Case: State of Missouri v. Darren Wilson

Transcript of: Hearing Before the Grand Jury, Volume 2

Date: September 3, 2014

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	Page 1
STATE OF MISSOURI	
VS.	
v 5.	
DARREN WILSON	
GRAND JURY	
SEPTEMBER 3, 2014	
VOLUME II	

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Page 2
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           IN THE CIRCUIT COURT OF ST. LOUIS COUNTY
                       STATE OF MISSOURI
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     STATE OF MISSOURI,
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 7
     VS.
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     DARREN WILSON,
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          The following is a hearing before the Grand
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     Jury of St. Louis County, at the offices of St.
     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 September, 2014,
16
17
     before
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Page 3
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     APPEARANCES OF COUNSEL:
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      FOR THE STATE:
         Ms. Kathi Alizadeh & Ms. Sheila Whirley
         Assistant Prosecuting Attorneys for St. Louis
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 6
     County
 7
         100 South Central Avenue, 2nd Floor
 8
         Clayton, MO 63105
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          (314) 615-2600
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	Page 5
1	GRAND JURY HEARING
2	MS. ALIZADEH: Good morning. Today's date
3	is September 3rd, 2014 and it is about, I can't see
4	my watch, a little before 9:00, 9:55. (sic) This is
5	Kathy Alizadeh with the Prosecutor's Office and also
6	present in the room are the 12 jurors and Sheila
7	Whirley with the Prosecutor's Office and the court
8	reporter who is taking down everything that's being
9	said at this point.
10	Just some preliminary things. First of
11	all, did everybody get in okay, was there any
12	confusion, you all got in okay?
13	Well, did give you menus for today?
14	(All jurors indicate yes.)
15	MS. ALIZADEH: What I would like to at
16	least begin explaining, and we talked to you about
17	when you want to meet in the future. And we are
18	going to accommodate you whatever time or date you
19	would like to meet. Whatever you decide, if you
20	want to meet, to continue to meet on Wednesdays
21	because that's what you're used to, we will make
22	this room available for you on Wednesdays, okay.
23	We'll do something else with the new grand jury,
24	they'll meet elsewhere.
25	So I would suggest that possibly over the
I	

- 1 lunch break today maybe talk amongst yourselves.
- 2 During your lunch break it is not going to be
- 3 recorded, you all can talk about amongst yourselves
- 4 about future days.
- 5 And then maybe at the end of the day today
- 6 or after the lunch, we are going to need a list of
- 7 some dates. Those dates are not going to be made
- 8 public, we're never going to discuss on the record
- 9 in advance what dates, you know, you're going to be
- 10 meeting, but we'll need to know so we can start
- 11 scheduling people.
- 12 Keep in mind that unlike typical grand
- 13 jury days, we cannot present evidence on this matter
- 14 unless all 12 of you are present.
- I know you all have the phone number for
- 16 the grand jury. If you all make arrangements to
- 17 meet on a particular day and then, you know,
- 18 somebody gets up in the morning and they're sick,
- 19 they've got the flu, you're going to need to call as
- 20 soon as possible so we can try to call people and
- 21 head them off if they haven't already left their
- 22 homes if one of you can't make it, then we're not
- 23 going to be able to hear anything that day, okay?
- 24 : . So the
- 25 alternates, alternates will not be called in on

Page 7 1 this, is that my understanding? 2 MS. ALIZADEH: That's correct, they're not 3 going to have heard everything that you would have heard. 5 Okay. 6 Typically the grand jury MS. ALIZADEH: 7 will hear a whole case in a matter of 15 minutes 8 maybe, but that's not the case here, so there won't 9 be any alternates that are going to be seated. 10 All right. 11 MS. ALIZADEH: So the way I would like to 12 progress is that each day when we meet, we're going 13 to try to be on time and start on time. I think 14 that's respectful of everybody else. We know you are dedicating a lot of your time to do this, so 15 16 we'll try to be more punctual on future dates. 17 I also want to tell you as you notice we 18 have some additional equipment in this room, there 19 is probably more people in this room than ever 20 I'm probably going to bring in some 21 additional fans because it will heat up and get warm 22 in this room. 23 If anybody at any point feels like they're feeling, you know, a little overheated, please let 24 25 me know because we'll take a break. With this door

- 1 open when I walk out here it is way cooler out here
- 2 than it is in here. If ever you feel like you're,
- 3 you know, not being able to be attentive because of
- 4 the heat, stop us, okay.
- 5 And what I would also like to do is every,
- 6 the beginning of every time you meet is to give you
- 7 an overview of what to expect for that day. This is
- 8 not in the form of like an opening statement where
- 9 I'm going to talk about what the evidence is going
- 10 to be, I'm just going to give you the names of the
- 11 witnesses that we expect to call and who they are
- 12 and what we anticipate the content of the topic
- 13 they're testifying about.
- 14 As you have seen in the past, the witness
- 15 will take the stand, be sworn, take the stand and
- 16 then I will begin or Sheila will begin by asking the
- 17 witness questions.
- And I'm not trying to say, I don't want to
- 19 discourage anybody from asking any question that
- 20 they want to ask, but what I would like to see if
- 21 possible, because your questions might be answered
- 22 later on in the testimony. Some of these witnesses
- 23 are going to have lengthy testimony and at some
- 24 point, you know, you might ask a question that I'll
- 25 say he's going to talk about that in a minute.

	Page 9
1	If you don't understand something that's
2	being said at the time, raise your hand, identify
3	yourself by your juror number and say excuse me, I'm
4	not understanding what you're saying right now. But
5	if you have a question that he hasn't, the witness
6	hasn't seemed to answer yet, if you want to jot that
7	down in your notes then, you know, at the end, of
8	course, you know, I will open it up to questions and
9	Sheila may have additional questions or vice versa
10	because we are taking turns on putting on different
11	witnesses because one person can't do all of this.
12	Are there any questions so far?
13	There will be times when I'm going to hand
14	out things to you like maps or reports of other
15	people just so you can have them for your reference
16	while you're hearing the testimony. I would
17	encourage you to still pay attention to the
18	testimony.
19	It can be distracting if you are reading
20	something that's in front of you while a witness is
21	testifying, you are going to be missing something
22	that's being said on the stand. Anything that we
23	give you will be available to you at any time during
24	the time you're sitting. Certainly for your
25	deliberations if you wish to have items back that

Page 10 1 you've seen before, we'll get those to you. 2 When you do get maps or reports or anything of that nature, what I would like you to do 3 is to just write your juror number on the corner of 4 5 it, but I don't want you to put any other writing on 6 it. 7 If you have notes you want to take, put them in your notebook because as we've explained to 8 9 you your notebooks are going to be private, they're 10 locked up, nobody is looking at them and they will 11 be destroyed at the end of the process here. I 12 don't want you making notes on anything that is, you 13 know, not your notebooks, okay. Can we agree with 14 that? 15 After our last session Sheila and I sat 16 down and listened to some parts of the testimony, 17 the mikes pick up very well. Remember last time I 18 said I wasn't sure how that was going to go? 19 was kind of encouraging people to lean forward. 20 think we're not going to have any problem as long as 21 people keep their voices up, we should be able to 22 hear everybody that wants to speak. 23 And if at all, you know, you cannot hear a witness as usual, you know, you need to raise your 24 25 hand, I can't hear you or I didn't hear what you

	Page 11
1	said.
2	Any questions about that so far?
3	Sheila, one other thing I forgot. So the
4	next time we meet, we will need for you to be on
5	time because Judge who is the grand
6	jury judge, is going to be here before we start that
7	day and she's going to read to you another charge.
8	When I say charge, it is like she's charging you
9	with an oath, I guess.
10	That is having to do with the fact that
11	you're session is being extended. So I told her,
12	you know, what time I thought we wanted to get
13	started. You know she's going to be here a little
14	before that. So if we can make sure that everybody
15	is here on time so, you know, she doesn't have to
16	wait around for us.
17	MS. WHIRLEY: What time we talking, 8:00
18	or 8:30.
19	MS. ALIZADEH: I think we were talking
20	about 8:30.
21	MS. WHIRLEY: So 8:30.
22	MS. ALIZADEH: You all can be here by
23	8:30?
24	MS. WHIRLEY: You actually prefer 8:30?
25	
I	

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Page 12
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 2
               MS. WHIRLEY: Okay. Because 8:00 worked
            I think they prefer 8:00 to bring them in the
 3
     way they did today, they prefer 8:00.
 4
 5
               MS. ALIZADEH: So what time do you all
 6
     think you can be here and seated for Judge
 7
 8
               (All indicate 8:00.)
 9
               MS. ALIZADEH: I will tell her to be here
10
     at 8:00 for the next time you meet.
11
               You have a question?
12
13
                                 I know she spoke a lot
14
     about secrecy and we all take that very seriously.
15
16
17
18
               MS. ALIZADEH: I don't know the answer to
19
     that question. I do know what that is, so I will
20
     have to check with our people and see what they say
21
     about that.
22
                                 Okay.
23
               MS. ALIZADEH:
                              I can't imagine there would
     be a problem with that.
24
25
               MS. WHIRLEY: I didn't hear over here, I'm
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Page 13
 1
     sorry.
 2
               MS. ALIZADEH: You want to go ahead and
 3
     restate it?
 5
               MS. WHIRLEY:
 7
 8
               MS. WHIRLEY:
 9
                                Because of what we are
10
     going to be doing.
11
               MS. WHIRLEY:
                             Okay, I didn't hear you.
               MS. ALIZADEH: As we mentioned before,
12
13
     people in your lives know you are on a grand jury
14
     and have been. Of course, we're not going to
     disclose to any media outlet or the public in
15
16
     general your identities, but your families and your
17
     employers know that you are on the grand jury.
18
               But more importantly, what you are charged
19
     with is that you cannot discuss anything that you
20
     hear in here. So, you know, if you have
21
     conversations with your family or your employers
22
     about, you know, your meeting times and your meeting
23
     dates, how long this is going to take, that's up to
     you and I understand that that's something that you
24
25
     all need to work out with the people in your lives.
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Page 14 1 We would like to get this done as quickly 2 as possible, but then again, we are not going to 3 rush anything. 4 If there is a need to meet until after the 5 first of the year, that's what we are going to do. 6 I don't anticipate that, but there is no way after 7 this whole process is over that anybody is going to 8 say we rushed anything, okay. I want you to have as 9 much time as you need, hear as much evidence as you 10 think you need to hear. If we don't call somebody 11 that you want to hear from, we'll get them here, 12 okay. 13 So for the next meeting we'll start at 14 8:00, the Judge will give you a charge. Today we're 15 going to have testimony on the investigation into 16 the shooting of Michael Brown in the morning 17 session, hopefully we can get done by lunch time. 18 In the afternoon today you are going to hear a regular docket of cases that we need to move through 19 20 the grand jury. 21 After that, we anticipate that all of 22 your, everything you will hear every time you sit 23 will just be evidence on the investigation into the 24 shooting of Michael Brown. 25 I know this is different than other cases

- 1 because normally when we've charged somebody with an
- 2 offense, you have the charge in front of you, you
- 3 can read what the charge is, you can read what maybe
- 4 the elements are and you don't have that in this
- 5 case.
- I understand that that kind of leaves you
- 7 not sure how you are supposed to look at this
- 8 evidence.
- 9 So after this morning session, Sheila and
- 10 I will sit down and we will come up with statutes
- 11 for you on the various degrees of homicide and there
- 12 will be some other relevant statutes on the use of
- 13 lethal or deadly force when, and possibly
- 14 self-defense statutes, so you will have by the time
- 15 you are here next time. We'll have that for you so
- 16 you can kind of at least understand the law as you
- 17 are hearing this evidence.
- 18 We're putting on witnesses in a certain
- 19 order because we're trying to make this easier for
- 20 you to digest and understand the evidence as it
- 21 comes in because unlike a trial, I'm not making an
- 22 opening statement. I can't outline for you what all
- 23 the evidence is. In a trial, you know, a jury gets
- 24 to hear that, that's not going to happen here
- 25 because I'm not making an opening statement.

	Page 16
1	So we're trying to put the evidence on in
2	a more logical order so you can kind of understand
3	as the witnesses progress, oh yeah, I remember
4	hearing about that the other day. Um, but as it
5	happens, sometimes we have scheduling issues with
6	witnesses, and sometimes things might be out of
7	order.
8	There might be an occasion where you hear
9	testimony from a witness and then you say to me or
10	Sheila, well, you know, what about that, was that
11	found at the scene? Well, you're just, I can't
12	answer those kind of questions for you, you're just
13	going to have to hope you are going to hear evidence
14	about that and at the conclusion of all of this, if
15	you have additional questions and you give us those
16	questions, we will see if we can get those answered
17	through witness testimony, okay.
18	I think the best thing for every day is
19	for us to tell you how your day is going to go. So
20	today you are going to hear from two witnesses. The
21	first witness is St. Louis County Detective,
22	Detective He is a crime
23	scene investigator. He will testify about what he
24	did in relation to his investigation into the
25	incident that occurred involving the shooting of

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Page 17
 1
    Michael Brown, okay.
 2
               We're going to see pictures, and some of
     them are going to be graphic and disturbing and I
 3
 4
    have to just get that out there in the beginning.
 5
               The next witness we're going to hear from
                                      I will have him
 6
     is going to be
     spell that for you. I don't want to misspell it.
7
 8
               He is the medical examiner who conducted
 9
     the autopsy on the body of Michael Brown and he's
     going to describe his job and what his findings
10
11
    were, okay.
12
               So with that, are we ready to get started?
13
                                                  Now, on
14
    the times for next week, we want to be in the garage
     at 8:00 so we can be here at 8:30, or we want to be
15
16
     at the room at 8:00?
17
               MS. WHIRLEY: I think you want to be in
18
     the garage at 8:00, that way you can come through
     the way you did. That seemed to work very well
19
20
     according to So be at the garage at 8:00,
21
    unless you hear differently. I will call you if
22
     something changes, but 8:00 in the garage. That
23
     will probably put us at 8:30, ready for Judge
24
25
               MS. ALIZADEH: And that's kind of what I
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- 1 told her earlier this week, 8:30, I thought.
- 2 From a frequency
- 3 or time allotment standpoint for future weeks, what
- 4 is your anticipation from a need, eight hours per
- 5 week, two days per week if we can do it, how do we
- 6 balance with what you have available to present to
- 7 us.
- 8 MS. ALIZADEH: That's going to depend a
- 9 lot on your schedule. Sheila and I have talked
- 10 about this. It would be great if we could go five
- 11 days a week for as long as it takes to get this
- done. As I said to Sheila yesterday, we're not
- 13 going to be able to do that.
- In a typical case we have a year to
- 15 prepare to put on evidence and we don't have that
- 16 here. And so, and as you may, you know, find out as
- 17 the testimony comes in, we may have additional
- 18 witnesses that we don't even know about today that
- 19 we will have to, you know, present evidence on.
- 20 So that's going to be up to you. If you
- 21 guys decide well, we'd like to meet for, you know,
- 22 an afternoon on a certain day of the week and all
- 23 day on Saturday, you know, or we'd like to meet two
- 24 evenings during the week, whatever you all think is
- 25 best. Understanding that the more often we meet,

	Page 19
	the quicker this will go, but I don't think it is
2	realistic for either side, our side as well as your
3	side to think that we're going to have, be able to
4	put this case on Monday through Friday until we get
5	done. I just don't think we could do it.
6	All right, you can talk about that during
7	lunch what everybody kind of feels comfortable with
8	as far as a schedule, okay.
9	: . As far as
10	my job, I know my session is to end next Wednesday,
11	so will we get a letter stating the fact that it has
12	been extended?
13	MS. ALIZADEH: We can provide that for
14	you.
15	MS. WHIRLEY: will take care of
16	that.
17	Thank you.
18	
19	
20	
21	
22	
23	
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Page 20 1 of lawful age, having been first duly sworn to 2 testify the truth, the whole truth, and nothing but the truth in the case aforesaid, 3 4 deposes and says in reply to oral 5 interrogatories, propounded as follows, to-wit: 6 EXAMINATION 7 BY MS. ALIZADEH: 8 Q Can you state your name and spell it, 9 please? 10 Good morning everybody. My name is Α 11 12 Q And where are you employed? 13 I am a crime scene detective with St. Α Louis County Police. 14 Are you a police officer? 15 Q 16 Α Yes, ma'am. 17 And can you briefly describe for the jurors what training you went through to become a 18 19 police officer? 20 After receiving a bachelor's degree, you attend the police academy. You start as a police 21 22 officer like everyone does on the street in a patrol 23 car. After different various assignments and training and interviews, I was accepted into the 24 25 crime scene unit about five years ago. Once in the

- 1 crime scene unit, here again, subjected to another
- 2 10 to 12 weeks of field training and ongoing classes
- 3 and training after that.
- 4 Q What does a crime scene investigator, what
- 5 is your job, what do you do?
- A Primarily our number one job is evidence
- 7 at various crime scenes that we are requested to,
- 8 photographing evidence, collecting evidence,
- 9 diagramming scenes, videotaping various scenes.
- 10 **Q** And so you say that you have been a crime
- 11 scene investigator now for approximately five years?
- 12 **A** Yes, ma'am. I was assigned to this unit
- in January of 2009.
- 14 **Q** And during the time you have been a crime
- 15 scene investigator, have you also received any
- 16 additional training either through course work or
- 17 attending conferences or seminars that are
- 18 particularly directed toward crime scene
- 19 investigations?
- 20 **A** Yes, ma'am. Everything from interviewing
- 21 interrogation techniques, to scene photography,
- 22 setting up death cases, forensic anthropology
- 23 courses, several things.
- 24 **Q** So as a general rule, before we get into
- 25 the particulars of this investigation, it is fair to

Page 22 1 say that you have to be called to a crime scene by 2 other police departments or agencies; is that 3 correct? 4 Α Yes, ma'am. 5 So you're not driving around in a van Q looking for crime scenes? 6 7 Not at all. Α 8 So you have a van that you use? 9 Α I do. 10 And it has all kinds of things in there 11 that you use during your investigation; is that 12 right? 13 Equipment, tools, supplies, those sorts of Α 14 things. And so when you are called, are you 15 Q 16 on-call, like you could be called in at any time? 17 There are 17 of us in the unit and we 18 work, we cover 24 hour shifts. So at any given time 19 there is a minimum of two of us St. Louis County crime scene detectives on duty, 24 hours a day. 20 21 When you receive a call to go to a crime 22 scene, you get your stuff, go, and you drive your 23 van to the crime scene; is that right? 24 Yes, ma'am. Α

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Now, typically when you arrive at a crime

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- 1 scene, what's the first thing you do?
- 2 **A** First thing I would do is contact either
- 3 the person in charge of the scene or an officer that
- 4 knows what's going on. They would typically give me
- 5 a rundown what they know at that time and walk me
- 6 through the scene to show me, again, what they know,
- 7 what occurred and where it occurred.
- 8 Q And so it's, you are not the first officer
- 9 arriving at a crime scene, other officers are always
- 10 there before you; is that right?
- 11 A Correct, yes, ma'am.
- 12 **Q** And so you talk with them about what they
- 13 know, what they might have already found, correct?
- 14 **A** Yes.
- Okay. Um, and so after you get that
- 16 information, is that necessary for you to then
- 17 decide what you are going to document, what you are
- 18 going to search for and so forth?
- 19 **A** Yes, it helps greatly knowing what they
- 20 know and then I can take my time and start digging
- 21 further into finding evidence and stuff like that.
- 22 But knowing what they know prior to my arrival helps
- 23 me establish a starting point for my investigation.
- 24 And I would imagine every crime scene is
- 25 going to be unique, correct?

- 1 A Every one.
- 2 **Q** And whether it is a shooting or a burglary
- 3 or sexual assault, those are all different crime
- 4 scenes, correct?
- 5 A Yes, ma'am.
- 6 Q So after you have spoken with the officers
- 7 there and gotten some information, what's the next
- 8 thing you typically do?
- 9 A I would walk through the scene with them,
- 10 they typically would point out evidence that they've
- 11 already found or stuff that may have obvious to
- 12 them, stuff that other witnesses or victims may have
- 13 shown them already. From that point, for homicide
- 14 scenes and other death investigation scenes, the
- 15 first thing that we would do is videotape a
- 16 walk-through from my own perspective. Not with
- 17 anyone narrating it or with anyone particularly in
- 18 front of the camera, it would typically be just my
- 19 point of view walking through the scene from what I
- 20 know from that initial contact with the officer.
- 21 **Q** And in these cases given that other
- 22 officers are already there before you, is it usual
- 23 that whatever they have determined the scene to be
- 24 has been taped off with police tape, that yellow
- 25 tape that keeps people out of the scene?

- 1 A Yes, ma'am, generally that's the case.
- 2 Oftentimes through the course of an investigation we
- 3 may find something, obviously, that's outside the
- 4 crime scene tape initially, but typically the crime
- 5 scene tape is already up, a scene has been
- 6 established for us and then we start our
- 7 investigation.
- 8 Q And I would imagine that, you know, what
- 9 you were hoping for is to have a crime scene that is
- 10 undisturbed, uncontaminated by anyone from the
- 11 outside who is not involved in the incident itself,
- 12 would that be fair to say?
- 13 A In an ideal world, yes, that would be
- 14 perfect.
- 15 Does it occur that there is contamination
- of a scene either because of police officers being
- 17 there, other pedestrians being there, emergency
- 18 personnel, first responders being there?
- 19 A Yes, absolutely, that's one of the tenets
- 20 of crime scene work. That's a theory that anyone or
- 21 any person that comes in contact with a crime scene
- 22 you can either take something away, but you will
- 23 always leave something there, be it footprint,
- 24 steps, anything.
- 25 And so after you have done your video

- 1 walk-through then, what's the next thing that you
- 2 do?
- 3 A The next thing we do is after we capture
- 4 video, we take overall scene photographs. And
- 5 again, it is photographs from my perspective of what
- 6 is in place when I show up.
- 7 If there is a police car that's shown
- 8 up or crime scene tape, everything is left in place
- 9 from when I get there and I take my overall
- 10 photographs from what is in place when I get there.
- 11 There is no way I can photograph stuff that happened
- 12 before I get there or try to guess what it looked
- 13 like before, so the photographs that I take from the
- 14 crime scene are actually what I see when I show up.
- So it would be against protocol to try to
- 16 rearrange things so that they were the way somebody
- 17 thought they were before you arrived?
- 18 **A** Yes, ma'am, correct.
- there and you then go through it, photograph
- 21 everything as you see it; is that right?
- 22 **A** Yes.
- 23 **Q** And then after you have completed
- 24 photographing a scene, what do you do next?
- 25 A Once we do the overall photos, we would

- 1 typically walk through and place down our number of
- 2 placards to mark the known piece of evidence that we
- 3 have recognized or determined at that point.
- 4 After that, we'll start photographing
- 5 those pieces of evidence individually and then once
- 6 those things are documented, we'll then start moving
- 7 things, looking for more pieces of evidence. We
- 8 always want to be able to show stuff that was in
- 9 place, how you would normally just walk in and see,
- 10 there is always going to be hidden pieces of
- 11 evidence that we need to move, either a car, you
- 12 know, a couch, move cushions on stuff and start
- 13 looking for additional pieces of evidence.
- 14 And then we just restart the same
- 15 process. Photographing it where we found it,
- 16 putting a placard in place where we found it and
- 17 then collecting it.
- 18 **Q** And then when you collect evidence after
- 19 you photograph that evidence, you referenced a
- 20 placard, is that, explain for the jurors what a
- 21 placard is?
- 22 **A** A placard, I'm sure you have all seen
- 23 them, they come in various shapes and colors. There
- 24 is typically a hard plastic, for lack of a better
- 25 term, with a number on it. And the only purpose

- 1 that it truly serves is for primarily me to
- 2 recognize a photograph, what number of evidence that
- 3 I'm picking up.
- 4 Any given scene shell casing or a
- 5 blood drop somewhere. If you find a picture of this
- 6 shell casing 100 pictures later of a separate shell
- 7 casing, it would be nearly impossible for you to
- 8 determine which was number one and which was number
- 9 200.
- 10 So a numbered placard is just a
- 11 reference for my report writing and my evidence
- 12 collection of what I've just took a picture of and I
- 13 can reference that in my evidence.
- 14 **Q** So after you have placed your placard and
- 15 photograph the evidence items with their placards,
- 16 you begin collecting pieces of evidence, correct?
- 17 A Yes, ma'am.
- 18 \mathbf{Q} And you always have with you in your van
- 19 envelopes, plastic bags, swabs, all kind of things
- 20 that you might need in order to properly package
- 21 pieces of evidence?
- 22 A Yes, ma'am.
- 23 **Q** And you do that personally yourself?
- 24 **A** I do. Typically in larger scenes there is
- 25 always two of us there. One is keeping notes, one

- 1 is getting the piece of equipment for someone else.
- 2 We are working together doing that, but yes, we all
- 3 do pick up our own evidence and place it in
- 4 individual bags and envelopes.
- 5 Q So if it is a particularly large scene, it
- 6 is more than one crime scene detective present at
- 7 the scene. Is there one of you that takes over that
- 8 that is your scene?
- 9 A Correct, yes, ma'am.
- 10 **Q** And so the other detectives that are there
- 11 are assisting you?
- 12 **A** Correct.
- 13 **Q** So when you package evidence, do you mark
- 14 the packages or envelopes or bags with your own
- 15 handwriting and your notes denoting what it is
- 16 inside and where?
- 17 **A** As far as the labeling on front of the
- 18 various different envelopes that we have. One
- 19 person may write that. The one thing if it is your
- 20 case, in particular the Ferguson case was mine, some
- 21 envelopes I filled out the front information, but on
- 22 every envelope we seal it with a piece of evidence
- 23 tape so it is closed and that is my initials and DSN
- 24 on the back of every evidence seal.
- 25 **Q** Each individual piece of evidence would be

- 1 packaged separately, is that protocol?
- 2 **A** Yes.
- 3 Q So after you have filled out the evidence
- 4 envelope and sealed it with tape and placed your
- 5 initials and DSN on the envelope, do you prepare an
- 6 evidence sheet?
- 7 **A** Yes.
- 8 **Q** A receipt?
- 9 A Every piece of evidence has a paper trail,
- 10 it has a receipt that denotes not only what the
- 11 evidence item is, where it was found, but it also
- 12 goes to a different part of our crime lab and/or
- 13 property control. Our crime lab has three or four
- 14 different wings to it, be it firearms lab, the
- 15 chemistry lab, the DNA lab, any piece of evidence
- 16 that goes to any part of those labs has to have its
- 17 own individual receipt.
- 18 **Q** So this receipt that is with this packaged
- 19 evidence stays with that item; is that right?
- 20 **A** Yes, not only is the evidence receipt, but
- 21 also serves as the chain of custody but everyone
- 22 that picks that item up has to sign off on it as the
- 23 chain of custody.
- 24 \mathbf{Q} And it is not unusual for items that you
- 25 may have collected to go through a number of

- 1 different hands to get to its final destination,
- 2 whether it be the lab, whether it be the fingerprint
- 3 section, whether it be the medical examiner's office
- 4 and so forth, several people may have handled this
- 5 package, is that fair to say?
- 6 A Yes, ma'am.
- 8 package?
- 9 **A** Yes.
- 10 **Q** And then when they give it to somebody
- 11 else, they have to sign that they gave it, and the
- 12 person they gave it to then signs?
- 13 **A** Yes.
- 14 And until the evidence reaches a
- 15 destination where it is going to be examined or
- 16 tested, does anyone open that package while they're
- 17 handling it?
- 18 **A** No.
- 19 **Q** Would you agree that it is the general
- 20 policy of whether it is the St. Louis County Crime
- 21 Lab or any other place, that if they were eventually
- 22 to receive one of your evidence envelopes and the
- 23 envelope tape has been torn or tampered with or in
- 24 any way changed from when you initially sealed that
- 25 envelope, do they notify you?

- 1 A Typically. For instance, if I, when I
- 2 package a piece of evidence, I would put it into our
- 3 vault, especially if it is overnight. Typically
- 4 these things happen at night or when the crime lab
- 5 is closed. Whoever takes that piece of evidence out
- of the vault or in the lab, they are going to open
- 7 it.
- 8 So they will cut my evidence tape.
- 9 When they're done with it and seal it back up, they
- 10 put a piece tape over top of it.
- 11 Q Let me stop you, you are talking about a
- 12 vault that's at the lab?
- 13 A Yes, ma'am.
- 14 **o** So that's after the evidence has arrived
- 15 at the lab?
- 16 A Correct.
- 17 **Q** But the people that may handle it before
- 18 it gets to the lab aren't to open that evidence,
- 19 correct?
- 20 **A** No, typically I would be the only person
- 21 that would handle that before it gets to the lab.
- 22 Q Okay. So once it is at the lab and you
- 23 said sometimes if it is overnight, they have an
- 24 overnight vault?
- 25 A Yes, ma'am.

- 1 Q You can drop evidence in?
- 2 A Correct.
- 3 Q And so you know no one else from the
- 4 outside except the lab people are going to be able
- 5 to get to that?
- A Actually, myself, not myself, but crime
- 7 scene detectives and our property control director
- 8 are the only people that have access to it.
- 9 So once the lab people come in, they have
- 10 one of you guys have to open the vault for them to
- 11 get the evidence out?
- 12 A Yes, ma'am.
- 13 Q And then, of course, if they have to
- 14 examine it for whatever testing or examination they
- 15 are going to do, that's when the first time this
- 16 evidence envelope is opened?
- 17 **A** Yes. If at any time there is a problem
- 18 with the receipt, be it if you missed a signature on
- 19 a receipt or if you have 30 envelopes of evidence
- and one of them does not have the seal on it, you'll
- 21 get a call, a page, an email, they won't touch
- 22 anything until you respond back down there to fix it
- 23 before they will accept it as evidence.
- 24 **Q** So the lab is charged with the duty of
- 25 checking the chain of custody making sure that is

Page 34 1 all copesetic? 2 Yes. Α 3 Making sure the envelope is sealed and has 4 not been tampered with? 5 Α Yes, ma'am. 6 And then after you have delivered your 0 7 evidence items to wherever they're going to go, the 8 lab, property control, and property control for the 9 sake of explaining to the jurors, what is property 10 control? 11 Property control, obviously, the name A 12 explains a lot, they control the property. But they primarily take pieces of evidence that are not going 13 to be tested by the forensic lab and fingerprints 14 15 for that matter. 16 If it is a recovered stolen bicycle 17 from the back of someone's yard, that's not going to go to our lab for DNA testing, that's going to sit 18 19 in property. 20 It is what we would think of as an 21 evidence room? 22 Exactly, yes. Α 23 So after you have delivered the items of evidence to wherever you are going to send them to 24 25 and let me ask you this, at some point there is

- 1 another officer who is in charge of the
- 2 investigation, would that be fair to say?
- 3 **A** Yes.
- 4 Q And do you also take instruction from that
- 5 officer on various parts of what you're doing?
- A I'm assuming you are referring to like a
- 7 detective that's doing the lead part of the
- 8 investigation.
- 9 **Q** Right.
- 10 **A** They are oftentimes given more
- information, especially throughout the course of an
- 12 investigation than what we would typically have at
- 13 the scene. They are initially outside interviewing
- 14 witnesses and other people, be it even a suspect
- 15 and/or victim.
- 16 At times what they will do because
- 17 I'm given basic information when I show up to the
- 18 scene, I'm typically not privy to the ongoing active
- 19 investigation.
- 20 So other detectives, be it homicide
- 21 detectives or anybody else would come into the scene
- 22 and go hey, we just found out this. Can you look
- 23 for this.
- 24 And then I may have a piece of
- 25 evidence that I already collected that I deemed

- 1 important to the case, or I assumed it might have
- 2 something to do with it, and I would think to send
- 3 it to the DNA lab.
- Well, they may find out something and
- 5 say can you go ahead and send that to firearms first
- 6 before it goes to DNA, can you send this to
- 7 fingerprints before going to DNA or vice versa.
- 8 So they come in and ask certain
- 9 things or ask that things be sent or certain things
- 10 be collected that I may not have known about
- 11 initially.
- 2 So, for example, while you are on the
- 13 scene, a detective may come up and say, hey, the guy
- 14 just told us he threw the knife in the sewer, now he
- 15 is going to cause you to go look in the sewer to see
- 16 if you can find the knife?
- 17 A Yes, ma'am.
- 18 **Q** After you delivered all your items of
- 19 evidence, then do you make a report?
- 20 **A** I do.
- 21 **Q** And your report is documenting what,
- 22 everything you have done at the crime scene; is that
- 23 correct?
- 24 **A** My reports are not narrative filled, like
- 25 typically police report it is basically an inventory

Page 37 1 It is three sections or sometimes four, 2 depending on what I do at different scenes. first section is an inventory of the photographs 3 that I took and what they show. 4 5 The second section if I took latent 6 fingerprints or developed prints, I would list where 7 I found each print, the third section is just a list 8 of the evidence I collected and where it was 9 collected, what the evidence item is and where it 10 was collected and the fourth list, the fourth 11 section would be if I took video or did diagrams of 12 the scene, which is me listing those things as 13 pieces of evidence. 14 Okay. And so lets get to the 15 investigation that occurred at the scene of the 16 shooting of Michael Brown. And so you were on duty 17 on August 9th of 2014; is that right? 18 Α Yes, ma'am. 19 And about what time did you receive a call 20 that you were needed to respond to the scene? 21 Shortly after 1:00 p.m. Α 22 And where were you when you got that call? Q 23 Α I was actually northbound on I-270 around 24 Highway 40.

So how long did you go directly to the

Q

25

- 1 scene?
- 2 A Um, I switched my radio over to the muni
- 3 north radio, which dispatches for the Ferguson area,
- 4 not for Ferguson, but for the munis in that area.
- 5 And I heard several reports of gunshots being fired
- 6 near the crime scene, so I stopped and put my vest
- 7 on.
- 8 Q Okay. What was the call involved in the
- 9 shooting, what information were you given when you
- 10 first got the call?
- 11 **A** I was told that it was an officer involved
- 12 shooting with a Ferguson officer and Ferguson had
- 13 requested St. Louis County Crime Scene to respond.
- 14 **Q** So this incident happened within the city
- 15 limits of the municipality of Ferguson, correct?
- 16 A Yes, ma'am.
- 17 **Q** And typically that would not be a
- 18 jurisdiction that you would investigate in, they
- 19 would have their own police department, correct?
- 20 **A** They do. They handle burglaries and stuff
- 21 like that. We typically do not go in there for
- 22 property crimes.
- 23 **Q** But in this case being an officer involved
- 24 shooting, was it unusual for a municipality to reach
- 25 out to the County and ask for their assistance or

- 1 ask them to take over the investigation?
- 2 A No, ma'am. We handle those type of calls
- 3 for any municipality that ask. We also handle those
- 4 calls for any department that uses the Major Case
- 5 Squad.
- 6 Q So when you said that you, on your way,
- 7 heard on the municipal radio channels that there
- 8 were shots fired, are you talking about shots that
- 9 were being fired after the officer involved shooting
- 10 occurred?
- 11 A Correct.
- 12 **Q** So that caused you to decide to stop and
- 13 put on your Kevlar vest?
- 14 A Yes, ma'am. I stopped almost immediately,
- once I got it put on, I drove directly to the scene.
- 16 And so what was the location of the scene?
- 17 **A** I was given the address Canfield.
- 18 **Q** So how is it that from where you were
- 19 driving you eventually travel onto West Florissant;
- 20 is that correct?
- 21 **A** Yes, that's the round I took.
- 22 And then from West Florissant you turn
- 23 onto what street to get?
- 24 **A** You can turn directly onto Canfield and
- 25 West Florissant.

	Page 40
1	Q So from West Florissant when you turn into
2	Canfield, that's a residential area, isn't it?
3	A Yes.
4	Q And after you travel some distance, not
5	terribly far, you reach an apartment complex,
6	correct?
7	A Yes, ma'am.
8	Q What's the name of that apartment complex?
9	A I honestly can't tell you. I would just
10	assume it was the name Canfield apartment complex.
11	Q So when you arrived, turned onto Canfield,
12	did you notice a crowd?
13	A Immediately. The distance from West
14	Florissant to the scene, if I can recollect, is
15	probably less than half a mile. And it is a
16	residential street, all the houses have driveways, I
17	have been on that street before. There is typically
18	not a bunch of cars parked on the side streets and
19	stuff like that, but as soon as I turned onto
20	Canfield, I encountered traffic basically at a
21	standstill.
22	There was some officers that were
23	directing traffic near the first cross street
24	because people were pulling in, being told they
25	can't drive through, trying to turn around and it

		Page 41
. 1	was a lit	ttle bit of a mess when I showed up.
2	Q	Were there also a number of first
3	responder	rs there?
4	A	Several.
5	Q	Police cars?
6	A	Yes, ma'am.
7	Q	Ambulances or were they already gone?
8	A	I can't testify to that. I don't remember
9	if they w	were there or not. I know there were
10	several p	police cars and hundreds of pedestrians.
11	Q	Hundreds of pedestrians outside of the
12	police?	
13	A	Yes, ma'am.
14	Q	This is in the middle of day, correct?
15	A	Yes, ma'am.
16	Q	Daylight hours?
17	A	Yes, ma'am.
18	Q	Was it raining?
19	A	Sunny, nice weather.
20	Q	So after you made your way through that
21	initial o	crowd, did you arrive at an area that was
22	taped off	and you determined to be the scene of the
23	crime?	
24	A	Yes, ma'am.
25	Q	And so, what is it that you first did when

- 1 you arrived?
- 2 **A** I first sought out whoever it was in
- 3 charge. I saw some other officers and sergeants
- 4 from my own department and I obviously made my way
- 5 over to a group of people that were talking. They
- 6 were expecting me and I just asked, simply asked can
- 7 you tell me what's going on.
- 9 people, you talking about police officers?
- 10 A Yes, ma'am.
- 11 **Q** You didn't talk to any witnesses?
- 12 **A** No, ma'am.
- Or anybody in the crowd?
- 14 **A** No.
- 15 And so what did the officers tell you?
- 16 **A** They told me that they had an officer
- involved shooting. They were pretty brief with me
- 18 initially stating that the officers car is down
- 19 there and at the other end of the street is the
- 20 victim.
- 21 **Q** When you, now, the initial call that came
- 22 out for this, do you recall was this, how is this
- 23 determined initially?
- 24 **A** I was told officer involved shooting, that
- 25 would be the typical term they would use when

- 1 talking to me on the phone.
- 2 Now, several of the items that you have
- 3 packaged and also marked, you write or have
- 4 indicated assault on LEO?
- 5 A Correct.
- 6 What does that mean?
- 7 A At my point in the investigation it is
- 8 obviously right when everything starts and charges,
- 9 determinations, names assigned to things aren't
- 10 necessarily set in stone. So during my initial
- 11 investigation, we are investigating an assault on a
- 12 law enforcement officer.
- 13 **Q** Were you told when you initially arrived
- 14 at the scene that there was some type of altercation
- 15 involving an officer and the deceased?
- 16 A Yes, ma'am.
- 17 **Q** And was that described as an assault?
- 18 A Correct.
- 19 **Q** So when you began this investigation, you
- 20 were characterizing this as an assault of a law
- 21 enforcement officer, correct?
- 22 **A** Yes.
- 23 **Q** Is that in any way meant to be your
- 24 opinion of what happened or who was a victim in this
- 25 case?

- 1 A No, ma'am. Any time I'm involved in an
- 2 officer involved shooting, be it a fatal one or
- 3 nonfatal, it is always during my initial
- 4 investigation listed as an assault on law
- 5 enforcement.
- 6 Q And so on various evidence items that you
- 7 package on these sheets, you list a victim name?
- 8 A Correct.
- 9 And when you began this investigation, who
- 10 was your victim name on these packages?
- 11 **A** Officer Wilson.
- 12 **Q** That would be the Ferguson officer?
- 13 A Yes, ma'am.
- 14 Q Again, is that in any way supposed to be
- 15 some kind of comment on whether you think who was
- 16 the victim of this incident?
- 17 A No, ma'am. That's how, when we list
- 18 assault on law enforcement, he was the victim of the
- 19 assault that we were initially investigating.
- 20 Q Okay. So did you immediately learn the
- 21 identity of the deceased?
- 22 **A** We had a preliminary ID. There was no
- 23 form of positive investigation when I started my
- 24 investigation.
- 25 Q Okay. And so after having talked to the

- 1 officers about what happened, what's the first thing
- 2 you did in this case?
- 3 A One of the sergeants with Ferguson give me
- 4 a brief walk-through to start my investigation so I
- 5 can have a logical starting point from where I would
- 6 start my video, photographs and looking for
- 7 evidence.
- 9 crime scene is that correct?
- 10 A Yes, ma'am that's the last thing we do
- 11 before we leave.
- 12 **Q** So given that it is the last thing, but
- 13 I'm going to use it initially as one of my first
- 14 things to help the jurors understand what is going
- on, but as I turn off of, as you enter the apartment
- 16 complex and at the point where the crime scene is,
- 17 Canfield is basically a straight street, correct?
- 18 **A** Yes, ma'am. Where this entire scene
- 19 occurred is a straight stretch of road.
- 20 And is it a paved road?
- 21 **A** Yes.
- 22 **Q** Is it marked with any paint or lane
- 23 parkers?
- 24 **A** It has a center lane marker, yes.
- 25 **Q** And is that a double yellow line?

		Page 46
1	A	Yes, ma'am.
2	Q	And is this a street where there's a
3	single la	ne of traffic that proceeds in opposite
4	direction	s?
5	A	Correct.
6	Q	And Canfield is a street that goes east
7	and west?	
8	A	Yes, at that point.
9	Q	Okay. It is a curvy street?
10	A	Yes.
11	Q	But at the point where your crime scene
12	was, it i	s straight and it pretty much is an east to
13	west stre	et?
14	A	Yes, ma'am.
15	Q	And when you started your walk-through
16	with the	Ferguson officer, did he direct your
17	attention	to Officer Wilson's vehicle?
18	A	Yes.
19	Q	And where, in relation to the deceased
20	body, was	the vehicle, was it
21	A	The west end of the crime scene.
22	Q	Okay. And then further east down Canfield
23	then was	the deceased?
24	A	Correct.
25	Q	And so when you began your walk-through,

```
Page 47
 1
     did you start on, what end of this crime scene did
 2
     you start at?
 3
          Α
               Everyone that I spoke with, the Ferguson
 4
     officers and my own department, we were on the east
 5
     end of the crime scene near the victim or the
 6
     deceased as it were.
 7
               Yeah, because I don't want to get confused
          Q
 8
     using the term victim because some of your things
 9
     are --
10
               Yes, ma'am, they are.
          Α
               Marked victim is Officer Wilson. So let's
11
          0
12
     talk about deceased or Michael Brown in that term.
13
          Α
               Okay.
14
               And then any officer, the Ferguson officer
     by his name, okay?
15
16
          Α
               Okay.
17
               If everybody doesn't know as of yet, the
     officer that was identified to you as being involved
18
19
     in this shooting was Darren Wilson; is that correct?
20
               Correct.
          Α
21
          Q
22
23
24
25
          Α
               Okay.
```

Page 48 1 So the vehicle was on the west end of the crime scene, Michael Brown's body was on the east 2 end of the crime scene? 3 4 Α Yes. 5 So when you began your initial Q 6 walk-through, you started where the body was? 7 Yes, ma'am. Α 8 0 Are you videotaping at this point? 9 No, ma'am. Α 10 When you are doing the walk-through then, 11 did you notice that there were already items of apparent evidence or things of interest that had 12 13 already been marked? 14 Yes, ma'am. There are a lot of times A classes that are offered at their own police 15 16 academy, basically road officers responding to 17 homicide scenes. 18 It is not only training, a lot of 19 times kind of fall backs on common sense. 20 is something, be it a shell casing or piece of 21 clothing that you know is part of evidence or 22 evidentiary value, most anyone will typically mark 23 that, be it with a piece of crime scene tape or traffic cones, they will set stuff near items just 24 25 so one, it is marked and they know where it is at.

Page 49 1 Two, so someone doesn't accidently step on it or 2 kick it or move it. So did you notice that there were a number 3 4 of traffic cones that were already in this scene? 5 Α Yes, as part of the walk-through they 6 would say that cone over there is marking what we 7 think is a projectile or that traffic cone is 8 marking a shell casing and they would just point 9 things out to me as we were walking through. 10 All right. And so after you did this 11 walk-through, did you walk the length of the crime 12 scene going then west and then returning east to 13 where the deceased was? 14 Yes, ma'am. Α 15 Q And also, just for the record, the street of Canfield at this point, are there sidewalks on 16 17 either side of the street? 18 Yes. Α 19 And there are apartment buildings, this is 20 a complex that has a number of apartment buildings, 21 correct? 22 Yes, ma'am. Α 23 Q And the apartment buildings have parking 24 lots? 25 Yeah. Α

- 1 \mathbf{Q} And there is entrances to the parking
- 2 lots, there are streets that are coming off of
- 3 Canfield, correct?
- 4 A Yes, ma'am.
- 5 Q So after you did your walk-through, what's
- 6 the next thing you did?
- 7 A Um, typically at that point we would go
- 8 back, my van was parked on the west end of the crime
- 9 scene just west of where Darren Wilson's vehicle was
- 10 at. We would go back there, I would prepare my
- 11 video camera, you know, get a new memory card put
- in, write some notes down and at that point
- 13 typically start my video walk-through of the scene.
- 14 **Q** Is that what you did in this case?
- 15 **A** No, ma'am.
- 16 **Q** Why not?
- A As far as the exact times, I couldn't tell
- 18 you, but during this time when we were heading back
- 19 to my car, another round of gunshots were fired and
- 20 extremely close proximity to the crime scene. There
- 21 was obviously a large crowd reacting to that as well
- 22 as a police reaction to it.
- 23 And the decision was made almost
- 24 immediately to kind of hold, make sure that our
- 25 crime scene is secured. I have to be able to

- 1 concentrate what I'm looking at and trying to
- 2 collect, versus trying to watch the crowd behind me
- 3 that's growing ever bigger and more angry by the
- 4 minute.
- 5 Q And so there was a break in your
- 6 investigation until you were comfortable that the
- 7 crime scene was secured; is that right?
- 8 A Yes, ma'am.
- or do anything else or touching in the crime scene
- 11 while you take that break?
- 12 A No, ma'am. All the manpower there was
- 13 utilized to try to secure the crime, just secure the
- 14 perimeter of the crime scene. We had officers
- 15 10 feet apart, 5 feet apart every inch of the crime
- 16 scene tape trying to keep people out of it.
- 17 **Q** These were county officers, were there
- 18 Ferguson officers?
- 19 A County officers, Ferguson officers, I
- 20 guarantee you there were other neighboring
- 21 municipality officers that were there.
- 22 Approximately if you had to guess, how
- 23 many police officers were on the scene?
- **A** 50, 50.
- 25 **Q** Is that unusual in your experience?

		Page 52
1	A	Very unusual.
2	Q	Had you ever had a scene like this before?
3	A	Never.
4	Q	And so after this break until you were
5	comfortal	ole about the crime scene was secure, did
6	you begir	n your video walk-through?
7	A	I did.
8	Q	And so are you the one who operates the
9	camera?	
10	A	Yes, ma'am.
11	Q	And do you shoot the video continuously
12	during yo	our walk-through or do you stop it at
13	certain p	points?
14	A	Once I start the actual scene video, I do
15	continue	one continuous video.
16	Q	Did you do that in this case?
17	A	Yes, ma'am.
18	Q	Now, you mentioned that typically as you
19	are going	g, is there audio on the video?
20	A	There is.
21	Q	You are not narrating anything?
22	A	No, ma'am.
23	Q	And so you can hear things in the
24	backgrour	nd, but you're not speaking on the video?
25	A	Correct.

- 1 Q Any other officers that are narrating
- 2 what's going on?
- 3 A No, ma'am.
- 4 Q And so after you did this video
- 5 walk-through, again, where did you start the video
- 6 walk-through?
- 7 **A** I believe if you want to look at the
- 8 picture of the crime scene as a rectangle, I started
- 9 at the southwest corner, moved east to northeast to
- 10 northwest in a counter clockwise motion.
- Okay. I'm going to hand you what we have
- 12 marked, and I want to make something clear on the
- 13 record, I believe the last time we met there was one
- 14 item that was marked as an evidentiary item, it was
- 15 a report for that witness. Just because to make it
- 16 clear, that was, I think, marked State's Exhibit 1,
- 17 which is typically what we do in cases. But because
- 18 this is a grand jury exhibit, we're going to use
- 19 different, call it something different.
- 20 So we will at some point re-mark that
- 21 report, which was State's Exhibit 1 and that will be
- 22 Grand Jury Exhibit 1. Okay, it is State's Exhibit,
- 23 it has the typical red sticker that has State's
- 24 Exhibit, but it will say GJ 1. We are going to mark
- 25 all of ours GJ and then a sequential number.

	Page 54
1	So I'm going to hand you what I have
2	marked as GJ 2.
3	(Grand Jury Exhibit 2 marked for
4	identification.)
5	Q (By Ms. Alizadeh) That's a two page
6	document. Do you recognize that?
7	A Yes, ma'am.
8	Q Is that your diagram of the crime scene?
9	A It is.
10	Q And that's the top page, correct?
11	A Yes.
12	Q And then the second page, what is that?
13	A Page two is a legend and it has
14	measurement details and starting points and
15	measurements.
16	Q Okay. And does this represent the crime
17	scene that you diagrammed on that day?
18	A Yes.
19	Q As I'm not offering a piece of evidence
20	like I would in trial, I'm just going to put it up
21	here for your benefit. And I'm going to have to
22	move this for a second. I'm also at this time going
23	to pass out copies of this diagram and the legend
24	that's attached to it. And as I said, if you would
25	just put your on it somewhere in the

l	
	Page 55
1	corner and try to avoid making any marks on it or
2	notes.
3	These numbers, these things are kind
4	of tiny, it might help if you can look at your own
5	version, your own copy.
6	Can you see okay from where you are
7	sitting?
8	A I cannot see the left-hand side of it.
9	Q Okay. If you would bring your chair,
10	maybe sit next to here. I don't want you to block
11	the view, I'm going to get out of the way too once I
12	get this situated.
13	As best I can show that, can
14	everybody see it? I'm going to move out of the way.
15	So I put GJ 2 up on a projector so it
16	is displayed on the wall. I have a laser pointer
17	and so do you, Detective
18	A Yes.
19	Q Can you describe, this is the street you
20	are talking about Canfield, correct?
21	A Yes, ma'am.
22	Q And we see a directional arrow at the
23	corner at the top right?
24	A Yes, indicating north.
25	Q Okay. And so if you were to drive in this

	Page 56
1	direction, you are going west?
2	A Correct.
3	Q Toward West Florissant?
4	A Yes, ma'am.
5	Q As you drive in this direction, you are
6	driving east, deeper into the apartment complex?
7	A Yes.
8	Q And it eventually comes out and goes?
9	A A subdivision, I think it goes into
10	another apartment complex and then into a
11	subdivision.
12	Q Okay. And so when you arrived, you have
13	listed or diagrammed here what is a vehicle?
14	A Yes, that is Darren Wilson's police car.
15	Q And then you also diagrammed what appears
16	to be a body?
17	A Yes, that is Michael Brown's body.
18	Q And then these boxes that are here that
19	have numbers, it says Canfield?
20	A Those are the two apartment buildings that
21	we used as reference points for areas that we
22	collected items of evidence. I can note out the
23	addresses on here, I have it listed and ,
24	from west to east. They are actually descending, so
25	both of these buildings, while they are one
1	

		Page 57
١	1	building, it contains two addresses.
	2	So the first address, this side off
	3	the left hand or west end would be , the east
	4	end would be . So it is descending from west to
	5	east.
	6	$oldsymbol{Q}$ Okay. So now what is this object here
	7	that you've drawn?
	8	A This is an entrance to a parking lot and
	9	this is actually kind of a grassy hill.
	10	Q So a vehicle could pull into this area
	11	here and enter a parking lot?
	12	A Yes, ma'am.
	13	Q And then what about this right here?
	14	A Same thing, this is a, this is an entrance
	15	to a parking lot for this building, this is an
	16	entrance to the parking lot for this building, and
	17	this right here is another entrance to a parking lot
	18	for a building.
	19	Q So where you've got an arrow points to
	20	Copper Creek Court, that is a driveway that enters a
	21	parking area?
	22	A Yes, ma'am.
	23	Q That residents would park?
	24	A Correct.
	25	Q And so when you are beginning to process
1		

- 1 your crime scene, you start, do you start by taking
- 2 measurements?
- 3 A No, measurements are the last thing that
- 4 we do.
- 5 Q Okay. And so in this particular case
- 6 after you completed the video walk-through, what do
- 7 you do next?
- 8 A Um, after we do the video walk-through, I
- 9 would take overall scene photos of exactly how the
- 10 scene is when you arrived before placing down
- 11 placards or anything that I would do to assist in my
- 12 investigation.
- 13 **Q** And so you take those photographs
- 14 yourself?
- 15 **A** I do.
- 16 **Q** And is that, do you use a department
- 17 issued digital camera to do that?
- 18 A Yes, ma'am.
- 19 **Q** Does that camera have a memory card?
- 20 A It does.
- 21 **Q** And after you take these photos, what do
- 22 you do with the memory card?
- 23 **A** The memory card is placed into a photo
- 24 envelope and then taken to our departments photo
- 25 lab.

- 1 Q Now, when you're processing the crime
- 2 scene and you are taking photographs, do you ever
- 3 delete a photograph like if you take it and you look
- 4 at it and you see that's blurry or doesn't show what
- 5 you wanted it to show?
- A No, ma'am. When the flash goes off, that
- 7 picture is what it is.
- 8 And so if you hit that shutter button 300
- 9 times, you have 300 pictures that you send to the
- 10 photo lab?
- 11 A Yes, ma'am.
- 12 **Q** Whether it comes out blurry or
- 13 unrecognizable, it is going to be printed, correct?
- 14 A Right.
- So after the photo lab, and then let me
- 16 ask you this, do you edit those photos in any way,
- do you on your camera, do you use color contrast or
- 18 do anything to edit the image that you are taking?
- 19 A No, ma'am, I do not.
- 20 And after that card then goes to the lab,
- 21 does the lab print up your photos?
- 22 **A** Yes.
- 23 **Q** Do they call you up and say hey, Matt,
- 24 photos are ready?
- 25 A For homicide scenes, part of our protocol

	Page 60
1	is we stamp each individual photo as an official
2	photograph, but yes, they download our photographs
3	from our memory card to their servers and then for
4	homicide scenes and other various scenes where stuff
5	is requested they print out 8 X 10s that we come
6	down and stamp.
7	(Deposition Exhibit Number 3
8	marked for identification.)
9	${f Q}$ (By Ms. Alizadeh) Okay. So I'm going to
10	hand you what I've marked as GJ 3, which is a yellow
11	envelope. Do you recognize your handwriting on
12	that?
13	A Yes, ma'am.
14	${f Q}$ And when you received that, did that
15	envelope contain photographs?
16	A I filled out this envelope and I put the
17	photographs in here.
18	${f Q}$ And the photographs that you put in there,
19	were they the photographs that you took on the scene
20	at Canfield that day?
21	A Yes, ma'am.
22	Q And you looked at each photograph
23	individually?
24	A I did.
25	Q And stamped them with your stamp?

- 1 A Correct.
- 2 And initialed them and number each one
- 3 individually, correct?
- 4 A Yes.
- 5 Q On the outside of that envelope, does it
- 6 say how many photographs you took?
- 7 **A** 161.
- 9 assure yourself that there are 161 photographs in
- 10 there?
- 11 A Yes, ma'am.
- 12 **Q** I'm going to remove these photographs.
- 13 And these photographs are not individually marked
- 14 with stickers. So I'm just going to hand you the
- 15 stack first and you had indicated that you put your
- 16 stamp on the back?
- 17 A Yes, ma'am.
- 18 \mathbf{Q} And typically write the number and your
- 19 initials, you didn't on that one?
- 20 **A** I didn't put the initial on that one.
- 21 Q Okay. Let's look at the first one and
- 22 this is depicting what?
- 23 **A** This would typically be your first and
- last picture and anything that's seen, it is crime
- 25 scene information board.

		Page 62
1	Q	And so I'm going to put this up there.
2	This has	the date, the complaint number, which is
3	what, wha	t's the complaint?
4	A	Complaint number is basically your report
5	number.	I particularly put the county complaint
6	number, w	hich is denoted by our municipal code,
7	which is	99, so our report number would be
8	99-14-439	84. The smaller number you see lower right
9	is Fergus	on's complaint number, their mini code is
10	33-14-123	91.
11	Q	The 99 is for county number?
12	A	That denotes county number.
13	Q	33 is Ferguson?
14	A	Yes.
15	Q	And 14 is 2014?
16	A	Correct.
17	Q	Whatever sequential number is the next one
18	up in the	hopper is the number you get?
19	A	Yes, ma'am.
20	Q	So you've indicated the incident assault
21	on LEO?	
22	A	Correct.
23	Q	And then detective DSN, that stands for?
24	A	Departmental serial number, which is slang
25	for badge	number.

	Page 63
1	Q Each officer has their own DSN?
2	A Yes, ma'am.
3	Q You are ?
4	A Correct.
5	Q Now, just so the jurors can see, I'm going
6	to turn this over and you said that you stamp each
7	photograph with your stamp and it says initial
8	photograph St. Louis County Police Department
9	Detective and your DSN, correct?
10	A Yes, ma'am.
11	Q And then it says badge number?
12	A Image number.
13	Q Image, okay, and then your initials?
14	A Correct.
15	Q So there you have written the number one?
16	A Yes.
17	${f Q}$ And neglected to put your initialed on
18	there?
19	A I did.
20	${f Q}$ But you recall taking this photo of the
21	placard, correct?
22	A Yes, ma'am.
23	Q Now, I want to draw your attention also
24	because this will become information later, there's
25	some printing on the back of this photo that looks

		Page 64
1	like it i	s computer generated?
2	A	Yes.
3	Q	I'm going to turn it around because it is
4	upside do	wn. Does this printing print out on each
5	photograp	h as it comes out of the printer at the
6	lab?	
7	A	It does.
8	Q	So it says on there SLCPD, that's St.
9	Louis Cou	nty Police Department, correct?
10	A	Yes, ma'am.
11	Q	And then it says DCS, and then there's a
12	four digi	t number?
13	A	Correct.
14	Q	And on this photograph it says 0001?
15	A	Yes, ma'am.
16	Q	And the one is circled, did you circle
17	that?	
18	A	I did.
19	Q	And then it says dot JPG?
20	A	Yes.
21	Q	And then it says 0001 again; is that
22	right?	
23	A	Yes.
24	Q	So the printing that appears on the back
25	of each p	hoto, does it sequentially number these as

- 1 0001 and then the next one in order would be 0002
- 2 and so forth?
- 3 A As far as the DSC number, that's the
- 4 number of the photograph on the file card. So this
- 5 picture is number one, the next picture would be
- 6 number two.
- 7 **Q** Okay.
- 8 A The second number that you see 0001, those
- 9 are not always going to be in sequential order for
- 10 this stack. Different things number, this one
- 11 printed up three separate copies. So while this
- 12 picture will always be number one, the next picture
- 13 may have number four or number eight, whatever
- 14 number that photo was print off.
- 15 If they printed up four photos of
- 16 that one, it would also be DSC1, the second set of
- 17 numbers could be 001 through 4, depending on which
- 18 number it was in the stack.
- 19 Q Okay. So the number that you circled,
- 20 which is the first number, that's what we are
- 21 talking about, this is your first photo?
- 22 A Yes, ma'am. There are several ways to
- 23 stamp the back of these. Some officers just use the
- 24 official photograph stamp and would just circle that
- 25 number as the image number.

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	Page 66
1	Q So when you went through each of these
2	photographs, did you check to make sure you had each
3	of the 161 photos in sequential order?
4	A Yes, ma'am.
5	${f Q}$ And then after determining that, you put
6	your initials typically and you write the number on
7	the photograph?
8	A Yes, ma'am.
9	Q Not every detective does that?
10	A No.
11	Q So we're just going do go through these.
12	That was Image Number 1, which was your placard that
13	you do at the beginning of every?
14	A And the first and last photographs.
15	Q Okay. So I'm going to put up here, I'm
16	not going to do this on everyone, but just to show
17	you guys there's the number two, correct?
18	A Yes.
19	Q And then again on this photo it has got
20	0002 on there?
21	A Yes.
22	Q This is the second picture you took,
23	correct?
24	A Yes, ma'am.
25	Q And after having looked at all of these
I	

- 1 photos, do you feel that these photos accurately
- 2 depicted the scene as you saw it that day?
- 3 A For the most part, yes, ma'am.
- 4 Q Okay. I want to make sure I get the whole
- 5 photo. There we go.
- And so in Image Number 2, can you
- 7 describe what is depicted there? And you can use
- 8 your pointer if you want.
- 9 A Okay.
- 10 **Q** I'm going to get out of the way.
- 11 **A** This would be the first photo that we took
- 12 after the initial walk-through and the walk-through
- 13 with the video. Some of the things that this video
- 14 shows overall number one, here is where my crime
- 15 scene van is parked. The traffic cones that you see
- 16 are things that were set in place prior to my
- 17 arrival.
- Different pieces of evidence,
- 19 Ferguson officers or anyone else officer wise that
- 20 were there that knew part of the story of the scene
- 21 would denote that, you know, just kind of make sure
- 22 hey, this is where this is at or make sure no one
- 23 steps on it or moves it.
- 24 **Q** Let me stop you here, Detective.
- 25 A Yes, ma'am.

- 1 Q I know some of you on the end may not be
- 2 able to see the entire image because of the way that
- 3 screen is recessed into the wall. So first of all,
- 4 these photos will all be available to you to handle
- 5 and look at at any time you want to see them, but if
- 6 you feel that you can't see, you want to move your
- 7 chair around here and again, if you are asking
- 8 questions, just state your juror number, it doesn't
- 9 matter if you are in order, just as long as you
- 10 state your juror number.
- 11 A So this perspective where I'm standing is
- 12 also where I started the video walk-through. It is
- 13 the southwest corner of the scene.
- 14 You can see this is Officer Wilson's
- 15 car, down here you can see another Ferguson vehicle
- 16 and another Ferguson vehicle down at the eastern
- 17 end. Those are cars that were there when I showed
- 18 up to start my investigation. So again, when I show
- 19 up, I try not to move anything because I photograph
- 20 how I come into a scene.
- 21 Those vehicles were not there at the
- 22 time of the incident, they were placed there by
- 23 Ferguson officers to help secure a crime scene and
- 24 to block views of Michael Brown's body.
- 25 **Q** So Michael Brown's body is in between

- 1 those two Ferguson police cars and those are SUVs,
- 2 correct?
- 3 A Yes, ma'am. And you can see the corner of
- 4 an orange body screen between the two cars, that is
- 5 something that I set up after my arrival to assist
- 6 in blocking views.
- 7 **Q** Why do you do that?
- A number of reasons one, privacy. Two,
- 9 seeing a dead body in the middle of the street is
- 10 often disturbing to a lot of people. It is out of
- 11 respect for the victim, out of respect for the
- 12 family, out of respect for everyone to just kind of
- 13 take away a visual sign of stress more than
- 14 anything.
- 15 You learned at some point that family
- 16 members of Michael Brown had arrived at the scene,
- 17 correct?
- 18 A Yes, ma'am.
- 19 **Q** Were they allowed to enter the crime
- 20 scene?
- 21 A Initially, no. I think towards the end,
- 22 not towards the end, but when the medical examiner
- 23 had arrived and were getting ready to move the body,
- 24 I believe Michael Brown's father, I think, but a
- 25 family member was allowed to step inside while we,

Page 70 1 the crime scene, while we removed his body as part 2 of the investigation. So keeping anyone out, including family 3 members, that's all because you want this crime 4 5 scene to be as pristine and undisturbed as possible, 6 correct? 7 That's our goal, yes. Α 8 0 And so at this point, about how long into 9 you being on the scene are we now? 10 If I arrived 1:15 or so, probably find the 11 time stamp on this photo, it is no less than an hour 12 after I arrived just because in between this photo 13 being taken and my arrival was when the gunshots were fired a second time close to the crime scene 14 15 and everything was put on hold. 16 Q Now, this shooting occurred at 17 approximately what time? 18 I think I was told 12:14, 12:15. 19 0 A little after noon? 20 Yes, ma'am. Α 21 And were you present when the body was Q 22 removed? 23 Α Yes. 24 And would it be fair to say that it was 0 25 almost four hours later before the body was removed?

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- 1 A Yes.
- 2 Q Is that unusual that a deceased person
- 3 would be left at the scene for that long of period
- 4 of time?
- 5 A No, ma'am, that is fairly common, almost
- 6 routine.
- 7 Q And in this case, you mentioned that there
- 8 were a number of times where everybody had to kind
- 9 of stop what they were doing because the scene was
- 10 becoming dangerous?
- 11 A Yes, ma'am. Not only do you have to take
- into the fact what we were dealing with at the scene
- 13 security and personal safety, but St. Louis County,
- 14 who was requested to the scene to investigate, we
- 15 were not notified until almost an hour afterwards.
- 16 If you look at the time of four hours as a whole, we
- only got there a little after 1:00 to start our
- 18 investigation.
- 19 Q Okay. So now in the photograph, I would
- 20 imagine it is fairly clear to everyone, this is the
- 21 driver's side of this vehicle, correct?
- 22 A Yes, ma'am.
- 23 **Q** And it is facing west, towards West
- 24 Florissant, correct?
- 25 **A** Correct.

	Page 72
1	Q If everyone can look at your diagram, you
2	diagram that as the vehicle, the rear left tire is
3	over the double yellow lines; is that right?
4	A Yes, ma'am.
5	Q Now, this tape that's wrapped around this
6	vehicle, did you put that tape on there?
7	A No, ma'am.
8	${f Q}$ All right. Would you have typically done
9	that?
10	A No.
11	Q So that was done before your arrival?
12	A Yes.
13	Q Okay. And so you left it there and that's
14	how you photographed it?
15	A Correct.
16	Q That's how it was when you got there?
17	A Yes.
18	Q And then these cones you talked about,
19	these were placed before you got there?
20	A Yes, ma'am.
21	${f Q}$ And during your walk-through with the
22	Ferguson officer as you said, would you say why
23	these cones were placed in various locations?
24	A Yes, ma'am.
25	Q If you all have a question about a

Page 73 1 particular photograph, rather than having to say can 2 we see that one again that had the blank, blank, blank, ask it now, probably make this go smoother. 3 4 Yes? 5 , this may be 6 answered later, I don't know. I just want to know why is the door closed, do we have any idea why the 7 8 door of the SUV was closed or was it reentered? 9 MS. ALIZADEH: That will probably be 10 This detective wasn't addressed by other people. present beforehand and as he had said, his statement 11 12 is this is how it was when he got there. So there 13 will be other witnesses who are going to be called 14 to testify being first on the scene, what they saw, whether they photographed anything, but that's the 15 16 way he observed it. 17 Any other questions about Image Number 2? 18 (By Ms. Alizadeh) Image Number 3, again, 19 it has got your three on there. Describe what that 20 image shows? 21 This is kind of, I moved slightly east Α 22 from the first viewpoint, and typically what I would 23 do when I'm photographing an overall scene photograph, I would stand in one spot and just pan 24 25 my camera taking this angle, I twist, this angle,

Page 74 1 twist, twist. So if you can picture laying four 2 pictures out side by side, you would get, in essence, a panoramic view of the scene. 3 And I would do this at this point, in 4 5 the middle of the side of street, at the other end, 6 go to the other side and just do the same thing. 7 is called bracketing photos. 8 0 Okay. And so this is just a slightly 9 different angle from the previous image. You see 10 your that's your van there? 11 Yes, ma'am. Α 12 Q On the left side of the image, correct? 13 Α Correct. 14 MS. ALIZADEH: Okay. Anyone have any questions about this? 15 16 Q (By Ms. Alizadeh) Image Number 4. 17 Again, this would be, the left side of this picture would be the tail end of Darren 18 19 Wilson's car, again, looking farther east. 20 Okay. Now, I think if you can see, this 21 is crime tape; is that right? 22 Α Yes, ma'am. 23 Police tape, and does it appear that there Q is police tape back there as well? 24 25 Yes, initially when we arrived, this first Α

- 1 piece of crime scene tape was the barrier to the
- 2 crime scene. After several people had torn down the
- 3 crime scene tape, run onto the scene, the gunshots
- 4 being fired, the crowd would run from this building
- 5 in particular from this side of the crime scene,
- 6 around this building, through the parking lot to
- 7 this side of the crime scene, depending on what was
- 8 happening.
- 9 We had an opening where the crowd had
- 10 run to the eastern end of the crime scene. So
- 11 several people moved or put up a new set of crime
- 12 scene tape farther back into the parking lot to try
- 13 to keep people farther away from the crime scene.
- 14 Q Okay. So that was done not because you
- 15 determined that somehow this area was now a part of
- 16 the crime scene, it was done to keep the crowd from
- 17 encroaching upon the crime scene?
- 18 A Yes, ma'am.
- 19 **Q** So there's no particular processing of
- 20 this scene, you didn't suddenly say I'm going to go
- 21 and photograph and walk around this area?
- 22 A No, ma'am. The only thing I think that we
- 23 did in that area was film a witness' perspective
- 24 with our video cameras and that is even farther back
- 25 from where that crime scene tape is set.

	Page 76
1	MS. ALIZADEH: Anyone have any questions
2	about this image?
3	Q (By Ms. Alizadeh) And this is image number
4	five. Can you describe for them what you're seeing,
5	what this image depicts?
6	A From this angle, I think you are going to
7	start to see that I am in the middle of what I would
8	deem the crime scene looking east on the south side,
9	I'm sorry, looking west from the south side of the
10	road, and I will start kind of a pan from my left to
11	my right.
12	Again, you can see Darren Wilson's
13	police car, the cone that had been set up, my crime
14	scene van and then I had mentioned before my crime
15	scene van was just inside the initial crime scene
16	tape. You can see a crowd of people gathering there
17	on top of this hill and, of course, you can see the
18	amount of vehicle traffic that is now blocking
19	Canfield.
20	Q Okay. So the first series of photos you
21	were closer to this area to where this police
22	officer is, and you walk down here and take another
23	series of bracketing photographs?
24	A Yes, ma'am.
25	MS. ALIZADEH: Any questions about that?

- 1 Q (By Ms. Alizadeh) Number 6.
- 2 A Similar image as before, I had just tilted
- 3 a little bit so now you can see Darren Wilson's car
- 4 is on the left side of the photo and I'm panning to
- 5 my right, or to the east.
- 6 **Q** Image Number 7?
- 7 A The center of the crime scene. I am
- 8 basically in the middle looking from south to the
- 9 north across Canfield.
- 10 MS. ALIZADEH: Any questions?
- 11 **Q** (By Ms. Alizadeh) Image Number 8. Can you
- 12 describe what you see in there?
- 13 A Same scene or same location, I've now
- 14 turned further to the east. This is, I believe this
- is Caddiefield, at the intersection of Canfield and
- 16 Caddiefield. A Ferguson police car, an SUV was not
- 17 described to me, was not there at the scene, it was
- 18 put in place to block the body.
- Where the white sheet is laying
- 20 between this police car and the orange body screens
- 21 is Michael Brown's body.
- I'm not sure what department vehicle
- 23 that is, again, it is a police SUV used to block
- 24 this street and to assist with security at the crime
- 25 scene.

	Page 78
1	Q So the two vehicles you see in this
2	picture as far as you know had nothing to do with
3	the incident?
4	A Yes, ma'am.
5	Q Image Number 9.
6	A Now, I'm now standing, if you get the
7	perspective, the Ferguson SUV that was in the middle
8	of the street is directly to my right now. I'm
9	looking back west on Canfield. This is Officer
10	Wilson's SUV.
11	MS. ALIZADEH: Any questions?
12	Q (By Ms. Alizadeh) Number 10?
13	A Same view, I've stepped into the street a
14	little farther this time. You can see this is the
15	back of the vehicle that was blocking Michael
16	Brown's body.
17	Q 11?
18	A Standing in the same place looking east.
19	I turned my camera to the north, that's the tail end
20	of the same vehicle that you saw in the previous
21	picture.
22	Q So this is looking north as you are
23	standing on Canfield?
24	A Correct.
25	Q And so Michael Brown's body would be

	Page 79
1	outside of the frame on the right?
2	A Yes, ma'am.
3	Q Image Number 12.
4	A I've now turned, same viewpoint looking to
5	the east. You can see the Ferguson police vehicle
6	blocking this end of the crime scene, several cones
7	that were placed out prior to my arrival marking
8	evidence that they had located. Under the sheet is
9	where Michael Brown's body is located. The sheet
10	was also placed there prior to my arrival.
11	The orange body screens are things
12	that I added to the scene when I arrived to assist
13	in our investigation.
14	Q From your perspective, the other Ferguson
15	vehicle that was blocking the scene was in this
16	direction; is that correct?
17	A Yes, ma'am, it would be over my left
18	shoulder.
19	Q That hasn't been removed from the scene?
20	A No, ma'am, it is still there.
21	Q Number 13.
22	A Same standard view, I've moved from the
23	street level back across the sidewalk to show a
24	wider perspective. Again you see, you get a better
25	look at the different cones were set up marking the

- 1 evidence around it.
- 3 Copper Creek Court on your diagram?
- 4 A Yes, ma'am.
- 5 Q So vehicles can drive up here and park
- 6 back here, right?
- 7 **A** Yes.
- 8 **Q** Number 14?
- 9 A Standing further east looking back west
- 10 you can see now that there is crime scene tape
- 11 between this, my viewpoint and Michael Brown, give
- 12 you a wider, overall perspective of the crime scene.
- 13 You are still looking west on Canfield
- 14 towards West Florissant?
- 15 A Yes, ma'am.
- So this vehicle, again, is not involved in
- 17 the crime scene, it is blocking?
- 18 A Correct. The vehicle that you see in the
- 19 far end of this photograph that's angled is Officer
- 20 Darren Wilson's car.
- 21 Q Now, in the image, what is this thing
- 22 right here on the ground?
- 23 **A** This is a sand weight that is used to
- 24 weigh down these body screens. They are made out of
- 25 extreme light PVC and cloth, so any type of breeze

- 1 would move them. You can see that there are several
- 2 weights holding down the feet of the body screens
- 3 that are up. This is one that was just left there
- 4 while we were there.
- 5 **Q** That is yours?
- 6 **A** It is.
- 8 A Correct.
- 9 **Q** Number 15?
- 10 **A** Same viewpoint. I think I just turned a
- 11 little bit to the north side again because in the
- 12 last picture, you could see Officer Darren Wilson's
- 13 car to the far end, I'm just panning to my right.
- 14 **Q** 16?
- 15 **A** I've now moved to the north side of the
- 16 street and I'm looking south. This is the car that
- 17 was used to block the view of the body, the body
- 18 screens that I assembled and set up. Again, the
- 19 body screen weight that was left at the scene,
- 20 Michael Brown's body is behind these screens, this
- 21 is Caddiefield that you can probably see in your
- 22 diagram, I think.
- 23 **Q** And now we see the crime scene tape along
- 24 here and running across here. These people back
- 25 here are just a part of the crowd that's gathered?

		Page 82
1	A	Yes, ma'am.
2	Q	Approximately how many people, if you had
3	to guess,	bystanders that were just there?
4	A	In that photograph?
5	Q	Just overall?
6	A	Altogether, 3 to 400.
7	Q	I'm going to show you Image Number 17.
8	A	Same viewpoint, on the north side of the
9	street lo	oking south. Again, the body screens and
10	then this	vehicle here is Darren Wilson's police
11	car.	
12	Q	Now, at any time during the time you were
13	processin	g the scene, did you feel that anybody,
14	whether i	t was a police officer or a citizen in any
15	way sugge	sted that you not perform your duties the
16	way you t	hought they should be performed?
17	A	No.
18	Q	Were you ever told don't photograph this
19	or in any	way did you feel that someone was trying
20	to influe	nce you to do something other than what you
21	felt you	would typically do?
22	A	No, ma'am, not at all.
23	Q	Looking at Number 18.
24	A	Same viewpoint, I've now turned almost
25	completel	y east. This is the vehicle blocking

	Page 83
1	Michael Brown's body. His body would be just to the
2	left out of frame and this is Darren Wilson's police
3	car.
4	: . I have a
5	question, are you by yourself as you are walking
6	around doing these photographs or anybody with you?
7	A During the video process of it, since it
8	is a continuous video, at this particular scene I
9	typically would have one person, another crime scene
10	detective that is assisting me walk with me,
11	basically with a hand on my shoulder making sure I
12	don't trip over something in a hallway or a street,
13	because I'm looking directly at that view finder so
14	I can get the perspective I want to.
15	This particular case there was, I was
16	running the video and I had three other crime scene,
17	two other detectives and my detective sergeant. One
18	was guiding me so I didn't trip or step on anything,
19	the other two to get the perspective for the video.
20	I had to get very close to the crowd. So the two
21	people that were assisting him were making sure the
22	crowd wasn't going to grab, push, throw, do
23	something to us.
24	Okay.
25	A Short answer no, I don't do videos by

- 1 myself, photographs I do, I do by myself.
- 2 Q (By Ms. Alizadeh) You make the
- 3 determination in what's being photographed, nobody
- 4 says take a picture of this, don't take a picture of
- 5 this?
- 6 A Correct.
- 7 **Q** They might point out?
- 8 A They can point out something that they
- 9 would like to have a photograph of as part of their
- 10 investigation. But never have I been told don't
- 11 photograph this.
- 12 **Q** Okay. Number 19?
- 13 A This is from the same view point as the
- 14 previous picture. We use 18 to 35 millimeter
- 15 lenses. I just zoomed in to the 35 millimeter to
- 16 show perspective of Darren Wilson's police car.
- 17 **o** Number 20?
- 18 **A** Yes. From the last perspective I have was
- 19 standing here looking almost directly east. I've
- 20 now moved to the center of the north side of
- 21 Canfield looking back east. Again, Caddiefield is,
- 22 that's the street sign for Copper Creek Court and
- 23 then Michael Brown's body.
- 24 So Darren Wilson's vehicle is down this
- 25 street to the right?

	Page 85
1	A Yes, ma'am.
2	Q And that's 21, I believe, let me look.
3	A Yes.
4	Q Yes, 21?
5	A Same perspective. I've now twisted to my
6	right. Caddiefield Court would be to your left.
7	You can no longer see the street sign just looking
8	to my right.
9	Q Number 22. You want to hand them to me?
10	A I can, I can probably put them up on this.
11	Q You want to do that?
12	A I can.
13	Q This is number?
14	A 22.
15	\mathbf{Q} 22. That will make it easier.
16	A Same perspective. The vehicle that was in
17	view in the previous photograph is partially cut
18	off. I'm panning farther to my right showing my
19	bracketed part of the scene. Any questions?
20	Photo Number 23. Same as before,
21	turning farther to my right. Now you can see
22	Darren's police car within the scene and the cones
23	marking different pieces of evidence.
24	Number 24. Almost the exact same
25	photo as before. I think I may have zoomed in to

- 1 show the area which we were looking at.
- Number 25. I didn't initial it. As
- 3 the perspective goes from the diagram, I'm now
- 4 standing on the northwest corner of the crime scene
- 5 looking east, Caddiefield is on your right, Copper
- 6 Creek Court is here on your left, and then the two
- 7 vehicles that were blocking Michael Brown's body.
- Number 26. Same perspective just,
- 9 turning to my right bracketing the photo.
- Number 27. Turning farther to my
- 11 right, you can no longer see the two vehicles that
- 12 were blocking the body and this is the center of
- 13 Canfield.
- 14 Number 28. I'm on the north side of
- 15 the road facing almost directly south in the middle
- of the crime scene. You can see on the right-hand
- 17 side of this photograph, the back end of Darren
- 18 Wilson's police car that has the crime scene tape
- 19 applied directly to it. The crime scene tape that
- 20 you see on the ground again from one of the earlier
- 21 photos, that was one of the crime scene tape
- 22 officially put after the crowd moved. They were
- 23 able to take that down and move that crime scene
- 24 perimeter back.
- Number 29. Panning to my right

- 1 further, the previous picture you could see the tail
- 2 end of the car. Here again is the police car in its
- 3 entirety and the tape had been torn down.
- 4 Number 30. I've now moved farther to
- 5 the west. Still on the north side of the street,
- 6 this is the front end of Darren Wilson's police car.
- 7 Q Now, let me stop you here. As a part of
- 8 the scene like this type of scene, if you had noted
- 9 or scene, for example, tire marks, whether they are
- 10 skid marks or marks in the grass indicating
- 11 possibly, you know, the travel of the vehicle, the
- 12 speed it was traveling and so forth, and you're not
- an accident reconstruction person, correct?
- A No, ma'am.
- 15 **Q** If you had seen tire tracks, like skid
- 16 marks around this vehicle, would you have documented
- 17 those?
- 18 **A** Yes, that would have been something that I
- 19 would have recognized as probably important to the
- 20 scene. No tire tracks of any sort, any skid marks
- 21 or I didn't notice any and none were brought to my
- 22 attention and I didn't document anything.
- 23 **Q** And in preparation for your testimony
- 24 today, did you and I look in these photographs and
- 25 did you look to see if you could see in those

Page 88 1 photographs? We did, yes. Α 3 Did you see any type of tire marks or skid Q 4 marks? 5 Α No, it was images that we looked at that had closer views of the tires on his police car that 6 7 were actually focused on pieces of evidence, and we 8 could not see any type of skid or tread mark 9 anywhere. 10 And those pictures are included in your Q 11 batch of pictures? 12 Α Yes, ma'am. 13 MS. WHIRLEY: Was it brought to your 14 attention, this is Sheila Whirley, was it brought to your attention that you should look for skid marks. 15 16 Α At the scene? 17 MS. WHIRLEY: Yes. 18 No, ma'am. A 19 MS. WHIRLEY: Okay. 20 Number 31. Same perspective where I had Α 21 moved, I could see in front of Darren Wilson's 22 police car. Now looking back farther to the east, 23 kind of bracketing photos from my right to my left 24 this time. 25 Number 32. Same perspective. Turned

- 1 from the northwest corner looking almost directly
- 2 east.
- 3 Number 33. Same perspective again,
- 4 18 to 35 millimeter lenses. I just zoomed in that
- 5 perspective to give you an idea what we were looking
- 6 at farther down the street.
- 7 Q (By Ms. Alizadeh) So you didn't actually
- 8 walk closer to that scene?
- 9 A No, ma'am. Just zoomed in from the
- 10 previous perspective.
- Number 34, the first group of
- 12 pictures were what we refer to as my overall photos
- 13 of everything. Now is when I would typically start
- 14 taking my individual photos of items of evidence.
- Okay. So can you describe what number is
- 16 this, 34?
- 17 **A** This is number 34, yes.
- 18 **Q** What is this picture and why you took it?
- 19 A Okay. As a procedural thing, if I'm going
- 20 to do my evidence in order, you can see now you will
- 21 see the yellow evidence tents are placed down
- 22 throughout the scene. In particular number one. In
- 23 a perfect world, you would take a photograph of
- 24 evidence number one, you move to number two, number
- 25 three just to keep everything in order and that's

- 1 the order that we find things. There is not
- 2 necessarily a rule or law that says the item that
- 3 you see first has to be number one and everything
- 4 has to go in order.
- 5 It could very well, for instance, in
- 6 this scene, if I marked number one and number three,
- 7 or that's number two there, I could mark 1 through
- 8 30 and then when we're getting ready to go find a
- 9 shell casing on the other side of number one and
- 10 have that be evidence item number 31. So it is not
- 11 necessarily in the physical space things are
- 12 numbered, they are numbered how we find them.
- 2 So during the first series of photographs
- 14 that we've seen and that was kind of your
- 15 walk-through of the scene?
- 16 A Yes, ma'am.
- 17 **Q** Did you take a break and then place
- 18 placards in areas or were those placards visible in
- 19 your earlier photographs?
- 20 **A** No, they are not visible in the overall
- 21 photographs. The overall photographs I take right
- 22 after the video is done to show an overall view in
- 23 pictures, not just video, of what the scene looks
- 24 like when I arrived.
- 25 **Q** So after you've got done with the overall

- 1 walk-through photographs.
- 2 A Yes, ma'am.
- 3 Q Is that when you then go through the scene
- 4 and put placards down?
- 5 A At that point I would walk through and
- 6 placard items that I know our evidence. Things that
- 7 are pointed out to me that were noted by the traffic
- 8 cones first responding officers put down that they
- 9 saw, and I would put my placards there on those
- 10 pieces of items.
- 11 During that time you may notice
- 12 another shell casing or something else and, of
- 13 course, we would placard that. Once those things
- 14 are placard, we start taking our overall photos and
- 15 close-up of each placard.
- 16 Q These items that have a placard, and I
- 17 think maybe you can see that that is number one
- 18 there, does that correspond with your diagram where
- 19 you have a number one with a circle on it?
- 20 A Yes, ma'am.
- 21 **Q** At this point after having documented
- 22 these placards and you said you took measurements at
- 23 a later time, those items that are numbered are
- 24 depicted on the diagram?
- 25 **A** Correct, on the diagram. All the little

1		
		Page 92
	1	bubbles you see, and that's not the best copy of it,
	2	but all the small circles that you see have a number
	3	inside of them denoting that item of evidence and
	4	its location at the scene.
	5	Q And then the legend that's attached to
	6	that diagram would tell you what number one is?
	7	A Correct.
	8	$oldsymbol{Q}$ Okay. And so number one here by the tire,
	9	of the front left tire of Darren Wilson's vehicle,
	10	what is that?
	11	A I don't have my list. I'm not sure, is it
	12	a bracelet?
	13	Q Here, is this yours?
	14	A It is a black and yellow bracelet.
	15	Q And then this thing right here, number
	16	two, what is that?
	17	A A red baseball cap.
	18	Q Number three?
	19	A A spent .40 caliber shell casing.
	20	MS. ALIZADEH: Any questions so far?
	21	: . Number
	22	five is another black bracelet?
	23	A Yes, ma'am.
	24	Thank you.
	25	A Okay.

	Page 93
1	:
2	A Yes, sir.
3	When you, I guess, put the
4	placards down.
5	A Correct.
6	Was there anything that
7	you found on your own or was everything already
8	marked?
9	A No, there were several items that I found
10	on my own afterwards.
11	•
12	A Yes.
13	You said that three and
14	four were .40 caliber spent casings, on the list it
15	says Federal, what is meant by Federal?
16	A Federal is a brand name. Federal is the
17	name of the brand that is actually stamped on the
18	tail end of the bullet.
19	Okay.
20	MS. ALIZADEH: Any others? Okay.
21	A Image 35.
22	MS. ALIZADEH: Any time you want to take a
23	break or stand up, feel free to do so.
24	A The previous image was kind of an overall
25	view of the several placards that you could see. So
1	

- 1 in the previous image you saw what I would term
- 2 overall view. This would be an intermediate view
- 3 kind of referencing where in space placard number
- 4 one is, you can still see the driver's front wheel
- 5 of that.
- Image 36. This would be the close-up
- 7 view of item number one. This is a hard plastic
- 8 placard that's number one, that has a scale printed
- 9 on it to show size. And that's the black and yellow
- 10 white bracelet.
- 11 Q (By Ms. Alizadeh) Now at this time, do you
- 12 know if that bracelet has anything to do with your
- 13 scene or the incident?
- 14 **A** No.
- You are photographing things, you're not
- 16 sure what involvement they may, they may have direct
- 17 relation to the incident, they may have no relation
- 18 to the incident?
- 19 A Correct.
- 20 Image 37.
- 21 **Q** Can you twist it?
- 22 **A** Yes. This would be the overall view that
- 23 I would show starting to zoom in on item number two,
- 24 again, giving reference in space how it is located
- 25 to Darren Wilson's vehicle.

	Page 95
1	MS. ALIZADEH: I will tell all of you that
2	when it comes time to you actually looking at the
3	photos, they are not as blurry as what you are
4	seeing up here.
5	A Thank you for clarifying that. I do take
6	better photographs than that.
7	Image 38. This would be the
8	intermediate view of evidence item number two.
9	Image 39. I think we spoke about
10	this yesterday, the evidence item placard number two
11	has an asphalt mark, tar mark in the middle of the
12	placard. Has nothing to do, this is showing
13	evidence item number two, just happened to be there
14	in the photograph.
15	Q (By Ms. Alizadeh) This thing here to the
16	right?
17	A That is the traffic cone that was in place
18	prior to my arrival marking the location of that
19	piece of evidence.
20	Q So you don't remove the traffic cones when
21	you are doing this?
22	A No, ma'am.
23	. Had that
24	traffic cone not been there, would have placed that
25	placard to the right side of the cap then?

	Page 96
1	A Probably.
2	Okay
3	A I try not to move anything when I'm
4	placing my placards.
5	Okay.
6	A Image Number 40. We were going towards, I
7	think that's item number three, again, my overall
8	view showing space where it is located on the
9	driver's side.
10	Image 41, intermediate view of item
11	number three.
12	Image 42, would be my close-up view
13	of item number three, which again is the spent .40
14	caliber Federal shell casing.
15	Q (By Ms. Alizadeh) Now, let me ask you a
16	question. I want to clear up something, some people
17	might perceive, are you in any way saying that that
18	was the third shot fired by giving that number
19	three?
20	A No, ma'am.
21	Q Are you able to determine when you are
22	collecting these shell casings in what order these
23	shell casings were fired out of a weapon?
24	A No, ma'am.
25	Q So each little shell casing doesn't come

	Page 97
1	with a number on it that you put in your magazine in
2	a numeric way?
3	A No, they do not.
4	Q It would help you if they did, correct?
5	A Tremendously so. These things, the
6	numbers, the placards in any of my photos and most
7	anyone they have nothing to do with the order in
8	which things were done during a crime. They are
9	specifically the order in which we found that piece
10	of evidence, and the number that's assigned to it is
11	just to help us determine which piece of evidence it
12	is. Has no other chronological significance.
13	Q So in your report you refer to that this
14	is evidence item number three in the envelope it is
15	packaged in, it is denoted as evidence item number
16	three?
17	A Yes, ma'am.
18	Q With a description?
19	A Correct.
20	Q So it keeps that number?
21	A Yes.
22	Q This shell casing that you photographed is
23	still number three, your evidence item number three?
24	A It is my evidence item number three.
25	Q Okay.

	Page 98
1	: I don't know
2	too much about guns and stuff like that, so from
3	that shell casing, where is the front of the bullet,
4	where is the back of the bullet, can you tell me
5	what direction it is facing?
6	MS. ALIZADEH: Let me clarify something
7	here. We will have ballistics people, let me ask
8	you detective, are you trained in firearms?
9	A Yes, I am a firearms instructor for our
10	police department.
11	$oldsymbol{Q}$ (By Ms. Alizadeh) So you feel that it is
12	within your expertise to talk about, this is called
13	a cartridge; is that right?
14	A Casing.
15	Q A casing. You are able to answer her
16	question, you feel comfortable doing that?
17	A Yes, ma'am, I can do that.
18	Q Okay.
19	A As far as the direction the bullet is
20	facing, I can't tell you, but as far as what you
21	would determine the front would be where the actual
22	bullet itself would come from, would be this hollow
23	end of the shell casing.
24	: You
25	talked a second about how that happens, how a

	Page 99
1	handgun goes through that process, how casings are
2	ejected, it doesn't happen every time they fire a
3	bullet. How far do you think they might travel,
4	anything about that for people that are not familiar
5	with that? You might want to address that.
6	MS. ALIZADEH: You know what, I would like
7	to talk about in answer to your question is his
8	familiarity with cartridges and shell casings and
9	projectiles and firing pins because he can testify
10	about that, but as far as like how they're ejected
11	from a particular gun, how far they travel, I
12	believe we had this conversation before today, you
13	feel that is outside of your area of expertise?
14	A Far outside.
15	MS. ALIZADEH: If you want to ask him
16	questions about how, what the components what we
17	normally think of is a bullet what are the
18	components, what happens to it when it is fired, I
19	think he can answer that.
20	Just to rephrase, one of
21	these casings is ejected every time this weapon is
22	fired, this particular weapon is fired, correct?
23	A If it functions properly, correct.
24	All right.
25	MS. ALIZADEH: Any other questions?

Page 100 1 Are we also to 2 expect all of these listings for a casing are from 3 Officer Wilson's gun at the time. 4 MS. ALIZADEH: We will have testimony that 5 will talked about their comparison. As you recall 6 he talked about taking items of evidence to the lab 7 and our laboratory has a ballistics section. 8 some point you will hear about the testing that they 9 did and they will refer to this as evidence item 10 three, but to make it even more confusing for you, 11 the lab will give it it's own number. It will be 12 like Q7 or something. 13 But there will always be paperwork to show 14 that this shell casing right there was picked up by 15 this officer and put in an envelope and it is 16 forever his evidence item number three. It might 17 have another lab number that the lab uses and then 18 someone who is going to testify about what they did 19 with this and what conclusions they draw from their 20 examination. 21 Okay, thank you. 22 Α This would be my overall view Image 43. 23 of evidence item number four, which is down here in the lower part of the photo. 24 25 (By Ms. Alizadeh) This is Darren Wilson's Q

- 1 vehicle?
- 2 A Correct, you can still see the placards
- 3 for one, two and three.
- 4 **Q** Okay.
- 5 **A** Image 44. In the previous image I was
- 6 standing on the southern side of the road looking
- 7 north, and you can see item number four.
- 8 What they typically will do again in
- 9 a perfect world is you always try to angle your
- 10 placards all facing the same direction. So if you
- 11 are standing in the middle of the road, you can see
- 12 the number of each one because they are basically a
- 13 triangle. And turned to the side you can't see what
- 14 number it is on.
- So in this photo all I did was turn
- or moved to my left a little bit so you can see the
- 17 front of the evidence placard.
- 18 \mathbf{Q} Can I ask you, and you can see it also in
- 19 Image Number 43, and you can kind of see it in this
- 20 image, but there is a thing that's down here that's
- 21 yellow?
- 22 **A** I believe that is actually a knotted up
- 23 piece of crime scene tape.
- 24 **Q** So that's not a placard?
- A No, ma'am, it is not a placard. I believe

- 1 initially that was laying down somewhere around here
- 2 near this item number four, which is another shell
- 3 casing. When and/or something moved or threw it
- 4 down on the sidewalk.
- 5 Q So that yellow thing right there has no,
- 6 as far as you know, no evidentiary value?
- 7 A Correct.
- 9 A No, ma'am.
- 10 **Q** Okay.
- 11 **A** Image 45. Close-up view of item number
- 12 four, another spent shell casing.
- Image 46. I've now moved over to the
- 14 northern side of the street and this is my overall
- 15 view of evidence item number five.
- Again, in a perfect world, the
- 17 attempt is made to photograph items of evidence in
- 18 the order that I find them.
- 19 Image 47. Intermediate view of
- 20 placard number five.
- Image 48. Clarify this as again
- 22 another intermediate view. You can still see part
- 23 of Darren Wilson's police car, be it that may be a
- 24 running board somewhere at the bottom of his
- 25 vehicle, again, placard number five.

- 1 Image 49. Close-up view of the
- 2 vehicle, the bottom of the vehicle can no longer be
- 3 seen. My evidence placard and then a black beaded
- 4 bracelet.
- 5 Image Number 50. This, looking at
- 6 the next photo, this is an overall view of evidence
- 7 item number eight, I think the last one we had was
- 8 number five. Again, the ideal world you can
- 9 photograph everything in sequential order. I
- 10 believe items number six and seven were farther down
- 11 the street. So at the time that this photo was
- 12 taken, I didn't want to move down the street and
- 13 then move back. Eight and nine were right in front
- 14 of the car.
- I stayed in this area to continue
- 16 with the photograph, this overall view. What we are
- 17 looking at here is a red stain on the driver's door.
- 18 Image 51. You can see this is what
- 19 we would use as a placard. There is some adhesive
- 20 removable stickers that are numbered one through
- 21 zero or one through nine and zero that we can make
- 22 combination of numbers. Obviously, this is
- 23 something that we would typically stick on a vehicle
- 24 or a window or something that we can't stick a
- 25 placard onto, just to number in our photographs as

Page 104 1 evidence item number eight. It is denoting a red 2 stain below that. 3 52, Image 52. This would be the 4 close-up view and again, it is not in focus with the 5 projector, but you can see that the placard number 6 eight is there, it has a small scale and items of 7 this nature. We would typically insert my own visual scale in the photo to show size and shape of 8 9 whichever item I'm photographing at that time. 10 Now, Detective all of these systems so far that you've testified about are all things 11 12 that you at some point picked up and put them in an 13 envelope and packaged them, correct? 14 Α Yes, ma'am. So this is a red stain that is on the side 15 Q 16 of a vehicle, correct? 17 Yes. Α 18 Did you seize that? Q 19 Α I did. 20 And how do you seize something like that? Q 21 This particular piece of evidence, we call Α 22 it a red stain, it was actually kind of, I don't 23 want to use the term fleshy, but it wasn't like a liquid. I was actually able to seize that with a 24 25 pair of tweezers.

	Page 105
1	${f Q}$ So that red thing just kind of peeled off
2	the car?
3	A It came off completely, yes.
4	${f Q}$ And you packaged that substance or
5	whatever it was?
6	A Yes, ma'am.
7	Q Was, in your experience with working with,
8	for example, you know, blood stains or blood
9	spatters, did it appear as if it was a blood droplet
10	or spatter?
11	A No.
12	Q So it was something else?
13	A Something else.
14	Q All right.
15	A Image 53. Overall view, what this is
16	looking at this is obviously, not obviously, still
17	the driver's side of the vehicle, rear passenger
18	door, the rear tire here. You can see the placard I
19	put on there. Again, was an adhesive sticker for
20	number nine. It is covered up partially by the
21	police crime scene tape that was applied by Ferguson
22	prior to our arrival.
23	Q So to find that item number nine, you
24	actually lifted up the crime scene tape to look at
25	the vehicle, but then once you placed a placard on

	Page 106
1	the car, you put the crime scene tape back where it
2	was?
3	A Yes, ma'am.
4	${f Q}$ So you did move something on the crime
5	scene, but only to search for evidence?
6	A Yes, ma'am.
7	Image 54. You can see this
8	photograph, crime scene tape is no longer there and
9	basically what's happening is I am holding the crime
10	scene tape up with my left hand and taking the
11	picture with my right hand.
12	\mathbf{Q} And what is Exhibit 9 or what is your item
13	number?
14	A Number 9 is a red stain on the exterior of
15	the driver's side rear door.
16	Q Okay. On the driver's side rear door?
17	A Yes, ma'am.
18	Q It is a four door vehicle?
19	A Correct. A lot of times people use left,
20	right sided vehicle, that often still confuses me.
21	I use driver and passenger side.
22	This would be a close-up view of the
23	red stain on the driver's side rear door. Again,
24	adhesive sticker, and the evidence below it.
25	Image 56, this would be the previous

- 1 photo was shot more at an angle or somewhat of an
- 2 angle. This you can see the crime scene tape, I can
- 3 no longer hold it up with my left hand and hold my
- 4 scale and tape. So I pushed it down below the item
- 5 of evidence so I can again put my scale into the
- 6 photograph so you can show the size and shape of the
- 7 red stain.
- 9 A Yes, this particular piece of evidence
- 10 appeared to be some type of dried liquid. I was
- 11 able to collect it with a DNA swab.
- 12 **Q** So do you have swabs that you carry in
- 13 your van?
- 14 Yes, ma'am, sterile swabs from the
- 15 manufacturer, sterilized water that we use to wet
- 16 it. It is oversized professional Q-Tips. We wet
- 17 the end of it, that piece of evidence we were able
- 18 just to collect it with a Q-Tip and put it into a
- 19 package and submit it.
- 20 The entire time you are at the crime
- 21 scene, are you wearing latex gloves?
- 22 A Yes, 90, 95 percent of the time if I'm at
- 23 my van doing paperwork, it is not always easy to
- 24 write paperwork, but any time I leave my van,
- 25 majority of the time between collecting different

```
Page 108
 1
     items of evidence, you change gloves between those
 2
     items.
 3
               So the tools that you use to collect this
 4
     are in a kit that the police department purchases
 5
     from a company, correct?
 6
               Our crime lab.
          Α
               Your crime lab?
 7
          Q
 8
          Α
               Yes.
 9
               They are sterile?
          Q
10
          Α
               Yes.
11
               They are specifically for the purpose of
          Q
12
     collecting items that might be analyzed for DNA at a
13
     future time?
14
               Yes, ma'am.
          Α
               So no one else's DNA would have been on
15
          Q
16
     that Q-Tip prior to you opening that package and
17
     then rubbing, you said wet the Q-Tip with sterile
18
     water?
19
          Α
               Yes, ma'am.
20
               And then you basically rub it on that
          Q
21
     stain?
22
               Correct.
          Α
23
          Q
               In essence, is it somewhat, it then
     changes that stain, correct?
24
25
               It does. Generally the stains that are
          Α
```

- 1 that small, the stain is gone when we collect it.
- 2 **Q** Okay.
- 3 **A** Obviously outside of microscopic traces
- 4 that would still be left on there, to the naked eye
- 5 I took that stain off of there.
- 6 Q And then regarding evidence item number
- 7 eight, the substance that you removed with tweezers?
- 8 A Yes, ma'am.
- 10 also --
- 11 A Again, supplied by our crime lab,
- 12 sterilized individually packaged, they came out of
- 13 the same DNA kit.
- 14 **Q** You open up those?
- 15 A One time use.
- You throw them away when you're done?
- 17 A Yes, ma'am.
- 18 MS. WHIRLEY: Sheila Whirley. What do you
- 19 do with those items like number eight and number
- 20 nine that you seize once you seize them, what do you
- 21 do with them?
- 22 **A** Number eight, since I was able to take it
- 23 off with as a whole with tweezers, it was put on a
- 24 piece of what we refer to as way paper, kind of wax
- 25 paper. This is in our sterilized kit. It is folded

- 1 so it doesn't get lost. And that folded piece of
- 2 wax paper is then placed inside of a coin envelope
- 3 and that envelope is sealed.
- 4 Item number nine, since we use
- 5 Q-Tips, we have these basically long Q-Tip boxes and
- 6 again, they are provided by our crime lab. They
- 7 come from a sterile environment, they are inside our
- 8 DNA kit. You don't handle them without gloves.
- 9 Each individual swab, be it a touch DNA swab or
- 10 swabbing of a red stain or buccal swab to collect
- 11 someone's DNA goes into its own individual swab box.
- MS. WHIRLEY: And then what do you do with
- 13 it?
- 14 A Once they are in the swab box, they go in
- 15 an evidence envelope.
- MS. WHIRLEY: For the purpose of?
- 17 **A** Sealing that as my piece of evidence and
- 18 taking it to the crime lab and keeping it as sterile
- 19 as I can.
- MS. WHIRLEY: Thank you. That was all.
- MS. ALIZADEH: Okay.
- 22 **A** 57. This is a series of photos that I'm
- 23 attempting to show the driver's side mirror being
- 24 pushed outside of its natural position. This is
- 25 something that was brought up as part of the

- 1 investigation just because we were told that there
- 2 was a struggle in and/or around the police car.
- 3 This was an item of evidence like hey, that mirror
- 4 may have been pushed during the struggle. You make
- 5 sure to note that in your photos.
- 6 Q (By Ms. Alizadeh) So this would be an
- 7 example that somebody had pointed out this may have
- 8 some relevance to the actual incident and so go
- 9 ahead and photograph that and document it?
- 10 A Yes, ma'am.
- 11 Q So the mirror on that police car, is it a
- 12 mirror that can move? You don't break it by moving
- 13 it?
- 14 A No, it is not broken, it is like many new
- 15 cars nowadays, it swivels and moves front to back.
- 16 **Q** If you are sitting in the driver's seat,
- 17 the mirror is pushed forward to the front of the
- 18 vehicle?
- 19 A Correct.
- 20 **Q** If you are sitting in the driver's seat,
- 21 you can't use that side mirror at that point to
- 22 check?
- A No, you would not be able to see that.
- 24 **Q** All right.
- 25 **A** Image 58. Intermediate view, same

- 1 driver's side mirror pushed to the front.
- 2 **Q** And this thing right here, what's that?
- 3 A That would be the spotlight that's
- 4 accessible from the driver's side you operate with
- 5 your left hand.
- 6 Is that mirror intact or
- 7 is it broken?
- 8 A It is intact. The next photo is a little
- 9 bit closer up so you can it.
- 10 : Is the driver's
- 11 side window open or closed, I've haven't been able
- 12 to tell in the photos?
- 13 **A** It is not there right now, it is down.
- 14 It is open.
- 15 MS. ALIZADEH: Did you determine that the
- 16 window was broken?
- 17 **A** It had been broken out.
- 18 **Q** (By Ms. Alizadeh) The driver's side window
- 19 is broken and there is no glass in the door frame of
- 20 the driver's side window; is that correct?
- 21 A Correct.
- 22 **o** And then --
- A Actually, the glass, the broken glass is
- 24 still within the door frame itself, but as far as
- 25 intact window that would be able to roll up and roll

- 1 down or be halfway up is not there.
- 2 To clarify there is no
- 3 glass fragments outside the car or inside the car,
- 4 it was all contained within the vehicle.
- 5 A No, we talked about this. There is
- 6 definitely glass inside the car. You can see broken
- 7 glass in the seat and the floorboard. To my
- 8 knowledge, I do not remember glass outside of the
- 9 car.
- 10 Image 59, it is much clearer than the
- 11 actual photograph, it is a closer up view of that
- 12 mirror. You can also see item number eight is still
- 13 on the car as of this time.
- 14 Image Number 60. Several things you
- 15 can see in this video again, it is still --
- 16 **Q** (By Ms. Alizadeh) Photograph?
- 17 **A** I did say video. Image, you can see in
- 18 this image, you can still see the crime scene tape
- 19 is there. Evidence item number eight with the
- 20 placard or sticker is still next to it. Nine, I
- 21 believe, is now underneath this crime scene tape.
- 22 What we are focusing on in this photograph is a
- 23 defect to the exterior side of this door.
- Image 61, intermediate view of the
- 25 same defect. This would be the handle to the

- 1 driver's side front door. It is just below.
- 2 Image 62, a view straight on to the
- 3 defect with my scale in the photo to show size and
- 4 shape.
- 5 Q (By Ms. Alizadeh) Let's back up here for a
- 6 second. I think you need a break, he's the one
- 7 whose fingers are flying a million miles an hour.
- 8 Let me just finish up talking about this and we can
- 9 take a little break for sure and everybody else can
- 10 get up and take a break.
- 11 So this defect that's on the outside
- of the driver's door or Officer Darren Wilson's
- 13 vehicle.
- 14 A Yes, ma'am.
- 15 **Q** And so this door is metal, correct?
- 16 **A** Yes.
- 17 Can you describe what that defect appears
- 18 or looks like to you, not what you concluded it is,
- 19 but describe it?
- 20 **A** For lack of a better term, this is convex,
- 21 it is coming out of the vehicle. It is not a dent
- 22 in the vehicle. And it is also, it is hard to tell
- 23 again what you are seeing up there.
- It is not a stain that's on the
- 25 vehicle, you can tell that paint has come off of the

	Page 115
1	vehicle. Something from the outside or from the
2	inside coming out made that defect to the exterior.
3	Q And is there a hole, is there a hole in
4	what you are looking at there?
5	A From the outside of the vehicle?
6	Q From the outside of the car?
7	A No.
8	MS. ALIZADEH: Okay. Any questions about
9	this. Okay.
10	MS. WHIRLEY: Is there a hole from the
11	inside looking out?
12	A There is.
13	: Why is it
14	not notated on here?
15	A It is not a piece of evidence.
16	It isn't.
17	A The vehicle was taken as a piece of
18	evidence and processed at the crime lab by another
19	detective, but at the scene that's just a visual
20	note that I was taking. It wasn't a piece of
21	evidence that I could collect.
22	Okay. It is notated in
23	your paperwork?
24	A Yes, ma'am.
25	Okay.
1	

	Page 116
1	MS. ALIZADEH: Okay. We'll take a break
2	here. Let me check on the timing of your lunch.
3	(Recess)
4	MS. ALIZADEH: This is Kathy Alizadeh. It
5	is 11:30, we just took about a ten minute break.
6	Detective is still testifying. Sheila
7	Whirley, she's left the room but everyone else that
8	was present when we began is still present in the
9	room.
10	I want to tell you that your food is
11	scheduled to be here at noon. is just going
12	to knock on the door when the food is here. At that
13	point, I will try to kind of finish up, if he's not
14	done, we're going to get to a part where I can make
15	a logical pause and you will be given your lunch.
16	It might seem like oh, let's go ahead and
17	eat while we are hearing testimony. One, you need a
18	break, I think it is good that you take a little
19	time for lunch, whether it is 30 minutes or an hour,
20	that's up to you.
21	Also, some of these photographs are not
22	going to be things you want to see when you are
23	eating lunch, of course. Ready to get started?
24	Officer , what is your next
25	photograph?

- 1 A Next photograph is Image Number 63. This
- 2 is again, what I took an overall photo and what we
- 3 are going to zoom in on is hand impression that is
- 4 on the rear of Darren Wilson's police car. This is
- 5 from east looking west on Canfield. This is my
- 6 crime scene van at the edge of the crime scene.
- 7 Q (By Ms. Alizadeh) Okay.
- 8 A Image 64, rear of the vehicle, the rear
- 9 glass of the vehicle. This would be kind of the
- 10 left side or driver's side of the vehicle on the
- 11 rear lift gate.
- 12 Again, it is hard to see from this,
- 13 not only this photograph but kind of this angle it
- 14 looks like a couple handprint impressions kind of on
- 15 the glass.
- 16 65. What I did in this image is I
- 17 moved just to my left a little bit to combat the
- 18 reflection of the sunlight, daylight that was there
- 19 to get a better image of what I was seeing in person
- 20 to describe what this is. It is not a bloody
- 21 handprint, it is not a muddy handprint, it would be
- 22 if the window was clean and somebody slapped a wet
- 23 hand on there and went down a dusty road, all it is
- 24 is a dust impression of a hand.
- 25 After I photographed this, almost

- 1 immediately a Ferguson officer, I don't know who,
- 2 came up to me because they noticed me photographing
- 3 this and were trying to figure out does this apply
- 4 to the scene? Does it not apply to the scene? I
- 5 had noticed it and considered I better document it.
- 6 After I photographed it, somebody came up to me from
- 7 the department and goes hey, just so you know,
- 8 Darren was told during roll car to get his car
- 9 washed because the sergeant saw the handprints on
- 10 the back window.
- 11 It was obviously deemed at that point
- 12 not of evidentiary value to us, but I had already
- 13 photographed it, so the picture shows what I took.
- 14 **Q** So had you thought that might have some
- 15 relevance, you would have maybe tried to lift a
- 16 print off of there?
- 17 **A** I would have done a number of things.
- 18 **Q** I don't want you to belabor it, you didn't
- 19 act any further on this handprint because it was
- 20 told to you it was there earlier in the morning?
- 21 **A** Correct. We did nothing other than the
- 22 three photos that you just saw.
- 23 **Q** Okay.
- 24 **A** Image 66, this is just an overall view of
- 25 the vehicle itself. I think if I remember the time

- 1 limit correctly, we were told that the tow truck was
- 2 close trying to gets its way down Canfield so we can
- 3 tow the vehicle away.
- 4 Image 67. Same thing. Just overall
- 5 image of the vehicle before we were getting ready to
- 6 tow it.
- 7 Image 68. Right before this image
- 8 was taken, my chain of events kind of got scattered.
- 9 I would have typically have continued photographing
- 10 the vehicle and then once it was towed I would have
- 11 taken a picture of where the vehicle was at right
- 12 after it had been removed.
- 13 Someone, I'm not sure who, be it
- 14 family member or someone in the crowd, had tore down
- 15 some crime scene tape and a few people ran into near
- 16 the crime scene. The decision was made then that we
- 17 needed to stop our order of events, how we typically
- 18 process a scene and we needed to get the body
- 19 photographed and get the body moved immediately.
- 20 Typically what you would see in the
- 21 beginning of the photographs were I had the overall,
- 22 the intermediate and close-up view of each
- 23 individual piece of evidence, that got thrown out
- 24 the window.
- We not quickly ran down, but we had a

- 1 large crowd that had gathered now at the end of the
- 2 crime scene near Michael Brown. The apartment
- 3 buildings that you can see on either side, one in
- 4 the front, there is one obviously behind me where
- 5 I'm taking this picture. Those were filled with
- 6 residents on the three stories of the stairwells.
- 7 There were people on roofs, people had started to
- 8 line the crime scene from the side not being
- 9 blocked.
- 10 What we decided on doing is the
- 11 medical examiner, I think the fire department that
- 12 was there had sheets and some tarps that we were
- 13 going to use because the crowd at this point were
- 14 starting to chant, kill the police, numerous other
- 15 derogatory things towards everything about us. And
- 16 we fully expected another, I don't want to use the
- 17 term riot, but an outburst once we did uncover the
- 18 body and begin to move it.
- 19 We made the decision to use the
- 20 sheets and tarps the best we could to block the view
- 21 of everybody that was trying their best to get in
- the crime scene and see what was going on.
- 23 Several officers that were there, I
- 24 would say probably 10 to 15 officers grabbed the
- 25 body screens, sheets, and tarps, and not just held

- 1 them on the ground, but held them up above their
- 2 heads because the apartment buildings were very
- 3 close to where we were at.
- 4 It is hard to really get a
- 5 perspective from this view how close those buildings
- 6 were to the scene. We had people on the third floor
- 7 apartments that could see straight down, and people
- 8 on roofs that could see straight down.
- 9 So we had people in close proximity
- 10 of the perimeter of that body holding screens to try
- 11 to block us while we're working and still trying to
- 12 protect the crime scene as well.
- 13 **Q** So this blocking maneuver I'll call it
- 14 that you did, was this done so that you were hiding
- 15 some of the things that you were doing or was this
- done so you could avoid inciting the crowd with what
- 17 they see when you remove the sheet?
- 18 **A** It was strictly done to avoid any type of
- 19 emotional response that we were expecting to happen
- 20 when the body was uncovered.
- 21 You also refer to the medical examiner
- 22 being there?
- 23 **A** It was medical examiner field
- 24 investigator, not one of the pathologists.
- 25 **Q** Do you know which one it was?

- 1 **A**
- 3 that you, it disrupted your normal course of order?
- 4 A Yes, ma'am.
- 5 Q So you can go ahead and talk about the
- 6 next image.
- 7 **A** 69. The first, the previous photo would
- 8 be the overall view, this would be just the
- 9 intermediate view of me stepping closer to the body.
- 10 Again, just kind of drawing your attention to what
- 11 we are getting ready to photograph.
- 12 Image 70. This image, obviously,
- 13 Michael Brown has been uncovered, the sheets have
- 14 been moved from here to this end of the body, you
- 15 can see now people's feet, which I would typically
- 16 just out of habit try to keep people out of my
- 17 photographs, but again, I'm standing in between
- 18 policemen now, kind of my back against, with the
- 19 scene secured and kind of collapsed down on top of
- 20 us to shield the public's eye.
- 21 Image 71.
- 22 **Q** Can you turn it?
- 23 A Yes, I'm sorry. Just like I would
- 24 normally do at the beginning of the scene taking
- 25 overall views from all the way around what I'm

- 1 trying to show you. I do the same thing with a
- 2 victim or Michael Brown.
- 3 So before I was standing over here on
- 4 the right side of the picture looking this way, now
- 5 I'm looking at his feet, I'm standing on the eastern
- 6 end looking to the west.
- 7 Image 72. Same thing, the previous
- 8 image I was standing probably on the double yellow
- 9 line, now I've moved slightly to the south and again
- 10 you can see the feet of the policemen that are
- 11 standing around holding the screens.
- 12 Image 73. I'm on the south side of
- 13 the street looking north and again just kind of an
- 14 overall intermediate view. This picture in
- 15 particular you can see that I cut off part of his
- 16 foot in the photograph.
- 17 You mean out of the frame of the
- 18 photograph?
- 19 A Out of frame, I did not cut part of his
- 20 foot off. In the photograph his foot is out of the
- 21 frame.
- 22 **Q** You see the white sheet is still above his
- 23 head?
- 24 **A** Yes. Image 74. Corrected the previous
- 25 photo by including his entire foot in the frame.

1 Image 75. An overall view, aga	
I image 75. In overall view, aga	in, I
2 put in the center of the overall view kind of	where
3 I'm going with the next information so this wo	ould be
4 in our processing of the scene. We do as many	face
5 shots and identification shots as the body is	found.
6 Q Now, when you are processing a death	L
7 scene, is it common place when you first see t	he
8 body and document it that there might be evide	ence of
9 medical intervention, people that might have b	een to
10 a scene and tried to provide medical aid to a	
11 victim?	
12 A Yes, ma'am, anything from people bei	ng
13 intubated with a breathing device, to clothes	being
14 removed for CPR purposes, to just the simple E	KG
15 type of devices attached to the feet to check	to see
16 if there is a heartbeat.	
17 Q In your experience in those circumst	ances
18 that when there is some type of medical	
19 intervention, when the medical personnel are d	lone,
20 they leave those devices at the scene?	
21 A They do, yes.	
22 Q Did you see any evidence of medical	
23 intervention?	
24 A No.	
25 Q And his clothes didn't appear to hav	re been

- 1 cut off or in any way moved or removed that you
- 2 could see where there would be leads placed on his
- 3 body?
- 4 A No, ma'am.
- 5 **Q** Okay.
- 6 A Image 76. Intermediate view Michael
- 7 Brown's shoulders and face.
- 8 Image 77. This would be the close-up
- 9 view.
- 10 Image 78. Again, an overall view and
- in the center of the screen I see his right hand and
- 12 injury defect to it.
- Image 79, what I would determine an
- 14 intermediate view of his right hand and the defect.
- 15 Image 80. Moving farther up the
- 16 right arm, that would be a defect injury to his
- 17 right forearm.
- 18 Image 81. This would be kind of
- 19 moving back again, as far as my perspective because
- 20 I'm starting to show the tattoo and injury to the
- 21 inside part of his right arm.
- Image 82, image of the defect to the
- 23 inside of his right arm, all of these series of
- 24 photos I'm showing you. It is the body as it is
- 25 uncovered to me. He has not been moved, manipulated

- 1 with me or by any of the medical examiner
- 2 investigators.
- 3 Image 83. Photo of right arm again
- 4 showing visible tattoos that we can use for a
- 5 positive identification. If we have family members
- 6 that are there that can say oh, yeah, he has a
- 7 tattoo of this on his arm or this on his leg, stuff
- 8 they told us to look for that we can use for
- 9 identification purposes.
- 10 Image Number 84. Overall view and
- 11 what we're looking at here is tattoo on his left
- 12 arm.
- 13 Image Number 85. Tattoo on the
- 14 inside of his left arm.
- 15 Image Number 86. This would be a
- 16 view of Michael Brown's back. This is a standard
- 17 photograph that we take as part of every death
- 18 investigation, be it an overdose or child death or
- 19 anything else, we always show lack of injury as
- 20 well. So this is the medical examiner investigator
- 21 lifted up the back of his shirt just to show no
- 22 injuries were present there.
- Image 87. This image is showing an
- 24 overall view specifically as to the location of
- 25 Michael Brown's left hand. These are again a set of

- 1 images that were requested by the detectives after
- 2 they had spoken with Darren Wilson and we kind of
- 3 had a brief, we had his first initial statement they
- 4 requested these photos as part of his statement. He
- 5 had said that Michael Brown had come back towards
- 6 his direction with a hand stuck into his waist band,
- 7 as if --
- 9 information that you got, not directly, from an
- 10 officer?
- 11 A I did not speak to Officer Wilson, I still
- 12 have not to this day.
- 13 This was a third hand?
- 14 A A detective that had spoken with him that
- 15 was now back at the scene giving us things to look
- 16 for.
- 17 **Q** This is the reason for the photograph, you
- 18 are not drawing any conclusions or assumptions from
- 19 that information, correct?
- 20 **A** Yes.
- 21 **Q** Now, in this photograph you can see yellow
- 22 lines that are around his extremities?
- 23 **A** Yes.
- Q What's that for?
- A As part of any scene, we talked about the

- 1 diagram that you guys have the placards are always
- 2 left in place even after we collect the evidence.
- 3 The last thing we do is diagram the scene part of
- 4 the diagramming of any death scene is where the body
- 5 position was.
- 6 Everyone has seen the old fashion
- 7 silhouette still laying on the ground, those are
- 8 paper and they move, particularly outdoor scenes.
- 9 We take chalk and we outline the location of the
- 10 feet, hands and head where we have those permanent
- 11 chalk marks, not permanent, but chalk marks on the
- 12 ground while we were there to measure his location
- 13 from after he is removed.
- 14 **Q** Those are marks that you make?
- 15 **A** Yes.
- MS. WHIRLEY: And this is Sheila Whirley,
- 17 was Darren Wilson on the scene when you arrived?
- 18 **A** He was not.
- 19 MS. WHIRLEY: Okay, okay. You said you
- 20 investigated several police shootings?
- 21 A Yes, ma'am.
- 22 MS. WHIRLEY: Is that unusual for the
- 23 officer who is involved in the shooting to not be on
- 24 the scene?
- 25 **A** No, ma'am.

- 1 MS. WHIRLEY: That is pretty customary?
- 2 **A** It is a lot of protocol from many
- 3 departments is the officer that is involved
- 4 typically leaves almost immediately once they are
- 5 able to.
- 6 MS. WHIRLEY: Okay.
- 7 A Image Number 88. Intermediate view of the
- 8 location of his left hand and arm, or the position.
- 9 Q (By Ms. Alizadeh) This yellow right here,
- 10 that's not your chalk mark, is it?
- 11 A No, ma'am, that's the inside, that's the
- 12 yellow dividing line for the road. There should be
- 13 a chalk mark that we can kind of see here denoting
- 14 where his hand is.
- 15 **Q** Okay.
- 16 **A** Image 89. Outside of his shirt being
- 17 lifted up in the back by the medical examiner
- 18 investigator, this is the first time Michael Brown
- 19 had been moved. He was rolled onto his right
- 20 shoulder, again, showing the positioning of his left
- 21 arm.
- 22 \mathbf{Q} And you were there when the medical
- 23 examiner rolled him onto his shoulder?
- 24 A Yes, ma'am.
- 25 **Q** Are you familiar with what rigor mortis

	Page 130
1	is?
2	A Correct.
3	${f Q}$ Did you, do you believe that rigor mortis
4	had set in on the body of Michael Brown at this
5	point?
6	A Yes, ma'am.
7	${f Q}$ And when the medical examiner
8	MS. WHIRLEY: Medical investigator.
9	Q (By Ms. Alizadeh) Medical examiner
10	investigator turned him over, did his limbs stay in
11	the positions that they were when he was on his
12	front?
13	A They did, and you can see that not only
14	from the position of his arm, his leg is still up
15	and his head is not moved down.
16	Q So this is hand?
17	A I believe, is the blue glove.
18	Q Okay.
19	A The white glove is an employee of the St.
20	Louis Delivery Service, which is the company the
21	medical examiner's office uses to transport Michael
22	Brown.
23	Q So is this officer trying to place his arm
24	in a particular position by, in this photograph or
25	is that the way his arm was when he was rolled over?

- 1 A His arm stayed in that position from the
- 2 time he was rolled over until the time we rolled him
- 3 over onto his back.
- 4 **Q** Okay.
- 5 A Image 90. Previous to overall, this would
- 6 be an intermediate, again, showing the position of
- 7 his left hand.
- 9 that in any way did you?
- 10 A No, ma'am, other than just rolling him
- 11 onto his right shoulder.
- MS. WHIRLEY: His hand, it seems like it
- is balled up, this is Sheila Whirley, there was
- 14 nothing in his hand though?
- 15 A Not that I saw at the scene, no.
- MS. WHIRLEY: Okay. And you would have
- 17 noted if there was something in his hand?
- 18 **A** Typically, yes. The body itself belongs
- 19 to the medical examiner. What we investigate on the
- 20 body at the scene is very minimal compared to what
- 21 they do at autopsies. If there was a knife sticking
- 22 out of his hand, something that is protruding, I
- 23 would have been able to see that and document that
- 24 if there was something clenched inside of his hand,
- 25 that is not something that we would pry his hand

Page 132 1 open to see at the scene, that would be something 2 that is done after the body arrives at the morque. 3 I understand if there was a MS. WHIRLEY: weapon in his hand, you would have seen it. 4 5 Α Yes, ma'am. 6 MS. WHIRLEY: And there was not? 7 Α No. 8 Image 91. Michael Brown is now 9 rolled completely over onto his back. Again, you'll 10 see the overall photos of me walking kind of a 360 11 degree area around the body. The sheet that he's 12 laying on is not one of the sheets he was covered up 13 with, this is a new sheet, and lack of a better 14 term, body bag brought in by the medical examiner. (By Ms. Alizadeh) This thing right here, 15 Q 16 this blue thing right here? 17 You will see that in, a couple of the images, that is a handle for the bag to pick him up, 18 19 it is to assist in carrying people. 20 Q Okay. 21 Would the 22 old sheet that we was on, would this have been 23 collected as evidence as well? 24 I was asked that yesterday. I did not Α 25 collect it, I can't say with certainty, but I am

- 1 assuming those type of things typically go into the
- 2 body bag and go to the morgue.
- Image 92. Overall view of the
- 4 previous one was from like his feet looking towards
- 5 his head, this side view. Again, better image of
- 6 that blue material you see was a handle for the body
- 7 bag.
- 8 Image 93.
- 9 Q (By Ms. Alizadeh) Can you turn it?
- 10 A I'm sorry.
- No, the other way, you're not on, turn it
- 12 around, there you go?
- 13 A Okay. Again 360 degree view from his head
- 14 looking towards his feet. Again, you can kind of
- 15 get perspective now the policemen that we had
- 16 blocking the scene.
- 17 You see those weighted sand bags along
- 18 here for the body screen?
- 19 A Yes, just like we saw in the previous
- 20 images at the beginning of my photos where that
- 21 weight was kind of left in the middle of the street.
- 22 **Q** Do you know what this is right here?
- 23 **A** I think that's another sheet that had been
- 24 used to cover him or part of it. There was more
- 25 than one sheet that had been used to cover him up.

	Page 134
1	Q All right.
2	A 94.
3	${f Q}$ Can you turn it, the other way, there we
4	go.
5	MS. ALIZADEH: That means your food is
6	here. So maybe we'll try to finish with the images
7	of the body at the scene, six?
8	A Five more.
9	MS. ALIZADEH: And break for lunch, is
10	that all right with everybody?
11	A Again, just overall view of the body, kind
12	of the exact same position. This may be one of
13	those things where my camera clicked twice. I know
14	at this point there is some items sitting on his
15	stomach, this is where the investigator from the
16	medical examiner's office had removed some items
17	from his pocket to show what he had in his pockets
18	there.
19	${f Q}$ (By Ms. Alizadeh) Now, is it typical at a
20	scene that do you ever go inside the pockets of the
21	deceased person?
22	A No, again, in the State of Missouri the
23	deceased body belongs to the medical examiner's
24	office in St. Louis County or to the coroner in
25	different counties, however they are titled. Body
i e	

Page 135 1 belongs to them, that includes stuff that's in their 2 pockets, their clothing, everything. 3 We, myself personally, never touch a body physically unless I'm at the autopsy and I'm 4 5 fingerprinting the deceased or anything like that. 6 But as far as searching of the body, that is 7 strictly done by the medical examiner investigator. 8 Were you present when the investigator 9 searched the body of Michael Brown? 10 Α Yes. 11 Did you see him remove items from his Q 12 pockets? 13 Α I did. 14 Did you see him place the items on, I quess, I would say the belly of Michael Brown? 15 16 Α Yes. 17 Is that something that's typically done 18 that the items were placed on the deceased body? 19 Given space and time, they are either 20 placed on the body or if it is a large amount of 21 things they would be placed directly next to him where I would photograph him and those items are 22 23 just returned back into the pockets of the deceased. 24 Q Okay. 25 Α Image 95. Again, identification purpose

- 1 photos, he's now been rolled over the other side of
- 2 the face is what I photographed before because this
- 3 was the size that was down against the pavement. So
- 4 now I'm taking my overall intermediate views of the
- 5 side of the scene.
- 6 Image 96. Intermediate view of
- 7 Michael Brown's face.
- 8 Image 97. Just like on his arms in
- 9 the previous photos where I did the overall
- 10 intermediate close-up views of any visible defects
- 11 or injuries. This is close-up view of a visible
- 12 defect and injury to his face.
- Now, can you tell me what portion, I mean,
- 14 the bridge of his nose?
- 15 **A** The bridge of his nose, this would be his
- 16 left eye.
- Okay. And you're standing above his head?
- 18 **A** Directly above him pointing my camera
- 19 straight down.
- 20 Image 98. Intermediate view of items
- 21 removed from his pocket by
- 22 And Image 99 would just be a close-up
- 23 view of those items.
- 24 **Q** Now, did you seize those items?
- A No, ma'am, I did not.

	Page 137
1	Q And that's because you said these items
2	belong to the medical examiner's office because they
3	were on the body?
4	A Correct.
5	Q Did you handle them in any way?
6	A No, ma'am. Image one
7	Q Let me stop here. The items that were
8	photographed on Michael Brown, did you observe
9	put those items back in the pockets?
10	A Correct, yes.
11	Q Where he got them out?
12	A I did.
13	Q I think we are done.
14	A He's been moved now.
15	MS. ALIZADEH: So we'll stop right now for
16	you guys to have lunch, okay. I would just, I'm
17	going to take the photographs that we haven't
18	discussed with me, these I'm going to leave here.
19	Do what you will, but these have already been, you
20	know, looked at by you. I would suggest that you
21	just have a lunch and not go over any of this stuff,
22	but if you desire to do so, they are here, okay?
23	And let you take that.
24	And it is 12:33 approximately, and we will
25	break for lunch. Why don't you guys let

	Page 138
1	know.
2	MS. WHIRLEY: It is 12:05 p.m.
3	MS. ALIZADEH: Okay, sorry about that.
4	(Recess)
5	Q (By Ms. Alizadeh) So Officer or
6	Detective this is a continuation of your
7	testimony from this morning.
8	A Yes, ma'am.
9	Q So you are still under oath, you
10	understand?
11	A Yes, ma'am.
12	Q And so we're going to resume again with
13	the remainder of the photographs that you took
14	during your investigation of the crime scene.
15	So you can resume with the next
16	photograph?
17	A Image Number 100. This is a standard
18	photo that we take during any death investigation
19	photograph of where the body was after it had been
20	removed by medical examiner personnel.
21	What you can start to see in this
22	photograph are again the chalk markings we put in
23	place while the body was still there for our
24	measurement points. Also you can see an evidence
25	placard here again, once we collect evidence, the

- 1 placard is left in place for us to measure and
- 2 diagram from later.
- Now at this point, have you collected all
- 4 of the evidence?
- 5 A At that point we had collected everything
- 6 that we had found. I had mentioned before in an
- 7 ideal world you see the overall, intermediate and
- 8 close-up view of each individual piece of evidence.
- 9 The shell casings, projectiles and some other items
- 10 of evidence that were around the body in the chaos
- of the gunshots being fired near us, people tearing
- down our crime scene tape and coming in, those shots
- were missed, the photographs, the images, I'm sorry,
- 14 were not taken prior to us picking up those items of
- 15 evidence. We got them out of there to protect those
- 16 pieces of evidence and just didn't get photographs
- 17 of them.
- 18 Q But you did document them in your diagram,
- 19 correct?
- 20 **A** Yes. The last photo, the previous one
- 21 that was up there you can see the evidence placard
- 22 is still there. You will see it in some of the
- 23 following photos too, you will see the yellow
- 24 evidence placard still in place.
- 25 Item of evidence won't be sitting in

- 1 front of it, but the placard is still where the item
- 2 was located for measurement purposes.
- Now, something that we talked about this
- 4 morning, and you and I had a brief conversation out
- 5 there about something that you recalled, I asked you
- 6 earlier when you were photographing the body of
- 7 Michael Brown up close and going to start moving the
- 8 body, uncovering it and moving it, you had officers
- 9 that were shielding you with sheets and tarps?
- 10 A Yes, ma'am.
- 11 Q And the body screens that you call them?
- 12 **A** Yes.
- 13 **Q** I had asked you if that was done to
- 14 conceal what you were doing from public view and so
- that people wouldn't see what you were doing?
- 16 A Right.
- 17 And you had described that's not the
- 18 purpose for why you were being shielded, was there
- 19 any civilians who were allowed inside that shielded
- area once you uncovered the body of Michael Brown?
- 21 **A** Yes, after we had put the shields up, the
- 22 tarps and the sheets to block the outside people
- 23 looking in from above our vantage point, Michael
- 24 Brown's father, Michael Brown, Senior was allowed
- 25 inside the crime scene and actually inside the group

- 1 of tarps to witness and observe what we were doing.
- 2 That served multiple purposes,
- 3 primarily to provide positive identification. Would
- 4 be no different from any other homicide scene where
- 5 we would have a family member provide us with
- 6 identification once we do go in and uncover the body
- 7 and everything else, just like the photographs that
- 8 I showed you of the tattoos on his arms, those were
- 9 things that the family told us to look for when
- 10 identifying him, but it served no other purpose than
- 11 letting him observe what we were doing and give us
- 12 positive identification of his son.
- 13 **Q** He wasn't allowed to touch anything in
- 14 that inner circle as you called it?
- 15 A No, ma'am, he stayed basically on the
- inner perimeter that we had created.
- Did he positively identify the body in the
- 18 street as his son?
- 19 A Not to me personally, but to the detective
- 20 he was with, yes.
- 21 **Q** Did he remain in that perimeter for the
- 22 duration of the time that Michael Brown's body was
- 23 on the street?
- 24 **A** Yes.
- 25 **Q** And after he was removed by the delivery

- 1 personnel, did he then leave the scene?
- 2 A He did, left the inner perimeter.
- 3 Q Right, okay, you can continue with the
- 4 next photograph.
- 5 **A** Image Number 101. Same thing as before
- 6 showing the 360 degree views of what we're looking
- 7 at. Again, chalk marks on the ground that are
- 8 labeled right foot, left foot, see the chalk marking
- 9 there for the right hand and here for the left hand.
- 10 Image 102. Same thing as before,
- 11 north side of the street looking south again, feet
- 12 and hand chalk markings. A couple things you can
- 13 see in this photograph are number one, a pile of
- 14 blue tarps on this side. Those are some of the
- 15 tarps that we used to shield the view of the public
- 16 that was around us. Wrapped up in there are some
- 17 white sheets that were used as well to shield the
- 18 views, not the ones that I know of that were used to
- 19 cover the body.
- 20 Also things that you see in this
- 21 video here are, image right here is a box that we
- 22 use to hold our placards and a large 250 foot yellow
- 23 measuring tape. Just things we were getting ready
- 24 to do the diagram of the scene.
- 25 Also you can see in this photo these

- 1 placards over here next to the different cones,
- 2 those are placards that again don't have any
- 3 intermediate or close-up views of the evidence item
- 4 that they were marking the other side, the placards
- 5 were left in place for diagram purposes.
- Image 103. Same angle as before,
- 7 just an intermediate view of the chalk marks and
- 8 where Michael Brown's body and everything. It is
- 9 hard to tell, that is an initial for RH, the right
- 10 hand.
- 11 . Officer
- 12 all of the casings were retrieved?
- 13 **A** Yes, I'll show you the rest of them when
- 14 we get towards the end.
- Number 104. Close-up view. Again,
- in the actual photograph it shows that is an R and
- 17 that is an H, just denoting our chalk mark of which
- 18 body part is shown.
- 19 Image 105. Again, chalk marks for
- 20 the bottom and the feet, LF left foot, RF for right
- 21 foot.
- Image 106. Closer image of the same
- 23 left foot and right foot chalk marks.
- 24 Q (By Ms. Alizadeh) Let me ask you because
- 25 and again, it is not as clear up on the screen, but

	Page 144
1	we talked about yesterday that, for example, what is
2	that thing right there?
3	A Oh, you will see this in a couple other
4	ones, that is a cigarette butt. On the street in a
5	couple images that you will see and a couple more
6	slides, you will see other cigarette butts within
7	the scene. Those were deemed as not evidentiary,
8	they were cigarette butts and trash that litter this
9	entire street.
10	Some scenes, obviously, those are
11	important DNA evidence, this scene there is no part
12	of the case up and even to this point where at the
13	scene we knew or thought that a cigarette butt had
14	anything to do with the incident.
15	Q So you didn't collect any cigarette butts?
16	A No, ma'am.
17	Q They were just there?
18	A They were left at the scene.
19	. Were
20	there any droppings between the officer's car and
21	the body?
22	A What type of dropping?
23	Blood droppings?
24	A No.
25	Q (By Ms. Alizadeh) There wasn't?
I	

- 1 A No. I walked from my crime scene van to
- 2 where the body was that day no less than 50 times.
- 3 Along with the other three detectives, my detective
- 4 sergeant and countless other crimes against person
- 5 homicide detectives, and no one saw any, no one
- 6 noticed any, we looked, nothing was ever found
- 7 between the officer's car and where Michael Brown
- 8 was.
- 9 : What's
- 10 the distance between the police car, the officer's
- 11 car and the body, do you know?
- 12 **A** 153 feet 9 inches. It is noted on your
- 13 diagram. If you look on your diagram.
- MS. ALIZADEH: Page two of your diagram.
- 15 **A** Page one.
- MS. ALIZADEH: All right.
- 17 **A** It is noted in the drawing you will see
- 18 the bottom line on Canfield and you will see the
- 19 number 152 feet 9 inches noted in there, that is the
- 20 distance between the driver's front wheel of Darren
- 21 Wilson's police car and Michael Brown's head
- 22 location. That's the distance between the two. And
- 23 that measurement was taken specifically from a
- 24 baseline measurement of where Michael Brown's head
- 25 was located when we marked it and where we marked,

	Page 146
1	chalk marked the officer's tire of his car, that's
2	how we came up with that.
3	The position that you
4	find Mr. Brown face down?
5	A Yes.
6	Was looking to the police
7	car?
8	A Correct.
9	Thank you.
10	A Sure. Image 107. 107, again another
11	overall view. Overall picture of the chalk mark
12	where the left hand was at. Again, another evidence
13	placard here with no evidence next to it, just
14	marking the location of where it was collected.
15	Image Number 108. Close-up view that
16	is an L, that is an H with an indicator line and
17	this is the position of his left hand again,
18	cigarette butt that was left at the scene, just
19	happen to be in this image.
20	Image 109. Just so I can figure out
21	where I'm at. At this point in the investigation
22	another crime scene detective had seized Darren
23	Wilson's firearm. Up to this point we had no idea
24	of knowing how many rounds he had fired. We were
25	given the number and the number we had recovered at

Page 147
The missing

you

hear
that his
to see how

- 1 the scene did not match the number that were missing
- 2 from his gun.
- 3 Q (By Ms. Alizadeh) So let me stop you
- 4 there.
- 5 **A** Yes.
- 6 Q His weapon was seized and we will hear
- 7 testimony by other officers, you were told that his
- 8 weapon was seized and that it was checked to see how
- 9 many, you're familiar with his weapon?
- 10 A Yes, ma'am.
- 11 **Q** And it is?
- 12 **A** A Sig Sauer.
- 13 **Q** It is a semiautomatic?
- 14 **A** Yes.
- 15 **Q** It is the type of weapons that ejects
- 16 casings when fired?
- 17 **A** Correct.
- 18 \mathbf{Q} It is the type of weapon that has a
- 19 magazine that holds ammunition that goes into the
- 20 handle of the gun?
- 21 A Yes, ma'am.
- 22 And were you told how many, do you know
- 23 how many rounds that gun will carry?
- 24 **A** They vary by model. I was told that their
- 25 duty weapons that he used in this incident carries

		•
		Page 148
1	13 rounds	total.
2	Q	And that would be how many in a magazine?
3	A	Twelve in a magazine and one in the
4	chamber.	
5	Q	In order to have a bullet in the chamber,
6	an office:	r has to have loaded the magazine, rack the
7	bullet int	to the chamber, remove the magazine and put
8	in one mo	re bullet in his gun?
9	A	Yes, ma'am, that's correct.
10	Q	That's fully loaded and one is ready in
11	the chambe	er?
12	A	That is it.
13	Q	Is that how you instructed your charges
14	when you a	are doing instructions at the range?
15	A	Yes, exactly.
16	Q	So that doesn't mean that somebody is out
17	to shoot s	somebody, that is just how you were to have
18	your gun	fully loaded and ready to go?
19	A	Yes, ma'am, that's how you go to work.
20	Q	And so you were told how many live rounds
21	were left	in officer, in his gun?
22	A	One live round.
23	Q	And so that would leave 12 rounds possibly
24	fired?	
25	A	Yes.

	Page 149
1	Q And were you told that Officer Wilson had
2	indicated that before this incident occurred, he had
3	loaded his weapon and it was fully loaded?
4	A Yes.
5	${f Q}$ At this point in the investigation, how
6	many shell casings had you recovered?
7	A At this point we recovered ten shell
8	casings.
9	Q Okay.
10	A We were looking for two.
11	Q And had you also been told now, initially
12	would you have planned to process the inside of that
13	car while you were at the scene?
14	A No.
15	Q Your intention was to have the car towed?
16	A Yes.
17	\mathbf{Q} And it would be in a garage?
18	A Yes.
19	Q Away from the elements?
20	A And our crime lab in a secure facility to
21	process the inside.
22	${f Q}$ Were you told at some point that possibly
23	his gun was fired while he was inside the vehicle?
24	A Yes, ma'am.
25	${f Q}$ And so now getting back to where you said

- 1 you were interrupted what you had been doing, what
- 2 event had transpired?
- A At this point after the body had moved, we
- 4 had learned the information of how many rounds he
- 5 had fired, which were 12. We had found ten shell
- 6 casings and we were continuing to look at the
- 7 eastern end of the crime scene where the body was
- 8 at. We were looking around the western end where
- 9 the vehicle was at, unknown how many shots were
- 10 fired at which location.
- 11 The vehicle was getting ready to be
- 12 towed and to save us time spent here closing down
- 13 this entire apartment complex, we were trying to
- 14 determine if possibly the shell casings were inside
- of his police car because we hadn't been in to
- 16 search it yet because we had made the determination
- 17 to tow it and process it at our lab, but that could
- 18 take a couple of hours from start to finish. In the
- 19 meantime we could be searching for two casings that
- 20 just left our crime scene.
- 21 So I talked with the detective that
- 22 was going to process his car and we, not quickly,
- 23 but we briefly opened the door where I photographed
- 24 the hole that corresponds with the dent on the
- 25 outside of the door and then we went through just

- 1 looking under chairs, looking in the cracks of
- 2 seats, Darren Wilson's duty bag was in his passenger
- 3 seat, we looked through it and I have photographs of
- 4 all of that just showing what we took out of that
- 5 car.
- And not processing it for DNA,
- 7 fingerprints and stuff like that. We were just
- 8 simply searching for potentially two spent shell
- 9 casings that we can't account for anywhere else at
- 10 the scene.
- 11 **Q** So the next series of photographs show
- 12 that part of your investigation?
- 13 A Yes, ma'am.
- 14 Q Okay. You can go ahead and continue.
- 15 **A** Photo 110. Overall view of the driver's
- 16 side of the vehicle.
- 17 Number 111. Intermediate view
- 18 driver's side front door.
- 19 **Q** From your earlier testimony we know that
- 20 the window is not up on the driver's side door?
- 21 **A** At this point, we can obviously look into
- 22 the vehicle.
- 23 **Q** Sure.
- 24 **A** But the window was not there, it wasn't
- 25 halfway up or it wasn't up at all, it just was not

Page 152 1 there. Okay. Q Number 112. Video of the driver's side 3 Α door open. This is just kind of showing our 4 5 process, the outside door closed, now it is open. 6 Image 113. Same angle, just a 7 different orientation of the camera. 8 Interior door panel. 9 What number is this? Q 10 I'm sorry. Image 114, interior door Α panel. Overall view and again, you can see the 11 12 placard is still on the ground there where evidence 13 item two was at. 14 What we're looking on this overall view of the interior of the driver's door. 15 16 Image 115. Close-up intermediate 17 view of circular defect to the inside panel of the driver door. 18 19 So this portion right here is like the arm 20 rest? 21 Α Yes. 22 And then this is the actual side of the 23 interior of the car? Yes, ma'am. 24 Α 25 Is that a hole? Q

- 1 **A** Yes.
- 2 Q Okay. It wasn't your job to process this
- 3 interior of the car?
- 4 A I was simply documenting what we found on
- 5 the inside.
- Image 116. Just overall interior
- 7 view again, now you can start to see this is pieces
- 8 of broken glass, it is safety glass, most cars you
- 9 see when it breaks, it doesn't break in big shards,
- 10 small pieces of glass.
- 11 Image 117. A view of the upper part
- of the driver's seat. You can tell in this scene or
- in this picture that this is what is referred to as
- 14 a cage car, metal cage is in the back seat where it
- 15 prohibits these seats from being laid back basically
- or scooted back farther than this.
- 17 **Q** Is this barrier a cage or plexiglass?
- 18 **A** Plexiglass, the top half is glass, you can
- 19 see here it is metal from here down to the floor.
- 20 So when you enter the vehicle, is this a
- 21 sliding little window?
- 22 A I don't know.
- 23 Q Okay. Was it closed?
- 24 **A** It looks to be closed.
- 25 You don't recall if it was open or closed

	Page 154
1	and you didn't process it for that reason?
2	A No.
3	Q Did you look in the back seat?
4	A I did not.
5	Q For shell casings?
6	A We did open the doors and look, we didn't
7	see anything.
8	Q Okay. For the purposes of speeding this
9	through, did you find any shell casings inside the
10	car?
11	A No, ma'am.
12	Q So these next series of photos, we will
13	have somebody who processed the inside of the car
14	who is going to talk about what he found inside the
15	car, but this is just you documenting what you saw
16	in the car?
17	A Yes, ma'am.
18	Q You didn't seize anything else from this
19	car?
20	A No, ma'am.
21	Q So we can do these a little quicker.
22	A 118. Again, overall view from the
23	driver's side.
24	Image 119 is an overall view from the
25	passenger side of the vehicle. Again, evidence
i e	

- 1 marker where the bracelet was at is still in place
- 2 and this is showing Darren Wilson's duty bag or gear
- 3 bag and his rain coat.
- 4 Image 120. Darren Wilson's gear bag
- 5 in the passenger seat. We are showing it because
- 6 the rain coat and the gear bag were removed prior to
- 7 the towing of the vehicle and given back to Ferguson
- 8 Police Department.
- 9 MS. WHIRLEY: Sheila Whirley speaking, you
- 10 mention duty bag and gear bag, are these the same
- 11 thing?
- 12 **A** Synonymous terms, it is a bag that every
- 13 policeman carries with him that has paperwork,
- 14 forms, your lunch, your rain coat.
- MS. WHIRLEY: Is this something that you
- 16 looked inside?
- 17 **A** We expanded it just, and looked to the
- 18 bottom of the bag to see if a shell casing had
- 19 fallen inside.
- 20 MS. WHIRLEY: You didn't do a thorough
- 21 search of it or anything?
- 22 **A** No.
- MS. WHIRLEY: Okay.
- 24 A Number 121. Photo looking down into his
- 25 gear bag.

Page 156 1 Q (By Ms. Alizadeh) Now, can you describe 2 what this thing is here? 3 It appears to me to be a wood baton. A 4 Q That's something that some police officers 5 carry? 6 Image 122. The gear bag has been Α 7 taken out of the seat and when it focuses in now, 8 I'm just showing the rain coat or traffic coat lying 9 in the floorboard. Most of these coats are 10 reversible. 11 Image 123. The inside would be the 12 bright yellow or traffic yellow color, you can turn 13 that outside when you are directing traffic in the 14 rain and inside, obviously, the exterior and that 15 was removed, that was the last photo of his car. 16 Now, we're moving back to the eastern 17 part of the crime scene. Image 124. Okay. 18 ask you to look at the diagram on page one so you 19 can get a reference to where this is. On the far 20 right-hand side you see two evidence bubbles labeled 21 19 and 20. If you look at the top part of this 22 photo, I don't know if it is blocked by the camera, 23 you can see a large red stain here in the middle of the road, that was the location of Michael Brown's 24

head. Farther up the road here would be Darren

25

Page 157 1 Wilson's car. So we are standing at the eastern end 2 looking west. What these other items are, are two 3 blood spatter patterns that are located farther east of Michael Brown's body on the ground. 4 5 Image 125. 6 Now, let me not correct you, but clarify, Q 7 you said blood? 8 T did. Α 9 You didn't test it? Q 10 I did not test it. Α 11 So it is called red stains? Q 12 Α Yes. 13 Somebody else will testify about what it 0 14 was? 15 Α It is a red stain similar to a spatter 16 pattern that I would recognize as needing to be 17 documented and possibly important to the case. 18 You've seen crime scenes before where 19 there are blood trails or blood spatter, and you 20 know that sometimes those spatters can give you some 21 information about what was going on when that blood 22 was dropped onto that surface? 23 Α Yes, ma'am, I've seen it in several crime I've taken several classes on recognizing, 24 scenes. 25 interpreting and the correct way to document these

	Page 158
1	things. I am not a certified expert and I would
2	never claim to be in pattern analyst.
3	Q So you recognize that these actual, what
4	you call blood spatters, we think they are blood
5	spatters at this point?
6	A Right.
7	Q That they needed to be documented?
8	A Yes, ma'am.
9	Q Okay.
10	A So this would be an intermediate view of
11	19. I know the other picture isn't readily
12	available to give you an orientation, the point of
13	this placard is pointed west down Canfield, if that
14	makes sense.
15	So the stain was nearer
16	his head?
17	A No.
18	So just the opposite?
19	A Just the opposite.
20	Can I ask one question.
21	You talked earlier about a break in the
22	investigation due to additional gun fire; is that
23	right?
24	A Yes, ma'am.
25	Is that by citizens or

1 police?	
2 A It was not by the police.	
Not by the police.	
4 A We don't know who it was.	
5 That wasn't in the crime	
6 scene at all?	
7 A No, it was from where I was standing,	
8 which in your diagram would be the building, the	
9 building on the south side of the road of it	
10 sounded like it came from directly behind that	
11 building.	
12 So there is no way that	
13 this could have been part of this?	
14 A No.	
15 Okay.	
16 A We had already identified, located this	
17 spatter prior to the second round of gunshots.	
18 Image 126. Intermediate view of the	
19 spatter pattern and clarifying this end of this	
20 pattern would be closest to Michael Brown, this	
21 would be the farthest part.	
22 Q (By Ms. Alizadeh) But Michael Brown's body	Y
23 is in between the blood spatter and Darren Wilson's	
24 vehicle?	
25 A Yes, ma'am.	

- 2 body?
- 3 A Yes. These two spatter patterns are the
- 4 farthest east evidence that we located.
- 5 **Q** All right.
- 6 A Image 127. Same thing, directly overhead
- 7 view with additional scale laid in for analysis
- 8 purposes.
- 9 Image 128. At this point I think
- 10 this would be an intermediate view of the same
- 11 spatter pattern. Again, with more than one scale to
- 12 assist experts in size and shape.
- 13 Image 129. Similar photos before,
- 14 different orientation of the camera.
- 15 **Q** And so the placard and that scale?
- 16 A Has not moved since the previous photo.
- 17 Basically the photo before, if you can picture I'm
- 18 standing facing directly west, now I've oriented
- 19 myself where I'm facing south and the placards are
- 20 still in the same direction.
- Image Number 130. At this point I
- 22 have switched camera lenses to what we will refer to
- 23 as a prime lens. The lens I typically use for
- 24 overall photos is 18 to 35, kind of a wide angle
- 25 lens. I switched to a 60 millimeter lens, which is

Page 161 1 a fixed focal. It is something where you can get 2 close-up images of something with great detail. doesn't zoom in or zoom out, it only focuses at 3 fixed length. It can focus in really close to small 4 5 objects to find greater detail. 6 And although you can't see the placard Q 7 clearly, that's number 19? 8 Α Yes, ma'am, still number 19. 9 All right. Q 10 Image 131. Again, the overhead projector Α 11 isn't showing a lot of detail, but this is just a 12 close-up image of number 19 still, and I'm focusing 13 on the scale to show, an analyst would describe as a 14 tail of the red spatter pattern. And that's also 19? 15 Q 16 Α Still 19, yes, ma'am. 17 Image Number 132. Now we've moved 18 back to image, I would have to go back to the overall one first, number 20 is an overall position. 19 20 You want to look at your diagram? Q 21 I need to see the overall of the two Α 22 placards together. Number 20, in the overall. Can

Gore Perry Reporting and Video 314-241-6750

Sure, but say the photo number.

I'm going to put Image Number 124 back up

I put this back up?

Q

Α

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- 1 just to show you the orientation of the placard.
- 2 Again, the corner arm of the placard is facing back
- 3 towards Michael Brown's body and Darren Wilson's
- 4 police car.
- Now, going to Image 132, so this
- 6 pointer arm of the placard is facing west. I'm
- 7 standing on the north side of the road looking south
- 8 to take this photograph.
- 9 Image 133. Intermediate view again.
- 10 The placard is facing west again looking at this red
- 11 stain pattern.
- 12 Image 134. Again, evidence item
- 13 number 20, red stain pattern still standing on the
- 14 north side of it looking south.
- 15 Image 135. Same perspective, I've
- 16 now added a second scale to reference size and
- 17 shape.
- 18 Image 136. Again, here I switched
- 19 back again to my macro lens or my prime lens to show
- 20 up close and with greater detail the tailing pattern
- 21 of the spatter.
- 22 And that's item number 20?
- 23 A Still item number 20, yes. Image 137.
- 24 Still on evidence item number 20. Again, another
- 25 photo, same reference as before.

Page 163 1 Image 138. Still evidence item 20, 2 yet closer view of a tail. 3 Image 139. Scale in the previous 4 photo, this scale was referenced this direction. 5 moved the placard out of the way and referenced this 6 scale to the bottom of it to give you a reference 7 This is on the, this is the eastern end, 8 this up would be the north, I'm sorry, to the west 9 back towards Michael Brown's body. 10 Okay. Now, regarding these two red 11 stains, 19 and 20, did you seize them and package 12 them? 13 Α Yes, I seized a sample of them. 14 Was it in a similar, same method that you Q 15 described seizing the red stain on the side of the 16 vehicle? 17 Yes, ma'am. Sterile Q-Tip with sterile Α 18 water and then put into its own individual packaging 19 box. 20 And those are still labeled items number Q 21 19 and 20? 22 Yes, ma'am, sample of item 19 and 20. A 23 So in this case, you didn't consume the Q 24 whole stain? 25 No, ma'am, it would be enough to fill a Α

- 1 Q-Tip.
- 3 small amount for testing purposes?
- 4 A Yes, ma'am.
- 5 Image Number 140. Basically this is
- 6 a photograph showing how I have reorientated the
- 7 scale that you saw in the previous picture. This
- 8 way, I'm sorry, again you can see the placard for
- 9 19, which is this other splatter pattern, and 18 is
- 10 a placard for a piece of evidence that had already
- 11 been collected, but the placard is still in place.
- 12 **Q** Item Number 18 would have been listed on
- 13 your diagram as to what that was?
- 14 A Yes, ma'am, I believe item 18 was another
- 15 spent Federal shell casing.
- 16 Image 141. Same thing as before, it
- is another image showing how I moved the orientation
- 18 of that scale reference item 20.
- 19 Image 142. Just like with the
- 20 previous scale of photos, I go from my intermediate,
- 21 my overall, to my intermediate, again, this would be
- the intermediate showing the new reference point or
- 23 orientation of the scale.
- Item 143. This is a photograph,
- 25 again, I had switched to my macro lens and took the

- 1 photograph with the scale below, the photograph
- 2 here. It did not show up in the frame.
- 3 And this is item 20 still?
- 4 A Yes, still item number 20.
- 5 Image 144. The same shot as before
- 6 with the scale in the frame.
- 7 Image 145. This image shows several
- 8 things. This is the overall image of evidence items
- 9 21 and 22, which we found and you will see in the
- 10 next few photographs, the final two shell casings to
- 11 get to 12 shell casings. The first thing you will
- 12 see in this image number one is the Ferguson car is
- 13 still here, we have pushed the crime scene back at
- 14 this point in time. Here again is the pile of tarps
- 15 and sheets that we used to shield the view of the
- 16 public. You can also see these are evidence
- 17 placards for 11 and 12. Those are other shell
- 18 casings that we found previously and had already
- 19 collected.
- This is the end of our, towards the
- 21 end of my investigation here for physical evidence
- 22 and it shows that we never stop in the order that we
- 23 find them. Obviously, 11 and 12 wouldn't
- 24 necessarily be next to 21 and 22, with 15 being over
- 25 here. It is just the order we found it at. The

	Page 166
1	very end of the crime scene we finally focused the
2	time finding those last two shell casings we found
3	them over here in the grass.
4	${f Q}$ So just because it is not clear on the
5	overhead, what is that one?
6	A That is the placard for evidence item 11.
7	Q And that is?
8	A Twelve.
9	Q Is this a placard?
10	A Yes.
11	Q What is it?
12	A That is 22.
13	Q What's this one?
14	A That's 21 is the farther one away. We
15	found 21 first and then continued looking and we
16	found 22 closer this way.
17	Q Okay.
18	A Or closer to the west.
19	Image 146. Almost identical to the
20	previous photo, just kind of an intermediate view.
21	147. Intermediate view of the
22	placard for 22.
23	148. Same thing, intermediate view
24	of the placard.
25	Image 149. You can see this is a

- 1 close-up view still of the placard number 22 and if
- 2 you can see, which is hard to do, this round object
- 3 here, that is the very opening of the spent shell
- 4 casing.
- 5 Q It is easier to see on the photo?
- 6 **A** It is a lot easier to see in the
- 7 photograph, and it can also show when they are
- 8 sitting straight up like that, impossible to see
- 9 with the naked eye.
- 10 **Q** How is it that they found this?
- 11 **A** Three of us were on our hands and knees
- 12 with gloves on just patting our way through the
- 13 grassy area to feel a rock or a hard object, you dig
- down and we were able to locate the shell casing.
- 15 Image 150. Overall view again. The
- 16 placard for evidence item 21, there is the pile of
- 17 blue tarps, we are moving farther to the east on
- 18 Canfield here. The Ferguson vehicle still on the
- 19 scene.
- 20 Image 151. Intermediate view of the
- 21 placard.
- 22 Q Can you see the casing in that image?
- A Not yet.
- Image 152. Closer up. You can start
- 25 to see silver edge here buried in the grass.

Page 168 Image Number 153. There's our 1 2 close-up view and there you can still kind of make 3 out the edge of a spent shell casing. And that's item 21? 4 Q 5 Α Yes, ma'am. 6 Now, so the total things, you seized all Q 7 12 shell casings, correct? 8 Α Correct. 9 Now, what is a projectile? 10 Projectile would be the term of the bullet Α 11 that is fired from a shell casing, the piece of a 12 cartridge that comes out of the firearm that would 13 be the projectile. 14 Did you seize any projectiles or partial projectiles? 15 16 Α Something I would refer to as a parent 17 projectile. 18 Was that one of the items that you had to 19 collect primarily, you had a chance to do a close-up 20 and intermediate photograph? 21 Α Yes. 22 What number was that on your diagram? 23 Α It is item number 17, and in your diagram it is the north side of Michael Brown's right foot 24 25 on the ground next to him where you see the number

- 1 seven, the small bubble that says 17, what I
- 2 collected as an apparent projectile.
- 4 the samples of the stains, 19 and 20 and number
- 5 eight and number nine, those all went to a lab for
- 6 somebody else to analyze, correct?
- 7 **A** Yes.
- 9 scene?
- 10 **A** No.
- 11 **Q** And again, other than crawling on your
- 12 hands and knees, you ever like get metal detectors
- out there and try to recover projectiles?
- 15 metal detector. They're primarily used for finding
- 16 shell casings and heavily grass areas or other
- 17 pieces of metal evidence. We have used them before
- 18 to look for projectiles, we understand that when a
- 19 bullet is fired, a projectile doesn't stop
- 20 necessarily for a lot of things, including the
- 21 earth.
- Where we would see what looks like a
- 23 bullet may have skipped into grass and you would
- 24 swear it has to be there. It could have skipped and
- 25 gone up and farther away, or if it is fired into the

- 1 ground, it is going to be so deep, it would take a
- 2 lot of manpower and/or just work to get it out and
- 3 not guarantee that you will actually be able to
- 4 recover it.
- 5 Q I guess for the sake of understanding
- 6 this, when shell casings are ejected, you know they
- 7 travel in a predictable direction and somewhat in a
- 8 perimeter that doesn't go beyond a certain area,
- 9 like you are not going to look in the next block for
- 10 a shell casing?
- 11 A No, not for a shell casing.
- 12 **Q** Right. They tend to be somewhere closer
- to the crime scene or to the point where they were
- 14 ejected from the gun, correct?
- 15 **A** Yes.
- But projectiles, would it be safe to say,
- 17 that could be two blocks away?
- 18 A And then some, yes.
- 19 Q Okay. You may continue. In this regard,
- 20 did you search the rest of the area, including
- 21 buildings and trees and objects to determine if you
- 22 could find a projectile that might have become
- 23 embedded in something?
- 24 A This next set of photos, yes, we searched
- 25 one spot.

- 1 **Q** All right.
- 2 **A** Image 154. This is the front building of
- 3 Canfield, which if you want to look at your
- 4 diagram, it would be the building on the southeast
- 5 part of the crime scene.
- I would be close to where the
- 7 orientation of this, if you look at this window
- 8 here, this window right here is where we were
- 9 eventually heading to in this photo sequence. To
- 10 reference where we're at, straight out here into the
- 11 middle of the street is where Michael Brown's body
- 12 had been to orient you where this photo was taken.
- Photos 155. Close-up view of the
- 14 address plate.
- 156. Is a closer up view.
- 16 Image 157. Again, this part of the
- 17 building right here is where I just took the image
- 18 of the plate and now we are looking down here at
- 19 this window in particular.
- 20 : Did you say that
- 21 apartment is due north of where Michael Brown's body
- 22 was found?
- 23 **A** South side of the street.
- South side.
- 25 **A** The building that is on your diagram.

	Page 172
1	MS. ALIZADEH: .
2	A , but it is the southeast corner.
3	That is not to scale.
4	A It is not to scale.
5	Okay.
6	A We put that in two spots. That's what
7	accident reconstructionists do when we draw these,
8	we are not accident reconstructionists.
9	Okay.
10	A Image 158. Intermediate view of that
11	apartment window, and what we are looking at here is
12	a defect into the siding.
13	Image 159. Same window, same defect.
14	Image 160. Just a close-up view of
15	this defect. At this point in the investigation, we
16	recovered all the shell casings, the spent shell
17	casings and the number, the 12 that we needed to
18	account for.
19	This was a defect that was brought to
20	our attention by a witness that from what I can
21	testify to wasn't there when the shooting occurred,
22	but lived in this building and brought this to our
23	attention. I think there is a bullet hole in our
24	siding.
25	So we go up to look at it after this
l	

- 1 photo was taken. I took out about a 6 foot section
- of her siding and the insulation that's on it.
- 3 Behind it is three quarter inch of plywood and then
- 4 in between the plywood there's about a 4 inch gap
- 5 and goes into solid concrete cinder block wall.
- I could see inside of it that
- 7 whatever that was that caused that hole was not
- 8 sitting behind there and this was above the window
- 9 and it was open behind there.
- To continue to look for apparent
- 11 projectile that might be in there I would have to
- 12 remove that siding all the way around to that
- 13 window, the plywood all the way around and cause
- 14 significant damage to that apartment building.
- 15 Again, without guaranteeing any hope
- of actually finding something because I've done this
- 17 more than once into just a drywall piece where you
- 18 see this and you take it all out and realize that it
- 19 just caused that hole and skipped off somewhere.
- 20 I've also seen where things have gone through
- 21 something like that three or four layers of wood,
- 22 hit something concrete, you get it, it just looks
- 23 like a penny and it just smashed.
- 24 And the firearms ballistic expert
- 25 will testify that sometimes bullets get mangled to

- 1 the point you can't confer anything from this then.
- 2 So we made the decision at that point, after I had
- 3 removed the siding to not do any more damage to this
- 4 lady's outside of her apartment.
- 5 Q (By Ms. Alizadeh) And, in fact, you don't
- 6 know that that was even made by a bullet?
- 7 **A** No, no.
- 8 Q Could be a woodpecker?
- 9 A Anything. You can tell it is not exactly
- 10 a round defect, which is something you typical see
- 11 with a firearm. Not to say that a firearm couldn't
- 12 do that, but it could have been anything. There was
- 13 no guarantee or eye witness that said I was standing
- 14 here when this happened and this is brand new
- 15 damage.
- This, in fact, we walked around that
- 17 immediate apartment complex and found a few other
- damages and defects to siding that had cobwebs on
- 19 this and could tell they had been weathered or old
- 20 from the time we were there.
- 21 You did search the surrounding areas and
- 22 you were not able to find any other apparent bullet
- 23 holes and no other projectiles?
- 24 **A** No, ma'am.
- 25 **Q** And then your last?

- 1 A Final photos is Image 161. I explained at
- 2 the beginning this would be the first and last
- 3 photos that we take in our memory cards for our
- 4 photo technicians when they look at our files to
- 5 know what the beginning and ending of the scene is.
- 6 Q All right. I have two other areas to
- 7 cover very quickly. Going back to Grand Jury
- 8 Exhibit 2, this is your diagram. So you've already
- 9 testified that one of the last things, let me ask
- 10 you this, after you've done the photographs and
- 11 seized all the evidence that you described, what's
- 12 the next thing you do?
- 13 A Now we start diagramming.
- 14 **Q** Okay.
- 15 A Photograph our evidence, selected our
- 16 evidence, accounted for every piece of evidence that
- 17 we know of at the time. The body has been moved,
- 18 cars have been towed, we go back now to diagram the
- 19 scene.
- 20 **Q** All right. Now, on Grand Jury Exhibit
- 21 Number 2, is this the diagram you made of this
- 22 scene?
- A Yes, ma'am.
- 24 Q And so we referenced this before, you have
- 25 here not to scale?

1	70	Correct.
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- 3 A The items in this photo that are not to
- 4 scale would be obviously number one, the size and
- 5 shape of these apartment buildings, we have them
- 6 just as plain rectangles. The size and shape of the
- 7 width of the road as compared to the size of the
- 8 vehicle.
- 9 If you look as far as scale drawings
- 10 go, this vehicle is the same size as Michael Brown
- 11 here. Those things are hard to do with the software
- 12 we're given and the tools that we use as crime scene
- 13 detectives to draw into scale on a CAD type drawing.
- 14 Also the size of this entry point on
- 15 Caddiefield, the driveway is not the same size as
- 16 this one. They may be in real life, but whether we
- 17 measure to scale or measure for our plotting
- 18 purposes of evidence, we don't measure those types
- 19 of measurement.
- 20 You can see down here in the lower
- 21 baseline starting at 0.0 feet.
- How we do the diagrams is I took a
- 23 long screwdriver and at the corner where Copper
- 24 Creek Court comes into Canfield, I drove a
- 25 screwdriver down into the dirt and hooked my 250

	Page 177
1	foot measuring tape and 0.0 there. Then from the
2	edge of the road from Canfield, run from 0.0, we run
3	that tape measure out as far past our last piece of
4	evidence that we need to. If you look on page two
5	of the diagram, it has the measurements and lists of
6	evidence that was collected.
7	How this is measured and the reason
8	why we do this diagram is one, to kind of show a
9	visual picture of the scene, but two, if we ever
10	needed to go back and put evidence back in place, we
11	can easily go back and do that with very little
12	effort.
13	As basic as it is, if you look, I'll
14	use evidence item number 19 I believe is the
15	farthest one away, you will start at 0.0 and the
16	your first measurement you will see is listed as.
17	Q You all have your diagrams and probably
18	easier to look at the overhead.
19	A So I will use evidence item number 18 as
20	my example, or 19, it is even number. If you look
21	on the diagram, evidence item number 19 is the
22	bubble here that is farthest to the east.
23	The first column of measurements
24	shows baseline west from Copper Creek, so if you

look at the baseline measurement here and walked

25

- 1 west 31 feet and stopped, in the second column of
- 2 measurements shows 11 feet 9 inches south of the
- 3 baseline. So if you measured 31 feet west, 11 feet
- 4 9 inches south, that spot right there is where
- 5 evidence item 19 is at.
- 6 You do that for every piece of
- 7 evidence, even down here the ones, the shell casings
- 8 we found in the grassy area, evidence item 22, you
- 9 are 47 feet 4 inches west of the baseline and then
- 10 31 feet 3 inches south and you'd find the exact spot
- 11 where that evidence item was placed.
- The measurements, we did those
- 13 intersecting measurements for items number 1 through
- 14 22.
- 15 **Q** Let me stop you. Do those include items
- 16 like eight and nine, which I think were on the
- 17 vehicle?
- 18 **A** Yes. If you will notice eight and nine do
- 19 not have measurements on them because those were
- 20 found on the police vehicle on the driver's side
- 21 door. So in the second section of marked, it is
- 22 labeled Ferguson Marked Police Vehicle Number 108,
- 23 you will find the measurements for the location of
- 24 each of the four tires from the west baseline and
- 25 south of baseline measurements. And from there we

- 1 could --
- 2 **Q** You could put the car back?
- 3 A We could put the car back where it was at
- 4 and show you by photographs where those red stains
- 5 were located. The same for Michael Brown's
- 6 location, the same exact technique for west from 0.0
- 7 baseline, and south left foot and right foot, left
- 8 hand, right hand and head, and then on the bottom it
- 9 has a sentence that states again, the baseline runs
- 10 east to west on north side of Canfield Road, which
- 11 0 feet 0 inches stops and Copper Creek Court.
- 12 That's how we do diagramming situations.
- So to label this not to scale is
- 14 because these things, if you blew it up to life
- 15 size, this might not be 153 feet or 152 feet
- 16 9 inches. To show you the reason why we put that on
- 17 there is to give you the scale of this size of
- 18 thing.
- 19 **Q** So just to clarify though, that distance
- 20 that is between that you already testified about and
- 21 it is blurry here, but the distance from this point
- 22 to this point?
- 23 **A** That measurement is from the driver's side
- 24 front tire of Darren Wilson's police car to the head
- 25 of Michael Brown.

	Page 180
1	Q All right. And you said if you blew it
2	up, it might not be 100, whatever that number is?
3	A As far as to scale and size.
4	Q But that actually is the distance actually
5	between those two items?
6	A Correct.
7	Q Okay.
8	So the diagram isn't to
9	scale, but the measurements are exact?
10	A The measurements are to scale, but the
11	diagram is not drawn to measurement scale.
12	MS. ALIZADEH: Does anybody have any
13	questions about the photographs or the diagram?
14	Okay.
15	${f Q}$ (By Ms. Alizadeh) Last thing I have for
16	this witness and this will probably be less than
17	five minutes, unless Sheila can think of other
18	questions. Detective, you took a crime scene video,
19	you have already testified about that's one of the
20	first things you did after your initial
21	walk-through, then you do a video?
22	A Yes.
23	${f Q}$ And I have marked this Grand Jury 4.
24	(Deposition Exhibit Number 4
25	marked for identification.)
I	

	Page 181
. 1	Q (By Ms. Alizadeh) I'm going to play this
2	video right now.
3	You've testified there is audio, but
4	you're not talking on it; is that right?
5	A Yes.
6	(Video is being played.) (End of the
7	video recording.)
8	Q (By Ms. Alizadeh) Now Detective in
9	that video, and you're the one taking the video?
10	A Yes, ma'am.
11	${f Q}$ We see you walking basically right around
12	the body shields, body screens?
13	A Yes, ma'am.
14	Q That you have put up?
15	A Correct.
16	Q At that point in your investigation, had
17	you found the two red stains that were, I think, 19
18	and 20?
19	A I don't think so, no.
20	Q Those stains went past that location?
21	A Yes.
22	Q All right.
23	MS. ALIZADEH: I think that's it. Sheila,
24	do you have any questions.
25	MS. WHIRLEY: Yeah, just something for

Page 182 1 clarification. You may or may not have covered it. 2 (By Ms. Whirley) Your job is not to 3 investigate the crime, is it? 4 No, just to collect, document, photograph 5 the evidence. 6 You don't talk to any lay witnesses and Q 7 try to determine what happened or anything like 8 that? 9 No, ma'am, information from witnesses is Α 10 usually given to the crimes against persons 11 detective that you will hear from later. Items of 12 evidence that may come to light from their 13 interviews is given to me from other detectives. Ι 14 do not interview witnesses myself at any time. 15 MS. WHIRLEY: Thank you. You all have 16 anything? 17 I have a 18 question about projectile. I know earlier you 19 mentioned inside of the patrol car there was no 20 casings? 21 Α Correct. 22 Was there a projectile in

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it was another detective, I'm sure you'll hear from

There was one recovered later, not by me,

there.

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	Page 183
1	him that he processed the vehicle at our crime lab.
2	: The one that was found, I
3	think it was number 17, labeled 17.
4	A Yes, sir.
5	: Is that one that entered
6	the body and came out?
7	A I can't testify to that. One of the
8	ballistics firearms people that you might hear from,
9	they can answer those questions, I cannot.
10	Yes, ma'am.
11	: . In the
12	video I'm seeing, and your photographs, I'm seeing
13	that there was shattered glass within the vehicle?
14	A Yes.
15	I'm only seeing two pieces
16	sitting in the driver's seat of Officer Darren
17	Wilson's vehicle.
18	A Yes, ma'am.
19	Was there any on the floor
20	that you recall, I didn't really see any in the
21	pictures as well?
22	A I haven't looked at the other detectives'
23	photos extensively. I know when I went to the crime
24	lab to finish packaging my evidence, the vehicle was
25	down there and there was a significant amount of

	Page 184
1	glass inside the door panel itself once they removed
2	that cover.
3	Inside the door panel
4	itself?
5	A Yes.
6	Can you tell me what kind
7	of vehicle is this, do you recall?
8	A It was a Chevy Tahoe.
9	Chevy Tahoe.
10	A Chevy SUV. I'm not sure if it was a
11	Suburban or a Tahoe.
12	All right, thanks.
13	MS. ALIZADEH: Just real quickly. There
14	was another part of your investigation you did
15	another video from a perspective and that was
16	because you were told somebody saw something from a
17	particular window; is that correct?
18	A Yes, ma'am, I did one and I know another
19	detective that was at the scene did other ones. The
20	one I did as far as where, I can't remember the
21	address, it is on the evidence receipt, they had us
22	go to different eyewitness perspectives just to
23	stand there and video similar to this. There is not
24	narration in it, it simply is a video, me standing,
25	or whoever the camera operator was at the time,
ı	

- 1 standing where the witness states they were standing
- 2 and observed whatever it was they observed.
- 3 Again, there is not a narrative
- 4 stating they saw this, they were seeing this and my
- 5 particular video I know that I stood at the section
- 6 where the witness stated she saw what was going on.
- 7 I attempted to use our video camera to zoom in
- 8 across the parking lot where she was saying she
- 9 could see everything happening.
- 10 My camera would only focus on the
- 11 screen part of the door. It was through a sliding
- 12 patio door, it would only focus on the screen no
- 13 matter how much I would zoom in, it wouldn't show
- 14 the scene from her perspective. I zoomed back, you
- 15 had to step to the left and then zoomed in again to
- 16 show the distance where she was seeing things and
- 17 kind of give you a reference point because at the
- 18 time when I did my witness perspective video, it was
- 19 after we had picked everything up.
- It was the last thing, a witness had
- 21 come forward at the very end and said hey, I think I
- 22 saw this from here. The detective interviewed and
- 23 asked to go down and shoot a witness perspective
- 24 from her standpoint.
- 25 MS. ALIZADEH: You will see that video

- 1 later, but I would rather show that to you in
- 2 conjunction with that witness testimony so it will
- 3 be easier for you to kind of tie those together, but
- 4 from his perspective, you know his job, your job was
- 5 then just to stand, whatever witness says where they
- 6 were and film where she says what she saw she saw?
- 7 A Yes, ma'am.
- 8 Q (By Ms. Alizadeh) And the purpose of that
- 9 is just to see could she see that, are there things
- in the way, was it such as that, correct?
- 11 A Correct.
- 12 **Q** Now, you said that from filming it, the
- 13 camera would not focus beyond the screen?
- 14 **A** The human eye could see through the screen
- 15 and focus on a point farther than that.
- 16 **Q** Okay.
- 17 **A** The camera I was using at the time has
- 18 focal limitations and would focus just on the
- 19 screen.
- 20 **Q** Let me ask you this, from your eyewitness
- 21 perspective, could you see, not what she saw, could
- 22 you see the place where she said she saw something?
- 23 **A** From that specific perspective, she could
- 24 only see where Michael Brown came to rest.
- 25 Q Okay. And so from whatever perspective

- 1 she was, she could not see farther west to where the
- 2 officer's vehicle was?
- 3 **A** No.
- 4 Q Okay. But you are standing in her
- 5 position, you could see where Michael Brown's body
- 6 had been?
- 7 **A** Yes.
- 9 Michael Brown's body?
- 10 A You could see from the angle she was at,
- 11 which was to give you an orientation because I can
- 12 see it in my head. She was on the northeast part of
- 13 the apartment complex.
- 14 **Q** Let's use your diagram.
- 15 **A** Here it is. Her apartment building, if
- 16 this is the entrance to Copper Creek Court, her
- 17 apartment building is farther back this way, which
- 18 would be the upper right-hand corner of the diagram.
- 19 Again, this is not to scale, this
- 20 building in particular comes from close to this
- 21 driveway. Her perspective, and if I can come up
- 22 here and use my finger to show, her perspective
- 23 would have been on this line and the corner of the
- 24 building would block the red stain where Michael
- 25 Brown's body had been. You could just barely see

- 1 the stain in the road, the red stain in the road
- 2 where his body had been.
- 3 Q The large stain that was at his head?
- 4 A Yes, that was still present. It was at an
- 5 angle just like this, where this building would have
- 6 come out at that angle and cut that part of the
- 7 scene off where she couldn't see anything else.
- 8 Q Okay. Do you remember her name?
- 9 A I just wrote down her
- 10 address.
- 11 Q When that witness testifies, we will play
- 12 that video for what it's worth given the focal
- 13 limitations of the camera?
- 14 Could she see to
- 15 the east the full rest of the crime scene?
- 16 A Yes, it was a third floor apartment.
- MS. ALIZADEH: Anybody else? And as
- 18 always, if there are questions later on of this
- 19 officer and you would like to have him brought back,
- 20 he will come back.
- 21 All right. That concludes the testimony
- 22 of Detective . And that will conclude
- 23 the evidence for today, September 3rd, of the grand
- 24 jury investigation into the shooting of Michael
- 25 Brown.

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Page 189
                (Court reporter reads the end of the
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     recording information and that is the end of the
     September 3rd, 2014 grand jury hearing for today.)
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- 1 State of Missouri
- 2 SS.
- 3 County of St. Charles
- 4 I, a Licensed Certified Court
- 5 Reporter by the Supreme Court in and for the State
- of Missouri, duly commissioned, qualified and
- 7 authorized to administer oaths and to certify to
- 8 depositions, do hereby certify that pursuant to
- 9 Notice in the civil cause now pending and
- 10 undetermined in the County of St. Louis, State of
- 11 Missouri.
- The said witness, being of sound mind and being
- 13 by the grand jury first carefully examined and duly
- 14 cautioned and sworn to testify to the truth, the
- 15 whole truth, and nothing but the truth in the case
- 16 aforesaid, thereupon testified as is shown in the
- 17 foregoing transcript, said testimony being by me
- 18 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 aforementioned witness, together with the questions
- 22 propounded by counsel and grand jurors thereto, and
- 23 is in all respects a full, true, correct and
- 24 complete transcript of the questions propounded to
- 25 and the answers given by said witness.

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	Page 191
1	I further certify that the foregoing pages contain a
2	true and accurate reproduction of the proceedings.
3	I further certify that I am not of counsel or
4	attorney for either of the parties to said suit, not
5	related to nor interested in any of the parties or
6	their attorneys.
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Page 192
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     COURT MEMO
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     State of Missouri vs. Darren Wilson
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     CERTIFICATE OF OFFICER AND
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     STATEMENT OF DEPOSITION CHARGES
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     DEPOSITION OF Hearing Before the Grand Jury,
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     Volume 2
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     9/3/2014
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     Name and address of person or firm having custody of
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17
     St. Louis County Prosecuting Attorney's Office
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     100 S. Central Ave.
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Page 193
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	Page 194
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2	Upon delivery of transcripts, the above
3	charges had not been paid. It is anticipated
4	that all charges will be paid in the normal course
5	of business.
6	GORE PERRY GATEWAY & LIPA REPORTING COMPANY
7	515 Olive Street, Suite 700
8	St. Louis, Missouri 63101
9	IN WITNESS WHEREOF, I have hereunto set
10	STATEMENT OF DEPOSITION CHARGES
11	my hand and seal on this day of
12	Commission expires
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14	Notary Public
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