

Case: State of Missouri v. Darren Wilson

Transcript of: Grand Jury Volume VI

**Date:** September 23, 2014

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STATE OF MISSOURI

VS.

DARREN WILSON

GRAND JURY

SEPTEMBER 23, 2014

VOLUME VI

1                   IN THE CIRCUIT COURT OF ST. LOUIS COUNTY

2                                 STATE OF MISSOURI

3

4         STATE OF MISSOURI

5

6

7         vs.

8

9         DARREN WILSON

10

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

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1 APPEARANCES OF COUNSEL:

2

3 FOR THE STATE:

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6 County

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1 GRAND JURY HEARING

2 : On Officer Darren

3 Wilson's testimony he mentioned in the physical  
4 layout that Mr. Brown ran almost to a light pole  
5 before he turned around. Do we have a diagram with  
6 that light pole on it?

7 MS. ALIZADEH: I will have to look and see  
8 if it is included in the diagram. I'm sure there  
9 are pictures and videos that you will see, be able  
10 to see the light pole in those images and then if  
11 necessary, when we have a witness who is familiar  
12 with the scene, if need be, we could have them using  
13 our diagram, which has already been in evidence  
14 point out to you where the light pole exactly is.

15 : All right, very good.

16 MS. ALIZADEH: Good morning.

17 (All jurors say good morning.)

18 MS. ALIZADEH: This is Kathi Alizadeh with  
19 the prosecutor's office, present is Sheila Whirley  
20 with the prosecutor's office, all 12 grand jurors  
21 are present today, it is September 23rd, as well as  
22 the court reporter or the stenographer who is taking  
23 down what is being said. We are also recording,  
24 audio recording, that's happening in the grand jury  
25 right now.

1 I wanted to make some preliminary remarks.  
2 Now is the, in the next couple of days and a few  
3 weeks, I suppose, we are going to be hearing  
4 testimony from some people say that they are  
5 eyewitnesses of parts of this incident. And many of  
6 them have already had, been interviewed, all of them  
7 have been interviewed by law enforcement at some  
8 point. And as far as I can think of, almost all of  
9 them have been recorded by law enforcement as far as  
10 their interviews.

11 As you know, we are recording, audio  
12 recording everything that's being said as well as  
13 taking down by court stenographer everything that is  
14 being said.

15 That is an extraordinary thing that in my  
16 experience, we've never done before. And, you know,  
17 the proceedings in the grand jury are historically,  
18 have been secret and people who appear before the  
19 grand jury are testifying in secret and it is  
20 usually not disclosed that they testified or what  
21 they said. But in the interest of the public's need  
22 to know that this investigation is thorough and  
23 fair, my boss, Robert McCulloch, has decided to do  
24 this extraordinary thing, which is to record  
25 everything. And if there is sometime down the road

1 if there is ever an issue as to whether or not this  
2 investigation was thorough and fair, we will have  
3 those recordings to show exactly what was done.

4 But as you can imagine, there are  
5 witnesses who are very uncomfortable who have  
6 information and are willing to come forward, but do  
7 not want their names disclosed on the record or  
8 where they live or, you know, their birthdate, any  
9 identifying information about them and that's  
10 understandable given what, you know, has happened in  
11 our community in the past month about, you know, the  
12 public's reaction to the incident and the  
13 investigation into this.

14 And so because our goal is to get as much  
15 information as possible so that you can decide the  
16 facts in this case, we have decided that witnesses  
17 who do not want their name or identifying  
18 information about them to be on the record, we are  
19 not going to put that on the record.

20 What we are going to do is when that  
21 witness comes forward, he will be sworn, he or she  
22 will be sworn, and then the court reporter will not  
23 activate the audio recording initially. That  
24 witness will then identify themselves to you by  
25 their name and where they live, although I told them

1 I'm not going to ask them for an address, mainly  
2 just south county, you know, I live in the Ferguson  
3 area, I live in north county, or what have you.

4 And then those witnesses will be referred  
5 to, once they've given that identifying information,  
6 then I will have the court reporter start the audio  
7 recording at that point. So their testimony will  
8 still be recorded and the court reporter will  
9 transcribe their testimony, but they will be  
10 referred to by myself and in the court reporters  
11 record by witness number.

12 Last night I made a list of every witness  
13 who has appeared before you so far and just for the  
14 sake of the record, we're just going to go  
15 chronologically with the live witnesses as they've  
16 testified.

17 So if you recall who was the  
18 investigator with the Medical Examiner's Office, he  
19 was witness number one. Number two was Detective

20 Number three was , although  
21 will have to come back because we had to cut  
22 him his testimony short, if you recall.

23 Number four was Dr. , the medical  
24 examiner. Number five, . Number six  
25 was Sergeant with the Ferguson Police



1 Department. Number seven, Detective  
2 with the County Police Department. Number eight was  
3 Special Agent with the FBI and finally  
4 number nine, last week, was Darren Wilson, the  
5 Ferguson police officer.

6 So we will continue to call witnesses and  
7 give them a number so that if they do not want to be  
8 identified on the record we will refer to them as  
9 witness number 12, 15, you know, what have you.

10 Um, we are not going to do that for  
11 witnesses who have been on the media because those  
12 people have chosen to put themselves out there in  
13 the public eye, they've identified themselves by  
14 name, they're on TV, so those witnesses will, their  
15 names will be on the record. I'll ask them their  
16 name and, you know, where they live and in the  
17 general vicinity where they live.

18 The other issue is that because we are  
19 going to be playing recorded statements that these  
20 people have made, and many, in fact, most of these  
21 recorded statements, the statements begin with the  
22 witness giving their name, their date of birth,  
23 their social security number, their address and  
24 sometimes, you know their cell phone numbers.

25 And, again, I believe that probably in the

1 case of every witness, that information probably  
2 should not be made public. I think it is okay for  
3 the witnesses who have been on the news for their  
4 names to be out there, but probably not their social  
5 security numbers and their exact address and cell  
6 phone numbers.

7 So for that reason, when we begin playing  
8 a recording of a witness' statement, I will have the  
9 court reporter turn off the audio recorder in here.  
10 The statements are, they're already on disc, they  
11 are marked as exhibits, so we have those statements.


12 I will make a record that I'm playing  
13 Grand Jury Exhibit, you know, so and so. I'm  
14 playing the statement of Witness Number 12, who off  
15 the record was identified by us as, you know, by  
16 name and so then we will stop the audio recording to  
17 play the audio interview that is on disc.

18 In most of these cases we also have  
19 transcripts of the recordings that we will pass out  
20 to you and then the court reporter will also have a  
21 transcript so he can, that will assist him in taking  
22 down what's being said, but he will also be  
23 instructed, you are instructed that at some point  
24 we're going to have to redact that information from  
25 the transcript. You and I can discuss that later,

1 but you know, the whole purpose of this is so that  
2 we can, you know, keep people, people's private  
3 information private. And in the case of people who  
4 don't want to be identified for fear of  
5 reattribution, we need to keep them, I guess,  
6 unidentified, at least on the record.

7 Does anybody have any questions about that  
8 process is or how we are going to do that? We're  
9 going to kind of have to work out kinks as we go  
10 because I had a discussion at length with other  
11 people in my office last night about how we were  
12 going to go about doing this. So we're going to see  
13 how it goes, I guess.

14 : So, for  
15 instance, these witnesses who are being identified  
16 for us at least, does that mean if this were to go  
17 to trial that they would not appear, only this  
18 portion would then be presented in a trial or they  
19 may potentially be required to present themselves?

20 MS. ALIZADEH: If this matter were to go  
21 to trial, I mean, first of all, it is not something  
22 that you should all really worry about too much.  
23 Your job is not, I don't want you guys thinking  
24 about what is going to happen after you all make  
25  your decision. You can't be affected by that.

1 But in the constitution, everybody who is  
2 in trial has the right to confront and cross-examine  
3 witnesses who give testimony against them. So, you  
4 know, the constitution will not allow us to put on,  
5 you know, unidentified witnesses.

6 I know you probably have all seen on  
7 television when there are proceedings televised,  
8 they will black out the witness' face, but that is  
9 just for television.

10 In a courtroom setting, that witness' face  
11 is not blurred, obviously. So you will understand  
12 that that's not something that you have to, I mean,  
13 that's not a part of your decision process.

14 Whatever happens after this, we will deal  
15 with it, whatever happens, but for now, this is how  
16 we are going to proceed.

17 : So when  
18 we get to the end of everything, all the  
19 proceedings, these audios that we are doing, they  
20 will be made public?

21 MS. ALIZADEH: That is a decision that we  
22 have to wait and see. My boss, Mr. McCulloch, has  
23 made a public statement about his intentions.  
24 Obviously, if this case, you know, that I can't say  
25 for sure. I know he has made public statements at

1 some point this all will be released. But when, I  
2 cannot say and again, that's one of the reasons why  
3 you all are referring to yourselves by juror number.  
4 Your identities will never be disclosed. So that's  
5 how we are trying to handle this.

6 Does anybody else have any other questions  
7 about the process?

8 And, I hate to ask you, you  
9 normally don't ask questions. You understand what I  
10 was trying to explain about the process?

11 I will give you one later when you are  
12 actually doing your transcript.

13 Any other questions?

14 So our first witness of the day is not  
15 here yet, but we are going to go ahead and start  
16 playing discs that we have that are statements that  
17 he has made previously. But what you are going to  
18 hear, and I hope he's just running late, but the  
19 first witness of the day, our plans were to call  
20 , and he is not here.

21 So we're going to keep going. The first  
22 disc that you are going to hear is labeled as Grand  
23 Jury Exhibit 22.

24 (Grand Jury Exhibit Number 22  
25 marked for identification.)

1 MS. ALIZADEH: And it is a disc that  
2 contains video and audio of the media statements  
3 that has made in interviews and on the  
4 television.

5 MS. WHIRLEY: I have no idea how loud it  
6 is.

7 MS. ALIZADEH: Because is  
8 identified, we're not going to shut off the audio  
9 recording because these are media statements that  
10 he's already made.

11 ( Playing the recorded statements.)

12 MS. WHIRLEY: You understand we didn't  
13 want his commentary.

14 (Playing the recorded statements.)

15 (End of the recording.)

16 MS. ALIZADEH: The next exhibit is Grand  
17 Jury Exhibit Number 17. You have already heard  
18 other statements that are contained on this disc.  
19 It is a CD that has a number of witness statements  
20 on it and I have a transcript that is going to be  
21 passed out to you all.

22

23

24 MS. ALIZADEH: Yes.

25 : What date was

1 interview?

2 MS. WHIRLEY: ? Okay. We have her  
3 scheduled as a witness.

4 : I'm talking about her  
5 audio?

6 MS WHIRLEY: This is  
7 We heard ,  
8 when did they actually interview her?

9 MS. WHIRLEY: She's going to be a witness  
10 for us today.

11 MS. ALIZADEH: Are you asking when was her  
12 television interview?

13 : Yes, ma'am.

14 MS. ALIZADEH: I don't know, I will have  
15 to find that out for you.

16 MS. WHIRLEY: We will be playing your  
17 interview for her today too. We will get all of  
18 those questions answered.

19 MS. ALIZADEH: Has everybody got the  
20 transcript passed around yet?

21 And, again, if you will put your juror  
22 number on that in the corner and keep that with the  
23 materials and make notes on it if you feel you need  
24 to.

25 Just so you know, this is one of three

1 statements that made to County Police.

2 So this is referred to just on the disc as

3 Interview Number 1, is that what it says?

4 MS. WHIRLEY: Yeah

5 MS. ALIZADEH: We will play Interview

6 Number 1.

7 (Playing Interview Number 1.)

8 DETECTIVE Today's date is

9 Saturday, August 9th, 2014. The time is

10 approximately 4:40 p.m. My name is Detective

11 , St. Louis County Police Department,

12 . This interview is in reference to an officer

13 involved shooting resulting in a fatality referenced

14 under St. Louis County Police Report Number

15 14-43984.

16 The person being interviewed is

17 date of birth, (redacted)

18 : Ahh, (redacted).

19 DETECTIVE Okay. (Redacted).

20 , we spoke, um, prior to this recording

21 about what you witnessed outside. Can you kinda of

22 tell me in own words what you saw?

23 : Okay. I was in the

24 bedroom, and I hear an altercation outside. I

25 happens to look out the window and I see, um, the



1 young guy was at the Ferguson police car on the  
2 passenger window. And I see something exchanged,  
3 some arms exchanged and that's when I call my  
4 fiancée for her to look out the window and, um,  
5 that's when I ran into the front outside, and that  
6 when, um, I see, actually, it was two guys.

7 Um, when, but the guy, he constantly, he  
8 just ran down in the middle of the street and the  
9 officer just gets out the car and shoots.

10 I thought it was six times. So, um, when  
11 he, when he hit, I guess when he hit the first and  
12 the second time, the guy, he kinda stopped and  
13 turned around facing the officer, uh, bent down a  
14 little bit curled up, and the officer let out, what,  
15 three, maybe four more shots to the guy and that's  
16 when he hit the ground and, um, and that was it and  
17 that was the whole thing.

18 And he actually had a friend, he, I don't  
19 know, I just seen him duck down, a car, um, they had  
20 a car door open, it was a white car, um, he hopped  
21 in, I guess those two cars left.

22 DETECTIVE Okay.

23 : But that's the whole scene  
24 right there, the officer still had his gun out  
25 telling everybody to back-back, the ones that was

1 outside and that was that and you guys called too.

2 DETECTIVE : Okay, um, these, this  
3 other guy who was by the officer's car, can you  
4 describe him?

5 : Ahh, you know, the only thing  
6 that I could say that he may have, I definitely know  
7 that he was black, um, he had dreads.

8 DETECTIVE : Okay.

9 But I can't even describe what  
10 he had on because everything was happening so quick,  
11 cause something happens here almost every weekend.

12 DETECTIVE : Gotcha.

13 : So, um, yeah, that's it.

14 DETECTIVE : Okay. That will  
15 conclude the interview. The time is approximately  
16 4:43 p.m.

17 MS. ALIZADEH: Okay. So I know I talked  
18 about not recording the audio statement because he  
19 did state his date of birth and address, we will  
20 have to deal with that and see if that can be  
21 somehow redacted. For this next statement he makes,  
22 I'm going to go ahead and let that be recorded  
23 because he doesn't make any other statements as to,  
24 you know, personal information. So I will, we'll go  
25 ahead and audio record the playing of

1           's Interview Number 2, but we will stop the  
2     recording for               's Interview Number 3  
3     because that does, in fact, disclose more  
4     identifying information, so.

5                 Again, this is Grand Jury Exhibit Number  
6     17,                     Number 2.

7                 DETECTIVE                 Today's date is  
8     Saturday August 9th, 2014. The time is  
9     approximately 4:45 p.m. This is Detective  
10                 . This is a second interview with  
11     witness                 . Uh,                 you said you  
12     had approached me, or approached me and said you had  
13     something you wanted to add to your statement; is  
14     that correct?

15                 : Yeah. Um, the only thing is  
16     um, when I was at the window, when I saw the  
17     altercation, the guy ran. I heard the shooting,  
18     that's when I saw the cop gets out of the car just  
19     when I was still --

20                 DETECTIVE                 : Did you say you heard  
21     shots first?

22                 : Yeah, I heard the shots first.

23                 DETECTIVE                 : Okay.

24                 : I was still at the window.

25     That's when he got, got out of the car and I heard

1 the shots. That's what drew me to outside so I  
2 could see what's going on.

3 DETECTIVE : Uh-huh.

4 : And, uh, I guess the guy did  
5 get hit cause he turned around back towards facing  
6 the cop, kinda walking back towards him slow, curled  
7 up and he let go three, four shots back at him.

8 DETECTIVE Okay. Say that for me,  
9 he turned around, he started what, curled over and  
10 started walking --

11 : Yeah, yeah, yeah, yeah.

12 DETECTIVE -- towards the officer?

13 : Well, yeah, like he was hit  
14 and he shot him three or four times and that's when  
15 he hit the ground.

16 DETECTIVE Okay. So when you're  
17 in the -- in the, just so I can clarify, when you're  
18 in your bedroom window, the officer's still in the  
19 car?

20 : No, no, he wasn't there, he  
21 hopped out then. He hopped out after when the guy  
22 ran from his window.

23 DETECTIVE Okay.

24 : So he ran from where the  
25 altercation was.

1 DETECTIVE When did you hear the  
2 first two gunshots, you said you heard some  
3 gunshots?

4 I was, I was in the window.

5 DETECTIVE : And where was the  
6 officer at that point?

7 : That he was still in the car.  
8 That's when I saw the altercation, whatever was  
9 happening --

10 DETECTIVE In the car?

11 And the guys ran.

12 DETECTIVE Okay.

13 : And that's when he immediately  
14 hopped out the car and did his first two shots.

15 DETECTIVE : Okay.

16 : And that's when, okay, okay, I  
17 need to go outside.

18 DETECTIVE : Gotcha.

19 : That's when I went outside and  
20 obviously he got hit and he was curled up and he  
21 kinda like walking towards him, just a little bit  
22 and then he let go three or four more shots and  
23 that's when he hit the ground.

24 DETECTIVE : Okay.

25 : But I was at the window,

1     that's when I did see the, as soon as he ran, he  
2     hops out of the car and again starts shooting.

3                     DETECTIVE             :   Okay.

4                                     :   That's it.

5                     DETECTIVE             :   Okay.   That'll conclude  
6     the interview.   The time is 4:47 p.m.

7                     (That is the end of Interview Number 2. )

8                     MS. ALIZADEH:   All right.   The next  
9     statement we're going to hear is contained on  
10    another disc, Grand Juror Number 24.

11                                     (Grand Jury Exhibit Number 24  
12                                     marked for identification.)

13                     MS. ALIZADEH:   Which is also a disc that  
14     contains numerous recorded statements.   The way that  
15     my office has been getting these, the officers just  
16     put numerous statements on discs.   Sometimes they  
17     give me discs that have statements on there that I  
18     have already had on another disc.

19                     So don't, you might see other people's  
20     statements when we put this up, but this will be the  
21     third interview that the County Police did with  
22                                     and I will pass out transcripts for  
23     that.   This is a longer interview.

24                     And when we get ready to start the audio  
25     recording of the interview, if you could then pause

1 the recording that's going on in here.

2 At this time prior to the playing of an  
3 audio recorded statement of , which is  
4 done on August 13th, 2014. The detective  
5 questioning him is Detective And  
6 at this time I will ask for to pause the  
7 recording of the grand jury.

8 (Recording is stopped at this time.)

9 MS. ALIZADEH: We're not recording, but  
10 you can take down what's said other than the fact  
11 that we would redact the identifying information  
12 from your transcript at some point.

13 So we are not recording, however, we are  
14 taking down the statement as it is being played.  
15 Sheila, go ahead.

16 (Third recorded statement of  
17 )

18 DETECTIVE : This is Detective  
19 with St. Louis County Police, uh,  
20 Bureau Crimes Against Persons, uh, . Uh,  
21 also present is Detective  
22 St. Louis County Police, uh, Department, Crime  
23 Bureau Against Persons.

24 Um, the date is 8/13/2014, it is a  
25 Wednesday. The time is 10:27 a.m. The interview is

1 being conducted in the parking lot of DePaul  
2 Hospital.

3 Um, the interview is in regards to St.  
4 Louis County Report Number 14-43984, which is  
5 classified as a homicide.

6 Uh, the person being interviewed is  
7 , uh, black male, date of  
8 birth, (redacted). Social security number,  
9 (redacted). Who resides at (redacted).

10 Uh, he has a cell phone number of  
11 (redacted).

12 Um, , do you understand that this  
13 interview is being recorded?

14 Yes, I do.

15 DETECTIVE This is being  
16 recorded with your permission?

17 DETECTIVE Are you willing to  
18 continue with the interview?

19 Yes.

20 DETECTIVE Okay. All right.

21 , um, I know that, uh, one of our detectives  
22 has spoken with you, uh, on Saturday, August 9th,  
23 uh, on the day of the incident, in -- in regard to  
24 what you saw. Um, and basically through, um, some  
25 information we received, we -- we -- we felt that



1     there might be some more information that you might  
2     have.

3                     So we came to reinterview you, and you  
4     mentioned to us briefly upstairs that you had a  
5     phone, uh, you had recorded a portion of this on  
6     your phone; is that correct?

7                     :   Correct.

8                     DETECTIVE                 :   Okay.  And, um, the  
9     portion that you've recorded, uh, was directly after  
10    the shooting; is that correct?

11                    :   Correct.

12                    DETECTIVE                 :   Okay.  So, um, that,  
13    this phone, this, um, Samsung phone is yours?

14                                     Yeah.

15                    DETECTIVE                 :   And you did the  
16    recording?

17                                     :   Uh-huh.

18                    DETECTIVE                 :   And, um, that's you  
19    talking on the video there, correct?

20                    MR.                 :   Correct.

21                    DETECTIVE                 :   Okay.  So, um, prior  
22    to recording, I had you, uh, sign a consent to  
23    search form, uh, St. Louis County's, uh, consent to  
24    search for your Samsung phone, uh, with video  
25    related to the Ferguson incident; is that correct?

1 : Correct.

2 DETECTIVE : Okay. And you did  
3 that of your own free will?

4 Yes.

5 DETECTIVE Okay. And  
6 understand that all we are looking for on there is  
7 items related to the shooting itself?

8 Yes.

9 DETECTIVE Okay. So, um, like  
10 I said, since I didn't interview the first time and  
11 I have this new information about the phone, if you  
12 could just start from the beginning about where you  
13 were at in the apartment, um, what you heard or  
14 observed, um, and just kind of let, you know, retell  
15 us the story, okay?

16 : Okay.

17 DETECTIVE : If you want, you go  
18 ahead and hold this so --

19 : Okay. Well, um, Saturday  
20 morning, a little bit after 11:30, a friend of mine  
21 stops over, wakes me up. Um, I was outside with him  
22 for two or three minutes and he decides to leave.  
23 So I goes in the house, um, goes back into my  
24 bedroom. Like another two, three minutes later I  
25 hear an altercation outside. And I looks out the

1 window and I see a guy, Michael Brown, at the driver  
2 window of the Ferguson police car.

3 I'm not sure what was exchanged, um,  
4 something was definitely going on in the window.  
5 So, um, but all of the sudden I see Michael Brown  
6 and his friend runs away from the Ferguson police  
7 car.

8 DETECTIVE : Let me stop you real  
9 quick. Um, while they were at the -- the door  
10 there, or while Michael was at the door.

11 : Yes.

12 DETECTIVE Um, what do you  
13 think, what did you see there?

14 I, I saw some, some arms going  
15 through the window. It might have been Michael  
16 Brown's arm, he might have been punching a police  
17 officer, or whatever. Something was going on  
18 through the window.

19 DETECTIVE : There's some kind of  
20 movement, exchange of --

21 : Yeah, some kind of movement,  
22 you know.

23 DETECTIVE Something going on  
24 there?

25 : Yeah, something was definitely

1 going on.

2 DETECTIVE Okay. Where, at  
3 that time that Michael's at the window where is, uh,  
4 his buddy at?

5 : The -- the, his buddy was  
6 basically in the front of the car on the other side.

7 DETECTIVE : In the front of the  
8 police car?

9 Yeah, kind of, but away.

10 DETECTIVE : On the passenger  
11 side?

12 : No, no, no, just in the front.  
13 In the front like, you know, he ain't even --

14 DETECTIVE So with, using my  
15 window, Michael Brown is to my left?

16 Yes in the window and the  
17 other guy was in the front --

18 DETECTIVE : So you see him --  
19 : -- probably like, away, kind  
20 of almost.

21 DETECTIVE How far?

22 : -- like, probably three, four,  
23 maybe five feet away from the car.

24 DETECTIVE : So he's five feet  
25 from the front quarter panel --

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1   Yeah.

2 DETECTIVE : -- of the police  
3 officer's vehicle?

4 : Yeah. But I'm --

5 DETECTIVE : So towards your  
6 apartment basically?

7 : Yeah.

8 DETECTIVE : Okay, all right.

9                                So, um, so, like I said, the  
10 friend wasn't even, not close as much as Michael  
11 Brown was.

12 DETECTIVE Okay.

13                                So, uh, like I said, all of  
14    the sudden they just immediately runs away from the  
15    car.

16                         DETECTIVE                         They both did?

17                    They both did.

18 DETECTIVE : Which direction did  
19 they go?

20 Uh, the -- Michael Brown just  
21 runs back straight.

22 DETECTIVE : Behind the correct?

23 : Yeah, behind the vehicle,

24 running straight down the road as the friend, he

25 just ducks behind the first car that was parked off

1 to the side, which is like a two door Monte Carlo or  
2 something.

3 DETECTIVE What color was that?

4 : It was white.

5 DETECTIVE : Okay.

6 : So, um, like I said, the  
7 moment they got started running, um, I just see the  
8 Ferguson cop just gets out the car and I hear the  
9 first four shots, I should say.

10 DETECTIVE : Okay. And -- and  
11 when you hear the first four shots, let me know  
12 where all three of these guy are at. Where is,  
13 where is his buddy, where is his buddy, first of  
14 all?

15 : His buddy, his buddy was,  
16 about the time he was behind, hiding behind, um,  
17 behind the trunk of the car, of the two door white  
18 Monte Carlo.

19 DETECTIVE : So, so that's where  
20 he's at?

21 : Yeah.

22 DETECTIVE Okay. Where's --  
23 Like going around.

24 DETECTIVE : -- the police  
25 officer at?

1 : The police officer like, just  
2 getting out of the car.

3 DETECTIVE : Okay.

4 : Like, just getting out the car  
5 and Michael Brown is already probably like  
6 25 feet --

7 DETECTIVE : Down the road?

8 : -- down the road.

9 DETECTIVE : Okay.

10 So, um, like I said, he hops  
11 out the car, um, the first three, four shots that I  
12 noticed that was taken, I, that's when I yelled out  
13 to my fiancée, let's go outside cause this, um,  
14 somebody, uh, the officer is shooting at somebody.

15 DETECTIVE : Okay. Just hold on  
16 real quick. When those first four shots are being  
17 taken, where's the officer shooting from and which  
18 direction is Michael Brown facing?

19 Michael Brown is facing away  
20 from him.

21 DETECTIVE : So he's still  
22 running?

23 Yeah, he, uh, he still --

24 DETECTIVE : With his back to the  
25 officer?

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1                   -- yeah, with his back to the  
2 officer.

3 DETECTIVE : Okay.

4                               And the officer is basically,  
5     um -- um, when, like I say, when he's getting out of  
6     his car, he is basically walking towards the back as  
7     he's shooting.

8 DETECTIVE Okay. So --

9                               And I see the friend, I'm  
10 still in the window.

11 DETECTIVE : Okay.

12                               And I see his friend, uh, like  
13     I say, he's ducking for his life, for he runs behind  
14     the trunk of the car. But that car, that passenger  
15     door was open.

16                      DETECTIVE                      Uh-huh.

17 : You know, so I see, you know,  
18 kind of hops in after, um ---

19 DETECTIVE Did he hop in the  
20 car?

21 I, obviously, he did. Um,  
22 obviously he did because, like I said, um, like the  
23 first four shots, the officer was taking big steps  
24 going past his car. When he got out of the car --

25 DETECTIVE : Uh-huh.



1 : -- so that's why I noticed  
2 that he's not shooting for the other guy because he  
3 walked past the white car, shooting.

4 DETECTIVE : But did, but -- but  
5 did, did he, what I'm saying though, did you see him  
6 get inside the car?

7 Yeah, he did.

8 DETECTIVE : He did get inside  
9 the car?

10 : He did, he did, but not like  
11 that, like as far as like, um, that was his car,  
12 like he just got out of it or something.

13 : No, no, but he had  
14 his buddy with the dreadlocks.

15 : Yeah, um --

16 DETECTIVE : He got into the car,  
17 the white Monte Carlo?

18 : Yeah, the white Monte Carlo  
19 cause the door was open or whatever cause uh --

20 DETECTIVE : Didn't it pull off?  
21 Um, I think it pulled off.

22 DETECTIVE With him in it?

23 : After -- after when, um, uh,  
24 when a Ferguson, as a matter of fact, I think it's,  
25 it might have been on my phone cause I seen a white

1 car on my phone, but I didn't --

2 DETECTIVE : Okay.

3 : -- I can't see if it's, um --

4 DETECTIVE : All right. So, but

5 you saw this guy get into the car?

6 Yeah, I did see that.

7 DETECTIVE : Okay.

8 : Because the door was open and,

9 I guess, after when he got done shooting, I guess

10 whoever that was driving told him, let's go cause

11 he's afraid for his life --

12 DETECTIVE Okay.

13 -- I'm sure of that, I'm sure

14 of that.

15 DETECTIVE : Okay, all right. So

16 you're positive he got in the car and he left in

17 that car?

18 : Yeah.

19 DETECTIVE Okay, all right. So

20 you're positive he got in the car and he left in

21 that car?

22 : Yeah.

23 DETECTIVE : Okay, all right.

24 Let's go back to the officer and Michael's running

25 down.

1 : Yes.

2 DETECTIVE : The officer has  
3 exited his vehicle?

4 Yeah, and --

5 DETECTIVE : He was, and so, um,  
6 you said Michael was like 25 feet down the road --

7 Yeah, already.

8 DETECTIVE : -- his back is to  
9 the officer --

10 And, um --

11 DETECTIVE : You are, uh --

12 I'm, I'm, I'm --

13 DETECTIVE You're still on the  
14 porch, right? Or on the balcony?

15 Yeah, when it, after when he  
16 did the first shot, that's when I'm, um, came  
17 outside. That's when I'm outside now, but when I  
18 came outside, he was already hit. But as far as in  
19 --

20 DETECTIVE : Okay. Is, so, I'm  
21 sorry, I -- I may be going too fast here, but, um,  
22 so when you hear the initial shot, you're upstairs.

23 : Yeah, in the bedroom.

24 DETECTIVE : Okay.

25 : First floor, or three.

1 DETECTIVE Okay. So then,  
2 okay, so you heard a shot and then you went outside?  
3 : And then I went outside.

4 DETECTIVE : And that's where you  
5 saw them kind of doing the --

6 : That's when the, no, no, um,  
7 when I saw the first four shots, that's when I  
8 yelled out, let's go outside. When I, when I --

9 DETECTIVE I'm sorry, hold on  
10 just one second. I need to back up just a little  
11 bit because had you heard a shot before you saw them  
12 tussling in the car?

13 : No, no, I heard an  
14 altercation.

15 DETECTIVE : Okay. You're,  
16 that's when you heard that brought you outside  
17 initially?

18 No, uh, what brought me  
19 outside was the gunshots.

20 DETECTIVE Okay. I'm sorry,  
21 I'm, I'm trying to be very clear on this --

22 All right, I gotcha.

23 DETECTIVE : -- is why, which is  
24 why I'm, I'm having, so the very first thing that  
25 drew your attention was what?

1 : The altercation.

2 DETECTIVE : Okay.

3 : From hearing stuff.

4 DETECTIVE : Okay. So you heard

5 them arguing?

6 : Yeah.

7 DETECTIVE Or some kind of --

8 : Yeah.

9 DETECTIVE : -- exchange of

10 words.

11 : Yeah, yeah, yeah.

12 DETECTIVE : -- is what you hear?

13 What is first thing that you see?

14 : Um, a guy at the window doing

15 something, something.

16 DETECTIVE Okay. Had you heard

17 any gunshots at that point?

18 : No, I didn't. No, I didn't.

19 DETECTIVE : Okay.

20 : But a lot of people saying

21 that they heard a gunshot starting from the inside,

22 but like I said --

23 DETECTIVE : But you didn't hear

24 that?

25 : I, I didn't hear that. I

1 mean, I might heard it if I was outside already.

2 DETECTIVE : Okay.

3 : But it probably --

4 DETECTIVE : I understand. What

5 I'm trying to see --

6 : I gotcha.

7 DETECTIVE : -- what brought you

8 outside.

9 : I gotcha, I gotcha.

10 DETECTIVE So, so let's skip

11 forward to the part where, cause we know where he,

12 we know where the friend was at. We know where he

13 went.

14 : Yeah.

15 DETECTIVE : We know, um, so what

16 I wanna take you back to is to the start the officer

17 gets out of the vehicle.

18 : Uh-huh.

19 DETECTIVE : And starts to go

20 towards the back, Michael is running down the road.

21 Yeah.

22 DETECTIVE : And what is going on

23 there?

24 : Uh, like I said, by the time I

25 got outside, so either --

1                   DETECTIVE                   :   So --  
2   :   -- he must have hit from those  
3   first three or four shots.  
4                   DETECTIVE                               But that's what I  
5   want to talk to you about.  
6   :   Right.  
7                   DETECTIVE                               The -- the first  
8   four shots that you're talking about?  
9   Uh-huh.  
10                  DETECTIVE                               :   I want to be very  
11   clear on where --  
12   Uh-huh.  
13                  DETECTIVE                               -- the officer was  
14   at.  
15   Yeah, um, like I said, he --  
16   he was, he was probably just passing the end of his  
17   truck.  
18                  DETECTIVE                               Oh, so by the rear  
19   bumper?  
20   :   Yeah.  
21                  DETECTIVE                               :   Driver side quarter  
22   panel area?  
23   Yeah.  
24                  DETECTIVE                               :   Okay.  
25   :   Yeah.

1 DETECTIVE : Okay. So he, uh --  
2 you know, has he already fired or he starts firing  
3 then?

4 : Nah, he -- he been shot, he  
5 been fired, he had been fired like when he got --

6 DETECTIVE : So from the time --  
7 : -- he been fired.

8 DETECTIVE : So --  
9 : But like, so when he got out  
10 the car --

11 DETECTIVE : He start firing as  
12 soon as he got --

13 Yeah, cause --

14 DETECTIVE : -- out.  
15 -- the, that's how I noticed  
16 that, um, uh, that he kept shooting, um, walking  
17 past the white car where his friend was.

18 DETECTIVE : Okay, okay. I just  
19 want to make sure that --

20 So the four or four shots --

21 DETECTIVE : So the -- the second  
22 he exited he started firing at Michael who was  
23 running away?

24 Yeah, so it was like pow, pow,  
25 pow, pow.



1 DETECTIVE : Okay.

2 : -- like take time and he was

3 also taking big steps stepping out the car, and like

4 I said --

5 DETECTIVE : Okay.

6 : -- and I seen him shooting as

7 he was walking.

8 DETECTIVE : Was he yelling

9 anything?

10 : Uh, yeah, he -- he --

11 DETECTIVE I don't want you

12 speculating.

13 : Yeah, yeah, I -- he --

14 DETECTIVE : Was, I mean, was he

15 yelling anything at all? And, uh, even if you can't

16 think --

17 : You know, I can't even

18 remember -- I can't even remember that.

19 DETECTIVE : You don't know?

20 I can't say, yeah.

21 DETECTIVE Okay.

22 I can't even remember.

23 DETECTIVE : Okay.

24 : Uh-huh.

25 DETECTIVE : So, um, see as he's

1 running and he's taken, taken his four shots, he is  
2 by the rear bumper.

3 Uh-huh.

4 DETECTIVE : What is Michael  
5 doing, how is he reacting?

6 Um, like I said, about the  
7 time I got outside after, when I told my fiancée  
8 let's go outside. From the first shots, I goes  
9 outside and that's when I notice that, obviously,  
10 he's been hit because now he's facing the cop.

11 DETECTIVE Okay. Now where are  
12 you at, though?

13 Now I'm outside.

14 DETECTIVE : All right. do  
15 you have a map or no? Okay. You know where the,  
16 you know how you're, you're here near this part,  
17 right? Are you in that horseshoe section?

18 : Yeah, exactly.

19 DETECTIVE : Okay. So your  
20 apartment's where.

21 : Be about probably like,  
22 directly in the middle.

23 DETECTIVE : Centered in there?

24 Yeah.

25 DETECTIVE : Okay.

1                   And this is the street, so --

2 DETECTIVE : And this is about,  
3 uh, see, see Michael was down here, right? And the  
4 officer's truck was about here or so, or further up?

5 : Yeah.

6 DETECTIVE : Show me.

7 : Let me see, it just about --

8 DETECTIVE Just like, end of  
9 each part of the drive.

10 : Right, right, um, it's kind of  
11 like, start over and if this is the street.

12 DETECTIVE : Right.

13 : And my window right --

14                     DETECTIVE                     But you --

15 : -- here and, uh, his vehicle  
16 is probably right here. Uh, yeah, he is probably  
17 about right here.

18 DETECTIVE : That's where Mike's  
19 at?

20 : Yeah.

21 DETECTIVE : Okay. Now, show me  
22 where --

23 So --

24 DETECTIVE -- where that Monte  
25 Carlo was at?

1                                   -- yeah, it was probably about  
2 right here. It was two cars actually, a white one  
3 and a purple one.

4                   DETECTIVE                                   Okay.

5                                   : So, um, after when I seen  
6 that --

7                   DETECTIVE                                   Oh, here you go.  
8 That's the map of the area.

9                                   Oh, yeah, yeah, okay, yeah.

10                  DETECTIVE                                   : So --

11                                   : Yeah, so yeah.

12                  DETECTIVE                                   : -- is this your  
13 building right here?

14                                   : Um, it is probably, I don't  
15 know, the shape's kind of weird. Yeah, I think that  
16 is it.

17                  DETECTIVE                                   : Okay.

18                                   : Okay. So, um, so my window  
19 right there then, um, yeah, so the car must have  
20 been --

21                  DETECTIVE                                   Car right there?

22                                   : -- right there and he must of,  
23 his body must have been about right there.

24                  DETECTIVE                                   : Okay.

25                                   : So --

1 DETECTIVE : So, all right, so --  
2 : And, um --by.  
3 DETECTIVE : -- by that time  
4 where are you standing watching this?  
5 : Um --  
6 DETECTIVE After the first four  
7 shots had been fired, where are you at?  
8 : I'm outside --  
9 DETECTIVE : Where?  
10 : -- after the first four, on  
11 my, um, balcony, on my balcony.  
12 DETECTIVE : You're on the  
13 balcony?  
14 : Yeah. So, uh-  
15 DETECTIVE And did you go  
16 downstairs though?  
17 Uh, I didn't go downstairs,  
18 this is, this was after the tape is up and stuff.  
19 DETECTIVE : Okay. So you never  
20 went downstairs?  
21 : I never went downstairs until  
22 afterwards.  
23 DETECTIVE Okay, okay. So  
24 you're outside now when, after he's fired these  
25 first four shots?

1 : Yeah.

2 DETECTIVE Okay. Tell me what  
3 happens then?

4 : Um, when I steps outside, um,  
5 the guy, obviously, um, he's been hit, cause he  
6 curls up and I, but now he -- he's facing the  
7 Ferguson, the Ferguson officer and, um --

8 DETECTIVE So when you describe  
9 him curling up, show me?

10 : Um, he's uh, he's, like I  
11 said, like he's been hit in the stomach.

12 DETECTIVE : He's bent over?

13 : Yeah, kind of like --

14 DETECTIVE : At the waist?

15 : -- yeah, like he's about to  
16 fall and fall directly --

17 DETECTIVE Okay.

18 -- on the ground. And, um,  
19 but I see him takes like one or two steps, kind of  
20 like I said, towards him, you know --

21 DETECTIVE Now --

22 -- now I don't know if that  
23 was a help sign, just a little bit.

24 DETECTIVE Okay.

25 : Just a little bit.

1 DETECTIVE : Well, tell me this.

2 Uh-huh.

3 DETECTIVE : Everybody's  
4 describing his hands being up.

5 You know what, that now,  
6 that's like because when, when, okay. From where my  
7 balcony is, it's another building right there. Um,  
8 he, where his blood spill at, where he got shot at,  
9 he ran past that.

10 DETECTIVE : Uh-huh.

11 : Before he, you know got that

12 --

13 DETECTIVE : How'd he end up  
14 coming back?

15 : Yeah, that's why the, that's,  
16 I was just, uh, what I'm, what I'm saying, like I  
17 said, he must have got hit and he, he probably had  
18 his hands up when he got hit.

19 DETECTIVE : Oh, so you're saying  
20 that area --


21 : That's why everybody --

22 DETECTIVE -- that area's out

23 --

24 -- keep saying that.

25 DETECTIVE : -- of view?

1                                Yeah, uh, quite uh, out of  
2    ew, but he ran past the, uh, where he got shot at.

3                                DETECTIVE                                : Oh, so you're saying  
4   that area --

5                                That's why everybody --

6                                DETECTIVE                                : -- that area's out  
7   --

8                                : -- keep saying that.

9                                DETECTIVE                                : Okay. So the, the  
10   part of the area where he got shot with those four?

11                                Yeah, he -- he, yeah. Where  
12   he died at, he ran past that spot.

13                                DETECTIVE                                And came back to  
14   that spot?

15                                So obviously, I think when he  
16   got hit, that's when he probably raised his hands  
17   up, but he's then curled up --

18                                DETECTIVE                                Yeah.

19                                -- just walking, took a couple  
20   steps back towards him, he probably had one hand up,  
21   but he had his hands down here and the officer let  
22   out about four more shots and he hit the ground just  
23   like how he's laying.

24                                DETECTIVE                                : So you see him bent  
25   over.



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1                Yeah, just like that.

2 DETECTIVE : What I'm saying  
3 though is after he's bent over there is another four  
4 shots.

5                               Yeah, yeah, another four or  
6 three shots just like that. And everybody saying  
7 like he was already down and the officer let out a  
8 shot. I don't know, but I know what I saw, you  
9 know, before he hit the ground, he let out four more  
10 shots. I don't know, but I know what I saw. So --

11 DETECTIVE : Okay.

12                               -- before he hit the ground,  
13   he let off four more shots.

14 DETECTIVE : Okay.

15 So I can't remember --

16 DETECTIVE And where he --  
17 -- if he said freeze or, or,  
18 or said something before he let out the last ones,  
19 but I know when he --

20 DETECTIVE : Did you hear Michael  
21 say anything before those last four --

22 : No, I didn't, huh-uh.

23 DETECTIVE : Okay.

24 : No.

25 DETECTIVE : So, where he, where

1 he was at in the street, is that where he fell? The  
2 -- the, like, nobody moved him?

3 : No, ain't nobody moved him or  
4 nothing.

5 DETECTIVE : Okay.

6 : Nothing so, uh --

7 DETECTIVE : Nobody touched his  
8 body?

9 Nobody touched him, uh, after,  
10 right after that, the officer just stood over it,  
11 like 5 feet away from him with his gun on his  
12 walkie-talkie thing.

13 DETECTIVE : Okay.

14 : And called the first two or  
15 whatever.

16 DETECTIVE : Okay.

17 : And that was it.

18 DETECTIVE : All right. Is there  
19 anything that I haven't asked you or that you feel  
20 you need to clarify?

21 : Uh, no, that's everything  
22 really. Everything that I saw.

23 DETECTIVE Okay.

24 Everything I saw.

25 DETECTIVE : All right. Um, it's

1 uh, 10:43. We're going to go ahead and conclude the  
2 interview.

3 (This is the end of the interview  
4 Number 3.)

5 MS. ALIZADEH: Okay. We're recording now  
6 and we've just finished playing the third statement  
7 of that is contained on Grand Jury  
8 Exhibit 24.

9 So the final statement of , I  
10 shouldn't say final statement, but the fourth  
11 statement that we have is a recorded statement that  
12 was done by the FBI and I just received the disc of  
13 this last night, and so we do not have a transcript  
14 of this.

15 So I will ask the court reporter to stop  
16 the recording as we begin to play the audio  
17 recording of by the FBI because of the  
18 identifying information, but I will ask you,  
19 if you will as best you can take down the statement  
20 and at a later date there is a transcript being  
21 prepared of this, so I will get that to you as soon  
22 as I can get that, but I do not have a transcript to  
23 pass out to you, the grand jurors, okay.

24 So I'm going to give it to Sheila to put  
25 in the computer and at this time it is 9:50 a.m. If

1 you can pause the recording and we will begin  
2 playing the fourth statement of

3 So we are not recording, but the court  
4 reporter is taking down what's being said. Sheila  
5 is going to cue up the statement.

6 (This is the recorded statement of  
7 Number 4. )

8 All right. Today is  
9 September 17th, 2014, at approximately 1:06 p.m. We  
10 are here today at the FBI St. Louis Building, 2222  
11 Market Street. This is Special Agent ,  
12 with USA and the other trial attorney

13 And we are here to interview, and if you  
14 could state your name?

15  
16 All right. Now, , I  
17 just want to explain to you, I know that, I believe,  
18 St. Louis County have spoken with you already?

19 Yes.

20 : Okay. I will explain a  
21 little bit of a difference of our investigation  
22 here.

23 : Uh-huh.

24 : They're doing a homicide  
25 investigation, we are doing a civil rights

1 violation.

2 : Okay.

3 : If this officer acted outside  
4 of his authority, okay?

5 Okay.

6 And so you're here as a  
7 witness voluntary. You, um, you are free if you  
8 don't, you can end it at any time, but you are here  
9 and you are okay?

10 : Yes.

11 : (Inaudible)

12 : Yes.

13 : Okay. And you are okay with  
14 us recording it?

15 Yes, ma'am.

16 Okay. So before we get into  
17 the specifics, can I get some basic info from you?

18 : Uh-huh.

19 : Do you have a middle name.

20 : Yes .

21 Okay. Like ?

22 : Yes.

23 Okay. And what's your date  
24 of birth?

25 (redacted)

1 (redacted)

2 Yes.

3 : Social security number?

4 (redacted)

5 Can you give me your address?

6 : (redacted)

7 : Okay. And is there a good

8 number if we need to contact you again?

9 : Yes. (redacted)

10 Before we get started, do you

11 have any questions for any of us?

12 : No, not at the moment.

13 : Okay.

14 MS. So I just want to talk a little  
15 bit more about coming in.

16 : Uh-huh.

17 MS. I just wanted, um, just some  
18 preliminary things.

19 Uh-huh.

20 MS. We want to let you know that it  
21 is a crime to lie to the FBI federal agents.

22 MS. Okay. I don't necessarily  
23 think that you're going to, but we like to inform  
24 everyone of that.

25 : Uh-huh.

1 MS. And like just said, if  
2 at any point during the interview you don't want to,  
3 you don't want to talk any more, feel free to leave.  
4 It is voluntary, I know you came through security  
5 and all, you can feel free to say I don't want to  
6 talk any more, okay? And you're shaking your head  
7 yes.

8 : Yes.

9 MS. It is an oral recording, so all  
10 your answers need to be out loud

11 : Yes.

12 MS. So which brings to my next  
13 point, if you start nodding or whatever.

14 : I gotcha.

15 MS. And it is totally fine if you  
16 nod, we will just try and correct you.

17 I gotcha.

18 MS. If we ask you a question and  
19 you answer, we're going to assume you understood the  
20 question. So if at any point one of us asked a  
21 question that says to you convoluted or confusing,  
22 let us know.

23 : Okay.

24 MS. : Our intent is not to confuse  
25 you.

1 : Okay.

2 MS. : Our intent is not to get you to  
3 answer a certain way.

4 : Okay.

5 MS. : So if you think we are trying  
6 to get you to go in a certain direction we are not.  
7 Make sure that you answer, what we want is the  
8 truth. What we want to do is figure out what  
9 happened.

10 So, like I said, our intent is not to lead  
11 you in any one direction or the other.

12 All right.

13 MS. : If we state something, it is  
14 not the way you told us or we mischaracterize, then  
15 let us know.

16 Okay, all right, not a  
17 problem.

18 : Okay. If you want to take us  
19 through what you were doing on August 9th, 2014.

20 Um, I was at home. I actually  
21 just coming back from, um, going out to eat with my  
22 family.

23 Okay.

24 And um, come back home about  
25 9:00 that morning. We all takes a nap. My fiancée



1 wakes up and she tells me a friend is knocking at my  
2 door.

3 I wakes up, which is now 11:00. He comes  
4 and, um, I goes outside for a few minutes with him  
5 outside or whatever. And he, we went outside for  
6 not long, two, three, four or five minutes. So I  
7 happen to go back in, he leaves.


8 It is getting what, about 11:45 now, um, I  
9 was about to take a nap, and I hear an altercation  
10 outside.

11 So I looks outside and, um, I see like  
12 some kind of tussling going on in the window.  
13 Really not sure if, um, if Mike Brown was punching  
14 on him or if the officer was grabbing on him, but  
15 something was going on through the window, it just  
16 didn't look right. So I glued my eyes to it.

17 And all of the sudden, um, I see, I also  
18 see his friend, his friend. Um, he was, he was on  
19 the side of the car, he was on the front bumper on  
20 the passenger side, maybe 4, 5 feet away from him.  
21 And all of the sudden, like I said, they just takes  
22 off running.

23 And when they takes off running, I see his  
24 friend, he runs behind a two door white car. He's  
25 ducking down behind the trunk of the car looking at

1 the officer because he just immediately gets out of  
2 his vehicle and just started shooting at Mike Brown.  
3 Because he runs down, straight down the middle of  
4 the road.

5 And, um, when his friend ran behind the  
6  drunk of the car, he was looking at the officer  
7 thinking that the officer might cut off and walk to  
8 him and shoot him, but obviously, he is just taking  
9 like, you know, large steps in a shooting position,  
10 shooting directly at Mike Brown, and he walked past  
11 his friend.

12 So at that moment right there, that just  
13 gave me enough time to run outside because like I  
14 said, I thought that he was going for his friend  
15 too, so I didn't want to miss that. So that was my  
16 time when he walked past that was my time to run  
17 outside.

18 By the time I gets to the door, I notice I  
19 forgot my phone in the bedroom. So I go back, grab  
20 my phone and then I goes back to the front door,  
21 which it didn't take long, just seconds.

22 So, um, but about the time I gets outside,  
23 I see Mike Brown, he's now facing the officer, kind  
24 of, he bent down like he was hit in the stomach. He  
25 had both arms wrapped around his stomach and he's

1 bent down like he was going down.

2 So like I said, I thought he was already  
3 shot. And, um, before he was going down, the  
4 officer lets out four or five more shots. And when  
5 he hit the ground, you know, that's when I see blood  
6 roll over or whatever.

7 And, um, the next closest I seen the  
8 officer, when he hit the ground, the officer, he was  
9 at least about 4 or 5 feet away from his body now on  
10 his walkie-talkie, still have his gun all over him  
11 making his call in. And, um, and that's when my  
12 phone started recording maybe like two minutes right  
13 after when the first two officers come in.

14 : Okay.

15 : So that my phone cuts on and I  
16 started recording.

17 Do you have that with you?

18 Uh, yes, I do.

19 Okay. Um, is it out front.

20 : Yeah.

21 Okay. I'll go grab it real  
22 quick.

23 : Okay.

24 : What I want you to do for me,  
25 can you circle where your apartment, or kind of make

1 an X where your apartment is. If this is West  
2 Florissant and here is Canfield.

3 Oh, okay. So that means,  
4 apartment building is this one right here.

5 : Okay. Where is --

6 : You know what, um, no, it  
7 actually be right here, this white one, this second  
8 one.

9 White one?

10 : Yeah.

11 : Okay. And where in that  
12 building is your apartment?

13 : The second floor.

14 : Second floor. Okay, go  
15 ahead. Just so it is the second floor. Okay. So I  
16 want to go over this in a little bit of detail with  
17 you.

18 Okay.

19 So -- oh, thank you. This is  
20 your cell phone.

21 : Okay.

22 : You said you were in your  
23 bedroom, correct?

24 : Yes.

25 : About to take a nap?

1 : Uh-huh.

2 And you hear a altercation,  
3 what did you hear?

4 : Um, just some kind of ruffling  
5 going on, I'm not even sure like what words exactly,  
6 but it is kind of ruffling, you know.

7 : Okay. And when you said you  
8 looked out the window and saw it, where was the car?  
9 The vehicle was over here, the  
10 vehicle was --

11 You want to draw like a  
12 vehicle?

13 : Let me see, there was  
14 something right here. His vehicle was in the middle  
15 of the street sideways.

16 : Sideways.

17 : Diagonal.

18 Diagonal. And where was the  
19 front of the car?

20 : Uh, what, the police vehicle?

21 : Uh-huh, yeah.

22 That's -- the front of the  
23 vehicle was like facing, like facing my apartment.

24 Okay.

25 Diagonal like.

1 : Okay.

2 : Like he was coming from this  
3 way basically.

4 Okay. So, let me see. So it  
5 was facing, let's see, let's go like that, is that  
6 fair?

7 Yeah.

8 Okay. So facing this way.  
9 Could you see in the front, you said you couldn't  
10 tell whether or not he was punching him or whether  
11 the officer --

12 : Right, through the window.

13 So could you see them?

14 : Yeah, I could see them.

15 So your view was not  
16 obstructed --

17 : Yeah, I could see them  
18 clearly.

19 : Did you know it was an  
20 officer when you saw it or you just saw two people?

21 : No, I knew it was an officer.

22 : Okay.

23 : You know, still inside of his  
24 vehicle and somebody outside the vehicle doing some  
25 kind of tussling.

1 : Okay. And then you saw his  
2 friend who we know, did you know either Mike  
3 Brown --

4 No, no, but I know I seen Mike  
5 Brown, uh, in the neighborhood.

6 All right.

7 So, I don't know him.

8 Okay.

9 MR. : Where did you see him?

10 : Just walking with like another  
11 little group of people, whatever, just up and down  
12 the street over there or something.

13 MR. : Did you ever have occasion  
14 to talk to him?

15 : Huh-uh, no, I just, I remember  
16 faces, so.

17 MS. Do you know the other people he  
18 would be walking in the group with?

19 : Huh-uh, no.

20 Do you remember him because  
21 now of all the press or also because of his size,  
22 his height?

23 Do I remember his size?

24 Right. Did you take  
25 particular notice of him or?

1 : No, just like his clothes and,  
2 um, that he was kind of like a buffer guy, because I  
3 know I'm slim.

4 : Uh-huh.

5 : So, um, I just knew he was  
6 kind of a little bit buffer, you know.

7 Okay.

8 : Kind of a little chubby like,  
9 so.

10 Okay. So you see tussling  
11 and at this point when you see the two, whether,  
12 some -- some sort of altercation.

13 Uh-huh.

14 At what point do you notice  
15 his friend, Dorian?

16 : Um, his friend Dorian, he was  
17 clear, I could see him too. Like I said, he was in  
18 front of the passenger side vehicle, not too close,  
19 like 4 feet away or whatever.

20 Uh-huh.

21 So, yeah, at that time that's  
22 when I looked out the window and see that going on.

23 : Okay.

24 : While his friend was still in  
25 the front and was down by the window.



1                                   Did you hear anything? You  
2   said you heard tussling.

3                                   Yeah, just tussling, you know,  
4   not even a certain word, not even a certain word.

5                                   Okay.

6                   MR.               : Did you hear voices?

7                                   : Yeah.

8                   MR.               : One voice or two?

9                                   : Um, maybe two. Like I said, I  
10   just, just like some real tussling though. Even  
11   thought I was hearing lots of noises, maybe like  
12   hitting the door, you know. Something that just got  
13   my attention, but not certain words.

14                                  : How much, you said you saw  
15   them.

16                                  : Uh-huh.

17                                  Did you see who necessarily  
18   was the initiator? Could you see where their bodies  
19   were positioned?

20                                  : Um, was positioned? Um, let  
21   me see, uh, his friend, he was facing the officer's  
22   vehicle.

23                                  Okay.

24                                  Where he was standing. Like I  
25   said, Mike Brown was definitely standing on the

1 driver's side window.

2 Okay.

3 : You know, facing the officer.

4 Okay. And you're saying they  
5 were -- as far as him and the officer.

6 Uh-huh.

7 You said they are tussling,  
8 how close, could you see how close in contact they  
9 were?

10 Um, there was definitely close  
11 enough. Um, there was definitely close enough so, I  
12 just figured that Mike Brown, he could, I don't  
13 think that he was to like real up on the passenger  
14 door, it was just a little bit of space and I could  
15 just see something going on roughly through the  
16 window.

17 MS. : And just because the recording,  
18 you are kind of making like a fist punching back and  
19 forth motions; is that right?

20 Uh-huh.

21 MS. : Yes? You say uh-huh.

22 Yeah, yeah, yeah, I mean, just  
23 yeah.

24 MS. : Okay. So what I'm going to ask  
25 you, you know, uh, the cell phone video that you

1 gave to St. Louis County, is that the same cell  
2 phone video that you referred to before that is on  
3 your phone?

4 : Yeah, um, the one I have when  
5 he walked off and came back into the picture, the  
6 same one, yes.

7 MS. : So in that video, the very  
8 first thing that you say, you are kind of, you  
9 remember you are talking while you are videoing?  
10 : Uh-huh.

11 MS. : Okay. So one of the very first  
12 things that you say, that you said that the guy, the  
13 black guy just ran, ran up to the car and was  
14 punching on it.

15 Yeah.

16 MS. : You said, the dude ran on the  
17 side, um, you talking about the other one ran to the  
18 Monte Carlo, then he went back to the first guy.  
19 You said, the dude was all up in his car, you said  
20 up in his shit punching on him.

21 Yeah, that's what I assume  
22 because, um, younger people like that, I think that,  
23 you know, that don't want to go to jail, you know,  
24 just being young. So, you know, I assume a person  
25 like that will be punching an officer to get away or

1 something like that.

2 MS. Okay.

3 :  I automatically assume that  
4 was going on.

5 MS. And that's fine, I just want to  
6 get to what you observed.

7 : Yeah.

8 MS. : So you saw this punching motion  
9 like you just made; is that correct?

10 : Yeah, but I mean, that's not  
11 exactly what I saw, that is just, you know because I  
12 just seen arms, you know, going through the windows.

13 MS. Okay.

14 : The officer maybe had his arm.

15 MS. : You said the officer maybe,  
16 right?

17 The officer maybe, yeah, yeah,  
18 it's a big maybe.

19 MS. Okay. So we are 100% right,  
20 when you-- you're letting us know when you're  
21 assuming versus what you saw, and that's exactly  
22 what we want you to do. But I'm going to try just  
23 to get a little detail. If you don't know something  
24 or don't remember, that's perfectly acceptable.

25 Okay.

1 MS. : I don't want you to think that,  
2 you know, I'm trying to get you to say something you  
3 don't know. But I'm just trying to because I wasn't  
4 there to understand what you saw. So when you first  
5 give your interview to St. Louis County you said you  
6 saw arms exchanged. What do you mean by that?

7 Um, um, I saw the officer's  
8 arms moving also and I saw Mike Brown's arms moving  
9 also.

10 MS. : Okay. You saw Mike Brown's  
11 arms go through the window.

12 Yeah, obviously, it was.

13 MS. : Okay. I know you said  
14 obviously, I want to ask to make sure I understand,  
15 okay. Did you actually when you use the expression,  
16 you saw the dude was all up in his car and up in his  
17 shit, did Mike Brown, did you see Mike Brown  
18 actually approach the car?

19 No, that's, that's the part  
20 that I just missed.

21 MS. Okay.

22 : So.

23 MS. : So by the time you saw, you saw  
24 Mike Brown at the driver's side of the car with his  
25 arms through the window; is that correct?

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1                                Yeah.

2 MS. : Okay.

3 MR. : You just then, you also,  
4 you've done the kind of moving your arms the way you  
5 saw Mike Brown do.

6 : Uh-huh.

7 MR. : You also saw a police  
8 officer when you are talking about some arms  
9 exchanged, you saw the police officer's arms?  
10 : Yeah, it just kind of looked  
11 like, it just kind of looked like, like I said, if  
12 he's, an officer is in the car, I could just see his  
13 arms.

14 MR. : You have your arm bent to  
15 kind of a 90 degree angle in front of you?

16                               Yeah.  So, yeah, if the window  
17    is right here, so I mean, that's, you know, that--  
18    that's what I seen and I could see Mike Brown.  You  
19    know, it just, you know, he could be doing anything,  
20    I'm not even saying punching.  Just something  
21    through the window right there.

22 MR. : Just so I'm clear for the  
23 tape, did you have, you are talking about the police  
24 officer's arms, he is kind of turning and has his  
25 arm in front of him in kind of a --

1 : Like this moving.

2 MR. : Okay. Is that fair the way  
3 you describe?

4 Yeah, yeah.

5 MR. : Okay. And you have, when  
6 you are describing Mike Brown's, you have his arms  
7 going back and forth coming --

8 Yeah, just back and forth,  
9 just back and forth, tussling.

10 I want to impress upon you  
11 something.

12 Uh-huh.

13 : That we have observed and it  
14 is throughout the investigation because I feel like  
15 you might be a little bit cautious in your, careful  
16 with your words in the sense of, we are aware on,  
17 the pressure that exist. Are you still living in  
18 Canfield?

19 : Yes.

20 So, and I'm sure this is  
21 still a big deal. This is going to be a big deal  
22 for a very, very long time.

23 Yes, it is, definitely.

24 And you have been on the  
25 news, right?

1 : Uh-huh.

2 And you have people come up  
3 to you and talk to you about that, people up in the  
4 community?

5 Yeah, they, yeah, they seen  
6 me, they say they seen me and stuff like that.

7 Okay. I also want you to  
8 understand you talking to us today, we don't go tell  
9 people we talk to you. It is completely  
10 confidential.

11 Uh-huh.

12 We take every precaution to  
13 protect your information. So this is not going to  
14 be out in the community, this is not going to be  
15 told, they're not go to say you snitched or you  
16 didn't fight for Mike Brown enough.

17 We need 100 percent honesty and clarity,  
18 and we are not going to say, we are not on one side  
19 of the other, you know, this isn't for -- for the  
20 search for the truth, okay?

21 : Right.

22 So I want you to be confident  
23 that you can trust us and trust us to say that we're  
24 not going to make, we are not going to skew your  
25 testimony, okay?



1 : Okay.

2 : This is it, okay?

3 : Okay.

4 This is what it is.

5 : I understand. Just so you  
6 guys know, I am very, very, nervous about everything  
7 since, since that day to now.

8 Okay.

9 Just to let you guys know.

10 And that's completely normal to  
11 be nervous, nervous to talk to us, nervous in  
12 general. Is there anything in particular that you  
13 are nervous about more so than others?

14 Um, I'm, um, I have been, I've  
15 just been just kind of scared, just kind of scared.  
16 Especially, you know, with the interviews. I  
17 stopped doing the interviews, I stopped after I did  
18 one with --

19 MS. Okay.

20 : -- on a Friday. After that I  
21 felt sick, I started worrying.

22 MR. : Why is that?

23 : I don't know, I just started  
24 something, like something may happen, you know. I  
25 started thinking about, wait a minute, I done did

1 quite a few interviews and I don't have a lawyer and  
2 why do everybody else have lawyers when they put out  
3 the very first interview, you know.

4 I Googled my name and I seen a lot of  
5 stuff and I came across something, uh, that somebody  
6 put, I seen my picture, and it said like snitches  
7 get stitches, and then under it says something about  
8 people keep talking, they are going to get ,  
9 you know, we are going to do something to you.

10 MR. : What's that.

11 : I don't know. It's spelled

12 You know, I'm not even sure what that  
13 is, but I've just been nervous and scared, and I  
14 have been letting everybody know about my time in  
15 and where I'm going and stuff like that.

16 So, uh, but like I said, until this day,  
17 but it has been like two weeks, two, three weeks  
18 now, you know, no reporters at my house or nothing,  
19 no calls. You know, I'm kind of, I'm still in my  
20 regular day and going to work every day, taking care  
21 of my family and stuff, doing the same thing every  
22 day. I don't go nowhere, but I come home, you know,  
23 so.

24 But I'm keeping it cool, but the ones like  
25 at work, I -- I tell them because I don't show it

1     neither. Like when I be at work, I have a smile on  
2     my face all the time, you know, I don't show it  
3     until they, I seen you on TV and want to talk about  
4     it and stuff like that. And I tell them how I feel,  
5     you know. So I'm just staying cool though, you  
6     know.

7                                 Okay.

8                                 : But very nervous.

9                                 This is the first time you  
10    are talking to us and we can treat that as a first  
11    time.

12                                Uh-huh.

13                                You are a, you are now a  
14    federal witness so, and with that comes certain  
15    intentions. So we want to make sure you are  
16    comfortable.

17                                So, I mean, we would like to offer you  
18    water, you are more than entitled to, if you want to  
19    get up and take and walk around and if that makes  
20    you feel more comfortable, but.

21                                : I'm fine right now.

22                                MS.         : Yeah, and we want you to know,  
23    if at any point someone does intimidates you or let  
24    me be specific, to intimidates you or scares you or  
25    you feel somehow more nervous than general

1 nervousness, you certainly should, um, call ,  
2 I know you have her number here at the FBI. Because  
3 witness information is something apart from  
4 everything else. It could be a crime.

5 So we are trying to be specific,  
6 okay, not some -- (inaudible)

7 : Okay.

8 MS. General nervousness is normal,  
9 especially like in (inaudible). If there is  
10 anything in particular that makes you nervous at  
11 all, we want to know that. So is there anything in  
12 particular or just a general feeling from Goggling  
13 yourself?

14 A Um, that, um, one moment, um, at the time  
15 when the audio came out about the shooting, let me  
16 see, like a week and a half earlier before that I  
17 stopped doing interviews, I didn't receive no calls,  
18 I was fine. I could go home and enjoy.

19 So when that came out, I started  
20 getting calls again, they was at my house while I  
21 was at work trying to come up to my job.

22 MR. : And who were they that you  
23 are referring to?

24 The reporters, news reporter.

25 MR. : Uh-huh.

1                                 : And um, let's see, maybe the  
2 same day I knew it was on the tube that when it  
3 aired on the news and stuff like that, it was on a  
4 Tuesday or a Wednesday. I had to go pick up my  
5 fiancée about 9:30 that night to leave out of my  
6 house to go pick her up. I know that day I received  
7 a call from a reporter at six something. And  
8 another call at seven or eight something and then I  
9 got a text like just before 9:00.

10                                I had to put up my little son's car seat  
11 in the car. So I went outside to go and do that and  
12 as soon as, right when I gets to my car, a lady just  
13 runs up, it is dark now. And at this time I notice  
14 there is not a lot people out, I know that for sure,  
15 but she just runs up, just runs up, hey,

16                                can you do another interview, you know, but  
17 she was nice. She just ran up, you know, like it  
18 was, I was already scared at that point.

19                                But I just, I looks at a lot of movies and  
20 stuff and it just gets me thinking like, like if  
21 anybody was trying to at that time, you know, that  
22 was a good opportunity at that time.

23                                You know, I think of stuff like that.

24                                MS.                 : Are you worried about your  
25 physical safety, is that what you are trying to say?

1 : I don't know.

2 MS. : If you are, that's fine.

3 I really don't know, I really  
4 don't know.

5 MS. : Okay. Let's get back to, um  
6 some more details that you can tell us.

7 : Okay, okay.

8 : I want to make it very clear  
9 to you though, we aren't going to talk. We aren't  
10 going to say we spoke with , I'm sorry,  
11 . The only thing are people that  
12 actually go to the news. So we have a whole list of  
13 people that no one knows about because we don't tell  
14 them. So we want you to feel confident that you  
15 speak with someone today, that it stays with us.  
16 Does that make sense?

17 Yeah.

18 : Okay.

19 MS. : What you hear on the news from  
20 a federal agent or the FBI, it didn't come from us.  
21 So if that happens, or you hear rumors, call us and  
22 find out because it may just be rumors. We are not  
23 going to go to the news ever, all right?

24 : Okay.

25 MS. : So if you start hearing rumors,

1 and you start thinking something's up, call and find  
2 out because I'm telling you right now we're not  
3 going to go to the news.

4 : Okay, all right.

5 MS. Okay. So we were talking about  
6 this, um, the arms exchange. You are watching this  
7 from your window; is that right?

8 : Yes.

9 MS. : Do you have blinds on your  
10 window?

11 : Yeah.

12 MS. : Were you watching through the  
13 blinds?

14 : I had the blinds bent a little  
15 bit.

16 MR. : Okay.

17 MS. : So they horizontal or vertical  
18 blinds. Like that?

19 : Yeah, the straight ones that  
20 close.

21 MS. : Okay. So you had the vertical  
22 blinds. Did you have to move your hand to watch it?

23 : Yeah, I had to bend down.

24 MS. : Gotcha, okay. So while you are  
25 watching this, at some point do you yell out to

1                   --

2                                   : Uh-huh.

3                   MS.           : Do you yell out to           at  
4   some point.

5                                   : Yeah, I yell out to her, I  
6   think it was just about the time that I notice that  
7   the officer went past Michael Brown's friend.

8                   MS.           Okay. So let's back up. So  
9   the friend that you're watching, as soon as these  
10   arms are exchanged back and forth out the car.

11                                   Uh-huh.

12                   MS.           : Um, what happens, did you  
13   observe that end of the tussle?

14                                   They just takes off running.

15                   MS.           Okay.

16                                   : They just takes off running.

17                   MS.           : They, being the, the two boys?

18                                   : Yeah, two boys yeah, they just  
19   takes off running at the same time.

20                   MS.           : Do you know now their names?

21                                   : Um, Mike Brown and uh --

22                   MS.           : If you don't know his name,  
23   that's fine. How would you describe him?

24                                   : I know he had dreads.

25                   MS.           : Okay. So it is Mike Brown and



1 the guy with the dreads?

2 : Yeah.

3 MS. : Okay. So at this point, um,  
4 you said you see Mike Brown and the guy with the  
5 dreads take off through there?

6 Uh, yeah, um, like I said, I'm  
7 on different sides though. Mike Brown is on the  
8 driver's side of the car, so he takes off behind the  
9 vehicle directly in the middle of the road.

10 MS. : Okay.

11 And his friend, there was a  
12 parked vehicle, and maybe a little bit behind the  
13 police cruiser.

14 When you point to it, will  
15 that help you a little bit?

16 The vehicle was leaving right  
17 there.

18 Okay.

19 : It was actually two buildings.

20 Okay.

21 Two buildings. I would say  
22 his friend was in the front and he runs, like I  
23 said, to the very first one to the trunk of it  
24 because the officer gets out of the car and started  
25 shooting and his shooting stance and taking large

1 steps. I don't remember seeing him running.

2 I'm sorry I cut you off. So  
3 you see this guy with the dreads, where does he  
4 actually go.

5 He runs, yeah, he runs behind  
6 the trunk of the white car, the first one.

7 MS. And when he's at the car, what  
8 does he do?

9 : He looked at the officer to  
10 make sure the officer's not coming to him. Because  
11 like each shot that went off, he was like, you know,  
12 ducking each time.

13 You saw him ducking. So  
14 you're saying that what (inaudible), so can I say  
15 you are assuming what he's doing?

16 **A** Yeah, I mean, yeah, that is what he was  
17 doing, that is what he was doing.

18 MS. He was ducking, right?

19 : Yeah.

20 MS. : And he's now behind the trunk  
21 of the car; is that correct?

22 : Yes, uh-huh.

23 MS. And you're able to watch him do  
24 that?

25 : Yeah, I clearly saw him. He's

1 ducked down looking at the officer is like each shot  
2 that went off, he was like bam and going around the  
3 building to the passenger side. And then I notice  
4 that the door was opened, I don't know how wide the  
5 door was open, but each shot that went off, he was  
6 kind of like bam, going over to the side watching  
7 him but then I said that I noticed he went past him.

8 MS. Let me ask you. When you were  
9 watching the guy with the dreads behind the vehicle  
10 (inaudible) as he is going to the passenger side,  
11 did you then leave from your view as he's going to  
12 passenger side?

13 : No, no, no, I could see him  
14 clear, he didn't hop in until, like he didn't hop  
15 into the vehicle until, uh, I think that he noticed  
16 that his friend now did hit the ground.

17 MS. : Did you actually see him hop in  
18 the vehicle.

19 No, I really didn't because,  
20 um, I more, when he past, I more started focusing on  
21 the guy that he was shooting at now.

22 MS. : Okay. So let's back up.

23 : Uh-huh.

24 MS. So the two guys start running?  
25 Right.

1 MS. : They're at a different point,  
2 they're at different areas of the street, right?

3 : Yes.

4 MS. : Okay. Your intention is  
5 initially on who?

6 It is on both of them, it's --  
7 it's on both of them.

8 MS. : Okay.

9 So, um, like I said, when -- I  
10 didn't want to leave out that window, I just seen an  
11 officer shooting, and that gets me like, hum. I'm  
12 just thinking that he was going for his friend also.

13 MS. : And you're assuming that?

14 Yeah, I was assuming that, but  
15 I kept my eyes on both of them. I see one running  
16 straight down the middle, this one is going for the  
17 very first car that he sees.

18 MS. : So you see Michael run down the  
19 street and you see the guy with the dreads run down  
20 to the car?

21 Yeah, the guy with the dreads,  
22 he was the main focus as I'm still noticing that the  
23 officer is shooting straight, but I'm looking at him  
24 is because I'm thinking that the officer, like, uh,  
25 (inaudible) there is a pause, cause there is like a

1 pause by the time he went past this time. So there  
2 is a pause right there during his shooting when,  
3 like I said, I was thinking that he was going to go  
4 to his friend and shoot him. That's why I was main  
5 focusing on him at that point.

6 MS. : So at that point when Mike  
7 Brown starts running, your main focus is on the guy  
8 with the dreads?

9 : Yeah.

10 MS. : And when you see the officer  
11 get out of the car, you're assuming that he's going  
12 after the guy with the dreads?

13 : No, no, no, no, I knew he was  
14 going for Mike Brown, but I kept my eyes on all of  
15 them.

16 MS. : Okay.

17 : Mainly that I see the guy with  
18 the dreads looking at the officer and the officer,  
19 he -- he goes past him. I'm -- I'm sure that the  
20 officer see him where he ran to.

21 MS. You are sure of that why?

22 Because when he gets out of  
23 the car, the guy with the dreads, he was already in  
24 front of his vehicle, he runs to the trunk of the  
25 first car that he's seeing. He is looking over the

1 trunk, ducked down, I'm sure that he saw him.

2 MS. : Okay.

3 I'm sure of that because --

4 MR. : Now, that's important, okay.

5 That's a good example, I mean, obviously you can't  
6 be sure of what someone else saw, right?

7 Okay, okay, right.

8 MR. That's just an example, just  
9 be sure that we are talking about what you actually  
10 laid eyes on and what you saw, okay?

11 : Okay, okay.

12 MS. So you actually saw the guy  
13 (inaudible) the police officer?

14 : Uh-huh.

15 MS. Is that right?

16 : Yes.

17 MS. : Did you see the police officer  
18 look over at the guy with the dreads?

19 : Um -- no.

20 MS. : Okay. And so now you have, um,  
21 how soon after if you saw, how soon after when the  
22 boys start running did the police officer run  
23 immediately over or get out of the car?

24 : No, he gets out of the car  
25 immediately.

1 MS. Okay.

2 Immediately. Cause as soon as  
3 he breaks off just about when, like I said, Mike  
4 Brown gets past his vehicle and to the back of it,  
5 and he gets out immediately and starts shooting.

6 MS. So the police officer gets out  
7 and Mike Brown goes past his vehicle.

8 : Yeah, just -- just about time,  
9 um, and a little bit before that.

10 MS. : Okay. And then you said the  
11 police officer, did he have his gun out?

12 Yes.

13 MS. How did he have his gun  
14 pointed?

15 : Directly like in shooting  
16 position.

17 MS. : Okay. And you had your eye on  
18 that and you're watching?

19 Yeah --

20 MS. And the guy with the dreads?

21 Yeah, at the same time so.

22 Like I said, um, mainly I didn't want to miss  
23 anything like that, you know with my own eyes, but I  
24 see it on the movies, but like I said, uh, the guy  
25 with the dreads, he was looking at the officer as he

1 was walking by shooting. That's while I was still  
2 in the window and I know that he went past him,  
3 that's when I went outside.

4 MS. : So you say the officer was  
5 shooting, how do you know he was shooting at that  
6 time?

7 Cause that's when I heard the  
8 gunshots when he's out the vehicle, the moment he  
9 gets out the vehicle.

10 MS. : So what did you do when you  
11 heard gunshots?

12 I'm still in the window and,  
13 um, he's shooting, he's walking past his own vehicle  
14 to the back of it. And um, like I said, the first  
15 vehicle that the guy with the dreads run to, that  
16 vehicle is a little bit behind the police cruiser.

17 So he walks past that vehicle to where his  
18 friend ran to and walked past that and that's when  
19 my time was to run outside then.

20 MS. : Okay. When you say he, I'm not  
21 sure who you are talking about. (inaudible)

22 : The guy with the dreads.

23 MS. The guy with the dreads, okay.

24 Uh-huh.

25 MS. : I just want to be clear. So



1 you decide to do the window after you see the police  
2 start shooting, but did he stop shooting at some  
3 point?

4 : Um, I think there was a pause  
5 in that when he past his friend, when he past the  
6 vehicle to where the guy with the dreads.

7 MS. Okay.

8 : When he past the vehicle.

9 MS. : When the police officer past  
10 the vehicle with the guy with the dreads, that's  
11 when there was a pause in the shooing?

12 Yeah.

13 MS. Okay. And that's when you --

14 Yeah, that's when I runs  
15 outside, that's when I runs outside and when I gets  
16 outside, now Mike Brown is facing him instead of  
17 have his back towards him.

18 MS. Okay. Let me ask you this  
19 though.

20 Uh-huh.

21 MS. : Before you went outside, you  
22 said earlier you yell to

23 Yeah, I yell to for her  
24 to go outside because they shooting. That was cause  
25 I going outside at the same time, so I say don't go

1 outside cause they're shooting. That's when I  
2 notice that he past his friend at that time, so that  
3 just gave me enough time to go outside at that time.

4 MS. : Why did you want to go outside  
5 when there is gunshots being fired?

6 : I mean, like I said, I never  
7 seen nothing like that. You never seen nothing like  
8 that. I know the direction was going straight down  
9 the street going toward somebody that just ran from  
10 the vehicle.

11 MS. : Okay.

12 : So.

13 MS. : So by the time you got outside,  
14 you said Mike Brown is now facing the officer; is in  
15 that correct?

16 : Yeah, uh-huh.

17 MS. And tell us what you saw at  
18 that point?

19 : Um, the moment I gets outside,  
20 Mike Brown is now facing the officer and he got both  
21 his arms on his stomach, like bent down. So I'm  
22 thinking like he's now hit in the stomach somewhere.

23 MS. Okay. You are assuming that  
24 now?

25 : Yeah, I was assuming, I was

1 assuming that he was hit down here somewhere cause  
2 he is like this, um, curled up.

3 I remember him taking like two small steps  
4 because he kind of ran past his death spot where he  
5 passed away at, he kind of ran past that. When he  
6 turned around, he got his arms on his stomach, he  
7 bent down, I remember him taking like two small  
8 steps cause he was going like stumbling.

9 MS. : Okay.

10 So, uh, and the officer lets  
11 out four or five more shots at him and he hit the  
12 ground.

13 MS. So, just so that I will be a  
14 little more clear, I know I keep asking the same  
15 things. When you go outside, you see Michael Brown  
16 facing the officer and you were demonstrating, would  
17 you mind standing up and describing where his hands  
18 were at in the area for the recording?

19 Yeah, so when I gets outside  
20 he is now like this.

21 MS. : And you are actually, and so  
22 for the recording, you are now Michael Brown, right?

23 : Yeah.

24 MS. And you are saying he is almost  
25 like --

1 : Like bent down, like he was  
2 going down.

3 MS. : Okay.

4 : Like he was going down. He  
5 took like two small steps, like he was stumbling.

6 MS. : And you have both hands across  
7 your stomach and your waist; is that correct?

8 **A** Yeah. So, um, so when I seen that, um,  
9 that's when the last four or five shots come out.  
10 And he drops just like how his body is and, you  
11 know. Let me see, yeah, one more, yeah, I mean,  
12 they both, yeah, he just was like how he fell. I  
13 think one arm fell, something like that.

14 MS. : You are showing one arm is down  
15 on his side --

16 : Yeah, when he hit the ground.

17 MS. : Let me just be correct for the  
18 recording. Do you know whether it was his left or  
19 his right or you just, you just know one hand was  
20 across the stomach, waist and the other one was down  
21 at his side?

22 Both of them was on his  
23 stomach and when he gave out the last shots, his  
24 body just boom.

25 MS. Okay. And you're showing one

1 arm across his stomach and the other arm to his  
2 side?

3 : Yeah.

4 MS. : Okay. And by the time, and you  
5 say, when you saw was the officer firing those final  
6 shots; is that right?

7 : Huh-uh, yes.

8 MS. Okay.

9 : So I think that is where the  
10 pause come from.

11 MS. : Okay. You can have a seat,  
12 thank you.

13 So your memory is some shots, when you are  
14 peeking out, looking out the window through the  
15 blinds.

16 : Yes.

17 MS. : And then there are shots right  
18 that you saw right before he fell; is that right?

19 : Yes.

20 MS. Was out there, you were  
21 on the balcony at that time?

22 : Yes.

23 MS. Were your kids with you?

24 : Uh, yeah.

25 MS. How many of them are there?

1 : Uh, there was three at the  
2 time.

3 MS. : Okay. How old are they?

4 : , and .

5 MS. : Okay. And so, um, did you,  
6 when you ran outside, you said initially, we're  
7 talking about pause, you went outside, you realized  
8 you forgot your phone and you went back and got your  
9 phone, and the kids come out at the same exact  
10 time as you?

11 Yeah, like at the same time,  
12 at the same time.

13 MS. Did you grab it? Did you have  
14 any kids with you or did they follow you?

15 : No, um, during the, she  
16 lets the kids come outside at that time.

17 MS. : Okay.

18 : I remember she called them to  
19 come outside.

20 MS. So did all three of them kind  
21 of walk out with you, is that what's going on or  
22 what?

23 I think they came out a little  
24 bit after me cause she called them outside.

25 MS. : Okay.

1 MS. WHIRLEY: Let's stop there because I  
2 think we're all kind of restless. You probably  
3 need a break.

4 MS. ALIZADEH: It is 10:29, and we've  
5 stopped the recording of the fourth interview of  
6 . It looks like it is about halfway  
7 through and it has been going on for quite a bit.  
8 So this will be probably a pretty good place to take  
9 about a five, ten minute break, get up, stretch, go  
10 to the bathroom. And so at this time, we will pause  
11 the recording, take a few minutes to have a break  
12 before we resume.

13 (Recess)

14 MS. ALIZADEH: All right. It is 10:44,  
15 all 12 grand jurors are back in the room after a  
16 brief break. We are going to resume the playing of  
17 the audio statement of the fourth statement of  
18 .

19 And at this time I will ask the court  
20 reporter to pause the audio recording that we are  
21 making and he will continue to transcribe or take  
22 down the statement as best he can that is being  
23 played for grand jurors, which is contained on Grand  
24 Jury Exhibit Number 23.

25 MS. : And then once Michael Brown

1 fell, the officer, did the officer go near the body  
2 at all?

3 : Yeah, um, not too close, maybe  
4 4, 5 feet away. He kind of standing over him, you  
5 know, with his gun out on his talkie thing.

6 MS. You are pointing to his  
7 shoulder, so you saw that?

8 Yeah, I definitely seen him,  
9 you know, like this, you know, with his gun out  
10 still.

11 MS. : Okay. And you are  
12 demonstrating talking into the mike on his shoulder;  
13 is that right?

14 : Yes.

15 MS. Okay. You didn't see the  
16 officer touch the body or do anything more with him?

17 : No.

18 MS. : Then afterwards, what did the  
19 officer do?

20 Um, huh, huh, huh. I think,  
21 uh, let me see at that time I was messing with my  
22 phone, turning it on. So, I think, I think I  
23 haven't really noticed it until the other two cops  
24 came.

25 MS. Okay.



1 I just notice like wait, a cop  
2 just shot somebody and I'm still turning on my phone  
3 because it was off.

4 MS. : Okay.

5 : Let me see. Yeah, I can't  
6 remember just like before the other, the first two  
7 officers came, and like what he was doing at that  
8 time like right after he did the shooting or  
9 whatever. I know when he got done, he was standing  
10 over him on his thing.

11 MS. : On his radio --

12 : I can't remember if he walked  
13 to his car first or he came back before the other  
14 two came.

15 MS. : Let me ask you this, were you  
16 at all trying to get your phone to work while,  
17 before Mike Brown went to the ground while this  
18 whole thing was happening, were you trying to get  
19 your phone to work?

20 Oh, no, I was already outside,  
21 like it didn't come on until the first two officers  
22 came.

23 MS. : I understand that.

24 : Uh-huh.

25 MS. : Did you try to get it to work

1 before then.

2 Oh, no, huh-uh.

3 MS. No, okay. Um, and just going  
4 back, you said you saw his arms crossed, across his  
5 stomach area, did you notice anything about his  
6 hands?

7 No, no, I just thought he was  
8 shot in the chest or the stomach or something.

9 MS. : As far as your vantage point  
10 from what you saw, his arms and his hands were  
11 across his stomach, correct?

12 Uh-huh.

13 MS. : Is that a yes?

14 : Yes, yes.

15 MS. : At any point did you see his  
16 hands in the air?

17 No, I didn't, I didn't.

18 MS. : Okay. When you decided that  
19 you were going to go from the window to the outside  
20 to the balcony because there was a pause, how did  
21 you know that that would be a good opportunity to go  
22 outside?

23 Because, I mean, like just  
24 seeing an officer with a gun just shoot, just, you  
25 know, just anybody shooting period, you know. I

1 just see him gets out of the car shooting, you know,  
2 and I'm paying attention to the guy with the dreads.  
3 Cause I'm thinking that he could just easily walk  
4 over and shoot him dead. Like I didn't want to miss  
5 that or something like that, you know.

6 So it is just, that was just my timing  
7 right there like when I notice that he walked past  
8 the car and that was just my timing right there bam,  
9 he just got done like with a pause or something  
10 because I said when I gets outside, it was still  
11 like three, four, maybe five more shots.

12 MS. : Okay. And what happened when  
13 you got outside, what was the kid with the dreads  
14 doing?

15 Um --

16 MS. : Did you see him?

17 You know, I got my eye, I  
18 really kind of stopped paying attention to him.  
19 Because as I said, I did notice that the driver,  
20 passenger side door was open on that car, but I  
21 stopped paying attention to him so, and I started  
22 focusing on Mike Brown cause now he's dead, and the  
23 officer started walking towards him with the gun.

24 So, um, let's see, yeah, that's it about  
25 that one, yeah.

1 MS. I notice in some of your  
2 previous statements you had said that the kid had  
3 just got in the car and the car had driven off.

4 : Yeah, um, I, I, I, I think  
5 that was maybe right when he saw his friend die, you  
6 know, hit the ground.

7 MS. : So my next question is, did you  
8 actually see him, the kid with the dreads, get in  
9 the car or did you assume he got in the car?

10 : I, I, I assume, I assume that  
11 because the car was gone right after that, the car  
12 was gone.

13 MS. : And where were -- and did the  
14 kid with the dreads (inaudible) where you could see  
15 him?

16 : No, I figure that he hopped in  
17 and asked to pull off.

18 MS. Right. You figured that,  
19 right?

20 Yeah, you know, I kind of  
21 stopped paying attention when he walked past him.

22 MS. Okay, but you actually saw for  
23 yourself, the last thing you saw was the kid kind of  
24 ducking around that car?

25 Uh-huh.

1 MS. And moving?

2 : Yeah, ducking. And about time  
3 he gets to the passenger side door because it was  
4 open, about the time he got to that, I said the  
5 officer passed him, so that's when I came outside  
6 and started going on Mike Brown now.

7 MS. : Okay.

8 MR. : So the last time you seen  
9 the guy with the dreads, he's headed for the back of  
10 that car forward --

11 Yeah.

12 MR. : -- towards the passenger  
13 door?

14 : Yeah, yeah, ducking down  
15 looking at the officer all through that time.

16 MR. : But he is heading away from  
17 Mike Brown and away from the officer, the opposite  
18 direction?

19 Yeah, yeah.

20 MR. : Okay, all right. And, um,  
21 so at that time you are watching the officer.

22 : Uh-huh.

23 MR. : And the guy with the dreads  
24 and Mike Brown, I think you previously said, Mike  
25 Brown was about 25 feet --

1 : Yeah.

2 MR. : -- past where that was. So  
3 at that point you're not watching Mike Brown, you're  
4 watching the police officer and the guy with the  
5 dreads?

6 : Yeah, um, cause Mike Brown, he  
7 kind of ran some distance at that time.

8 Was he in your field of view,  
9 like could you see him from when you were in your  
10 bedroom looking out the window, were you able to see  
11 him?

12 Uh, Mike Brown, I couldn't see  
13 Mike Brown, cause of, cause of the way, I could see  
14 his death spot out of my bedroom window, but as I  
15 say, he ran past just a little bit.

16 : Past --

17 : You know, that would be right  
18 there, that building, I think it is that one right  
19 there, that building right there. He was out of my  
20 view at that time, but the officer past his friend,  
21 that was my opportunity to go outside.

22 MR. And when, okay. So he, Mike  
23 Brown left your view there.

24 : At that moment.

25 MR. You don't know, so then you

1 don't know what's he doing?

2 : Exactly.

3 MR. Okay, thank you.

4 MS. : And the next time he came into  
5 your view is when you went outside and you are on  
6 the balcony and you saw?

7 : Uh-huh.

8 MS. : Him facing the officer and as  
9 you described, his hands across his stomach.

10 Yes, and like I said, they  
11 were still, 25, I don't even know my measurements  
12 good enough.

13 : That's fine.

14 MS. We don't need --

15 It was some distance.

16 MS. : Were you able to hear any words  
17 coming from either the officer or Michael Brown?

18 No, no, not at all.

19 MS. : Okay. Did you see their mouths  
20 moving at all?

21 : Umm, no. Just the only time,  
22 they got me, that he was talking on his thing.

23 MS. : Right.

24 You know, I'm not sure what he  
25 was saying, but he's talking.

1 MS. : You are referring because the  
2 audio recording that you are referring, the officer  
3 was talking into or his radio on his shoulder,  
4 correct?

5 Yes, yes, yes.

6 MS. : Okay. I just want to ask you,  
7 after it all happened and you were on your cell  
8 phone, you're recording?

9 : Uh-huh.

10 MS. : Can you just talk about who was  
11 around you? I know you said you were narrating it,  
12 there are people in the background.

13 Yeah, like I said, it was a  
14 guy on that parking lot already in a burgundy, maybe  
15 a burgundy Bonneville. Him and his girlfriend they  
16 was already sitting out there and they were just  
17 talking.

18 And I remember him saying something that  
19 the officer reversed back and ran over his foot, but  
20 I remember him saying like on a recording that I  
21 assumed that he just ran into the car and got to  
22 punching on him or whatever, you know, but he said  
23 that he ran over, that he reversed back and ran over  
24 his foot and tried to grab him through the car  
25 window.



1 MS. : Do you know this person?

2 : No, I never seen him before.

3 MS. : Have you seen him since?

4 : No.

5 MS. When this discussion is  
6 happening, this was occurring on ground level?

7 : Yes.

8 MS. So the recording you provided  
9 St. Louis County, was it from the balcony?

10 : Yeah, it was from the balcony.

11 MS. Okay. So just help me  
12 understand that. When I watch that recording, it  
13 seemed like, and what you just told me was on the  
14 recording. The person in that car, that burgundy  
15 car down below talking up to you?

16 : Uh, you know, I can't even  
17 remember. I don't know if he came up or not, like  
18 on the steps wise. So I really can't remember. I  
19 really can't remember.

20 MS. You say a burgundy car?

21 : Yeah, yeah, I know that when I  
22 went out there onto ground level, that's when I was  
23 really talking to him, but I'm trying to remember  
24 like if at the time when I was recording on my  
25 balcony, if he walked up to the steps, cause I do

1 remember that, you know, so I really can't.

2 When you say balcony, I'm  
3 sorry, I want to clarify for my own, is it right  
4 outside your front door or a door outside of your  
5 living room.

6 Yeah, it is right outside the  
7 front door.

8 : Okay. So steps are right in  
9 front of your door?

10 Yeah, right in front of my  
11 door, the balcony is right there.

12 : Gotcha.

13 : Yeah.

14 MR. : You indicated initially when  
15 you went to leave your window and go out to the  
16 balcony, that you had to double back to get your  
17 phone.

18 Uh-huh.

19 MR. : Where was your phone?

20 : My phone was in the bedroom.

21 MR. So you went from your  
22 bedroom to the door?

23 Yeah, yeah, yeah. As a matter  
24 of fact, my phone was right there, right there by  
25 the door of my bedroom. I have a little stand right

1     there, so I ran that, grab that and went back to the  
2     front door.

3                     MR.                 :   All right.

4                                 So I was headed, I took some  
5     large steps too, I don't think I missed too much  
6     from that.

7                                 So when you said you saw the  
8     officer get out of the car.

9                                 :   Uh-huh.

10                                :   Did you see what kind of car,  
11     vehicle, he was driving, what type of vehicle  
12     rather?

13                                :   Um, it was definitely a truck,  
14     the Tahoes, the Tahoes.

15                                Okay.   So when he got out of  
16     the car, and the Tahoe is a pretty big car.

17                                :   Yeah, yeah.

18                                SUV.

19                                :   Uh-huh.

20                                You could see the officer and  
21     what he was doing?

22                                :   Yeah, I could just see his  
23     movements, you know.

24                                Okay.

25                                :   You know, so.

1 I think after Mike Brown ran  
2 away.

3 : Uh-huh.

4 Officer, gets out of his car,  
5 you can see the officer.

6 : Yeah.

7 His body position?

8 Yeah.

9 Over by his car?

10 : Yeah, basically from like his  
11 chest on up.

12 Okay.

13 : So I didn't -- I could see  
14 like see his gun too, but not like his stomach on  
15 down to until he got past.

16 : Okay.

17 : You know, so.

18 And you heard the gunshots?

19 : Yeah, that's when I started  
20 hearing the moment he gets out of the vehicle.

21 I'm sorry, I can't remember  
22 if you said this, do you know how many?

23 : How many he shots?

24 : Uh-huh, before the pause?

25 : I don't know, maybe five.

1 Are you guessing?

2 : That should be about four,  
3 five.

4 Okay.

5 Yeah.

6 MS. : If you're not sure, it is fine  
7 to say you're not sure.

8 : Okay. I know it was a nice  
9 round because he gets out of the car immediately and  
10 started shooting, just like I said, each time that  
11 he shot, I was like I said, I feel for the guy with  
12 the dreads. I think of it as a nightmare too  
13 because each time he saw the officer shooting, he  
14 was just like, you know, kind of like, I seen his  
15 body jump just looking at each time like he was like  
16 a duck that he was giving himself around the  
17 vehicle. So I would have to say about four or five.

18 MS. Okay. Do you remember when you  
19 first talked to the County detectives, you gave a  
20 recorded interview and a couple minutes later, you  
21 had a follow-up right away and they went back on the  
22 recording, do you remember that?

23 : Um, with them?

24 MR. : It would be on the same day,  
25 August 9th. It was about four or five hours after

1 all of this happened that day they came and they  
2 talked to you?

3 : Yeah, yeah, yeah, it was that  
4 same day.

5 MS. You gave a recorded statement  
6 and literally within a minute, maybe even seconds  
7 later they went back on the recording. Was there  
8 something that you had asked that you said I wanted  
9 to ask you about. You had said in talking about the  
10 initial altercation, you had said that, um, that you  
11 heard the shots before the police officer got out of  
12 the car and that's what made the police officer get  
13 out of the car.

14 So I know that since then and today that  
15 you heard the shots after the cop got out of the  
16 car. Now one point you said that, that is what I  
17 was just wondering.

18 : Um --

19 MR. : You said, what is  
20 referring to, Detective asked you, when did  
21 you hear the first gunshots, you said you heard  
22 gunshots.

23 You said, I was in window. And Detective  
24 asked you, and where was the officer at that  
25 point.

7                   And let me ask you this, kind of, you  
8    mention at the very beginning, I meant to ask you  
9    this earlier, but that the guy with the dreads and  
10   Mike Brown took off running at like the same  
11   instant.

13 MR. Is that right? They both  
14 just took off running at the exact same time?

16 MR. : And you hear or seeing  
17 anything that would cause --

## Gore Perry Reporting and Video

1 But they did take off at the same time,  
2 but I really, I didn't think that maybe a shot went  
3 off in the car or something because that was a good  
4 timing, you know.

5 MS. : The reason we ask you is  
6 because as just read to you the transcript of  
7 your statement, you said at that point that the shot  
8 had gone off in the car.

9 : Yeah, maybe, I mean, I know  
10 for sure I didn't hear a shot go off in the car,  
11 but, um, like I said, that's probably wasn't like  
12 the first interview, that's maybe because I'd have  
13 heard that a shot did go off so, you know, I was  
14 trying to put a puzzle together too, maybe that's  
15 the reason why they ran, but I didn't hear.

16 MS. : So there is about four hours  
17 from the time this whole incident occurred to that  
18 the time that the county cops interviewed you. In  
19 those four hours, I know that you videoed a lot of  
20 it, or people on the street, did you talk to your  
21 neighbors, kind of talk --

22 No, because a lot of people  
23 are my neighbors, they didn't see everything. They  
24 didn't see, it was just a main guy got, uh, from  
25 what I saw I kind of, you know, I like his beginning



1 from when he said he saw Ferguson pull up on these  
2 guys.

3 MS. That guy in the burgundy car?

4 : Yes, yes.

5 MS. You talked to him?

6 : Yes.

7 MS. When you talked to him, did the  
8 two of you kind of piece this together?

9 : Um, like I said, he saw the  
10 whole thing basically, but I pieced his with mine.

11 MS. You say he saw the whole thing,  
12 and he never gave you his name?

13 : No, huh-uh.

14 MS. Do you know how to find him?

15 : Not at all, not at all. I  
16 don't remember like seeing him again afterwards or  
17 the vehicle.

18 MR. Can you just real quick, can  
19 you tell us what he told you again about what he  
20 saw?

21 That he said, um, um, that the  
22 officer pulls up to them and the officer says  
23 something to them and they say something back, and  
24 he reverses back and like I said, that's why the  
25 police cruiser is in the middle of the street

1 diagonal because he cuts Mike Brown off.

2 And he said that he runs over his foot to  
3 catch him or whatever, he said that he reached out  
4 the window to hold him or whatever, and, um, and  
5 maybe that's where the tussle started at. Going on  
6 maybe to let him know or whatever he, maybe he was  
7 punching on him in the window, whatever the case.  
8 That's when I came to the window because I heard the  
9 little tussle.

10 MR. Did he say anything to you  
11 about a gunshot while the police officer was in the  
12 car?

13 : I -- I really don't --

14 MR. Or did the officer say  
15 something about that to you?

16 : I don't think that he did, I  
17 think somebody else said that, somebody else that  
18 walked up and said that a gunshot, that's the reason  
19 why they ran so fast so, but I don't remember that  
20 the guy with the purple car that said that to me.

21 MR. And so as you sit here  
22 today, do you know whether the first shot was,  
23 whether you heard the first shot while they were,  
24 while the police officer is still in the car or  
25 after he got out of the car.

1 I only started hearing shots  
2 when he gets out the vehicle.

3 MR. : Okay. And this individual  
4 that you talked about who told you what he saw  
5 before you actually started looking out the window,  
6 you didn't see any of that, the police officer pull  
7 up and an exchange between the two of them talking  
8 or him backing the car up, you didn't see any of  
9 that.

10 : No, I didn't.

11 MR. Okay. Did you want to take  
12 a break? I think we will take just a few minute  
13 break.

14 : Okay.

15 MR. : You want to leave this on?  
16 That's fine, that's fine.

17 MR. : That way we don't have to  
18 come back on for .

19 : I hear you, I hear you.

20 MR. : We will be back, thank you  
21 for your time.

22 : We will just be a second.

23 : Okay, not a problem.

24 (They took a break.)

25 Sorry about that, okay.

1 : No problem.

2 : You okay, you need to go to  
3 the restroom or anything like that?

4 : No, I'm fine.

5 : So we have a couple more  
6 questions.

7 : Okay.

8 MS. : So what is saying, we  
9 really aren't going to go and tell anybody that you  
10 gave us this information or that we spoke to you  
11 because when we do our investigations, we want to  
12 find out what happened. And the only way to find  
13 out what happened is if people feel that they can  
14 truly just kind of open up and let it out.

15 : Right.

16 MS. If we end up saying oh, so and  
17 so said this, what do you think about that?

18 Right.

19 MS. : It kind of doesn't, it, it  
20 doesn't, it muddies the water a little bit.

21 : Yeah, yeah.

22 MS. We talked about what you know  
23 and we want you to, we really want to show you that  
24 we're never going to go to another person and say  
25 hey, told us this or that. It is kind

1 of like, yes, you gave interviews before, and yeah,  
2 you were on TV, but in here, this is totally  
3 separate and apart.

4 Okay.

5 MS. : This is your opportunity to  
6 kind of lay it out. I know that you are concerned  
7 about, I think you said you saw some websites about  
8 snitches and so forth.

9 : Yeah.

10 MS. : And so is that from concern  
11 from in the community?

12 : Uh, yeah, it could be  
13 anywhere, you know, it could be anywhere. It could  
14 just be anywhere, so I'm not even sure, you know.

15 MS. : We get it. This has caused a  
16 lot of people to take sides and so forth, and we  
17 just want to figure out what happened.

18 Uh-huh.

19 MS. : We really do.

20 : Uh-huh.

21 MS. We want to know and what they  
22 saw.

23 : Okay.

24 MS. : We are not going to say oh, you  
25 know, we got your information from

1 because, you know, nobody is going to find out.

2 : Okay.

3 : is there something  
4 specific that you don't want to tell us?

5 Uh, no.

6 Because I'm concerned that  
7 you might have been directly threatened or there is  
8 people, because you keep looking down when you talk  
9 about it.

10 : I mean, everything I'm just,  
11 nervous.

12 That's okay.

13 I'm not comfortable, I'm just  
14 like after this, you know, uh, I think of stuff like  
15 that. I said like, you know, everything that I've  
16 done and like I said, I go to work, I go to the  
17 store and little kids they recognize me and a lot of  
18 people, if I get paid a nickel every time I hear the  
19 word superstar, you know, I would be rich or  
20 whatever. I don't know, it is just --

21 You know you're not in  
22 trouble to feel this way, you are not in this alone.  
23 You know, you know, you see the news, there is other  
24 people too that they do know the position that you  
25 are in.

1                   And I know it is a lot different talking  
2   when the cameras are rolling and then talking to us.  
3   Because you understand that there's the lives are  
4   affected by, specifically Michael Brown's parents  
5   and also the lives of the officer and Ferguson  
6   police officers. So we absolutely 100 percent, I  
7   know you are a good person, you have a family.

8                                 : Yes, I do.

9                                 : That you are concerned with,  
10   so if there is something more going on, if you want  
11   to explain, I suspect that there is, we need to do  
12   that, okay?

13                                : Yeah.

14                                : Do you trust us?

15                                : Yeah, I trust you.

16                   MS.           Okay. So going back to that,  
17   going back to the video that you have, right?

18                                : Uh-huh.

19                   MS.           So you were saying, dude, that  
20   guy just went up on him, started punching him?

21                                Yeah.

22                   MS.           That was your reaction?

23                                : Yeah, that was right away.

24                   MS.           : That was your gut reaction  
25   based on what you saw, am I correct?

1 : Yes.

2 MS. That Michael Brown went up to  
3 that car and started punching the officer?

4 : Yeah, yeah, cause, like I say,  
5 I look at cops all the time, you know, and I see  
6 other stuff that, you know, it is a lot of people  
7 out there that does stupid stuff to make an officer,  
8 you know, to get down on them or whatever. But that  
9 definitely what I assume.

10 MS. And -- what you saw, though,  
11 right, you are watching this go on, right?

12 : Yeah.

13 MS. So what you saw, correct me if  
14 I'm wrong, this kid is doing something really  
15 stupid.

16 : Yeah, I mean, yeah, because  
17 like I said, when I see somebody hit a police  
18 officer, here I'm hearing a tussle like that, it  
19 doesn't look right. So I assume that, you know,  
20 some guy just run up to the car and started punching  
21 on him and the officer gets out of the car and  
22 shoots him dead.

23 MS. : Right, and your immediate  
24 reaction this kid just did something that was pretty  
25 stupid. You said he got up in the officer's shit,



1 and those are your words, right?

2 Yeah.

3 MS. : Okay. And your words are like  
4 that kid just went up and started punching on that  
5 officer.

6 : Uh-huh.

7 MS. : Yes?

8 : Yes.

9 MS. : In the background I know that  
10 this guy in the red car started like saying oh, no,  
11 he started talking about running over and all of  
12 that.

13 Yeah, but still at the same  
14 time, I only see the moment when he was already at  
15 the vehicle, so I didn't see him run up or anything  
16 like that.

17 MS. : Right, right. So I wanted to  
18 ask you some more about that that guy in the car.

19 : Uh-huh.

20 MS. : Here is the thing, anything you  
21 know that could steer us in the direction of finding  
22 him, we would never say told us who  
23 you are or how to find you, but it is really  
24 important. We need to figure out what happened,  
25 right? There are people who, people who were there,

1     who saw it.

2                                 I mean, if something just come  
3     to my mind, I mean, like the video that I have,  
4     maybe you could check the license plates on that  
5     vehicle.

6                     MS.             Okay.

7                                 :   And go from there maybe, I  
8     don't know.

9                     MS.             :   Okay. Is there any other thing  
10    that you know about him?

11                                 :   No, that's the only thing.

12                     MS.             :   Because it just seems kind of  
13    weird to us, right, that this stranger starts coming  
14    up and having a whole discussion with you?

15                                 Yeah, I mean, everybody just  
16    started talking to everybody.

17                     MS.             :   I know.

18                                 :   Like I said, even when I had  
19    started recording, you know, I started talking of  
20    what I assumed, what I saw.

21                     MS.             :   Right.

22                                 :   Uh, even though I saw him  
23    already at the window, but I just put it to the  
24    point he ran up to the car and started, you know.

25                     MS.             :   What you said was he got up in

1 that officer's shit and started punching him.

2 : Yeah, yeah, yeah, that is  
3 exactly I saw. He ran up all up in his shit,  
4 whatever, so.

5 MS. Is that what you saw, that is  
6 what you saw.

7 : Yeah, but still, I mean, when  
8 I saw this kid be different like, as far as like he  
9 could be grabbed to the car.

10 MS. Did you see him get grabbed?

11 : No, I didn't see him get  
12 grabbed, but if --

13 Have you ever, I'm going to  
14 take his off, have you ever been in a physical fight  
15 before?

16 Yes.

17 Fight with somebody. Now  
18 imagine, did you feel like you were at an advantage  
19 or disadvantage?

20 : I mean, you know, I feel if  
21 you are in a fight sometimes, you know, this guy's  
22 getting an advantage.

23 Let me ask you, if you are  
24 sitting down and someone was standing, who would you  
25 say had the advantage there?

1                               Of course, I believe that's a  
2   truck that, of course, anybody standing out of the  
3   vehicle would have an advantage.

4                               :   Okay.

5                               :   Because I've seen it before  
6   with my own eyes, that if a guy gets out of the car,  
7   they get to punching on somebody that's in the car,  
8   you know, because they almost can't do nothing with  
9   two hands, you know.


10                              :   Okay.

11                             :   Maybe with one, grab one hand  
12   or whatever, but you know, so that there is anybody  
13   outside the car would have the upper hand, you know,  
14   so I do see that.

15                             And did you see that?

16                             :   Yeah, I mean, I look at it  
17   like I said, anybody outside the vehicle has the  
18   upper hand.

19                             Right.

20                             :   I  assume, you know, he ran up  
21   to the car and punched him up in his face or  
22   whatever, then they takes off running.

23                             So based on what you saw, did  
24   you see, did you feel that Michael Brown had an  
25   advantage or did you think it was the other way

1 around?

2           **A**       Uh, I mean, the advantage, he definitely  
3 has an upper advantage if he's throwing punches, if  
4 he's throwing punches from outside the vehicle. So,  
5 but like I said, it could be different reasons why,  
6 you know, he was on the side and then pulling,  
7 trying to be pulled in or something like that, but.

8                       We're not asking you to  
9 figure that out either, so don't feel like you have  
10 to.

11                      Okay.

12                      We're just trying to find  
13 different ways to kind of jog your memory.

14                      : Yeah, but anybody standing  
15 outside the vehicle they would have the upper  
16 advantage on throwing punches.

17                      MS.       : Could I ask you some more about  
18 that guy in the burgundy car?

19                      : Yes.

20                      MS.       About how old is he?

21                      : I know he's younger than me, a  
22 lot younger guy. I'm not even sure how old he is, I  
23 know he's younger.

24                      MS.       Was he black or white?

25                      Black.

1 MS. Was he with anybody in the car?  
2 : With a girl, maybe his  
3 girlfriend.

4 MS. : Did you hear him call his  
5 girlfriend by name or anything like that?

6 : No, huh-uh.

7 MS. So this is just some guy that  
8 randomly is sitting in your neighborhood at that  
9 exact moment?  
10 : Uh-huh. And when I got the  
11 recording, I got to talking and then I got on ground  
12 level and got to talking to him because he's already  
13 right there and I got to --

14 MS. What kind of car did you say it  
15 was or do you know?

16 It was like a burgundy  
17 Bonneville.

18 MS. : Okay. Does know him?

19 : No.

20 MS. : Did you guys ever find out  
21 afterwards who he was.

22 : No, not really, not really,  
23 not really.

24 Anybody else in the  
25 neighborhood who told you that they saw what

1     happened?

2                             From the beginning, there was  
3     another guy, like I said, that walked up, he had  
4     dreads too. And he said gunshot went off in the car  
5     and that's the reason why they took off running.

6                     MS.         :   Do you know him?

7                             :   No.

8                     MS.         :   Ever seen him before.

9                             :   I've seen him around the  
10    apartments, I've seen him before.

11                    MS.         :   Do you know his name?

12                             :   No.

13                    MS.         :   Okay. Do you have anything  
14    else you want to tell us?

15                             :   I have something to ask.

16                    MS.         :   Sure.

17                             :   You reverts back to about the  
18    statement that the police or whatever came to my  
19    house and I did that and, um, I mean, I hear a  
20    change, you know, you already told me, you know, can  
21    you change anything, but you know, I'm hoping that I  
22    don't get in trouble for that.

23                    MS.         :   You're not in trouble.

24                             :   I just said maybe, maybe when  
25    I said that is cause, like I said, I already had did

1 so many interviews already, so each time when I like  
2 hear, you know, what, even one time when I had like  
3 my first of two interviews.

4 MS. : Uh-huh.

5 My first of two interviews, my  
6 first of two interviews I was already saying he, the  
7 officer let out about eight shots, eight, nine  
8 shots. But then I remember like a few more  
9 interviews after that, that's when I notice about  
10 the, I saw the autopsy. And I remember telling the  
11 reporter, I said they only found six shells, that  
12 Mike Brown was hit six times, you know.

13 I was saying like, he only shot six times  
14 through that whole time? So, you know, I was  
15 breaking that down so, but if I even said that to  
16 him, it is probably, you know, because I already  
17 heard somebody said that's the reason why they ran  
18 cause a shot went off.

19 MS. Here is the thing, you are not  
20 in trouble, okay?

21 Okay.

22 MS. : I don't want, I want to put you  
23 totally at ease. I understand that, you know,  
24 you're sitting here talking to federal agents,  
25 federal prosecutors and it can seem scary to



1 anybody, okay?

2 : Uh-huh.

3 MS. : You're not in any trouble, as  
4 long as you just tell us what you, yourself  
5 remember.

6 : Yeah.

7 MS. : The best that you can, okay?

8 : Yeah.

9 MS. : Okay. As long as you do that,  
10 you would only get in trouble if you lie to us.

11 : Yeah.

12 MS. : That's why we want to make sure  
13 that you are telling us, we want to know the truth.

14 : Oh, okay.

15 MS. : Whatever side it falls on,  
16 whoever it helps or doesn't help or hurts, we just  
17 want to know what happened.

18 Okay, not a problem, not a  
19 problem.

20 MS. : We don't want you to get  
21 worried about getting in trouble. We do want you,  
22 we want you to just talk about it later, you are a  
23 piece of the puzzle, all right? Nothing rises or  
24 falls with you, nothing makes or breaks with you.  
25 Even though you are on the news or media calling

1 you, that doesn't matter. You are a witness on a  
2 case like any other case, okay?

3 : Okay.

4 MS. : And so we just want you to tell  
5 us what happened.

6 Okay.

7 MS. We understand it happened  
8 quickly, people have different vantage points,  
9 different views of things.

10 Right.

11 MS. : We want to know what you,  
12 saw and heard.

13 : Okay.

14 MS. So is there anything that you  
15 told us here today that you want to correct, that  
16 you think maybe we didn't understand correctly?

17 : No.

18 MR. : I think you said something  
19 about being concerned about changing things or  
20 whatever. You should have seen how many, us sitting  
21 here today, this is a clean slate, okay?

22 : Okay.

23 MR. : What you have had to say  
24 before doesn't make all that much difference. What  
25 we are interested in is how do you recall this.

1 : Right, uh-huh.

2 MR. We want what your best  
3 recollection is.

4 Okay.

5 MR. : So don't worry about trying  
6 to keep things straight or not changing things. I  
7 mean, if you recall things differently, then you  
8 just need to let us know.

9 Right, right, right, right.

10 MR. : And I mean, as we sit here,  
11 is there anything at all that, you know, as you look  
12 back at it, that you are concerned at all?

13 Um, no, I told everything, the  
14 whole story, everything you guys asked. I mean,  
15 that's really nothing. I mean, it is just kind of,  
16 it is just maybe a few questions. About if a gun  
17 went off in the car.

18 MS. Look, some people heard one  
19 thing, others heard another. You didn't hear it,  
20 you didn't hear it. We just want to know what you,  
21 yourself, heard and saw.

22 : Okay.

23 MR. : We want to know what you  
24 actually know. If you're not sure, if you don't  
25 recall, we need to know that, okay?

1 Okay.

2 MR. : What is your concern about  
3 that, about the shot was in the car?

4 : No, no, I mean, not too much  
5 of a big concern, but it just, uh, uh, like  
6 basically me just wanting to know if a shot really  
7 did go off in the car.

8 MS. : We can't tell you one way or  
9 the other.

10 I understand.

11 MS. : Here is the thing, it is like  
12 we said before, if we tell you what someone else  
13 said.

14 : Absolutely.

15 MS. : What you, yourself, saw. It is  
16 natural when people start telling you things.

17 : Gotcha.

18 MS. : You start putting pieces  
19 together.

20 : Uh-huh.

21 MS. : And you, you know, you may  
22 start thinking you know something when in fact, you  
23 know, you don't.

24 : I understand, I clearly  
25 understand.

1 MS. Okay. So you brought up  
2 before, so is reading what I refer to the  
3 statement, is reading a transcript of it. The  
4 reason we were asking about it is it was clearly  
5 something different that you said from what you're  
6 saying today. It doesn't mean you are getting in  
7 trouble for that, we are just trying to figure out  
8 why you said one thing on one day and why you are  
9 saying a different thing today, and that is why we  
10 brought it up.

11 : Okay. That is just that  
12 little part.

13 MS. Right.

14 MR. And you said other things  
15 before, you mentioned different --

16 : Yeah, yeah, yeah, I was  
17 adding --

18 MR. : You have talked about, yeah,  
19 right, I'm just talking about, you know, when you go  
20 back through those statements, there is that one  
21 instance we talked about, you know, where you talk  
22 about the police officer being in the car when you  
23 heard the first shots fired.

24 Other times you talked about that he was  
25 out of the car when the first shots were fired.

1                   What we are trying to figure out is just  
2   how you best recall it or whether or not you are  
3   sure about whether he was or, you know, at the time  
4   that the shots occurred, that's all we are trying to  
5   do.

6                               : Okay, not a problem.

7                   MR.                   Well, I mean, let me just  
8   touch on that one more time. Can you tell us what  
9   you recall about at that point as you are looking at  
10  the window?

11                               : As I'm looking out the window,  
12  I see Mike Brown at the driver's side window of the  
13  police vehicle. I see a tussle, I see his arms  
14  moving, I see the officers arms moving, so I heard a  
15  hard tussling.

16                   Then all of the sudden they just takes  
17  off, they just takes off running. I see his friend,  
18  like I said, he runs to the first car that he sees,  
19  runs behind the trunk of the car because the officer  
20  immediately gets out of his vehicle and started  
21  shooting. So I see him looking at the officers as  
22  he was taking large steps going for Mike Brown.

23                   About the time that I notice that the  
24  officer went past his friend, that's when I came  
25  outside. By the time I gets outside, I see Mike

1 Brown now facing the officer. He's bent down, got  
2 his arm under his stomach and, um, like he was going  
3 down, not even to surrender, to say give up, just  
4 going down to bleed a little, but the officer just  
5 lets out four or five more shots at him and then he  
6 hits the ground.

7 MR. : All right.

8 Just like (inaudible).

9 MR. : You said several times too  
10 that those first shots that officer fired, closer to  
11 the car, that you heard those. Are you sure that  
12 you actually saw him fire those shots or did you  
13 hear those shots, or because you said several times,  
14 I notice in your prior statements that you refer to  
15 hearing them.

16 : Yeah, I saw him. I saw him  
17 shooting at Mike Brown the moment he gets out of the  
18 vehicle.

19 MR. : Okay. The moment he's  
20 getting out of the vehicle?

21 : Yeah, the moment --

22 MR. : Is he fully out of the car?

23 : Yeah, he is fully out of his  
24 car standing with his gun out, starts shooting, but  
25 he is still in his vehicle range and his cruiser

1 range. So he ain't even get past it, you know,  
2 before he started shooting. So he is just like, he  
3 gets out of the car, bam, you know, starts shooting.

4 MR. : Anything else?

5 No.

6 MS. Do you have any other questions  
7 for us?

8 Not at the moment.

9 MS. : Did we force you to say  
10 anything you didn't want to say?

11 : Uh, no.

12 MS. Do you think we treated you  
13 fairly?

14 : Yes.

15 MS. Is there anything else you want  
16 us to know, anything else you want us to know?

17 : Uh, no, not at the moment, but  
18 you know, maybe as time go on, I do have you guys.

19 MS. : Yes, you do. That's a good  
20 point you made. I want you to know just because you  
21 came in here and spoke to us doesn't mean you can't  
22 feel free to call .

23 : I definitely will because I  
24 don't have a lawyer neither.

25 Do you feel like you need a



1 lawyer?

2 : Maybe not, maybe not. I'm  
3 just looking at why do everybody else have a lawyer.

4 : That's an excellent --

5 : Do they feel like me?

6 MS. : We can't tell you, all we can  
7 tell you, you are not in any trouble if you come in  
8 here and tell us what happened and the truth, okay?

9 : Okay.

10 MS. So as long as you came here and  
11 told us what happened.

12 : Right.

13 MS. : Then you don't have to worry.

14 : Okay.

15 MS. Because that's all we really  
16 want.

17 : Okay.

18 Can I ask you, I'm concerned  
19 about it, I understand the worry.

20 : Uh-huh.

21 And I think that if you want  
22 to talk to us again or one-on-one if you just want  
23 to talk to , you want to talk me, you just want  
24 to talk anyone, you can do that too, but I do think  
25 there is more to it, I really do. And I want you to

1 feel comfortable with that because understand, you  
2 are not in any trouble, do you understand that?

3 I understand.

4 : Okay.

5 MS. : Is there anything else? You  
6 seem hesitant, that's why I keep asking you.

7 : Um, I mean, since, since, you  
8 know, I received the call, you know, about, you  
9 know, come down to the FBI or whatever, I've been,  
10 you know, I can't wait to get down there, you know,  
11 I need to tell you how I feel. You know, what's  
12 going on, it is just me, do I need to keep doing  
13 what I'm doing, go to work, you know, take care of  
14 your family, you're doing, you're fine. Okay, so I  
15 don't know if I need to be told that, you know, or  
16 if I really need some help, you know. It is really,  
17 really bothering me.

18 Like all the way it has been over a month  
19 now, I haven't ate good, you know.

20 I just checked my weight today and I lost  
21 some pounds.

22 : Okay.

23 At the time that I checked it  
24 was like 160, 165. I checked it today, it was like  
25 152.

10 : I mean, I don't know just, um,  
11 maybe just what if what I already did with the  
12 reporters and, you know, I be thinking like somebody  
13 is looking for me, maybe. You know, I just have  
14 weird feelings.

17 : I mean, just the point, um, I  
18 did quite a few interviews and I don't think, I only  
19 know there's a few witnesses. I think I just  
20 notice --

24 : Okay. I don't think they  
25 didn't do as many as I did.

1 : Okay.

2 But like I said, I don't know  
3 if I'm just worried, by me doing that I just  
4 immediately felt so worried since then and not  
5 having a lawyer and seeing that on the internet.

6 MS. Are you worried about being  
7 called a snitch?

8 No, I'm not worried about  
9 that. I'm hoping, I don't want nothing happening to  
10 me, you know. Maybe if my information is really  
11 good enough or whatever, and you know, I don't want  
12 nobody coming looking for me because I have good  
13 information, whatever the case.

14 MS. : Gotcha.

15 : I have a weird feeling.

16 MS. : Well, I tell you this, first of  
17 all, and I know if you feel like your personal  
18 safety is endanger, you need to call 911, but you  
19 have my name.

20 Yes.

21 : Okay. If you get any threats  
22 or anything you call me. That is the main office  
23 number, you can talk to anyone.

24 : Okay.

25 : If that makes you --

1 : Okay.

2 You know, anybody you want to  
3 talk with.

4 : Okay.

5 : Ask for me, they'll put you  
6 through.

7 : Okay, all right.

8 : But I suspect there is more  
9 to it. I know there is a lot of pressure, like you  
10 said, you feel like, I don't want to put words in  
11 your mouth, but there may be a bit of a spotlight on  
12 you?

13 Yeah, that too, that too. You  
14 know, it is almost like a now, I already got bills  
15 that I have to, you know, worry about it now. Now  
16 this is just all up in my mind.

17 Yeah.

18 : You know, so, I mean.

19 MS. You said something before about  
20 being a good enough witness, there is no such thing  
21 as being a good enough witness. Everybody knows  
22 what they know.

23 : Right.

24 MS. : Or they don't know, everybody  
25 plays a part. There is no measure for anything, the

1     only thing we want is for people to come in and tell  
2     us what happened. Nobody is good enough or bad  
3     enough, they are what they are.

4                                 :   Okay.

5                 MS.             You saw what you saw, heard  
6     what you heard and that's it.

7                                 Okay.

8                 MS.             :   Not good enough or bad enough,  
9     you happen to be there and see the part that you  
10    did.

11                                Okay.

12                                Do you feel comfortable with  
13    everything you said today?

14                                Yes.

15                                :   Okay.

16                                :   Okay.

17                 MS.             :   Thank you.

18                                :   Thank you.

19                                :   All right.

20                                :   I hope that is good enough.

21                 MS.             :   I just said there is no such  
22    thing as good enough, did you tell us the truth?

23                                :   Yes, of course. I done

24    exactly what I saw and just to let you know, the

25    last interview I did with                                , that last

1 one. You know, I don't know if he was trying to  
2 confront me or whatever, but he had the other girl,  
3 he had me to listen to her story so see whether my  
4 story were to change. I mean, that's what she saw  
5 and this is what I saw, you know.

6 MS. : Right, so you made a good  
7 point. He showed you someone else's interview?

8 : Yeah.

9 MS. And he asked you about it,  
10 right? Is why you feel uncomfortable, this is why  
11 we don't tell you what other people said, we just  
12 want to know what you said. We are not going to ask  
13 you about someone else's.

14 : I gotcha.

15 MS. : Okay.

16 : I gotcha.

17 MS. : Do you feel like we treated you  
18 fairly with the questions?

19 Yes, yes.

20 MR. : You are comfortable today?

21 : Yes.

22 MR. : Do you feel like we  
23 confronted you the way he did?

24 Yeah.

25 MR. : That we confronted the way

1                                did, is what you are talking  
2    about?

3                                Oh, no, no, no.

4                        MR.                : All right. But you're  
5    concerned about the way (inaudible), that's why you  
6    quit doing media interviews?

7                                : No, no, because after that, it  
8    just, I just thought I did so many and all of these  
9    reporters, they was coming to my house, calling my  
10   phone, they coming to my momma's house. I don't  
11   know how they got my momma's address.

12                        They called my next door neighbor, I don't  
13   know how they get her number. They was just like,  
14   when I get home, it has been like a good two weeks  
15   after his death, like they like, when I get home, I  
16   like to straighten out my apartment. I like to  
17   straighten up to make sure everything is right.

18                        I've got kids, you know, I like to  
19   straighten up and relax. That's the first thing I  
20   like to do when I get home there may be three or  
21   four waiting on me, you know, trying to get a piece  
22   of me and stuff like that whatever. And, you know,  
23   they throw cameras in my face and say, it is live.  
24   I'm like okay, whatever.

25                        But it is just after so many of them, that



1 is just when it hit me, that same night after doing  
2 that show, I came back home and my fiancée came home  
3 too, and we kind of had some words exchanged and she  
4 didn't want to give me a kiss or whatever, but  
5 normally when she don't do that, I go up and mess  
6 with her, but I didn't bother her at all about that.

7 I just went into the kitchen and started  
8 walking around in the kitchen and I started to fix  
9 me a sandwich. As I was fixing a sandwich, I've got  
10 the two (inaudible) out, but I'm just pacing back  
11 and forth in the kitchen. I started sweating and  
12 being real nervous.

13 So when my fiancée walking around, you  
14 know, with an attitude, I stopped her in the kitchen  
15 and said look, you know, right now, you know, what  
16 you want right now is petty right now, I just want  
17 to tell you that right now. I'm feeling very, very  
18 sick right now, very, very sick. I'm shaking and  
19 I'm nervous right now and I'm scared, you know.

20 It is just since that day, it has been  
21 kind of different. Like I said, my stomach started  
22 hurting then one morning, on Monday morning, on  
23 Mondays I have to be at work about 6:00 in the  
24 morning to go to the office, but I woke up like five  
25 something with some real chest pains.

1                   So, you know, it was just almost like, you  
2   know, something trying to happen, you know. One  
3   after another, whatever.

4                   I don't know, like I said if I'm just  
5   worried. I be on the highway and a couple of times  
6   I'll be seeing like almost accidents going to happen  
7   or whatever, you know. And like I said, I'm  
8   worried, I be worried. It has been twice I seen  
9   when I leave off work, I gets on the highway, has  
10   been two times I seen a guy on a motorcycle, black  
11   motorcycle, black helmet, black everything, follow  
12   me. I don't know, he wasn't following me though,  
13   but just, you know, I didn't see him in my rear view  
14   at first, but now I see him.

15                  And from St. Charles Rock Road to Lucas  
16   and Hunt, it is kind of a little distance. He was  
17   behind me for a minute and I got to thinking like,  
18   then he zoomed past me and then started catching up  
19   and then he started catching up. And he zoomed in  
20   front of me and then he zoomed in front of another  
21   car and I'm like oh, that could have been an  
22   accident.

23                  I'm just saying, I was looking what if  
24   this guy maybe looking for me. I think of stuff  
25   like that. So that's it, that's it, so I am

1 comfortable talking to you guys about that.

2 MR. : Other than that news  
3 interview you talked about, has anybody confronted  
4 you about this in a way that --

5 No, I know around my  
6 neighborhood and at work, everybody is looking at me  
7 as a super star, you know. When I catch some guys  
8 at the store, have you been on TV. They be wanting  
9 to shake my hand so. I see, you know, in that  
10 community they see me as, I guess, I'm okay, you  
11 know, so.

12 I do think of the Klu Klux Klan, I do  
13 think of them. You know what, a friend told me  
14 yesterday, I don't know if it is true or not, I  
15 doubt if it's true. He said, uh, that something  
16 happened to Mike Brown's family at their house, like  
17 their house got shot up or something.

18 I'm asking?

19 That's what he said, he said that one of  
20 Mike Brown's family's momma house or something got  
21 shot up by the Klu Klux Klan or whatever, you know.  
22 So that is what he tells me last night or whatever.  
23 So I don't do much believe that, but still as far as  
24 me, just in case because I don't have a lawyer or  
25 whatever, all the information that I said on each

1 interview and stuff like that, so that's it, that's  
2 it, you know.

3 Okay.

4 But I am comfortable, so I do  
5 have your number, so anything else I'll make  
6 contact.

7 Okay. Well, I'm going to end  
8 the recording. It is 2:38 p.m.

9 (End of the recording.)

10 MS. ALIZADEH: It is 11:35 and this is  
11 Kathi Alizadeh, all 12 grand jurors are still  
12 present, we just completed the tape recorded fourth  
13 statement of . And at this point, I'm  
14 going to have go ahead and finalize the tape.  
15 Immediately after this, immediately after finalizing  
16 the tape, I have a witness that we are going to go  
17 ahead and call.

18 Typically we play the statement before the  
19 witness, but I just, since he has been here, I would  
20 like to get him on and off so he doesn't have to  
21 wait. And then after he testifies, we will play his  
22 statement for you, which is about 30 minutes and  
23 only one. And, um, then you break for lunch, maybe  
24 after this witness testifies and then after lunch  
25 play that 30 minute statement of his. And so at

1 this time we will end this recording and finalize  
2 the disc.

3 (Recess)

4 MS. ALIZADEH: All right. This is Kathi  
5 Alizadeh, all 12 grand jurors are in the room, as  
6 well as Sheila Whirley who is with the St. Louis  
7 County Prosecutor's Office, and at this time I will  
8 ask the court reporter to pause the audio recording  
9 and then we will have the witness identify himself  
10 and then we will resume the audio recording for his  
11 sworn statement.

12 WITNESS 10,  
13 of lawful age, having been first duly sworn to  
14 testify the truth, the whole truth, and  
15 nothing but the truth in the case aforesaid,  
16 deposes and says in reply to oral  
17 interrogatories, propounded as follows, to-wit:

18 EXAMINATION

19 BY MS. ALIZADEH:

20 Q Now, as I mentioned to you, well, let me  
21 first have you state your name.

22 A (Redacted)

23 Q And I told you before you came in here we  
24 were going to record things, but that you were not  
25 going to be recorded when you stated your name,

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1 correct?

2            **A**       Correct.

3 Q And you believe me that I'm going to keep  
4 my word on that?

5           **A**       Yes.

6           Q       All right. And then after the  
7       introduction portion, the court reporter will begin  
8       the recording again. You will be referred to as  
9       Witness Number 10, all right?

10           **A**       (Nods head.)

11 Q And the grand jurors will refer to  
12 themselves by their grand juror number.

13                   If, you know, sometimes I don't know  
14    if there will be any reason why you would say your  
15    own name, I would try to remind you don't mention  
16    your own name while we are recording because that's,  
17    we are trying to protect your identity, okay?

18           **A**     Okay.

19            Q        How old are you?

20                    **A**                    (Redacted)

21 Q And what's is your date of birth?

22           **A**           (Redacted)

23           **Q**     Okay. And whereabouts do you live?

24                    **A**                    (Redacted)

25           Q     And did you grow up in                   ?

1           **A**     Yes.

2           **Q**     Okay. And are you familiar with the  
3 Ferguson area?

4           **A**     Yes.

5           **Q**     And what do you do for a living?

6           **A**

7           **Q**     And what's the company you work for?

8           **A**     (Redacted)

9           **Q**     How long have you been working for them?

10          **A**     I have been working for them for

11

12          **Q**     Okay.

13                 MS. ALIZADEH: At this time,           , I will  
14 have you go ahead and start the audio recording.

15                 (Audio recording is started.)

16          **Q**     (By Ms. Alizadeh) Now, Witness Number 10  
17 you have been sworn and you have just introduced  
18 yourself to the jurors. And you understand that  
19 this is an investigation into the shooting death of  
20 Michael Brown, correct?

21          **A**     Correct.

22          **Q**     I talked to you on the phone yesterday  
23 about coming forward and testifying today, correct?

24          **A**     Correct.

25          **Q**     And you know you are under oath and sworn

1 to tell the truth?

2 **A** Yes.

3 **Q** You have been interviewed by the St. Louis  
4 County Police Department as well as the FBI; is that  
5 correct?

6 **A** Correct.

7 **Q** But that was just one interview; is that  
8 right?

9 **A** Yes.

10 **Q** Have you ever been on television or gone  
11 before the media?

12 **A** No.

13 **Q** Have you done any other interviews whether  
14 it be with law enforcement or anybody in the  
15 entertainment or media industry?

16 **A** No.

17 **Q** And so other than that statement that you  
18 made previously to the County Police and the FBI, is  
19 this really only the second time where you've been  
20 asked to answer questions about what happened on  
21 that day?

22 **A** Correct.

23 **Q** Okay. So Witness Number 10, can you tell  
24 me on August 9th of this past year, a little over a  
25 month ago, were you still working for the company



1 that you identified at that time?

2 **A** No, I was actually doing a side job.

3 **Q** Okay. So this was something on your own  
4 that you were doing?

5 **A** Correct.

6 **Q** And were you working by yourself that day  
7 or were you with anyone else?

8 **A** I was working by myself.

9  
10 **Q** Okay. So was it a that  
11 you were working at?

12 **A** No.

13 **Q**

14 **A**

15 It is being there  
16 in that doing just that they asked  
17 for me to do.

18 **Q** Okay. So what kind of work were you  
19 doing, was it indoor work or outdoor work at this  
20 ?

21 **A** Indoor.

22 **Q** Was it work you are familiar with, like  
23 and stuff like that?

24 **A** .

25 **Q** And so you said that was the

1       you had ever been at that       ?

2           **A**     Correct.

3           **Q**     When were you previously at that       ?

4           **A**     I believe in       , maybe.

5           **Q**     Okay. So       before?

6           **A**     Yes, yes.

7           **Q**     And did you know the name of the  
8                       ?

9           **A**     No.

10          **Q**     And the day on August 9th when you were  
11       working there, was there anyone at  
12               ?

13          **A**     Yes

14          **Q**     And is that just       that was  
15       there?

16          **A**     No, it was  
17               and the original       that once before I  
18       seen once before.

19          **Q**     Okay. So the original       , was that  
20               that was       there?

21          **A**     .

22          **Q**     Was the       was  
23       that       that you know of?

24          **A**     I'm not sure.

25          **Q**     Okay. Did you have any interaction with

1

2                      **A**                      No.

3           Q     Okay.  About what time of day did you get  
4     to that

5           **A**     Um, I arrived roughly around

6            Q        In the morning?

7           **A**       Yes.

8           Q       And do you remember the address of that  
9           ?

10           **A**       No, I'm not sure.

11 Q So are you familiar with the Ferguson  
12 area?

13                    **A**        Yes.

14 Q And how did you get to that that  
15 day? I mean, you don't have to start like where you  
16 are starting at home, but did you get to that  
17 residence off of West Florissant?

18                    **A**       Yes.

19 Q Okay. So from West Florissant, what  
20 street did you turn onto?

21           **A**     Let me back that up.  No, I actually  
22     didn't get onto the street off West Florissant, I  
23     actually took

24 there is a

25 back way off you can take to get to

1 that street.

2 Q Okay. Is the near the Canfield  
3 Green Apartment Complex?

4 A Yes,

5

6 Q Now, I might ask you to stand up here  
7 Witness Number 10. And this is an exhibit that I've  
8 marked as GJ for Grand Jury Exhibit Number 25, which  
9 is a map. I showed you this map right before you  
10 came in to testify; is that right?

11 A Yes.

12 Q Okay. And are you familiar, do you  
13 recognize the streets or the layout as being streets  
14 that are in the Canfield Green Apartment Complex?

15 A Yes.

16 Q Can you see where you were  
17 working that day?

18 A Yes.

19 Q Can you point to it so the jurors can see?

20 A (Indicating)

21 Q And the number where you are pointing is

22

23 A Yes.

24 Q Okay. So does this face, now, if  
25 this Canfield Drive, does the face Canfield

1 Drive?

2 **A** Yes.

3 **Q** And is this a ?

4 **A** Yes.

5 **Q** Is the off of Canfield Drive?

6 **A** Yes.

7 **Q** All right. So did you have your, you can  
8 sit down now, thanks.

9 Did you have your own vehicle that  
10 day?

11 **A** Yes.

12 **Q** What kind of vehicle were you in?

13 **A**

14 **Q** And with your type of work, do you have  
15 things that you keep in that

16

17 **A** Correct.

18 **Q** Okay. And so you said that you were doing  
19 work that day, would you have occasion  
20 to have to come outside while you were working?

21 **A** Yes.

22 **Q** And where was your parked?

23 **A** It was parked in the , front face  
24 towards the .

25 **Q** So you pulled straight into the

1 and the nose of your vehicle is facing the

2 **A** Yes.

3 **Q** Okay. And from the time you got there  
4 around that day, did you ever leave before the  
5 incident that we are here to testify about?

6 **A** No.

7 **Q** So from until something happened, was  
8 there anything else memorable about that morning?

9 **A** No.

10 **Q** And then something happened that you know  
11 why you are here to testify about. Can you just  
12 narrate for the jurors what is the first thing that  
13 you heard or saw that drew your attention?

14 **A** Well, first thing I saw was, I came  
15 outside to get that I needed.  
16 I was just finishing up the job. I came outside to  
17 get and I seen Mike Brown and his friend  
18 walking down the street closer to the curb, not on  
19 the sidewalk and my initial thought was with me  
20 being aware of my surroundings, they were walking  
21 towards me. My initial thought was wow, that is a  
22 big guy right there, and speaking on Mike Brown.

23 **Q** So let me stop you, did you know Mike  
24 Brown before that day?

25 **A** No.

1           **Q**     Had you ever seen him before?

2           **A**     No.

3           **Q**     And the other person that was with him,  
4     how would you describe him?

5           **A**     Short. I just recognize, I really picked  
6     up on and drew in and focused on Mike Brown because  
7     he was such a big guy and, um, the only thing I can  
8     recall on his friend he was short, had dreads and  
9     with the color dye in his dreads and that was pretty  
10    much it.

11          **Q**     So his short dreads were like tipped  
12    color; is that right?

13          **A**     Yes, yes.

14          **Q**     Okay. And so when you first saw them,  
15    were they walking like in the direction of the  
16    apartment complex or out of the complex?

17          **A**     They were walking in the direction of the  
18    complex.

19          **Q**     So they were walking this direction  
20    towards the complex?

21          **A**     Yes.

22          **Q**     And at this point, when you first saw  
23    them, were you near your     ?

24          **A**     Yes, I was actually in the back door of  
25    the     , um, where it is closer to the sidewalk.

1 And they were just coming up upon me and that's when  
2 I, me being aware of my surroundings, I just focused  
3 in on Mike Brown and his friend coming up close to  
4 me.

5 Q And so when you first saw them then, were  
6 they closer to West Florissant or were they past the  
7 ?

8 A They were closer, like really probably I  
9 would give it maybe within 10, 15 yard range of me.

10 Q And do you remember, other than their  
11 sizes, do you remember anything about their clothing  
12 that drew your attention?

13 A Yes, I remember Mike Brown, he had on flip  
14 flops, black, and his socks really drew attention.  
15 They were bright neon yellow with, it appeared to be  
16 marijuana symbols on them.

17 Q Okay. Anything else that you recall  
18 noticing about either one of them?

19 A Mike Brown had a St. Louis Cardinal hat  
20 on, red St. Louis Cardinal hat.

21 Q Okay.

22 A That was pretty much it.

23 Q Did you notice, were either of them  
24 carrying anything?

25 A No, I didn't notice that.



1           **Q**     Okay. Did you notice them doing anything  
2     like with each other, were they interacting in a way  
3     that drew your attention?

4           **A**     No, they were just talking amongst each  
5     other.

6           **Q**     So other than noticing, like you said, you  
7     are aware of your surroundings when you are working,  
8     so you see these two guys about 10, 15 feet or  
9     yards, I can't remember?

10          **A**     Yards, yards.

11          **Q**     10 or 15 yards walking in your direction,  
12     did you feel threatened by their presence at all?

13          **A**     I didn't feel threatened, I just, I don't  
14     know, I was just aware of my surroundings and just  
15     ready for, I'd rather be ready for anything that  
16     happens instead of being a surprise to me.

17          **Q**     So you noticed that this one guy, and you  
18     now know the bigger guy's name is Michael Brown,  
19     correct?

20          **A**     Correct.

21          **Q**     Have you ever learned who the small,  
22     shorter guy was?

23          **A**     Yes, through the media.

24          **Q**     Okay. And so what do you know his name to  
25     be?

1           **A**     It is Mr. Johnson, I believe.

2           **Q**     And so when you, when you saw them, did  
3 they just continue to walk in your direction down  
4 the street?

5           **A**     Yes.

6           **Q**     Did they stop and talk to you at all?

7           **A**     No.

8           **Q**     Did you wave at them or did you know if  
9 you made eye contact with them at all?

10          **A**     No.

11          **Q**     So did they pause or stop at all?

12          **A**     No.

13          **Q**     So they just continued to walk down the  
14 street?

15          **A**     Correct.

16          **Q**     Did it appear that they were walking  
17 casually, leisurely, in other words, or did they  
18 appear to be in a hurry?

19          **A**     Just casual walking.

20          **Q**     And at this point you said they were in  
21 the street?

22          **A**     Yes, closer to the curb.

23          **Q**     Close to the curb, but still in the  
24 street?

25          **A**     Still in the street, yes.

1           **Q**     Are there sidewalks at that location by  
2     the

3           **A**     Yes, yes.

4           **Q**     And so they are in the street, but closer  
5     to the curb?

6           **A**     Yes.

7           **Q**     Were they walking in, I guess what I'm  
8     going to say, the correct lane of traffic. So in  
9     our country and you are driving on a two way street  
10    you stay to the right?

11          **A**     Uh-huh.

12          **Q**     So were they on the right side or were  
13    they walking like against the traffic?

14          **A**     No, they were walking with the traffic.

15          **Q**     Okay. And so how long did you see them or  
16    have them in your sight before you didn't see them  
17    any more?

18          **A**     Um, I would say within maybe a minute or  
19    less. Like I said, I was just out getting, out  
20    retrieving my tools to go back in the           to wrap  
21    it up. After they passed me, that's when I went  
22    into the           .

23          **Q**     Okay. So you took your           or  
24    whatever, and went into the           ?

25          **A**     Yes.

1           **Q**     When is the next time you come outside?

2           **A**     I forgot something, to get something out.  
3     I went out to get something else from the           .     I  
4     would say it was maybe within a two minute time  
5     span.

6           **Q**     And what did you see or hear when you came  
7     out the second time?

8           **A**     Well, when I came out the second time, the  
9     way the view of the           is -- I guess I use the  
10    pointer?

11          **Q**     Sure, you can use that.

12          **A**     My           is parked actually right here.  
13    The front door of the           facing the street.     I  
14    came out of the           and when I came out walking  
15    towards the           , this is still open right here  
16    because I did not drive all the way up  
17    .

18                   So my view of sight as seeing the  
19    police car right.

20          **Q**     If you need to get up to look at the names  
21    or anything, feel comfortable to do that.

22          **A**     Okay.   Police car was right about here.  
23    (indicating)

24          **Q**     Okay.   And so if Canfield Drive, I will  
25    describe that as a horseshoe, is that fair to say?

1           **A**     Yes.

2           **Q**     The police car was like right in between  
3     the two legs of the horseshoe?

4           **A**     Correct.

5           **Q**     Which direction was it facing?

6           **A**     It was facing towards me.

7           **Q**     So it was facing West Florissant?

8           **A**     Yes.

9           **Q**     And was the car, police vehicle moving or  
10    was it still when you saw it?

11          **A**     It was still, it was at a slight slant.

12          **Q**     Okay. And so what then did you see  
13    happen?

14          **A**     I seen Mike Brown was leaned over inside  
15    the police officer's window. I didn't see  
16    Mr. Johnson at any moment during this time.

17          **Q**     So did you see where he went or anything?

18          **A**     No.

19          **Q**     So when you come back out, you don't see  
20    him?

21          **A**     No.

22          **Q**     You just see Mr. Brown?

23          **A**     I just see Mr. Brown inside the police  
24    officer's window. It appeared as some sort of  
25    confrontation was taking place. After that, that

1     took place for seconds, I'm not sure how long. I  
2     know that it appeared that some confrontation was  
3     taking place.

4                     And one shot, the first shot was let  
5     loose and after the first shot, Mike Brown came out  
6     of the window and took off running.

7                     With that happening, I thought  
8     instantly because the police officer didn't  
9     immediately react on how I would have thought it  
10    would have went down. Where he didn't immediately  
11    get out of his car and chase after Mike Brown.

12                    So my initial thought was that wow,  
13    did I just witness this young guy kill a police  
14    officer.

15                    So after that, Mike Brown ran some  
16    distance, the police officer exited his vehicle with  
17    his weapon drawn, pursuing Mike Brown, and I would  
18    say Mike Brown, he stopped right here. He was  
19    turning into this driveway right here, but he  
20    stopped right here.

21                    The officer was already in pursuit of  
22    him. He stopped. He did turn, he did some sort of  
23    body gesture, I'm not sure what it was, but I know  
24    it was a body gesture. And I could say for sure he  
25    never put his hands up after he did his body

1 gesture, he ran towards the officer full charge.

2 The officer fired several shots at  
3 him and to give an estimate, I would say roughly  
4 around five to six shots was fired at Mike Brown.

5 Mike Brown was still coming towards  
6 the officer and at this point I'm thinking, wow, is  
7 this officer missing Mike Brown at this close of a  
8 range.

9 Mike Brown continuously came forward  
10 in the charging motion and at some point, at one  
11 point he started to slow down and he came to a stop.  
12 And when he stopped, that's when the officer ceased  
13 fire and when he ceased fired, Mike Brown started to  
14 charge once more at him. When he charged once more,  
15 the officer returned fire with, I would say, give an  
16 estimate of three to four shots. And that's when  
17 Mike Brown finally collapsed right about even with  
18 this driveway. (indicating)

19 And during this whole time there was  
20 a blue Monte Carlo parked almost right where that  
21 car is while this altercation was taking place.

22 And the car drove around and stopped  
23 right here and when Mike Brown collapsed in the  
24 street, that's when his friend came out, I don't  
25 know out of what direction he came from. All I know

1 is I seen him run across from in front of the squad  
2 car and he ran across and he stopped like evenly  
3 with the car that was parked right here and yelled,  
4 "he just killed him, he just killed him."

5 I'm not sure if he was speaking with  
6 the people that were in the car or if he knew them.  
7 He never leaned over to address them, he just yelled  
8 it. After he yelled it, he ran off through the back  
9 fields of Canfield.

10 Q All right. Now, I'm going to start at the  
11 beginning and we are going to kind of go through  
12 this a little bit and I'm going to ask you more  
13 detailed questions to clarify.

14 So from the time that you came  
15 outside, and you said you were at the back of your  
16 ?

17 A When I first seen Mike Brown.

18 Q Okay. The second time you came out, where  
19 exactly were you then?

20 A I was in front, actually, at the corner of  
21 the in front of the in front of my  
22

23 Q Did you change your position during this  
24 entire scenario?

25 A No.



1           **Q**     Like did you run down towards the street  
2     or anything?

3           **A**     No.

4           **Q**     Did you run out into the street?

5           **A**     No.

6           **Q**     So you just stayed where you were?

7           **A**     Yes.

8           **Q**     And from where you were, did you have a  
9     line of sight where you could see, you described  
10    Michael Brown as actually coming to a point where he  
11    was almost turning onto Copper Creek Court?

12          **A**     Yes.

13          **Q**     Could you see that from where you were?

14          **A**     Yes.

15          **Q**     So when you first look down that street,  
16    you said you saw Michael Brown in the officer's  
17    window?

18          **A**     Correct.

19          **Q**     So describe for the jurors how, what you  
20    mean by that?

21          **A**     Half of his body, his feet was still  
22    planted on the ground, his upper body was inside the  
23    window in a leaning motion inside the window, his  
24    upper body was inside.

25          **Q**     Now so is that the first thing you see

1     when you look that he's already got his upper body  
2     inside the car?

3             **A**     Yes.

4             **Q**     So anything that happened before that, you  
5     didn't --

6             **A**     I never seen it.

7             **Q**     -- witness? Did you hear tires squealing  
8     or anything?

9             **A**     No.

10            **Q**     Anybody screaming or yelling?

11            **A**     No.

12            **Q**     Okay. So when you saw that, what did you  
13     see, could you see into the windshield of the  
14     officer's car?

15            **A**     No, I could just see him leaned over  
16     inside the officer's car.

17            **Q**     So who's him?

18            **A**     Mike Brown.

19            **Q**     Okay. And so you said his head was inside  
20     the window?

21            **A**     Yes.

22            **Q**     His shoulders?

23            **A**     Yes.

24            **Q**     His upper body?

25            **A**     Yes.

1           **Q**     Okay. And could you see the officer from  
2     that vantage point?

3           **A**     No.

4           **Q**     Could you see what was going on inside the  
5     car?

6           **A**     Not really, no.

7           **Q**     Can you see was the vehicle moving at all?

8           **A**     No.

9           **Q**     Was Mike Brown moving at all?

10          **A**     It appeared to be.

11          **Q**     Okay. And can you describe, I don't want  
12     to put the words in your mouth, I want you to  
13     describe what you saw when you say it appeared to be  
14     that he was moving?

15          **A**     It appeared to be some sort of  
16     confrontation taking place in the vehicle. I  
17     couldn't make it out, I couldn't say who did what  
18     within that time span within that vehicle. All I  
19     know is that it just looked out of the norm with  
20     somebody being leaned over inside the police  
21     officer's car.

22          **Q**     Okay. So did you hear anything, like  
23     yelling, were they yelling at each other or anybody  
24     yelling?

25          **A**     No.

1           **Q**     Okay. So I can be clear on this, is it  
2     that you didn't hear anything or there wasn't  
3     yelling?

4           **A**     I didn't hear anything.

5           **Q**     Okay. And so you believed there was an  
6     altercation, is it a physical altercation or just a  
7     verbal altercation?

8           **A**     For me I would think it was a physical  
9     with being, him being inside the vehicle.

10          **Q**     Okay. And so, and then you said that went  
11     on for a few seconds?

12          **A**     Yes.

13          **Q**     And then you heard a gunshot?

14          **A**     Yes.

15          **Q**     Have you heard a gunshot before?

16          **A**     Yes.

17          **Q**     And you recognize that sound as a gunshot?

18          **A**     Yes.

19          **Q**     And how many gunshots did you hear at that  
20     point?

21          **A**     One.

22          **Q**     And then what did you say Mike Brown did  
23     at that point?

24          **A**     At that point, he exited, he took himself  
25     out of the vehicle, removed himself from the vehicle

1 and ran towards the complex, deeper into the  
2 complex.

3 Q So at the time that you heard that single  
4 gunshot, was Michael Brown's upper body, as you  
5 described, inside the police vehicle?

6 A Yes.

7 Q And so when he, how long after that shot  
8 does his body come out of the vehicle?

9 A Almost immediately.

10 Q Okay. And then how long after his body  
11 comes out of the vehicle does he turn and start to  
12 run?

13 A Immediately.

14 Q And then you said that it took sometime  
15 longer than you would have expected before the  
16 officer got out of his vehicle?

17 A Yes.

18 Q And can you give me just in your best  
19 estimate, are we talking seconds or minutes?

20 A No, seconds, maybe 10 to 15 seconds.

21 Q Okay. And do you remember what kind of  
22 vehicle this is?

23 A Yes, it is a truck, I think maybe a Tahoe  
24 like style, SUV.

25 Q A bigger SUV?

1           **A**     Yeah.

2           **Q**     And so when the officer got out of his  
3     vehicle, did he get out from the driver's door?

4           **A**     Yes.

5           **Q**     And did he shut the driver's door do you  
6     recall or did he leave it open?

7           **A**     I don't recall that.

8           **Q**     And did you, did it appear to you, when  
9     you saw Mike Brown turn and run away, did you see  
10    any blood?

11          **A**     No.

12          **Q**     Did it appear to you in any way that he  
13    was somehow injured, Mike Brown?

14          **A**     No.

15          **Q**     Okay. When the officer gets out of his  
16    vehicle, did it look to you as if he was injured in  
17    any way?

18          **A**     No.

19          **Q**     Okay. And so how long, and you said now  
20    when he gets out of the vehicle, he has already got  
21    his gun drawn?

22          **A**     Yes.

23          **Q**     And when you say gun drawn, you mean out  
24    of his holster?

25          **A**     Yes.

1           **Q**     In his hand?

2           **A**     Yes.

3           **Q**     And do you recall which hand?

4           **A**     His right hand.

5           **Q**     And when he first gets out of the vehicle,  
6     how long before he then starts to pursue, as you  
7     said, Michael Brown?

8           **A**     He immediately starts to pursue.

9           **Q**     And so as he begins to pursue him, can you  
10    describe his pace? You said Michael Brown was  
11    running, correct?

12          **A**     Correct.

13          **Q**     And how would you describe the officer's  
14    pace?

15          **A**     Running.

16          **Q**     And was he, what was he doing with his gun  
17    as he was running?

18          **A**     Just carrying as he was running towards  
19    Mike Brown.

20          **Q**     Okay. Can you stand up for a second and  
21    show me where, if you use your right hand and make  
22    like a gun thing with your right hand. How was he,  
23    when he was running, how was he, hand running, how  
24    was that gun?

25          **A**     Like in a running, just as you run

1 normally.

2           **Q**     Okay. So he wasn't walking with the gun  
3 pointed in the direction of Michael Brown?

4           **A**     No.

5           **Q**     Or pointed in the direction of Michael  
6 Brown?

7           **A**     No.

8           **Q**     Okay. You can sit back down.

9                     And so when the officer started  
10 running after Michael Brown, can you give me an  
11 estimate as to how far Michael Brown was ahead of  
12 the officer, in other words, he got a little bit of  
13 a head start, correct?

14          **A**     Correct.

15          **Q**     How far was he in front of the officer  
16 when the officer started running?

17          **A**     I would say the police car is right here,  
18 so Mike Brown maybe was about this far before the  
19 officer exited his vehicle and within that time I  
20 would say the officer maybe was here when Mike Brown  
21 stopped there.

22          **Q**     Okay. So you initially describe that when  
23 the officer got out of his vehicle, Mike Brown was  
24 close to where this like, this car is on this map?

25          **A**     Yeah, I would say.



1           **Q**     More around Caddiefield Road?

2           **A**     Yes.

3           **Q**     Okay. And then the officer immediately  
4 pursues him and does Michael Brown continue to run  
5 down Canfield?

6           **A**     Correct.

7           **Q**     And then does the officer close the gap or  
8 do they remain, you know, do they remain that  
9 distance apart or does the officer close the gap?

10          **A**     He starts to close the gap when Mike Brown  
11 stops right here. And I would say the officer is  
12 right at the D, for drive. (indicating)

13          **Q**     Did you hear or see the officer fire his  
14 weapon as Mike Brown was running away?

15          **A**     No.

16          **Q**     Do you know, I don't want you to guess,  
17 other than maybe if you observed something that  
18 caused you to assume, but do you know why Mike Brown  
19 stopped and turned around?

20          **A**     No, I'm not sure. That is something that  
21 I wrestle with to this day, I'm not sure. I'm not  
22 sure if he knew the people that was in that car and  
23 he thought maybe he had time to go back to wrestle  
24 with this officer. To this day, why would he turn  
25 around and not give himself up.

1           **Q**     And so during the time the officer is  
2     running after him, do you hear the officer saying  
3     anything?

4           **A**     No.

5           **Q**     And do you hear Mike Brown saying  
6     anything?

7           **A**     No. I'm at a distance where I don't hear  
8     anything. All I can do is just see what's going on.

9           **Q**     So you're not saying that there wasn't  
10    anything said, you just didn't hear anything?

11          **A**     Correct.

12          **Q**     Okay. And so now you testified that when  
13    Mike Brown gets to around the corner, or the corner  
14    of Canfield Drive and Copper Creek Court is where he  
15    turns around; is that right?

16          **A**     Yes.

17          **Q**     And does he, the whole time before he  
18    turns around, is he running the whole time?

19          **A**     Yes.

20          **Q**     Running with his back to where the officer  
21    is?

22          **A**     Correct.

23          **Q**     And then you say he turns around and what  
24    does the officer do when Michael Brown stops and  
25    turns around?

1           **A**     He stops.

2           **Q**     So at that point, are they still the same  
3 distance or is it a little closer gap?

4           **A**     The officer is right there, Mike Brown  
5 stops right there. (indicating)

6           **Q**     And so you indicated that the officer was  
7 right about where the D or the abbreviation for  
8 drive on Canfield Drive would be?

9           **A**     Correct.

10          **Q**     And Mike Brown, you indicated, was maybe  
11 in the grassy area or even on the sidewalk?

12          **A**     Correct.

13          **Q**     At the corner of Copper Creek Court and  
14 Canfield Drive?

15          **A**     Yes.

16          **Q**     Okay. And then what did you see happen  
17 next after Mike Brown turned around, where were his  
18 hands?

19          **A**     Down by his side.

20          **Q**     Now, you indicate that he did some kind of  
21 body gesture?

22          **A**     Correct.

23          **Q**     And so, of course, you know that this has  
24 been a point that people have talked about, correct?

25          **A**     Yes.

1           **Q**     Can you describe for them what you mean  
2     when you said you saw him do a body gesture. If you  
3     need to stand up to demonstrate, you can do that  
4     too?

5           **A**     I can't say for sure what sort of body  
6     gesture, I cannot recall fully. All I know is it  
7     was not in a surrendering motion of I'm  
8     surrendering, putting my hands up or anything, I'm  
9     not sure. If it was like a shoulder shrug or him  
10    pulling his pants up, I'm not sure. I really don't  
11    want to speculate things and that's what I have to  
12    say for that.

13          **Q**     Okay. So turn, Mike Brown turns around,  
14    makes that gesture, then how long before he then  
15    moves in the direction of the officer?

16          **A**     Immediately after he did his body gesture,  
17    he came for force, full charge at the officer.

18          **Q**     And full charge, I guess, is running?

19          **A**     Correct.

20          **Q**     And was he, could you hear him say  
21    anything or make any noise?

22          **A**     No.

23          **Q**     And is it because you were so far away you  
24    didn't hear anything or you saying that there was no  
25    noise?

1           **A**     No, I was so far away I could not hear  
2     anything.

3           **Q**     Okay. And let me ask you this, how is  
4     your vision?

5           **A**     Pretty good.

6           **Q**     Okay. Do you wear glasses or contacts?

7           **A**     No.

8           **Q**     And how about your hearing, is that pretty  
9     good as well?

10          **A**     Yes.

11          **Q**     All right. And so as you then see Mike  
12     Brown begin to charge at the officer, how far does  
13     he get before you said the officer fires a number of  
14     shots?

15          **A**     The officer is right here. I would say  
16     Mike Brown gets to right there, even with the car  
17     before the officer starts to fire.

18          **Q**     Okay. And just for the record, when you  
19     say even with the car, we are talking about the car  
20     that's on this map?

21          **A**     Yes.

22          **Q**     That's in the map, it is just a random  
23     vehicle that happen to be on that street when they  
24     took this picture, correct?

25          **A**     Correct.

1           **Q**     That car wasn't actually there that day?

2           **A**     No.

3           **Q**     Now, you have talked about there being a  
4     car in that vicinity?

5           **A**     Correct.

6           **Q**     Okay. But we're just talking about the  
7     car that's on the map?

8           **A**     Yes.

9           **Q**     So you say Mike Brown got about even with  
10    that white car that's on the map?

11          **A**     Yes.

12          **Q**     And then how many shots did you think you  
13    heard?

14          **A**     Um, five to six shots.

15          **Q**     All right. And could you see the officer  
16    with his gun in his hand?

17          **A**     Yes.

18          **Q**     Are you sure it was the officer that was  
19    firing?

20          **A**     Yes.

21          **Q**     And was he firing in the direction of Mike  
22    Brown?

23          **A**     Yes.

24          **Q**     And then you said at that point does Mike  
25    Brown continue to go forward or does he stop at that

1 point?

2           **A**     He continues to come forward.

3           **Q**     And you made mention, I'm not sure if it  
4 was at that point, is it at this point that you  
5 thought oh, my God, he's missed him at that close  
6 range?

7           **A**     Yes.

8           **Q**     So when you heard those five or six shots,  
9 did you see any blood on Mike Brown that you could  
10 see?

11          **A**     No.

12          **Q**     Did you see him react in any way that  
13 might make you think that he was hit, like, you  
14 know, flinching or anything?

15          **A**     It was more kind of a flinch, yes.

16          **Q**     Okay.

17          **A**     It was more of a flinch and, um, with my  
18 thoughts of, I thought he was missing him because me  
19 thinking if you get shot, you are going to go down.  
20 With those multiple shots and he was still standing,  
21 that's the reason why I thought he was missing.

22          **Q**     Okay. And then, but you said he continued  
23 to come?

24          **A**     Correct.

25          **Q**     Did he slow his pace or did he, was he

1 still at a charge?

2           **A**     He gradually slowed his pace. And it  
3 became, it came to a stop and when he stopped, the  
4 officer ceased fire and he began to charge once  
5 more, and that's when the officer with fatal rounds.

6           **Q**     So when he became, when he stopped, about  
7 how many seconds or fraction of seconds do you think  
8 it was before he began to charge again?

9           **A**     I would give it maybe two seconds.

10          **Q**     Okay. And then how far did you get on  
11 that, after stopping and then he's charging again,  
12 how far did he get about, if you can estimate feet,  
13 that's fine, or if you want to say how many steps he  
14 may have taken, that's fine too?

15          **A**     Maybe five to six steps.

16          **Q**     And then when he, you said, and then the  
17 officer began shooting again?

18          **A**     Correct.

19          **Q**     And about how many rounds do you think you  
20 heard then?

21          **A**     Three to four.

22          **Q**     You said that was the fatal rounds, did  
23 you see Mike Brown then --

24          **A**     Collapse.

25          **Q**     -- collapse onto the pavement?



1           **A**     Correct.

2           **Q**     And did you, after he collapsed, did the  
3 officer continue to fire?

4           **A**     No.

5           **Q**     And did you see the officer, did he go up  
6 to Mike Brown's body at that point?

7           **A**     At that point, something else had caught  
8 my attention, Mr. Johnson caught my attention at  
9 that time when he ran across the street.

10          **Q**     Okay.

11          **A**     Okay.

12          **Q**     At that point you are not necessarily  
13 looking at the officer and Mike Brown, you are  
14 focusing on Mr. Johnson?

15          **A**     Correct.

16          **Q**     And you recognized him as the shorter guy  
17 who had been with Mike Brown that you had seen  
18 earlier?

19          **A**     Yes.

20          **Q**     And so you said he ran around like in  
21 front of the police vehicle?

22          **A**     Correct.

23          **Q**     And then ran toward this area where you  
24 said you had seen this car?

25          **A**     Yes.

1           **Q**     And this was a car that had been over  
2     here?

3           **A**     Yes.

4           **Q**     And had pulled around this horseshoe  
5     driveway, correct?

6           **A**     Correct.

7           **Q**     Around Building Number 18?

8           **A**     Correct.

9           **Q**     And you heard Dorian Johnson say what?

10          **A**     "He just killed him, he just killed him."

11          **Q**     Okay. And then you said he then ran into  
12     the back of the complex, did you ever see him again?

13          **A**     No.

14          **Q**     Okay. Were you, what did you do after you  
15     saw that?

16          **A**     After I saw that, I went into the  
17                    I was working at, and told the  
18     what I just witnessed and stayed in for maybe  
19                    minutes speaking with     , and I came  
20     back out and that's when I seen they were taping off  
21     the scene.

22          **Q**     So by the time you came back out, other  
23     police officers were there?

24          **A**     Yes.

25          **Q**     Was the police officer who was involved in

1 the shooting, was his car still in the street?

2 **A** Yes.

3 **Q** And about, was it all Ferguson vehicle's  
4 at that point or was County already there?

5 **A** Ferguson.

6 **Q** And then did you stand outside and kind of  
7 watch what was going on for a while?

8 **A** Yeah, when I came back out, they were  
9 taping off the scene. I came back, I walked down  
10 here to right there where the body was pretty much  
11 even with that street. And I was just, just in  
12 shock and speaking with another resident. I don't  
13 know if was a resident, another that was out  
14 at the scene talking with

15 **Q** So you were speaking to somebody else who  
16 was just a bystander that was looking at what had  
17 happened?

18 **A** Correct.

19 **Q** You didn't know that person?

20 **A** No.

21 **Q** Did you later learn who it was?

22 **A** No.

23 **Q** Have you ever seen again?

24 **A** No.

25 **Q** Now, are you aware, I mean, did you notice

1 that day that there were people with cell phones  
2 that were like filming or taping, not taping, we  
3 don't use tape, but recording what was going on  
4 while, the aftermath I'll call it?

5 **A** Yes.

6 **Q** Now, at some point in this investigation  
7 have officers involved in the investigation that you  
8 talked to, did they talk to you about whether or not

9  
10 **A** No.

11 **Q** Okay.

12

13 **A**

14 **Q**

15

16 **A**

17

18

19 **Q**

20

21 **A** Yes.

22 **Q** And is it the aftermath, so it is after  
23 the shooting?

24 **A** Yes.

25 **Q**

1

2           **A**     Yes.

3           **Q**     All right.

4

5

6           **A**

7

8

9

10                   I did contact the FBI to figure out,  
11     um, what precautions I needed to take.

12           **Q**     Okay. So now you mention that you talked  
13     to the police and gave a tape recorded interview  
14     after this incident, correct?

15           **A**     Yes.

16           **Q**

17

18

19           **A**     No.

20           **Q**

21

22

23           **A**     Correct.

24           **Q**

25

1           **A**       Correct.

2 Q So when is the first time you talked to a  
3 police officer about having seen this?

4           **A**       Monday, Monday.

5 Q So this happened on a Saturday, correct?

6           **A**     Yes.

7 Q And immediately after you go back outside,  
8 there is other officers there?

9                    **A**                    Uh-huh.

10 Q Why didn't you go up to an officer then  
11 and say, hey, I saw the whole thing or most of it?

12           **A**       Because when I went down on the scene  
13 afterwards, speaking with                      that I was  
14 speaking to. I wasn't giving a thorough accounting  
15 on what I had witnessed to         , I was, I couldn't  
16 say giving           just a glimpse of what I witnessed  
17 because just observing the chaotic, how it got so  
18 chaotic so quick, and different point of views on,  
19 it didn't add up to what I actually witnessed.

20 I felt very uncomfortable and I say I  
21 would probably estimate I was down on the scene  
22 maybe five to ten minutes. And just observing  
23 everything and how the uproar became about so  
24 quickly.

25 I began to walk back towards the

8  
9                   And continued walking past and at  
10 this point they are                   with the camera  
11 still, and they became violent and, um, one of the

18 That's

19 because that's the way I felt at that time because  
20 with everybody down there feeling like, hey, he had  
21 his hands up. A lot of people didn't see what  
22 actually went down and what I saw.

23                                So I then turned and walked back  
24    towards                                and that's when they started  
25    to yell racial slurs at me and it was just, it was

1 just ignorant.

2 I felt uncomfortable, I fully felt  
3 uncomfortable when I actually did go forward to the  
4 police station because, um, I first called in Sunday  
5 after I seen all the rioting. I just felt bad about  
6 the situation.

7 I knew that I needed to come forward  
8 to let the truth be told. And after seeing the  
9 rioting, I called St. Louis County Police, I just  
10 called the 911 and they took down my information  
11 and, um, Monday morning I just felt like it wasn't,  
12 I was just going to be pushed to the side. So I  
13 felt like I needed to do more.

14 I called Ferguson Police Department,  
15 I had to leave a message there and I still wasn't  
16 settled about it.

17 So I went down to the police station  
18 and I felt uncomfortable then just walking past all  
19 the protesting that was going on, but I knew it was  
20 the right thing to do. It is an unfortunate  
21 situation, but I know God put me in this situation  
22 for a reason.

23 Q Now, Witness Number 10, you said that when  
24 you walked back, there were

25



1

2           **A**

3           **Q**

4           **A**     Yes.

5           **Q**     Were these, did these                   appear to  
6     be people that just lived in the area or were they  
7     like reporters?

8           **A**     They appeared to be people that lived in  
9     the area.

10          **Q**     Okay. And did you know  
11     had you seen them before?

12          **A**     No.

13          **Q**     Ever seen them since?

14          **A**     No.

15          **Q**     Have you seen any recording of that  
16     incident where they had appeared to be recording  
17     you, have you seen that on the internet or anything?

18          **A**     No,

19

20          **Q**

21

22          **A**

23

24          **Q**     Okay. The person you were talking to  
25     earlier was not recording?

1           **A**     No, he was not.

2           **Q**     It was somebody else?

3           **A**     Yes.

4           **Q**

5

6           **A**     Correct.

7           **Q**     So when you were down after the shooting  
8     and the crowd begin to build, could you hear people  
9     saying words to the effect, he had his hands up, the  
10    police killed him, they didn't need to shoot him,  
11    that kind of stuff?

12          **A**     Correct.

13          **Q**     And is that the kind of things that you  
14    were hearing that you said made you feel  
15    uncomfortable?

16          **A**     Correct.

17          **Q**     And you came forward because you felt you  
18    had to do the right thing?

19          **A**     Correct.

20                 MS. ALIZADEH: Anybody at this point,  
21    Sheila?

22          **A**     I came forward to bring closure to the  
23    family and also for the police officer because, um,  
24    with me knowing actually what happened, um, and I  
25    know it is going to be a hard case and a hard thing

1 to prove with so many people that's saying the  
2 opposite of what I actually seen. I just wanted to  
3 bring closure to the family not thinking that hey,  
4 this is, they got away with murdering my son.

5 I do know that there is corruption in  
6 some police departments and I believe that this was  
7 not the case. And I just wanted to bring closure to  
8 the family.

9 Q Now, Number 10, do you live in Ferguson?

10 A No.

11 Q Okay. Have you ever had any experiences  
12 with the Ferguson Police Department?

13 A No.

14 Q Do you know any Ferguson police officers?

15 A No.

16 Q Did you know this police officer that was  
17 involved in the shooting?

18 A No.

19 Q Did you know Michael Brown's family or any  
20 of his relatives before this?

21 A Um, yes, I did. It came about when I was  
22 standing outside during the aftermath, I recognized  
23 his stepfather, Michael Brown's stepfather. At that  
24 moment it didn't really sink in, I thought I  
25 recognized him at that moment, but it came about

1 when I seen it in the papers, his name and that just  
2 confirmed that was him. But I haven't reached out  
3 and talked to him or anything.

4 **Q** All right. Michael Brown's stepfather,  
5 would you consider him a friend of yours?

6 **A** No.

7 **Q** You just know him?

8 **A** Yes.

9 **Q** And you haven't talked to any of the  
10 family members of Michael Brown since this happened?

11 **A** No.

12 **Q** (By Ms. Whirley) With the stepfather, how  
13 did you know him?

14 **A** (Redacted)

15 MS. ALIZADEH: Just hang on a second.

16 MS. WHIRLEY: Well, let me ask it another  
17 way.

18 MS. ALIZADEH: Hang on a second. Did you  
19 have something?

20 If you will excuse me, I don't know if you  
21 have a question you want to ask me?

22 MS WHIRLEY: Knowing the stepfather, was  
23 there a bad relationship or anything negative about  
24 that.

25 **A** No.

1 MS WHIRLEY: Okay. Now, could you put a  
2 mark, not necessarily a mark, but use that pointer  
3 and show us one more time where you were when the  
4 first time you saw shots fired?

5 A on the corner.

6 Q (By Ms. Whirley) And you were standing  
7 there?

8 A Yes.

9 Q And shots were being fired where, show us  
10 that on the map?

11 A The truck was right about here.  
12 (indicating)

13 Q How far away would you say that distance  
14 is?

15 A I would give it 50 to 75 yards.

16 Q Yards, okay. And when the officer first  
17 got out of the car, you said, was his gun drawn or  
18 not?

19 A When he first got out of car, yes, his  
20 guns was already drawn.

21 Q His gun was drawn?

22 A Yes.

23 Q As he ran pursuing Michael Brown, he was  
24 not shooting, I recall you saying that, correct?

25 A Yes, correct.

1           **Q**     Michael Brown turns around and starts  
2     charging him, you said that's when the shooting  
3     started?

4           **A**     Correct.

5           **Q**     You couldn't hear what they were saying?

6           **A**     No, ma'am.

7           **Q**     When you say charge, could you demonstrate  
8     what you saw? Show us what you mean by charging?

9           **A**     (Indicating.)

10          **Q**     Like running toward him quickly?

11          **A**     Yes, in a tackle motion charge.

12          **Q**     Okay. What was he doing with his hands?

13          **A**     As a normal --

14          **Q**     You could see his hands?

15          **A**     Yes.

16          **Q**     Did you ever see a weapon or anything?

17          **A**     No. When he first ran from the car, I  
18     did, that's the only time I did hear something. I  
19     thought I heard something metallic hit the ground.  
20     I'm not sure what it was, that's the only time I did  
21     hear something.

22          **Q**     Now, when did you hear that?

23          **A**     When Mike Brown came from out of the  
24     vehicle and ran.

25          **Q**     Okay. You could hear that, but you

1       couldn't hear what they were saying?

2           **A**       No.

3           **Q**       And you never heard any conversation  
4       between the officer and Mike Brown?

5           **A**       No.

6           **Q**       So when he stopped after the first round  
7       of gunfire and turned around, you said he charged  
8       and then the officer shot again or was that the  
9       first round once he charged?

10          **A**       The first round was when he was in the  
11       car.

12                   MS WHIRLEY:   Okay.

13          **A**       And after that, Mike Brown, he followed  
14       pursuit of Mike Brown and Mike Brown stops and turns  
15       and did some sort of body gesture and charged at the  
16       officer. And that's when the second firing session  
17       took place.

18                   MS WHIRLEY:   And after the first, not the  
19       first shot in the car, but when he charged him and  
20       the shots were fired, you said Mike Brown flinched  
21       as if he might have been hit?

22          **A**       Correct.

23                   MS WHIRLEY:   Okay. But he still charged  
24       in the same manner that you showed us?

25          **A**       He started, he like, I don't know he was

1 flinching, but still in a charge motion.

2 MS WHIRLEY: Was it slower or any  
3 different?

4 A It appeared to be a slight difference.

5 MS WHIRLEY: Like maybe he was hit, that  
6 was your impression?

7 A Yes, but at that time I'm not sure. I  
8 thought he wasn't being hit because with me, with my  
9 thoughts was if you are being hit that you are going  
10 to fall or show some sort of I'm hit besides a  
11 flinch. That appeared to me, I don't know, dodging  
12 or hit, I'm not sure.

13 MS. WHIRLEY: And can you show us, you  
14 said that after he charged him a second time, he was  
15 charging slower that time, but still charging,  
16 correct?

17 A Correct.

18 MS. WHIRLEY: You said he collapsed, Mike  
19 Brown collapsed after that second round or shot, I  
20 don't mean the one in the car, I guess it is the  
21 third round, third time he is shooting he collapsed?

22 A Correct.

23 MS WHIRLEY: I don't want you to fall on  
24 the ground or anything, I want you to like show us  
25 like what he was doing with his hands as he was



1 collapsing.

2           **A**     I cannot recall that. I just know he  
3 collapsed.

4           MS WHIRLEY: Okay. You didn't really, you  
5 couldn't see his hands when he was collapsing?

6           **A**     I can't recall that.

7           MS WHIRLEY: Okay.

8           **A**     I know he was coming in a charging motion  
9 still and the final rounds were being fired within a  
10 charging motion and that's when he collapsed.

11           MS WHIRLEY: But you didn't see his hands  
12 when he was collapsing or you don't remember seeing  
13 his hands when he was collapsing.

14           **A**     I did not see that. All I seen was the  
15 charging motion and him being, coming as a threat.  
16 And the final shots were fired and he collapsed,  
17 that's all I seen was the collapse.

18           MS WHIRLEY: Was there anything blocking  
19 your vision of seeing his hands when he was  
20 collapsing?

21           **A**     No.

22           MS WHIRLEY: You just don't remember  
23 seeing his hands?

24           **A**     No.

25           MS WHIRLEY: Okay. Can you show us on the

1 map how close you were to Dorian Johnson, show us  
2 where you were and where Dorian Johnson was when he  
3 said, "they killed him, they kill him."

4           **A**       Okay. I was still right there at the  
5 corner of the    And Dorian  
6 Johnson came from somewhere over this way, and only  
7 reason why I know that is because he had to cross  
8 the street and it was in front of the squad car. So  
9 he came from over this way and -- (indicating)

10 MS WHIRLEY: And that's where he was, show  
11 us, where was Dorian when he is saying, "they killed  
12 him?"

13           **A**     Right there.   (indicating)

14 MS WHIRLEY: Right there.

15                    **A**        Yes.

16 MS WHIRLEY: Where was the police officer  
17 and Mike Brown when they first started the pursuit,  
18 the same general area?

19                   **A**       Yes.

20 MS WHIRLEY: But you couldn't hear Mike  
21 Brown and the police officer saying anything?

22           **A**     No, that's because, Dorian, he was yelling  
23     it, like he just seen his friend die and he was just  
24     yelling it loud.

25 MS WHIRLEY: And the police officer wasn't

1 yelling at Mike Brown as he was pursuing him?

2           **A**     I'm not sure, I couldn't hear.

3           MS WHIRLEY: You couldn't hear anything?

4           **A**     No.

5           MS WHIRLEY: Okay.

6

7           **A**

8

9           MS WHIRLEY:

10

11          **A**     Yes.

12          MS WHIRLEY: Saying some stuff, what were  
13 you saying?

14          **A**     I was saying that, um, he charged him, he  
15 charged at him. The officer already had his gun  
16 drawn on him and he charged at him and he shot at  
17 him at least five to six times. And the       seemed  
18 to be surprised when he asked who shot him, I said  
19 the police did.

20          MS WHIRLEY: All right. That's all I have  
21 right now.

22                               : I have a couple  
23 questions, of course,                You said that they  
24 were violent, the                   that were asking you  
25 about it afterwards, that they became violent. Did

1     they become violent towards you, in their words, in  
2     their actions?

3           **A**     Verbal.

4                                 Verbal.

5           **A**     Verbal.

6                                 :   Verbal?

7           **A**     Yes.

8                                 :   They called you names?

9           **A**     Yes.

10                                :   You said you heard a  
11     sound that was like metallic hitting the ground, you  
12     don't know just because I know my friends, you don't  
13     know that anything hit the ground, that's just what  
14     it sounded like to you?

15           **A**     Yes, correct.

16                                :   When he was collapsing  
17     you said you couldn't see his hands, that doesn't  
18     mean you couldn't see his arms, correct? You could  
19     tell the difference between him having his hands up?

20           **A**     Correct.

21                                And him having his arms  
22     down. Just because you couldn't see his hands,  
23     doesn't mean you couldn't see where they were?

24           **A**     Correct.

25                                Okay. And you said

1 earlier that you didn't see anything in anyone's  
2 hands as far as Mr. Johnson or Mr. Brown?

3 **A** Correct, when I first saw him.

4 : When you first saw them?

5 **A** Yes.

6 : But you also said it is  
7 because you were focused on their --

8 **A** On their appearance.

9 : On their appearance and  
10 your surroundings?

11 **A** Yes.

12 : You're not saying that  
13 they didn't have anything in their hand, you just  
14 didn't see it?

15 **A** Correct.

16 : Okay.

17 If I  
18 could dovetail off of 's original question  
19 about the violence that was directed to you. If I  
20 could ask you just a personal question, are you  
21 ?

22 **A** Yes.

23 : You are, okay.

24 **A** Yes.

25 : And this is like bringing

1 an extra level of conflict for you to come forward?

2 **A** Um, not really. Within my family  
3 that's about it. They fear for my safety or our  
4 family's safety, that's about it.

5 You said that there were  
6 some racial epithets directed towards you, is there  
7 anything that you can, you feel comfortable telling  
8 us that was directed to, what was said to you?

9 **A** Um, they said you , they  
10 called me a , and just racial  
11 slurs.

12 : Did you at any time, if I  
13 could ask, did you express the fact that you're  
14 ?

15 **A** No.

16 : You did not?

17 **A** No, I just ignored it and kept walking  
18 because I didn't want it to just blow up to  
19 something even more because it is already tension in  
20 the air.

21 : Okay, thank you.

22 **A** No problem.

23 . In your  
24 opinion, let's go back to the times when Michael  
25 Brown stopped and turned around and allegedly began

1 to charge the police officer, is it in your opinion,  
2 do you believe the police officer's life was  
3 potentially in jeopardy at this point?

4 **A** Yes.

5 : Thank you.

6 MS. ALIZADEH: Anyone else have a  
7 question?

8 . Could you  
9 describe what vehicles were in the area while this  
10 was going on, were there cars lined up behind the  
11 police vehicle and you said that Dorian ran to a  
12 vehicle that had been on the other side and then  
13 drove around?

14 **A** There was only one vehicle on the street  
15 within that distance between where the incident took  
16 place, and that was the vehicle, a little Monte  
17 Carlo and it came around after, I want to say when  
18 the officer, before the officer fired, I mean not  
19 fired, but I'm not sure at what point, I can  
20 pinpoint at what point that they came around, but  
21 they did drive around, come out of the, this curb  
22 and drive around and stop right there.

23 Okay, thank you.

24 MS. ALIZADEH: Can I clarify, I just want  
25 to ask you. You said it was a Monte Carlo?

1           **A**       Correct.

2                   MS. ALIZADEH: Are you good about  
3 recognizing makes and models of cars?

4           **A**       Uh, yes.

5                   MS. ALIZADEH: Have you ever had a Monte  
6 Carlo?

7           **A**       No.

8                   MS. ALIZADEH: When you say it was blue,  
9 are we talking dark blue, baby blue, do you recall?

10          **A**       I cannot recall as far as the deep blue or  
11 any of that, I know it was a newer Monte Carlo.

12                  MS. ALIZADEH: And you saw, that's the  
13 only car you remember seeing there is a blue Monte  
14 Carlo?

15          **A**       Correct.

16                  MS. ALIZADEH: Okay.

17                               :                       . Um, let's  
18 go back to when you initially saw the struggle with  
19 Michael Brown inside the car, where was Dorian or  
20 could you tell where he was when this was going on?

21          **A**       No. Like I said, I did not see Dorian  
22 Johnson, um, after the fact, after Michael Brown was  
23 collapsed in the street, and that's when he came  
24 across the street in front of the squad car and  
25 stopped right about there and yelled that he just



1 killed him. That's the only time after first had  
2 initial contact, well, not contact, but sight of  
3 Dorian Johnson.

4 : So did you ever see  
5 anything in Michael Brown's hands or Dorian's hand,  
6 I know you said initially when they came around the  
7 house, you didn't see anything, but what about  
8 during the struggle, did you ever see anything in  
9 their hands?

10 **A** No.

11 : Okay. And you said you  
12 heard one gunshot at the car?

13 **A** Correct.

14 : And the rest were --

15 **A** Down.

16 : Down the road or whatever?

17 **A** Yes.

18 MS. ALIZADEH: Anyone else have any  
19 questions?

20 So Witness Number 10, thank you for  
21 appearing. If at any time in the future this grand  
22 jury has additional questions for you, would it be  
23 all right for me to contact you?

24 **A** Yes.

25 MS. ALIZADEH: That will end the testimony

1 of Witness Number 10.

2 (End of the testimony of Witness 10.)

3 MS. ALIZADEH: This is Kathi Alizadeh, it  
4 is 1:33 p.m. on September 23rd. The grand jurors  
5 are all 12 present, as well as myself and Sheila  
6 Whirley and the court reporter who is taking down  
7 everything.

8 We had a witness who was here and in the  
9 waiting room.

10 MS WHIRLEY: We did have one witness, and  
11 is her name and we may play some of  
12 that information because you had asked about  
13 . We were here, we were running behind and  
14 she left. I contacted, I tried to contact her to  
15 get her back here and I'm not sure if she was  
16 running too late for work or what, but we're going  
17 to have to likely reschedule her because we also  
18 have a 2:30 timeframe we are working with too.

19 So she's not going, you're not going to  
20 hear from her, we were hoping to do it today. In  
21 light of that, what we are going to do is let you  
22 hear the recording from --

23 MS. ALIZADEH: Witness Number 10.

24 MS. WHIRLEY: Witness Number 10, thank  
25 you. And then if we have enough time, you will hear

1                   s recorded statement and then when  
2    see her, you will match the two together, all right.

3                   MS. ALIZADEH: All right. So at this time  
4    I'm going to pass out a transcript of an interview  
5    that was conducted on August 11th by the County  
6    Police Department and it is the interview of Witness  
7    Number 10. And for that reason, again, we will  
8    pause the audio recording that the court reporter is  
9    doing right now while we are playing the statement.

10                  The statement is contained on Grand Juror  
11    Number 24.

12                  As soon as you say we are ready, we will  
13    turn off the audio recording that is happening now  
14    and play the recorded statement of Witness Number  
15    10.

16                  Okay. Would you turn off the audio  
17    recording at this time.

18                  (This is the recorded statement of Witness  
19    Number 10.)

20                  DETECTIVE           : This is Detective  
21                                        with the St. Louis County Police  
22    Department's Bureau of Crimes Against Persons,  
23                  . Also present with me is Detective  
24                                        of the Bureau of Crimes Against  
25    Persons and we are at the City of Ferguson Police

1 Department in an interview room Mister, would you  
2 say your name for the recorder, please?

3 WITNESS 10: (Redacted)

4 DETECTIVE : Okay. And (redacted)  
5 obviously, you realize this is being recorded,  
6 correct?

7 WITNESS 10: Correct.

8 DETECTIVE Okay. And you're okay  
9 with that?

10 WITNESS 10: Yes.

11 DETECTIVE Okay. And this is in  
12 reference to St. Louis County Complaint Number  
13 14-43984 and Ferguson Police Department Complaint  
14 Number 14-12391, which is an incident that occurred  
15 on Canfield Drive on August 9th, 2014.

16 (Redacted), I'm going to get a little bit  
17 of information from you here, okay? (redacted)

18 WITNESS 10: Correct.

19 DETECTIVE : Okay. And spell your  
20 last name?

21 WITNESS 10: (Redacted)

22 DETECTIVE Just like the  
23 What is your date of birth?

24 WITNESS 10: (Redacted)

25 DETECTIVE : What is your home

1 address?

2 WITNESS 10: (Redacted)

3 DETECTIVE : (Redacted)

4 WITNESS 10: (Redacted)

5 DETECTIVE : And where's that at?

6 WITNESS 10: (Redacted)

7 DETECTIVE : (Redacted)

8 WITNESS 10: (Redacted)

9 DETECTIVE : And what's your cell  
10 phone.

11 WITNESS 10: (Redacted)

12 DETECTIVE : (Redacted)

13 WITNESS 10: Yes.

14 DETECTIVE : And your social

15 security number?

16 WITNESS 10: (Redacted)

17 DETECTIVE : (Redacted)

18 WITNESS 10: (Redacted)

19 DETECTIVE : (Redacted)

20 WITNESS 10: Yes.

21 DETECTIVE : And you're employed

22 where.

23 WITNESS 10: (Redacted)

24 DETECTIVE : As a ?

25 WITNESS 10: Yes.

1 DETECTIVE : Is there a business  
2 address for that?

3 WITNESS 10: Um, this is the address, but  
4 I don't, I'm not sure.

5 DETECTIVE : Okay. You know a phone  
6 number?

7 WITNESS 10: (Redacted)

8 DETECTIVE : (Redacted)

9 WITNESS 10: Right where the  
10 are at. Where, um, say you get off of --

11 DETECTIVE : there.

12 WITNESS 10: (Redacted)

13 DETECTIVE : Okay.

14 WITNESS 10: Right before you go down the

15

16 DETECTIVE (Redacted)

17 WITNESS 10: Yeah.

18 DETECTIVE Okay. Um, do you have  
19 a phone number?

20 WITNESS 10: Is --

21 DETECTIVE : For employer.

22 WITNESS 10: For -- for -- for -- let me  
23 see. Let me see if I can pull it up.

24 DETECTIVE : (Redacted) What is  
25 your middle initial?

1 WITNESS 10: (Redacted)

2 DETECTIVE Okay.

3 WITNESS 10: I thought I had the office in  
4 here. I ain't seeing it.

5 DETECTIVE That's okay.

6 WITNESS 10: All right.

7 DETECTIVE Okay. So, um, we  
8 received a call from Ferguson saying that you were  
9 here and did you come here --

10 WITNESS 10: Yes, voluntarily.

11 DETECTIVE -- okay, okay. You  
12 came here on your own?

13 WITNESS 10: Yes.

14 DETECTIVE And who did you talk to  
15 initially?

16 WITNESS 10: Um, I'm not sure. It's a  
17 police officer outside.

18 DETECTIVE : Okay. And what did you  
19 tell that officer?

20 WITNESS 10: I need to -- to speak with  
21 someone about the, um, ongoing investigation about,  
22 um, what happened, at Canfield to Mr. Brown.

23 DETECTIVE : Okay. So after that,  
24 I'm assuming they escorted you --

25 WITNESS 10: Yes.

1 DETECTIVE : -- into the building  
2 then and you -- you waited for us; is that right?

3 WITNESS 10: Yes.

4 DETECTIVE : Okay. Um, would you  
5 please retell, and I'm just going to set the  
6 recorder over there. Would you please just retell  
7 your account of a, were you present when it happened  
8 or --

9 WITNESS 10: Yes.

10 DETECTIVE : Okay. Would you just  
11 retell your account of what took place?

12 WITNESS 10: Okay. Um, well, I walked  
13 out, I was working at a right  
14 where Canfield meets .  
15 The was actually on the on, it  
16 would be, I would be facing, the police car would be  
17 facing towards me and the

18  
19 right there

20 DETECTIVE So, just so I  
21 understand, uh, what you're saying, Canfield  
22 Apartments, Canfield by in large runs east and west,  
23 okay. If you were to travel west, uh, out of, on  
24 Canfield, you would run into West Florissant.

25 WITNESS 10: Okay.



1 DETECTIVE : Before you run into  
2 West Florissant, you run into a area of  
3 ?

4 WITNESS 10: Correct.

5 DETECTIVE So is that the area  
6 that you were working on.

7 WITNESS 10: Yes, I was working on the,  
8 the on your, if you were traveling east  
9 and going into Canfield, would be on your  
10 .

11 DETECTIVE : So --

12 WITNESS 10: The that's, well,  
13 the considering you're going into  
14 Canfield. It would be the  
15 and it's an

16 And the police, um, as I was saying, I was going, I  
17 was working at that and I walked  
18 outside. I seen the two young guys walking down the  
19 street on the same sidewalk I was on and --

20 DETECTIVE Can I clarify just a  
21 couple things? Roughly what time was this?

22 WITNESS 10: Roughly, I want to say 8:40,  
23 I mean not 8:40, 11:40, 11:40 is when that, when I  
24 first seen these two guys. And my initial thought  
25 was, wow that's a big dude because Mr. Brown, Mike

1 Brown. My initial thought was he's a big guy. He's  
2 tall and like stocky build, and that's it.

3 He -- he, they both walked past me. I  
4 took went into I came back  
5 outside to get some more stuff and I  
6 looked down the street and I seen the police car at  
7 a slant and I seen Mr. Brown in the window of the  
8 police car. It looked, it appeared as they were  
9 wrestling through the window. And one gunshot had  
10 let off and Mr. Brown took off running.

11 And my first thought was like, oh, my  
12 gosh, did I actually just witness a police officer  
13 being murdered because it took a while for the  
14 police officer to get out of the car and pursue the  
15 suspect.

16 And I want to say maybe six seconds, but  
17 it seemed like it was forever after the -- the first  
18 gunshot. So the police officer exited the vehicle  
19 with his weapon drawn, pursuing Mr. Brown.  
20 Mr. Brown was quite a distance and he stopped. And  
21 when he stopped, he didn't get down on the ground or  
22 anything, he turned around and he did some type of  
23 movement. I never seen him put his hands up or  
24 anything. I can't recall the movement that he did.  
25 I'm not sure if he pulled his pants up or whatever

1 he did, but I seen some type of movement and he  
2 started charging towards the police officer.

3 The police officer then returned fire, not  
4 returned fire, open fire on Mr. Brown. Um, if I had  
5 to guess, the shots and, um, the distance between  
6 him and Mr. Brown, it would have to be five to  
7 ten yards.

8 And the shots that were fired was four,  
9 five or six shots fired, and Mr. Brown was still  
10 standing up. Um, and my thoughts was wow, he's  
11 missing this guy this close, is he hitting him or  
12 because Mr. Brown there was no reaction from him to  
13 show that he was being hit.

14 Um, after that, Mr. Brown then paused,  
15 he -- he -- he stopped running and when he stopped  
16 running, the police officer stopped firing. And  
17 then Mr. Brown continued, started again to charge  
18 towards him and after that, the police officer  
19 returned fire and, um, well, not returned, I'm using  
20 the wrong term, he started to fire once more at him.

21 Um, if I had to guess the rounds that were  
22 fired then, it would be four to five more shots.  
23 And after that, Mr. Brown collapsed and fell to the  
24 ground.

25 DETECTIVE : Okay. What happened

1 then?

2 WITNESS 10: Um, what happened then after  
3 that, um, I didn't see, it was, it was a blue Monte  
4 Carlo, a newer model Monte Carlo two door. Um, it  
5 was closer to the scene where the shooting was at,  
6 that occurred. They then drove off and made a -- a  
7 left into the apartments and drove around the  
8 apartment and then came and stopped.

9 And, um, Mr. Brown's friend that he was  
10 walking with earlier, I didn't see him the whole  
11 time that, um, this was all going on with a  
12 confrontation with the police and the shooting and  
13 everything.

14 At the end, after Mr. Brown had dropped,  
15 and, um, I seen the, his friend come out of nowhere  
16 and run across the street. And, um, said that Dog,  
17 they -- they just killed him, they just killed him,  
18 and he ran the back fields of Canfield, the back  
19 open field.

20 And, um, I must say that also after the,  
21 um, confrontation, after the gunshot when Mr. Brown  
22 did run, I thought I heard something metal hit the  
23 ground. And I'm not sure what it was, but I thought  
24 I heard something hit the ground.

25 And, um, after that, I believe, I'm not

1     sure, um, if I went in                   to go tell the  
2     people that I was working with that I just -- what I  
3     witnessed. And I came back out and they were taping  
4     the scene off and I decided, I went down there  
5     closer to where the body was and I stayed down there  
6     for maybe ten, five to ten minutes. And I was  
7     speaking with the                   that was down there  
8     on the scene. I was telling           what happened and  
9     after me telling           what happened and I'm hearing  
10    everybody, their side of the story, oh, the police  
11    officer shot that kid for no reason. He had his  
12    hands up.

13               And me knowing and seeing what actually  
14    took place, that wasn't true. And there was  
15    different sides to the story, and every side it  
16    wasn't true. I felt uncomfortable in that  
17    situation, so I decided to walk back to               I  
18    was at originally at.

19               And, um, while I was walking to the  
20                            had a video camera and they turned  
21    towards me asking me, um,

22  
23                            But I don't think they  
24    heard me what I had told the               earlier. And  
25    I responded as                           and just kept walking.

1 And they still on just still video recording  
2 me and saying, um, I  
3 responded,  
4 .

5 And after that, they -- they became, uh,  
6 in an aggressive tone and um, was saying,  
7 um, just called me other  
8 names, racial and racist slurs to me.

9 And that whole time, well, before they  
10 yelled the racial slurs, I yelled, um, back to them,  
11 I said,

12 And after that, I just left it and went on  
13 my way.

14 DETECTIVE Okay. I'm going to go  
15 back and just ask you a couple clarifying questions,  
16 okay.

17 Um, so, I guess, so let's first start off,  
18 who were you working with, uh, that day?

19 WITNESS 10: I was working, um, for  
20 And, um, I'm not sure of  
21 um, that was there. I was hired as a  
22 to come in and do  
23 .

24 DETECTIVE : So will you, was, you  
25 were not working for (redacted) that day?

1 WITNESS 10: No, no.

2 DETECTIVE You were doing kind of  
3 a side job?

4 WITNESS 10: Yeah, doing a side job, yeah.

5 DETECTIVE Okay. And did you have  
6 anybody with you that you were working with that  
7 day?

8 WITNESS 10: No.

9 DETECTIVE Okay. I guess when you  
10 say you went in, oh, when you said you went in to  
11 tell the people you were working with --

12 WITNESS 10: Yeah.

13 DETECTIVE -- you meant tell the  
14 people --

15 WITNESS 10: That -- that was the

16 .

17 DETECTIVE : I gotcha. Okay. Who  
18 were the there.

19 WITNESS 10: Like I say, I'm not sure what  
20 their names are.

21 DETECTIVE Was it a female, a  
22 male?

23 WITNESS 10: It was a

24 DETECTIVE Okay. And then, um,  
25 you said that you saw, uh, two guys walking down the

1 street, right?

2 WITNESS 10: Yeah.

3 DETECTIVE Do you remember what  
4 they were wearing?

5 WITNESS 10: Um, if I'm not mistaken,  
6 Mr. Brown had a tan, tan pants, a red hat, flip  
7 flops, it might have, may have been tan shorts,  
8 yeah, it had to be tan shorts. Because I'm not sure  
9 of the color, I know they were shorts because his  
10 socks drew my attention because they were bright  
11 yellow and, um, black, looked like marijuana leafs.  
12 And, um, he had a red hat on. I'm not sure of the  
13 shirt.

14 And his friend that was walking with, I'm  
15 not sure what he was wearing, the only thing I can  
16 pick up from him was he had, um, smaller dreads that  
17 were, looked like the tips of the dreads was dyed,  
18 uh, like a bleach, bleach dyed or whatnot.

19 DETECTIVE And so, um, Michael  
20 Brown was the one that you thought to yourself, um,  
21 that's a big guy?

22 WITNESS 10: Yeah, it is.

23 DETECTIVE Is that right?

24 WITNESS 10: Yeah.

25 DETECTIVE : Okay. And which way



1     were they walking?

2                   WITNESS 10: They were walking, you said  
3     west, would be out to West Florissant?

4                   DETECTIVE                 West, yeah, it's  
5     towards West Florissant. East is towards the  
6     complex.

7                   WITNESS 10: Okay. So east, yeah, east.  
8     They were walking east when I first, yeah, when I  
9     seen them.

10                  DETECTIVE                 How far away were they  
11     when you first saw them?

12                  WITNESS 10: Um, when I first saw them, I  
13     mean, I could have shook the guys' hand if I wanted  
14     to.

15                  DETECTIVE                 : Okay.

16                  WITNESS 10: That's how close they were.

17                  DETECTIVE                 : Okay. Do you know  
18     either of these guys?

19                  WITNESS 10: No.

20                  DETECTIVE                 : Okay. Had you ever  
21     seen them, one of them before?

22                  WITNESS 10: No.

23                  DETECTIVE                 Okay. Uh, so they're  
24     walking east and I don't, if I say something that's  
25     incorrect, please correct me, okay?

1 WITNESS 10: Uh-huh.

2 DETECTIVE : They're walking east  
3 essentially in front of that you're  
4 working at?

5 WITNESS 10: Yes.

6 DETECTIVE : They continue east into  
7 the complex?

8 WITNESS 10: Yes.

9 DETECTIVE Okay. And you said you  
10 went inside to drop off equipment?

11 WITNESS 10: Yes.

12 DETECTIVE : Okay. And then when  
13 you come back outside, right?

14 WITNESS 10: Uh-huh.

15 DETECTIVE : You, if your, if  
16 you are working on is on the side, if  
17 you look to your then, it would be, you would  
18 be looking into the complex; is that right?

19 WITNESS 10: Yes, I would be looking into  
20 the east, east.

21 DETECTIVE : Into the complex?

22 WITNESS 10: Yeah, yeah.

23 DETECTIVE : or to the  
24 would be looking into the complex?

25 WITNESS 10: Yeah, yeah.

1 DETECTIVE Okay. And approximately  
2 how far away were you at to where you saw  
3 that police car at?

4 WITNESS 10: Okay, distance wise --

5 DETECTIVE : And if you don't know,  
6 you know --

7 WITNESS 10: It's a guess maybe, 100 yards  
8 I would say, maybe less.

9 DETECTIVE : Okay, all right. So  
10 you look and you see the police car and where is the  
11 police car at?

12 WITNESS 10: It is in the middle of the  
13 street at a slant.

14 DETECTIVE : Okay. And what kind of  
15 car is it, do you know?

16 WITNESS 10: It's, um, I'm not sure what  
17 type of car, but I know it is a truck, it's a truck.

18 DETECTIVE Okay. Um --

19 WITNESS 10: Maybe like Suburban style or  
20 that, a long truck, SUV.

21 DETECTIVE And that truck that's  
22 parked at a slant would be facing which direction?

23 WITNESS 10: It would be facing west.

24 DETECTIVE : West, okay. And  
25 explain to me again what you see at that point?

1                   WITNESS 10: I see Mr. Brown leaned over  
2     inside the police car, um, at maybe, I see his back  
3     at his, um, probably below you, what you call, like  
4     under your armpit.

5                   DETECTIVE                   Beneath your armpits?

6                   WITNESS 10: Yeah, a little bit deeper  
7     than, right below your armpits. That's how much of  
8     his body is inside the car.

9                   DETECTIVE                   : Okay. So you, when  
10    you, you were using your hands, you went here and  
11    then you kind of went here, which --

12                  WITNESS 10: Like when I seen this much of  
13    his body outside the car, so the rest of his body  
14    from here up is inside the car.

15                  DETECTIVE                   : Okay. And just for the  
16    purposes of the recording, uh, so his feet are  
17    where?

18                  **A**     On the ground.

19                  DETECTIVE                   : Okay. And he is  
20    standing, uh, where at?

21                  WITNESS 10: At the, uh, driver's door --

22                  DETECTIVE                   : Okay.

23                  WITNESS 10: -- of the police car.

24                  DETECTIVE                   His feet are on the  
25    ground, he's at the driver's door of the police car.

1 WITNESS 10: Yeah.

2 DETECTIVE : And, uh, he's leaning?

3 WITNESS 10: Inside the window.

4 DETECTIVE Instead the -- the.

5 WITNESS 10: The police car.

6 DETECTIVE : Which, which window?

7 WITNESS 10: The driver's window.

8 DETECTIVE : Okay. So he's leaning  
9 inside the driver's side window. And -- and -- and  
10 I'm not, obviously, I don't expect any of this to be  
11 exact, you know, down to the millimeter.

12 WITNESS 10: Uh-huh.

13 DETECTIVE : But roughly armpit or  
14 maybe a little bit lower?

15 WITNESS 10: Yeah.

16 DETECTIVE That upper portion of  
17 his body is in the -- the window, is that a fair  
18 statement?

19 WITNESS 10: Yes.

20 DETECTIVE : Okay. And so, uh, is  
21 the door opened, closed?

22 WITNESS 10: No, the door is completely  
23 closed.

24 DETECTIVE Okay. And, uh, do you  
25 see anybody in the driver's seat of that car?

1 WITNESS 10: I -- I couldn't make it out,  
2 I couldn't. All I seen was Mr. Brown's body.

3 DETECTIVE Okay. And what was his  
4 body doing.

5 WITNESS 10: At that distance, I -- I -- I  
6 couldn't tell. It looked like a confrontation and  
7 all I could assume it was some type of confrontation  
8 was going on in that car.

9 DETECTIVE Okay. Why -- why did  
10 you assume there was a confrontation?

11 WITNESS 10: Because afterwards the  
12 gunshot, there was a gunshot, one gunshot, and he --  
13 he ran off.

14 DETECTIVE : Okay. So, and again,  
15 please correct me if I'm saying anything that even  
16 remotely doesn't reflect what you're saying, I just  
17 want to make sure I understand, okay?

18 You see him in the car, you can't  
19 necessarily tell what's going on, but after hearing  
20 the gunshot and you seeing him run off, you make an  
21 assumption that there's some sort of confrontation  
22 or conflict inside the car, right?

23 **A** Yes.

24 DETECTIVE Okay. So how, roughly  
25 how long do you think that he is, that Michael Brown

1 is in the car?

2 WITNESS 10: Um, maybe at least ten  
3 seconds from what I seen.

4 MS WHIRLEY: All right. It's at 2041, the  
5 recording. We are going to stop the recording  
6 because the witness is here and we would like to get  
7 her on because we have time constraints.

8 Now is here and we wanted  
9 to bring on her testimony. We'll look at her  
10 statements later because of our time this afternoon,  
11 but I will go get her, and I don't know exactly what  
12 time it is now, what time do you have? It is about  
13 1:59 p.m. Is he going to keep recording?

14 MS. ALIZADEH: Yes, and I just wanted to  
15 say because we weren't recording at the time, we  
16 interrupted the statement of Witness 10 because of  
17 the next witness being here. What did you start it,  
18 where did you say you stopped it?

19 MS WHIRLEY: At 2041.

20 MS. ALIZADEH: I'll make a note that I  
21 have to fix that.

22 So we are going to just bring the next  
23 witness in who needs to leave.

24 ,  
25 of lawful age, having been first duly sworn to

1   testify the truth, the whole truth, and  
2   nothing but the truth in the case aforesaid,  
3   deposes and says in reply to oral  
4   interrogatories, propounded as follows, to-wit:

## EXAMINATION

6 BY MS. WHIRLEY:

7           Q       I'm Sheila Whirley, and Kathi Alizadeh is  
8       also present, the grand jurors are present, and the  
9       court reporter, introduce yourself to the grand  
10      jurors, please?

11                    **A**                    I'm

12           Q     All right,                                 .    Could you  
13   spell your name and speak louder for us?

14 **A**

15

16           Q     All right. And that microphone is not  
17     going to amplify your voice or make it louder, it is  
18     just recording, so try to talk sort of loud like me,  
19     please?

20           **A**     I'm sorry, I'm soft spoken.

21           Q     Okay.  You know why we are here today,  
22           ?

23           **A**     Yes, I do.

24           Q     Tell us where you live in general, you  
25     don't have to give your exact address unless you



1 want to?

2 **A** I live in .

3 **Q** All right. Now, you recall August the 9th  
4 of 2014, correct?

5 **A** Yes.

6 **Q** It was a Saturday?

7 **A** Yes.

8 **Q** You had occasion to be at Canfield Green?

9 **A** Yes.

10 **Q** Is that right? And does this map look  
11 familiar?

12 **A** Yes, that's the Canfield Green Apartments.

13 **Q** That's the complex?

14 **A** Yes.

15 **Q** Represented on that map, and that's Grand  
16 Juror Exhibit Number 25 for purposes of  
17 identification. What time of day was it that you  
18 went to Canfield?

19 **A** It was around noon-ish whenever I went. I  
20 was supposed to be there a little earlier, I ended  
21 up there at noon to pick up she works for  
22 me.

23 **Q** Okay. So you were picking up an employee?

24 **A** Yes.

25 **Q** What do you do for a living?

1           **A**     I do marketing.

2           **Q**     And are you a supervisor?

3           **A**     Yes, I have a marketing firm on

4           .

5           **Q**     It is your firm?

6           **A**     Yes.

7           **Q**     Okay. How many employees do you have?

8           **A**     Right now I have three.

9           **Q**     And           was one of them?

10          **A**     Yes.

11          **Q**     Okay. And you said her name was  
12   how do spell that?

13          **A**     .

14          **Q**     What's her last name?

15          **A**     .

16          **Q**     Can you spell that?

17          **A**     , .

18          **Q**     , , okay. So you are  
19   picking up                   and she lived in Canfield  
20   Green?

21          **A**     Yes.

22          **Q**     Do you recall her address?

23          **A**     I don't.

24          **Q**     Okay. Can you see on this map, there  
25   should be a pen there that you would operate, you

1 see how it works?

2 **A** Yes.

3 **Q** Could you point on the map where  
4 lived, first of all, do you know where she lived  
5 looking at the map?

6 **A** Yes, she lives right here, this apartment  
7 right here. (indicating)

8 **Q** ?

9 **A** Yes.

10 **Q** Okay. Is that Canfield Drive?

11 **A** Yes, Canfield Drive.

12 **Q** And coming to pick her up that day, did  
13 you call her first or did you she know what time you  
14 were coming?

15 **A** I called her. I called her when I was on  
16 my way and I called her as I was coming down the  
17 street right when I turned onto Canfield is when I  
18 started calling her.

19 **Q** So when you were coming this way you  
20 called her?

21 **A** Yes.

22 **Q** And did you talk to her?

23 **A** No.

24 **Q** What happened, did you leave her a  
25 message?

1           **A**     No, so as I was pulling up and I'm calling  
2     her phone, that's whenever I heard the tires  
3     squeaking as I was turning. As I get closer, I see  
4     a cop and the kid wrestling through the window.

5           **Q**     Okay. So when you say you called her, but  
6     you didn't talk to her, what happened in that call?  
7     Did you just hang up, that's what I'm trying to  
8     figure out?

9           **A**     Yeah, I hung up the phone like, so I'm  
10    trying to call her and when I see this, I start  
11    going through my phone forgetting I'm on the call,  
12    trying to get to my camera. And I never spoke with  
13    her at all. By the time I look back at my phone  
14    again, it was disconnected, the call had  
15    disconnected.

16          **Q**     Did you get to your camera?

17          **A**     No.

18          **Q**     Okay. Did you record any of this, you  
19    know, what we are talking about, the shooting of  
20    Michael Brown?

21          **A**     No, I didn't record any of shooting. I  
22    recorded right after it happened.

23          **Q**     So tell us again, you are driving down  
24    Canfield Drive and what do you hear?

25          **A**     I hear tires squeaking.

1           **Q**     And then what?

2           **A**     I didn't see anything at that time, but as  
3     I get closer coming around this curve on Canfield, I  
4     see the cop's SUV in the middle of the street and  
5     the kid wrestling through the window with the cop.

6           **Q**     And show us on that map where, Grand Jury  
7     Exhibit 25, where approximately you saw the police  
8     car?

9           **A**     Okay. The police car was right here, in  
10    this area right here. (indicating)

11          **Q**     Do you know which way it was facing?

12          **A**     It was facing, coming the way that I was  
13    coming. So it was facing going that away and I was  
14    going that way.

15                MS. ALIZADEH: Let me ask, I think Sheila  
16    at one point you made it look like she was going on  
17    a certain direction, which direction were you  
18    traveling?

19          **A**     Is it okay if I can stand up?

20                MS WHIRLEY: Yeah, please.

21          **A**     I was coming in on this direction, I was  
22    coming in through this way.

23                MS. ALIZADEH: Okay.

24          **A**     The car was facing going that way, I don't  
25    know if it is east or west.

1 MS WHIRLEY: Okay.

2 Q (By Ms. Whirley) So what street is this  
3 out here that you came off of to get onto Canfield  
4 Drive?

5 A West Florissant.

6 Q West Florissant, okay. So you are coming  
7 from West Florissant traveling east on Canfield  
8 Drive?

9 A Yes.

10 Q And the police car was facing west?

11 A Yes.

12 Q And it was, was it straight or what was  
13 the, how was it situated?

14 A It was kind of catty-corner, it wasn't  
15 straight, it was like a little over both sides of  
16 the line, yellow line.

17 Q Okay, all right. Kind of in the middle of  
18 the street?

19 A Yeah.

20 Q Tell us what you saw again?

21 A I saw the cop and the kid kind of like  
22 wrestling through the window, it was like a tug of  
23 war. The kid was kind of pulling out the, cop was  
24 pulling in, like it was like going back and forth.

25 Q When you say the kid, who are you

1     referring to?

2           **A**     Michael Brown.

3           **Q**     You know that is who it is, Michael Brown?

4           **A**     Yes.

5           **Q**     Had you known Michael Brown before this  
6     day?

7           **A**     No.

8           **Q**     Had you ever met him?

9           **A**     No.

10          **Q**     Ever seen him?

11          **A**     No.

12          **Q**     Had you been to this Canfield Green  
13     complex before?

14          **A**     Yeah, I picked           up a lot there since  
15     she's moving, she's only been there over a month. I  
16     picked her up a few times and dropped her off at  
17     home.

18          **Q**     She had only been living there  
19     approximately a month?

20          **A**     Yeah.

21          **Q**     You had known her longer than that?

22          **A**     Yes.

23          **Q**     Okay. How long had she worked for you?

24          **A**     She worked for me since January.

25          **Q**     Okay. All right. So you see the tug of

1 war, as you put it, and then what happens?

2           **A**     As I'm trying to get to my camera and my  
3 phone, that's when the shot --

4           **Q**     You need to speak up louder, please.

5           **A**     I'm sorry. As I'm trying to get to my  
6 camera and my phone, that's when a shot came out and  
7 I just got out of the way, I started trying to get  
8 out of the way, and I went to the left side.

9           **Q**     Where were you when you heard the shot?

10          **A**     I was right here, like okay, they were  
11 right here and I pulled right in front of here.  
12 (indicating)

13          **Q**     What kind of car were you in?

14          **A**     I was in a

15          **Q**     A                                 ?

16          **A**     Yes.

17          **Q**     Okay.

18          **A**     So whenever the shot came out, it came  
19 from the car and I started turning this way, that's  
20 when I saw the kid like yank away like this and take  
21 off running. And I came around, parked right here,  
22 got out, came across the grass. The kid was running  
23 this way, the cop came behind him and was shooting.  
24 I saw the kid's body jerk and turn around like this  
25 with his hands up.



25 Q Is anyone with Michael Brown, that you

1 know, that you see?

2 **A** At that time I didn't see anybody besides  
3 him, but I saw someone kneeling by the white car,  
4 the white Monte Carlo.

5 **Q** Okay. They were knelt?

6 **A** Like knelt down.

7 **Q** Okay, all right. But you didn't see them  
8 do anything?

9 **A** I didn't see them together at all at the  
10 time.

11 **Q** Okay. So when the shot goes off, Michael  
12 Brown runs, show us again which way?

13 **A** He runs this way.

14 **Q** Okay. And the officer, what does he do?

15 **A** He comes behind him shooting.

16 **Q** So did you see the officer get out of the  
17 car?

18 **A** I didn't see him exit the car, I was on  
19 the other side of the car at the time.

20 **Q** Okay. So where were you when you saw the  
21 officer shooting?

22 **A** I was coming across this grass and the  
23 officer started pursuing Michael coming this way.

24 **Q** You could clearly see the officer running  
25 after him?

1           **A**     Yes.

2           **Q**     And you could see the officer shooting?

3           **A**     Yes.

4           **Q**     Okay. And Michael is running and his back  
5 is to the officer?

6           **A**     Yes.

7           **Q**     And the officer is shooting?

8           **A**     Yes.

9           **Q**     Do you have any idea how many shots were  
10 fired by the officer?

11          **A**     Not at all.

12          **Q**     Okay.

13          **A**     I didn't count that at all.

14          **Q**     Okay. And then what happens after he is  
15 shooting at the officer, I mean, the officer is  
16 shooting at Michael Brown?

17          **A**     I saw his body jerk and stopped and turned  
18 around and put his hands up, and that's when the  
19 officer continued to walk and shoot until he went  
20 all the way down.

21          **Q**     Okay. Can you hear anybody say anything?

22          **A**     I can't hear anything from anybody.

23          **Q**     Okay. And show us again where you are?

24          **A**     At the time that he, Michael went down?

25          **Q**     Yeah, that's right, let me make it clear

1 because you said, you showed us where you were when  
2 you saw him running?

3 **A** Yes.

4 **Q** The officer is pursuing Michael, he is  
5 shooting you said?

6 **A** Yes.

7 **Q** When Michael turns around, where is  
8 Michael? He stopped running and he turned around?

9 **A** He was right here. (indicating)

10 **Q** And where are you?

11 MS. ALIZADEH: Wait a minute, can you  
12 point again because I can't see where you are  
13 pointing?

14 **A** Okay, I'm sorry, which part?

15 MS WHIRLEY: When Michael stops running  
16 and turns around, where is he?

17 **A** He is right here. (indicating)

18 **Q** (By Ms. Whirley) Where are you?

19 **A** I'm right here coming across this grass.

20 **Q** How close would you say that is in your  
21 opinion?

22 **A** I don't know how to measure by feet.

23 **Q** Okay. Look at me. Tell me when we're as  
24 close as you were to where Michael was, if that's  
25 possible in this room.

1           **A**     Okay. So I can say from me to Michael is  
2     right kind of like at her, where she is standing.

3           **Q**     Where she is standing, you can see that  
4     close?

5           **A**     Yeah.

6           **Q**     Okay. Now, he turns around and you say he  
7     puts his hands up?

8           **A**     Yeah.

9           **Q**     Does he appear to be hit by any bullets or  
10    anything?

11          **A**     I didn't see any blood or anything until  
12    it started pouring on the ground as he's laying  
13    there. Whenever the bullets was hitting him, I was  
14    thinking like are these rubber bullets. I can't say  
15    exactly where he was hit.

16          **Q**     Okay.

17          **A**     I just saw the one in his face when he hit  
18    the ground.

19          **Q**     When he first turned around and had his  
20    hands up, you couldn't really see whether he was  
21    shot, you couldn't tell whether he was shot or not?

22          **A**     No, I couldn't.

23          **Q**     But you couldn't hear him say anything to  
24    the officer?

25          **A**     No.

1 Q Was the officer saying anything to him?

2           **A**     I didn't hear the officer say anything to  
3     him, I didn't hear conversation from either party.

4           Q     Okay. So we know you were like from this  
5 distance to that distance and can anybody give an  
6 estimate of how far that would be?

7 About 20 feet.

8           Q        (By Ms. Whirley) Now, from the officer,  
9       how far was the officer from Michael Brown when  
10      Michael Brown turned around and raised his hands,  
11      the same, a similar distance or something different?

12           **A**     Similar distance because I was closer to  
13     the officer than I was to Michael when he turned  
14     around.

15           Q     Okay.  So that's Michael 20 feet away or  
16     so, I'm the officer, let's say, just for purposes of  
17     the transcript.

18           **A**     The officer was over that away.

19            **Q**     Like this way?

20                    **A**        Yes.

21            Q        How far?

22           **A**     Like they were about that distance.

23           Q       About where I am now?   So another 20 feet  
24   or so?

25           **A**     Yeah, maybe so.

1           **Q**     Okay. You can see both the officer and  
2 Michael Brown?

3           **A**     Yes.

4           **Q**     From approximately 20 feet away?

5           **A**     Yes.

6           **Q**     Okay. And if I didn't ask you this, how  
7 close was the officer to Michael Brown, not you to  
8 them, but the officer and Michael Brown, how close  
9 were they? Were they closer than you were to them?

10          **A**     They were closer to each other than I was  
11 to them.

12          **Q**     That's my question. Any idea how close,  
13 like me and you again?

14          **A**     I can't say exactly, it was movement.

15          **Q**     Okay.

16          **A**     So I can't say exactly like where they  
17 stood at what point.

18          **Q**     That's fair.

19          **A**     They were constantly moving.

20          **Q**     He turns around with his hands up and then  
21 what does the officer do?

22          **A**     He continued to come up on him.

23          **Q**     Like show me?

24          **A**     He just continued to come up on him and  
25 shoot him. He never got like, he was further back

1 from him, but he kept shooting him until he fell  
2 down to the ground.

3 Q Did Michael Brown ever move back or come  
4 forward?

5 A Like he came forward.

6 Q He came forward. Did he come forward in a  
7 charging motion?

8 A No, like he just went forward like his  
9 body was just going down and he was shooting him.

10 Q So from where you were, it didn't appear  
11 that Michael Brown was threatening the officer?

12 A No, no.

13 Q You didn't think --

14 A No, he wasn't coming towards him whenever  
15 he turned around. He just start like, as soon as he  
16 turned around like, that's whenever like the bullets  
17 start hitting him. I can't say exactly where, but  
18 he just started going down from that point.

19 Q Okay. Did it appear at any time that  
20 Michael Brown had a weapon?

21 A No, I couldn't see anything in his hand  
22 while he was running. I can't even say where his  
23 hands were at this point.

24 Q Okay. I was going to ask you that  
25 question when he was going down, did you see his



1 hands?

2           **A**     Yeah, they were, they were the whole time.  
3     (indicating)

4           **Q**     His hands was up when he turned around,  
5     when he was going down you said the officer was  
6     shooting at him?

7           **A**     When he went down, he went down to the  
8     ground like this.   (indicating)

9           **Q**     Okay. And from your perspective, in your  
10    opinion, you didn't think that the officer was ever,  
11    his life was not threatened?

12          **A**     I can't say, before I pulled up to this  
13    car, I can't say what happened before I got there.

14          **Q**     Right.

15          **A**     So I don't know what happened between them  
16    before I pulled up, but I can only say what I saw.  
17    From what I saw, he was trying to get away, he was  
18    pulling away at the window.

19          **Q**     Okay. And you saw it from the time that  
20    he ran from the car window until he laid dead on the  
21    ground?

22          **A**     Yes.

23          **Q**     And between that timeframe, he never  
24    appeared, in your opinion, to be threatening the  
25    officer?

1           **A**       No, he was trying to get away from what I  
2       saw.

3                   MS WHIRLEY:   Okay, Kathi?

4                   MS. ALIZADEH:   Yeah.   Hi,                   .

5           **A**       Hi.

6                   MS. ALIZADEH:   I know we haven't met, my  
7       name is Kathi Alizadeh, I'm with the prosecutor's  
8       office as well.

9           **A**       Uh-huh.

10                  MS. ALIZADEH:   Miss Whirley and I are  
11       working together on this investigation, so we kind  
12       of tag team. It is not that I'm asking you certain  
13       questions and she's asking you certain questions,  
14       but I want to clarify something here. So when you  
15       say, I'm going to use this pointer, and you tell me  
16       if I'm right. You said the officer's car was  
17       somewhere around in here, correct?

18           **A**       Yes.

19                  MS. ALIZADEH:   And you came in from this  
20       direction?

21           **A**       Yes.

22           **Q**       (By Ms. Alizadeh) And then you turn around  
23       this horseshoe, which is Canfield Drive, correct?

24           **A**       Yeah, I turned into here and I didn't go  
25       all the way around it.

1           **Q**     Did you park right, like right around  
2     here?

3           **A**     Yes, that's where I parked.

4           **Q**     Okay. And then you walked through the  
5     grass?

6           **A**     Yes.

7           **Q**     Now, you said that Michael Brown was  
8     running in this direction, correct?

9           **A**     Yes.

10          **Q**     So that is down Canfield Drive, and he is  
11     running towards Copper Creek Court, this is Copper  
12     Creek Court right here? (indicating)

13          **A**     Yes, he never made it that far.

14          **Q**     You said he never made it this far?

15          **A**     Yes.

16          **Q**     Which is, I've got the laser pointer,  
17     right on the corner of Canfield Drive and Copper  
18     Creek Court, he never made it that far?

19          **A**     Yeah.

20          **Q**     And so you say that at the location where  
21     he ended coming, you know, came to rest, his body  
22     was in the street?

23          **A**     Uh-huh.

24          **Q**     Um, how much distance farther had he run  
25     before he fell down into the street, do you know

1     what I'm saying? So he runs and then he turns  
2     around?

3             **A**     Uh-huh.

4             **Q**     And does he take any steps or come towards  
5     the officer at all?

6             **A**     Whenever he stopped and turned around at,  
7     that's where he fell dead at.

8             **Q**     Okay.

9             **A**     I didn't see him take any more steps.

10            **Q**     Let me ask you this, is it possible as you  
11     were trying to make your way in this direction and  
12     watching what was going on, you could have missed  
13     him being close to this corner to where he would  
14     have come 20 feet back toward the officer?

15            **A**     No, I can't. So whenever I was over this  
16     way, I saw him running past here, but for me to come  
17     across here and him to come all the way, that's not  
18     enough time I don't think. I didn't see him go that  
19     far, not at all. Because whenever I came across  
20     this, whenever I saw the officer coming this way and  
21     he was still coming right there, so he never made it  
22     that far.

23            **Q**     Okay. So let me tell you something, go  
24     ahead and sit down. So as you park your car, do you  
25     recall which slot you were in right here?

1 (indicating)

2           **A**     No, I don't. I was right in one on that  
3 side though.

4           **Q**     On what side?

5           **A**     On the side.

6           **Q**     Closest to the street?

7           **A**     Yes.

8           **Q**     Closest to Canfield Drive?

9           **A**     I was in one of those three, I can't  
10 remember exactly where I parked.

11          **Q**     From where you were parking and you have  
12 to get out of your car, is it possible that you lose  
13 sight of him for a time period or that you can't see  
14 from your location to where he could have been at  
15 that corner?

16          **A**     No.

17          **Q**     Okay. So let me ask you this, have you  
18 been out on that street since then?

19          **A**     No, I don't.

20          **Q**     Okay. Since then you haven't seen the  
21 flowers and memorial?

22          **A**     I seen pictures in the news and stuff like  
23 that, not myself actually being there, no.

24          **Q**     Do you have any reason to know why Michael  
25 Brown's blood might have been located in this area?

1           **A**     No.

2           **Q**     He came to rest right about here, would  
3     that be fair to say?

4           **A**     Yeah.

5           **Q**     Right, almost right across from  
6     Caddiefield Drive?

7           **A**     Yes.

8           **Q**     So you don't know how it would have been  
9     possible for his blood to be 20 and 22 feet that  
10    direction toward Copper Creek Court?

11          **A**     No, I don't.

12          **Q**     Okay. Is it possible that you in trying  
13    to get out of your car, were you dressed for work?

14          **A**     Yes, I was.

15          **Q**     Were you wearing heels?

16          **A**     No, I had on khakis and a T-shirt.

17          **Q**     Okay. So is there, is it possible that,  
18    you know, you trying to run through the grass or get  
19    in this direction, you missed a part of that?

20          **A**     I can't see me missing that part because  
21    whenever I was coming across, I still had sight of  
22    them. I didn't see him go that far.

23          **Q**     Okay. But you say you saw him turn  
24    around?

25          **A**     Yes.

1           **Q**     And from the point he turned around, he  
2     didn't really go any further closer to the officer?

3           **A**     No.

4           **Q**     And he had his hands up at that point?

5           **A**     Yes.

6           **Q**     Okay. That day, August 9th, pretty hot  
7     outside?

8           **A**     Yeah.

9           **Q**     Did you have your car windows up and the  
10    air conditioner on?

11          **A**     No, the air is out on my work van, so I  
12    had windows down.

13          **Q**     Okay. You had the windows down?

14          **A**     Yes.

15          **Q**     When you pulled in here and you saw  
16    Michael Brown and he was struggling with the  
17    officer, or what was your description?

18          **A**     It was like a wrestling.

19          **Q**     Wrestling. So he's at the officer's car  
20    window?

21          **A**     Uh-huh.

22          **Q**     And do you see any part of Michael Brown's  
23    body inside the police vehicle?

24          **A**     Like maybe his arms and stuff going back  
25    and forth through the window, like being pulled back

1 and forth.

2           **Q**     Okay. How about his head, did you ever  
3 see his head in the window?

4           **A**     I saw his head in the window, but not like  
5 kneel down into the window kind of thing, it was  
6 like kind of pulled back and forth like at the  
7 window.

8           **Q**     So Michael Brown, do you know how tall he  
9 was?

10          **A**     No, he's really tall though, he was a man  
11 when I first saw him, I didn't know he was a kid.

12          **Q**     He is taller than the roof of the vehicle,  
13 correct?

14          **A**     Yes.

15          **Q**     So in order for his head to be in the  
16 vehicle, he would have to have been at some point  
17 bent over a little bit, correct?

18          **A**     Yeah.

19          **Q**     His head couldn't --

20          **A**     Yeah.

21          **Q**     Right, right.

22          **A**     It went, yeah.

23          **Q**     And you said that you thought his head  
24 might have been in the vehicle at some point?

25          **A**     Yeah, coming like back and forth through



1 the window.

2 Q Okay. Could you see anybody if there was  
3 anybody hitting anybody else?

4 A I couldn't see that.

5 Q Couldn't tell?

6 A No.

7 Q Okay. And how many seconds from the time  
8 that you pull up and you see this going on at the  
9 vehicle to the time that Michael Brown is lying in  
10 the street?

11 A I don't know.

12 Q Can you give me an estimate?

13 A It was less than two minutes.

14 Q Okay. And just to be clear, you heard one  
15 gunshot while Michael Brown was by the vehicle?

16 A Yes.

17 Q And then he runs and the officer chases  
18 him while firing his weapon?

19 A Uh-huh.

20 Q Can you give me an idea how many times the  
21 officers fires his weapon while he is chasing him?

22 A No, I can't. I don't know exactly, it is  
23 about five or six times.

24 Q Okay. And then does he continue to fire  
25 as Michael Brown is turning around, or is there a

1 pause in the gunshots?

2           **A**     There was a pause.

3           **Q**     Okay. So Michael Brown, does the pause  
4 happen when he turns around or before or after?

5           **A**     Like during the time, I can't say exactly  
6 when the pause happened because there were several  
7 pauses. I can't say this happened and then a pause,  
8 this happened and then a pause, I wasn't paying  
9 attention like when the gunshots came and when it  
10 stopped.

11          **Q**     Okay. And I know, it is tough, I mean,  
12 this is all very chaotic, and you're seeing  
13 something, you probably can't even believe what you  
14 are seeing, right?

15          **A**     Yeah.

16          **Q**     So as best we can, you know, everybody  
17 that says that they saw this we are trying to get as  
18 many details as we can out of them.

19          **A**     Uh-huh.

20          **Q**     I'm not here to say one person is right,  
21 and one person is wrong, okay. Just the best of  
22 your recollection.

23                    You said you maybe heard how many  
24 shots, five or six shots as he was running?

25          **A**     Yeah, more than five or six shots.

1           **Q**     More than five or six?

2           **A**     Yeah.

3           **Q**     And then at some point there is a pause in  
4     the gunfire and then you hear more gunfire?

5           **A**     Yes.

6           **Q**     How many guesstimates would you say you  
7     heard then?

8           **A**     Probably four or five more, I don't know.

9           **Q**     Okay. And then after that round of  
10    gunfire, do you hear any more gunshots?

11          **A**     No, afterwards, no.

12          **Q**     So it is that last round of four or five  
13    gunshots that Michael Brown then collapses in the  
14    street?

15          **A**     Yeah. Around about that many times, I  
16    can't say exactly how many times he shot each time  
17    at all.

18          **Q**     Okay.

19          **A**     I never counted.

20          **Q**     Okay. And that's fair. Did you ever see,  
21    after Michael Brown went down on the pavement, did  
22    you ever see the officer shoot him again?

23          **A**     No.

24          **Q**     Did you see the officer go up to him?

25          **A**     Huh-uh.

1           **Q**     Okay. At some point did you see Dorian  
2     Johnson running away ever?

3           **A**     I didn't see him. Only time I saw him was  
4     on the side of that red car, I didn't look back to  
5     see him at all. I didn't see him any more after.

6           **Q**     On the side of what car?

7           **A**     At the side of the little white car.

8           **Q**     The Monte Carlo?

9           **A**     The Monte Carlo.

10          **Q**     You didn't see where he went after that?

11          **A**     No, I didn't.

12          **Q**     Did eventually, did                come down from  
13     her apartment?

14          **A**     I went upstairs to her.

15          **Q**     Did you girls eventually go down to the  
16     street?

17          **A**     I went, I came down whenever the officer  
18     said it was okay to come down, because the  
19     investigators were there, they wouldn't even let me  
20     come down at all, and they told us we had to stay up  
21     on the porch because they were trying to block it  
22     off, and we had to stay up and they were applying  
23     the tape.

24          **Q**     While the officers still had things taped  
25     off, did you eventually come down?

1           **A**     No, never.

2           **Q**     Never did?

3           **A**     I came down when they investigator got  
4     done talking to us.

5           **Q**     Did you ever use your phone to tape  
6     anything or record anything?

7           **A**     I did.

8           **Q**     And that's when you are on the ground,  
9     correct?

10          **A**     That was whenever I was not top on the  
11     balcony.

12          **Q**     Okay. So you went up to           's  
13     apartment and did she stay upstairs too or did she  
14     ever go downstairs?

15          **A**     I don't remember her going downstairs, I  
16     can't say for sure, but I never looked at that  
17     point. We were walking back and forth, up and down  
18     the steps. We were having two different  
19     conversations on our phone, we were both crying. I  
20     don't remember her going down, but I know I didn't  
21     go down.

22          **Q**     Okay. So this number five is her  
23     building, correct?

24          **A**     Uh-huh.

25          **Q**     Do you enter her building off of this

1 Canfield Drive horseshoe?

2 **A** No.

3 **Q** You enter --

4 **A** Those steps right there.

5 **Q** Right here?

6 **A** Yeah.

7 **Q** Right in front of Canfield Drive, right  
8 across from where Michael Brown's body was, correct?

9 **A** Uh-huh.

10 **Q** So after this happened, how long did you  
11 remain out here before you went inside the  
12 apartment?

13 **A** I went straight upstairs to her balcony.

14 **Q** Okay. And her balcony is on the front of  
15 the building?

16 **A** Yes.

17 **Q** Third floor?

18 **A** Yes.

19 **Q** Did the two of you, did she let you into  
20 her apartment, was she inside when you went to her  
21 apartment?

22 **A** She was standing on the balcony with her  
23 phone out recording and she was trying to say, I  
24 just saw him kill him. I said, yeah, I saw him too.  
25 And she was crying, I got on the phone I called my

1 fiancée and said, I just saw the incident.

2           **Q**     Okay. But she was in the apartment when  
3 you got there?

4           **A**     She was on her balcony, yes.

5           **Q**     You remained up there?

6           **A**     Yeah.

7           **Q**     You went upstairs?

8           **A**     We remained, we walked up and down the  
9 steps a couple of times, both on our phones and we  
10 stayed up there.

11          **Q**     Okay.

12          **A**     Or her and I stayed up there. I don't  
13 think she ever went down, the cops wouldn't let us  
14 come down.

15          **Q**     As far as you know, she stayed up there  
16 with you too?

17          **A**     Yes.

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

19                   MS WHIRLEY: Questions? Anybody?

20                   You did talk to a police officer that day,  
21 give a statement to the police officer the same day  
22 as the shooting?

23          **A**     Yes.

24                   MS WHIRLEY: Like within an hour or so of  
25 the shooting.

1           **A**     Yes.

2                   MS WHIRLEY:   Okay.

3                   MS. ALIZADEH:   And you have made numerous  
4     statements like in the media, correct?

5           **A**     Uh-huh, yes.

6                   MS. ALIZADEH:   And then recently you were  
7     interviewed by the FBI, correct?

8           **A**     Yes.

9                   MS. ALIZADEH:   Other than the statement  
10    you made that day to the County Police, and the  
11    statements you've made in the media and the  
12    statement you made to the FBI, have you ever made a  
13    statement to anybody else about this?

14          **A**     No.

15                  MS. ALIZADEH:   Other than talking amongst  
16    your friends or with your friends?

17          **A**     No, that's it.

18                  MS. ALIZADEH:   Pardon me?

19          **A**     No, that's it, I haven't.

20                  MS. ALIZADEH:   Okay.   And does  
21    still work for you?

22          **A**     Yes.

23                  MS. ALIZADEH:   Have you, other than the  
24    day that this happened, do you guys discuss this  
25    together?



9           **A**   No, not that I can think of.

15                    **A**        I will.

18 MS WHIRLEY: That will end the testimony  
19 of .

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3 State of Missouri

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SS.

5 County of St. Louis

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I,

a Licensed Certified Court

7

Reporter by the Supreme Court in and for the State

8

of Missouri, duly commissioned, qualified and

9

authorized to administer oaths and to certify to

10

depositions, do hereby certify that pursuant to

11

Notice in the civil cause now pending and

12

undetermined in the County of St. Louis, State of

13

Missouri.

14

The said witness, being of sound mind and being

15

by the grand jury first carefully examined and duly

16

cautioned and sworn to testify to the truth, the

17

whole truth, and nothing but the truth in the case

18

aforesaid, thereupon testified as is shown in the

19

foregoing transcript, said testimony being by me

20

reported in shorthand and caused to be transcribed

21

into typewriting, and that the foregoing page

22

correctly sets forth the testimony of the

23

aforementioned witness, together with the questions

24

propounded by counsel and grand jurors thereto, and

25

is in all respects a full, true, correct and

1 complete transcript of the questions propounded to  
2 and the answers given by said witness.

3 I further certify that the foregoing pages  
4 contain a true and accurate reproduction of the  
5 proceedings.

6 I further certify that I am not of counsel or  
7 attorney for either of the parties to said suit, not  
8 related to nor interested in any of the parties or  
9 their attorneys.

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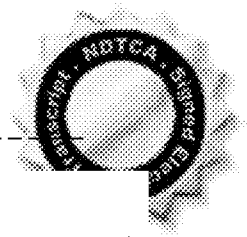
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1 COURT MEMO

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5 State of Missouri vs. Darren Wilson

6

7

8 CERTIFICATE OF OFFICER AND

9 STATEMENT OF DEPOSITION CHARGES

10

11 DEPOSITION OF Grand Jury, Volume VI

12

13 9/23/2014

14 Name and address of person or firm having custody of  
15 the original transcript:

16

17 St. Louis County Prosecuting Attorney's Office

18 100 S. Central Ave.

19 Clayton, MO 63105

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22

23

24

25

1 ORIGINAL TRANSCRIPT TAXED IN FAVOR OF:

2

3 St. Louis County Prosecuting Attorney's Office

4 100 S. Central Ave.

5 Clayton, MO 63105

6 Total:

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1 Upon delivery of transcripts, the above  
2 charges had not been paid. It is anticipated  
3 that all charges will be paid in the normal course  
4 of business.

5 GORE PERRY GATEWAY & LIPA REPORTING COMPANY  
6 515 Olive Street, Suite 700  
7 St. Louis, Missouri 63101

8 IN WITNESS WHEREOF, I have hereunto set  
9 STATEMENT OF DEPOSITION CHARGES

10 my hand and seal on this \_\_\_\_\_ day of \_\_\_\_\_  
11 Commission expires

12 \_\_\_\_\_

13 Notary Public

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