Case: State of Missouri v. Darren Wilson

Transcript of: Grand Jury, Volume XVIII

Date: November 3, 2014

This transcript is printed on 100% recycled paper



515 Olive Street, Suite 300 St. Louis, MO 63101 (314) 241-6750 1-800-878-6750 Fax: (314) 241-5070

Email: schedule@goreperry.com
Internet: <<www.goreperry.com>>

	Page	1
STATE OF MISSOURI		
VS.		
DARREN WILSON		
GRAND JURY		
November 3, 2014		
VOLUME XVIII		

```
Page 2
           IN THE CIRCUIT COURT OF ST. LOUIS COUNTY
 1
 2
                       STATE OF MISSOURI
 3
 4
     STATE OF MISSOURI
 5
 6
 7
     VS.
 8
 9
     DARREN WILSON
10
11
          The following is a hearing before the Grand
12
     Jury of St. Louis County, at the offices of St.
13
     Louis County Prosecuting Attorney's Office, 100
14
     South Central Avenue, in the City of Clayton, State
15
     of Missouri, on the 3rd day of November, 2014,
16
17
     before
18
19
20
21
22
23
24
25
```

```
Page 3
 1
     APPEARANCES OF COUNSEL:
 2
 3
      FOR THE STATE:
         Ms. Kathi Alizadeh & Ms. Sheila Whirley
 4
         Assistant Prosecuting Attorneys for St. Louis
 5
 6
     County
         100 South Central Avenue, 2nd Floor
 7
         Clayton, MO 63105
 8
 9
         (314) 615-2600
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
```

	Page 5
1 ,	GRAND JURY HEARING VOLUME XVIII
2	MS. ALIZADEH: Good morning.
3	(Everyone says good morning.)
4	MS. ALIZADEH: It is Monday, November 3rd,
5	it is 9:26 a.m. This is Kathi Alizadeh. Sheila
6	Whirley is present as well, and all 12 grand jurors
7	are here, as well as the court reporter, who's
8	taking down and recording what is being said.
9	Some matters that I wanted to discuss
10	before we start with evidence today. I would like
11	you all to give us some dates for next week. And,
12	you know, I had told you in the past that we are
13	getting close to wrapping up, but you know, I don't
14	know how long, you know, this is still going to last
15	for sure and, of course, I don't know how long. We
16	don't know how long you will need to deliberate.
17	And so just go ahead and pick some dates
18	for next week. If you could give us three days,
19	that would be great. I understand, you know, with
20	your schedules, you have to work around and we will
21	work around those schedules.
22	A couple of other matters is the floor
23	plan with no door, remember the floor plan? So I
24	had Detective talk to the gal, the leasing
25	agent and she drew the door in here. They didn't
1	

	Page 6
1 ,	change it other than she drew a little line where
2	the door is on these second two bedroom version.
3	And then she also wrote next to the marks, which
4	would indicate a window, she wrote sliding door.
5	These are new, I don't know if you all got
6	rid of the old ones that I've given you. If you
7	haven't, go ahead, and you want to give those to me
8	and I will shred them so we don't get those
9	confused. That's your newest version of that.
10	So, for the record, I had previously
11	marked that floor plan as Exhibit Number, Grand Jury
12	Exhibit Number 51. I'm going to remark the new one
13	that shows the door, as Grand Jury Exhibit Number
14	51. And I'm going to tear up the old one so we
15	don't get those confused. I'm just using the same
16	number, I just replace it with the accurate version.
17	And then so we have the week scheduled out
18	pretty busy, hopefully we're going to be chugging
19	along here and trying to get some of these witnesses
20	in and out.
21	We talked about you all seeing the
22	vehicle. We actually had a plan, we were going to
23	try to do that today, we have now discovered because
24	I had, I don't know if I was told this or I don't
25	recall who even told me, I had believed that Officer

Page 7 Wilson's vehicle was back in service and the door 1 2 had been repaired and it was back on the road being 3 used as a police car in Ferguson. But last week we learned that it is not 4 5 repaired and it is still missing the door. So we 6 can't really have somebody drive it down here. 7 would draw too much attention if that was driving around like that. 8 9 So I have a couple of options for you. could have the vehicle towed to a location where the 10 11 new call center is. There is a secure garage in there. We could have the vehicle towed there and 12 13 then we could have you all, depending on the time of 14 day we do this. If we do it at the end of the day, you all take your own vehicles out there, then you 15 could leave directly from there rather than coming 16 17 back to Clayton, or if necessary, we could get a van 18 and take you all out there together to see it. 19 Of course, then we'd have to bring you back here to get your vehicles, so that is an 20 21 option. If you want to see the actual Ferguson 22 vehicle. 23 The limitations with that are going to be 24 that the door is not on the car. And we have the 25 door and I can throw the door in the back of the

	Page 8
1 ,	truck and you all can look at the door, but it is
2	not going to be on the car.
3	And so depending on what you want to see,
4	it might be a better option for you if I could get a
5	Ferguson Tahoe, same year and same model and
6	everything, and that way you would have a complete
7	truck, in other words.
8	I will also tell you that I had someone
9	from the Crime Scene Unit go out and measure the
10	actual truck, the actual Ferguson vehicle points
11	like from the ground to the top, you know, the roof
12	from the ground to this and so forth. So we do have
13	actual measurements if those are important to you,
14	we'll give those to you as well.
15	So maybe during your lunch break today you
16	can talk about whether or not, if we just get a
17	lookalike Ferguson truck, we can do that here, we
18	had previously talked about doing that in the
19	sallyport here which is where prisoners are brought
20	in so they are automatic doors, it is secured, we
21	would be able to have that area for 30 minutes.
22	It is monitored by cameras because it has
23	to be, but we've arranged that the cameras would be
24	shut off so nobody is going to be seeing you.
25	Of course, no recordings will be made of

```
Page 9
     you while you are up around the vehicle. If we get
1
     the lookalike, we can do it here. If we are going
 2
     to need the actual vehicle, we are going to have to
 3
    make the arrangements to take you to another
 4
 5
     location to view that. So you can talk during your
 6
     lunch break about what you want to do, or if you
7
     want to do both. If it is important that you see
8
    both, we'll do whatever, okay.
 9
               How y'all doing, okay. I can't recall if
     there was any other things that needed to be talked
10
11
     about or brought up and if there are, yes.
12
                               I saw on KSDK over the
13
     weekend, or I think late last week, that they
14
     indicated that Dr.
                                      who did the family
15
     autopsy had mentioned that he was willing to come
16
     and testify before us and also that there is
17
     reportedly some of his findings doesn't agree with
18
     our findings regarding some, I guess it is stippling
19
     or whatever. So I know you put it out there already
     inviting him to come at your request to come
20
     testify.
21
22
               I don't know if you've heard from him?
23
               MS. ALIZADEH: The latest is we are trying
24
     to get him here. He had not, still has not
25
     completed his report. And he indicated that he
```

Page 10 needed a copy of the St. Louis County Medical 1 2 Examiner's Report in order for him to complete his 3 report, which is protocol, it is. And you will hear from medical examiners 4 5 we are going to bring in that that's necessary 6 because obviously when you are doing a second or 7 third autopsy, things that were done previously, you 8 need to know is this something that, you know, was 9 caused or created in the autopsy or is this a different wound. And so it is not unusual and in 10 11 fact, you know, I don't want to say protocol, I think that is the appropriate medical procedure is 12 to have the previous autopsy reports so that you can 13 know what was done previously. 14 15 Obviously, the bullets were removed 16 already and things that were done are not going to 17 be seen in a second or third autopsy. 18 So we have forwarded a copy of that to the appropriate people to get to him. And so we've also 19 contacted the appropriate people to have him check 20 his schedule, let us know when he might be 21 22 available. 23 Obviously, we can't wait if I'm not available until January, we're going to have to make 24 25 a decision on what to do about that in the event

Page 11 that happens. But yes, we have things in place 1 2 right now where we are trying to get him to come 3 here and testify for you. So that's being done and was there any 4 5 other things that you guys wanted or needed that? 6 . I was going to 7 see, we have learned a lot about Michael Brown 8 through testimony. I still don't know a lot about 9 Officer Darren Wilson. I know we brought his supervisor in 10 11 briefly to talk about protocol, what happened that day. His story was very different from Darren 12 13 Wilson's. Would be interested to know if we know 14 about what his morning was like. 15 MS. ALIZADEH: What? 16 : What his morning was like 17 that day. History, you know, behavioral, awards, 18 whatever that may be. I know a lot about Michael 19 Brown, but not a lot about Darren Wilson. 20 MS. ALIZADEH: We have his personnel file and that is something we will get to you. Kind of 21 22 our strategy here is once we get done with all of 23 our eyewitnesses, then we are going to have some experts still testify. And then probably the last 24 25 witness is going to be Detective who is the

Page 12

- 1 primary case officer on this. And so a lot of, some
- 2 of that stuff is going to come in through him.
- 3 But we talked about the fact that there
- 4 may have been witnesses who testified earlier in the
- 5 process that now that you know more than you did
- 6 back then, you may wish us to recall some witnesses.
- 7 As you know, we cannot compel Officer
- 8 Wilson to testify. So all I could do is extend an
- 9 invitation if you wanted him to come back.
- If anybody else that now you look at, you
- 11 know, what you now know and you are comparing what
- 12 the witness said previously. If you have additional
- 13 questions for any witness who has already testified,
- 14 just let us know and we will do our best to get them
- 15 in here again.
- 16 So we talked about that last week that you
- 17 know, this whole thing began two months ago so and
- 18 you've heard from, you know, what am I on now, how
- many witnesses have we had, 47. We have had 47
- 20 witnesses. So it is a lot.
- 21 So you guys can discuss that as well. If
- 22 you want to recall any witnesses and again, it would
- 23 be an invitation to Officer Wilson if you wanted to
- 24 have him back. We would do what we can to get him
- 25 here.

	Page 13
1 .	Other matters is that we have the taped
2	statement of who testified last week
3	and it is an hour and 26 minutes or so. And if you
4	would like to hear that statement, we could play it.
5	If you just want to get the transcript, I can pass
6	that out to you, but that's something you can
7	discuss during lunch as well if you want to hear her
8	statement because we've got a witness here now so
9	we're going to play some statements of that witness
10	and then get her on the stand.
11	And then when this is close to being
12	concluded, Sheila and I are going to have to go
13	through the notes and the transcripts to make sure
14	that we've given you, we kind of got out of playing
15	all the statements before the witness and, you know,
16	we've proceeded with okay, we'll play those later.
17	I want to make sure that we don't miss anything that
18	there was a statement that we forgot to play or
19	present to you.
20	So we'll make sure we try to get that the
21	boxes checked off to make sure you guys have heard
22	everything.
23	So at this time now we're going to play
24	some recorded statements from a witness who we will
25	identify as Witness Number 48.

	Page 14
1 .	We have transcripts for two statements.
2	The first statement is ten minutes and 58 seconds.
3	The second statement is a minute 35 seconds, which
4	is just a phone call and then we have transcripts
5	for those two.
6	Then there is a third statement that is 22
7	minutes and 32 seconds with no transcript for that
8	since that was just done last week, and so I would
9	ask that we'll go pause the recording while we are
10	playing statements. , you do not need to
11	transcribe the first two statements, but I would ask
12	that you transcribe for the third one.
13	So at this time, if you the want to pause
14	that.
15	So now that we're paused, I will tell you
16	the two transcripts are together.
17	: A whole list of all the
18	witnesses so we make sure that we have them also
19	what you have.
20	MS. ALIZADEH: Absolutely, I have been
21	keeping track of that.
22	The other thing is over the weekend I was
23	trying to organize the exhibits and I'm still
24	missing Number 48. So if anybody keeps track of the
25	numbers.

	Page 15
1 ,	MS. WHIRLEY: What is 48?
2	: Exhibit 48?
3	MS. ALIZADEH: It is the witness number
4	coincidentally.
5	MS. WHIRLEY: Okay .
6	MS. ALIZADEH: Is everybody ready to start
7	the statements? Okay.
8	(This will be the playing of the audio
9	recorded statements of Witness 48.)
10	(This is the playing of audio interview
11	number three of Witness Number 48 that is being
12	transcribed.)
13	: This is special agent
14	We are at FBI 2222 Market Street. It is
15	Wednesday, October 29th, 2014, approximately
16	9:21 a.m. I'm with USA and DOJ trial
17	attorney and we are here
18	interviewing.
19	
20	Is your name
21	spelled
22	Uh-huh.
23	: Are you still at
24	
25	No, no.

```
Page 16
                          : What's your residence
 1
 2
     address?
 3
                               Um, I don't know the
     address, but I know the street I live off of
 4
 5
 6
                             Okay.
 7
     Where is that
 8
                               Yeah.
 9
                          : Okay. If I needed to get
10
     ahold of you, what is best number to call?
11
                               I don't know, my mom.
12
                          : Your mom's, okay. What about
13
     your godmother who is here with you?
                               She's probably the best
14
15
     person to call. I wasn't even thinking about her.
                            What's her name?
16
17
18
                           : She's waiting outside for
19
     you here today?
                               Uh-huh.
20
21
                           : She came down with you?
22
                          : Do you know what her phone
     number is?
23
24
25
                             Okay. And what's your date
```

```
Page 17
     of birth?
 1
 2
 3
                         : And what's your social
     security number.
 4
 5
 6
                          :
 7
 8
                                  okay.
 9
10
                            Okay.
11
               MR.
                             All right. thanks for
     being here today. We wanted to follow-up on some
12
13
     statements that you gave before, all right. I know
     that on August 14th you talked to investigators,
14
15
     okay, and we just had a few questions about that and
     wanted to follow-up.
16
               Before we do that, I just want to go
17
18
     through some preliminary things that we do with most
19
     witnesses, okay, or basically I want to remind you,
     obviously, you know this is being recorded, and you
20
21
     have to say yes or no.
22
                              Yes.
23
               MR.
                             Just because it is being
                          :
24
     recorded you have to, if I ask you a question, yes
25
     or no answer, be sure to a yes or no just so it
```

<pre>1 shows up on the tape, okay? 2</pre>	
3 MR. : I also want to tell you	
1	
4 don't answer any question you don't understand,	
5 okay? If I ask you something and you're not sure	
6 exactly what I mean by that, just feel free to ask	
7 me to explain it, I will do that, all right, you	
8 understand?	
9 : Uh-huh.	
10 MR. Basically we don't want you	
11 to answer any questions that you don't understand.	
12 All right.	
13 MR. : All right. I need to warn	
14 you that it is a crime to lie to the FBI or federal	
15 investigators, okay?	
16 Uh-huh.	
17 MR. : So you need to be sure to	
18 tell the truth today, you understand that?	
19 : Yes.	
20 MR. : Basically we are just	
21 looking for the truth here. We've talked to a lot	
22 of different witnesses and all we are looking for i	3
23 what you actually saw and heard on August 9th of	
24 this year, okay?	
25 : Uh-huh.	

```
Page 19
                             I know there have been a lot
 1
 2
     of things in the media and that sort of thing.
     you are going to refer to any of that or whatever,
 3
     that's fine, you just need to let us know, but
 4
     otherwise, we are just looking for what you actually
 5
 6
     saw.
 7
                              Okay.
 8
               MR.
                           : All right.
                                         Okay, I also
 9
     wanted to ask you are you under the influence of any
     drugs or alcohol today?
10
11
                              No.
12
               MR.
                              Is there anything else that
13
     would influence your ability to tell us the truth
14
     today?
15
                              No, just anxiety. That's
16
     not going to stop me from telling the truth though.
17
               MR.
                             You just a little nervous?
18
                               Yeah.
               MR.
19
                             Okay. That's normal, don't
     worry about that, that's perfectly normal.
20
21
                            : Okay.
22
               MR.
                           : Let's go back through.
                                                      As I
23
     said, I know that you gave a statement on
     August 14th and I understand that on that date you
24
25
     were in an minivan with your family; is that right?
```

	Page 20
1 ,	: That's right.
2	MR. : Were you sitting in the
3	minivan?
4	I was sitting in the second
5	row, in the middle of the second row.
6	MR. : Did you have a clear view of
7	what was going on?
8	: Yes.
9	MR. : What was your view? I mean,
10	where were you looking?
11	The windshield.
12	MR. : All right. You looking the
13	front through the windshield?
14	Yes.
15	MR. : And you see a young man
16	that's standing near a police cruiser; is that
17	right?
18	Yes.
19	MR. : The young man, do you know
20	who that is now?
21	: I know now.
22	MR. : And based on just things
23	that have happened since then?
24	: I really don't like listen
25	to radio or news like that.

```
Page 21
               MR.
                              Uh-huh.
 1
 2
                            : So the only thing I know is
 3
     his name for real that's because I have been back to
     the complex
 4
 5
 6
               MR.
                                                ?
                           :
 7
                            : Yes.
                              What is the name of the
 8
               MR.
 9
     young man at the side of the police cruiser?
10
                            : Michael Brown.
11
               MR.
                           : Did you know that at the
12
     time?
13
                               No.
                              Did you know him at all?
14
               MR.
15
                            : No.
                              Okay. Is it okay then if we
16
               MR.
     just refer to that young man as Michael Brown since
17
     you learned what his name is since then?
18
19
                               Yeah.
20
                              So you see him standing here
               MR.
     at the police cruiser?
21
22
                               Yes.
23
               MR.
                           : And the police cruiser is in
24
     the street?
25
          Α
               Yes.
```

```
Page 22
                          : And what do you see
1
               MR.
    happening there at the police cruiser?
 2
 3
                              I see Michael Brown
     standing in front of the cruiser by the driver's
 4
 5
     side of the door.
 6
               MR.
                  : Is he facing the police
7
     cruiser?
8
                          : Yes.
 9
                          : Facing the driver's side
               MR.
    door?
10
11
                           : Yes.
12
                             About how far away do you
               MR.
13
     think he is from the door?
                             A couple inches.
14
15
               MR.
                            Basically right there.
                           : Yeah.
16
17
               MR.
                          : What do you see?
18
                              I see him talking, I don't
     know really what he was doing. I know that he had
19
20
    his back to me.
21
                          : Uh-huh.
               MR.
22
                           : His hands were in front of
23
    him. I don't know like, if you see a person behind,
24
     from the behind and you just see their arms, you
     don't see them like hanging down.
25
```

	Page 23
1 ,	MR. : Okay.
2	: You see them in front of
3	him?
4	MR. : So he's facing the police
5	cruiser's driver's side door?
6	: Yeah.
7	MR. : Is there a police officer in
8	the cruiser at the time?
9	Yes.
10	MR. : Where is the police officer?
11	: In the driver's seat.
12	MR. : Okay. I understand it is an
13	obvious question, but so the police officer is in
14	the driver's seat, Michael Brown is facing the
15	police officer?
16	Yes.
17	MR. : At the driver's side.
18	MS. : Just for the recording,
19	when you were demonstrating just a few moments ago,
20	you said his hands were forward. You held your
21	hands so that your elbows were bent at almost right
22	angles with your hands slightly above waist level in
23	front of you.
24	: Right.
25	MR. : Could you see what Michael

	Page 24
1 ,	Brown was doing with his hand at that time?
2	No.
3	MR. You just know that his hands
4	were in front of him?
5	: Yes.
6	MR. And you say he was just a
7	few inches from the side of the police cruiser?
8	: Right.
9	MR. : Could you tell from your
10	angle whether or not his hands were inside the
11	vehicle or outside the vehicle?
12	I don't know if his hands
13	were in the vehicle.
14	MR. : You just couldn't tell?
15	: I just couldn't tell what
16	he was doing. I just seen that his hands were like
17	midway up, not like in the air, I don't know they
18	weren't hanging down, so I don't know what he was
19	doing.
20	MR. : His hands were in front of
21	him. You can't tell what he was doing with his
22	hands?
23	Right. And then heard two
24	gunshots. One, like I didn't really pay attention
25	to because I was in the middle talking to my sister.
1	

```
Page 25
     And then the second one I clearly heard and then my
 1
     mother asked me were they shooting at each other? I
 2
     was like, I don't know. And then we look, we was
 3
     watching it and Michael Brown took off running down
 4
 5
     Canfield the opposite of West Florissant, opposite
 6
     way.
 7
               MS.
                                 Was there anybody besides
     Michael Brown standing outside of the police
 8
 9
     cruiser.
                               I didn't see the dude in
10
11
     the gray pants, I didn't see him standing by the
     cruiser.
12
13
               MS.
                              : Okay.
14
                              I just seen him run from
15
     like behind it like kind of and he took off running
16
     across the field behind the other apartments.
17
               MR.
                             Okay. So when you first, do
18
     you know who the other guy is?
19
                               No.
20
                           : You don't know his name?
               MR.
21
                              Huh-uh.
22
               MR.
                             Can you describe him?
                              He's a thin man, had on a
23
24
     black T-shirt and I guess gray jogging pants and I
25
     believe he had dreads.
```

1 MR. : Okay. 2 : He wasn't like 3 MR. : He was a young black male? 4 Yes. 5 MR. : So thinner, dreads? 6 Uh-huh. 7 MR. : And a younger black male? 8 Uh-huh. 9 MR. : Is that right? 10 Yes. 11 MR. : So the first time you see 12 them you think he is somewhere around the back of 13 the police vehicle? 14 Right. 15 MR. : You see him take off 16 running? 17 Right. 18 MR. : When did he run, when did he 19 take off running? 20 : After the first shot was 21 fired, after the first two I heard. 22 MR. Then you say Michael Brown 23 after the second shot took off running down 24 Canfield? 25 Yes.		Page 26
MR. : He was a young black male? Yes. MR. : So thinner, dreads? Uh-huh. MR. : And a younger black male? Uh-huh. MR. : Is that right? Yes. MR. : So the first time you see them you think he is somewhere around the back of the police vehicle? MR. : You see him take off running? Right. MR. : When did he run, when did he take off running? After the first shot was fired, after the first two I heard. MR. Then you say Michael Brown after the second shot took off running down Canfield?	1	MR. : Okay.
Yes. MR. : So thinner, dreads? Uh-huh. MR. : And a younger black male? Uh-huh. MR. : Is that right? Yes. MR. : So the first time you see them you think he is somewhere around the back of the police vehicle? MR. : You see him take off running? Right. MR. : When did he run, when did he take off running? After the first shot was ifred, after the first two I heard. MR. Then you say Michael Brown after the second shot took off running down Canfield?	2	: He wasn't like
MR. : So thinner, dreads? Uh-huh. MR. : And a younger black male? Uh-huh. MR. : Is that right? Yes. MR. : So the first time you see them you think he is somewhere around the back of the police vehicle? MR. : You see him take off running? Right. MR. : When did he run, when did he take off running? After the first shot was fired, after the first two I heard. MR. Then you say Michael Brown after the second shot took off running down Canfield?	3	MR. : He was a young black male?
MR. : And a younger black male? Wh-huh. MR. : Is that right? Wes. MR. : So the first time you see them you think he is somewhere around the back of the police vehicle? MR. : You see him take off running? Right. MR. : When did he run, when did he take off running? After the first shot was if ired, after the first two I heard. MR. Then you say Michael Brown after the second shot took off running down Canfield?	4	Yes.
MR. : And a younger black male? Uh-huh. MR. : Is that right? Yes. MR. : So the first time you see them you think he is somewhere around the back of the police vehicle? Right. MR. : You see him take off running? Right. MR. : When did he run, when did he take off running? After the first shot was fired, after the first two I heard. MR. Then you say Michael Brown after the second shot took off running down Canfield?	5	MR. : So thinner, dreads?
When the second shot took off running down Uh-huh. Uh-huh. Uh-huh. Uh-huh. Uh-huh. Uh-huh. Uh-huh. Yes. Is that right? Yes. It MR. So the first time you see It them you think he is somewhere around the back of It he police vehicle? Right. Right. Right. Right. Right. Right. MR. When did he run, when did he If take off running? After the first shot was I fired, after the first two I heard. MR. Then you say Michael Brown after the second shot took off running down Canfield?	6	Uh-huh.
9 MR. : Is that right? 10 Yes. 11 MR. : So the first time you see 12 them you think he is somewhere around the back of 13 the police vehicle? 14 Right. 15 MR. : You see him take off 16 running? 17 Right. 18 MR. : When did he run, when did he 19 take off running? 20 : After the first shot was 21 fired, after the first two I heard. 22 MR. Then you say Michael Brown 23 after the second shot took off running down 24 Canfield?	7	MR. : And a younger black male?
Yes. 11 MR. : So the first time you see 12 them you think he is somewhere around the back of 13 the police vehicle? 14 Right. 15 MR. : You see him take off 16 running? 17 Right. 18 MR. : When did he run, when did he 19 take off running? 20 : After the first shot was 21 fired, after the first two I heard. 22 MR. Then you say Michael Brown 23 after the second shot took off running down 24 Canfield?	8	Uh-huh.
them you think he is somewhere around the back of the police vehicle? Right. MR. : You see him take off running? Right. MR. : When did he run, when did he take off running? After the first shot was fired, after the first two I heard. MR. Then you say Michael Brown after the second shot took off running down Canfield?	9	MR. : Is that right?
them you think he is somewhere around the back of the police vehicle? Right. MR.: You see him take off running? Right. MR.: When did he run, when did he take off running? After the first shot was fired, after the first two I heard. MR.: Then you say Michael Brown after the second shot took off running down Canfield?	10	Yes.
the police vehicle? Right. MR.: You see him take off running? Right. MR.: When did he run, when did he take off running? After the first shot was fired, after the first two I heard. MR.: Then you say Michael Brown after the second shot took off running down Canfield?	11	MR. : So the first time you see
Right. 15 MR. : You see him take off 16 running? 17 Right. 18 MR. : When did he run, when did he 19 take off running? 20 : After the first shot was 21 fired, after the first two I heard. 22 MR. Then you say Michael Brown 23 after the second shot took off running down 24 Canfield?	12	them you think he is somewhere around the back of
15 MR. : You see him take off 16 running? 17 Right. 18 MR. : When did he run, when did he 19 take off running? 20 : After the first shot was 21 fired, after the first two I heard. 22 MR. Then you say Michael Brown 23 after the second shot took off running down 24 Canfield?	13	the police vehicle?
16 running? 17 Right. 18 MR.: When did he run, when did he 19 take off running? 20 : After the first shot was 21 fired, after the first two I heard. 22 MR. Then you say Michael Brown 23 after the second shot took off running down 24 Canfield?	14	Right.
Right. After the run, when did he run after the first shot was Right. Then you say Michael Brown After the second shot took off running down Canfield?	15	MR. : You see him take off
18 MR. : When did he run, when did he 19 take off running? 20 : After the first shot was 21 fired, after the first two I heard. 22 MR. Then you say Michael Brown 23 after the second shot took off running down 24 Canfield?	16	running?
19 take off running? 20 : After the first shot was 21 fired, after the first two I heard. 22 MR. Then you say Michael Brown 23 after the second shot took off running down 24 Canfield?	17	Right.
20 : After the first shot was 21 fired, after the first two I heard. 22 MR. Then you say Michael Brown 23 after the second shot took off running down 24 Canfield?	18	MR. : When did he run, when did he
fired, after the first two I heard. MR. Then you say Michael Brown after the second shot took off running down Canfield?	19	take off running?
22 MR. Then you say Michael Brown 23 after the second shot took off running down 24 Canfield?	20	: After the first shot was
23 after the second shot took off running down 24 Canfield?	21	fired, after the first two I heard.
24 Canfield?	22	MR. Then you say Michael Brown
	23	after the second shot took off running down
25 Yes.	24	Canfield?
	25	Yes.

	Page 27
1 ,	MR. : Okay. And at some point
2	then do you see the police officer get out of the
3	vehicle?
4	: Yeah, you seen the officer
5	hop out of his cruiser and he is running behind and
6	he's yelling stop. Then Michael turned around and
7	started charging towards the officer and the officer
8	still yelling stop. He did have his firearm drawn,
9	but he was yelling stop, stop, stop. He didn't, so
10	he started shooting him.
11	MR. All right. So the police
12	officer was yelling at him multiple times to stop?
13	: Yes.
14	MR. At any time the police
15	officer was yelling stop as he's charging at him,
16	did Michael Brown stop?
17	: He slowed down, I thought
18	he was going to stop, but he kept charging towards
19	him. Like he slowed down for a second and then he
20	started running again. Like he put his hand up in
21	the air like, he put his hands up and then he put
22	his hand like in front of him like this way.
23	MR. Let's talk about this, you
24	say he started to put his hands up?
25	Yes.

	Page 28
1 ,	MR. Michael Brown did?
2	Yes.
3	MR. But then he pulled his hands
4	down and you demonstrated that you kind of had a
5	fist in front of you like at your chest height?
6	Right.
7	MR. : And can you describe, he had
8	his hands at his chest?
9	His hands were balled up.
10	He has his arms bent towards his chest and he's
11	running like, you know, almost like a tackle
12	running.
13	MR. : Okay.
14	And I see him shoot him. I
15	don't know, he wasn't going to stop. I don't know
16	how many times he shot him altogether, but like you
17	seen like one of the bullets hit him in the face,
18	cause you seen like the splatter from it. I'm
19	sorry, it distracted me for a second.
20	MR. : I understand, I understand.
21	You say it didn't look like Michael Brown was going
22	to stop.
23	: No.
24	MR. : He wasn't going of his own
25	volition going to stop?

```
Page 29
                              He was running, he slowed
 1
 2
     down, and then he kept running and he shot him and
     was like for a second he kind of like slowed down
 3
     and staggered. He kept charging, so he shot him
 4
 5
     again.
 6
               MR.
                             All right. You said that
 7
     the police officer was at that time telling him to
 8
     stop?
 9
                              Yes.
10
               MR.
                           : Repeatedly. You said that
11
     in your statement on August 14th that referring to
     Michael Brown you said the boy wouldn't stop, he
12
13
     fired three rounds, that would be the police
     officer?
14
15
                             Right, he fired the three
     rounds first.
16
17
               MR.
                             And the dude kept running
18
     and the police, you say the police officer fired
19
     four more rounds?
20
                            : Yes.
21
               MR.
                             Does that sound about right?
22
                            : Yes.
23
               MR.
                             And then he finished off the
24
     rounds and he fell on the ground, Michael Brown fell
25
     on the ground?
```

```
Page 30
                               Right.
 1
 2
                           : How did he fall, did you see
               MR.
     him fall?
 3
 4
                               If you were in a standing
 5
     position, he kind of stopped and he kind of like
 6
     started to lean forward like this and then he kind
     of fell on his knees and smacked the ground on his
 7
     face.
 8
                              So he fell face first?
 9
               MR.
10
                            : Yes.
11
               MR.
                           : And when he was laying there
     on the ground, he was laying face first on the
12
13
     ground?
14
                               Yes.
15
               MS.
                                 You indicated again, just
16
     for the tape, you were standing up just now. You
17
     had your right hand down near your waistband area
18
     and your left arm was sort of hanging down loose, is
19
     that how you recall it?
20
                               No, that's just how I was
     standing.
21
22
               MS.
                                Okay, that's good.
                                                     Do
23
     you recall sort of what his hands were doing?
24
                               When he went from running
25
     with his hands balled up like this.
```

	Page 31
1 ,	MS. : His hands up by his
2	chest?
3	Yeah, he just kind of like
4	stopped and was standing there, and he kind of just
5	fell forward.
6	MS. : Okay.
7	MR. : As Michael Brown was running
8	away from the police officer, from the police car,
9	did you see the police officer shoot at him at all
10	at that time?
11	No, he did not fire at him.
12	MR. : How about, you said that
13	when Michael Brown turned around, he briefly, looked
14	like he briefly started to put his hands up?
15	: Right.
16	MR. : Was the police officer
17	shooting at him at that time?
18	: No.
19	MR. When did the police officer
20	start shooting at him after the first two shots in
21	the car?
22	Um, it took him a minute to
23	fire at him for real. I probably would have shot
24	him instantly you charge at me like that, but when
25	he was running back he was screaming stop, stop.

```
Page 32
     And the officer was backing up as he kept coming
 1
 2
     closer to him and he didn't stop. So he shot him
     three times and he was still charging towards him
 3
     and he shot him again, shot him four more times.
 4
 5
               MR.
                          : Okay. So the police officer
 6
     didn't start shooting again until Michael Brown was
 7
     actually charging at him?
 8
                              Right.
 9
                           : As the police officer was
               MR.
     yelling for him to stop?
10
11
                            : Right.
12
               MR.
                           : You say he's actually
13
     backing away from Michael Brown?
14
                              Right.
15
               MR.
                           : All right. You want to take
16
     a quick break?
17
               MS.
                              : Just a couple quick
18
     follow-up then we can take a quick break. Did you
     see the officer, what did the officer do after
19
     Michael Brown fell to the ground?
20
21
                            : Got back up, I guess, I
22
     don't know. I mean, he didn't actually walk up on
23
     the body.
24
               MS.
                              : Okay.
25
               MR.
                             Did you ever see him
```

	Page 33
1	approach the body at all?
2	: No.
3	MR. : Or the area around it?
4	Huh-uh.
5	MR. Okay.
6	MS. When you first came up on
7	this situation and you are in your family's minivan,
8	was Michael Brown already at the police car, was the
9	police car already stopped?
10	Uh-huh.
11	MS. There is already some
12	interaction as you come up?
13	Yes.
14	MS. : That's what makes your
15	vehicle stop?
16	: Yes.
17	MS. : When he was at the, when
18	Michael Brown was at the police vehicle, you
19	indicated that his hands were up in front of him and
20	you could see that from the back because you
21	couldn't see the lower part of his arms; is that
22	right?
23	Right.
24	MS. Could you see where his
25	head was?

	Page 34
1 .	Like it was just in front
2	of the car, like if you are standing, if you are
3	like standing in front of the car like this.
4	MS. : Okay.
5	: I don't know exactly what
6	it did.
7	MS. : Did you ever seen him
8	lean into the car?
9	: No.
10	MS. : At that point you said
11	you were talking with your sister?
12	: Yes.
13	MS. : It wasn't really until
14	that first shot went off that
15	: Everybody just like.
16	MS. : Your full focus was on
17	what was happening?
18	: Right.
19	MR. When you say standing in
20	front of the car, you talking about facing?
21	Yeah, facing the cruiser.
22	MR. : Facing the driver's side.
23	Driver's side of the
24	cruiser.
25	MS. Did you guys stay where

```
Page 35
     you were when you pulled up here?
 1
 2
                           : Yeah, we pretty much
 3
     stopped.
 4
               MS.
                             : And didn't move.
 5
                             There was a little girl
 6
     trying to hide on the side of our car from the
 7
     shooting.
 8
               MS.
                            : Do you know who she was?
 9
                           : No.
10
                                Little girl, like a kid?
               MS.
11
                           : Yeah, like maybe middle
12
     school.
13
               MS.
                                Oh, yeah. Then after
14
     everything was done, after he's on the ground and
15
     did you guys move your car, what did you guys do?
                              We stood there for a
16
17
     second, we sat there in the vehicle for a second
18
     like.
19
               MS.
                             : What do you do?
20
                           : Like, damn, you know, and
    then I went on into
21
                         cause I still had to go
22
     right on
23
24
                                Did you drive past the
               MS.
25
     body.
```

```
Page 36
                           : Yeah.
1
 2
               MS.
                             : Okay.
 3
                           : But not down the street, I
     turned into the parking lot. Say this is the
 4
 5
     street, we're right here.
 6
               MS.
                             : Okav.
7
                              There is multiple places
8
    where you can drive into the parking lot. So we
9
     went in, we made a left and we went around.
              MS.
10
                             : Okay. Around the
11
    building?
12
                              There is still a parking
13
     lot right here. We are at the bend where his body
14
     was laying.
15
              MR.
                     : Who was in the van with you
16
    that day?
17
                           : My mother, my father, my
18
     sister, my older sister, and my niece, my younger
19
     niece.
20
               MR.
                          : Okay. What is your mother
     and father's name?
21
22
23
               MR. : And then your sister who is
24
25
     with you, your older sister?
```

```
Page 37
1
 2
                       : How about the niece.
               MR.
 3
               MR.
                          : How old is she.
 4
 5
               MR.
 6
                             years old?
                         :
 7
 8
               MR.
                          : You want to take a break?
 9
          Why don't we take a quick break here. We
     will take a minute or two. And then if you don't
10
11
    mind, we will just leave the recording on so we
     don't have to start it all over when we come back
12
13
     in. You're welcome to stay here and wait or if you
14
     want to go out with your godmother out in the lobby.
15
               MS.
                             : We'll just be a second.
16
               MR.
                             We will be right back.
17
               (A break was taken at this time.)
18
               MS. WHIRLEY: We are going to advance it
19
    until it begins.
20
                             All right. Thanks for
               MR.
                          :
21
    waiting. We have a few more questions for you.
22
     think
                       had a few follow-up questions she
23
     wanted to ask.
24
                            I just wanted to clarify.
25
     You saw his friend, the thinner one with the dreads
```

	Page 38
1 ,	run away? You didn't see him exit the car, you saw
2	him run past the police, you saw him run behind the
3	police cruiser?
4	: Yeah, I don't know if he is
5	directly behind me or if he was just on the other
6	side where I couldn't see. I just seen him run from
7	that way.
8	: When did you see, you saw him
9	run into the woods you say?
10	Not the woods, he ran
11	behind the apartment buildings on the other side of
12	the street.
13	: Okay. Let me just. So here,
14	that's West Florissant.
15	Uh-huh.
16	So about
17	Right in between these
18	buildings.
19	: When did you see him do that?
20	Um, wait, yeah.
21	: If you are over here
22	somewhere?
23	Yeah, right over here where
24	these trees are.
25	: Okay.
1	

_	
	Page 39
1 ,	That was like right after
2	the first two shots.
3	After the officer was still
4	in the vehicle?
5	: Yeah.
6	: You saw him run essentially
7	south, to your right while you are looking at it
8	right after those shots?
9	: Right.
10	: Okay.
11	MR. : Just to be clear, you talked
12	a little bit about where Mike Brown's hands were at
13	the time he was standing at the side of the police
14	vehicle.
15	Uh-huh.
16	MR. : And you wouldn't see if they
17	were in front of him; is that right?
18	: Right.
19	MR. Somewhere sort of waist or
20	chest height in front of him it looked like?
21	: Yes.
22	MR. : You didn't see his hands up
23	above his head?
24	No.
25	MR. : You didn't see hands like

	Page 40
1	down by his dies?
2	: No, they were in front of
3	him.
4	MS. : Could you see the officer
5	in the vehicle?
6	No.
7	MS. : Michael Brown is a big
8	guy, right?
9	: When he's standing in front
10	of the vehicle I could not see the officer.
11	MS. : Because Michael Brown was
12	blocking the vehicle basically?
13	: Yes.
14	: And then you said you have a
15	?
16	: Uh-huh.
17	: Did she see it?
18	: No,
19	•
20	: Now, when you went because
21	you said you drove around, did you drive this way?
22	: Yes, and we had to pass
23	through this way. We came this way.
24	MR. So you kind of came around
25	the apartment building from behind?

	Page 41	
1	Yeah.	
2	: Did you tell her what you	
3	saw?	
4	: Yes.	
5	: What did she think?	
6	: She said she didn't even	
7	hear it	
8		
9	: And have you been, I know	
10	things are different there, have you been back	
11	between that area?	
12	: I just spent the	
13	there.	
14	: Okay. Did you talk to people	
15	about what happened?	
16	No, I don't talk to nobody	
17	in there.	
18	: Did you ever?	
19	No, I ain't never spoke to	
20	nobody. I know somebody in this building and my	
21	stays in that building. I don't even talk to	
22	her like that. I don't know nobody else in the	
23	complex. I go there for her.	
24	: Okay.	
25	MR. All right. I don't think we	

	Page 42
1	have anything else. Thanks for your time today.
2	: Thank you.
3	: End the recording at
4	9:44 a.m.
5	MS. WHIRLEY: Good morning. This is
6	Sheila Whirley and Kathi Alizadeh is present and all
7	12 grand jurors, and , the court reporter. It
8	is November the 3rd, 2014, approximately 10:15 a.m.
9	That last recording that we heard was
10	Grand Jury Exhibit Number 58.
11	(Grand Jury Exhibit Number 58
12	marked for identification.)
13	MS. WHIRLEY: It occurred on October the
14	29th, 2014. The very first two recordings that we
15	heard were from Grand Jury Exhibit Number 17. And
16	those were, as you can see on the transcript, was
17	from August the 14th of 2014.
18	All of these recordings are related to the
19	witness, Witness Number 48. All of these are from
20	Witness Number 48 and we will hear from her
21	momentarily. We're going to get the witness.
22	MS. ALIZADEH: The first two you heard
23	were on Grand Jury 17.
24	: Okay.
25	MS. ALIZADEH: And those were both
1	

	Page 43
1	recorded on August 14th. And the third one you
2	heard was on Grand Jury Number 58, and that was
3	recorded on October 29th of this year.
4	: Thank you.
5	WITNESS NUMBER 48,
6	of lawful age, having been first duly sworn to
7	testify the truth, the whole truth, and
8	nothing but the truth in the case aforesaid,
9	deposes and says in reply to oral
10	interrogatories, propounded as follows, to-wit:
11	EXAMINATION
12	BY MS. WHIRLEY:
13	Q Throughout this proceeding we intend to
14	refer to you as Witness Number 48, but for now would
15	you introduce yourself to the grand jurors and spell
16	your name for us, please?
17	A
18	Q
19	A (Nods head.)
20	Q Okay. And you don't live in Canfield
21	Green; is that correct?
22	A No, I do not.
23	Q Who is your parents?
24	A
25	Q Okay. And your sister?

	Page 44
1 .	A
2	${f Q}$ And they were with you that day on August
3	the 9th, 2014?
4	A Yes.
5	${f Q}$ Okay. Is there anything else we needed?
6	Let's go ahead and get started.
7	MS. ALIZADEH: Just so that we are clear
8	on this, and we talked to you about not using your
9	parents' name, just call them mom and dad and sister
10	so that when we begin the recording, we won't need
11	to redact if you say my mom, my dad, my sister,
12	stuff like that, okay?
13	A Okay.
14	Q (By Ms. Whirley) I'm going to stand toward
15	the back of the room so you'll speak loud enough for
16	us to have a conversation. I know there is a
17	microphone there by you, but it won't make your
18	voice louder.
19	A Okay.
20	Q If you can speak loud enough so everyone
21	can here, okay?
22	A All right.
23	Q You know we are here regarding the Michael
24	Brown shooting?
25	A Yes.

1 Q Did you know Michael Brown? 2 A No, I did not. 3 Q All right. And you know he was shot by an 4 officer? 5 A Yes. 6 Q Did you know the officer? 7 A No.
Q All right. And you know he was shot by an deficer? A Yes. Did you know the officer?
4 officer? 5 A Yes. 6 Q Did you know the officer?
5 A Yes. 6 Q Did you know the officer?
6 Q Did you know the officer?
7 A No.
8 Q Did you know, do you know the officer's
9 name today?
10 A No.
11 Q Okay. All right. So let's talk about
12 August the 9th, 2014. How did you start your day?
13 A Um, I was hanging out with my parents at
14 first, then my asked me to come bring
15 something to , and I did.
16 Q Now your , where does live?
17 A
18 Q All right. You've referred to our map,
19 which is marked as Grand Jury Exhibit Number 25. I
20 told you about the laser pen there, you see it?
21 A Yes.
22 Q Why don't you pick that up. Can you
23 figure out how to use it? There you go. So that's
24 where your lived
25 A Uh-huh.

		Page 46
1 .	Q	Which one, which apartment?
2	A	Um, this one. (indicating)
3	Q	Okay.
4	A	
5	Q	All right. So where were you, about what
6	time of o	day was it that you were going to your
7		?
8	A	Like 12:15.
9	Q	Speak up.
10	A	It was like 12:15.
11	Q	Which way were you traveling?
12	A	I was coming down Canfield.
13	Q	From West Florissant?
14	A	Yes.
15	Q	Okay. And you were, what kind of car were
16	you in?	
17	A	A minivan.
18	Q	Minivan with your parents?
19	A	Yes.
20	Q	And where were you seated in the minivan?
21	A	I was in the second row in the center.
22	Q	Was there anyone on the either side of
23	you?	
24	A	Yeah, my sister was to the left of me and
25	my niece	was behind me.

	Page 47
1 .	${f Q}$ Okay. Did you have a pretty clear view of
2	what was ahead?
3	A Yes.
4	Q All right. So you're traveling east on
5	Canfield Drive from West Florissant?
6	A Yes.
7	Q Did you see the police car?
8	A Yes, I seen the cruiser.
9	Q Cruiser, describe it, what did it look
10	like?
11	A It was an SUV, um.
12	Q What color?
13	A It was white.
14	Q Was it marked as a police car?
15	A Yes.
16	${f Q}$ Okay. So where did you see it, you were
17	showing us on the map?
18	A Like in this right here, I believe.
19	(indicating)
20	Q Like near Canfield Drive?
21	A Our vehicle was here on Coppercreek.
22	Q Okay. Were there any cars ahead of you
23	before you reached the police cruiser?
24	A No, the only thing that was in front of us
25	was the cruiser and Michael Brown, his back towards

	Page 48
1	us, standing up on the cruiser. It was like maybe a
2	few inches away from it.
3	${f Q}$ How close I should say were you to the
4	cruiser?
5	A I'm not sure how many feet.
6	Q Like if you were to judge it by car
7	lengths, you said there were no cars in front of
8	you, but was there a space for a car to be in front
9	of you before you
10	A There was enough space for at least like
11	two cars.
12	Q About two car lengths?
13	A Yeah.
14	${f Q}$ And which way was the cruiser, we will
15	refer to it as cruiser, was it facing?
16	A He was facing towards West Florissant.
17	Q Was he parallel?
18	A He was slightly angled going onto Canfield
19	Drive like he was going to turn into the parking
20	lot.
21	Q Which way?
22	A This way. (indicating)
23	Q Like he was going to turn that way?
24	A Yeah.
25	Q But was he facing east or west on Canfield

	Page 49
1 ,	Drive?
2	A I guess west.
3	Q This is West Florissant?
4	A Yeah.
5	${f Q}$ So that would be west, he was facing west?
6	A Uh-huh.
7	Q You were faring east?
8	A Yes.
9	Q Now, you mention Michael Brown, Michael
10	Brown was, what was Mike Brown doing?
11	A He was standing at the cruiser like in
12	front of it. I really don't know what he was doing,
13	but he had his hands at least waist in front of him.
14	I'm not really sure what he was doing.
15	Q Could you see his hands?
16	A No.
17	${f Q}$ All right. How did you know his hands was
18	at the waist?
19	A Because if you see something from the
20	back, you can tell that their hands are not dropped
21	or up, you can see them in front of you.
22	Q You didn't see them dropped or up?
23	A Right.
24	Q Okay. From your viewpoint, would you be
25	looking at the driver's side or the passenger side

	Page 50
1 ,	of the police cruiser?
2	A The driver's side.
3	Q So you were looking at the driver's side?
4	A Yes.
5	\mathbf{Q} You were sitting in the center?
6	A Right.
7	$oldsymbol{Q}$ Okay. Did you notice the car moving and
8	when I say moving, I don't mean driving, I mean like
9	shaking or any motion to the car?
10	A I'm not sure if the car was rocking or
11	anything because I was in conversation with my
12	sister. And I didn't really notice what was going
13	on until I heard the first two gun fires.
14	Q So initially when you saw the car, you
15	didn't think much of it?
16	A Right.
17	Q You couldn't tell that there was some kind
18	of altercation or something going on?
19	A No, I couldn't.
20	Q All right. So you heard, you say two
21	gunshots?
22	A Yes.
23	${f Q}$ When you heard the two gunshots, where was
24	Michael Brown at that time?
25	A He was on the side of the police cruiser
I	

1		
		Page 51
1	L at	the driver's side and that's when he took off
2	2 ru	ning.
3	3	Q You actually saw him take off running?
4	1	A Yeah, we actually sat in the van and
	ō wa	ched him run down the street and then he turned
(ā ar	and and came back towards the officer.
-	7	Q Did he appear to be injured when you saw
8	B hi	running?
2	9	A No, I'm not sure if he was injured.
10)	Q You couldn't see any blood or anything?
11	L	A No.
12	2	Q Which way, show us with the laser pen
13	3 wh	ch way he was running?
14	1	A He was running east down Canfield, right
15	5 he	e. (Indicating)
16	5	Q And what
17	7	A The officer hopped out of his cruiser and
18	3 ch	sed him down Canfield. They got like right about
19) he	e and then Michael turned around and charged
20) to	ards. The officer and the police officer drew
21	l hi	gun and he was like stop, stop, stop and he shot
22	2 hi	•
23	3	Q Okay. When the officer got out of the
24	1 ca	, was he running too?
25	5	A He was running behind Michael, he wasn't
1		

	Page 52
1	really close to him.
2	${f Q}$ Okay. Did he have his gun out at that
3	point?
4	A No.
5	Q You didn't see his gun when he got out of
6	the car?
7	A No.
8	Q Did he shoot it, well, you didn't see his
9	gun, did you hear any shots?
10	A No, he did not fire at Michael while he
11	was running away from him.
12	Q Okay. So when did you see the officer's
13	gun?
14	A I seen the officer's gun when Michael
15	turned around and was charging at him.
16	Q So he didn't pull his gun out of the
17	holster until Michael Brown started to charge him?
18	A Charge him, right.
19	Q Okay. So when he was running, I think you
20	said he was yelling stop?
21	A I heard him yell stop at least three
22	times.
23	Q When was the first time you heard him yell
24	stop?
25	A When he was chasing, when he was chasing

		Page 53
1	down Canf	ield.
2	Q	So Michael Brown's back was to him?
3	A	Turned to him, he was like stop.
4	Q	He was chasing him, he was yelling stop?
5	A	Yes.
6	Q	He did not have his gun out as he was
7	yelling s	top?
8	A	No.
9	Q	No?
10	A	No, he didn't.
11	Q	Michael Brown turns around?
12	A	And starts to run towards the officer and
13	the offic	er drew his gun and he pointed it at him
14	and he wa	s like stop, stop. And he was like going
15	in revers	e, like backing up.
16	Q	The officer was backing up?
17	A	Yes.
18	Q	Would you mind standing up for me, please?
19	What's on	your arm, by the way, I couldn't help but
20	notice?	
21	A	A tatoo that time.
22	Q	What does it say?
23		MS. ALIZADEH: I don't want her to say
24	that.	
25	Q	(By Ms. Whirley) Can you demonstrate for

		Page 54
1 ,	us how Mi	chael Brown was coming towards the officer?
2	A	He was like charging towards the officer
3	withs his	s hands drawn up like this in a fist running
4	towards h	nim. (indicating)
5	Q	Come towards me?
6	A	Almost like a football, I'm not going to
7	run.	
8	Q	You don't have to run, kind of like walk
9	towards m	ne. Like that?
10	A	Yeah.
11	Q	And the officer, can you show me how the
12	officer w	was going backwards?
13	A	He had his gun drawn. He was like stop.
14	He was ba	acking up, he was like stop and he didn't,
15	so he sho	ot him three times.
16	Q	Three times?
17	A	He kept yelling stop and Michael kept
18	coming to	owards him.
19	Q	At the time that they are, at this
20	intersect	cion
21	A	We're stopped.
22	Q	You're stopped back here? (indicating)
23	A	Yeah.
24	Q	But you could see?
25	A	We was closer towards the trees right

		Page 55
1 .	here. (indicating)
2	Q	Did you get out of the car at any time?
3	A	No.
4	Q	You stayed in the car as you were watching
5	all of th	nis?
6	A	Yeah.
7	Q	And you were right around here?
8	(indicat:	ing)
9	A	Uh-huh.
10	Q	And it was occurring up here?
11	(indicat:	ing)
12	A	It was like right here. (indicating)
13	Q	Any idea how far that is apart?
14	A	No, it is not that far.
15	Q	Okay. Some additional car distances
16	though?	
17	A	Uh-huh.
18	Q	All right.
19	A	It was right here in this area.
20	(indicat:	ing)
21	Q	Is your vision pretty good?
22	A	Yes.
23	Q	You don't wear glasses or anything?
24	A	No.
25	Q	And you can hear pretty well?

	Page 56
1 ,	A I can hear just fine.
2	Q Okay. At any time did it look like
3	Michael Brown had anything in his hands?
4	A No.
5	Q Okay. Or that he was reaching for
6	anything?
7	A No.
8	Q Did you ever see his hands near his waist?
9	A No.
10	Q Did you ever see his hands raised up?
11	A No, he looked like he was going to raise
12	his hands at one point, but he didn't. He just
13	continued to run forward. It looked like he thought
14	about it, and then he didn't.
15	Q Okay. Tell us what you mean, demonstrate
16	what you mean he thought about it, looked like he
17	thought about it?
18	A I mean like, he's running and then he like
19	stopped, he put his hands up like this and then he
20	kind of brought them back down and started running.
21	(indicating)
22	Q Okay. That's when he charged towards the
23	officer?
24	A He was running already, he was still in
25	the process of running, should I say.
1	

		Page 57
1	Q	Did you ever hear Michael Brown say
2	anything?	
3	A	No.
4	Q	Any idea how many shots you heard total?
5	A	At least eight or nine.
6	Q	Okay. You heard two at the car and then
7	you	
8	A	Then I heard three and then like four more
9	shots, ma	ybe like one or two more after that.
10	Q	And all of these were when Michael Brown
11	was charg	ing the officer?
12	A	Yes.
13	Q	Did you hear any shots after Michael
14	Brown, at	some point he fell; is that right?
15	A	Yeah, that was after he fired the last
16	shot.	
17	Q	Okay. So you didn't hear any shots after
18	he fell?	
19	A	Huh-uh.
20	Q	Did you see any of the shots hit him?
21	A	I seen the one hit him in the face because
22	you could	see like the blood spatter, you couldn't
23	really se	e the bullets themself, but you seen like
24	the blood	fly away from his face. I don't know
25	exactly w	here it hit him.

		Page 58
1 .	Q	Okay. But you could see blood splatter?
2	A	Yeah.
3	Q	Near his face?
4	A	Right.
5	Q	How did he fall?
6	A	Um, he kind of just dropped, like he
7	stopped a	nd he kind of like fell forward and like
8	smacked t	he ground with his face.
9	Q	I think in one of your reports he did fall
10	on his kn	ees?
11	A	He like hit his knees and he like just
12	fell.	
13	Q	Now, did you ever see anyone with Michael
14	Brown?	
15	A	Um, I seen a dude before all the shooting
16	happened,	there was a guy, thinner dude with
17	Michael.	He had on a black T-shirt and some gray
18	jogging p	ants.
19	Q	Okay.
20	A	I really didn't get like a good look at
21	his face.	
22	Q	Tell us how his hair was?
23	A	He had dreadlocks.
24	Q	Was he at the police car too when you
25	first not	iced Michael Brown?
1		

	Page 59
1	A I was behind him. I didn't see where he
2	came from.
3	Q When you looked and saw Michael Brown at
4	the police car, did you see him also?
5	A I didn't see him up on the cruiser but
6	when the first two shots had been, he was like in
7	this area behind the cruiser and he took off running
8	along side of Building 18.
9	Q That's the way you saw him running. Did
10	you ever see him reappear?
11	A No.
12	Q Did you take a video or anything of that
13	occurrence?
14	A No. Somebody stole my cell phone.
15	Q Somebody stole your cell phone?
16	A (Nods head.)
17	Q Like that day or earlier?
18	A Previous.
19	$oldsymbol{Q}$ Previously. Do you know anybody who did
20	make a video of this occurrence?
21	A No.
22	Q Okay. Now, did you discuss what was
23	happening with the people that were in the car with
24	you?
25	A The only thing we said was, my mom was
1	

```
Page 60
     like, did they shoot him? I was like, yeah, they
 1
 2
     shot him. I was like, he just shot the fuck out of
 3
     him, that was all that was really said.
               Do you know whether your mother saw it or
 4
 5
     not?
               My mother saw the shooting, she just
 6
          Α
 7
     didn't know if they were shooting when the first two
 8
     fires popped off.
 9
               Okay. All right. I think I already asked
     you, you said you didn't know any of the people that
10
11
     were involved in the shooting?
               Huh-uh.
12
          Α
13
               Is there anything else that I didn't ask
          Q
14
     you that you thought you need to tell us?
15
          Α
               No.
16
          Q
               No?
17
               (Nods head.)
          Α
18
               MS. WHIRLEY: Okay, Kathi?
19
          Q
               (By Ms. Alizadeh) Ma'am, just to be clear.
     We've listened to statements that you made that a
20
     police officer talked to you, a detective on
21
22
     August 14th?
23
          Α
               Uh-huh.
24
               And I know you were using a map to show
25
     him certain things. And we can't see what you were
```

	Page 61
1	doing, but can you show the grand jurors after your,
2	who was driving the van?
3	A My mother.
4	Q So after the shooting happened, did your
5	mother drive away?
6	A Yes.
7	Q Can you show on the map the route that you
8	took?
9	A We turned into Coppercreek, we went along
10	the back on
11	Coppercreek.
12	Q So when you earlier used the laser pointer
13	and you said your cars was about right here?
14	(indicating)
15	A Yeah, about right here.
16	Q That's a little east of Coppercreek Road?
17	A Okay.
18	Q Did your mom have to turn the car around
19	did she have to put it in reverse?
20	A We were really just parked right here by
21	the trees, just kind of back up a little bit. We
22	was going to come down the street this way.
23	Q So you didn't get farther than Coppercreek
24	Road?
25	A No.

1 Q Your mom didn't have reverse?	
2 A No, she backed up a little bit, yes.	
3 Q Okay. Was there any cars behind her?	
4 No.	
5 Q You didn't see any cars behind her?	
6 A No, but there was a girl standing here.	
7 Q Okay. So you had mentioned in your	
8 statement, you called her a little girl. Thought	
9 maybe she was in middle school?	
10 A Right.	
11 Q Was she white, African-American?	
12 A No, African-American.	
13 Q African-American, okay. She by herself?	
14 A Yes.	
Did she have anything about her that you	
16 recall descriptively, long hair, short hair?	
17 A She had her hair in a ponytail. She had	
18 glasses on, looked like she got out of school.	
19 Q So when you went around here and I'm	
20 pointing on Coppercreek Road and it kind of goes	
21 into the northern part of the subdivision, did you	
22 go directly then to your ?	
23 A Uh-huh. I	
24 and then I left.	
25 Q So you didn't stay?	

	Page 63
1 .	A Huh-uh.
2	Q Did you leave with your family then?
3	A Uh-huh.
4	Q How did you get out of the complex?
5	A We went back down Coppercreek.
6	Q The way you had come?
7	A Uh-huh.
8	Q So when you came back down here, were you
9	able to drive west on West Florissant?
10	A Uh-huh.
11	Q There weren't a bunch of police cars?
12	A Oh, yeah, they were flying down the
13	street, but we were on the opposite side of the
14	street. I mean, they didn't have it blocked off
15	yet.
16	Q So you were, once you turned to go west on
17	Canfield Drive, did you see police vehicles coming
18	east?
19	A Yeah, a lot of them.
20	Q So you never got down to this area where
21	Michael Brown was?
22	A I had no reason to go down there.
23	Q You mention that you'd been down there,
24	you had mentioned in one of your statements that you
25	have been down there since?
l	

		Page 64
1 .	A	Yeah.
2	Q	Have you seen the memorial in the street?
3	A	Yeah.
4	Q	Was that where you saw his body fall or is
5	that some	place else?
6	A	No, that is where his body fell.
7	Q	Okay.
8	A	But you know they have kind of got the
9	memorial	back on the sidewalk. They have a little
10	bit of st	uff in the street, but other than that.
11	Q	Okay. So there's a bunch of teddy bears
12	and candl	es and stuff in the middle of the street?
13	A	Roses.
14	Q	And then there's also another place where
15	candles a	nd teddy bears and flowers and stuff?
16	A	Along the light post.
17	Q	Along the light pole. Is it on the corner
18	of Copper	creek Court and Canfield Drive?
19	A	It's actually more where that car is right
20	there. I	t is not exactly on the corner it is here.
21	Q	The other one is not in the street?
22	A	Right.
23	Q	Okay. Now in your, you talked about being
24	with your	mom and your dad and your sister. When
25	the polic	e came to talk to you, where did they,
1		

		Page 65
1 .	where did	you speak to the police, where were you
2	physicall	у?
3	A	Which time?
4	Q	The first time?
5	A	The first time I was
6	Q	
7	A	Yes.
8	Q	Okay. And you don't live in Canfield?
9	A	No.
10	Q	Do you know how the police found you
11		
12	A	No.
13	Q	Okay. So they just knocked on the door
14	and said,	hey, we want to talk to you about what you
15	saw?	
16	A	Pretty much. And then they said that my
17	mother wa	s the reason they had my name.
18	Q	Okay. So are you close with your parents?
19	A	Yes.
20	Q	After this happened, I know you said
21	immediate	ly after it happened your mom was like,
22	made some	kind of comment about, did they just shoot
23	him or so	mething, but afterwards, did you talk about
24	what you	saw with your family?
25	A	No.

	Page 66
1 .	Q Never have?
2	A (Shakes head.) I mean, nothing really to
3	talk about. Just seen somebody get shot, okay. I
4	mean, it is tragic, but I didn't know him so I
5	didn't have sympathy for what was going on. I felt
6	like he brought it on himself because if you are
7	going to go rob a place and then fight with the
8	officer, of course they're going to shoot you.
9	Q So let's back up now. You commented just
10	now if you are going to rob a place and then fight
11	with the police officer. Now, you didn't see
12	A I didn't see the robbery or the fight with
13	the officer, no, I didn't.
14	Q So let me ask a question. So those are
15	things that you learned afterwards?
16	A Uh-huh.
17	Q And you said yes?
18	A Yes.
19	Q Did you learn those things before you made
20	your statement on August 14th?
21	A What statement?
22	Q The first officer that came to talk to you
23	at your apartment, at that time did you know or had
24	you learned or heard that Michael Brown had robbed
25	the place?

1 A I did not know that he had robbed any 2 place. I didn't know why they were doing it. 3 Q Okay. 4 A I didn't know his name until long 5 afterwards either. 6 Q When did you learn, if you remember, that 7 Michael Brown, or when did you hear that Michael 8 Brown had robbed the place? 9 A I heard that after I seen it on the news
Q Okay. A I didn't know his name until long afterwards either. Q When did you learn, if you remember, that Michael Brown, or when did you hear that Michael Brown had robbed the place? A I heard that after I seen it on the news
A I didn't know his name until long 5 afterwards either. 6 Q When did you learn, if you remember, that 7 Michael Brown, or when did you hear that Michael 8 Brown had robbed the place? 9 A I heard that after I seen it on the news
5 afterwards either. 6 Q When did you learn, if you remember, that 7 Michael Brown, or when did you hear that Michael 8 Brown had robbed the place? 9 A I heard that after I seen it on the news
6 Q When did you learn, if you remember, that 7 Michael Brown, or when did you hear that Michael 8 Brown had robbed the place? 9 A I heard that after I seen it on the news
7 Michael Brown, or when did you hear that Michael 8 Brown had robbed the place? 9 A I heard that after I seen it on the news
8 Brown had robbed the place? 9 A I heard that after I seen it on the news
9 A I heard that after I seen it on the news
10 where they had burned down the QuikTrip in Canfield.
11 Q Where they had what?
12 A They had burned down the QuikTrip on West
13 Florissant.
14 Q It was after that the QuikTrip burned
15 down?
16 A Uh-huh.
17 Q And then, and certainly then you also knew
18 that when you gave your statement to the FBI and the
19 U.S. attorney last week?
20 A Uh-huh.
21 Q When you say uh-huh, you say yes?
22 A Yes.
23 Q Thank you. So you are saying that you
24 never talk to your family about what you saw. You
25 know, and the reason I ask this, ma'am, I think it

Page 68

- 1 is understandable when people see the same thing to
- 2 kind of discuss it with each other just because oh,
- 3 my God, can we believe we just saw that?
- A I mean, we were surprised and, you know,
- 5 but never really talked about it like that.
- 6 Q So you never like, you know that your mom
- 7 had talked to the police, right?
- A Yeah, but I was trying to avoid her giving
- 9 them my name. So, yeah, I really wasn't talking to
- 10 her.
- 11 **Q** You know that your dad talked to the
- 12 police?
- 13 **A** Uh-huh.
- 14 **Q** And do you know that I have talked to your
- 15 parents about trying to get you to call me, did they
- 16 talk to you about that?
- 17 **A** Yeah, they contacted me and told me you
- 18 were trying to call me and I called several times
- 19 and I didn't know your name. So they were like,
- 20 well, if you don't have her name, we can't help you.
- 21 And I was like okay.
- 22 So you're saying you called my office and
- 23 asked for the prosecutor handling the Michael Brown
- 24 shooting and nobody knew who that was?
- 25 **A** Yes, that's what I'm telling you.

```
Page 69
               And so it was actually last week that you
 1
          Q
     and I, and actually, I never spoke to you on the
 2
 3
     phone, but we connected last week through somebody,
                   , right?
 4
     another
 5
               (Nods head.)
          Α
               Yes?
 6
          Q
 7
          Α
               Yes.
 8
          Q
               And in your statements previously you used
     the word charged. You said that you saw Michael
 9
     Brown charge the officer?
10
11
          Α
               That's right.
               Did you hear anybody prior to you making
12
          Q
13
     your first statement, and your mom made her
     statement on the 11th and your dad made his
14
15
     statement two or three days after that, and you made
     your statement on the 14th. Did you ever hear your
16
17
     mom or dad use that term charged?
18
               No.
          Α
19
          Q
               Okay.
               Like I said, we never really talked about
20
          Α
21
     it.
22
               So that is a word that you used that I
          Q
23
     picked to describe what you saw?
24
               Yeah.
          Α
25
               And you also said that the officer said
          Q
```

```
Page 70
 1
     stop, stop, stop?
 2
          Α
               Right.
 3
          Q
               Do you recall if the windows were open or
     closed that day?
 4
 5
          Α
               They were opened.
 6
               So you're saying you could hear him and
          Q
 7
     when you said it for the grand jurors you kind of
     just spoke it, stop, stop, is that how he said
 9
     it?
10
          Α
               No, he was yelling.
11
               You could hear it as he was yelling?
          Q
               Yes.
12
          Α
13
          Q
               Did you hear anybody else yell or anybody
     else say anything?
14
15
          Α
               No.
               Didn't ever hear Mike Brown say don't
16
          Q
17
     shoot?
18
               No.
          Α
19
          Q
               Or nothing like that?
20
          Α
               No.
21
               Did you, other than the little girl that
          Q
22
     you saw by your van, did you see anybody else, and
23
     you also talked about the skinnier boy with the
     dreads, did you see anybody else around here?
24
25
          Α
               No.
```

Page 71
1 Q What about other cars that were maybe
2 behind the police car?
3 A There were no cars on the street. There
4 was no cars. All the cars were on the parking lot.
5 Q So you didn't see like a white Monte Carlo
6 or any other cars that were behind the police car?
7 A No.
8 \mathbf{Q} After the shooting, did you see a car
9 drive up in the grass to drive around the police car
10 to leave the apartment complex?
11 A No.
12 Q Are you saying you didn't see it or you
13 saying it didn't happen?
14 A I'm saying if it did happen, it had to be
15 after we pulled completely away from Canfield while
16 we were there it did not happen.
17 Q Okay. This is one of those things that
18 always want to make sure to clarify when you say no,
19 you didn't see it on anything. My question is, is
20 that because it didn't happen or are you saying I
21 just didn't see it or it could have happened, I just
22 didn't see it.
Was there ever a time in the van when
24 you looked away or put your head down or ducked?
25 A No.

		Page 72
1 .	Q	You never like got down in the van once
2	you heard	the first shots?
3	A	No.
4	Q	Have you heard
5	A	I was too busy watching what was going on.
6	Q	Have you heard gunshots before?
7	A	All the time.
8	Q	So when you heard those first two shots,
9	did you i	mmediately recognize that as gunshots?
10	A	Yes.
11	Q	Yes. Didn't sound like firecrackers or
12	anything?	
13	A	No.
14	Q	Did you ever see the officer's hands or
15	arms or a	arm or hand come out of the driver's
16	window?	
17	A	No.
18	Q	Did you see his gun come out of the
19	driver's	window?
20	A	No.
21	Q	Is it because it didn't happen or because
22	you didn'	t see it?
23	A	I did not see a gun out of the window at
24	all.	
25	Q	Okay. And were you, when you said that
1		

	Page 73
1	you were looking at the driver's side of that car,
2	you see the back of Michael Brown?
3	A Correct.
4	Q So he's a big guy, right?
5	A Yeah.
6	${f Q}$ His body would have been blocking the
7	window; is that right?
8	A That's right.
9	Q As far as how Michael Brown was, I know
10	you already described what you observed as far as
11	his arms and you said you couldn't see his hand, but
12	did you see his body moving in any way or was he
13	standing still?
14	A He was just standing there. I don't think
15	he was really moving like, nothing like that in
16	front of the cruiser and then you see him take off
17	running after the first two shots that's all I seen.
18	Q All right. So now you're saying that you
19	didn't want your mom to give the police your name,
20	is that because you didn't want to be involved or is
21	there another reason?
22	A Because I didn't want to be involved and I
23	didn't want to be sitting here doing this.
24	Q I understand. You're not the first person
25	to say that. Do you know, did your mom and/or dad

	Page 74
1 1	have a discussion with you and your sister about
2	coming forward to talk to the police?
3	A No, she just told me that she felt bad she
4	didn't say nothing. And I was like, if you feel
5	bad, then go say something. I didn't know she was
6	going to tell y'all my name. Under oath you've got
7	to tell the truth.
8	Q What about your sister. Now, has your
9	sister, to your knowledge, talked to any police?
10	A I don't think she has.
11	${f Q}$ When is the last time you talked to your
12	sister?
13	A Yesterday.
14	Q Okay.
15	MS. ALIZADEH: I don't have any other
16	questions. Grand jurors may ask you questions next.
17	Any questions from any of the jurors?
18	. I want to
19	go back to the minivan, figure some things out about
20	the layout of the minivan. What color is this
21	minivan?
22	A It is
23	
24	A
25	: Your mom was driving?
1	

		Page	: 75
1 ,	A	Correct.	
2		Your dad was on the	
3	A	Yeah, passenger side in the front.	
4		: You were in the second	
5	row?		
6	A	Right.	
7		: And you said your niece	
8	was behin	nd you?	
9	A	Correct.	
10		: This vehicle has three	
11	rows?		
12	A	Yes.	
13		So you said you were in	
14	the middl	Le?	
15	A	Correct.	
16		You could see straight ou	ıt
17	the windo	w?	
18	A	That is correct.	
19		Okay. Most minivans the	
20	layout is	s when you open the door	
21		It's got the two seats and	k
22	then it's	s got two seats.	
23		: Bench seat is in the back	?
24	A	Right.	
25		: I was trying to figure ou	ıt

```
Page 76
     how you got in the middle?
 1
 2
               Because I was in the spot where there is
 3
     no seat.
               I was on the seat, but I was already in
     the middle doing something with my sister, and when
 4
     we were turning in. I mean, I know that sounds bad,
 5
 6
     supposed to have your seatbelt on and all of that
 7
     stuff, but that is how I was sitting.
 8
                             : Okay. You mentioned that
 9
     you was bringing something to your
     you tell us what you were bringing to your
10
11
          Α
12
13
                                                 Can you
14
     tell me the year and make of the minivan that you
15
     were in?
16
          Α
               No, I cannot.
17
                               Do you know Dodge, Chevy,
18
     Ford?
19
          Α
               No, I don't know any of that.
20
                                So you're saying you were
21
     not sitting in the middle, you were leaning in the
22
    middle?
23
               No, I was sitting in the middle.
                                                  There's
     like in between the spot, between the seats and
24
25
     stuff there is a little thing right there.
                                                  I don't
```

```
Page 77
     know what it is called, but yes, I was sitting there
 1
 2
     because I was talking to my sister and I was leaning
 3
     over doing something and I had my dog, but other
     than that, yes, I was sitting in the middle.
 4
 5
               MS. ALIZADEH: You had what?
               My dog, I have a
 6
          Α
 7
               MS. ALIZADEH: So your dog was in the van
 8
     with you?
 9
               Yeah.
          Α
               MS. ALIZADEH: Okay. I didn't know that
10
11
    before, okay.
12
                                                 When you
13
     saw someone standing outside of your window, I guess
     on the sidewalk, was it a younger female?
14
15
          Α
               Yes, a little girl.
                             : What did she do during all
16
     of this?
17
18
               She just kind of ducked on the side of our
19
     van. That is another reason why we just didn't pull
     off.
20
21
                                She stayed there the whole
22
     time?
23
          Α
               Yes.
24
                               Until the final shots were
25
     fired?
```

	Page 78
1 1	A Yes.
2	: Okay, thank you.
3	MS. ALIZADEH: Ma'am, when this all
4	started, were you focused on what was going on in
5	front of you?
6	A I was not when it first happened, I didn't
7	really pay attention until the first gunshot, but
8	then when I heard the first one, I immediately was
9	looking out the window.
10	${f Q}$ (By Ms. Alizadeh) So my question is in
11	response to one of the questions of the grand
12	jurors, were you paying attention to what the girl
13	was doing the whole time, or was it that after it
14	was over you looked there and she was still there?
15	How do you know she stayed next to your van the
16	whole time?
17	A Because she was there when we, when
18	everything was getting ready to turn off, she was
19	still standing by the side of my vehicle.
20	MS. ALIZADEH: Okay.
21	A She was walking up the street when we
22	stopped. You seen her walking up the street, I
23	mean, I pay attention to everything that's going on
24	around me.
25	MS. ALIZADEH: Was she walking toward West
1	

	Page 79
1 ,	Florissant?
2	A No, she was walking east.
3	MS. ALIZADEH: Okay.
4	. So I just want
5	to make sure you're saying that your van was, your
6	car, your van was on Canfield at Coppercreek, or a
7	little to the east?
8	A Correct.
9	You did not, I'm asking
10	this question, did you or did you not know about the
11	robbery?
12	A No, I didn't.
13	: And the fight with the
14	police officer when you gave your statement to the
15	officers on August 14th?
16	A No.
17	: You did not know about
18	that at the time?
19	A No.
20	: I just want to make sure,
21	you said you didn't see the officer have his gun
22	drawn when he got out of the car. I want to make
23	sure that you saw him draw his gun or you didn't see
24	him, did you actually see him draw his gun?
25	A When he got out of the vehicle, ma'am, he

	Page 80
1 had his h	and on his waist.
2	: Okay.
3 A	He was chasing after Michael.
4	Okay.
5 A	He didn't have his gun strawn until
6 Michael a	actually turned around and started coming
7 towards h	im.
8	: Okay. I just want to
9 make sure	e that the police cruiser is pointed towards
10 West Flor	rissant?
11 A	Right.
12	It is at an angle?
13 A	Right.
14	: And you were in front of
15 the car?	
1 6 A	Correct.
17	: There were about two car
18 lengths b	etween you and the police officer's car.
19 Nobody wa	s in front of you?
20	: No.
21	Nobody was behind you?
22	: What about the inside of
23 the polic	ce officers car you didn't see anybody, any
24 car, noth	ing?
25 A	No.

```
Page 81
                              : And can I ask how old are
 1
 2
     you?
 3
          Α
                                 Were you living with your
 4
 5
     parents?
 6
               No, I was staying on
          Α
 7
 8
                              : Okay. That's all.
 9
               MS. ALIZADEH: I just, I didn't ask you
     this and I apologize if Sheila asked you this. Can
10
11
     you use the laser pointer and show me on that map
     Grand Jury Exhibit turn around to pace.
12
13
          Α
               He was right here. He started running
14
     this way.
15
               (By Ms. Alizadeh) So are you, some people
     are good, some people are not good about estimating
16
17
     distances.
18
               Okay.
          Α
19
          Q
               Are you good at estimating distances do
     you think?
20
21
               Pretty good.
          Α
22
               Can you give an estimate as to how many
23
     feet. And if you can't do feet, Sheila had said
     before use car lengths as an explanation, but how
24
     far he traveled from the time he turned around until
25
```

	Page 82
1 1	he fell into the street or fell on the street.
2	A I'd said about two or three feet.
3	Q About what?
4	A Two or three feet.
5	${f Q}$ Two or three feet. So you had used the
6	laser pointer to say he was about right there when
7	he turned around?
8	A He turned around here. (indicating)
9	Q Where did his body come to rest?
10	A Right here. (indicating)
11	Q So where I'm pointing is that about right?
12	A Uh-huh.
13	${f Q}$ Did you ever see him run off of the
14	street?
15	A No.
16	${f Q}$ Never saw him get in the grass or turn up
17	into a park lot or anything?
18	A He didn't do that.
19	MS. WHIRLEY: I want to make sure I heard
20	clearly. When he turned around and charged the
21	officer, he only moved two feet, two to three feet.
22	A I'm not exactly sure how many feet it was,
23	but I know for a fact that he was in front of this
24	patch of grass when he turned around and I know that
25	his body landed here for a fact because I was
1	

```
Page 83
     standing there and I seen the whole thing.
 1
 2
               MS. WHIRLEY: Okay.
 3
          Α
               Or I was sitting there.
               MS. WHIRLEY: You kind of described it as
 4
     charging at the officer once he turned around?
 5
 6
          Α
               Right.
 7
               MS. ALIZADEH: So you're saying he only
     moved a couple of feet, though, in that charge?
 8
 9
               Well, yeah, because he didn't get far
     before the officer started firing because I wasn't
10
11
     going to, he didn't let anyone run up on him.
12
               MS. WHIRLEY: So as soon as he turned
13
     around and started moving towards the officer two to
     three feet, the officer started firing?
14
15
          Α
               Yes.
               MS. WHIRLEY: Is that right?
16
17
          Α
               Yes.
18
                                                    I just
19
     want to make sure I understand. What you are
     saying, you are saying that the officer started
20
     shooting when Michael Brown ran to two or
21
22
     three feet, charged two or three feet, you're not
23
     saying that's all he charged?
               That's not all he charged, but like he
24
25
     turned around and he started running towards him
```

Page 84 charging, he told him to stop like three times. 1 2 Like two or three feet he got before they started 3 shooting. He kept running. 4 Okay. 5 Like the first few bullets didn't have any Α 6 phase in it, he just kept running. 7 So he didn't just go two 8 or three feet, he went two or three feet when the 9 officer started shooting? 10 Α Correct. 11 again. Could you see, I guess in one of your transcripts, 12 you said he shot him three times. Did he actually 13 see him getting shot three times? 14 I don't know if it made contact. He fired 15 Α 16 his gun three times at first. 17 : Okav. 18 And then he said stop some more and he 19 kept coming and then he fired the gun four more 20 times. 21 : Could you demonstrate how 22 he turned, or when he stopped and turned around and 23 started coming back towards the officer? Yeah, but like when he was running away, 24 25 he kind of like stopped for a second. And then kind

```
Page 85
     of like he put his arms up and he started charging
 1
 2
     towards the officer like this. (indicating)
 3
                               Okay. So he never did
     this? (indicting)
 4
 5
               For a second it looked like he was going
          Α
 6
     to put his hands up, but he brought it back down.
 7
     When he charged the officer like that, that's when
 8
     you heard the first three gunshots.
 9
                    I don't know where he, I guess the
     little thing on the fucking news where it had it in
10
     his hands. So that's where I assumed where it hit
11
     him. I did not see it hit him.
12
13
                               You are saying he went
14
     like this and then like this? (Indicating)
15
               Yeah, he kind of like, he thought about
          Α
16
     putting his hands up for a second. He just didn't
17
     do it.
18
                               Is that when he proceeded
19
     to charge this officer?
20
          Α
               Correct.
21
               MS. WHIRLEY: Okay. Let me make sure I'm
22
     clear.
             This is really an important part for a lot
23
     of, I think the grand jurors. When you said it
     looked like he was thinking about putting his hands
24
25
     up or not?
```

	Page 86
1	A That's the point, it looked like he may
2	have thought about it. Like he wanted to.
3	Q (By Ms. Whirley) So was he doing it?
4	A No, he like, his hands were open at first,
5	and it looked like his arms were going to start to
6	go up.
7	Q Did they go up at all?
8	A He got like shoulder length like this and
9	then he balled his hands up and then he went like,
10	folder his arms in and started charging towards him.
11	$oldsymbol{Q}$ Okay. So you demonstrated that his hands
12	were open and they went up shoulder length and then
13	they came down and balled up?
14	A Correct.
15	Q And that's when you said he charged at the
16	first two to three feet?
17	A Right.
18	Q The officer shot him several times, you
19	think three, so that didn't stop him?
20	A It was three at first. I don't know if
21	the bullets, it was three shots at first and then
22	four.
23	$oldsymbol{Q}$ Okay. The three shots and then what did
24	Michael Brown do after those three shots?
25	A He kept running.

	Page 87
1 .	Q He kept running toward the officer?
2	A He kept trying to charge him.
3	Q Do you have any idea how he came to the
4	officer. After those three shots?
5	A Right. And then he fired four more rounds
6	and then it was like maybe two rounds after that.
7	Maybe one or two.
8	${f Q}$ Okay. When he fired the four more rounds,
9	what did Mike Brown do?
10	A He kind of stopped. He kind of staggered
11	a little bit and then he kept kind of coming forward
12	but he was running as fast as he was. And then I
13	heard the last two shots, I believe it was. And
14	then you seen him like stop and he fell to his knees
15	and his face hit the concrete kind of hard.
16	Q Okay. So those last four shots you said
17	he stopped and he staggered?
18	A Uh-huh.
19	Q How many more feet did he
20	A It really wasn't no feet after that, maybe
21	like a few inches after maybe.
22	Q And then the officer fired two more shots?
23	A Correct.
24	Q How close was the officer to Mike Brown
25	when he fired those last shots?

```
Page 88
               Probably about as far as she is from you.
 1
          Α
 2
               We'll do it, okay. I will walk back and
 3
     you tell me when to stop?
          Α
               Okay. It was like right there, like right
 4
 5
     there.
               So like 15 feet or so maybe?
 6
 7
          Α
               Right.
 8
          Q
               That's how far the officer was when you
     fired the last shot or heard?
 9
10
          Α
               Correct.
11
               MS. ALIZADEH: And, ma'am, you said the
12
     officer was backing up?
13
               He was backing up the whole time he was
14
     yelling at him.
15
               MS. WHIRLEY: When he was firing those
16
     last shots, was he saying anything, the officer?
               I don't believe so, no.
17
18
               MS. WHIRLEY: You never heard Michael
19
     Brown say anything?
20
               No, I didn't.
          Α
21
               MS. WHIRLEY: You weren't in earshot?
22
         Α
               Yes.
23
24
     Rather than talking distance, can you tell me about
25
     how many steps he took by the time Michael turned
```

	Page 89
1 ,	around until the officer started shooting and how
2	many more steps he took after the first round of
3	shots?
4	A Uh, like the same probably, I don't know.
5	: 15 total steps?
6	A Steps, like footprints?
7	${f Q}$ Each step, to me a step is like two or
8	three feet, and you are describing two or three
9	feet, in my mind that's one step. Is it more than
10	one step he took towards the officer before he
11	started shooting?
12	A Yeah.
13	: Multiple steps.
14	A I don't know how many steps physically.
15	: Okay.
16	MS. WHIRLEY: When you talk about feet,
17	you talking about steps?
18	A No, I was talking about like feet and
19	yards and stuff like that.
20	I just have one quick
21	question, . Did you say that your
22	vehicle was parked on the same side?
23	A No, it was the side of the streets.
24	: You were on this side?
25	A Yes.
1	

```
Page 90
 1
                                So you can see, you were
 2
     parked here by the trees?
 3
          Α
               Correct.
                             : Not that this is the
 4
 5
     actual footage, but you can see clearly straight
 6
     down?
 7
               Uh-huh.
          Α
 8
                                Did you ever see the
 9
     expression on Michael Brown's face?
               No, I did not see the expression on his
10
          Α
11
     face.
12
                                But you could see the
13
     charge?
14
          Α
               Correct.
15
                             : Okay, thank you.
16
               MS. WHIRLEY: That's an interesting point.
17
               You characterize it as charge, could he
18
     have been staggering?
19
               When he first started running, ma'am, he
     was not staggering. He was charging this officer
20
     and that's how I feel it was, like he was running
21
22
     towards him. If he had got close enough, I feel
23
     like he would have tackled him up against the car.
24
               (By Ms. Whirley) Up against the car?
          Q
25
          Α
               The cruiser.
```

	Page 91
1	Q So they were near the cruiser when he came
2	back?
3	A He was coming this way going west towards
4	this and the cruiser was here. He was running past
5	this actual not too far behind the cruiser and was
6	saying stop, stop, stop and that's when he started
7	firing and the officer went this way instead of
8	going back towards the cruiser, he came across the
9	street this way.
10	Q The officer did?
11	A Yes.
12	$oldsymbol{Q}$ Okay. So the first shots, you felt he was
13	charging him after the first shots, do you still
14	feel he was charging?
15	A The first three shot after that he was
16	still charging at him and then after the fourth
17	shot, it looked like he was staggering.
18	Q Okay.
19	. Could you not
20	see his face?
21	A I could see his face.
22	: Michael Brown's face
23	because it was up or down or did you not pay
24	attention or could you not tell?
25	A I would be able to see his face, but he

```
Page 92
     was kind of like running like, like I said, like a
 1
 2
     football tackle, like he was going to tackle the
     officer. I couldn't really see the expression on
 3
     his face.
 4
 5
                                Okay. So it is not that
 6
     you were too far to see it, it was just that you
 7
     weren't at a good angle to see it?
 8
          Α
               Correct.
 9
                                You didn't hear him making
10
     any noise at all?
11
          Α
               No.
12
                                He didn't scream, he
13
     didn't act like he was hit?
14
          Α
               No.
15
                              : He didn't say wait or --
16
          Α
               That was the shocking part, that's what
     really made you pay attention.
17
18
                                 I give up or whatever.
19
          Α
               It looked like it didn't have any affect
20
     on him at all. Like it wasn't even happening.
21
                              : And there is no, in your
22
     mind, there's no way you say this young man wasn't
23
     charging?
24
          Α
               Correct
25
                                 And there's no way he
```

		Page 93
	1	could have been saying, you know, I'm hurting, I'm
	2	giving up, there is no way you feel it could have
	3	been mistaken?
	4	A No, it wouldn't have been mistaken.
	5	: This is really important.
	6	A I'm not, you know, really big on talking
	7	to the police or defending police or anything like
	8	that. I'm just being real honest with you.
	9	That's all right.
1	0	A I feel like the officer was in the right,
1	1	that is a lot of saying. Because other than that, I
1	2	ain't got nothing to do with them.
1	3	: I mean, do you feel like
1	4	this could have ended up any other way?
1	5	A Yeah, it could of, if he had of just
1	6	stopped running, yeah, it could have ended a
1	7	different way.
1	8	That's the other way it
1	9	he could have ended another way, the officer had no
2	0	other choice?
2	1	A He could of had another choice, but it
2	2	could have ended in him being physically hurt.
2	3	: Thank you.
2	4	. At the
2	5	time he turned around, he then shot, or even when he
1		

```
Page 94
     first turned around, did you see see him grab for
 1
     his hand or his shorts?
 2
 3
          Α
               No.
                              He never grabbed his side
 4
 5
     or anything like that?
 6
          Α
               No.
 7
                                                  What
                                          again.
     about when he was falling, you say he went to his
 8
 9
     his knees, were his hands going down at the time?
               When he fell to his knees, his arms were
10
     just like, it didn't really affect him, you know
11
     what I'm saying? His arms is like he had them right
12
13
     here. He just kind of like fell on his knees. He
     got kind of like he stopped, and he staggers and
14
15
     then he dropped like this and hit like this on the
16
     ground.
17
               MS. WHIRLEY: Anybody else?
18
               (End of the testimony of Witness 48.)
19
               MS. WHIRLEY: We're back on the record,
     November the 3rd of 2014, approximately 11:20 a.m.
20
     We're going to play a recorded statement of
21
22
             who testified last week. It is on Grand
23
     Jury Exhibit Number 63.
24
                          (Grand Jury Exhibit Number 63
25
                         marked for identification.)
```

```
Page 95
              MS. WHIRLEY: We will play the recording.
1
 2
     I don't know exactly how long it is, but I don't
     think it is very long. Let me bring it up and I can
 3
     give you an idea.
 4
 5
              This is November 3rd, 2014, Sheila
 6
    Whirley. I was attempting to play Grand Jury
7
     Exhibit Number 63. It is not working so we won't be
8
     able to hear that one. We will hear Grand Jury
 9
     Exhibit Number 49. A statement, recorded statement
                   . You already have the transcript for
10
     of
11
     that one. We will go ahead and play that one.
               (Playing the audio recording of the
12
13
     interview of
              MS. WHIRLEY: That concludes the statement
14
     of
15
                   , which is Grand Jury Exhibit Number
16
     49. It is approximately 12:01 p.m. Might be time
17
     for lunch.
18
              MS. ALIZADEH: Yeah, said the
19
     lunch, she was going to go get it at noon, hopefully
     she will be back any time.
20
21
               For this afternoon, hopefully at 1:00,
22
                   will come back and then at 2:00, I
23
    have scheduled
                               , the person you just
     listened to and then at 3:00, I might try to move up
24
25
     a little bit is going to be
                                            . He is
```

November 3, 2014

```
Page 96
     going to explain how radio calls work so you can
 1
     understand that aspect. So we will break for lunch
 2
 3
     right now and hopefully your lunch will be here
 4
     soon.
 5
                          (Lunch recess taken)
 6
 7
     of lawful age, having been first duly sworn to
 8
     testify the truth, the whole truth, and
 9
     nothing but the truth in the case aforesaid,
     deposes and says in reply to oral
10
11
     interrogatories, propounded as follows, to-wit:
12
                         EXAMINATION
13
     BY MS. ALIZADEH:
14
               Good afternoon.
          Q
15
          Α
               Good afternoon.
16
               Now, you were here previously on
17
     October 23rd and you gave some testimony, and then
18
     we actually had to recess early that day and we
     weren't able to complete your testimony, so thank
19
     you for coming back today.
20
21
                    What I want to start with, though, is
22
     that after your testimony on October 23rd. You and
23
     I had a phone conversation where I had called you
     because we were trying to figure out another date
24
25
     for you to come back, do you recall that?
```

	Page 97
1 A Yes.	
\mathbf{Q} And during th	at phone conversation, well,
3 let's back up a little	bit.
4 On the 2	3rd, on the day that you left
5 after you were done tes	tifying for the day, do you
6 recall we talked about	a notebook that you said you
7 had written this down i	n?
8 A Yes.	
9 Q And do you re	call telling me it was like a
10 journal that you had ke	pt?
11 A Yes.	
12 Q You asked me	if I would like you to bring
13 that notebook back with	you?
14 A Yes.	
\mathbf{Q} Did you do th	at?
16 A Yes.	
17 Q Is that what	you have in your hands there?
18 A Yes.	
19 Q So what is th	is notebook, what is it that
20 you have with you?	
21 A Um, since my	prior accident, my doctor
22 told me to write down e	verything so that I don't
23 forget it because I hav	e a habit of forgetting
24 people or I have a habi	t of forgetting where I was.
25 There is a lot of thing	s that I don't remember. He

```
Page 98
     told me if I write it down and I can't remember it,
 1
     I can always go back and read it.
 2
 3
          Q
               You were in a car accident some years ago,
 4
     correct?
 5
          Α
               Yes.
               What year?
 6
          O.
 7
               Um, Valentine's Day, oh, shoot, she was
 8
     born, 2001.
 9
               And so you have memory problems as a
     result of an injury, head injury that you sustained
10
11
     in that car accident?
               Yes, I went through the windshield of the
12
          Α
13
     car head first.
14
               And so, I don't say this to embarrass you,
          Q
15
     I think you already have talked about this when you
     were here on the 23rd. Do you have any mental
16
17
     health issues?
18
               I'm bipolar.
          Α
19
          Q
               And do you take medication for that?
20
               Um, not for the bipolar, well, the
    medication that I take works both for migraine
21
22
     headaches and the bipolar, but it is actually
23
     prescribed for the migraines so that I'm not
     labeled.
24
25
               So that you're not?
          Q
```

		Page 99
1	A	Labeled.
2	Q	Labeled.
3	A	Labeled as having a mental illness. The
4	doctor pr	escribes it as the form of for the
5	migraines	•
6	Q	So what do you take?
7	A	
8	Q	And does that help you with the migraines?
9	A	80 percent of the time, yes.
10	Q	Does it help you balance yourself out as
11	far as yc	ur bipolar disorder?
12	A	I guess. It is the only thing I take for
13	it. I me	an, I don't have
14	Q	How long has it been since you had a
15	diagnosis	of bipolar disorder?
16	A	I believe it was 1985.
17	Q	So that was well before the car accident?
18	A	Correct.
19	Q	And so the car accident is not the cause
20	of your b	ipolar disorder?
21	A	Oh, no.
22	Q	And are you currently under the care of
23	any physi	cian or psychiatrist for your bipolar
24	disorder?	
25	A	No.

	Page 100
1	Q Are you supposed to be?
2	A Would other people probably like it
3	probably, yes, but I'm not ordered to or anything.
4	Q Are you supposed to be on any medication
5	that you're not taking that you were advised by a
6	doctor that you should be taking?
7	A No, I haven't taken any medication for it
8	since 1988.
9	Q All right. And so when you left my office
10	on the 23rd, you mentioned this notebook to me.
11	A Yes.
12	Q You had indicated that you write in this
13	notebook as somewhat of a journal; is that right?
14	A Yes.
15	Q And you explained to me that you keep a
16	notebook for each month?
17	A Yes.
18	Q And so you make entries that are dated; is
19	that right?
20	A Correct.
21	Q All right. Did I tell you yes, that would
22	be a good thing for you to bring that?
23	A Yes.
24	Q And then did you also talk with me at the
25	end of the day on the 23rd, did I talk to you about

	Page 101
1 ,	having contact me?
2	A Yes.
3	$oldsymbol{Q}$ And did I tell you about how important it
4	to have corroboration when someone is saying
5	something that is maybe a little hard to believe, it
6	is difficult to believe somebody's version of
7	something, that corroboration is important?
8	A Yes.
9	${f Q}$ And we had that conversation. And I asked
10	you to contact and have her call me
11	just so I know that there's and so
12	I can verify that you had been connecting with her
13	again and so forth, didn't I ask you to do that?
14	A Yes.
15	Q And you agreed to try to do that?
16	A Correct.
17	${f Q}$ And then sometime after that we had a
18	conversation on the phone where I was trying to
19	reschedule you to come in and testify, finish your
20	testimony; is that right?
21	A Yes.
22	${f Q}$ And did you tell me at that time you had
23	looked through your notebook and found the entry
24	that you were referring to?
25	A Yes.
I	

	Page 102
1 ,	${f Q}$ Okay. And is the entry from August 9th
2	where you wrote down what you saw, is that in your
3	notebook in front of you?
4	A Yes.
5	Q And in our phone conversation did you also
6	tell me that you were going to tear that out of the
7	notebook so that you could just bring that in
8	because you didn't want other people to necessarily
9	see what you were writing in your journal?
10	A Correct.
11	${f Q}$ And did I tell you that it was important
12	that you not tear it out of the notebook?
13	A Yes, you said that.
14	${f Q}$ All right. And so the entry that you made
15	for August 9th, is it still in that spiral notebook?
16	A Yes.
17	Q And when did you make that entry?
18	A For August 9th?
19	Q Yes.
20	A I made one 8:00 a.m., 4:00 p.m. and again
21	at 9:00 p.m.
22	Q All on August 9th?
23	A Yes.
24	Q All right. And then in our phone
25	conversation after I told you don't rip that out of
I	

	Page 103
1 ,	the notebook, did you tell me that you had read it,
2	reread it after you testified here, but before we
3	were talking on the phone?
4	A Yes.
5	Q And did you tell me that you realized
6	after reading it that some of the details that you
7	testified to in the grand jury on the 23rd were not
8	contained in your entry in your journal?
9	A What?
10	$oldsymbol{Q}$ Did you talk about how your journal was a
11	little different
12	A Yes, yes, sorry.
13	Q Than what you testified to. And did you
14	also then on the phone tell me that, you know,
15	thinking about it and rereading the entry made you
16	wonder now if maybe some of the details that you
17	testified that you have a memory of you might have
18	gotten those off the internet?
19	A Correct.
20	Q And then did you also tell me that there
21	was something that you wanted to tell me about why
22	you were up in Florissant that day or why you went
23	up to North County?
24	A Why did I go there?
25	Q Do you remember on the phone that you

	Page 104
1 .	wanted to tell me something about why you had gone
2	up there?
3	A I didn't go up there with the intent of
4	meeting does exist and she
5	does live up there, I did not go up there that
6	particular day with the intent of meeting her.
7	${f Q}$ What is it that you told me, why is it
8	that you went up to neighborhood that day?
9	A Um, why do I like to go into the all
10	African-American neighborhoods? I like to go up
11	there or I like to go in the city because I like to,
12	I'll go in and have coffee and I will strike up a
13	conversation with an African-American and I will try
14	to talk to them because I'm trying to understand
15	more.
16	Q Did you tell me during our phone
17	conversation that you realized that you have, you
18	may have some feelings that some may consider to be
19	racist?
20	A I have feelings that others consider to be
21	racist, yes.
22	Q But you told me that you didn't think that
23	you're a racist?
24	A I believe that I made very racist remarks
25	that can be very offensive to others of other races.

		Page 105
1 .	I don't be	lieve, I would never say a racist remark
2	to other i	ndividuals to their face because I
3	wouldn't w	ant to hurt their feelings. I would never
4	harm anybo	dy due to their race, gender, sexual
5	preference	or anything, I don't have hate towards
6	other race	s, I just have confusion and fear.
7	Q	Did you tell me that on the day, on
8	August 9th	, you drove up there to find an all black
9	neighborho	od because you feel that by doing that it
10	helps you	to maybe deal with your fears of people
11	from diffe	rent races?
12	A	Yes.
13	Q	Helps you to overcome your feelings?
14	A	Yes.
15	Q	And we also had a conversation that some
16	of the rem	arks that you posted online were
17	offensive?	
18	A	Correct.
19	Q	They were racist?
20	A	Yes.
21	Q	And there are entries in your journal that
22	are offens	ive and racist; is that right?
23	A	Correct.
24		And we had a conversation just now before
25	you came i	n here and I talked to you about the

		Page 106
1	importanc	e of telling the truth to this grand jury?
2	A	Correct.
3	Q	And I told you that as long as your
4	truthful,	that you don't have anything to worry
5	about?	
6	A	Correct.
7	Q	Do you believe me when I tell you that
8	these peop	ple only want the truth from you?
9	A	Yes.
10	Q	It doesn't matter if it's black or white,
11	all of us	just want the truth.
12	A	Right.
13	Q	Do you intend to tell the truth today?
14	A	Yes.
15	Q	Now, can you tell this grand jury when you
16	testified	on the 23rd, were you being truthful about
17	the fact	that you went up to the Canfield Apartment
18	Complex o	n August 9th?
19	A	That I was up there, yes.
20	Q	All right. So your testimony about having
21	driven up	there and been in the Canfield Apartment
22	Complex o	n the 9th, that part was true?
23	A	Yes.
24	Q	All right. What wasn't true that you
25	didn't go	up there to meet with ?

	Page 107
1	A Correct.
2	${f Q}$ And your testimony on the 23rd that you
3	witnessed the shooting of Michael Brown, was that
4	true?
5	A Yes.
6	Q And is there anything about your testimony
7	from the 23rd that you would like to change, clarify
8	or correct today?
9	A Um, can I just read?
10	Q Do you have
11	A This is what I, this is what I remember
12	when I got home. I wrote what I remember at this
13	time the second I got in front of paper.
14	Q All right. I'm going to show you, I told
15	you I would copy your entry, right?
16	A Yes.
17	Q I didn't want to tear it out, I told you I
18	would give you back your journal?
19	A Yes.
20	Q Okay. These three pieces of paper, four
21	pieces of paper, are those your entries from
22	August 9th?
23	A Yes.
24	Q Okay. Now, I want you to look in that
25	notebook for me to August 9th. What was the entry

	Page 108
1 .	that was immediately before the August 9th entry?
2	A Before August 9th?
3	Q Yeah?
4	A August 8th.
5	Q And before that?
6	A It is August 7th. It goes the 6th, 5th, I
7	believe it started on the 1st.
8	${f Q}$ Do you make an entry every day in your
9	journal?
10	A Yes.
11	Q This is to help you remember things?
12	A Correct.
13	Q Wouldn't you agree with me, though, that
14	most of your other entries don't really have much to
15	do with what happened that day, but maybe just like
16	I had a headache today?
17	A That's what, pretty much.
18	Q So your entry, I'm not going to read them,
19	but your entry from August 1st you have a 2:00 p.m.
20	and 5:00 p.m. and midnight about going to a meeting,
21	about having a headache?
22	A Oh, no, I went to the casino with my mom.
23	Q Okay. About having a headache, going out
24	with the girls?
25	A Yes.

Page 109
1 Q All right. So can you read for the grand
2 jurors then your entry, well, let me ask you this,
3 what's the next entry after August 9th, is it
4 August 10th?
5 A Yes.
6 Q All right. So can you read starting with,
7 you know, August 9th, Saturday, 8:00 a.m. and read
8 for the grand jurors what you wrote in your journal?
9 A For August 9th?
10 MS. ALIZADEH: I will provide copies of
11 this for everybody. I didn't have enough time to
12 make copies for everybody right now. Yes,
13 August 9th.
14 A The 4:00 p.m. entry or the entire day?
15 Q (By Ms. Alizadeh) Entire day?
16 A 8:00 a.m., August 9th, Saturday, 8:00 a.m.
17 Well, I'm going to do my random drive up to
18 Florissant, need to understand the black race better
19 so I stop calling blacks
20 Q Niggers, is that what you wrote?
21 A Yes.
22 Q Okay.
23 A And start calling them people. My dad
24 always said you can't bear or hate an entire race
25 because of what one man did 40 years ago.

	Page 110
1 .	Q All right. And then you have an entry at
2	4:00 p.m. Is that the next entry for the
3	August 9th?
4	A Yes.
5	Q What did you write then?
6	A OMFG.
7	Q Is that, oh, my fucking God?
8	A Yes.
9	Q We're all adults here. I think we've all
10	heard the words.
11	A It was crazy, I don't even know where I
12	was. I did ask a QT guy for directions, but went
13	the wrong way. I just wanted to take a drive and
14	ended up in some apartment complex. I asked for
15	directions again, real nice kid in a wife beater, or
16	wife beater. He had no idea. He asked the guy in
17	green shirt and jeans, that guy was really sweet.
18	Then I heard a weird noise, caught my attention. It
19	was this cop backing up saying something to these
20	boys.
21	I couldn't hear, but they was the
22	same kids I almost hit with my car, a big one and
23	skinny one and the cop tried getting out and the big
24	one hit the door and the cop looked pissed and tried
25	opening the door again.

Page 111 The big kid hit the door, wait a 1 minute, the big kid hit the door with his gut, the 2 3 little one punched the mirror and something gold fell on the ground. 4 5 The big one is half in the window, 6 door, I can't remember. I swear the little one had 7 the cops leg. I heard a noise, not sure what the 8 guy in the green shirt -- I swear --9 Start again, I heard a noise, start again 10 with that sentence, the beginning of that sentence, 11 I heard a noise. I heard a noise. Not sure what the guy in 12 Α 13 the green shirt was yelling. Not sure what the 14 green guy, the green shirt was yelling stop. The 15 big kid pulled his pants up, they was tan shorts and 16 he started running. The skinny one took off in the 17 opposite direction. 18 The cop got out with his left hand on 19 his face and his right hand on the gun. The cop 20 screamed, but I could not understand everyone else, everyone was screaming. I heard, lay your stupid 21 22 ass down, I think that was the lady next to me. 23 cop was wobbling, the big kid turned around and had his arms out with an attitude and the cop just stood 24 25 there. Dang, if that kid didn't start running right

Page 112 at the cop like a football player, head down. 1 2 I heard three bangs, but the big kid 3 wouldn't stop. I heard the cop say something, but not sure what or if it was just that, he was just 4 5 making noise. 6 The cop took a couple of steps 7 forward and then backwards and then the gun went off 8 two more times. The last one on top of the kids' 9 head. OMG the blood. The green shirt man grabbed 10 my arm and said, get your ass out of here. 11 I got in my car and drove into the neighborhood. Somehow I went through a parking lot 12 13 across the street and back to the main road, not 14 sure how long, but police were every place with 15 police tape. 16 There were other cops there. 17 one pull his gun, but he didn't fire. Don't even 18 remember when he got there. There was a lady in the 19 parking lot of QT. I just pulled up and asked for the closest highway, she points and I left. Then to 20 top shit off, I got on the highway going the wrong 21 22 way and had to ask for directions again. Real nice 23 old man helped me out, home now, no cable, so not sure what's on the news. 24 25 And then you have another entry on that Q

```
Page 113
     date that's at 9:00 p.m.?
 1
 2
          Α
               Yes.
               Read that?
 3
          Q
          Α
               Talked to
 4
 5
     without telling him everything. Talked to
 6
     without telling him everything. He told me first I
 7
     was nuts for taking a drive up there, and second, to
 8
     keep my mouth shut. He's probably right, no one
 9
     will believe me anyway.
               All right. So do you recall, you already
10
     testified that you remember me telling you that I
11
     wanted you to contact this
12
13
     and have her call me?
14
               Right.
          Α
15
               And did you ever do that?
          Q
16
          Α
               No.
17
               Why not?
18
               Because even though I intended, I had
19
     thought I could probably stop by and visit with her
     or meet up with her, she did not know I was coming.
20
               So she could not corroborate that you were
21
          Q
22
     coming up to North County that day?
23
          Α
               Correct.
               You write in this statement a lot of
24
25
     detail, you testified to some of that detail and
```

	Page 114
1 some	additional detail. And you admitted that you
2 watc	hed the news or that you looked on the internet
3 abou	t some of this stuff after it happened, right?
4	A Correct.
5	Q Were you intrigued by what had happened up
6 in C	anfield after the fact?
7	A What do you mean intrigued? I had no
8 inte	rest.
9	Q You researched it a little bit?
10	A I researched the streets to figure out how
11 I go	t there and how I got home.
12	Q Well, you remember when you talked to the
13 FBI	agent, you told them you did some searches, put
14 in M	ichael Brown?
15	A Right, I was trying to figure out what
16 that	gold thing was that fell.
17	Q You read an article on the internet that
18 talk	ed about a gold bracelet that was at the scene?
19	A Correct.
20	Q And so you, then now, is it now that you
21 thin	k that it was a bracelet that came off of his
22 wris	t?
23	A Because of what I read?
24	Q Yes?
25	A Yes. I didn't know what it was at that

	Page 115
1 ,	time, it was just something gold.
2	Q That was something that you said came off
3	of Dorian or the skinny kid's wrist?
4	A Correct.
5	Q And is it possible, ma'am, that after this
6	happened and you read a lot of stuff about it
7	online, that maybe you, in your mind it is real to
8	you, that you were up there and, in fact, you
9	weren't?
10	A What?
11	${f Q}$ Do you think it's possible you believe you
12	were up there, but what you read on the internet you
13	really weren't up there?
14	A I was up there and I wrote it before it
15	ever even hit the news.
16	Q All right. Is it possible, do you think,
17	that you dreamed about this after it happened and it
18	feels real to you that you were up there?
19	A I never dreamed about it.
20	Q Does your medication ever make you
21	perceive things that aren't there or does your
22	condition ever cause you to perceive things that
23	aren't real?
24	A I know what reality is.
25	Q Okay. That's my question. Some mental

	Page 116
1	health issues cause people to have, it is called
2	psychotic break, where you don't know, you don't
3	perceive reality the way it really is. I'm asking
4	you in the past has your mental health issues ever,
5	have you ever had a problem with that?
6	A My only problem is mania. I haven't had a
7	major problem since I moved out of where I grew up.
8	Q And it is your truthful testimony today
9	that you were up there and you witnessed what you
10	testified about and what you told the FBI agents
11	that you were really there?
12	A That I was really there, yes. I would go
13	on more what is in this thing than what I would on
14	what I said in the past.
15	Q As you sit here today, do you have a
16	recollection of what you saw up there or you relying
17	on what you wrote in my journal?
18	A I'm relying on what I wrote in my journal.
19	\mathbf{Q} When you testified on October 23rd, were
20	you testifying from your recollection of that day,
21	or were you relying on having reviewed your journal?
22	A Having read on the internet.
23	MS. ALIZADEH: Sheila, do you have any
24	questions?
25	MS. WHIRLEY: Can I see your folder? As I

recall, do you know Darren Wilson, the officer involved here? A I know of him. Q (By Ms. Whirley) Had you ever met him before this date? A No. Q I don't have your transcript in front of me, but I recall when you were here before there was talk about you raising money or starting a website, fundraiser for Darren? A Yes, ma'am, but it is not for Darren Wilson. We have local elementary schools making Christmas cards. Q I think you said first responders? A First responders, yes, ma'am. But the current thing we are collecting donations is all LEO's that have been dealing with the long hours. Q When did that start? A I want to say the end of August, beginning of September. It started because of this. Q That's what I'm asking?		Page 117
A I know of him. Q (By Ms. Whirley) Had you ever met him before this date? A No. Q I don't have your transcript in front of me, but I recall when you were here before there was talk about you raising money or starting a website, fundraiser for Darren? A Yes, ma'am, but it is not for Darren Wilson. We have local elementary schools making Christmas cards. Q I think you said first responders? A First responders, yes, ma'am. But the current thing we are collecting donations is all LEO's that have been dealing with the long hours. Q When did that start? A I want to say the end of August, beginning of September. It started because of this.	1	recall, do you know Darren Wilson, the officer
4 Q (By Ms. Whirley) Had you ever met him 5 before this date? 6 A No. 7 Q I don't have your transcript in front of 8 me, but I recall when you were here before there was 9 talk about you raising money or starting a website, 10 fundraiser for Darren? 11 A Yes, ma'am, but it is not for Darren 12 Wilson. We have local elementary schools making 13 Christmas cards. 14 Q I think you said first responders? 15 A First responders, yes, ma'am. But the 16 current thing we are collecting donations is all 17 LEO's that have been dealing with the long hours. 18 Q When did that start? 19 A I want to say the end of August, beginning 20 of September. It started because of this.	2	involved here?
before this date? A No. Q I don't have your transcript in front of me, but I recall when you were here before there was talk about you raising money or starting a website, fundraiser for Darren? A Yes, ma'am, but it is not for Darren Wilson. We have local elementary schools making Christmas cards. Q I think you said first responders? A First responders, yes, ma'am. But the current thing we are collecting donations is all LEO's that have been dealing with the long hours. Q When did that start? A I want to say the end of August, beginning of September. It started because of this.	3	A I know of him.
Q I don't have your transcript in front of me, but I recall when you were here before there was talk about you raising money or starting a website, fundraiser for Darren? A Yes, ma'am, but it is not for Darren Wilson. We have local elementary schools making Christmas cards. Q I think you said first responders? A First responders, yes, ma'am. But the current thing we are collecting donations is all LEO's that have been dealing with the long hours. Q When did that start? A I want to say the end of August, beginning of September. It started because of this.	4	Q (By Ms. Whirley) Had you ever met him
7	5	before this date?
me, but I recall when you were here before there was 9 talk about you raising money or starting a website, 10 fundraiser for Darren? 11 A Yes, ma'am, but it is not for Darren 12 Wilson. We have local elementary schools making 13 Christmas cards. 14 Q I think you said first responders? 15 A First responders, yes, ma'am. But the 16 current thing we are collecting donations is all 17 LEO's that have been dealing with the long hours. 18 Q When did that start? 19 A I want to say the end of August, beginning 20 of September. It started because of this.	6	A No.
talk about you raising money or starting a website, fundraiser for Darren? A Yes, ma'am, but it is not for Darren Wilson. We have local elementary schools making Christmas cards. A First responders, yes, ma'am. But the current thing we are collecting donations is all LEO's that have been dealing with the long hours. A I want to say the end of August, beginning of September. It started because of this.	7	Q I don't have your transcript in front of
fundraiser for Darren? A Yes, ma'am, but it is not for Darren Wilson. We have local elementary schools making Christmas cards. A First responders, yes, ma'am. But the current thing we are collecting donations is all LEO's that have been dealing with the long hours. A I want to say the end of August, beginning of September. It started because of this.	8	me, but I recall when you were here before there was
A Yes, ma'am, but it is not for Darren Wilson. We have local elementary schools making Christmas cards. A First responders, yes, ma'am. But the current thing we are collecting donations is all LEO's that have been dealing with the long hours. A I want to say the end of August, beginning of September. It started because of this.	9	talk about you raising money or starting a website,
Wilson. We have local elementary schools making Christmas cards. Q I think you said first responders? A First responders, yes, ma'am. But the current thing we are collecting donations is all LEO's that have been dealing with the long hours. Q When did that start? A I want to say the end of August, beginning of September. It started because of this.	10	fundraiser for Darren?
Christmas cards. Q I think you said first responders? A First responders, yes, ma'am. But the current thing we are collecting donations is all LEO's that have been dealing with the long hours. Q When did that start? A I want to say the end of August, beginning of September. It started because of this.	11	A Yes, ma'am, but it is not for Darren
14	12	Wilson. We have local elementary schools making
A First responders, yes, ma'am. But the 16 current thing we are collecting donations is all 17 LEO's that have been dealing with the long hours. 18 Q When did that start? 19 A I want to say the end of August, beginning 20 of September. It started because of this.	13	Christmas cards.
16 current thing we are collecting donations is all 17 LEO's that have been dealing with the long hours. 18 Q When did that start? 19 A I want to say the end of August, beginning 20 of September. It started because of this.	14	Q I think you said first responders?
17 LEO's that have been dealing with the long hours. 18 Q When did that start? 19 A I want to say the end of August, beginning 20 of September. It started because of this.	15	A First responders, yes, ma'am. But the
18 Q When did that start? 19 A I want to say the end of August, beginning 20 of September. It started because of this.	16	current thing we are collecting donations is all
19 A I want to say the end of August, beginning 20 of September. It started because of this.	17	LEO's that have been dealing with the long hours.
20 of September. It started because of this.	18	Q When did that start?
	19	A I want to say the end of August, beginning
21 Q That's what I'm asking?	20	of September. It started because of this.
	21	Q That's what I'm asking?
22 A Yes.	22	A Yes.
23 Q So because of this, you wanted to raise	23	Q So because of this, you wanted to raise
24 money for first responders, which would include	24	money for first responders, which would include
25 Darren Wilson?	25	Darren Wilson?

	Page 118
1	A Not him personally, it is whoever who have
2	been working the long hours, which would have been
3	the Ferguson, County, LEO long hours with minimum
4	days off.
5	Q Okay.
6	A It is not donations to give them cash, it
7	will be homemade Christmas cards and then some gift
8	certificates to local area restaurants.
9	Q Okay. And you also mentioned that you
10	felt that Darren Wilson was doing his job by killing
11	Mike Brown?
12	A Did I say that or did I say it in
13	${f Q}$ Do you recall saying that at all?
14	A I wouldn't be at all surprised, it sounds
15	something ignorant that I would have said online,
16	yes.
17	Q Is that because you were, you feel that
18	black people should be killed?
19	A No, no, I'm sorry. No, I don't think, no.
20	Q Okay. And I again, does anybody have her
21	transcript handy?
22	A I know what I said.
23	. I'm
24	
24	having a hard time figuring out how did you end up

	Page 119
1 .	take me, you get up in the morning, and you want to
2	go to a random black neighborhood?
3	A Correct. I picked Florissant because I
4	knew a friend that lived up there, or at least I
5	thought I did.
6	: So you stopped at, okay,
7	can you tell me how did you get up to the QuikTrip?
8	A From the highway?
9	From your location, which
10	I'm thinking is
11	A No, I live
12	
13	A Correct.
14	How did you get there?
15	A I don't know.
16	You don't know?
17	A Not any more. I have a GPS now, my mom
18	gave me a GPS the next day.
19	: So then you end up at this
20	QuikTrip and you ask for directions?
21	A Correct.
22	: Okay. Directions to what
23	you just said?
24	A To the nearest highway.
25	: You just said the

	Page 120
1 ,	didn't know you was coming?
2	A Correct. I asked for directions back to
3	the nearest highway.
4	: You said nearest highway?
5	A Highway, yes.
6	: They told you
7	A They told me one way and I went the other
8	way.
9	Which way did you go?
10	A I believe it was to the left and then to
11	the left again.
12	: And you did what, you
13	turned around?
14	A No, I ended up in the complex.
15	: You can't figure out how
16	you got there, but you can figure out how you got
17	inside the apartment complex?
18	A From QT. I don't know how I got from
19	to where I was, no.
20	MS. ALIZADEH: Can I interrupt here, don't
21	spend much time looking for a transcript because I'm
22	thinking maybe we don't have one. I don't have one
23	in my folder. And so I want to make sure everybody
24	is catching what's being said and I will double
25	check to see if we have one, but I'm kind of

```
Page 121
     thinking we don't. That would explain why no one
 1
 2
     can lay their hands on one. All right, I'm sorry to
     interrupt, but I didn't want anybody looking for
 3
     something that wasn't there.
 4
 5
                               So this random black
 6
     neighborhood, did you find it?
 7
               Did I find it? Yes, turned out to be
 8
     Ferguson.
 9
                            : Okay you just kind of --
                            lives in Florissant, but at
10
               I know
11
     the time I thought
                            lived off of Florissant and
     the address I have --
12
13
                               You already stated that
14
     your intentions was notes to see
15
               Correct. What I said was that was not the
          Α
16
     intent, but that -- can you reread what I said?
17
               MS. ALIZADEH: About when?
18
               I was going up there --
          Α
19
                            : To find a random
     neighborhood.
20
21
               I'm sorry?
          Α
22
                                                   Okay.
23
    Let her finish talking and then you ask her again
     what you want her to answer. Don't talk over top of
24
25
     her because we don't understand what you say or what
```

```
Page 122
 1
     she say.
 2
               MS. ALIZADEH: And that is true. Also for
 3
     the court reporter because he can't, it is very
     tough for him to take it down when people are
 4
 5
     talking at the same time. So go ahead, continue.
 6
                                                 I'm just
 7
     getting to the point where you said you were going
 8
     to find a random black neighborhood and then you
 9
     just made a statement you were looking for
     that lived in Florissant. I'm trying to figure
10
     which one is it?
11
               That's not the reason I went up there.
12
          Α
13
     went to find the random black neighborhood like my
14
     journal says. Then I thought, I mean, I picked that
     neighborhood because of
15
                                     had no idea that I
     was anywhere in the area or that I was coming.
16
17
                               You picked the
18
     neighborhood before you left
19
               Correct. I picked the general vicinity,
20
     yes.
21
                                                    When
22
     you are reading your journal from 4:00, basically
23
     what I have here is you explained what you saw, and
     it wasn't a lot of previous statements that you said
24
25
     before, a lot of it was different. But in your
```

	Page 123
1 .	journal you said the little one had the cops leg?
2	A Correct, that's what I remember at the
3	time that I wrote this.
4	: Okay.
5	A I don't know where that came in.
6	Okay. And I just want to
7	make sure, you know, I understand that you are
8	confused and it helps us.
9	A I know it sounds like I'm lying too,
10	that's why
11	: I don't think you are
12	lying, I believe you are confused, I think you are
13	confused. I understand that. I want to know, just
14	look at me and tell me, what you are telling us
15	A Yes, ma'am.
16	: Is you saw Michael Brown
17	charging the officer without a doubt in your mind.
18	This young man didn't have a reason to do this, so
19	could you have been mistaken about what you saw?
20	A It looked to me like he was going after
21	the officer like a football player.
22	: Okay.
23	A Did I know what I was seeing at the time?
24	No.
25	: Okay. So your perception
I	

	Page 124
1	is that he was charging the officer, but you don't
2	know for sure exactly what was going on. You were
3	lost, you were out of your surroundings?
4	A Correct.
5	: So you can't really say
6	exactly what was going on?
7	A Correct. And also, according to my
8	journal, I guess the recollection of the officer's
9	talking to the two boys before he backed up was what
10	I read online and not what I seen.
11	: So you think there could
12	have been, and you have said this, there is a lot of
13	blurry lines there as far as what you read and what
14	you really saw. So all you have to do is these
15	bullet points about what you think you saw on that
16	day and this was at 4:00, so this was after a three
17	and a half hour time frame when you are trying to
18	find your way home, you are trying to find, you are
19	getting lost in the neighborhood.
20	I'm not saying you are lying,
21	(sic) I'm really not. I think you are confused. I
22	want you to understand what you're saying could have
23	been misunderstood.
24	A I suppose, yes.
25	Okay. Thank you.

Page 125 Was this 1 2 the first time that you had done sort of an exploration of a predominantly African-American 3 community? Do you have other journals about 4 5 previous statements --6 Yes, I do it all the time. Α How often? 7 8 Α Um, probably about twice, two, three times 9 a month for years. And there's other days in this journal as well that I did it, even after this date. 10 11 MS. WHIRLEY: What's the last date of your journal? 12 13 Α For written, I don't think it was the last 14 day of August, I think I skipped the last day. Ι 15 skipped a weekend too somewhere in here. 16 August 30th was the last day. 17 MS. WHIRLEY: They are not consecutive 18 days that you write in your journal, correct? 19 It went every day in a row except there is, I believe, it skips from the 22nd to the 24th, 20 so I didn't write it on the 23rd. 21 22 MS. ALIZADEH: So they are consecutive, 23 but not daily? Right, because like on August 22nd, the 24 25 22nd I decided to take

	Page 126
1 .	didn't get
2	home until Sunday, so I didn't write in it Saturday.
3	MS. WHIRLEY: Can you remind us how you
4	first came to give your statement to the police or
5	the FBI?
6	A How I came about it?
7	Q (By Ms. Whirley) Did they come find you,
8	you find them or what happened?
9	A No, ma'am, I called them.
10	Q Who did you call?
11	A I don't remember. It might have been just
12	the non emergency number.
13	$oldsymbol{Q}$ You called the police. What day was it
14	that you called them?
15	A I don't know.
16	Q Did you not journal it?
17	A Wait a minute, it wouldn't have been until
18	September. I think it wasn't until the first week
19	of September.
20	Q You didn't journal in September?
21	A No, I did. I don't have September's with
22	me. I mean, I don't believe I contacted them until
23	the beginning of September.
24	Q But you're not sure when you contacted
25	them?

	Page 127
1 .	A Correct.
2	Q All right. And so you contacted the
3	police and how did you talk to them, did they come
4	to you or did you come to them or on the phone or
5	what?
6	A I went to them. I believe it was here,
7	no, it was down the street at the headquarters, not
8	the two court buildings, but.
9	${f Q}$ It was the county police and not the FBI
10	or was it all of them?
11	A No, it was the police. The FBI, there was
12	a gentleman there from the FBI.
13	$oldsymbol{Q}$ When you call the police, what do you tell
14	them?
15	A I don't remember, it would have been in
16	the effect of what I've seen.
17	Q It is our understanding you did not see
18	what happened initially when Mike Brown was at the
19	police car?
20	A Not the first time, no.
21	Q Did you tell them that you saw it?
22	A I might have, I don't remember.
23	${f Q}$ So sometimes you tell the truth and
24	sometimes you don't?
25	A I told them what I remember and what I had
i	

Page 128 read online at that point had become jumbled. 1 So you don't know when you're telling the 2 3 truth? I know what I had seen and what I had 4 Α 5 read online for the first day itself right prior to 6 going up there would have became jumbled, and than I 7 would have gotten facts confused because my memory 8 would have been gone as far as what I truly seen 9 every detail. My question to you, you're not sure when 10 Q you are telling the truth and when you are telling 11 something that you may have just read? 12 13 No, I know when I'm telling the truth. Α 14 So were you telling the truth when you Q 15 said you saw Michael Brown at the car or is that 16 something you read? 17 That was something, the first time? 18 Whenever? Q 19 At the car is something I read. second time he was at the car after the officer 20 21 backed up is where I started paying attention and 22 watching. 23 Q Okay. So you were not telling the truth initially? 24 25 I'm sorry. Α Okay.

		Page 129
1	Q Y	You either were telling the truth or you
2	weren't?	
3	A I	guess not, no.
4	Q C	okay.
5	A I	It was not set out to be an intent lie.
6	Q I	Oo you consider yourself a racist?
7	A I	Oo I consider myself to be racist? No, I
8	don't.	
9	Q W	What is a racist in your opinion?
10	A I	In my opinion somebody like, honestly?
11	Q F	Please?
12	A S	Somebody that would harm or say it to
13	their face	or harm them physically or, you know,
14	like the KK	KK, that is not right.
15	Q S	So the KKK would be racist?
16	A I	n my opinion, yes.
17	Q A	are you affiliated with the KKK?
18	A N	Jo, ma'am.
19	Q I	o you know any KKK members?
20	A N	10.
21	Q S	So when you just use derogatory language
22	towards and	other group of people, that's not racist
23	to you?	
24	A I	It is racist, but I don't, I say it
25	towards whi	te people too. Use it like the B word,

Page 130 like bitch. 1 2 I mean, when you use the word nigger, you 3 don't think that's being racist? I do think it is being racist, yes. 4 Α have a racist vocabulary. I would never in my life 5 6 harm anybody just because of a race. 7 Well, because Michael Brown was a black Q 8 young man and I guess that's a nigger in your 9 If he's black, is that what you mean by opinion. 10 nigger? 11 Α When I seen him, he was nothing more than a kid. 12 13 When you say nigger, my turn. Q 14 Α Sorry. 15 When you say nigger, is that related to black people, white people or what people are you 16 17 referring to? 18 Assholes, I don't know. I don't mean it. 19 Q I just need to know when you use the word nigger, who are you referring to. You referring to 20 white people or referring to black people? 21 22 Α I refer it to a lot of white people, yes, 23 ma'am. When you write nigger in your book, nigger 24 25 on your blog or your internet communications, what

		Page 131
1 .	people we:	re you talking about?
2	A	At that time I was talking about black
3	people.	
4	Q	Okay. That's all I'm trying to find out.
5	A	Okay.
6	Q	So you talking about black people now,
7	Michael B	rown was black, right?
8	A	Yes, ma'am.
9	Q	And you said the officer was doing his job
10	killing h	im, right?
11	A	Yes.
12	Q	Okay. And you feel like you need to help
13	the office	er, is that why you're here, you want to
14	make the	officer look better than he looks and make
15	Michael B	rown look like a nigger?
16	A	No.
17	Q	If it is true?
18	A	All I want is the truth, no, no.
19	Q	He's dead?
20	A	I don't wish anybody dead. I don't care
21	what color	r you are, I don't care what gender you
22	are.	
23	Q	When you said the officer did his job by
24	killing th	he young man?
25	A	That wasn't all that though, a lot of it

Page 132 was because of what I had seen. I feel that if I 1 was in that situation I probably would have ended up 2 3 shooting him too. You said you didn't see what happened at 4 Q 5 the car, you saw him come toward him like a football player. You are not even sure what was going on 6 7 So not knowing what was going on, you felt he 8 should have killed him because he was a nigger? 9 At that time, no, it is not because he was 10 black. 11 MS. WHIRLEY: Nothing else from me. 12 You have 13 memory issues you said, short term memory. Does 14 that memory kind of go away after you sleep or 15 throughout the day you have lunch and not remember you have lunch or would it be the next day that you 16 17 kind of have memory lapses? 18 Now, I remember I've eaten. Like for 19 several years, yes, because I went from 195 down to 120 because I would forget if I ate or not. 20 Now that it has been a number of 21 22 years, usually it is the details of a situation. 23 have to meet you, hear your name, talk to you every day. There's still next door neighbors that I live 24 25 next to that I have lived next door two and a half

	Page 133
1 ,	years I still can't remember their name. It will go
2	seconds after you tell me.
3	: Your journal entry 4:00
4	p.m. has a lot of detail in it. Seems like, your
5	memory must have been pretty good from that point
6	after you got home.
7	A Yes, no, it is not so much that as it has
8	to be really traumatic. Like I won't remember your
9	name, if I see you outside, if we take a break, I go
10	out there to smoke and I see you, there's a
11	99 percent chance I won't recognize you. I will
12	probably, if you are smoking I would walk right up
13	to you and say hello and not realize that I had just
14	talked to you in here.
15	If something major happens like I can
16	give you in detail from two weeks ago when a dog got
17	hit by a car because it was horrible thing to watch,
18	but.
19	Now,
20	you had said before that you had
21	visited other African-American or black communities,
22	like three a month, or something like that
23	sometimes, or whatever, but or three a day?
24	A Three a month.
25	: I'm confusing myself.
I	

```
Page 134
     Okay. Can you tell me,
 1
 2
               Correct.
          Α
 3
                                So you would be coming
     from that point all the way up to where you got off
 4
 5
     on West Florissant. Can you tell me during this
 6
     period of time or afterwards, after this shooting,
 7
     what black neighborhoods you visited?
 8
          Α
               That day or?
 9
                                Since then?
10
          Α
               Since then. I spend a lot of time off of
11
     Grand close to Shaw.
                                                        Ι
     spend a lot of time down in those areas.
12
13
14
                 I spent a lot of time down in those
15
     areas and we will go and talk to people and then the
16
     Central West End.
17
                             : Okay. Anywhere else?
18
               There is one that right across the JB
19
     Bridge and something called Bellview, Belleville,
     bell something, but I'm not sure.
20
21
                             : Got me, I don't go that
22
     far.
23
          Α
               I used to live in East St. Louis. I know
24
     that area a little bit.
25
                                Uh-huh, okay. Just to
```

```
Page 135
    clarify the reason between when you get on
1
 2
    and go north.
 3
         Α
              Correct.
                              You cut off on
 4
 5
    and what you got over there you have your
 6
7
         Α
              Yes, I used to live in
8
                               Is that right, what
9
    street?
              In those
                                  when they were first
10
         Α
11
    brand knew. We were one of the
12
13
                              Uh-huh.
14
              We moved out, we were there
         Α
15
    we moved out
16
17
                               Okay.
18
              We had just moved out like just a few days
19
    prior to that situation.
20
                               I see. Do you recall the
    name of the street you lived on?
21
22
         Α
              Dang it.
                               was the name of the
23
                  I don't.
24
                           : Okay.
25
         Α
              Dang it, and I remember I think it was,
```

	Page 136
1	that
2	worked in the office.
3	: Uh-huh.
4	A You know, I do remember the
5	
6	Uh-huh.
7	A
8	:
9	A But I could never come up with the
10	address.
11	: Those are built
12	on When we used to
13	there, they used to call it
14	
15	A I used to have friends in there before the
16	when I was a teenager.
17	: I understand. The reason
18	why I ask, there is a lot of black communities from
19	where you are to where you get up to where you were,
20	you could of made a stop in some of these black
21	communities?
22	A I've been in there.
23	Have you been anywhere
24	else?
25	A I could not tell you where it was or how I

	Page 137
1 ,	got there until this, because my mom gave me a GPS.
2	I have not gone as much north since then. I have
3	spent more time in the city.
4	: Uh-huh.
5	: Those same apartments you
6	said you grew up there as a teenager?
7	A No, I didn't grow up
8	had a friend that lived in and I worked
9	at the and I would take
10	my friends home all the time.
11	So, I mean, I drove through
12	throughout my teenage years taking friends or
13	picking them up and taking them home. I didn't
14	actually move to until those
15	were built. I have no idea what year it was.
16	You said in your journal
17	during your 8:00 a.m. entry, you said that you were
18	going to go try to find a black neighborhood too, so
19	you could associate better with black people because
20	your dad said you should not judge one race of
21	people based on something that happened four years
22	ago.
23	A 40.
24	: What happened 40 years
25	ago that would cause you to have any kind of

```
Page 138
     contention of this type, 40 years you talking?
 1
 2
          Α
 3
 4
 5
          Α
 6
 7
                                 Okay.
 8
          Α
 9
10
                               : You do still have them?
11
     I don't want to see them.
12
          Α
13
14
15
16
          Α
17
18
19
20
               MS. ALIZADEH: Does anybody have any other
21
22
     questions? No, okay.
                (End of the testimony of
23
24
25
```

		Page 139
	1 .	
	2	of lawful age, having been first duly sworn to
	3	testify the truth, the whole truth, and
	4	nothing but the truth in the case aforesaid,
	5	deposes and says in reply to oral
	6	interrogatories, propounded as follows, to-wit:
	7	EXAMINATION
	8	MS. ALIZADEH: This is Kathi Alizadeh. We
	9	just had a short break and so now we are resuming
	10	our afternoon session. Sheila Whirley is present,
	11	as well as all 12 grand jurors and the witness is
	12	here and we're going to, as well as the court
	13	reporter who is taking down what's being said.
	14	BY MS. ALIZADEH:
	15	Q Could you state your name, please?
	16	A .
	17	Q What is your occupation, sir?
	18	A At this time I'm the assisting St. Louis
	19	County Emergency Communications Commission with
	20	deployment of the new 800 megahertz radio system in
	21	St. Louis County.
	22	Q So what are your duties and
	23	responsibilities in that position?
	24	A At this time I'm assisting law enforcement
	25	disciplines with the installation, design and
- 1	i	

	Page 140
1 .	programming of their radios.
2	Q And how long have you had that position?
3	A Two years.
4	Q Prior to that, where were you employed?
5	A I was employed with St. Louis Electronics,
6	they are a Motorola dealer, was with them for 17
7	years. Prior to that, another three years with a
8	radio distributor.
9	${f Q}$ So has your entire career been in the law
10	enforcement radio communications business?
11	A Right. Past 23 years, yes.
12	${f Q}$ And do you have, well, can you tell the
13	grand jurors about your educational background?
14	A Sure. I hold an associate's degree in
15	electronic technology in communications. I also
16	hold a ham radio licenses and an FCC license, which
17	gives me the opportunity to work on large
18	transmitters for like broadcasters and everything.
19	Twenty years ago that was one of the keynote things
20	that you had to have to be able to get into this
21	field.
22	Recently they have kind of gone away
23	from it and have other things, but I had, when I was
24	with the Motorola dealer, Motorola very keen on
25	making sure their sales consultants and engineers
I	

Page 141

- 1 had training. So on a yearly basis I had to go for
- 2 updates on the new technology that was coming out.
- 4 salesperson back when the City of Ferguson got their
- 5 radio system installed.
- A Right. Back then, and it has got to be
- 7 six, seven, I would have to look back, I replaced
- 8 their console, their dispatch console from a button
- 9 to a CTR, a computer driven dispatch console, which
- 10 is used just to dispatch and turn on the radio
- 11 transmitters along with filling in with some new
- 12 portable and mobile radios.
- There is about a 10 to 12 year life
- 14 expectancy on mobiles and portables. At that time
- 15 they needed new equipment and I sold them the new
- 16 equipment and also programmed it with the
- 17 frequencies that was needed.
- 18 **Q** And you think that that was about six
- 19 years ago or thereabouts?
- 20 **A** Six to eight years. They usually buy
- 21 different times of the year because of their
- 22 budgets. One year they might budget for ten radios
- 23 and next year five radios. The following year new
- 24 mobile radios.
- 25 **Q** So it was at least before August of 2014,

	Page 142
1 .	correct?
2	A Definitely.
3	Q And so do you think, are you familiar with
4	the radio system that the Ferguson Police Department
5	uses?
6	A Yes.
7	Q Okay. And, um, are you aware that
8	Ferguson dispatches for themselves?
9	A Yes.
10	${f Q}$ And so what does that mean, what does a
11	dispatcher, and explain what it means when a
12	municipality may dispatch for themselves as opposed
13	to something else.
14	A Well, they take the 911 call, they're
15	considered a peace effort. It is a public safety
16	answering point, they take the 911 calls, they look,
17	they usually have a CAD system, computer added
18	dispatch piece of software that they type in the
19	address and they assign it at car and that car is
20	then dispatched through the console, radio console.
21	Q And so I understand that this is all done
22	with computers, but there is a person who is the
23	dispatcher, correct?
24	A Correct.
25	Q All right. And so now do all

	Page 143
1	municipalities dispatch for themselves?
2	A No, in Ferguson's case they have Country
3	Club Hills and Calverton Park, and the new entity
4	Flordell Hills. They dispatch for those three other
5	agencies also.
6	Q Are there some municipalities that you are
7	aware of where St. Louis County communications
8	dispatches for some municipalities?
9	A Off the top of my head, there is like 23
10	different agencies that they dispatch their
11	departments.
12	Q Okay. So let's get some, I guess,
13	vocabulary out of the way. You talked about a
14	transmitter. What is a transmitter?
15	A Transmitter is basically a box and it has
16	a components for transmitting at different power
17	levels they are programmable it is also box
18	transmitter also is a receiver so it also receives
19	radio transmissions as well as when the dispatcher
20	keys up or pushes the talk button it turns
21	transmitter on and the voice goes out through the
22	transmitter.
23	Q Okay. And where is the Ferguson Police
24	Department transmitter?
25	A It is on their back parking lot where

Page 144 there is a cell tower that's back there and their 1 2 tower and their antennas are on top of that tower. At the bottom of this tower is a little shelter that 3 their transmitters are placed. 4 5 O. So the antenna is on a tower and the transmitter is on a box inside the shelter? 6 7 Α Yes. 8 Q And then this is behind the Ferguson 9 Police Department? 10 Α Yes. 11 And so the console where the dispatcher would sit, is that inside the Ferguson Police 12 13 Department? 14 Yes, and it's wired line out to the Α 15 transmitter. And is that on a, like a phone line or? 16 17 It is like a phone line. It is not going 18 through the phone system system's network, but it is 19 like a pair of Cat 5 or a twisted pair of wires that are going out to the transmit site. 20 So the dispatcher can communicate via the 21 Q 22 transmitter and she can receive, I say she, the one 23 I'm thinking of is a she, can receive communications via the receiver? 24

Α

Yes.

25

	Page 145
1 .	${f Q}$ All right. And you mention portable and
2	mobile?
3	A Right.
4	${f Q}$ And so explain what a portable radio is?
5	A A portable radio is what you see on the
6	officer. It can be held in his hand to transmit, or
7	a lot of them, a majority of them have what we call
8	a remote speaker mike, which you'll see right on
9	their shoulder that they can just key up the radio
10	and talk and the walkie-talkie or portable radio is
11	on their hips.
12	The mobile radio is mounted usually
13	inside the car and is usually a higher powered type
14	of road versus portable radio, which is a 5 watt
15	radio.
16	Q So I'm going to show you, I haven't marked
17	it, it is simply for demonstration purposes, but is
18	this a mobile radio?
19	A That's a portable.
20	Q Portable, see, I get mixed up. I just
21	learned all of this last week. So this is portable
22	radio?
23	A Yes.
24	$oldsymbol{Q}$ And this would be something that the
25	officer would wear?
I	

		Page 146
1 ,	A	Yes.
2	Q	And what is this part?
3	A	That is the remote speaker mike.
4	Q	That can be worn on the epaulette on the
5	shoulder o	on the officer's uniform?
6	A	Correct.
7	Q	And so does the, does this radio have a
8	transmitte	er in it?
9	A	Yes, it does.
10	Q	And does this radio have a receiver?
11	A	Yes.
12	Q	What about the car radio, that's the
13	mobile rad	dio?
14	A	Right.
15	Q	Does that have a transmitter?
16	A	Yes.
17	Q	Does that have a receiver?
18	A	Yes.
19	Q	So when an officer is in a vehicle and
20	they have	their mobile, can they have their portable
21	radio and	their mobile radio on at the same time?
22	A	Yes.
23	Q	And can they have them on the same channel
24	at the sar	me time?
25	A	Yes.

	Page 147
1 ,	Q And what would happen if an officer tries
2	to transmit, for example, on his mobile mike, so the
3	car radio, while his portable is on and turned up?
4	A You get a horrible squealing. It is
5	called acoustic feedback, and it's a horrible
6	squeal, it's like you're in a room and the
7	microphones are turned up real high and you get that
8	squealing noise, that's what the officer gets. And
9	also at that time that is also being transmitted
10	back to the dispatcher. So she will sometimes say,
11	turn your walkie down or turn your walkie off.
12	${f Q}$ Again, so we can kind of, the walkie
13	refers to the portable radio?
14	A Correct.
15	Q Okay. And so can an officer be in his
16	vehicle and have his mobile radio on a particular
17	channel, but have his walkie on a different channel?
18	A Yes.
19	Q And if he speaks on one of those radios,
20	do you get that squelch or that feedback?
21	A No.
22	Q Okay. Is there anyway for an officer, how
23	does an officer select a channel on the walkie?
24	A He has, there's two buttons and the one on
25	the outer and this is usually a standard on all

	Page 148
1 ,	Motorola radios, the one on the outside is your on
2	and off button, and your volume control and then the
3	center one is your channel selector and it has
4	little ratchet clicking noise to it. A lot of the
5	officers know by clicking it two or three times on
6	what channel they're on.
7	${f Q}$ And so on this particular radio, the
8	buttons are different height, correct?
9	A Correct.
10	Q And different shapes?
11	A Correct.
12	Q And they have different feel to them as
13	well?
14	A Correct.
15	${f Q}$ And is it true that on all the Motorolas
16	channel selector is in the middle?
17	A Yes.
18	Q And so, and then the other button you said
19	was an on/off and volume?
20	A Yes.
21	Q And how many channels does a portable
22	radio, how many channels can that radio turn to?
23	A Most of them all are 16 channels on the
24	channel selectors always usually 16.
25	Q Are there also 16 channels in the mobile

		Page 149
1 .	radio?	
2	A	Yes or more.
3	Q	And that's in the vehicle?
4	A	Right.
5	Q	So you said that the ones inside the
6	vehicle a	are usually a higher power?
7	A	Yes.
8	Q	And so in Ferguson, do you know how high
9	of power	the ones in the vehicle are?
10	A	They are 50 watts.
11	Q	And what is the power of the handheld?
12	A	That's 5 watts.
13	Q	Okay. And so let's talk about the RIOT
14	channel.	You familiar with the RIOT channel?
15	A	Yes, I am.
16	Q	And so can you, what does RIOT stand for,
17	it doesn'	t mean it is just for riots?
18	A	Correct. It is Radio Operability, Radio
19	Interoper	cability Tactical.
20	Q	So it's an acronym?
21	A	Yes.
22	Q	So what is the purpose of the RIOT
23	channel?	
24	A	It is to be used for any type of events
25	that need	ds St. Louis County or any of the other

	Page 150
1	municipalities to be able to communicate together in
2	some type of event.
3	Q All right. And are you aware of how many
4	RIOT channels there are in St. Louis County?
5	A There's a RIOT A, B, C, D and E, so a
6	total of five.
7	Q Okay. Now, when a police department
8	purchases and installs a radio system, are the
9	channels uniform throughout each municipality or
10	does each municipal decide what channels they want?
11	A They mostly decide which one they want.
12	There is mostly a standard that every radio has at
13	least RIOT A. Some will put RIOT B in, some won't.
14	Some will just keep RIOT A their preference.
15	Q So would it be, for example, I'm just
16	saying this, for example, like channel one might be
17	the dispatch channel?
18	A That's always usually the dispatch
19	channel.
20	Q Okay. And then what other kind of
21	channels are there for the radio?
22	A There's a mutual aid channel.
23	Q Mutual aid?
24	A Right, which is once again kind of an
25	inoperability type of channel, most every radio

Page 151 within the state, mutual aid channel. There's a 1 2 point-to-point and that's used for dispatchers to be able to talk to other dispatch centers. 3 always in that as receive only. The licenses set up 4 5 for base station transmission only, no portable 6 radios can talk on it so they don't interfere with 7 the radio traffic being transmitted to each of the 8 different dispatch centers. 9 So if an officer has his radio on the point-to-point channel, he can hear other 10 11 dispatchers that might be talking to each other? As long as he's within the range of that 12 Α 13 transmitter. 14 Okay. We'll talk about the range in a Q 15 second, but that's the purpose of that? 16 Α Right. They can hear it, but they can't transmit? 17 18 Α That's correct. 19 Q Okay. And so what about the RIOT channel now, how does that work. If someone got on the RIOT 20 channel, who can they talk to? 21 22 Um, as long as the neighboring 23 municipality, they have it set up to have some type 24 of DWI checkpoints or something like that, they

would use it.

25

Page 152

- 2 vice-president was going to visit St. Louis and the
- 3 St. Louis County Police Department was going to
- 4 provide security for that visit, would they use the
- 5 RIOT channel for a period of time?
- 6 **A** Definitely they would secure that channel
- 7 for that event.
- 8 Q And so if any municipality or anybody that
- 9 has these radios can talk on the RIOT channel, how
- 10 is it that they know not to use it if, for example,
- 11 there is a presidential visit?
- 12 **A** There's pretty much a notice that goes out
- 13 through St. Louis County saying between this date
- 14 and this date, you know, that's going to be used for
- 15 the president coming to town. They even have it set
- 16 up for the one golf tournament at one of the country
- 17 clubs that they do security with they might secure
- 18 that channel for that.
- Ballwin Days, they would request the
- 20 St. Louis County, we have Ballwin Days going, can we
- 21 use the RIOT channel, and they usually approve it
- 22 unless there's something, an event that's going to
- 23 happen, they will reserve it.
- 24 **Q** It can be used for preplanned events, what
- 25 about events that are not preplanned?

Page 153
on it
comes,
ostage
y and the
k unit
ve been
e
ficers to

- 1 A That's kind of a go-to if you are on it
- 2 using it for an event and something larger comes,
- 3 everybody goes to a different channel.
- 4 Q So, for example, if there was a hostage
- 5 situation that was occurring in South County and the
- 6 County Police had mobilized and their attack unit
- 7 was on scene and various precincts maybe have been
- 8 called in for this situation. Would that be
- 9 something they would advise all of those officers to
- 10 turn to the RIOT channel?
- 11 **A** Definitely, that is the go-to channel
- 12 basically.
- 2 So the theory is at that time the officers
- 14 that are using RIOT channel are all using it for the
- 15 same purpose, they all know what's going on, they
- 16 are there for that particular event?
- 17 **A** Correct.
- 2 So now, let's talk about, we talked about
- 19 when possibly a call could be received and not
- 20 received. And you and I met last week and you kind
- 21 of had to educate me on a lot of this, but we talked
- 22 about the fact that whether or not a call can be
- 23 received by somebody might, in part, be determined
- 24 by signal strength, correct?
- 25 **A** Correct.

	Page 154
1 ,	Q So given that the walkie-talkies?
2	A 5 watts.
3	Q 5 watts. That's a lower signal strength
4	than the mobile radios in the cars, correct?
5	A Correct.
6	Q And then how many watts does the
7	dispatcher has?
8	A The dispatcher, most of all in St. Louis
9	County their base stations, their transmitters are
10	at least 100 watts.
11	$oldsymbol{Q}$ Okay. And so there is another thing that
12	might affect whether or not a transmission is
13	received is the distance away from the dispatch
14	transmitter that the radio is, correct?
15	A Correct. It is kind of a line of sight.
16	So anything in between this antenna and that
17	dispatch center can reduce the radio transmission to
18	that receiver. So if there is a building, even
19	trees, large thick trees, any steel structure
20	reduces that capability of that transmitter to get
21	to that receiver.
22	${f Q}$ What about the height of the antenna, does
23	that also affect the transmission?
24	A Yes. And especially if a portable radio.
25	Being on your hip can reduce that 5 watts to almost

Page 155

- 1 half if it is touching your body or if this officer
- 2 is a large person, that can really cut down the
- 3 power.
- 4 Q Okay. So would it be uncommon then that
- 5 maybe an officer who is using his portable
- 6 walkie-talkie could call out and transmit something
- 7 and the dispatch not hear him?
- 8 A Yes, very much so.
- 9 Okay. Also, we talked about the different
- 10 powers and strengths of these radios, is it possible
- 11 for other officers when they're on say the dispatch
- 12 channel, can an officer in car A hear officer in car
- 13 B transmitting a call?
- 14 A If he's close enough. Only if he's close
- 15 enough within, you know, a range. On a portable
- 16 radio, it is usually a mile tops, not too much
- 17 unless you are out in Kansas, straight line, nothing
- 18 there, maybe a mile and a half or so. These are
- 19 very low power. He would probably hear the mobile
- 20 radio more than he would hear the portable radio.
- 21 **Q** So to understand this, when someone in the
- vehicle transmits on the mobile, and let's say they
- 23 are going to talk to another car, does that
- 24 transmission go from their mobile to the transmitter
- 25 tower behind the police station and then go back out

	Page 156
1 ,	to that car?
2	A No, it is just radio to radio, from mobile
3	radio to mobile radio.
4	${f Q}$ And can you do that, can you talk to other
5	cars when you are on the dispatch channel?
6	A Yes.
7	$oldsymbol{Q}$ Okay. And when other cars are talking to
8	each other, can you hear that maybe when you are on
9	the dispatch channel?
10	A Yes.
11	Q But I'm gathering that you might not hear
12	it depending on how far apart you are?
13	A Correct.
14	Q And where the radio might be, correct?
15	A Correct.
16	Q And so, and we heard some testimony from
17	another officer who talked about like when he left
18	his police vehicle and went inside a residence for a
19	call, he might not hear transmissions that are being
20	made by dispatch because he's a distance from the
21	car and he's also on the walkie-talkie inside a
22	building?
23	A Right. If he's inside the building, the
24	mobile wouldn't have any factor on his portable
25	radio. It is that building structure that is going

```
Page 157
     to reduce the capability of receiving on that
 1
 2
     portable.
 3
          Q
               Okay. So it is possibility for a police
     officer if he's using his walkie-talkie to transmit
 4
 5
     a call, but that call might not be received by local
 6
     dispatch?
 7
          Α
               Correct.
 8
          Q
               And that has to do with all of those
 9
     factors we've talked about?
10
          Α
               Correct.
11
               Now, are you aware that when the Ferguson
          Q
     dispatch receives calls or transmits calls that they
12
13
     actually record those calls?
14
          Α
               Yes.
15
               So if the call is not, here is a question
16
     I don't even think I asked you this last week.
17
     a call is not received by a dispatcher, is there
18
     anyway to tell if that call was ever made?
19
               No, because that recorder is connected to
     the receive portion of the dispatch console. So
20
21
     whatever the dispatch console receives and hears,
     that is when it is recorded.
22
23
               Okay. Is it possible, are there occasions
     when a call is received like it is garbled or
24
25
     there's, you know, static that would make it
```

	Page 158
1	difficult or impossible to tell what's being said?
2	A Definitely.
3	Q Okay. Now, let's talk about when an
4	officer is wearing his walkie for the portable radio
5	if his car is on the dispatch channel, we talked
6	about if he is in his car he can be on two different
7	channels, right?
8	A Right.
9	${f Q}$ If his car is on the dispatch channel and
10	his walkie-talkie gets switched to another channel,
11	does he get any kind of squelch or anything like
12	that?
13	A No.
14	${f Q}$ So that could happen, and if that were to
15	happen and he was unaware of the switch, he would
16	not know?
17	A No.
18	Q Without looking down?
19	A And looking
20	Q At the collector?
21	A Right.
22	Q Now, I'm looking at the top of this
23	portable radio, there's an orange button here?
24	A Right.
25	Q What is that orange button?
1	

Page 159

- 1 A When the officer presses that, it sends
- 2 out a data burst that is a number that has been
- 3 programmed in that radio. So it could be 1, 2, 3,
- 4 4, it will send out that data burst. It will be
- 5 decoded at the dispatch console and whatever they
- 6 decode it as, it could be the officer's name, it
- 7 could be the car number, it could be anything, an
- 8 alias associated to that radio. It could be even to
- 9 that beat, it could be beat 104 that when he hits
- 10 that button it will come up on the screen.
- 11 Lights flash red and a horrible noise
- of beeping goes off until that dispatcher hits the
- 13 console a couple times to silence it.
- 14 **Q** And so is there any information that is
- 15 transmitted other than what you said that might be
- 16 preprogramed to associate that radio is the who that
- 17 transmitted that.
- Is there anything, can I push that
- 19 red button and then say something in there?
- 20 **A** Yes, it also lets you to be able to
- 21 transmit.
- 22 **Q** And this data burst that can happen if you
- 23 press that orange button, does that depend upon
- 24 those factors, like how far away you are, whether
- 25 you're in a building or there's buildings between

		_
		Page 160
1 ,	you and t	he transmitter, are those still factors?
2	A	Those are still factors.
3	Q	That's also a radio signal?
4	A	Right.
5	Q	And it's 5 watts when it comes from there?
6	A	Yes.
7	Q	Okay. When an officer is wearing this
8	type of r	adio and this is on his sleeve, if he has
9	it turned	to, for example, the dispatch channel, is
10	this also	a speaker?
11	A	Yes.
12	Q	So he can hear what's being transmitted?
13	A	Yes.
14	Q	Does this have a speaker on it?
15	A	It does, but it is disabled once that
16	remote sp	eaker mike is connected to the radio.
17	Q	So if you are in your vehicle and your car
18	vehicle i	s turning to the dispatch channel and this
19	is on the	dispatch channel, does either of them
20	cancel ea	ch other out?
21	A	No, it is basically which one is turned up
22	the loude	st is which one they are going to hear.
23	Q	So you could hear both?
24	A	Yes.
25	Q	If they were on different channels, could

	Page 161
1 .	you hear different transmissions?
2	A Yes, definitely.
3	Q But it would be if you keyed your mike,
4	that's when you get that squelch?
5	A Correct.
6	Q So let's talk about what calls that might
7	walk over each other. That is kind of a phrase that
8	I used, but is it possible if an officer is
9	transmitting from this type of a radio, a portable
10	radio, if someone else on that same channel keys in,
11	can that person talk over him possibly ?
12	A Especially if it is on a car radio, it's
13	possible, but it's really whoever is closest to
14	Ferguson's transmit site on the dispatch channel.
15	It is called kind of a receiver capture effect. So
16	that receiver in that base station, whatever hearing
17	is the strongest is what's going to be able to be
18	heard to the dispatcher.
19	However, if they mix then you get the
20	garbling sound and you might pick out, you know, 102
21	or you might pick out a little bit of radio traffic.
22	And that's when the dispatcher will usually say, car
23	102, go ahead with your traffic or something like
24	that, or too many cars calling in they usually state
25	but yes, it can happen.
1	

	Page 162
1 ,	Q Okay. Now let's talk about transmissions
2	on the RIOT channel. Do those transmissions when
3	you are on say RIOT A, if you are on RIOT A on your
4	radio, does that transmission go to Ferguson?
5	A No, St. Louis County does a series of
6	voting receivers and all they are receivers and they
7	are like ears. And the closest radio is picked up,
8	that audio is sent down by phone line back to
9	another box here in Clayton called a comparator.
10	And that takes the best audio, not the transmission,
11	but the audio sound from that receiver and votes on
12	which one's the best, and the best audio, the
13	strongest audio signal will be heard to the recorder
14	and to the dispatcher sitting at that console
15	monitoring the RIOT A channel.
16	${f Q}$ So the dispatcher monitoring the RIOT A
17	channel is here in Clayton, right?
18	A Correct.
19	Q So it is not the Ferguson dispatcher who
20	is monitoring unless she chooses to do that?
21	A Right.
22	Q And I think we talked about the fact that
23	a dispatcher has their dispatch channel and then
24	they have another selected
25	A Unselected audio.

1 Q Unselected. So they can now monitor two 2 different channels at once? 3 A Correct. 4 Q And so, so, how many voting? 5 A Voting receivers. 6 Q How many voting receivers are there in St. 7 Louis County? 8 A Oh, just on the RIOT channel I'm going to 9 take a guess. I don't have their information right 10 in front of me, but I want to say at least six or 11 seven. 12 Q Okay.
A Correct. Q And so, so, how many voting? A Voting receivers. Q How many voting receivers are there in St. Louis County? A Oh, just on the RIOT channel I'm going to take a guess. I don't have their information right in front of me, but I want to say at least six or seven. Q Okay.
Q And so, so, how many voting? A Voting receivers. Duis County? A Oh, just on the RIOT channel I'm going to take a guess. I don't have their information right in front of me, but I want to say at least six or seven. Q Okay.
A Voting receivers. By How many voting receivers are there in St. Louis County? By A Oh, just on the RIOT channel I'm going to take a guess. I don't have their information right in front of me, but I want to say at least six or seven. Seven. Q Okay.
6 Q How many voting receivers are there in St. 7 Louis County? 8 A Oh, just on the RIOT channel I'm going to 9 take a guess. I don't have their information right 10 in front of me, but I want to say at least six or 11 seven. 12 Q Okay.
7 Louis County? 8 A Oh, just on the RIOT channel I'm going to 9 take a guess. I don't have their information right 10 in front of me, but I want to say at least six or 11 seven. 12 Q Okay.
8 A Oh, just on the RIOT channel I'm going to 9 take a guess. I don't have their information right 10 in front of me, but I want to say at least six or 11 seven. 12 Q Okay.
9 take a guess. I don't have their information right 10 in front of me, but I want to say at least six or 11 seven. 12 Q Okay.
10 in front of me, but I want to say at least six or 11 seven. 12 Q Okay.
11 seven. 12 Q Okay.
12 Q Okay.
13 A Throughout the county north, south, east
14 and west.
15 Q And so, for example, if something is going
16 on down in South County, and the county police is
17 using the RIOT A channel because of this incident
18 that occurred. If a Ferguson officer calls in on
19 the RIOT A channel when he's up in Ferguson, is it
20 possible that his transmission will not be received
21 by Clayton?
22 A Yes, especially if the receiver down south
23 is hearing the transmission louder and it is being
24 sent in and being voted and voter, that transmission
25 will be just put on the side basically, won't even

Page 164 come through. 1 Will there be any record that that 2 3 transmission was made? Α No. 4 5 Q So the voting receiver just measures the strength and quality, audio quality of the call and 6 7 then the voting receiver then selects which call 8 they are going to put through? 9 Right. Α And so is it possible then that somebody 10 11 on a walkie-talkie in Ferguson could make a call on the RIOT A channel, if County Police were using the 12 13 RIOT A channel down at South County at the same time 14 and there were officers talking at the same time, is it possible then that the Ferguson officer's call 15 16 would never get recorded in Clayton? 17 Very possible. 18 Is there anything that I haven't asked you 19 that I forgot about that is important? 20 Α No. And just again if you all want to look at 21 Q 22 this, I will tell you that this is a radio from the 23 Ferguson Police Department. It is not Officer Wilson's radio, but they have the same radios and 24 25 just for reasons that you might want to look at it.

```
Page 165
     But don't try to call on it because I have no idea
 1
 2
     if it would work. It probably wouldn't transmit in
 3
     here, would it?
 4
          Α
               Want to try it?
 5
          Q
               No.
               MS. ALIZADEH: I'll just kind of start
 6
 7
     this around and Sheila, do you have any questions
 8
     for
 9
               (By Ms. Whirley) Well, it is just kind of
     unnerving, I guess, so you are saying, maybe you
10
11
     didn't say common, but how common is it for dispatch
     not to receive calls?
12
13
               Um, it just depends on the radio traffic.
          Α
     If it is really busy, a really busy day at that
14
15
     municipality it can happen. You know, one thing, I
     hope I'm not telling any secrets, one issue is one
16
17
     of the county channels which is dispatched in West
     County, they have Eureka, they have Chesterfield.
18
     They are so far away that Eureka officer could be
19
     keying up trying to talk to a dispatch and that
20
     Chesterfield officer, which is a little bit closer
21
22
     to the receiving site, is going to get to Clayton
23
     more and this guy is saying, hey, I need help or
     something, that Eureka officer, there is a good
24
25
     chance is not getting back to Clayton.
```

	Page 166
1 ,	Q Wow?
2	A That is one of the reasons why this new
3	system is being put in.
4	Q That's something to come that we don't
5	have yet?
6	A Correct.
7	${f Q}$ So that orange button that you were
8	referring to, is that supposed to be like an
9	emergency?
10	A Yes.
11	Q Aspect for this?
12	A Yes. Another way that that works, even if
13	there's radio traffic, it is still pulsing that data
14	out. It doesn't care if there's radio traffic on
15	it, it keeps on trying until it gets an
16	acknowledgment from the dispatcher.
17	${f Q}$ And as I understand, you can be on, I
18	guess RIOT A, which is the county?
19	A Yes.
20	Q And that orange button wouldn't have any,
21	would it work for county or would it just go to, if
22	you are on the RIOT A channel.
23	A Right.
24	${f Q}$ And you are a Ferguson officer and if you
25	hit that a orange button, what would happen?
I	

Page 167 It would go to dispatch. It is programmed 1 Α as a revert, so when you hit that button, if you are 2 on channel six, it doesn't matter what channel, you 3 hit that emergency button, it reverts that data to 4 the dispatch channel. 5 6 To Ferguson's dispatch? 7 Α Yes. 8 Q So even though RIOT A channel, it wouldn't 9 be of any consequence to them? 10 Α Right. 11 But Ferguson would? Q 12 Α Right. 13 And is it your understanding that most Q 14 officers are trained if you are in an emergency 15 situation to hit that orange button? 16 Α Yes, ma'am. So if I'm in a shooting or something that 17 18 would probably be one of the first things a trained officer would do is to hit that orange button? 19 I can't tell you what that officer would 20 Α be thinking at that time, but that is kind of, I 21 22 need help, that's what I hit. 23 That's the purpose of that orange button is to supersede everything to let your dispatch know 24 25 that you need help?

	Page 168
1 ,	A Right.
2	Q Okay. Go ahead.
3	. On that point,
4	tell us again when you would use that emergency
5	button, or maybe frequency which is used. I gather
6	this person on dispatch, would you see that happen
7	once a week, once a day?
8	A No, very seldom, and only when it's a life
9	threatening is my understanding is when they hit
10	that red button.
11	Gotcha. And that just
12	signifies to dispatch that dispatch needs to contact
13	that officer as soon as possible
14	A Or get help to them.
15	: Thank you.
16	MS. ALIZADEH: Does that signal go out to
17	the other cars?
18	A What they will hear is just a data burst
19	of static basically is the best way to put it.
20	MS. ALIZADEH: So, but only the dispatch
21	would show what radio that was coming from.
22	A Correct.
23	MS. ALIZADEH: So would it require then a
24	dispatch to communicate with that radio, like 105,
25	do you need help, what's going on?

```
Page 169
          Α
               Right.
 1
 2
               MS. ALIZADEH: Or to put out a call to
 3
     other cars, 105 is in an emergency situation and
     possibly give a location, right?
 4
 5
               Whatever their standard of their procedure
          Α
 6
     is, could be both.
 7
               MS. WHIRLEY: Because most departments, I
 8
     know you can't speak to all of the departments, it
 9
     sounds like you are implying that most departments
     have some kind of procedure regarding how to use
10
11
     that orange emergency button?
12
               Correct.
          Α
13
               MS. WHIRLEY: It is put there for a
14
     reason, right?
15
          Α
               Yes.
               MS. WHIRLEY: And the reason is for
16
17
     emergency situations?
18
          Α
               Yes.
19
                                           So the channel,
     the radio channel has nothing to do with the orange
20
     button, it doesn't have to be on a certain channel?
21
22
          Α
               That's correct. That radio when I
23
     programmed it, it is called revert and it reverts to
24
     the dispatch channel.
25
                                            Is it common
```

	Page 170
1	for police officers to keep their mobile and their
2	portable on a different channel?
3	A Usually, it is.
4	: Usually they do. Okay.
5	So they would have to know that they are on a
6	different, their portable is on a different channel
7	when they get out of the car and switch it back?
8	A Some might just use it to listen to the
9	neighboring municipal next to them, that is what
10	they use it mainly, what they tell me. They like to
11	hear what's going on around them. Maybe Ballwin
12	would listen in on Manchester PD is doing in case
13	they need an assistance or something.
14	: They do keep it on
15	different channels while they are in the car?
16	A Yeah. And some keep it turned off too to
17	save the battery and save avoidance of feedback
18	sometimes.
19	. Can the
20	dispatcher ever notify a police officer that they
21	are on the wrong channel? Like they think they are
22	on their department channel, but for some reason
23	they are always on it or have a signal?
24	A No, there is nothing the dispatcher can
25	see on what channel that that portable or mobile is

```
Page 171
          The only way if they are calling them, they
1
 2
     know that they're not on the dispatch channel. If
     they are trying to call dispatch and they're not
 3
     responding, yes. They will call them by cell phone
 4
 5
     or keep on calling, but there is no way that
 6
     dispatcher knows.
7
               MS. WHIRLEY: I had a question --
8
                               So there is no readings
 9
     that goes out daily from all whatever happened that
     day? Like there is a computer generating all the
10
11
     radios from that day for each department, police
     department in the areas, different areas. There is
12
13
     no generated report that's coming out?
               No, not from which channel their on.
14
          Α
15
     only thing I've seen where it counts how many times
16
     the radio has been keyed up. It might say it's been
17
     keyed up on this channel ten times that day, that's
18
     about it.
19
               MS. WHIRLEY: On the mobile, I'm sorry,
     that's passed around, I'm sorry, the portable, thank
20
21
     you. The orange button is on there, is there also a
22
     an orange button on the mobile that's inside the
23
     car?
24
               Yes, ma'am.
          Α
25
               MS. WHIRLEY: For the same purpose, it is
```

```
Page 172
     an emergency transmission?
 1
 2
          Α
               Yes.
 3
               MS. WHIRLEY: Because I was going to ask
     you, what can an officer do if he's in trouble if he
 4
     may not be heard on the transmitter, but that's what
 5
 6
     he can do?
 7
          Α
               Right.
 8
               MS. WHIRLEY: Okay.
 9
                                        . Is there any
     other way for dispatch to communicate with the
10
11
     officer, like through texting to display or texting
     to the laptop.
12
13
               There is some messaging on their CAD
          Α
14
     system, their in-car computer system. I know that
15
     exist, I can't tell you that Ferguson has that
     feature, but most of the agencies within St. Louis
16
17
     County does have a way, and they can communicate car
18
     to car also, so that officer can send a message to
19
     the neighboring precinct or jurisdiction, how am I
     going to say this, to the officer next to them.
20
     Would be the officers within that agency.
21
22
                                       . You talked about
23
     red button emergency situation, that's a pretty
     broad for a police officer to cover, obviously,
24
25
     every emergency situation is going to require a red
```

```
Page 173
     button. You kind of mentioned a life and death
 1
 2
     situation, seems like that button is pretty much
     reserved for an extremely serious emergency, not
 3
     typical emergency for a police officer?
 4
 5
          Α
               Correct.
 6
                               And that can happen very
 7
     quickly. The odds of a police officer to get to
     that button in the time of a quickly escalating
 8
 9
     activity, that could be a question?
               Right.
10
          Α
11
                               It would be hard to hit
     that button in a very highly emergency situation
12
13
     that happens very quickly?
               Right. And if you notice the size of that
14
          Α
15
     button, you really got to hunt for it sometimes.
               MS. ALIZADEH: And just on another note,
16
17
     for example, the situation is over, then there would
18
     be no reason necessarily for the officer to use the
19
     orange button as opposed to using his walkie-talkie
     because then he can explain the nature of his need
20
     for help, correct?
21
22
          Α
               Correct.
23
               MS. ALIZADEH: And if he's transmitting,
24
     if you're transmitting from your walkie-talkie and
25
     it's not being received, other than nobody responds,
```

```
Page 174
     is there any way that the officer knows that his
 1
 2
     transmission didn't get received?
 3
          Α
               None whatsoever.
               MS. ALIZADEH: I send an email and it
 4
 5
     doesn't get received, I get something back saying it
 6
     wasn't delivered?
 7
          Α
               Correct.
 8
               MS. ALIZADEH: But there's nothing on the
 9
     radio like that.
               No. Some departments train they officers
10
11
     if they don't get out, take radio out of their
     holster and transmit, but I couldn't tell you about,
12
13
     but that is part of a SOP in a lot of departments.
               MS. ALIZADEH: And SOP is standard
14
15
     operating procedure?
               Yes.
16
          Α
17
               MS. WHIRLEY: And tell us again what does
18
     CAD stands for, the CAD?
19
          Α
               Computer Aided Dispatching.
20
               MS. WHIRLEY: Okay. And is that time
     generated, I mean, there's a CAD report, right?
21
22
          Α
               Right.
23
               MS. WHIRLEY: Does that track the timing
24
     of the calls?
25
          Α
               Yes.
```

```
Page 175
               MS. WHIRLEY: Who puts that information in
1
 2
     there, I know it is computer generated, correct,
 3
     tell me about that?
               Well --
         Α
 4
 5
               MS. ALIZADEH: Let me back up here.
 6
     you have expertise to talk about the CAD system?
7
               I know the mechanics, the technology, you
          Α
8
     know, how they receive the timing, but as far as it
 9
     is all software and every department has got a
     different type of CAD. So I couldn't tell you
10
11
     exactly what information goes in it or how the
     screen is. How most of them are set up for timing.
12
13
               MS. WHIRLEY: That's what I want to know
14
     about.
15
               So a lot of departments bought what they
          Α
16
     call Net Clocks. They are little boxes that are
17
     connected to a GPS antenna and they get their timing
18
     from the satellites, just like our car GPS works.
19
     There is also timing that is done and this box kind
     of distributes that timing mechanism, which can go
20
     to logging reporters, their CAD, some departments I
21
22
     set up their consoles have this timing. So that all
23
     the timing is the same throughout.
24
               MS. WHIRLEY: Okay. So when an officer
25
     calls in, let's say I'm on a traffic stop or I'm out
```

```
Page 176
     with a pedestrian, would that information be timed
 1
 2
     into the dispatch or to this CAD system?
 3
          Α
               I can't answer that. I don't know.
               MS. WHIRLEY: Okay.
 4
 5
          Α
               I have been listening to police calls
 6
     since I was eight years old. Most of the time, the
 7
     dispatcher, the officer will call in, I'm at a
 8
     traffic stop blah, blah, blah. She will usually
 9
     repeat, car 104 is at a traffic stop at 1520 hours,
10
     or something like that. And that's usually the time
11
     the officer will write down that time and that is
     what's recorded in the CAD so all the times are
12
13
     together.
14
               MS. WHIRLEY: Okay.
15
               MS. ALIZADEH:
                                       , you didn't set
16
     up the CAD system in Ferguson, correct?
17
               I did not.
          Α
18
               MS. ALIZADEH: And you don't know how they
19
    have it set up?
20
               That's correct, I do not.
          Α
               MS. ALIZADEH: So is it possible that the
21
22
     time for their CAD calls might differ from the time
23
     that dispatch calls?
24
               Definitely.
          Α
25
               MS. ALIZADEH: If they set them manually
```

```
Page 177
     as opposed to getting those times from the
 1
     satellite, is it possible then that those times
 2
 3
     could be off?
          Α
               Yes, definitely. I know I did not sell
 4
     them a Net Clock or any type of timing mechanism.
 5
 6
               MS. ALIZADEH: What about compare it also
 7
     to, for example, county communications.
     possible that Ferguson's CAD calls and their
 8
 9
     dispatch calls might not be timed, the CAD's might
     not be the same with the county communication clock?
10
11
               Definitely.
          Α
               MS. ALIZADEH: So a call that we all know
12
13
     for a fact that was made at 3:00 in the afternoon.
14
     The dispatch time might be 3:02, the CAD call might
15
     say 3:01 and yet the county communication, if it
     were received there, might say it was 3:00?
16
17
               Yes, definitely.
18
               MS. ALIZADEH: Be it is just one call?
19
          Α
               Yes.
20
                                                    I just
     want to make sure I understood you. The
21
     point-to-point channel, this is dispatch, and the
22
23
     portable is not transmitting and they can only hear
     what's going on?
24
25
          Α
               Right.
```

```
Page 178
               MS. ALIZADEH: When it's on
 1
 2
     point-to-point.
 3
                              : When it is on
     point-to-point?
 4
 5
          Α
               Right.
 6
                                 So if an officer had his
 7
     portable on that channel while he is in the car,
     left the car, he thought he was calling in, nobody
     would hear him --
 9
10
          Α
               That's correct.
11
                               -- until he changed the
12
     channel?
13
               Right. What he is going to hear is maybe
          Α
14
     a bong because that is a receive channel only.
15
                              : That would be the same,
     not that nobody would hear him, but dispatch would
16
17
     hear him if he was on a RIOT channel, he is on the
18
     mutual aid channel or any of the other channels, he
19
     would have to it put it on one, which is a dispatch
     channel for his dispatch to hear him?
20
               No, if he's on point-to-point, I'm sorry,
21
          Α
22
     if he's on RIOT channel.
                             : Uh-huh.
23
24
               And dispatch has RIOT channel turned on at
25
     the console at Ferguson, and he's close enough, yes,
```

	Page 179
1 ,	it is going to transmit and a good chance the
2	dispatcher is going to hear them.
3	MS. ALIZADEH: Any other questions?
4	(End of the testimony of .)
5	It is 3:28 on November 3rd. This is Kathi
6	Alizadeh, Sheila Whirley is present, also all 12
7	grand jurors are present and , the court
8	reporter. And we just had a discussion off the
9	record that we talked about that a witness that I
10	had scheduled for this afternoon didn't show up, so
11	we are kind of out of material for today.
12	And so you all agree to go ahead and
13	recess early today. There has been discussion now
14	about additional things that you all want. It is my
15	understanding that we're going to get a Ferguson
16	police vehicle that is not the same vehicle, but the
17	same make, model and year. So we have to set up
18	when we are going to do that.
19	There's been a request to get the press
20	conferences from Chief then there's been a
21	request to get, I will get you copies of the
22	transcript of Officer Darren Wilson's grand jury
23	testimony.
24	You should have a transcript of his
25	interview that he did with the county police on the
1	

	Page 180
1 .	10th, but I will get the transcript for you for
2	tomorrow, give it to you tomorrow.
3	And then I'm also going to contact Chief
4	to see if he can appear to answer any
5	questions that you may have that might arise out of
6	your viewing of the press conferences. And is there
7	anything else? Oh, yes, you talked about getting a
8	field training officer. So I will talk to Ferguson
9	about that.
10	I think we discussed the fact that it's
11	Darren Wilson's field training officer in Ferguson
12	is currently and so probably we
13	would want to find somebody else who could talk
14	about the training that they do for their officers
15	in general.
16	Would obviously not be that he received,
17	but in general. Is that all we can think of for
18	now?
19	: Perhaps get somebody in
20	the Normandy Police Department that trained him?
21	MS. ALIZADEH: That was Jennings.
22	: Oh, sorry, Jennings.
23	MS. WHIRLEY: What was that again?
24	Check with somebody, one
25	of his superiors in Jennings to see if they gave him

	Page 181
1	some field training instruction before he came over
2	to Ferguson and that way you avoid
3	situation.
4	MS. ALIZADEH: So we will recess early
5	today and it is my understanding that tomorrow we're
6	going, you are going to get here at 8:00, we start
7	up about 8:30-ish, whenever you are all here. And
8	then we're stopping at 4:00 tomorrow for the
9	election; is that correct.? Amendment 2, I'm just
10	plugging it. Everybody have a good evening.
11	(End of Grand Jury hearing XVIII.)
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	

```
Page 182
 1
 2
     State of Missouri
                         SS.
 3
     County of St. Louis
 4
 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
     Notice in the civil cause now pending and
10
11
     undetermined in the County of St. Louis, State of
     Missouri.
12
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
     reported in shorthand and caused to be transcribed
19
     into typewriting, and that the foregoing page
20
     correctly sets forth the testimony of the
21
22
     aforementioned witness, together with the questions
23
     propounded by counsel and grand jurors thereto, and
     is in all respects a full, true, correct and
24
25
     complete transcript of the questions propounded to
```

```
Page 183
     and the answers given by said witness.
 1
 2
                I further certify that the foregoing pages
     contain a true and accurate reproduction of the
 3
     proceedings.
 4
 5
          I further certify that I am not of counsel or
 6
     attorney for either of the parties to said suit, not
     related to nor interested in any of the parties or
 7
 8
     their attorneys.
                                              24....
 9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
```

```
Page 184
     COURT MEMO
 1
 2
 3
 4
 5
     State of Missouri vs. Darren Wilson
 6
 7
     CERTIFICATE OF OFFICER AND
 9
     STATEMENT OF DEPOSITION CHARGES
10
     DEPOSITION OF Grand Jury, Volume XVIII
11
12
     11/3/2014
13
    Name and address of person or firm having custody of
14
     the original transcript:
15
16
17
     St. Louis County Prosecuting Attorney's Office
     100 S. Central Ave.
18
    Clayton, MO 63105
19
20
21
22
23
24
25
```

```
Page 185
 1
     ORIGINAL TRANSCRIPT TAXED IN FAVOR OF:
 2
     St. Louis County Prosecuting Attorney's Office
 3
     100 S. Central Ave.
 4
     Clayton, MO 63105
 5
 6
     Total:
 7
 8
 9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
```

	Page 186
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	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
1	