as is shown in the
18 foregoing transcript, said testimony being by me
19 reported in shorthand and caused to be transcribed
20 into typewriting, and that the foregoing page
21 correctly sets forth the testimony of the
22 aforementioned witness, together with the questions
23 propounded by counsel and grand jurors thereto, and
24 is in all respects a full, true, correct and
25 complete transcript of the questions propounded to

1 and the answers given by said witness.

2 I further certify that the foregoing pages
3 contain a true and accurate reproduction of the
4 proceedings.

5 I further certify that I am not of counsel or
6 attorney for either of the parties to said suit, not
7 related to nor interested in any of the parties or
8 their attorneys.

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1 COURT MEMO

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5 State of Missouri v. Darren Wilson

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8 CERTIFICATE OF OFFICER AND

9 STATEMENT OF DEPOSITION CHARGES

10

11 DEPOSITION OF Grand Jury Volume XVI

12

13 10/27/2014

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., 2nd Floor

19 Clayton, MO 63105

20

21

22

23

24

25

1 ORIGINAL TRANSCRIPT TAXED IN FAVOR OF:

2

3 St. Louis County Prosecuting Attorney's Office

4 100 S. Central Ave., 2nd Floor

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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