

Case: State of Missouri v. Darren Wilson

Grand Jury, Volume XXI

Date: November 13, 2014

This transcript is printed on 100% recycled paper



515 Olive Street, Suite 300
St. Louis, MO 63101
(314) 241-6750
1-800-878-6750
Fax: (314) 241-5070
Email: schedule@goreperry.com
Internet: [<<www.goreperry.com>>](http://www.goreperry.com)

STATE OF MISSOURI

VS.

DARREN WILSON

GRAND JURY

November 10, 2014

VOLUME XXI

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
11
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 10th day of November, 2014,
17 before

18
19
20
21
22
23
24
25

1 APPEARANCES OF COUNSEL:

2

3 FOR THE STATE:

4 Ms. Kathi Alizadeh & Ms. Sheila Whirley

5 Assistant Prosecuting Attorneys for St. Louis

6 County

7 100 South Central Avenue, 2nd Floor

8 Clayton, MO 63105

9 (314) 615-2600

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1	INDEX	
2		PAGE
3		
4	EXAMINATION	
5		
6	QUESTIONS BY MS. ALIZADEH	8
7		
8	QUESTIONS BY MS. ALIZADEH	83
9		
10	QUESTIONS BY MS. ALIZADEH	182
11		
12	EXHIBITS	
13	Grand Jury Exhibit 85 (map)	6
14	Grand Jury Exhibit 90 (inventory)	18
15	Grand Jury Exhibit 87 (FCC)	28
16	Grand Jury Exhibit 88 (list)	34
17	Grand Jury Exhibit 86 (CD)	98
18	Grand Jury Exhibit 91 (disc)	167
19	Grand Jury Exhibit 92 (disc)	171
20		
21		
22		
23		
24		
25		

1 GRAND JURY HEARING VOLUME XXI

2 MS. ALIZADEH: Good morning. It is
3 Monday, November 10th. It is about 9:30 in the
4 morning. This is Kathi Alizadeh, Sheila Whirley is
5 here and all 12 grand jurors are here, as well as
6 , the court reporter.

7 We started this morning with a
8 conversation that was not on the record, but someone
9 from the prosecutor's office has talked to the grand
10 jurors about their concerns for security, safety and
11 giving you some tips on how to be secure and safe
12 from here on out.

13 I will stress again it is my 100,
14 110 percent sure that your identities will never be
15 released by this office or by the courts. I'm aware
16 that some of you are concerned that, you know, your
17 identities might be discovered by people in the
18 media or others, you know. We're doing our best
19 that you are safe and secure after your service here
20 no matter what your decision. And so that took up a
21 little bit of time this morning.

22 So we are getting started this morning. I
23 have Sergeant first, he's with the Ferguson
24 Police Department, and he is in charge of their
25 communications.

1 I will tell you that last week we had
2 quite a bit of conversation, not conversation,
3 testimony and evidence regarding radio
4 communications, and regarding the county RIOT A
5 channel.

6 I will tell you that after our last
7 meeting, I think we met last Thursday was when we
8 were last here, I have discovered that channel three
9 is not the RIOT A channel in Ferguson.

10 So working under that assumption that it
11 was, and there was some talk about having a map and
12 so forth.

13 You remember who was here
14 and testified, he's with county communications. He
15 did a map for me that has the location of all of the
16 county's voting receivers, you remember those ones
17 that pick up the RIOT A channel.

18 There's also on the map where the Ferguson
19 receiver is in relation to where the officer was, so
20 I will hand out these maps.

21 (Grand Jury Exhibit Number 85
22 marked for identification.)

23 MS. ALIZADEH: I've marked my copy as
24 Grand Jury Number 85. Mine is not in color.

25 There's a legend on this map that says

1 that incident. Okay. So he describes on the map
2 incident and that would be what happened on
3 Canfield. The location of where the incident
4 occurred, okay.

5 And if you will look on the map, there's
6 actually a little police car and that's on the map,
7 that's him marking where the incident occurred on
8 Canfield.

9 So in this legend it says, incident to
10 Ferguson received, the main receiver at Ferguson
11 Police Department is 1.57 miles from the place of
12 the incident to the receiver.

13 So I'll pass those around. But my
14 understanding now is that the RIOT A channel might
15 not be relevant to our, to what you guys are looking
16 at. Maybe it was informative, but we are going to
17 have Sergeant talk about the Ferguson
18 communications and how that works and what exactly,
19 what channel is what and so forth, okay. So I will
20 go get him and get started.

21

22

23

24

25

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

EXAMINATION

8 BY MS. ALIZADEH:

9 **Q** Could you state your name and spell it for
10 the court reporter?

11 **A** Sergeant

12
13 **Q** And Sergeant , where do you work?

14 **A** Ferguson Police Department.

15 **Q** How long have you been a police officer?

16 **A** With Ferguson, 27 years.

17 **Q** And prior to that?

18 **A** Three years with Bel-ridge.

19 **Q** All right. So 30 year police veteran?

20 **A** Yes.

21 **Q** And how long have you been a sergeant in
22 Ferguson?

23 **A** Nine years.

24 **Q** And what are -- you're currently a
25 sergeant as well?

1 **A** Yes.

2 **Q** What are your duties and responsibility as
3 a sergeant in the City of Ferguson?

4 **A** I'm the supervisor for communications.

5 **Q** And so do you then, you're not a
6 supervisor of a squad of police officers?

7 **A** No, ma'am. The only time I do that is
8 when a supervisor goes on vacation and I will be a
9 substitute until they get back.

10 **Q** So when you're talking about being in
11 charge of communications, that would be 911 calls?

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

13 **Q** So Ferguson receives and dispatches their
14 own 911 calls, correct?

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

16 **Q** That doesn't go through St. Louis County
17 911?

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

19 **Q** Regarding radio traffic that gets called
20 in from the officer's radios, you are in charge of
21 that as well?

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

23 **Q** And so we've heard a bit of testimony
24 about radio traffic and how that works, but you,
25 Ferguson dispatches for themselves; is that right?

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

2 **Q** So you in the Ferguson Police Department
3 have an area where it's a communication center?

4 **A** Yes.

5 **Q** And the dispatchers work there?

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

7 **Q** How many dispatchers are employed by the
8 City of Ferguson?

9 **A** We have currently 14. Six of which are
10 full-time dispatchers, the rest are part-time.

11 **Q** So how many dispatchers work a shift?

12 **A** I try to get at least two in there,
13 sometimes there's three.

14 **Q** Does each dispatcher have their own
15 console?

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

17 **Q** And so when calls are coming in, can
18 either dispatcher, if there is two working, can
19 either dispatcher answer the call?

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

21 **Q** And can each dispatcher hear what the
22 officers were saying?

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

24 **Q** And can each dispatcher hear each other?

25 **A** Yes.

1 **Q** So one dispatcher can hear the other
2 dispatcher?

3 **A** Yes, uh-huh.

4 **Q** Are they in the same room physically?

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

6 **Q** And so you and I had a conversation, was
7 it last week that you came in to talk to me, I can't
8 remember now?

9 **A** No, ma'am, this is the first time I've
10 been in here.

11 **Q** Okay. We talked on the phone?

12 **A** Talked on the phone.

13 **Q** See, I knew I talked to you sometime. But
14 we talked on the phone about the channels that
15 Ferguson has, correct?

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

17 **Q** So now you brought radio with you today,
18 and this is a portable radio?

19 **A** Correct.

20 **Q** And so when an officer is on duty in a
21 police vehicle, we have a mobile radio which is
22 mounted in the car, correct?

23 **A** Yes.

24 **Q** And then he has a portable road?

25 **A** Yes.

1 **Q** And you are wearing your own portable
2 radio, correct?

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

4 **Q** And so do all the radios in Ferguson, the
5 portables, are they all the same, do they all look
6 the same?

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

8 **Q** So the radio that you bought with you
9 today, whose radio is that?

10 **A** That's Darren Wilson's.

11 **Q** Is each officer assigned his own portable
12 radio?

13 **A** Yes, they are.

14 **Q** So do they generally then take it home
15 with them at the end of their shift?

16 **A** They can take it home, they can do what
17 they want with it. It is theirs.

18 **Q** So it doesn't go to another officer?

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

20 **Q** And then, obviously, well, not obvious,
21 well, let's talk about the cars. So the radio
22 itself is mounted in a police car, that doesn't get
23 removed, correct?

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

25 **Q** That's the mobile?

1 **A** Yes.

2 **Q** And so does each officer have his own car
3 to take home?

4 **A** No, ma'am. The only ones that have their
5 own cars are resident officers that live in town
6 that have their own car. The only thing they don't
7 have in those resident cars are computers.
8 Everything else is set up the same.

9 **Q** So we've seen pictures and heard testimony
10 about Officer Wilson's car, that it was a Chevy
11 Tahoe?

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

13 **Q** Are all the Ferguson police vehicles like
14 that?

15 **A** No, ma'am. We have one Chevy detective
16 car, it's an Impala. And then we also have Crown
17 Vics that are weeding out of the system.

18 **Q** So the Tahoes are newer?

19 **A** Yes, they are.

20 **Q** And so Officer Wilson's car had a mobile
21 radio and then it also had a computer in it; is that
22 right?

23 **A** Yes, it is.

24 **Q** And you said that the resident officer,
25 people who live in the city limits get to take a car

1 home?

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

3 **Q** But they don't have computers?

4 **A** No.

5 **Q** Was Darren Wilson a resident officer?

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

7 **Q** So when you are done with your shift as an
8 officer, if you're not a resident officer, you take
9 your car back to the station and then get your
10 personal car and go home?

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

12 **Q** And then is that vehicle put back in
13 service like on the next shift?

14 **A** Yes, it is.

15 **Q** Okay. Um, so each car has a number; is
16 that right?

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

18 **Q** And so when a radio in a car calls out,
19 can the dispatcher tell by the signal which car it
20 is?

21 **A** No, ma'am. The only time you can tell
22 which vehicle it is if the alert tone is sounded,
23 that's the emergency alert tone. It will come up
24 with what they call an alias on the screen and that
25 will tell which vehicle it is so that dispatcher is

1 aware.

2 **Q** And so we already heard some testimony
3 about the alert tone, and that's the orange button
4 that's on the mobile, the portable; is that right?

5 **A** Yes, ma'am, it is this button.

6 **Q** There's an orange alert button also on the
7 mobile radio inside the car, correct?

8 **A** Yes, there is.

9 **Q** And so if an officer activates that alert
10 button, can the dispatcher tell what radio it is by
11 his car 108?

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

13 **Q** And, obviously, each officer has their own
14 radio, they would know whose radio it is?

15 **A** Yes.

16 **Q** If it is a portable?

17 **A** Yes. It comes up on a screen with their
18 name and also the radio number.

19 **Q** Okay. And then you also told me that it
20 would say M, for mobile or P, is there P for
21 portable?

22 **A** That's on the new system for the cars. If
23 the cars, the alias will come up with the last
24 letter M is for mobile. When we switch over to the
25 new radio system, that will still be with a P for

1 portable, but we do not have that yet.

2 **Q** We heard some talk about the County
3 installing or putting in place this new 800
4 megahertz radio communication system; is that right?

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

6 **Q** But you are not apart of that yet?

7 **A** Not yet.

8 **Q** So the radio system that you are using
9 today, is that the same radio system that was in
10 place on August 9th?

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

12 **Q** So everything that we're talking about so
13 far was the way it was on August 9th?

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

15 **Q** And so if an officer hits that alert tone,
16 we have already heard what happens then, but the
17 dispatcher is able to tell at least whether it is a
18 mobile radio or a portable radio?

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

20 **Q** And then the dispatcher would know by the
21 radio number whose portable it was?

22 **A** Yes.

23 **Q** And they also know if it is a mobile
24 radio, what car it's in?

25 **A** Right.

1 **Q** All right. And so the radio that you
2 brought with you, you said is Darren Wilson's radio,
3 correct?

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

5 **Q** And you took the back off of it to show me
6 something earlier today?

7 **A** Yes, it is the radio. Each radio comes
8 with a number, either their DSN is on there or their
9 name is the put on the radio itself. And it
10 coincides with the inventory list that is made up
11 when the radio is passed out.

12 **Q** And so you just took the back off of that
13 portable radio and what's written on the inside of
14 it?

15 **A** D. Wilson, radio 99.

16 **Q** And so is 99 the radio number or is that
17 his DSN?

18 **A** That is the radio number.

19 **Q** Okay. And so if ever, I mean, all the
20 radios look alike. If ever two radios would get
21 mixed up, you would be able to open that up, anybody
22 could open it up and see whose it is?

23 **A** Yes, ma'am. We can also look at the
24 serial number also on there and determine whose it
25 is.

1 (Grand jury Exhibit Number 90
2 marked for identification.)

3 **Q** (By Ms. Alizadeh) I'm going to hand you
4 what I marked as Grand Jury Exhibit 90. You brought
5 with you today some paperwork about the
6 communication system and who is assigned to what
7 radio and so forth; is that right?

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

9 **Q** I am going to show you Grand Jury Exhibit
10 Number 90. It says portable radio inventory. Did
11 you print that off and bring it with you this
12 morning?

13 **A** Yes, I did.

14 **Q** What does this show?

15 **A** This is telling me who has the radio,
16 model number of the radio, the number of the radio
17 and also the serial number of the radio.

18 It also tells me if it has a mike
19 attached to it.

20 **Q** Okay.

21 **A** Whose the patrol detectives, or the jail,
22 who has the radio.

23 **Q** Okay. So now in the column that says
24 assignment vehicle, personnel, spare, cash, et
25 cetera, it has officer's DSN as opposed to their

1 names, correct?

2 **A** Yes.

3 **Q** What is Officer Wilson's DSN?

4 **A** 609.

5 **Q** So on this record then we can see that DSN
6 609 has radio HT750 and then in the corner it says
7 99, who wrote that?

8 **A** I wrote that.

9 **Q** Did you write that prior to coming today?

10 **A** No, a lot of these when we were doing
11 inventories, either the officer was off that day or
12 they were on vacation. And I, as you can see there,
13 is like unknown what their numbers are.

14 So when they come back on duty, then
15 I can get with them and find out what their number
16 is and I will write it in.

17 **Q** Okay. I'm going to pass copies of this
18 around to everybody.

19 And so not only can you tell that
20 that's Officer Wilson's radio by looking in the
21 back, but also you can double check with the
22 inventory that you have to make sure that the serial
23 number on that radio is the same as the radio
24 assigned to him, correct?

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

1 **Q** Okay. And so again, when a radio, when
2 somebody on a portable radio calls in to dispatch,
3 is there anything on a screen that tells that
4 dispatcher who it is?

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

6 **Q** And so how is it that officers then will
7 typically identify themselves when they are calling
8 in?

9 **A** They have sectors. And that's determined
10 when they come in in the morning and they are doing
11 the roll call, the supervisor will give them a
12 sector. That sector number, which will be like
13 maybe F22, F23, that's their sector number, that's
14 their call sign for dispatch.

15 **Q** Is that permanently their sector number or
16 does it change on a regular basis?

17 **A** It changes on a regular basis. They do
18 what they call a rotation of sector.

19 **Q** Okay. So is a sector a geographic area?

20 **A** Yes, it is.

21 **Q** How many sectors are there in Ferguson?

22 **A** There's four.

23 **Q** So at any given time, how many officers
24 are on assignment in a sector?

25 **A** One officer will take care of their

1 sector. And then usually if the squad has a full
2 amount of officers, they will have what they call
3 cover cars. Those cover cars will assist the
4 sectors on any calls.

5 So if you have a sector car, say F25
6 goes out on a call, a sick case and he's tied up on
7 that sick case, dispatch will know that. She will
8 send a cover car to take another call in his sector.

9 Q So each sector has one officer that is
10 assigned to it for that shift?

11 A Yes, ma'am.

12 Q And then how many cover cars are out on
13 any given shift?

14 A It can range from maybe one to three, and
15 I've even seen four, depending on how many people
16 are working that day.

17 Q So the cover car is kind of roaming around
18 the city and can go anywhere whereas the sector car
19 is going to stay in their own sector?

20 A Yes, ma'am.

21 Q Unless they have to leave their sector for
22 whatever reason?

23 A Right.

24 Q And then on any given shift, there's a
25 supervisor on duty, correct?

1 **A** Yes, there is.

2 **Q** How many supervisors?

3 **A** There is usually two lieutenants and a
4 sergeant.

5 **Q** Okay. So the sergeant would be directly
6 in charge of the officers that are riding around in
7 their sector and the cover cars?

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

9 **Q** And then is that sergeant generally also
10 in uniform in a patrol car patrolling the city?

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

12 **Q** And then what's the lieutenant doing?

13 **A** He's usually in the station doing
14 paperwork, doing the reports. When he usually gets
15 called, caught up with the paperwork he'll come out
16 on patrol also to assist.

17 **Q** So on any given shift there's just one
18 shift working, so there would be one sergeant and
19 four sector cars and maybe one to three cover cars?

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

21 : . When an
22 officer, when a sector car is out on duty and he
23 takes a call.

24 **A** Uh-huh.

25 Does the cover car, do he

1 calls in and let you know, I'm in position to take
2 this matter, this issue, blah, blah, blah. Does the
3 cover car gets called in to let him know, okay, I
4 need the cover car to service the area or how it
5 works?

6 **A** I know what you are saying.

7 : Okay.

8 **A** Usually it works like this. If I call a
9 car to a sector and that car is out on a sick case,
10 the cover car automatically hears that they kind of
11 move over to that area.

12 : Okay.

13 **A** They are not actually told to cover it,
14 but just in experience, they will move to that area
15 knowing that something could break out in there so
16 they have coverage. So it is mainly the officer, it
17 takes the experience of the officer to hear that and
18 he'll move over into that area.

19 : The cover car should be
20 able to hear?

21 **A** Oh, yeah.

22 : Okay. I lost my thought.

23 **A** Sometimes you'll hear a supervisor get on
24 the radio and say Frank 28 centralized. That means
25 they want him to move in closer to his area to cover

1 it.

2 Okay. You answered it,
3 okay, thanks.

4 **Q** (By Ms. Alizadeh) So when an officer is on
5 duty and patrolling, is he by himself in his
6 vehicle?

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

8 **Q** And currently you have two officers
9 patrolling together; is that right?

10 **A** Yes.

11 **Q** And that's because of the unrest that has
12 happened since August 9th?

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

14 **Q** Prior to August 9th you would have one man
15 per car?

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

17 **Q** And so if the officers are out on patrol,
18 you had people already testify that in the mobile
19 car you can have like one channel tuned in and you
20 can have a different channel tuned in on your
21 portable. Are the officers to be monitoring the
22 dispatch channel at all times?

23 **A** They do. You've got to remember the
24 mobile units have what they call a scan portion in
25 it and dispatch is put in on a priority button. So

1 even if you are on scan and say RIOT A comes up on
2 your radio and they're listening to the RIOT
3 channel. As soon as dispatch hits their key in
4 dispatch, it will cut them off and put them in
5 priority. So they're constantly monitoring that
6 dispatch channel.

7 **Q** So the dispatcher at the station, she's on
8 a transmitter, he or she is on a transmitter. Do
9 you know how many watts that transmitter is?

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

11 **Q** Can anybody in the city typically hear the
12 transmission from the dispatcher?

13 **A** They can. Sometimes you do miss calls.

14 **Q** And so, you know, we talked earlier about
15 this say, for example, an officer is going to go on
16 a sick call, we've talked about, that would be
17 something that is like short of breath or there has
18 been somebody faint or something, so the officer is
19 going to go to a residence and they're going to walk
20 up to the house. So they leave their mobile car,
21 the mobile radio in their car and now they're on
22 their walkie-talkie or their portable, right?

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

24 **Q** And so you've told me that it is not
25 unusual, or even it might be typical that the

1 officer once he makes contact or goes into the
2 residence, might even turn down the volume on his
3 radio and why is that?

4 **A** That's to, when an officer goes into a
5 sick case, we have a lot of elderly folks, they are
6 hard to hear. An officer will walk up and just turn
7 the radio down a portion just so they can hear. You
8 can hear it through the mike, you don't hear it
9 through the receiver itself, you hear it through the
10 mike so it is pretty close. Even when it's down you
11 can hear it.

12 They want to have all of their
13 attention on that person or patient and not listen
14 to a bunch of garble.

15 **Q** Okay. So is it also possible that if
16 you're on your portable radio and say you go into a
17 building or whatever, that your radio might not
18 actually receive a call because of you being inside
19 a building?

20 **A** Right. We have a lot of problems in what
21 we call one sector where Wal-Mart and Sam's.
22 Because of the metal building, our walkies won't get
23 out. A lot of time they can hear at dispatch, but
24 officers can't call out.

25 **Q** And if an officer is on the dispatch

1 channel and calls out, if that call is not heard by
2 dispatch, how does the officer know that?

3 **A** Say it again?

4 **Q** If the officer calls out on the dispatch
5 channel.

6 **A** Okay.

7 **Q** And let's say that the dispatch doesn't
8 get that call, they don't hear it or they can't make
9 it out?

10 **A** Uh-huh.

11 **Q** How does the officer, how might you know
12 that?

13 **A** Dispatch would constantly try to get in
14 contact with the officer. All dispatchers have
15 their cell phone numbers for officers. They have a
16 paper in front of them. It is in a book. If they
17 can't get ahold of an officer, a lot of time, say
18 they pick up shoplifter at Wal-Mart, they will
19 attempt to call that officer several times. And if
20 they can't get him, they realize they are in a metal
21 building. So they'll right away get either on their
22 cell phone or they will call Wal-Mart store to get
23 ahold of them.

24 **Q** So if an officer actually calls, makes a
25 call on his mike.

1 **A** Okay.

2 **Q** And that doesn't get received, there's no
3 tone or anything that tells him it wasn't received,
4 correct?

5 **A** No, no.

6 **Q** And so are there times then when the
7 officer, so when an officer makes a call into
8 dispatch and he may or may not use his call signal
9 for that day, correct?

10 **A** Right.

11 **Q** And so he may call in Frank 21 and then
12 dispatch will say Frank 21 repeat, to let him know I
13 heard you?

14 **A** Right.

15 (Grand jury Exhibit Number 87
16 marked for identification.)

17 **Q** (By Ms. Alizadeh) Okay. And I'm going to
18 hand you what is marked as Grand Jury Exhibit Number
19 87. This is another document that you brought with
20 me today, or brought with you. This is entitled
21 Federal Communication Commission Public Safety and
22 Homeland Security Bureau Radio Station
23 Authorization.

24 Does this document indicate what your
25 callers are or whatever?

1 **A** Yes, ma'am. This is framed and put in our
2 dispatch and hanging on the wall. This is our
3 actual license to use the radio.

4 **Q** Okay.

5 **A** And there's a call sign at the top, it's
6 KAG843. That's what dispatchers use that number to
7 tell other departments that they're clear on
8 different calls.

9 **Q** I am going to pass that out as well to
10 everyone.

11 And then I'm also going to show you
12 Grand Jury Exhibit Number 89. You brought that with
13 you today too, right?

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

15 **Q** So this is something that looks like you
16 printed off on your computer; is that right?

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

18 **Q** Is this a Word document or something?

19 **A** Yes, it is actually an email.

20 **Q** An email?

21 **A** Uh-huh.

22 **Q** So now what is this that you are showing
23 me?

24 **A** Last, it is probably around April we
25 started getting from St. Louis County our new radio

1 systems came in for the mobiles and we are supposed
2 to set up some time for all of our vehicles to be
3 taken to Wireless USA, which is in Maryland Heights
4 to get new radios put in.

5 This here is an appointment list, so
6 to speak, telling me what cars need to go, what time
7 and date they need to arrive there to get the car
8 radio put in.

9 Q Do you know back in August what car Darren
10 Wilson was in? Let me ask you this, would he always
11 be in the same car every time he was on shift or
12 does he just get a different car every time?

13 A They usually stay in the same car unless
14 it is out for service or something is wrong with the
15 vehicle.

16 Q Okay. How about vehicle 108?

17 A Yes, ma'am.

18 Q Does that document show whether or not
19 that vehicle had a new mobile radio put in?

20 A Yes, ma'am.

21 Q When did that happen?

22 A May the 28th.

23 Q Okay. So as of May of this year, car 108
24 had a new mobile radio put in it?

25 A Yes, ma'am.

1 **Q** What about the walkie-talkies, were those
2 replaced as well?

3 **A** No, ma'am, they're still the same ones.

4 **Q** Okay. And we've already heard testimony
5 that the walkie-talkies are 5 watts and the mobile
6 radio are 10-watt, is that still true?

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

8 **Q** Okay. And in your experience as an
9 officer patrolling the streets of Ferguson, is it
10 unusual for an officer to transmit a call from his
11 portable radio that dispatch does not get?

12 **A** No.

13 **Q** And why would that be?

14 **A** It could be a lot of circumstances. It
15 could be the terrain, it could be any number of
16 things where the officer is at if he's in a
17 building, depending on if he's in concrete, if he's
18 in a basement.

19 **Q** Are there particular areas of the city
20 where transmissions are poor?

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

22 **Q** And have you heard the phrase, dead zone?

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

24 **Q** Is that an area where it might have poor
25 transmission?

1 **A** Yes.

2 **Q** Do you know where the deadzones are in the
3 City of Ferguson?

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

5 **Q** What about the area of Canfield Green
6 Apartment Complex, is that a dead zone?

7 **A** That could be considered a dead zone.

8 **Q** Okay. So is it sometimes difficult to get
9 transmissions from a portable from that dead zone
10 area?

11 **A** Yes.

12 **Q** And you and I and one of your dispatchers
13 actually sat and listened to a lot of calls this
14 morning; is that right?

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

16 **Q** And we're going to hear those calls, but
17 are there times when a call might just be static?

18 **A** Yes.

19 **Q** And that might be somebody calling in for
20 some reason, the signal strength does not allow him
21 to be heard?

22 **A** Right.

23 **Q** And are there times when there are calls
24 when you can kind of hear garbled talking?

25 **A** Uh-huh.

1 **Q** Would that also be, again, possibly their
2 signal is weak or there might be some building in
3 between that transmitter and the receiver?

4 **A** That could be a number of things. That
5 could be either the signal is weak, could be that
6 somebody is walking on them, meaning somebody is
7 trying to call in at the same time they're talking.

8 **Q** Okay. And when that happens, is it the
9 stronger signal that walks on top of the other call?

10 **A** Yes, it is.

11 **Q** It doesn't matter who keys their mike up
12 first?

13 **A** No.

14 **Q** If somebody keys their mike up and starts
15 talking and the stronger signal keeps their mike up,
16 the person who is weaker will cut out?

17 **A** Correct. Usually that happens when an
18 officer's in a vehicle with a higher range of power
19 and it will cut the walkie.

20 **Q** Okay. And so the walkies or the portables
21 being the weaker signal, you would find that that
22 would be something that would occur most often with
23 a portable?

24 **A** Yes.

25 **Q** Now, we talked about in our phone

1 conversation last week, we talked about the channels
2 that Ferguson has, correct?

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

4 **Q** Now, on your radios we already have heard
5 that there are 16 selectors or positions that you
6 can have, 16 channels. How many channels does
7 Ferguson use?

8 **A** We use two, or ten.

9 **Q** Ten channels?

10 **A** Ten channels.

11 **Q** Are those one through ten or do you skip a
12 number?

13 **A** It is one through ten.

14 **Q** And so did I ask you or did you provide
15 for me a list of what channel is what today?

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

17 (Grand Jury Exhibit Number 88
18 marked for identification.)

19 **Q** (By Ms. Alizadeh) I'm going to show you
20 Grand Jury Exhibit Number 88. Is that what you gave
21 me today that list what channels are what?

22 **A** Yes, it is.

23 **Q** And now, so I'm going to pass this out as
24 well.

25 So on that list it shows that channel

1 one is the dispatch channel?

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

3 **Q** And then channel two is?

4 **A** We used to have Cool Valley on our
5 channel, they're not with us any more, but it's our
6 backup channel they call it.

7 **Q** Okay. And then channel three is what?

8 **A** North County Fire Department.

9 **Q** Okay.

10 **A** Fire district actually.

11 **Q** And so channel three the North County Fire
12 District back on August 9th?

13 **A** Yes, it was.

14 **Q** And then channel four is what?

15 **A** That's used to be the old Public Works
16 slot. They went ahead and put Hazelwood and
17 surrounding municipalities on there as a receive
18 only so we can hear what's going on.

19 **Q** And then number five?

20 **A** Number five is your RIOT A channel.

21 **Q** So that's the county's RIOT A channel?

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

23 **Q** And then number six?

24 **A** Number six is mutual aid.

25 **Q** We've heard mutual aid, what is that

1 channel for?

2 **A** Mutual aid is used like for airplane
3 crashes, disasters, it is a whole bunch of people
4 getting on there.

5 **Q** Okay. And then channel eight is what?

6 **A** Point-to-point.

7 **Q** And that is you've got here, UMCL, what
8 does that mean?

9 **A** That's UMCL and another surrounding area
10 we can hear also.

11 **Q** So that's a point-to-point channel?

12 **A** No, ma'am, that's just another channel
13 where we hear other municipalities.

14 **Q** Number nine?

15 **A** Berkeley.

16 **Q** And ten?

17 **A** Is North County Muni.

18 **Q** Okay. Now on some of these channels such
19 as number three, number four, number nine, I'm
20 sorry, I skipped, number seven, number eight, number
21 nine and ten, you have here REC, only. What does
22 that mean?

23 **A** Those are receive only. You can only hear
24 the people, you cannot talk or transmit back to
25 them.

1 **Q** All right. And so is channel three a
2 receive only channel?

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

4 **Q** So an officer whose walkie-talkie is on
5 channel three, he can hear somebody transmitting on
6 that channel, but he can't transmit on that channel?

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

8 **Q** How about dispatch, if dispatch is on
9 channel three, can they transmit on that channel?

10 **A** Yes, they can.

11 **Q** Can they also hear what is being received
12 on that channel?

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

14 **Q** And then so we also talked earlier today
15 about when an officer's radio is on channel three,
16 and you demonstrated for me if an officer has his
17 radio tuned to a receive only channel, does he get a
18 tone on that radio?

19 **A** Yes, he does.

20 **Q** And what's the purpose of that?

21 **A** Telling that person that you need to get
22 on a transmission station, you're on a receive only.

23 **Q** So does that tone play when you switch to
24 that channel or does it only play if you key up the
25 mike?

1 **A** The only time it plays a tone if you
2 switch to the channel as if that's just a dead
3 channel completely. If it isn't, you can switch it
4 to that channel, but as soon as you key up on it, it
5 will make the same tone.

6 **Q** So like you don't have channel 12 in
7 Ferguson, correct?

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

9 **Q** So if you switch the radio to channel 12,
10 you're going to hear a tone?

11 **A** As soon as you switch to it.

12 **Q** That tone comes out of the mike?

13 **A** It actually comes out of both the receive
14 and the mike.

15 **Q** So if it is not a dead channel, so it is
16 like channel three, a receive only channel, you have
17 to actually key up the mike to hear that tone?

18 **A** You actually don't know until you key up.
19 It is quiet until you try to transmit and then it
20 will make a loud tone.

21 **Q** You did that for me in my office, correct?

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

23 **Q** We experimented, there is a volume button
24 on your radio, correct?

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

1 **Q** And the volume button, obviously, turns
2 the volume down on the radio, correct?

3 **A** Yes.

4 **Q** Does it turn that tone down as well?

5 **A** It turns it down, but you can still hear
6 it, still audible.

7 **Q** Y'all want to hear him play that tone on
8 the radio.

9 (All grand jurors indicate yes.)

10 **A** You get the chirp turning the radio on.

11 **Q** Okay.

12 **A** This is channel three, it is dead, it is
13 silent. (indicating) That's what the officer would
14 hear, that's telling him, hey, get on a different
15 channel, you are a receive only. A dead channel
16 would be as soon as you hit that dead channel, it
17 tones.

18 **Q** Okay. Put it on a dead channel for me,
19 now turn the volume all the way down. Okay. So you
20 still hear a tone, but it is a lot quieter?

21 **A** Right.

22 **Q** It does come out of mike that is next to
23 your ear?

24 **A** Yes.

25 **Q** And it comes out of the actual portable

1 radio too?

2 **A** Yes.

3 **Q** And if you are on a receive only channel,
4 it would only happen once you key up the mike?

5 **A** Right.

6 **Q** All right. So let's see. I think I've
7 passed everything out that I brought with except
8 there is something I didn't know that it has the
9 receipts, you brought some receipts. They don't
10 need to --

11 **A** I think you have those.

12 **Q** I have those, yeah. Okay. So Sergeant
13 , I'm saying CAD is capital C-A-D?

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

15 **Q** What does CAD stand for?

16 **A** That's Computed Aided Dispatch.

17 **Q** What is CAD, what is the CAD system?

18 **A** That's when we have calls, we have a ITI
19 system it is called. And what they do, the call
20 will come out, dispatchers use that for the
21 reporting. The officer can write in there what they
22 did. There is a report that doesn't need to be
23 taken, an official report, they can put, it is like
24 a little entry in there for notes. What he did when
25 he was on the call, that way that's always in there.

1 **Q** So this is via computer?

2 **A** Yes, it is.

3 **Q** Doesn't come across your radio?

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

5 **Q** And so the dispatcher when she takes a
6 call and she hears an officer call in and say
7 something.

8 **A** Uh-huh.

9 **Q** And then she would have to separately
10 enter in a call on the computer in the CAD system?

11 **A** Yes.

12 **Q** So she puts some kind of notes related to
13 this call?

14 **A** Yes.

15 **Q** And then that information, that CAD
16 information, does that show up in the officer's
17 computers in their cars?

18 **A** Yes, it does.

19 **Q** And then the officers can also enter
20 things in the CAD system, correct?

21 **A** Yes, they can.

22 **Q** And if the officer does, does the
23 dispatcher see that on her computer as well?

24 **A** Yes.

25 **Q** And can each car see what the other cars

1 are entering?

2 **A** Yes. The only thing they can't do is
3 correct something.

4 **Q** They can't change somebody else's entry?

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

6 **Q** How about dispatch, can she change it?

7 **A** No, ma'am. Only a supervisor can do that.

8 **Q** Now, let's talk about internal clock. We
9 talked about this you and I. So when a call is
10 received by an officer into dispatch, there's a
11 clock in dispatch that the dispatchers use, correct?

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

13 **Q** And it is physically a digital clock that
14 sits there, correct?

15 **A** Yes.

16 **Q** And is that clock the accurate time?

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

18 **Q** I don't even know what the accurate, there
19 is some kind atomic, I was going to say nuclear.
20 Some type atomic clock in some mountain state some
21 place, so that clock is the exact time, correct?

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

23 **Q** So sometimes when the dispatcher
24 responding, or involved in a call she will actually
25 call out the time 11:36?

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

2 **Q** She's getting that from her clock?

3 **A** Yes.

4 **Q** Now, when a dispatch call comes in and
5 might be answered by the dispatcher, does the
6 computer give that call a date and time?

7 **A** Yes.

8 **Q** And is that the same time that might be on
9 the call clock that the dispatcher is looking at?

10 **A** Yes, it is.

11 **Q** Is it ever off, have you had occasions to
12 see that those two times are not the same?

13 **A** Sometimes they do get unsynchronized. The
14 main problem we have is the 911 system, it is not
15 synchronized.

16 **Q** So let's talk about the 911 system. I
17 think you already said Ferguson does their own 911
18 calls, correct?

19 **A** Yes, uh-huh.

20 **Q** So the dispatcher handles those as well?

21 **A** Yes, they do.

22 **Q** Those are separate from the radio traffic,
23 but they still come from the dispatcher?

24 **A** Yes.

25 **Q** Those calls also have a date and time

1 assigned by the computer?

2 **A** Yes.

3 **Q** And so you're saying that you had problems
4 with that internal clock for the 911 calls?

5 **A** Yes.

6 **Q** And how many minutes have they been off in
7 the past?

8 **A** I've seen it as much as 21 minutes off.

9 **Q** Okay. So if you are, would it be fair to
10 say then that if you're going to look back at your
11 911 calls and the record of the calls, the time
12 that's listed for those calls on the computer are
13 not necessarily accurate?

14 **A** Right.

15 **Q** Okay. And you also said that it might be
16 that the actual dispatch call radio traffic, that
17 might be not in sync with the actual clock that the
18 dispatcher is looking at?

19 **A** Exactly.

20 **Q** And are all radio traffic calls recorded?

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

22 **Q** And how long -- do you keep those
23 recordings in Ferguson?

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

25 **Q** And how long does Ferguson keep those

1 recorded calls?

2 **A** 90 days.

3 **Q** Is it automatic?

4 **A** Yes, it automatically covers itself.

5 **Q** What about the 911 calls, does Ferguson
6 record those?

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

8 **Q** Are those also dumped after 90 days?

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

10 **Q** If you need to retrieve a call, though,
11 prior to it being dumped after 90 days, can you burn
12 those calls on a disc?

13 **A** Prior, yes.

14 **Q** Prior to them being dumped?

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

16 **Q** And once they're dumped, their gone
17 forever?

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

19 **Q** So now you and I and your dispatcher
20 listened to some calls this morning?

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

22 **Q** You guys were here extra early at
23 6:30 this morning and we were listening to calls?

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

25 **Q** And with the help of the two of you, you

1 were helping me understand what was being said and
2 what was going on in these calls, correct?

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

4 **Q** Now, you testified that each officer has a
5 call number assigned to him?

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

7 **Q** And depending on the day or the shift that
8 call number could be different?

9 **A** Right.

10 **Q** But does the dispatcher have a roster for
11 that day with the call number?

12 **A** Yes, supervisor brings one up to her.

13 **Q** Every day?

14 **A** Yes, ma'am, every shift.

15 **Q** So Frank 24 on Monday might be ,
16 but, well, actually Frank 24 is the supervisor,
17 isn't it?

18 **A** No.

19 **Q** No.

20 **A** Frank 24, on what day?

21 **Q** You're right, I was thinking of is
22 23.

23 **A** Yes, that's the only number that will stay
24 the same.

25 **Q** The supervisor number always stays the

1 same, but the officers call number can change from
2 day-to-day?

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

4 **Q** So did you and your dispatcher and I
5 listen to these calls that we were listening to
6 today, did we figure out what numbers were what
7 officers?

8 **A** Yes.

9 **Q** You recognize the voices of a lot of these
10 officers, is that fair to say?

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

12 **Q** And your dispatcher, she listens to these
13 same officers every day, did she indicate that she
14 recognizes people's voices?

15 **A** Yes.

16 **Q** So take notes because I don't have this
17 written down, I don't have this down. So on
18 August 9th for the calls that we were listening to
19 today, Frank 21 was Darren Wilson, correct?

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

21 **Q** And Frank 22, was it ?

22 **A** .

23 **Q** And Frank 23 was Sergeant ?

24 **A** Yes.

25 **Q** Frank 24 was Officer ?

1 calls or did he use his DSN?

2 **A** He uses his DSN on this call.

3 **Q** Just to make this even more confusing,
4 each officer has a DSN, correct?

5 **A** Department serial number.

6 **Q** That is their number always?

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

8 **Q** And then you are assigned to a car that
9 has a car number, correct?

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

11 **Q** And that may change?

12 **A** Yes.

13 **Q** But it generally stays the same?

14 **A** Stays the same.

15 **Q** And then the officer has a call signal
16 Frank 21 and Frank 24. And each officer for the
17 shift has a different call center, correct?

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

19 **Q** But that may change the next day?

20 **A** Yes.

21 **Q** And then each officer has his own
22 walkie-talkie?

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

24 **Q** That he takes with him and may take home,
25 correct?

1 **A** Yes.

2 **Q** Okay. Are we thoroughly confused?

3 MS. WHIRLEY: We have a question.

4 : I didn't get that last
5 one, I got Frank 41 was , who was the last
6 one?

7 MS. ALIZADEH: Lieutenant .
8 and you said ?

9 **A** It is .
10 : And he just uses a DSN?

11 **A** Yes, on that call that night. He was off
12 that day. He is a resident officer.

13 **Q** (By Ms. Alizadeh) I'm setting this up
14 because we are going to hear some calls and I've got
15 a transcript and the officers are identified by
16 their number like 21, 22, 24, okay.

17 So you and I and your dispatcher sat
18 down and we went over these calls this morning and I
19 actually made some changes on the transcript as you
20 would be telling me oh, that's so and so.

21 **A** Right.

22 **Q** So sometimes when the officer calls in
23 they don't identify themselves by their signal or
24 their call number, correct?

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

1 **Q** And sometimes when the officers call, they
2 can talk to each other, correct?

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

4 **Q** And sometimes they use their first names?

5 **A** Yes.

6 **Q** , , we hear on the transmissions,
7 correct?

8 **A** Right.

9 **Q** Okay. Now, we're going to play the call
10 with the dispatcher. So her voice is heard on this
11 as well and she can identify people as well, but for
12 the purposes of understanding how the communication
13 system in Ferguson works or any of the testimony
14 from this witness, does anybody have any questions
15 or additional questions?

16 MS. WHIRLEY: I do.

17 MS. ALIZADEH: Sheila, sorry, go ahead.

18 MS. WHIRLEY: What sector is Canfield
19 Green Apartment?

20 **A** That's four sector.

21 MS. WHIRLEY: That's four sector?

22 **A** Four sector.

23 MS. WHIRLEY: How many people are assigned
24 to that sector on August 9th?

25 **A** That's just one officer.

1 MS. WHIRLEY: Just Officer Wilson?

2 **A** No, ma'am. It was Officer .

3 MS. WHIRLEY: Okay. Was Wilson the cover
4 car?

5 **A** No, ma'am. He was 21. He's actually one
6 sector, that's up by the highway.

7 MS. WHIRLEY: All right. So I guess I
8 don't understand, he was patrolling that sector, but
9 that was not his sector.

10 **A** He was assisting on a call.

11 MS. WHIRLEY: Okay. That's why he was
12 there at that location?

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

14 MS. WHIRLEY: His radio was operable that
15 day?

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

17 MS. WHIRLEY: And I know the dispatcher
18 has got to do the calls with us. So you may or may
19 not know the answer to this question, but I'd like
20 to know the amount of time from when Wilson called
21 out in Canfield, you remember that call?

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

23 MS. WHIRLEY: He says I've got two
24 subjects, or something to that effect?

25 **A** Uh-huh.

1 MS. WHIRLEY: The time between then and
2 when his assistance arrived, would you know that or
3 we need to listen to the dispatcher?

4 **A** You could probably hear that on the tape.

5 MS. WHIRLEY: You don't know that
6 timeframe?

7 **A** No, ma'am. It was pretty instantaneous
8 though.

9 MS. WHIRLEY: When he first called, he had
10 two on Canfield, his assistance came from quickly.

11 **A** If I remember right, I'll be out with two,
12 send me another car.

13 MS. WHIRLEY: Right.

14 **A** And Frank 25 is the one who responded to
15 you. Could hear him with his engine and the car
16 going to the scene, he gets there pretty quick.

17 MS. WHIRLEY: Okay. We don't know the
18 time, we might be able to figure out?

19 **A** You can probably figure it out.

20 MS. WHIRLEY: Okay. Now that emergency
21 alert tone, that orange button, are officers trained
22 on that or taught, is that ever discussed with the
23 officers as to when it is appropriate to use that?

24 **A** Yes, that's one of the first things they
25 are taught on is that alert tone because that's

1 their lifeline.

2 We do also do radio checks every
3 Sunday on the midnight shift for alert tone test to
4 make sure that the alert tone is still working.

5 We also do that with cars too, so
6 that's all done on a Sunday evening when they're
7 somewhat quiet.

8 Each officer that's working will have
9 to hit their alert tone so we know that walkie is
10 working then. If it isn't, we know to take it out
11 and get them another walkie and get it repaired.

12 MS. WHIRLEY: So they do that on a weekly
13 basis?

14 **A** Yes, ma'am, it's every Sunday night on the
15 midnight shift.

16 MS. WHIRLEY: So that's a pretty important
17 part on knowing how to communicate for your life?

18 **A** Yes, it is.

19 . It
20 doesn't matter what radio frequency that you are on
21 if you hit that alert button?

22 **A** It could be on any channel and you hit
23 that alert tone and it takes it over. It basically
24 takes the radio from you so to speak.

25 Okay.

1 MS. WHIRLEY: When they hit that alert
2 button, the dispatcher immediately knows who is
3 hitting it and what to do?

4 A Yes, ma'am. There's a screen up in front
5 of each dispatcher. It's a radio screen and up in
6 the corner it will tell whose walkie it is by name
7 and the walkie number.

8 MS. WHIRLEY: When that button is hit,
9 what is the dispatcher, what is she supposed to do
10 or he?

11 A They ask right away, everything else quits
12 all the traffic dies down. She gets on there and
13 asks, you know, who the walkie is, are you okay.
14 Everything 10-4 and then he's supposed to respond
15 back.

16 MS. WHIRLEY: And if he doesn't?

17 A If he doesn't, then they start doing a
18 roll call finding out where everybody is at.

19 MS. WHIRLEY: So it is a huge deal?

20 A Yes.

21 MS. WHIRLEY: All right. Why would
22 officers be on the RIOT channel.

23 A On the RIOT channel?

24 MS. WHIRLEY: Yeah.

25 A That's for say to cover another St. Louis

1 County maybe has something big going on, so they'll
2 get on that channel.

3 MS. WHIRLEY: Just to hear what's going on
4 because they are not responding to the calls
5 generally?

6 **A** No, huh-uh. But that's put into a scan
7 mode so the officer doesn't actually physically
8 switch to that channel. It is automatically
9 scanning that channel. So if there's a transmission
10 on that channel it will come up. But if dispatch
11 wants to get ahold of them, it will supersede that
12 channel and take over.

13 So it is on a priority button.

14 MS. WHIRLEY: Okay. So if you are
15 scanning the County's RIOT channel, that's not going
16 to interfere with your dispatcher communicating with
17 you or you communicating with your dispatcher?

18 **A** Not at all.

19 MS. WHIRLEY: Does Ferguson have its own
20 RIOT channel?

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

22 MS. WHIRLEY: Okay. Any problems, you may
23 have answered this, I'm not certain. Any problems
24 with the walkies, the walkie-talkies call and
25 receiving calls at Canfield Green? You mention kind

1 of dead zone, or could be. I wasn't sure what that
2 meant.

3 **A** Some walkies have a problem with it. You
4 have got to remember Canfield used to be a golf
5 course, a lot of hills and a lot of terrain,
6 different terrain in there.

7 If you're standing a certain way,
8 that walkie will not get out. Then if you just move
9 2 feet over, you have got transmission. It is just
10 a weird, the way the terrain is.

11 MS. WHIRLEY: Okay. Do you have your
12 officers complaining who work in Canfield Green,
13 hey, I'm not getting my calls or I can't send you my
14 location.

15 **A** Yes. We have a few. It mainly happens in
16 one sector, not in four sector.

17 MS. WHIRLEY: And the sector that you're
18 talking about is sector four?

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

20 MS. WHIRLEY: Does that mainly happen in a
21 sector?

22 **A** It happens occasionally, not as often as
23 in one.

24 MS. WHIRLEY: Okay.

25 **A** If the repeater is not working right or if

1 we have what they call a Dellwood repeater, it is
2 right there by the Dellwood Civic Center. It is on
3 a separate tower. If that isn't working correctly,
4 you will have problems getting out in one sector.
5 We go all the way to Old Halls Ferry and 270. If
6 you're on a walkie-talkie on an accident, you won't
7 hear that officer. Now the other officer assisting
8 him can, he can relay the message.

9 MS. WHIRLEY: On channel three, which is
10 what I think Darren Wilson may have been on; is that
11 correct or do you know?

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

13 MS. WHIRLEY: You said on your channel
14 three, the dispatch can hear and receive, right?

15 **A** Yes.

16 MS. WHIRLEY: On channel three. Can they
17 transmit too.

18 **A** Yes, I'm sure. Yeah. That's a North
19 County fire channel. So they'll need to be able to
20 transmit with our fire department.

21 MS. WHIRLEY: Okay.

22 **A** When our fire department goes 10-8 from a
23 call, a fire call, they'll transmit on that.

24 MS. WHIRLEY: So that channel was
25 monitored all the time?

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

2 MS. WHIRLEY: Is it recorded also?

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

4 MS. WHIRLEY: So if an officer is on
5 channel three and asks for assistance and puts out
6 shots fired, it should be recorded somewhere?

7 **A** You're not going to hear it, it is receive
8 only.

9 MS. WHIRLEY: It is receive only from that
10 officer?

11 **A** From the channel. The officer will not be
12 able to transmit.

13 MS. WHIRLEY: I'm sorry, you did explain
14 that. When you hit that channel we're going to hear
15 --

16 **A** You are going hear that tone.

17 MS. WHIRLEY: The purpose of the tone is
18 what?

19 **A** To move to a different channel that is
20 transmittable. It is a safety feature. It is in
21 the walkie-talkies actually.

22 MS. ALIZADEH: Just real quick.

23 Sergeant, I had told you that there was a
24 call perhaps from Ferguson that did not recorded by
25 dispatch, correct?

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

2 MS. ALIZADEH: And did you then pull all
3 the other channels to see if there was other --

4 **A** My curiosity got the best of me and I went
5 back before the tape started to get erased.

6 MS. WHIRLEY: We are coming up on the 90
7 days, correct?

8 **A** It is 90 days now. It is going to start
9 erasing stuff. As we speak right now it is erasing
10 stuff.

11 **Q** (By Ms. Alizadeh) Okay. So prior to today
12 was it this weekend you did that?

13 **A** I did that last week.

14 **Q** So you looked at, or you pulled the calls
15 from these other channels; is that right?

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

17 **Q** And you listened to them?

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

19 **Q** Do you hear Darren Wilson making a call on
20 any of those other channels?

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

22 MS. ALIZADEH: I have those. I don't know
23 if it would be kind of pointless to play it. He's
24 listened to them and he doesn't hear Officer Wilson
25 on any of those channels. All right. Go ahead,

1 questions?

2 : . You had
3 mentioned that dispatch has the cell phone numbers
4 of all the officers. Can you talk a little more
5 about what that expectation is or if there is
6 protocol with regard to different officers and stuff
7 on these?

8 **A** For the officers using their cell phones?

9 Uh-huh.

10 **A** They use them quite a bit.

11 Okay. Is it expected that
12 they have them with them?

13 **A** No.

14 It is not at all?

15 **A** Huh-uh.

16 : Okay. Thank you.

17 You talked about
18 the dead zone potentially in Canfield there. If
19 someone is on the receive only channel like channel
20 three, they would get that tone, would you get that
21 tone in a dead channel?

22 **A** On a dead channel?

23 I'm sorry, on a dead zone.

24 You were in a dead zone, you were on like that
25 channel 3, would you get the tone?

1 **A** No, you would just get static.

2 It doesn't even know and
3 so forth. Would that be the same thing with the
4 alert button in an accident situation?

5 **A** If I hit the alert button right now, they
6 would actually hear.

7 : So it is a repeating
8 process, right, until it finally hits a beacon or
9 whatever?

10 **A** Exactly.

11 : Is that operating on a
12 different frequency? I'm trying to figure out how
13 the alert button gets out, but the general
14 transmission does not, we know it does?

15 **A** It doesn't. The workings of that --
16 MS. ALIZADEH: That would probably be a
17 question that could answer. If you want
18 me to find out and bring him back or whatever.

19 You say the alert button
20 would get through?

21 **A** Oh, yeah.

22 Okay.

23 Just one question.

24 . You mentioned that Darren Wilson was
25 assisting on this sick call, I think was, was it 24;

1 is that correct.

2 **A** No, he wasn't assisting on a call.

3 MS. ALIZADEH: The dispatcher we're going
4 to hear the call. She's going to interpret for us
5 who is going on. What does 10-8 mean, all this
6 lingo that's said during these calls. She's going
7 to be able to kind of translate that for us on what
8 calls who was going on and who was assisting and so
9 forth.

10 MS. WHIRLEY: Maybe what you are talking
11 about, we had asked what is he assigned to sector
12 four and you said he was not?

13 **A** No.

14 MS. WHIRLEY: So we're just trying to
15 figure out what he was doing in that general
16 location?

17 **A** Right.

18 MS. WHIRLEY: So can you tell us?

19 **A** He was on a prior call at a disturbance at
20 one of our other apartment complexes and when he
21 went 10-8 from there, he went onto a sick case at
22 another apartment complex. He was in that general
23 area anyway, four sector.

24 MS. ALIZADEH: And so it's not prohibitive
25 for a sector car to leave their sector?

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

2 **Q** (By Ms. Alizadeh) And you talk about the
3 facts that sector has to go on call or leave their
4 sectors that one of the roaming cars or cover cars
5 might move into that area just to make sure there's
6 coverage?

7 **A** Uh-huh.

8 **Q** Okay. And also we hear on these
9 transmissions, at one point there's Country Club
10 Hills, or what was the other one?

11 **A** Country Club Hills.

12 **Q** Country Club Hills officer who chimes and
13 he's responding to a call in Ferguson, correct?

14 **A** Yes, yes.

15 **Q** So other municipalities that are listening
16 to this radio traffic, they can also come into your
17 jurisdiction and respond to an emergency or
18 something?

19 **A** You got to remember we dispatch for two
20 other municipalities, they are on our frequency and
21 they monitor everything that we're doing.

22 **Q** Okay. And so we hear on those calls
23 someone that's Victor 2?

24 **A** Yes.

25 **Q** Is that a Country Club Hills officer?

1 sector which is one sector.

2 Oh, one, okay. One

3 sector?

4 **A** Yeah.

5 So the area he was?

6 **A** Four sector.

7 **Q** (By Ms. Alizadeh) And just to kind of lay
8 out what happens on these radio calls. First of all
9 the calls begin, the recordings begin in the middle
10 of a shift, correct?

11 **A** Yes.

12 **Q** So there is other calls that we are not
13 playing where officers were out on other calls. So
14 when we start on the call, initially there is talk
15 about a caller who says that a man with a gun, or a
16 man has threatened her and he's left. He lives in
17 the apartment complex and she thinks he might have
18 left to go get a gun?

19 **A** Right.

20 **Q** And this a subject maybe going to get a
21 gun, would it be typical for more than one car to
22 respond to that?

23 **A** Yes. Officers hear that, they don't have
24 to hear anything from the supervisor, that's all
25 automatic for them. As long as they tell the

1 dispatcher, Frank 21, I'll be assisting or Frank 21
2 I will be en route. When they hear gun, you pretty
3 much get the calvary coming into the area. There
4 are several.

5 **Q** We hear on those calls that the traffic
6 amongst themselves and one guy says, I'm going to go
7 behind the building and they're looking for somebody
8 and they are communicating with themselves?

9 **A** Yes.

10 **Q** Each other?

11 **A** Yes.

12 **Q** So there is actually three officers that
13 go to that apartment call, correct?

14 **A** Yes.

15 **Q** Only one of them it was his sector?

16 **A** Right.

17 **Q** So other cars go there to assist?

18 **A** That officer whose sector that is, he was
19 out on a sick case. The three officers are
20 responding to that call are actually assisting that
21 officer because he's out on another call.

22 **Q** And this is something that experienced
23 officers just kind of learn to do, is that fair to
24 say?

25 **A** I think I just confused her.

1 No, you didn't.

2 Q (By Ms. Alizadeh) They hear this traffic,
3 they know who's busy, they know what's going on and
4 something else, they know street numbers, they know
5 street names, they know problem places, correct?

6 A They know everything. Those officers,
7 they could tell by the officer's tone of his voice
8 that I need to get their quick, that's how the
9 officers are tight.

10 Q And you and your dispatcher even told me
11 today when we were listening to these calls that she
12 could hear that there was a problem in Officer
13 voice?

14 A Yes.

15 Q And that is even before the dispatchers
16 knew what was on?

17 A Right.

18 Q They knew there was a big problem?

19 A Yes.

20 Q And so that's how these officers, they
21 communicate by voice, they get to know each other,
22 they work together, and they work together?

23 A Uh-huh.

24 Q Is that right?

25 A Yes, ma'am.

1 MS. ALIZADEH: Any other questions.

2 . About the
3 dead zone, how long have you been an officer in that
4 area?

5 **A** I've been in Ferguson 27 years.

6 : Are these deadzones more
7 like word of mouth or is there any kind of
8 documentation?

9 **A** It is documented by complaints from
10 officers and stuff.

11 MS. ALIZADEH: Let me ask you when we were
12 listening to the calls, in fact, isn't there a call
13 where you hear static and then suddenly could hear
14 the officer talking?

15 **A** Yes.

16 MS. ALIZADEH: You describe when your
17 dispatcher said, I can tell he's on his portable and
18 he's walking.

19 **A** Right.

20 MS. ALIZADEH: And he walks from one place
21 to another and suddenly you can hear him speaking?

22 **A** Right.

23 : . You said
24 that, I want to clarify to make sure I've got this
25 correct here. You said that Officer Darren Wilson,

1 he was on a disturbance call at another complex?

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

3 Do you know which complex?

4 **A** Parkridge Apartments.

5 Parkridge Apartments. And
6 then he went to a different complex to assist on a
7 sick call.

8 **A** No, he was actually the primary on that
9 sick call, he was the only officer. When I say
10 assist, when I say that, he assists in the sector
11 car, so he doesn't have to jump off of that call to
12 go run all the way over here. So when I say assist,
13 he is just assisting the sector car. So he doesn't
14 have to go 10-8 for the call.

15 **Q** (By Ms. Alizadeh) And 10-8 means?

16 **A** Clear a call, I'm off the call.

17 **Q** I'm done, I'm back in service, I can take
18 another call?

19 **A** Exactly.

20 : Now, when this happened,
21 when this incident occurred, between him and Michael
22 Brown, was he on his way to that sick call or he had
23 completed it?

24 **A** He completed that call and was on his way
25 out of the complex.

1 : And was on his way out of
2 the complex.

3 Q (By Ms. Alizadeh) When we listen to these
4 calls today and you hear that the dispatcher is
5 calling out about a stealing in progress and she
6 gives an address.

7 A Yes, ma'am.

8 Q Just the number, she doesn't give a street
9 even?

10 A No.

11 Q Is that because the officer's just know
12 what that means that's the Ferguson Market?

13 A Well they know that, well, basically they
14 know exactly where that number is.

15 Q She doesn't say there's a stealing in
16 progress at the Ferguson Market on West Florissant?

17 A Right.

18 Q There's a call, there's a stealing in
19 progress and you hear the dispatcher call out what
20 the nature of the call is, what was stolen, a
21 description of the suspect?

22 A Yes.

23 Q And in their clothing, correct?

24 A Yes.

25 Q Two officers responded to that call,

1 correct?

2 **A** Yes.

3 **Q** And who were those two officers?

4 **A** The first officer was who is Frank
5 25.

6 **Q** Who was the other person responding?

7 **A** That was , Frank 22.

8 **Q** And then do you hear Darren Wilson call in
9 and ask if they need him to respond to that call as
10 well?

11 **A** Exactly. He was coming off the sick case
12 call with the baby and asked if they needed
13 assistance. If he could help out or whatever.

14 **Q** So he's calling those two officers or
15 calling dispatch, who is he calling?

16 **A** If I remember right, he called dispatch.

17 **Q** And he says, do you need --

18 **A** Do you need another car, you need me to
19 assist or you need any help.

20 **Q** That's on the Ferguson deal, the Ferguson
21 Market?

22 **A** Yes.

23 **Q** Okay. And then he doesn't actually go to
24 the Ferguson Market, he doesn't get there?

25 **A** No, he doesn't get there.

1 in a dead zone you are going to.

2 : You are getting the tone
3 from the dead channel, you aren't in the frequency
4 of anything?

5 **A** It doesn't have anything on it, right.

6 : And I'm trying to
7 clarify. You said the dispatcher overrides the
8 scans of the RIOT channel. If somebody is listening
9 to the RIOT channel and the dispatcher from Ferguson
10 comes on, all officers are needed at such and such,
11 they will override, the officers will hear that?

12 **A** They will go point-to-point, they won't go
13 to the RIOT channel. Dispatchers will go to
14 point-to-point.

15 : And the officers will
16 hear that?

17 **A** Yes.

18 : Point-to-point is hear
19 only?

20 **A** That's hear only, it is not a receiver.

21 : And I just had another
22 question about you said that Officer Wilson had a
23 newer model mobile device in his car?

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

25 : But he didn't have a

1 newer model portable walkie.

2 **A** No, ma'am, they're still the old walkies.

3 Does that have any
4 bearing on what's being heard, what's being
5 transmitted?

6 **A** No.

7 Seems like we have a lot
8 of variables here. We have a newer mobile device,
9 an old portable device, we have an area that's known
10 to be a dead zone. We have different channel
11 frequency. I'm just trying to find out --

12 **A** The newer radios, and I'm sure
13 went through this, but the newer radios are going to
14 be more microwaveable. So you are going to hear
15 more from them, but they are still on the old
16 system.

17 Okay.

18 **A** And that's because we're still on the old
19 system with our walkies and our dispatch center. As
20 soon as that 800 megahertz gets updated and ready to
21 go. We'll have new walkies, which are coming pretty
22 soon. We will have a new dispatcher center and new
23 radios and everything will tie in together.

24 Right now we are using a newer radio
25 with our old system, which works just as good.

1 MS. ALIZADEH: If there are problems with
2 the old system, the new radios aren't going to solve
3 those problems?

4 **A** No.

5 Until you get the new
6 system?

7 **A** Right. The new system we shouldn't have
8 dead zones, we shouldn't have problems.

9 : This is a real important
10 question for me to understand. You said that you
11 checked all the channels to see if a call was made
12 from Darren Wilson on his portable to any other
13 channel and you couldn't find one?

14 **A** When I say that, we have certain channels
15 on our recording device. We have what they call
16 trunk systems. 911 we have five trunks.

17 What it is, say you are dialing 911
18 into me, then all of the sudden she dials 911 that
19 will go to trunk two and then all of the sudden he
20 dials 911, that's going to go to the next trunk
21 system three. So we have a bunch of systems in
22 there going because we constantly get 911 calls.

23 So what I did was, I go back and
24 check all the trunks on the 911 system and I also
25 check point-to-point, I check the fire station, the

1 North County Fire.

2 We have backup, our police backup. I
3 will use the police backup because it is a clearer
4 and more. I mean, you can hear everything in there.
5 When you're on the backup system, you can actually,
6 somebody wants a tape or something, I will just go
7 straight to that. I won't just use the main channel
8 because you don't get the static, you don't get the
9 cars, people talking behind them. It will be a
10 clearer sound.

11 And then also we have our phone
12 numbers. You know, we come in with 522-3100, then
13 it keeps going. They have all the detectives'
14 numbers in there and everything else.

15 So the list of everything I'm looking
16 at is probably about this long. (indicating)

17 So with your experience
18 and the information that you were able to tell, it
19 does not appear as though he tried to make a all
20 from his portable?

21 MS. ALIZADEH: I'm going to clarify this
22 because there are calls that are heard, but you
23 can't tell what is being said?

24 **A** Right.

25 MS. ALIZADEH: Or there is static.

1 **A** There's static.

2 : The only way to tell that
3 it is coming from this radio is if it is the
4 emergency button?

5 **A** Right.

6 : Okay. Thank you.

7 I
8 just have some clarification. You said that Frank
9 22 and Frank 25 were dispatched on the way to the
10 Ferguson Market incident; is that correct?

11 **A** When the call came out of Ferguson Market,
12 Frank 25 was actually the primary on that call.

13 : Okay.

14 **A** You got to realize that apartment complex
15 is only a block away, not even a block. So they're
16 leaving that area and he is right there. All he has
17 to do is come out of an entrance and go right into
18 Ferguson Market.

19 : Okay. And then if I'm not
20 mistaken, you said that, you said that Officer
21 Darren Wilson, he called into dispatch to see if the
22 officer needed any assistance, is that my
23 understanding?

24 **A** If he was needed in the area or whatever.
25 I guess to help look for the subjects or something.

1 : Do you know what their
2 response was to Officer Wilson?

3 **A** I think the dispatcher said, I don't
4 remember what the dispatcher said now.

5 MS. ALIZADEH: I don't remember either.
6 We will hear the calls and the dispatcher.

7 : It didn't come from the
8 officer, the dispatcher is the one that is directing
9 Officer Wilson?

10 **A** I think he's asking dispatch.

11 Okay.

12 MS. ALIZADEH: Any other questions?

13 MS. WHIRLEY: Just one last thing for me.
14 So when Officer Wilson called out that he had two on
15 wherever and to send a car, that transmission
16 obviously was received?

17 **A** Yes, it was.

18 MS. WHIRLEY: That reporting?

19 **A** Yes.

20 : So that means, I'm sorry,
21 Juror Number 9. He was on the right channel to
22 receive that call?

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

24 For the other cars to hear
25 them?

1 three. And he's in a dead zone, will he get a tone
2 or static, I guess is what comes up?

3 **A** If he's on, if he's on like say three,
4 even if he was in a dead zone, he would get a tone.

5 He would still get a tone?

6 **A** Yes. Even if you're in like Wal-Mart and
7 a building with concrete or metal they couldn't get
8 out and he's on three accidentally, he would still
9 hear that, that tone, that real loud.

10 Okay.

11 MS. ALIZADEH: Is that it?

12 The first
13 call that Officer Wilson sent out when he asked do
14 they need assistance, that was to the other police
15 officer cars?

16 **A** No, ma'am. He was calling and talking to
17 dispatch.

18 That was with dispatch?

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

20 : He wasn't on his mobile?

21 **A** No, he was actually on his mobile.

22 On his mobile.

23 **A** You can tell the difference.

24 : In the car?

25 **A** Yes.

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

EXAMINATION

8 BY MS. ALIZADEH:

9 **Q** Ma'm, could you state your name and spell
10 it for the court reporer?

11 **A**

12 **Q** Now, ma'am, the microphones that are in
13 front of you do not amplify your voice, they're just
14 recording. So you need to keep your voice up loud
15 enough so we can hear you all the way back here,
16 okay?

17 **A** Okay.

18 **Q** And because the court reporter is taking
19 down what you are saying and we are recording what's
20 being said, your answers all have to be out loud.
21 You can't shake your head or nod because that
22 wouldn't get picked up on the recording.

23 **A** Okay.24 **Q** All right. Ma'am, what's your occupation?25 **A** I am a dispatcher with the City of

1 Ferguson.

2 **Q** Okay. You might need to talk a little
3 louder?

4 **A** I'm a dispatcher with the City of
5 Ferguson.

6 **Q** How long have you been a dispatcher?

7 **A** I have been a dispatcher since 1991. I've
8 been with the City of Ferguson since May of 1993.

9 **Q** Of 1990?

10 **A** Three.

11 **Q** Three. And we have already heard from
12 another witness that there are four full-time
13 dispatchers?

14 **A** No, there are six full-time dispatchers.

15 **Q** Are you full-time or part-time?

16 **A** I am full-time.

17 **Q** So I imagine that there are dispatchers
18 that are working every hour of every day in
19 Ferguson, correct?

20 **A** Yes.

21 **Q** Do you work in shifts?

22 **A** Yes, we do.

23 **Q** How many dispatchers work per shift?

24 **A** Two.

25 **Q** And what is the length of the shift?

1 **A** Eight hours.

2 **Q** And does your shift change, like do you
3 have like the afternoon shift for several weeks and
4 then it is the night shift for several weeks or are
5 you on permanent?

6 **A** I'm on a permanent shift. Full-timers are
7 all permanent.

8 **Q** What is your shift?

9 **A** My shift is 7:00 a.m. to 3:00 p.m.

10 **Q** And was that your shift on August 9th of
11 this year?

12 **A** Yes, it was.

13 **Q** Do you recall that day being a Saturday?

14 **A** I'm not sure what day it was of the week.

15 **Q** You were working on the day of the
16 shooting; is that correct?

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

18 **Q** And so how many days a week do you work?

19 **A** Usually five.

20 **Q** Are those always the same days or do you
21 have different days?

22 **A** I have different days.

23 **Q** Okay. You do recall, though, that you
24 were working on the day of the shooting of Michael
25 Brown?

1 other?

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

3 **Q** And do each of you have your own separate
4 console?

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

6 **Q** Now, we've already talked about 911 calls.
7 Do both dispatchers answer 911 calls?

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

9 **Q** And then do both dispatchers dispatch
10 radio calls?

11 **A** Yes.

12 **Q** And then what about the CAD calls, we have
13 already heard testimony that that is a computer
14 information system. Do you input information into
15 the CAD system?

16 **A** Yes.

17 **Q** Okay. So you are doing a lot of different
18 things?

19 **A** Yes.

20 **Q** And we've also heard testimony that on a
21 given day the officers that are patrolling the City
22 of Ferguson are assigned a call signal, like a call
23 name like Frank 21, Frank 22, so forth?

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

25 **Q** And that might change from day-to-day?

1 **A** Yes.

2 **Q** So at the beginning of your shift, do you
3 get a roster with the call, is it called a call
4 center?

5 **A** Call sign.

6 **Q** Call sign. Do you get a roster with call
7 signs and whose working that day?

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

9 **Q** And so when an officer calls out and he's
10 on the dispatch channel and he's in his vehicle in
11 his car, generally can you hear that call?

12 **A** Yes.

13 **Q** Are there times when it is difficult to
14 hear that call?

15 **A** Yes.

16 **Q** Are there times when officers will walk
17 over each other and walk on each other and they're
18 both making calls at the same time?

19 **A** Yes.

20 **Q** And then what about the portable radios,
21 is it sometimes difficult to hear when an officer
22 makes a call on a portable radio?

23 **A** Yes.

24 **Q** And are you aware that the portable radio
25 has 5 watts and that the mobile radio is a 10 watt

1 transmitter?

2 **A** Yes.

3 **Q** And so would it be fair to say that the
4 portable radios have a weaker signal?

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

6 **Q** Now, for the amount of time that you have
7 been working for Ferguson, do you recognize
8 generally the voices of the different officers that
9 are calling in?

10 **A** The older officers, yes.

11 **Q** And so we've heard these transmissions,
12 you and I listened to them today; is that right?

13 **A** Yes.

14 **Q** You identified a lot of the officers, in
15 fact, all of the ones that we were listening to
16 between yourself and Sergeant , you were able to
17 tell me who was who when they were talking; is that
18 right?

19 **A** Yes.

20 **Q** And then also were you aware that I had a
21 transcript where someone previously has attempted to
22 transcribe what's being said in these calls, did you
23 see me make changes on it?

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

25 **Q** There would be times where you could tell

1 me what was being said when I couldn't really hear
2 it?

3 **A** Yes.

4 **Q** Now, you and I talked about that, about
5 the ability of a dispatcher with your experience to
6 understand what's being said when someone like me
7 might listen to the call and say, okay, I didn't get
8 that or I can't hear what's being said. Is that
9 something that just comes with years of experience?

10 **A** Yes.

11 **Q** And also, you also talked about, in fact,
12 you talked about certain officers having a certain
13 way of speaking.

14 **A** Yes, some of them do.

15 **Q** And one of the officers you said I can
16 tell that's him, he'll always have a pause in his
17 voice, like stops mid sentence and then completes a
18 sentence?

19 **A** Right.

20 **Q** And you also said there is one officer who
21 has got kind of a southern twang to his voice?

22 **A** Yes.

23 **Q** And did you also describe for me that you
24 can also tell by the tone of the officer's voice
25 whether or not he's, he may be excited or there's a

1 problem?

2 **A** Right.

3 **Q** Now, when the officers are out on patrol,
4 are they supposed to notify you where they are and
5 what they are up to at all times?

6 **A** Yes.

7 **Q** So if an officer is on a call, when he
8 finishes that call, does he call in and tell you
9 he's done with the call?

10 **A** Yes.

11 **Q** And how does he do that?

12 **A** He radios in using his call sign and let's
13 us know that he's 10-8.

14 **Q** 10-8?

15 **A** Yes.

16 **Q** So that's 10-8?

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

18 **Q** That means I've completed that call and
19 I'm back in service, I'm ready for another call?

20 **A** Yes.

21 **Q** So are there other things like bathroom
22 breaks, I'm going on dinner break where they might
23 use different codes?

24 **A** Yes.

25 **Q** Okay. And at certain points in the

1 transcript the officer will hear, will actually call
2 in and then the dispatcher might repeat what the
3 officer says; is that right?

4 **A** Yes.

5 **Q** Why do you do that?

6 **A** To insure that all of the other officers
7 hear what the transmission just was because
8 sometimes the radio don't transmit and also to
9 insure to that officer that I'm clear on what he
10 said.

11 **Q** Okay. And so if somebody calls in to
12 dispatch and says something generally if everything
13 is working properly and everything is good to go,
14 the other officers are on the dispatch channel can
15 hear that call, correct?

16 **A** Yes.

17 **Q** But are there times that they can't hear
18 that call?

19 **A** Yes.

20 **Q** But you can?

21 **A** Yes.

22 **Q** So sometimes you will repeat that call so
23 that then the officers can hear what you be
24 repeating the call?

25 **A** Yes.

1 **Q** Do you know how many watts the transmitter
2 is for dispatch?

3 **A** That I do not know.

4 **Q** Is your transmitter stronger than the
5 mobile and portable transmitters?

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

7 **Q** So generally speaking, the officers are
8 always going to be, usually going to be able to hear
9 dispatch, correct?

10 **A** Yes.

11 **Q** And we've also heard a lot of stuff about
12 dead zones and that would be where officers might
13 not be able to transmit or receive calls, correct?

14 **A** Correct.

15 **Q** Are there times when you can hear that
16 there's an officer keying up a mike, in other words,
17 he's pressing the button on his mike, but you don't
18 hear speaking?

19 **A** Yes.

20 **Q** And can you tell that that's a call?

21 **A** You can tell, but a lot of times you can't
22 hear what they're saying.

23 **Q** Okay. And then when an officer calls in,
24 if he doesn't give his call signal, or his call
25 sign, and let's say I know you said you recognize

1 you know these guys' voices, is there anything on
2 your monitor that tells you who is calling in?

3 **A** No.

4 **Q** So you only know by his voice or if he
5 gives his call sign?

6 **A** That is correct.

7 **Q** You also, we talked today, can you tell
8 the difference when an officer is calling in on a
9 portable versus his mobile?

10 **A** Yes.

11 **Q** And what's the difference, how do you tell
12 the difference?

13 **A** The portable is not as strong and is
14 clearer. A lot of times when they're on their
15 portable you can hear static in the background
16 whereas on the car radio, it is usually very crisp
17 and clear.

18 **Q** Okay. Now, we're going to play the
19 transmissions and pass around the transcript. And I
20 will tell you that the change, the handwriting
21 that's on the transcript is mine. And I did that
22 because it was, I first met with her this morning at
23 6:30 is when you got here and that's the first time
24 I had a chance to sit down and actually go through
25 these transmissions with her. So I apologize, and

1 you would tell me sometimes when it would say on the
2 transcript UI, which I assumes mean unintelligible,
3 you are able to tell me what's being said sometimes?

4 **A** Right.

5 **Q** You saw me making changes, and sometimes
6 with the officer it doesn't say who the officer was.
7 You are able to tell me, well, that's 24 or that's
8 25 or whatever?

9 **A** Yes.

10 **Q** And we talked about today on that day who
11 was 21, who was 22 and so forth, correct?

12 **A** Yes.

13 **Q** Okay. All right. Before we start playing
14 the radio calls, is there anybody has a question
15 about her job, or anything that she's testified to
16 so far?

17 MS. WHIRLEY: I actually do, not much, but
18 hi, I'm over here. You mentioned that sometimes you
19 could only hear static when an officer is trying to
20 call in, I guess that's a dead zone or something?

21 **A** Could be. Usually when you hear static,
22 it is because they're in a building or maybe there's
23 a building between them or some type of large
24 structure between them and the radio waves don't get
25 through that as easily as they would if they were

1 out in the open.

2 MS. WHIRLEY: I think I heard you say that
3 you cannot tell who's trying to call in on your
4 monitors when you hear that static; is that correct?

5 **A** That's correct, you cannot.

6 MS. WHIRLEY: Is there anything in place
7 to try to figure out, you know, who the officer is
8 or what to do in case an officer might be needing
9 help.

10 **A** We have panic buttons that are installed
11 in all of their walkies and also on the car radio.

12 MS. WHIRLEY: Is that that orange alert
13 button we have heard about?

14 **A** Yes, ma'am. If they push that, my radio
15 console lights up and makes a lot of noise and each
16 console does that, so we each have to shut them
17 down. One of them did not shut them all down and
18 that shows the officer's name, it shows whether he's
19 on his portable or shows whether he's on his mobile
20 in his car.

21 MS. WHIRLEY: That's only if he hits that
22 red button?

23 **A** Correct.

24 MS. WHIRLEY: If an officer is trying to
25 communicate, but he's in a dead zone in a building

1 and you just hear static, there is nothing you can
2 do to try to figure out who that officer is or they
3 need help?

4 **A** Other than asking him to repeat, no,
5 ma'am.

6 MS. WHIRLEY: Okay. And you said you also
7 can detect a problem in the officer's voice, I think
8 you said that, right?

9 **A** Yes.

10 MS. WHIRLEY: What do you do if you detect
11 a problem, like something is going on and the
12 officer is not asking for help, you detect
13 something, what do you do?

14 **A** I usually when there's a change in their
15 voice, I usually send them help regardless, I send
16 assist units.

17 MS. WHIRLEY: You ask them do you need
18 additional help?

19 **A** Right.

20 MS. WHIRLEY: You kind of communicate that
21 you are a little concerned?

22 **A** Correct.

23 MS. WHIRLEY: Okay, all right. That's
24 all.

25 I have one question, this

1 is How often do the officers use that alert
2 button, have you been known to happen a lot or?

3 **A** It doesn't happen that often. I would
4 even say once a month. It doesn't happen that
5 often, but it does happen especially it is more an
6 accident than not, but they'll hit it.

7 (Grand Jury Exhibit Number 86
8 marked for identification.)

9 MS. ALIZADEH: Okay. I'm going to play a
10 disc that is marked Grand Jury Exhibit Number 86,
11 Vanna will now turn the letters.

12 So the transept is being passed out. What
13 I've written in there I wrote in after meeting with
14 her. She will describe these calls as they go
15 along.

16 Now, Sheila, it might be helpful if we can
17 do that, can you do that.

18 MS. WHIRLEY: You want it to be shown up
19 here?

20 MS. ALIZADEH: Actually, the time and date
21 is on the screen, okay.

22 Ma'am, we talked about earlier today about
23 the difference between the clock that you're looking
24 at that is actually sitting on your console versus
25 the internal clock for the radio calls versus the

1 911 calls. Those might not be in sync, would that
2 be fair to say?

3 **A** Correct.

4 **Q** (By Ms. Alizadeh) So the clock that
5 records these calls as they are being made might not
6 be the actual time of the call, would that be fair
7 to say?

8 **A** Yes, there could be a discrepancy.

9 **Q** Okay. But would it be also be fair to say
10 that if there's a call that say 11:53 and 15 seconds
11 and then the next call is at 11:54 and 15 seconds,
12 that there would be a minute between those two
13 calls, correct?

14 **A** That's correct.

15 **Q** So we can tell how much lag time in
16 between calls by looking at the time, but that
17 doesn't necessarily reflect what the actual time is?

18 **A** Correct.

19 **Q** Okay. Just for clarification sake, these
20 calls on this disc start at 323, that's the track
21 for the call and the actual time and date for this
22 first call is August 9th, 2014 at 11:46 and 4
23 seconds in the a.m.

24 Ma'am, is it fair to say there are
25 calls that came before this first call we are going

1 to hear?

2 **A** That's correct.

3 **Q** You were working that day?

4 **A** That is correct.

5 **Q** And you hear your voice being played on
6 the recording sometimes, correct?

7 **A** Yes.

8 **Q** And you recognize as the other
9 dispatcher that was there that day?

10 **A** Yes.

11 **Q** Were there any other dispatchers besides
12 the two of you?

13 **A** No.

14 **Q** Okay. So what I'm going to do is play
15 each track and then I will have the dispatcher tell
16 us if there's a need to translate what this means,
17 she will put some context to that.

18 (Playing of the recording.)

19 **Q** That's your voice?

20 **A** Yes.

21 **Q** You are the dispatcher for that call?

22 **A** Yes.

23 **Q** Who was the officer on that call?

24 **A** .

25 **Q** And he's Frank 22 that day?

1 **A** Yes.

2 **Q** And so we hear him start out by saying
3 Frank 22, so he's identifying himself?

4 **A** Yes.

5 **Q** And you repeat 22, what's that tell him
6 when you repeat 22?

7 **A** That tells him that I understand that he
8 is calling and that also tells him to go ahead with
9 his traffic.

10 **Q** And then he transmits something about an
11 address?

12 **A** Correct.

13 **Q** And so this relates to a previous call; is
14 that right?

15 **A** Yes.

16 **Q** Do you recall what that call was?

17 **A** I do not, but it is not uncommon for them
18 to make corrections on addresses.

19 **Q** Okay. So then the dispatcher, you say
20 units 10-8 from Louisa, what does that mean?

21 **A** That means he is finished with his
22 assignment and he is available for another
23 assignment.

24 **Q** So I'm going to play this call again. In
25 the transcript it says make the address Louisa,

1 units are, then it is unintelligible. You tell me
2 if you can hear what he's saying?

3 **A** Okay.

4 (Playing of the recording.)

5 **A** I understand that he's ready for the other
6 assignment, but the end of that transmission I'm not
7 quite sure what he's saying.

8 **Q** Okay. So then the next call, I'm just
9 going to play these in order. If there's a need for
10 you to ask me what time the call is, I don't know if
11 you can actually see it for yourself up there. If
12 you can't, then I can read it out to you.

13 (Playing of the recording.)

14 MS. ALIZADEH: So that's voice.

15 **A** Yes.

16 **Q** (By Ms. Alizadeh) What is she doing?

17 **A** She's calling units for an assignment.

18 **Q** So Frank 28 is who that day?

19 **A** I'm not sure who Frank 28 was, I don't
20 remember.

21 **Q** We went through who they were by you
22 listening to their voices, correct?

23 **A** Right.

24 **Q** And Frank 21?

25 **A** Frank 21 was Officer Wilson.

1 **Q** Okay. So is calling to those two
2 officers?

3 **A** Yes.

4 **Q** All right. But she doesn't, at this
5 point, we don't know the nature of why she's calling
6 them?

7 **A** Correct.

8 **Q** (Playing the recording).

9 **Q** All right. So in that call that's Darren
10 Wilson that says that 28 is on station assignment?

11 **A** Uh-huh.

12 **Q** What does that mean?

13 **A** That means he is unavailable for any calls
14 and that he's at the station currently working on a
15 call.

16 **Q** So Darren Wilson is saying that I'm
17 available, but 28 is not?

18 **A** Correct.

19 **Q** And so then gives him the information
20 that the caller had called in about?

21 **A** Correct.

22 **Q** And then at the end, Darren Wilson 21, I'm
23 clear, what does that mean?

24 **A** That means he's clear on the assignment,
25 he's going to accept the assignment and take it.

1 **Q** I'm clear means I understand it and I'm
2 taking it?

3 **A** Yes.

4 **Q** Doesn't mean I'm going out of service or
5 anything?

6 **A** No.

7 **Q** Okay. And then Officer 22 says 22, I'm
8 clear?

9 **A** Correct.

10 **Q** And so 22 was not originally called by
11 ?

12 **A** Correct.

13 **Q** He heard the call?

14 **A** Yes.

15 **Q** And so he says I'm going too?

16 **A** Yes, because when she put that out, she
17 put that out for a unit and one to assist.

18 **Q** Okay. And is that because of the nature
19 of the call that it could be domestic with a gun?

20 **A** Correct.

21 (Playing of the recording.)

22 **Q** So 22 who I think we talked about is
23 , do you recognize his voice?

24 **A** Yes.

25 **Q** So he says 22 you clear, I'm en route. Is

1 that saying that?

2 **A** Yes.

3 **Q** And what does that mean?

4 **A** He, in our CAD system when we enter a
5 call, they can see everything that we enter into the
6 computer. And sometimes there is a time delay when
7 we're entering information into the call before we
8 physically put the unit on that call. He may not
9 have seen himself assigned to that call. So he was
10 just inquiring that and I were clear, he was
11 responding also.

12 **Q** Okay. So says I'm going to
13 assist her, I'm going to this call as well?

14 **A** Yes.

15 **Q** Do you know what sector this call was in?

16 **A** Yes.

17 **Q** What sector is that?

18 **A** Four.

19 **Q** Okay. And that would be Canfield Green
20 Apartments, is this sector four, correct?

21 **A** Yes.

22 **Q** But Sharondale is not in Canfield; is that
23 right?

24 **A** No, but it is also in four.

25 **Q** Okay. And so we've got Officer Wilson and

1 Officer are indicating their responding to
2 this call?

3 **A** Yes.

4 **Q** The next clip.

5 (Playing of recording.)

6 **Q** So now this is another officer saying he
7 is responding to that call as well?

8 **A** Yes.

9 **Q** You recognize his voice?

10 **A** Yes.

11 **Q** Who is that?

12 **A** That's going to be .

13 **Q** Okay. So now we've got three officers
14 going to this same call in sector four?

15 **A** Yes.

16 **Q** And that leaves the sectors that they were
17 patrolling without any patrol?

18 **A** Temporarily, yes, but a lot of times the
19 supervisors will keep watch while they're
20 responding.

21 **Q** And will the cover cars also move into
22 those sectors to make sure there's coverage?

23 **A** Yes.

24 **Q** Do they do that automatically or do they
25 have to call out that they're covering a sector?

1 **A** That's an automatic thing.

2 **Q** Okay. So now the next track.

3 (Playing the recording.)

4 **Q** So is that Frank 22 calling and saying I'm
5 Frank 22, I'm 23 to the area?

6 **A** Yes, he's saying he's in the area.

7 **Q** What does 23 mean?

8 **A** That he's arrived on the scene.

9 **Q** So it is not Frank 23?

10 **A** No, it is Frank.

11 **Q** Frank 22 I've arrived at the scene?

12 **A** Yes.

13 **Q** Okay. And the dispatcher acknowledges
14 that she heard that by saying in the area?

15 **A** Yes.

16 **Q** Okay.

17 (Playing of the recording.)

18 **Q** Okay. So whose 25?

19 **A** Officer .

20 **Q** All right. So when he says 25 is out,
21 what does that mean?

22 **A** He means he's on the scene as well.

23 **Q** He doesn't say 25 is 23?

24 **A** No, some of them use different.

25 **Q** Okay. But you understand as a dispatcher

1 he means I'm at the scene?

2 **A** Yes.

3 **Q** And then responds to him saying you're
4 at the scene and what's 11:34 mean?

5 **A** That's the current time.

6 **Q** So she's looked at the clock and she says
7 what time it is on her clock?

8 **A** Yes.

9 **Q** So she has Frank 25, Officer Gibbons has
10 arrived at the scene at 11:34?

11 **A** Yes.

12 MS. ALIZADEH: So the next track?

13 : . When
14 we're talking about the clock discrepancies.

15 **A** Yes.

16 Like track 323 was at
17 11:46:04 and this is 11:34, there is like 12 minutes
18 difference.

19 MS. ALIZADEH: Now, you are looking at,
20 when you say track 323, which is the first call I
21 played, the time I gave you, the time and date is
22 what is on the call, not the clock she's looking at.

23 Right, that's what I'm
24 saying, we're talking about the clock difference we
25 are referring to earlier.

1 MS. ALIZADEH: There might be a difference
2 in a clock.

3 : Right, right.

4 MS. ALIZADEH: Actually, she says it's
5 11:34 and that's 329. And this says it is
6 August 9th, 2014 at 115321.

7 : Okay. Up there, good.

8 MS. ALIZADEH: So the clock they're
9 looking at and calling out is the actual time,
10 correct?

11 **A** Yes.

12 MS. ALIZADEH: So the times that are
13 listed on here aren't the actual times, however, the
14 time discrepancies I think would be accurate. So
15 the 20 minutes from one call and then the next
16 minute the call is 20 minutes later, I think that
17 that would be accurate.

18 : Okay.

19 **Q** (By Ms. Alizadeh) Now, I'm playing 330.

20 (Playing of the recording.)

21 **Q** Okay. Now, we've heard a lot of static at
22 the beginning of that call. Can you tell if that
23 officer is on his portable or on the mobile?

24 **A** Yes, he's on his portable.

25 **Q** Do you recognize who that is?

1 **A** You know it sounds like Officer Wilson,
2 but it's hard to say. I would have to be closer in
3 order to hear it.

4 **Q** And so at the beginning when we are
5 hearing static is that because somebody is keying up
6 their mike or what was that static from?

7 **A** That is because their on their mobile, I'm
8 sorry, their portable and they're out walking on
9 feet and as he's walking, he's moving in between the
10 buildings. So the signal, instead of trying to bend
11 around a building is straight and we can read it a
12 lot better because there's not a building in the
13 way. It is hard for me to explain that type.

14 **Q** So would this be an example of a time when
15 an officer is transmitting something and you can
16 tell something is being transmitted, but you can't
17 hear it and then as he continues to walk, you can
18 hear what is being said?

19 **A** Yes.

20 **Q** Okay. Because of the static you are not
21 able to tell which officer that was?

22 **A** I'm not sure which one.

23 **Q** Okay. And the next track is 331.

24 (Playing of the recording.)

25 **Q** So now those are two different officers

1 and they are talking to each other on their
2 portables, yes?

3 **A** Yes.

4 **Q** Okay. Can you recognize their voices?

5 **A** The second officer is Officer . The
6 first I'm not sure is possibly Officer Wilson.

7 **Q** Okay. So this is them, they're going on
8 that call about a guy who was going to go get a gun
9 and shoot somebody?

10 **A** Correct.

11 **Q** And they're talking to each other, looking
12 for a subject?

13 **A** Correct.

14 **Q** So track 332.

15 (Playing of the recording.)

16 **Q** So Frank 21?

17 **A** That is Darren.

18 **Q** That's Officer Wilson he says 23, that
19 means he's arrived?

20 **A** He's arrived, yes.

21 **Q** He's just now at 11:36 got to that scene
22 on Sharondale?

23 **A** Correct.

24 **Q** And track 333.

25 (Playing the recording.)

1 **Q** All right. So it starts out with Frank
2 27, do you recognize his voice?

3 **A** Yes.

4 **Q** Who is that?

5 **A** That's

6 **Q** And so he says something, something
7 difficult to understand, but the dispatcher says
8 Frank 27, 10-81, what does that mean 10-81?

9 **A** That means he's with a prisoner.

10 **Q** He's with a prisoner?

11 **A** Yes.

12 **Q** So at 11:37 he has a prisoner?

13 **A** Yes.

14 **Q** And then you hear Officer Wilson say ,
15 where are you guys at?

16 **A** Yes.

17 **Q** Who is he referring to, who is ?

18 **A** would be , Frank 22.

19 **Q** So he's not talking to Frank 27?

20 **A** No.

21 **Q** He's actually calling out for ?

22 **A** Yes.

23 **Q** And then do you hear 's voice
24 respond that he's talking to the caller?

25 **A** Yes.

1 **Q** All right. And then when Officer Wilson
2 says clear, what does that mean?

3 **A** That means he understood Matt, he knows
4 where he is and he's going to go there.

5 **Q** And you guys, if you don't understand
6 something just chime in, all right.

7 So track 334.

8 (Playing of the recording.)

9 **Q** The first speaker was who?

10 **A** The first one was .

11 **Q** Second one?

12 **A** Darren.

13 **Q** And so they're talking to each other?

14 **A** Yes.

15 **Q** Still on the scene at Sharondale?

16 **A** Yes.

17 **Q** And track 335.

18 (Playing of the recording.)

19 **Q** And, again, that's Officer Wilson talking
20 to ?

21 **A** Yes.

22 **Q** Okay. And just for clarity sake, there
23 are actually talking by using their walkie-talkies?

24 **A** Correct.

25 **Q** Their walkie-talkies aren't picking the

1 two of them standing next to each other talking?

2 **A** Correct.

3 **Q** Okay. Track 336.

4 (Playing the recording.)

5 **Q** All right. Do you recognize that voice?

6 **A** Yes.

7 **Q** Who is that?

8 **A** That's Sergeant .

9 **Q** Okay. What is the purpose of him saying
10 Ferguson 23?

11 **A** He is calling out to dispatch.

12 **Q** So he wants somebody to answer him?

13 **A** Correct.

14 **Q** All right. And then the next track, 337.

15 (Playing the recording.)

16 **Q** He calls again?

17 **A** Yes.

18 **Q** So nobody answered him?

19 **A** The first time, yes.

20 **Q** And then on track 338.

21 (Playing the record.)

22 **Q** So what does that call tell you, what's
23 Sergeant doing?

24 **A** He was on a separate call before all the
25 transmission started. I don't remember all of the

1 call. I know it was in reference to an elderly
2 female, he's requesting an ambulance come check her
3 out. Code one nonemergency, no light, no siren.

4 **Q** He's at another residence, not related to
5 this apartment situation?

6 **A** Correct.

7 **Q** Where there was somebody with possibly a
8 gun?

9 **A** Correct.

10 **Q** Okay. And track 339.

11 (Playing the recording.)

12 **Q** Do you recognize whose voice that is?

13 **A** I do, but Frank 23 is written in there
14 that is not who that is, that's , Frank
15 25.

16 **Q** So I wrote that wrong?

17 **A** Right.

18 **Q** Okay. Good to know. So that is

19 ?

20 **A** Yes.

21 **Q** We don't know who he's talking to or do
22 we?

23 **A** I would assume he's talking to the other
24 officers on the scene of Sharondale because the
25 three of them were there together.

1 **Q** So we have ?

2 **A** .

3 **Q** And Officer Wilson and now ?

4 **A** Yes.

5 **Q** And track 340.

6 (Playing of the recording.)

7 **Q** So the first speaker there, who is the
8 first speaker?

9 **A** Darren.

10 **Q** I have indicated 21, you told me that was
11 his voice, correct?

12 **A** Correct.

13 **Q** And he's talking to who?

14 **A**

15 **Q** And so, again, they're communicating.
16 They are still looking for a subject in Sharondale?

17 **A** Yes.

18 **Q** Track 341.

19 (Playing of the recording.)

20 **Q** And then track 342 is the same, dispatcher
21 also calling out for Frank 21; is that right?

22 **A** Yes.

23 **Q** And who is Frank 23?

24 **A** Sergeant .

25 **Q** And he's always Frank 23, correct?

1 **A** Yes, he's a supervisor.

2 **Q** So the dispatcher's calling him and he's
3 not answering?

4 **A** Correct.

5 **Q** Track 343.

6 (Playing the record.)

7 **Q** Okay. So who was that officer that called
8 in at the beginning?

9 **A** .

10 **Q** And what was his, on that day, do you
11 remember?

12 **A** His call sign is Frank 24.

13 **Q** Okay. And so he says, and so he says he's
14 calling in for 23?

15 **A** Yes.

16 **Q** So he hears the dispatcher is calling for
17 23, and 23 is not responding, so he came on in the
18 end saying I'm here?

19 **A** Correct.

20 **Q** So then the dispatcher says there is two
21 calls pending, does that mean unanswered so far,
22 correct?

23 **A** Yes.

24 **Q** So 344, track 344.

25 (Playing the recording.)

1 **Q** You recognize that as Darren Wilson?

2 **A** Yes.

3 **Q** What is he saying?

4 **A** He's saying he's just about finished with
5 this assignment, he's going to go back in service so
6 he'll be available to take the sick case on Glenark.

7 **Q** So 10-8 means I'm back in service?

8 **A** Correct.

9 **Q** Okay. And call 345.

10 (Playing the recording.)

11 **Q** Do you recognize who that is?

12 **A** Yes.

13 **Q** Who is that?

14 **A** That's Officer Wilson.

15 **Q** And he's talking to ?

16 **A** Yes.

17 **Q** Do you know what he means by that, stay
18 right where you're at they're gone?

19 **A** I believe probably if he would have not
20 moved or not appeared there, maybe they would have
21 found the suspects, maybe the suspects saw him and
22 left and maybe that's what that is referring.

23 **Q** So this is related to the call on
24 Sharondale?

25 **A** That is correct.

1 MS. WHIRLEY: Do you know what you just
2 told us, do you know that to be a fact or you just
3 speculating?

4 A No, I'm speculating only.

5 MS. WHIRLEY: Okay.

6 Q (By Ms. Alizadeh) Track 346.

7 (Playing the recording.)

8 Q So whose voice is that?

9 A Officer Wilson.

10 Q What is he saying?

11 A He's saying put him in service he's going
12 to go ahead and take the Glenark call.

13 Q The Glenark call was the baby with
14 difficulty breathing?

15 A Yes.

16 Q And is Glenark, where is that in Ferguson?

17 A It is also in sector four. It is a little
18 bit further, I'm terrible with directions, I believe
19 north of where the apartment complex in Canfield is
20 located.

21 Q Okay. So if that day Officer Wilson was
22 assigned to sector one, why is he answering a call
23 in sector four?

24 A The officer that is actually assigned to
25 sector four was on another assignment on Kirk

1 dealing with another sick case. And he was already
2 in that area, so he went ahead and took the call.
3 Sometimes they'll take calls out of sector when one
4 is tied up.

5 **Q** And it is one of your jobs to know where
6 these officers are at all times?

7 **A** That is correct.

8 **Q** Um, 347, track 347.

9 (Playing the recording.)

10 **Q** Who's the officer?

11 **A** Officer Wilson.

12 **Q** They're just getting the address correct,
13 correct?

14 **A** Yes.

15 **Q** Track 348.

16 (Playing the recording.)

17 **Q** Who is Frank 25?

18 **A** Officer

19 **Q** What is he saying in that call?

20 **A** He's saying he's wrapped up this
21 assignment, he's available for another, however,
22 he's going to respond back to his area or sector
23 that he covers because there's parking violations
24 that are open in that area.

25 **Q** Was that the other pending call that the

1 dispatcher mentioned?

2 **A** Yes, it was.

3 **Q** So we have him taking that call and then
4 Officer Wilson is taking the baby short of breath
5 call?

6 **A** Yes.

7 **Q** Track 349.

8 (Playing the recording.)

9 **Q** So 9101 West Florissant, do you know
10 what's there?

11 **A** That is, no, I don't, Ferguson Liquor I
12 believe is the name of it.

13 **Q** Is it also called Ferguson Market?

14 **A** Yes.

15 **Q** So the officer that responded to that call
16 said all clear, I'm right here, who is that?

17 **A** That was officer .

18 **Q** So what is he saying in response to that
19 call?

20 **A** He was at that location currently because
21 he was leaving from Sharondale to go to the other
22 assignment. So he stopped and was going to handle
23 that call.

24 **Q** He's saying I'm right close by. I'll take
25 this stealing in progress?

1 **A** Yes.

2 (Playing the recording.)

3 Is that the Victoria

4 Plaza?

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

6 **Q** (By Ms. Alizadeh) So I'll play again, I'm
7 going to play track 350.

8 (Playing the recording.)

9 **Q** And again, that's Officer ?

10 **A** Yes.

11 (Playing the recording.)

12 **Q** And track number 352.

13 (Playing the recording.)

14 **Q** Track 353.

15 (Playing the recording.)

16 **Q** And that was all officer talking
17 to the dispatcher?

18 **A** Yes.

19 **Q** And that was not you, that was

20 **A** No, that was me.

21 **Q** That was you?

22 **A** Uh-huh.

23 **Q** Track 354.

24 (Playing the recording.)

25 **Q** Okay. I'm going to play that again.

1 (Playing the recording.)

2 Q Do you recognize whose voice that is?

3 A I do not.

4 Q And you recognize, can you hear what
5 they're saying?

6 A Yes.

7 Q What did they?

8 A They're saying Mickey D's.

9 Q So this is an officer transmitting this;
10 is that right?

11 A Correct.

12 Q People with scanners that are out there,
13 they can't transmit on police radios?

14 A No, ma'am.

15 Q Do you know what he means by Mickey D's or
16 what do you assume he means?

17 A He means McDonald's, which was right next
18 door to the Ferguson Market. Possibly was inferring
19 that the subject may have gone into the McDonald's.

20 Q Okay. Track 355.

21 (Playing the recording.)

22 Q Whose voice is that?

23 A That is .

24 Q Track 356.

25 (Playing the recording.)

1 **Q** Whose voice is that?

2 **A** That is Officer .

3 **Q** Track 357.

4 (Playing the recording.)

5 **Q** Whose voice is that?

6 **A** That is .

7 **Q** So he's saying I understand that we have
8 no further description on this person, right?

9 **A** Correct.

10 **Q** And is this still regarding the stealing
11 from the Ferguson market?

12 **A** That is correct.

13 **Q** Track 358.

14 (Playing the recording.)

15 **Q** So the first voice, whose voice is that?

16 **A** Officer .

17 **Q** And he's giving out a description of one
18 of the suspects that's involved in this stealing at
19 the Ferguson Market?

20 **A** That's correct.

21 **Q** Who's the second officer's voice?

22 **A** Officer .

23 **Q** When he says clear, what does that mean?

24 **A** That means he was clear on the description
25 and he was going to look in the area for that

1 description on that subject.

2 **Q** And other officers who are on the dispatch
3 channel, they may or may not have heard Officer
4 and Officer talking to each other,
5 correct?

6 **A** That's correct.

7 **Q** Track 359.

8 (Playing the recording.)

9 **Q** Do you know who that is?

10 **A** Yes.

11 **Q** Who is that?

12 **A** Officer .

13 **Q** What is he saying, 27, I'm at the station,
14 open the garage?

15 **A** We also have all the controls to the
16 building doors in dispatch on our radio console. He
17 was with a prisoner so I opened the garage door for
18 him to bring the prisoner in.

19 **Q** Is this the same officer who called in
20 earlier who said he gave a code for having a
21 prisoner?

22 **A** Yes.

23 **Q** So now he's arrived at the station with a
24 prisoner?

25 **A** Yes.

1 **Q** And so unrelated to the stealing in
2 progress at the Ferguson Market?

3 **A** Yes, that is correct.

4 **Q** 360.

5 (Playing the recording)

6 **Q** Who is that?

7 **A** That is Officer

8 **Q** I'm sorry. It wasn't quite over Officer

9

10 **A** Yes.

11 **Q** Track 361.

12 (Playing the recording.)

13 **Q** So who is 22?

14 **A** 22 is .

15 **Q** What is he saying when he says clear me
16 with the report from Sharondale, I'm with 25?

17 **A** He was currently still in the area looking
18 for the man with the gun that came out on Sharondale
19 and he was clearing from that call and he was going
20 to continue to canvas the area for the subjects that
21 left the Ferguson Market.

22 **Q** When he says I'm with 25, is that Officer
23 ?

24 **A** Yes.

25 **Q** Is he physically with him, is that what

1 that means, or is he just going to be on the call?

2 **A** He's going to be on the call, he's in that
3 area.

4 **Q** And then the dispatcher says 22 that's
5 clear, you just saying I understand?

6 **A** Yes.

7 **Q** 362.

8 (Playing the recording.)

9 **Q** All right. So do you recognize this
10 officer?

11 **A** Yes.

12 **Q** Who is that?

13 **A** That is Major from the City of
14 Country Club Hills.

15 **Q** You dispatch for their department as well?

16 **A** Yes.

17 **Q** He's Victor two?

18 **A** Yes.

19 **Q** So this is not related to the Ferguson
20 Market or any of the calls that the Ferguson
21 officers have been working on?

22 **A** Correct.

23 **Q** Track 363.

24 (Playing the recording.)

25 **Q** And that's ?

1 **A** Uh-huh.

2 **Q** What is she indicating?

3 **A** She's repeating his location so that other
4 officers can hear it and insuring him that she knew
5 where he was.

6 **Q** Okay. So again this is relaying
7 information so that other officers who might not
8 have heard Victor two call in about this?

9 **A** Correct.

10 **Q** 363, 64, sorry, track 364.

11 (Playing the recording.)

12 **Q** So Frank 21, that's Daren Wilson?

13 **A** Yes.

14 **Q** What is he saying?

15 **A** He's saying that he is, finished up the
16 call he was on and he's available for other traffic
17 or other calls if needed.

18 **Q** That's the sick baby or the baby short of
19 breath on Glenark that he has had responded to?

20 **A** Yes.

21 **Q** Is he's done with that?

22 **A** Correct.

23 **Q** He's available for another call?

24 **A** Correct.

25 (Playing the recording.)

1 **Q** And you recognize that voice?

2 **A** Yes.

3 **Q** Who is that?

4 **A** That's Major

5 **Q** Victor 2?

6 **A** Yes.

7 **Q** So this is, again, regarding traffic, a
8 plate he's running, not regarding these Ferguson
9 calls?

10 **A** Correct.

11 **Q** Now 366.

12 (Playing the recording.)

13 **Q** Who's voice is that?

14 **A** That's Darren Wilson.

15 **Q** And what's he saying?

16 **A** He's inquiring if they need him to respond
17 for any assistance.

18 **Q** Who is he calling out to?

19 **A** He's calling out to Officer and
20 .

21 **Q** And those are the two officers who had
22 gone to the Ferguson Market in response to the
23 stealing in progress; is that right?

24 **A** Yes.

25 **Q** So he's asking them if they need his help?

1 **A** Yes.

2 **Q** 367.

3 (Playing the recording.)

4 **Q** All right. You recognize the first voice?

5 **A** Yes.

6 **Q** Who is that?

7 **A** The first voice was Officer .

8 **Q** So he's, he says they disappeared into the
9 woodwork or into --

10 **A** Possibly the wood line.

11 **Q** Could be the name Windward, it could be a
12 lot of different things, correct?

13 **A** Correct.

14 **Q** And then the next officer is who?

15 **A** Darren Wilson.

16 **Q** What is he saying?

17 **A** He can't hear them because it is hard for
18 them to hear on the portable when they're out moving
19 around and he's in his car and he can't hear the
20 portable.

21 **Q** So he's asking you to relay what Officer
22 just said?

23 **A** Correct.

24 **Q** And then is that you then who says, he
25 thinks that they disappeared?

1 **A** That was actually

2 **Q** , okay. And then Wilson says clear,
3 meaning I understand.

4 **A** Right. He was clearing that he understood
5 us though.

6 **Q** So this is an example where if he knows
7 that call was made but he couldn't hear it or
8 understand it, and he is asking to repeat it.

9 This is 368.

10 (Playing the recording).

11 **Q** So Frank 22 is calling, that's officer
12 ?

13 **A** Yes.

14 **Q** Calling dispatch?

15 **A** Uh-huh.

16 **Q** So what's he saying?

17 **A** He's saying that he is finished with the
18 assignment over there assisting with the Ferguson
19 Market and he's going to take the parking violations
20 at Victorian Plaza.

21 **Q** Okay. So is the dispatcher ?

22 **A** Yes.

23 **Q** So she says 10-4, that means she
24 understands it, correct?

25 **A** Correct, uh-huh.

1 **Q** Also when you get a moment I have a 21
2 message for you, what does that mean?

3 **A** A telephone number.

4 **Q** Okay. So that's not a message from
5 Officer Wilson since he's Frank 21?

6 **A** No, it was something totally separate.

7 **Q** So a 21 message just means a telephone
8 message?

9 **A** Correct.

10 **Q** And it may or may not be related to work,
11 it might be somebody calling him?

12 **A** Correct, it could be anything.

13 **Q** Anything?

14 **A** Yes.

15 **Q** All right. And then 369.

16 (Playing the recording.)

17 **Q** Who's that?

18 **A** That's Officer Wilson.

19 **Q** What is he telling you?

20 **A** He's telling me that he's out with two
21 subjects on Canfield and he's requesting an
22 additional unit for back up.

23 **Q** Can you tell from the transmission if he's
24 in his car or is he on his portable?

25 **A** He's in his car.

1 **Q** And is there anything about that call that
2 you think is unusual?

3 **A** Um, that he would request a backup
4 immediately would be very unusual. Usually they do
5 not do that.

6 **Q** When an officer says put me on Canfield,
7 what does that mean?

8 **A** Put me on the scene of Canfield, put me at
9 that location.

10 **Q** Because you have to keep track of where
11 they are at all times?

12 **A** Correct.

13 **Q** He's telling you he's on Canfield?

14 **A** Right.

15 **Q** With two, what did that mean?

16 **A** Two subjects, two people.

17 **Q** Okay. Does this tell you what he's doing
18 with them or why he's with two?

19 **A** It did not.

20 **Q** Okay.

21 **A** It only tells me that he stopped two
22 people.

23 **Q** Okay. And he ask for another car, an
24 assist?

25 **A** Yes.

1 I have a question.

2 MS. ALIZADEH: Yes.

3 : You

4 said that him requesting a backup car is out of
5 character for him?

6 **A** That quickly, yes.

7 That quickly?

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

9 So there have been other
10 instances where he has asked for backup?

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

12 : Is that my understanding?

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

14 You said the length of
15 time it took for him was out of character?

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

17 : Would there be a reason,

18 Do you know of a reason for an officer
19 to ask for backup that quickly?

20 **A** Maybe because he felt that there was
21 something about the way they looked, or the way they
22 were acting or just that there was something
23 suspicious about them.

24 : It could have been that
25 they fit the description of the people at the

1 Ferguson Market?

2 **Q** (By Ms. Alizadeh) So this is all just
3 speculating?

4 **A** Correct. I don't know what the real
5 reason would be.

6 **Q** You take calls from these officers every
7 day?

8 **A** Correct.

9 **Q** So now what does that mean when somebody
10 is doing a pedestrian check or head check?

11 **A** It means that they've stopped someone
12 because they appear to be suspicious and they get
13 out of the car and usually try to speak with them.

14 **Q** Okay. So not a traffic stop?

15 **A** No.

16 **Q** Somebody on foot?

17 **A** Yes.

18 **Q** It could be a number of things, correct?

19 **A** Correct.

20 **Q** They may recognize them and might have
21 warrants out for their arrest?

22 **A** Correct.

23 **Q** But something causes that officer to say,
24 hey, I'm going to make contact with this person and
25 see what's up?

1 **A** Right.

2 **Q** And in this case, he immediately said send
3 me an assist car?

4 **A** Yes.

5 MS. WHIRLEY: Let me ask, do they
6 generally, you mention a pedestrian check, do they
7 generally get out of the car for a pedestrian check?

8 **A** Most of the time, yeah, because they get
9 out of the car and ask them for identification and I
10 run them through the computer to insure they're not
11 wanted.

12 **Q** Knowing whether they are in the car or
13 they are on their portable is generally they're not
14 in their car on their mobile doing checks with
15 pedestrians that are standing at the car?

16 **A** No, ma'am, they get out of the car.

17 MS. WHIRLEY: They get out of the car,
18 okay.

19 You said you know the voices and you can
20 tell when it's distressed, did it appear to you that
21 Officer Wilson was in distress?

22 **A** It appeared to me that there was a
23 possibility of something going on, he was very
24 quick.

25 MS. WHIRLEY: As you mentioned earlier?

1 **A** Yes.

2 MS. WHIRLEY: All right.

3 **A** Okay.

4 **Q** (By Ms. Alizadeh) You have no idea other
5 than the information you testified about, what
6 caused him to make this call?

7 **A** Correct.

8
9 Considering that he only made two calls after he
10 left the sick baby, the first one was talking to
11 officer 25 and 22, and then all of the sudden send
12 me two cars.

13 MS. ALIZADEH: He doesn't say send me two
14 cars.

15 Send me another car?

16 : I actually have
17 a question about that because when he gets to
18 Glenark, you ever notice that you guys, he never
19 says I'm 23 or I'm out when he gets to Glenark? He
20 just kind of says en route, we hear nothing from
21 him.

22 **A** He did call 10-8 from Glenark. He called
23 10-8 from Glenark.

24 MS. WHIRLEY: You talking about when he
25 arrived at Glenark?

1 what does that mean?

2 **A** They do a CAD narrative in the computer
3 stating that they went to the sick case and
4 ambulance responded and pretty much that's it. We
5 don't really do a whole lot with sick cases.

6 : Okay.

7 **A** It is just to document the case and to say
8 an ambulance did respond.

9 This is him saying I
10 arrived there, I took care of things, I'm out of
11 here.

12 **A** Yes.

13 On a CAD system?

14 **A** Yes.

15 MS. ALIZADEH: Okay.

16 **Q** (By Ms. Alizadeh) Next call is track 370.

17 (Playing the recording.)

18 **Q** Is that ?

19 **A** Yes.

20 **Q** She's calling out to Darren Wilson?

21 **A** Yes.

22 **Q** 371.

23 (Playing the recording.)

24 **Q** So whose 24?

25 **A** That is Officer .

1 that was his sector, that was his area where Officer
2 Wilson was?

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

4 : So when we say that's
5 their area, are they like canvassing that
6 neighborhood or that's just the area that they are
7 patrolling throughout the whole day?

8 **A** They, that is the area that they are
9 responsible for that particular day. They move
10 around the city. Different day they may be in a
11 different sector. But they can leave that area and
12 go to a different area on an assignment if there's
13 no available officer for that.

14 I know I'm sorry, it is confusing, I
15 wish I could explain it in a better way for you
16 guys.

17 Best way I could explain it would be
18 I will send officers from an adjoining sector if I
19 have no officers available to respond. Meaning
20 sectors that bump each other, that are close, I will
21 put an officer from another sector to go there if
22 someone needs help and there's not an officer
23 available.

24 I was just confused
25 because that was his sector, it seems as though he

1 would have already been in the area, right?

2 **A** Right.

3 : But he's not on none of
4 the calls.

5 **A** He was on Kirk, he was still on Kirk with
6 the elderly patient.

7 Oh, elderly patient, okay,
8 all right.

9 **Q** (By Ms. Alizadeh) Now, Glenark, if you
10 look at that map and that's the call that Darren
11 Wilson was on previous, correct?

12 **A** Uh-huh.

13 **Q** And that is going to be, if east is to the
14 right, that's going to be east of that map, correct?

15 **A** And I'm terrible with directions, but I
16 believe so, yes.

17 **Q** Okay. And so you see that street Canfield
18 that cuts through this?

19 **A** Yes.

20 **Q** If you continue on Canfield it comes out
21 on West Florissant, correct?

22 **A** That is correct.

23 **Q** And Ferguson Market is on West Florissant?

24 **A** Yes.

25 **Q** And in the call when Darren Wilson says,

1 do you guys need help regarding the incident, the
2 stealing up in West Florissant, nobody responds to
3 him and says no, we got it covered, never mind?

4 **A** Correct.

5 **Q** Does he have a say to anybody, hey, I'm
6 going to go to this call at Ferguson Market? Do we
7 know why he was driving down Canfield?

8 **A** Canfield is a complete way for him to go
9 from Glenark to West Florissant in sector one is up
10 near the highway at West Florissant so that would
11 have been a direct route for him to go to his
12 sector.

13 **Q** To return to his sector?

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

15 **Q** From Glenark he would have to go down
16 Canfield to get to West Florissant to go back to his
17 sector?

18 **A** That would be a quick direct route, yes.

19 **Q** All right.

20 I'm . You
21 call these all sectors, okay?

22 **A** Yes.

23 No one officer, even if
24 they are assigned to that sector, has territorial
25 rights to that sector, do you understand what I'm

1 saying?

2 **A** That is correct.

3 If another officer is
4 responding to that call because the main officer
5 that's assigned there is doing something else, okay,
6 when that officer is cleared that's normally
7 assigned to that sector, he can't come back and then
8 just take over for the officers that are there, you
9 understand what?

10 **A** Generally they do not. Generally the
11 officer that has the report finishes the report, but
12 I do understand what you are saying.

13 : Okay.

14 **Q** (By Ms. Alizadeh) So if Officer Wilson is
15 leaving a call and now he's going back in service
16 and he hasn't been assigned anything, and he's
17 headed back to his sector say, just assuming that.
18 Is he allowed to do something in another sector?

19 **A** Yes.

20 **Q** So it is not like I can't stop these two
21 individuals because this isn't my sector?

22 **A** Right.

23 **Q** (By Ms. Alizadeh) Any other question.

24 373.

25 (Playing the recording.)

1 **Q** Who is 22?

2 **A** Officer .

3 **Q** And we hear him and his engine is revving;
4 is that right?

5 **A** Yes.

6 **Q** And what does that mean, 22 out?

7 **A** That means he's on the scene. I have to
8 interject, you don't hear the siren because I can't
9 hear them if they have their siren on, so that's why
10 you're not hearing the siren in the recordings
11 because that's all you would have.

12 **Q** The officer intentionally might not play
13 their siren when they trying to transmit?

14 **A** Correct.

15 **Q** 347, 374.

16 (Playing the recording.)

17 **Q** You recognize whose voice that is?

18 **A** Officer

19 **Q** And then track 375.

20 (Playing the recording.)

21 **Q** I'm going to play that again, you tell me
22 if you hear anything in this call or is this a call,
23 does this sound like somebody --

24 **A** That is something come from a walkie, a
25 mobile or a handheld.

1 (Playing the recording.)

2 Q You can't make out what's being said?

3 A No.

4 Q And you can't tell whose calling?

5 A No.

6 Q All you can tell is it came from a mobile,
7 the walkie-walkie, which is a portable?

8 A Yes.

9 Q 376.

10 (Playing the recording.)

11 Q That's you?

12 A That's me.

13 Q What are you saying?

14 A I can't understand what was coming from
15 the portable, so I'm checking their status because I
16 know somebody called out, but I can't.

17 Q So whoever made that staticky call, you
18 are calling out and saying 10-4 on Canfield, does
19 that mean are you okay?

20 A Yes, yes.

21 MS. WHIRLEY: Are you, 10-4 is like
22 acknowledgment, correct? What does 10-4 mean?

23 A 10-4 can be acknowledgment, but it also,
24 are you okay, we use it are you okay, is everything
25 good.

1 MS. WHIRLEY: Okay. So when you say 10-4
2 on Canfield.

3 A I'm asking if everything is okay.

4 MS. WHIRLEY: That's not a response that
5 somebody said they were out on Canfield?

6 A No, ma'am, no.

7 Q (By Ms. Alizadeh) Now at this point are
8 you concerned about what's happening and going on?

9 A Yes.

10 Q Why?

11 A Um, because I know 25 was looking for
12 another one, so I know something transpired and I
13 hear static and I'm not, they're not communicating
14 with me. So the years I've been there and I've
15 known a lot of these men since they were small, I
16 say small, to me they're like my children almost.
17 I've known them since they were rookies. I'm
18 concerned about their well being because it is odd
19 for them not to talk to me.

20 Q Okay. The two officers that you hear
21 saying that they're going to Canfield and you can
22 hear their engines revving, does that mean anything
23 to you?

24 A Yes.

25 Q What does that mean?

1 **A** They picked up the same that I did, that
2 he requested an assist car too quickly and there was
3 a problem.

4 **Q** So it sounds like they're speeding or
5 racing to that area?

6 **A** Yes.

7 **Q** 377.

8 (Playing the recording.)

9 **Q** Who is Frank 25?

10 **A** Officer .

11 **Q** Did you tell anything about his voice in
12 that call?

13 **A** Yes, he's very distressed.

14 **Q** And he says send 23 to Coppercreek Court,
15 and that would be Sergeant ?

16 **A** Yes.

17 **Q** For Officer , when he request a
18 supervisor to the scene, what does that tell you?

19 **A** That something occurred.

20 **Q** Something out of the ordinary?

21 **A** Correct.

22 **Q** Something more serious than pedestrian
23 check?

24 **A** Correct.

25 **Q** Or even arresting a subject for a warrant?

1 **A** Correct.

2 **Q** And then you hear Sergeant say, go
3 ahead, and you hear the dispatcher say are you able
4 to respond to Canfield and Coppercreek Court for 25?

5 **A** Correct.

6 **Q** Is that for Officer 25 or does that mean
7 is 25 a code for something?

8 **A** No, for officer 25, for Officer .
9 MS. WHIRLEY: Now, is there anyway to tell
10 at this point at Track 377 whether or not the
11 shooting has already occurred?

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

13 MS. WHIRLEY: There's no way to tell that?

14 **A** No.

15 MS. WHIRLEY: Nobody ever said shots
16 fired?

17 **A** No.

18 MS. WHIRLEY: Nobody has ever said send a
19 supervisor because we have an officer in need of
20 assistance?

21 **A** No.

22 MS. WHIRLEY: So the shooting could have
23 already occurred by this time?

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

25 MS. WHIRLEY: When everybody is acting so

1 upset?

2 **A** Yes.

3 MS. WHIRLEY: Okay.

4 **Q** (By Ms. Alizadeh) Track 378.

5 (Playing the recording.)

6 **Q** So you recognize which officer that is?

7 **A** Yes.

8 **Q** Who is that?

9 **A** Officer .

10 **Q** Does he sound distressed still?

11 **A** Yes.

12 **Q** Now, at this point are you and in
13 communication with each other?

14 **A** Correct.

15 **Q** What was going on between the two of you?

16 **A** Uh, I told something just occurred,
17 both of our years of dispatching we knew it was
18 something very serious. Something that entailed a
19 detective processing the scene.

20 **Q** So now Officer is asking for
21 detectives to respond to the scene?

22 **A** Yes.

23 **Q** And that's something more than a
24 pedestrian check?

25 **A** Correct.

1 **Q** So Frank 23 is Sergeant ?

2 **A** Yes.

3 **Q** What is this, what are you saying to him
4 in this call?

5 **A** He is still on the call on Kirk with the
6 elderly female and I'm telling him I'm unable to get
7 ahold of anyone at the agency. He has requested and
8 I've also tried United Way and they are not
9 available.

10 **Q** So prior to these recordings that we are
11 listening to, he had called into dispatch and asked
12 you to try to get ahold of somebody with an agency
13 that maybe could assist this woman?

14 **A** Yes.

15 **Q** So this was in response to Sergeant
16 inquiring earlier about the elderly woman?

17 **A** Yes.

18 **Q** Not related to Canfield apartments?

19 **A** Correct, not related.

20 (Playing the recording.)

21 **Q** And so now I wrote 24 there, that's not 24
22 is it?

23 **A** Right, it is 23.

24 **Q** Can you all change that? That was Officer
25 23, Sergeant ; is that right?

1 Kirk?

2 **A** I believe so.

3 **Q** Is it typical for a supervisor to respond
4 to a call or assist?

5 **A** Usually a supervisor will respond if there
6 is no other unit available, but also a supervisor
7 will respond if an officer is having a difficult
8 time communicating with someone and he is our
9 officer.

10 **Q** Officer is

11 **A** That is correct.

12 **Q** Anybody else? So we're going to call 381.

13 (Playing the recording.)

14 **Q** Now, that was speaking, correct?

15 **A** Yes.

16 **Q** Who is she talking to?

17 **A** She's talking to the officers, letting
18 them know that EMS was en route.

19 **Q** The officers on Canfield?

20 **A** Yes.

21 **Q** What is EMS?

22 **A** Emergency medical.

23 **Q** And so he's indicating medical personnel's
24 responded?

25 **A** Yes.

1 **Q** All right. Did somebody call for that?

2 **A** I believe the officers asked for that. I
3 think they called us on the phone and asked for that
4 but there was also a firetruck that was cutting
5 through Canfield back to West Florissant that was
6 assisting the child with difficulty breathing that
7 automatically stopped. You can hear the fire
8 channel when you are in dispatch, correct?

9 **A** Correct.

10 **Q** Your recollection is that there was a
11 firetruck that had been leaving that Glenark call?

12 **A** Yes.

13 **Q** Was like right there when probably the
14 first responding, I think you told me you thought
15 that was the first emergency vehicle on the scene?

16 **A** Correct.

17 **Q** Besides the --

18 **A** Officers.

19 **Q** -- officers?

20 : I have a question,

21 At this particular point then are we
22 still, I'm kind of confused about this channel, that
23 channel. Are we on the Ferguson channel, or we on
24 the RIOT A channel or what?

25 **A** I can monitor the fire department channel,

1 I have that ability from my console. And I could
2 hear them, the traffic coming out on that channel as
3 well as the traffic coming out on that main channel.
4 The communication will come from both channels, just
5 one is louder than the other. And that's how I can
6 differentiate between which one is which.

7 : Okay.

8 This we are hearing is on
9 the dispatch channel?

10 **A** Correct.

11 MS. ALIZADEH: No one else?

12 **Q** (By Ms. Alizadeh) Track 382.

13 (Playing the recording.)

14 **Q** And that's you?

15 **A** Yes.

16 **Q** That's Officer saying he's arrived at
17 the scene?

18 **A** Yes.

19 **Q** And you call out he's there at 12:05?

20 **A** Yes.

21 **Q** So at the time of this call on the tracks
22 we've gotten on the disc say 12:25:40. 12 p.m.,
23 12:25 p.m. and 40 seconds. You put him out there at
24 12:04?

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

1 **Q** And then 383.

2 (Playing the recording.)

3 **Q** That's Officer calling out?

4 **A** Yes.

5 **Q** 385.

6 (Playing the recording.)

7 **Q** So who's Officer 27?

8 **A** .

9 **Q** You recognize him?

10 **A** Yes.

11 **Q** He was the officer, he says I'm leaving
12 the station. He had been conveying a prisoner; is
13 that right?

14 **A** Yes.

15 **Q** So he responded saying I'm going to go out
16 to the scene as well?

17 **A** Yes.

18 **Q** 386.

19 (Playing the recording.)

20 **Q** What's that about?

21 **A** We have a channel that we call
22 point-to-point that we can communicate with all
23 agencies in the area, and we call them
24 point-to-point and we get immediate assistance from
25 that other agency. St. Louis County is the closest

1 big jurisdiction that is near us, so we would always
2 call them immediately with something.

3 **Q** And that's voice?

4 **A** No.

5 **Q** Is she on the point-to-point channel?

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

7 **Q** So that's different than the dispatch
8 channel?

9 **A** That's correct.

10 **Q** You can hear her calling out on the
11 point-to-point channel?

12 **A** Yes.

13 **Q** 387.

14 (Playing the recording.)

15 **Q** 388.

16 (Playing the recording.)

17 **Q** 389.

18 (Playing the recording.)

19 **Q** Is that the major that you already heard
20 from today?

21 **A** Yes.

22 **Q** And he's with Country Club Hills?

23 **A** Yes.

24 (Playing the recording.)

25 **Q** Can you understand what they're saying in

1 that call?

2 **A** He's inquiring if we need additional units
3 down on Coppercreek. We told him affirmative we do
4 and he advised that he would be en route.

5 **Q** 391.

6 (Playing the recording.)

7 **Q** Is that ?

8 **A** Yes.

9 **Q** Why is she calling out Ferguson?

10 **A** She's answering point-to-point.

11 Unfortunately, our system does not tape the
12 receiving information that we get on point-to-point,
13 it only records outgoing information.

14 **Q** Okay. 392.

15 (Playing the recording.)

16 MS. ALIZADEH: Yes.

17 : Can I listen to track 390
18 again because it says at the very end it is
19 unintelligible, but to me it sounds like he's saying
20 what do you got there.

21 MS. ALIZADEH: Sure, I'll play track 390
22 again.

23 (Playing the recording.)

24 **Q** (By Ms. Alizadeh) 393.

25 (Playing the recording.)

1 **Q** Now was that 24 or 25?

2 **A** 25.

3 **Q** So I wrote that wrong?

4 **A** (Nods head.)

5 **Q** Track 394.

6 (Playing the recording.)

7 MS. ALIZADEH: So FYI people, the rest of
8 these calls are obviously after the incident. I did
9 go through these calls with them for a bit longer.
10 Is there interest in hearing them? Let me ask you
11 this, do you ever hear Officer Wilson call out on
12 the radio again?

13 **A** No.

14 MS. ALIZADEH: Is there anybody who wants
15 to listening to calls or you interested in whether
16 there is a call for something specific? Anyone?

17 We can keep playing the calls. It is a
18 lot of the aftermath and the crowd control and the
19 need for additional units and so forth.

20 : I just have a question.

21 At what point do you understand what
22 happened or what the situation is?

23 **A** I understood that there was a problem. I
24 never fully knew what transpired until my captain
25 actually called me on the phone and said this is

1 what happened. He wanted to make sure we knew.

2 : Okay.

3 **A** We never were told. We just knew there
4 was a serious problem.

5 MS. WHIRLEY: This is Sheila Whirley, did
6 you see Darren Wilson come back to the station after
7 this call?

8 **A** Not directly after the call, no, ma'am.

9 MS. WHIRLEY: When did you see him again?

10 **A** I saw him a couple hours later in the
11 detective room.

12 MS. WHIRLEY: What was he doing?

13 **A** He was in there with a detective waiting
14 for St. Louis County.

15 MS. WHIRLEY: Was he fully dressed at that
16 time?

17 **A** He was in his uniform, yes, ma'am.

18 MS. WHIRLEY: And did you talk to him at
19 all?

20 **A** No.

21 MS. WHIRLEY: Did you know that he was
22 involved in a shooting?

23 **A** At that point, yes, ma'am, I did know.

24 MS. WHIRLEY: Did you say anything to him
25 like I'm sorry to hear about this?

1 **A** No.

2 MS. WHIRLEY: There was no communication
3 between to two of you?

4 **A** No, I actually had just walked past the
5 door.

6 MS. WHIRLEY: Did you observe his
7 demeanor?

8 **A** He was very quiet, seemed very quiet.

9 MS. WHIRLEY: Because you know him?

10 **A** Yes.

11 MS. WHIRLEY: So when you say quiet, was
12 he, you know, tearful or anything.

13 **A** Very solemn.

14 MS. WHIRLEY: Solemn, you would describe
15 it?

16 **A** Solemn.

17 MS. WHIRLEY: According to the transcript
18 that we're looking at, seems like the last time you
19 heard from Frank 21, which was Officer Wilson, is
20 when he said put me on Canfield with two and send
21 another car.

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

23 MS. WHIRLEY: You never heard anything
24 else from him?

25 **A** No.

1 MS. WHIRLEY: Okay.

2 Q (By Ms. Alizadeh) But there is another
3 call that you actually responded to because you
4 couldn't tell what was being said or who was
5 calling; is that right?

6 A Yes.

7 MS. ALIZADEH: Anyone else?

8 That
9 would be the static call?

10 A Yes.

11 : If that call is on a
12 different channel, would you be able to hear that
13 static as a dispatcher.

14 A When you say different channel, are you
15 talking about a channel on their portable or a
16 channel --

17 Channel on the portable.

18 A No, I do not have the same access to their
19 channels that on my --

20 --

21 MS. ALIZADEH: No, you're

22 : I'm trying to blame
23 everything on . I hear so much it gets
24 in my mind.

25 Track 369, that's when the call, I'm on

1 Canfield, was it 12:21:05, that's not real time, but
2 it is a time, correct?

3 MS. ALIZADEH: Yes. You want me to double
4 check the time?

5 : Well, no, I wrote it
6 down. I know that's what was on the track.

7 And then on 378, that's if we have a
8 detective on duty respond as well. So that's pretty
9 much, we can say that's pretty much after everything
10 is done as far as the shooting that was at 12:23:11,
11 which was like two seconds or is that two minutes.

12 MS. WHIRLEY: Two minutes.

13 : This whole thing pretty
14 much was over in two minutes, that's a fairly short
15 period of time. So, I mean, we are hearing people
16 talk about six minutes and two minutes from the time
17 he got out of the car until --

18 : . You take the
19 time of 377, which is 12:22, assuming when he's
20 asking for the supervisor when he was already at the
21 scene, it is one minute.

22 Two minutes or less.

23 MS. ALIZADEH: I will assume then you
24 don't want me to play the rest of the calls? If
25 need be, you can listen to them. You know, don't

1 necessarily trust the transcript because obviously
2 I've made some mistakes and I didn't actually, we
3 didn't finish the transcript because I was, I knew I
4 was keeping you guys waiting this morning.

5 If there is a need to listen to additional
6 calls, you let me know because I'll probably want
7 her to verify whose talking and what's being said
8 because I can't trust myself, I don't know whose
9 voice is who, okay.

10 MS. WHIRLEY: I have one other question.
11 When we talked about this orange alert button, you
12 talked about it too. If shots were fired or officer
13 discharging his weapon in some way like that, would
14 you expect that alert button to be enabled?

15 **A** If he had a chance to, yes.

16 MS. WHIRLEY: Okay.

17 **A** But that is usually, I mean, their walkie
18 is attached on their hip and it's pulled over. So
19 they have to reach down on their hip to push that
20 button.

21 MS. WHIRLEY: Okay. And then there's an
22 alert button inside the car also?

23 **A** Yes, but it is on the radio itself.

24 MS. WHIRLEY: Is that button bigger,
25 larger than the one --

1 **A** I do not know what the button looks like
2 there.

3 MS. WHIRLEY: Okay, all right, thank you.

4 MS. ALIZADEH: Okay.

5 (End of the testimony of)

6 MS. ALIZADEH: Good afternoon. This is
7 Kathi Alizadeh, today is November 10th, it is
8 1:44 p.m. Sheila Whirley is here, all 12 grand
9 jurors are here, and , the court reporter, is
10 here.

11 We just finished with our lunch break and
12 so we're going to resume for the afternoon and so
13 what we're going to start with right now, last week
14 there was a request for me to try to get some clips
15 of a press conference or press conferences that
16 Chief gave or made after the incident in
17 Ferguson.

18 So I did find online several clips or
19 press conferences. And I'm not 100 percent sure
20 which one you might be referring to, so I know that
21 there was a question of whether or not he talked
22 about whether the officer knew or what he might have
23 known.

24 So I have two, I have two clips where that
25 might be what he's talking about.

1 If you will bear with me, I will go ahead
2 and play those. I will play one clip first and that
3 might be the one you are talking about and you might
4 say oh, good, that's it, we don't need to do the
5 other one. But if not, then we'll play the other
6 one as well.

7 I'm going to put a disc in here and see I
8 have no idea what disc it is. So let me put this
9 disc in here. Then I'll mark it.

10 I'm going to mark this as Grand Jury
11 Exhibit 91.

12 (Grand Jury Exhibit Number 91
13 marked for identification.)

14 MS. ALIZADEH: Because I got these off of
15 the internet, I cannot say for sure when this
16 conference was because it doesn't really have a date
17 on it. We'll just see if this is what you might be
18 interested in.

19 Go ahead and pause the recording.

20 , pause the audio recording and
21 if you will try to dictate statements made at
22 the press conference, not dictate, transcribe.

23 (Playing of the conference recording and I
24 am transcribing.)

25 CHIEF : First of all, thanks for

1 everybody for coming out. Sorry about being late, I
2 know that the timeline hasn't really played out like
3 I expected it would. But as some of you are aware,
4 I've had a lot of Sunshine request, Sunshine Law
5 request for information and documents about a
6 variety of things, some of which is not available to
7 me.

8 But anyway, I'm here to talk about two
9 things. First of all, the name of the officer
10 involved in the shooting and then I've had a lot of
11 Sunshine request for information I'm going to be
12 releasing information about a robbery that occurred
13 on August 9th immediately preceding the altercation
14 and shooting death of Michael Brown.

15 It's important to know that I have made
16 contact with someone who is in contact with
17 Officer Brown's (sic) family making them aware of
18 this information being released.

19 What we are making available today is the
20 dispatch records, the video footage of a robbery, a
21 strong armed robbery, a use of force that occurred
22 at a local convenience mart.

23 I cannot discuss the investigation
24 about the attempted apprehension of the suspect and
25 strong armed robbery, that goes to the County

1 Prosecutor's office. I won't be taking any
2 questions today right now, but I won't be taking any
3 questions here. I want to get this information to
4 you, everybody digest it and then later on sometime
5 in the afternoon we can get together again and then
6 I'll take questions.

7 So I just want to give you a little
8 timeline of what happened. On August 9th from
9 11:48 till noon the officer involved in the shooting
10 was on a sick call on Glenark. There was an
11 ambulance present.

12 At 11:51 there was a 911 call from a
13 convenience store nearby, not this one. At
14 11:52 dispatch gave a description of a robbery
15 suspect over the radio. A different officer arrived
16 at the store where the strong armed robbery
17 occurred.

18 A further description with more
19 detail was given over the radio and said that the
20 officer was walking toward -- the suspect was
21 walking toward QuikTrip.

22 Our officer left the sick call, he
23 encountered the, sorry. At 12:01 p.m., our officer
24 encountered Michael Brown on Canfield Drive. At
25 12:04 a second officer arrived on the scene

1 immediately following the shooting. And 12:05 a
2 supervisor was dispatched to the scene and
3 subsequent officers arrived.

4 There has been some questions about
5 the calling of an ambulance, the ambulance that was
6 at the sick case on Glenark was coming by
7 immediately following the shooting and they did
8 respond to assess Michael Brown.

9 So I'm going to have some police
10 officers going to be handing out packets that have
11 all the information that was requested on the
12 Sunshine request concerning the robbery. We're
13 going to give those packets, first of all, to those
14 agencies that had made the Sunshine request and then
15 anybody else who wants them, I think we have enough
16 to give out. We've got quite a few.

17 Sorry. The officer that was involved
18 in the shooting of Michael Brown was Darren Wilson.
19 He's been a police officer for six years, has had no
20 disciplinary action taken against him.

21 He was treated for injuries which
22 occurred on Saturday. Again, I won't be taking any
23 questions at this time, but the packets will be
24 handed out by my officers. The name is Darren,
25 D-A-R-R-E-N, Wilson, W-I-L-S-O-N. And thank you and

1 I will see you again soon.

2 (End of the recording.)

3 MS. ALIZADEH: I just finished playing
4 Grand Jury Exhibit Number 91. I'm now going to play
5 another disc, which is Grand Jury Exhibit 92.

6 (Grand Jury Exhibit Number 92
7 marked for identification.)

8 (Playing of the recording of the press
9 conference and the following is a transcription:)

10 CHIEF Okay, thank you. All
11 right. So I gave you a whole bunch of, first of
12 all, thank you for coming out here. We wanted to do
13 this in this environment so we can hear each other
14 and get whatever information we have left out.

15 So I gave you a lot of information this
16 morning. I wanted to give you a chance to let you
17 go over it. And if we've had some questions that
18 have been coming into our Twitter and so forth, so
19 I'm going to address some of those.

20 A question about the timing of the release
21 of the tape. So we have had this tape for a while
22 and you know we had to diligently review the
23 information that was in the tape, determine if there
24 was any other reason to keep it, anybody else to be
25 charged in the crime, we had determined that that

1 was not going to be the case.

2 We got a lot of Freedom of Information
3 request for this tape and at some point it was just
4 determined we had to release it. We didn't have
5 good cause or any other reason to not release it.
6 And so decided at the same time it wouldn't be
7 prudent to release that information which, you know,
8 could be a little bit, I don't know.

9 We needed to release that at the same time
10 we would release the name of the officer who was
11 involved in the shooting. So that we could just
12 keep open and give you all the information we had.
13 We pretty much have given you every bit of
14 information that we have now. I don't think there
15 is anything else that we have to give out.

16 Regarding the second suspect who was in
17 the store and the tape, Dorian Johnson, we
18 determined that he did not commit a crime and was
19 not complicit in the crime.

20 And clarifying one of the other questions
21 that came quite a bit was on the role of two
22 officers. Some were thinking it was the same
23 officer that handled the robbery as was involved in
24 the shooting, that is not the case. There were two
25 separate officers.

1 This robbery does not relate to the
2 initial contact between the officer and Mike Brown.
3 Having said that, I will take a few questions.

4 QUESTION: Do you have any information to
5 justify the incident of force, particularly outside
6 department?

7 CHIEF : Okay. I understand that
8 and these are questions that have to go to the
9 investigation and I don't think anything from the
10 investigation is going to be released until it is
11 complete.

12 QUESTION: The officer who fired the shots
13 whether he knew Mr. Brown was involved in this
14 incident, whether he knew that Mr. Brown was
15 involved?

16 CHIEF : I can only go up to a
17 certain point and then it is unreleased information
18 in the investigation. And that certain point is the
19 initial contact between the officer and Mr. Brown
20 was not related to the robbery.

21 QUESTION: (Inaudible) Can you as a
22 matter of protocol describing conditions under which
23 a weapon was discharged?

24 CHIEF : There's a use of force
25 report that we have, but the whole, all the reports

1 are going to be written on this are going to be
2 written by the St. Louis County Police Department.
3 They had total control of the investigation.

4 QUESTION: (Inaudible.)

5 CHIEF : I don't have it in my
6 possession. Everything belongs to the County.

7 QUESTION: (Inaudible.)

8 CHIEF : Um, I have to take a look
9 at it. Just take a look at the tape.

10 QUESTION: (Inaudible.)

11 CHIEF : Okay. All I did was
12 release the videotape to you because I had to. I've
13 been sitting on it. Too many people put in a
14 request for that thing so I had to release that tape
15 to you.

16 QUESTION: (Inaudible.)

17 CHIEF I understand that, but
18 considering if I just release that tape and didn't
19 release the officer's name, there would be similar
20 questions.

21 QUESTION: Michael Brown's family was the
22 media's way the police chief has chosen to
23 disseminate piecemeal information in a manner
24 intended to assassinate the character of Michael
25 Brown. What is your response to that?

1 CHIEF : My response to that is
2 first, my heart goes out to the family. I can't
3 imagine what they're going through. We have given
4 you everything that we have now and everything that
5 we can give you. From our police department you
6 have everything we've gotten. There is nothing else
7 to give you.

8 QUESTION: (Inaudible.)

9 CHIEF : No, I had meetings
10 scheduled with the family yesterday morning,
11 representatives from the family came, the family did
12 not, they haven't had a chance to completely consult
13 with their attorney.

14 QUESTION: We asked you guys questions
15 about the way you handled this case happened this
16 case why you are releasing the information you said
17 was under investigation, you just put more citizens
18 in trouble by releasing that video. Now they have
19 to be protected because their store and their
20 business have been placed in the media. You say you
21 are concerned about safety, but you talking about
22 your officer?

23 CHIEF I'm absolutely concerned
24 about the safety of my community.

25 QUESTION: Can you say whether he worked

1 at another police department in this area before he
2 came here?

3 CHIEF Yes, he was A police
4 officer for six years. Two of those years were with
5 Jennings and four years with us. I can't go into
6 the security of that officer.

7 QUESTION: Can you talk about (inaudible)
8 The officer involved in the shooting was he aware of
9 the robbery call?

10 CHIEF : I don't know. I don't
11 know what came out in his interview. I know his
12 initial contact was not related to the robbery, it
13 was related to blocking the road.

14 QUESTION: So you're telling us that when
15 the officer stopped Michael Brown the first time, he
16 was not aware that Brown was a suspect in a robbery?

17 CHIEF : No, he was just coming off
18 of a sick case, which is why the ambulance was there
19 so quickly, but yeah, okay.

20 QUESTION: You're saying, what are you
21 saying, Chief, did he know that he was aspect in the
22 a case or did he not know?

23 CHIEF : No, he didn't. He was --
24 had nothing to do with the stop.

25 QUESTION: At this point why would he stop

1 Michael Brown?

2 CHIEF Because they were walking
3 down the middle of the street blocking traffic, that
4 was it.

5 QUESTION: Did you find evidence of the
6 stolen merchandise on the body?

7 CHIEF : Yes.

8 QUESTION: Why did you put more citizens
9 in harms way?

10 CHIEF : Are there any other new
11 questions?

12 QUESTION: (Inaudible)

13 CHIEF : I was asked that, I'm
14 going to consult with my city attorney before we do
15 that and make sure that's all part, I just got that
16 question.

17 QUESTION: (Inaudible.)

18 CHIEF : They're doing a good job.
19 They have actually been here with us since the very
20 beginning of this thing and I have every confidence
21 in St. Louis County Police Department is still here.

22 QUESTION: (Inaudible) The governor to
23 bring in the State Highway Patrol do you agree?

24 CHIEF : That's political and I'm
25 not going to get involved in that. What I will say

1 I know the officer in charge and have known him for
2 years and have every confidence in him for
3 information confidence in him.

4 QUESTION: (Inaudible.) Now the state
5 police take over --

6 CHIEF : 28.

7 QUESTION: (Inaudible.)

8 CHIEF : Yes.

9 QUESTION: There some report --

10 CHIEF : The side of his face was
11 swollen. This has already been released by the
12 County Police Department. What I tell you about the
13 incident, the shooting is what's been released by
14 the St. Louis County Police Department. So
15 everything I say to you I can't say anything other
16 than that.

17 QUESTION: Tell us a little bit more about
18 him, what kind of details did he work, kind of how
19 would you describe his demeanor, did you ever have
20 any issues with him, any termination action?

21 CHIEF He had no complaints, he
22 was a gentle, quiet man, he was a safest officer,
23 yes.

24 QUESTION: (Inaudible.)

25 CHIEF : Yes, we do.

1 QUESTION: Could you describe him as best
2 you can?

3 CHIEF : He was a gentleman, a
4 quiet officer, and he has been an excellent officer
5 for the police department.

6 QUESTION: How has he been affected by
7 this?

8 CHIEF It is devastating,
9 absolutely devastating. He never intended for any
10 of this to happen.

11 QUESTION: The officer, if he did not
12 feel, if the murderer and the robbery did not come
13 together, why did the video come out and the robbery
14 is not related?

15 CHIEF : Because the press asked
16 for it.

17 QUESTION: (Inaudible)

18 CHIEF Pardon me? Does anybody
19 remember. I don't remember, but I will find out for
20 you. One more question.

21 QUESTION: (Inaudible.)

22 CHIEF : Try it again?

23 QUESTION: Earlier in the day you said the
24 officer was responding because of a description of a
25 robbery suspect that had gone out and that

1 description matched Michael Brown. Now you are
2 saying he only shot Michael Brown because he was
3 blocking traffic being?

4 CHIEF : No, no, no, I don't think
5 he went there for a robbery call, he was in the area
6 following the robbery because he was on a sick case.

7 QUESTION: If the robbery had nothing to
8 do with the stop, then why did you release the video
9 of the robbery, what's the explanation?

10 CHIEF Because you asked for it,
11 you asked for it. I held onto it for as long as I
12 could. Yes.

13 QUESTION: (Inaudible.)

14 CHIEF : Captain and I just
15 spoke about our communication breakdown and we -- I
16 talked to Chief about this, we talked to the
17 command post out there, but I did not personally
18 call him, I should have done that. I'm still in
19 County being in charge mode.
20 Thank you very much.

21 (End of the playing of the press
22 conference.)

23 MS. ALIZADEH: Is that the interview you
24 were talking about? The only other one I have was
25 really pretty long.

1 : That's it.

2 : The one question the
3 reporter asked about why did he earlier say that the
4 officer didn't know, that was kind of --

5 MS. ALIZADEH: I haven't found a clip
6 where he actually says that.

7 : He does say that though.

8 MS. ALIZADEH: I don't know if he says in
9 the audio or a press conference, I'm not really
10 sure. I wasn't able to find that statement, but he
11 does say something about you earlier said this and
12 then officer Chief responds.

13 If anybody is aware of any other clip. I
14 know that typically we tell jurors not to do any
15 research on the case, but if there is a clip that
16 you all think that you want the rest of the jurors
17 to view, if you can just bring it to my attention, I
18 can give you my email address and you can email me
19 the link or something and I'll make sure I get it
20 copied so we can show it to everybody. But from
21 what I understand, this is the clip you were talking
22 about?

23 Okay. So I just played Grand Jury Exhibit
24 92, which is another recorded audio, video clip of a
25 press conference that was made by Chief and

1 I'm not sure when it was made. So, obviously, after
2 the shooting, but I'm not sure when in time it was
3 made. So at this time I am going to call Chief
4 . I talked to y'all about I thought it would
5 be prudent if we're going to have clips played of
6 him making statements, we would call him as a
7 witness and have him talk about that and answer any
8 of your questions in relation to that.

9
10 of lawful age, having been first duly sworn to
11 testify the truth, the whole truth, and
12 nothing but the truth in the case aforesaid,
13 deposes and says in reply to oral
14 interrogatories, propounded as follows, to-wit:

EXAMINATION

BY MS. ALIZADEH:

17 **Q** , could you state your name
18 and spell it for the court reporter, please?

19 **A**

20

21 **Q** And, sir, where are you employed?

22 **A** Ferguson Police Department.

23 **Q** And what do you do for the City of
24 Ferguson?

25 **A** I'm the chief of police.

1 **Q** How long have you been the chief of the
2 City of Ferguson?

3 **A** About four years and eight months.

4 **Q** And are you a commissioned officer?

5 **A** I am.

6 **Q** So how long have you been a police
7 officer?

8 **A** A little over 35 years.

9 **Q** Prior to your employment as the chief of
10 the City of Ferguson, did you work for the City of
11 Ferguson in any other capacity?

12 **A** I did not.

13 **Q** So where did you work, what were you doing
14 prior to coming to the City of Ferguson chief of
15 police?

16 **A** I was s employed by the St. Louis County
17 Police Department.

18 **Q** All right. And so have you ever been
19 employed by any other police departments besides St.
20 Louis County?

21 **A** No, I have not.

22 **Q** So after going to the police academy, your
23 career was with the county and chief of police of
24 Ferguson?

25 **A** Yes.

1 **Q** What did you do as a police officer for
2 the St. Louis County?

3 **A** I started out in patrol, then I did four
4 years as an undercover detective, narcotics. I
5 spent five years an operator on the SWAT team.
6 About a year as a burglary sergeant, another three
7 years as a sergeant in the SWAT team.

8 Finished my career as lieutenant and
9 then captain of the St. Louis County
10 Multijurisdictional Drug Task Force.

11 **Q** All right. And when you left the county,
12 did you retire from the county?

13 **A** I did.

14 **Q** And from there did you go directly to
15 being the chief at Ferguson or did you have a
16 hiatus?

17 **A** I took a weekend off, it was very
18 relaxing.

19 **Q** So you had been, do you recall the date or
20 the month that you started as the chief in Ferguson?

21 **A** It was March 8th, 2010.

22 **Q** And have you been the chief continuously
23 since that date?

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

25 **Q** And as the chief of police, you have

1 police officers that are under your command; is that
2 right?

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

4 **Q** Can you describe the hierarchy of command.
5 So you are the senior law enforcement official,
6 correct?

7 **A** That's correct.

8 **Q** Who would be directly under you?

9 **A** Now there's a new position of assistant
10 chief. I have captains for patrol and criminal
11 investigation, and then I have lieutenants for
12 patrol, and sergeants for patrol and for
13 communications and auxillary services. I also have
14 correction officers and dispatch center.

15 **Q** And we've heard from your communication
16 officer and one of your dispatchers, Ferguson
17 dispatches for themself, correct?

18 **A** They do.

19 **Q** They also, you also answer your own 911
20 calls?

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

22 **Q** Um, so as the chief of police, you
23 mentioned that there is an assistant chief of
24 police, is that what you said?

25 **A** Yes.

1 **Q** You said it was a recently created
2 position, was that position, had that position been
3 created by March 9th, I'm sorry, August 9th of this
4 year?

5 **A** Yes, it was August 1st, I believe.

6 **Q** Okay. And who is the assistant chief?

7 **A** .

8 **Q** And then you have a sergeant under your
9 command named Sergeant , correct?

10 **A** I do, yes, ma'am.

11 **Q** So were you working on August 9th of this
12 year?

13 **A** No, I wasn't.

14 **Q** Do you recall where you were when you
15 first learned that there had been an officer
16 involved shooting?

17 **A** Yes, I, it was driving westbound on
18 Interstate 70 to have lunch with .

19 **Q** So this was on a Saturday, correct?

20 **A** It was.

21 **Q** And you were not working that day. So how
22 is it that you learned about the officer involved
23 shooting?

24 **A** I got a call and a text from Sergeant
25 . I was driving at the time so I waited until I

1 got off the highway and checked that briefly.

2 Alerted me that there was a fatal officer involved
3 shooting, so I called him.

4 **Q** So the message was from ?

5 **A** It was.

6 **Q** And did you call then?

7 **A** I did.

8 **Q** Did you reach him?

9 **A** I did.

10 **Q** About what time of day is this, do you
11 know?

12 **A** It is around 12:15, 12:20.

13 **Q** So when you contacted , was he at
14 the scene on Canfield?

15 **A** I believe he was there at that time.

16 **Q** And what did he tell you about what had
17 happened?

18 **A** Briefly he told me that there was an
19 officer involved shooting. I asked him who the
20 officer was and if the officer was okay. And you
21 know, he had already told me that it was a fatal
22 shooting and he did say that the scene was starting
23 to get a little bit tense.

24 **Q** All right. And after getting that
25 information from Sergeant , what did you do?

1 **A** I contacted my chief of detectives,
2 and informed him, wanted his blessing that I
3 intended to ask to handle the
4 investigation.

5 Then called , chief of
6 police of St. Louis County and asked him, informed
7 him briefly what he had, told him I didn't have a
8 lot of details, but since it was a fatal officer
9 involved shooting I would prefer that they did the
10 investigation.

11 **Q** And was this prior to you getting to the
12 scene that you made these phone calls?

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

14 **Q** And ultimately did you proceed to the
15 scene on Canfield?

16 **A** I did.

17 **Q** And about how long now had it been from
18 the time you got the call from Sergeant until
19 you got down to the scene?

20 **A** I'm thinking it was about 45 minutes,
21 maybe a little longer.

22 **Q** And when you got to the scene, was County
23 Police already at the scene?

24 **A** They were.

25 **Q** And was the scene roped off?

1 **A** There was a lot of tape, crime scene,
2 yellow crime scene tape all over the place.

3 **Q** Roped off is not right, taped off?

4 **A** Yes.

5 **Q** And so did you have another conversation
6 with when you got down to the scene?

7 **A** Yes, I did.

8 **Q** And did he give you any more details about
9 what had happened?

10 **A** Not a lot. It was a very chaotic scene
11 and I asked him briefly what happened. He said that
12 Darren Wilson was driving down the road, saw two
13 people in the road, asked them to get out of the
14 road. Words were exchanged, a scuffle ensued, there
15 was a shooting inside and then outside of the
16 vehicle.

17 **Q** Okay. So, and you learned from your
18 initial call with Sergeant that the name of the
19 expert who was involved in the shooting, correct?

20 **A** Yes.

21 **Q** When you got down to the scene on
22 Canfield, was he there?

23 **A** No, he was not.

24 **Q** Have you ever seen him since then?

25 **A** No, I have not.

1 **Q** You never saw him on the 9th?

2 **A** I didn't.

3 **Q** Have you had a conversation with Darren
4 Wilson since the 9th?

5 **A** Yes, I had one conversation with him.

6 **Q** And when, approximately, was that?

7 **A** Uh, within a day or two of the shooting.

8 **Q** Was that, I guess, on the telephone since
9 you haven't seen him?

10 **A** Yes, correct.

11 **Q** Telephone. Did he talk to you or give you
12 any details about what happened that day on
13 Canfield?

14 **A** No, nor did I ask.

15 **Q** So what was the nature of your
16 conversation?

17 **A** Just to check on his general welfare, see
18 if he needed anything to affirm to him he was on
19 administrative leave and was subject to call.

20 **Q** Now, you're aware that Officer Wilson
21 after the shooting was directed to go back to the
22 station, correct?

23 **A** Correct.

24 **Q** And you're aware that at some point he
25 went to the hospital, correct?

1 or read a transcript of that interview?

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

3 **Q** Did you ever read any police reports about
4 statements that were made by Officer Wilson?

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

6 **Q** Did you ever talk to any FBI agents or any
7 County Police about what Officer Wilson told them?

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

9 **Q** There's, obviously, at some point in the
10 investigation there is some information that is
11 learned that Michael Brown was involved in a
12 stealing that took place on the same day prior to
13 the shooting up at the Ferguson Market, correct?

14 **A** Correct.

15 **Q** When did you first learn that, about
16 Michael Brown being involved in a stealing or I
17 think you have termed it a strong armed robbery but
18 the incident at the Ferguson Market, when did you
19 learn about that?

20 **A** I think it was later in that day that
21 somebody on the scene said this may be the same two
22 individuals that were involved in the incident at
23 9101.

24 **Q** Did you ever ask Officer Wilson or did
25 anybody ever tell you that Officer Wilson told them

1 about what he knew or didn't know when he first
2 encountered the two subjects, who we now know are
3 Michael Brown and Dorian Johnson, on Canfield?

4 **A** I don't have any direct knowledge of what
5 he knew or suspected at the time.

6 **Q** Now, prior to you coming in the grand jury
7 this afternoon, I played a couple of your press
8 conferences for you; is that right?

9 **A** Yes, you did.

10 **Q** And you talk in your press conference that
11 Officer Wilson, the reason for his stop was not
12 because of those two being involved in the stealing
13 at the Ferguson Market. Why, can you explain the
14 comments you made during your interview?

15 **A** Sure. I was simply restating what was
16 told to me at the time that the initial contact was
17 related to two individuals walking in the street and
18 him instructing them to get out of the street.

19 **Q** Okay. And so, and that came to you not
20 from Darren Wilson, but from other person correct?

21 **A** Correct.

22 MS. ALIZADEH: Sheila, do you have any
23 questions?

24 MS. WHIRLEY: Let's see. I'm just
25 following up on that last question of Kathi's. You

1 said someone else told you that the initial contact
2 with Michael Brown had to do with them walking in
3 the street?

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

5 MS. WHIRLEY: Do you know who told you
6 that?

7 **A** Sergeant

8 MS. WHIRLEY: Sergeant . I didn't
9 hear that part, okay. But so when you got on
10 television, you basically said that that was not the
11 reason, the stealing at the market was not the
12 reason for the initial contact?

13 **A** The initial contact. That's the
14 information that was relayed to me.

15 MS. WHIRLEY: When you say initial
16 contact, what are you referring to?

17 **A** The reason he spoke to them initially.

18 MS. WHIRLEY: Okay.

19 **A** Hey, move to the sidewalk, or whatever he
20 said.

21 MS. WHIRLEY: Does that include him
22 backing up the car when you say initial contact?

23 **A** No.

24 MS. WHIRLEY: Is that something different?

25 **A** No, that's different.

1 MS. WHIRLEY: Okay. Do you have a
2 personal relationship with Officer Wilson? I know
3 you spoke very highly of him.

4 **A** Not a personal relationship, just
5 professional.

6 MS. WHIRLEY: Just one of your officers?

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

8 MS. WHIRLEY: But nothing, you don't
9 socialize with him outside of work or anything like
10 that?

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

12 MS. WHIRLEY: Okay. And I think you
13 already told Kathi that you did not see him that
14 day.

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

16 MS. WHIRLEY: And the first day, when you
17 talked to him later, when was the first time you saw
18 him after this happened.

19 **A** I haven't seen him since.

20 MS. WHIRLEY: Oh, you have not seen him?

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

22 MS. WHIRLEY: Okay. Now, we've talked a
23 little bit about an orange, an alert button that the
24 officers have in their car and on their portable
25 walkie-talkies.

1 So I set about trying to locate some
2 money and just buy a few at a time. We don't have a
3 taser assigned to each officer, but we're trying to
4 improve that.

5 : Okay. Just in addition to
6 that, how long has this been known you don't have
7 enough tasers for every officer, I mean, when did
8 you discover the problem?

9 **A** They didn't have enough?

10 : About the lack of amount
11 of tasers.

12 **A** There were no tasers when I started
13 working there at all.

14 : Okay.

15 **A** I bought five with some grant money that I
16 was able to dig up and with some asset sharing. And
17 then as I got another grant, I bought a few more.

18 : Uh-huh.

19 **A** I'm trying to get enough so that each
20 officer will have his own personal.

21 When you get this grant,
22 is it a grant, um, that is specifically set out for
23 those tasers? Like when you feel that you need some
24 tasers or whatever, do you initiate this grant, I
25 want X amount of money, I need five more tasers.

1 **A** It is more, that's pretty much the case,
2 ma'am. We get notified or we search for grants that
3 are available.

4 : Uh-huh.

5 **A** In this case I think this was through the
6 State Cops Program that there would be an
7 application process for grants. So you have the
8 opportunity to say, I have this need, then you have
9 to have explain the need and justify it and then say
10 how much money you would like to have.

11 And then they decide how much money
12 they are going to give you, if any.

13 : When you receive the
14 money, you put in, say you put in for the tasers,
15 okay. You get the grant money delivered to you or
16 whatever. And say there is something else that
17 comes up that you feel now is more warranted. Do
18 you specifically have to use that grant money?

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

20 : Okay, all right.

21 MS. ALIZADEH: I want to clarify whether
22 or not they needed more tasers in the Ferguson
23 Police Department or should have is certainly
24 something that needs to be addressed at this point,
25 but for this incident, Chief, you're aware that,

1 you're now aware that Officer Wilson did not have a
2 taster on his person; is that right.

3 **A** Yes.

4 **Q** (By Ms. Alizadeh) Were officers required
5 to carry a taster at that time?

6 **A** No.

7 **Q** So was it up to the individual officers to
8 decide whether he was going to carry a taser?

9 **A** Pretty much, yes. This is a less lethal
10 may be used and precisely we didn't have enough for
11 everybody.

12 **Q** Is it possible that there could be more
13 officers working a shift than there would be tasers
14 available for that shift? In other words, maybe six
15 officers working and maybe at the time you only have
16 five tasers that were actually working at the time?

17 **A** That is possible. I don't know if that
18 was the case here.

19 **Q** But regardless, we know now he didn't have
20 a taser with him?

21 **A** Yes.

22 **Q** And that wasn't required at the time?

23 **A** No.

24 MS. ALIZADEH: Anybody else?

25 : . What is

1 your protocol when it comes for one of your police
2 officers, maybe another scene just happened on
3 August the 9th, do you, was it your own authority or
4 opinion not to speak to him about what happened at
5 the scene or was you instructed?

6 **A** No, ma'am, it was my decision to turn the
7 entire investigation over to St. Louis County Police
8 Department and to separate myself, my detectives
9 from that. I just believe 35 years in law
10 enforcement we not only have to be impartial and
11 fair, but there also has to be no appearance of
12 impropriety.

13 It just seems like an agency, I came
14 from a very big police department, moved to a very
15 small police department. Small, much smaller police
16 department and it just seems that the department
17 that size needs to move something this critical like
18 a fatal officer shooting to a larger law enforcement
19 agency or particularly a different law enforcement
20 agency to handle.

21 : Also I don't believe that
22 Officer Wilson had mace either, did you know that?

23 **A** I did not know that.

24 Are they checked
25 regularly, whatever they have on their gear, do they

1 have like a captain like protocol command so someone
2 checking their uniforms before they leave the
3 department.

4 **A** Yes, ma'am, we have roll call and the
5 supervisor is responsible for making sure of those
6 things.

7 . I'm going to
8 go back to what nine has. Is mace required because
9 I thought he said he had mace but didn't spray it
10 because it was too close in the vehicle for it not
11 to affect him.

12 : If I could say something,
13 . I believed the reaction that he
14 gets from it would cause more problem or cause him
15 to be more debilitated.

16 : That was my question.
17 Did you recall the he had it or did not?

18 MS. ALIZADEH: At this point rather than
19 discussing the witness' testimony, I have provided
20 you all the transcript previously because there was
21 a question about another point of another witness'
22 testimony. So if you want to ask this witness
23 questions about what his knowledge or information
24 was or the policies or protocols, I'm not cutting
25 you off from asking that question, but talking about

1 what other people might have said, probably better
2 to go back and refer to the transcript.

3 : Mace is not required?

4 **A** Mace is issued to each officer so they
5 are, issued equipment is expected to be carried but
6 it is going to be largely to the officers discretion
7 which item to use. For example, I would not be in
8 very close quarters use pepper mace.

9 But you would expect your
10 officer to have it on him?

11 **A** I would expect.

12 : When he's on patrol?

13 **A** Yes.

14 . So in
15 your career in law enforcement have you ever been
16 dealt with or been involved in any way in other
17 officer involved shooting?

18 **A** Yes.

19 So my kind of question
20 onto that is, in other words, there was talk about
21 how the officer left the scene in this incident. He
22 left by himself in Sergeant vehicle, went
23 back to the station to wash his hands, is that some
24 typical protocol? Should he have been escorted? I
25 don't know, I'd just like to know.

1 **A** That's news to me too, but I would of had
2 someone else take him to the station. I certainly
3 had someone else take him to the hospital.

4 : If you could, maybe, in
5 your role in your experience before working at
6 Ferguson, what was the relationship with the
7 community, the police department in the community.

8 **A** In my four years there excellent. We have
9 nine community associations, neighborhood
10 associations in Ferguson. And I'm very well
11 acquainted with all the members of those. Go to a
12 lot of their meetings. I send my officers there to
13 give them crime updates every month at their
14 meetings.

15 I attend all the events, I sing the
16 national anthem for them at the 4th of July and the
17 beginning of the 5K run that we have every year. It
18 is a very active, involved community.

19 MS. WHIRLEY: What about Canfield Green,
20 the folks that live in the Canfield Green
21 Apartments, are they involved in these associations
22 and active with the police?

23 **A** We were trying very hard to get
24 associations over there and neighborhood watches
25 over there. We went over, it is a big complex as

1 you probably know. Canfield Green runs into the
2 Northwinds Estates, runs into Oakmont, they are all,
3 it is a very dense community. So we were trying to
4 get neighborhood watch in there.

5 So we do things such as we have
6 resource displays where we bring the dogs,
7 firetrucks and the officers over there and everyone,
8 every resident gets a copy of the Ferguson Times
9 that says all the events are happening, things like
10 that.

11 It has been difficult to get a
12 neighborhood association going over in there.

13 MS. WHIRLEY: Why do you think that is?

14 **A** Probably a lot of it has to do with the
15 transient population. People don't plan on living
16 there for long periods of time, so they don't get
17 deeply involved in the community.

18 But we also did several things with
19 all of those apartments, you know, try to improve
20 quality of life and reduce crime in those areas. We
21 were very involved in there.

22 MS. WHIRLEY: How many officers do you
23 have, I don't know if you said that already.

24 **A** Total of 55, including myself.

25 MS. WHIRLEY: 55.

1 appropriate, I guess, if you notice these two
2 suspects and you put your car in reverse, would it
3 be, I guess, okay to put your sirens on or not even
4 your sirens, your flashing lights and turn your
5 lights on to let, I guess, the community know
6 something is going on here?

7 **A** Not necessarily. I don't think that would
8 be either a bad or good thing, it is neutral.

9 : Even with traffic kind of
10 coming both ways there?

11 **A** If it is going to be blocking traffic in
12 the street, yeah, that would probably be
13 appropriate, yes, sir.

14 : In regards to field
15 training, I have a question continuing on the
16 previous comment, when he pulled back in reverse,
17 from Officer Wilson's perspective and others, he
18 says himself he impeded their traffic, he backed his
19 car up to prevent them from going anywhere. Is that
20 also, is that protocol, is that something you would
21 expect an officer to do, kind of use the vehicle to
22 in that manner?

23 **A** To use the vehicle?

24 : When he backed up, put it
25 in reverse as we now understand, he kind of thought

1 these suspects are involved in the robbery, he backs
2 the car up to impede the way they were walking. It
3 was in there way essentially.

4 **A** That would be appropriate, sure.

5 That would be appropriate?

6 **A** Yeah.

7 : This is . You
8 had experience with police officer involved
9 shootings before?

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

11 : Is this the first time
12 you had any experience with a police officer
13 involved shooting in Ferguson?

14 **A** Uh, fatal shooting, yes.

15 You said you didn't
16 realize how things were handled after he went back
17 to the station by himself, he washed his hands and
18 everything, and so I was just wondering if, and you
19 said you didn't know that, but is that not the way
20 you would, you would have expected that to be
21 handled?

22 **A** Right, but in this particular case, I
23 separated myself from all of this. I'm going to
24 have to do my own investigation, internal affairs,
25 when this is over.

1 I've got one more
2 question. In one of your press conferences,
3 , you state that evidence was found on
4 Michael Brown from the robbery.

5 **A** Yeah, I saw that too. I'm not sure I
6 understood the question. I didn't have any
7 knowledge of that one way or another, particularly
8 then.

9 When
10 you were in the academy, what was your training on
11 deadly force, when to use it and how much to use it
12 if you are confronted with an adversary and had to
13 fire your weapon?

14 **A** We're going back to the police academy,
15 that's quite a ways essentially.

16 MS. ALIZADEH: Let me ask something else
17 along the same lines. Does your office, or does
18 your department train your officers on when they can
19 use force to affect an arrest and when they can use
20 deadly force?

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

22 MS. ALIZADEH: Other than what they learn
23 at the police academy, anything that your department
24 instructs them about?

25 **A** Yes, ma'am. That's really continuing

1 education. The post-training they are required
2 where it includes firearms training, deadly force
3 training every year. A lot of it is dictated by
4 both state and federal law and Supreme Court
5 decisions that sometimes change circumstances and
6 deadly force. Fleeing felon rule, for example.

7 **Q** (By Ms. Alizadeh) So let me ask, I know
8 and maybe this hasn't been testified about, but
9 officers have to get continuing education to
10 maintain their certification every year; is that
11 right?

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

13 **Q** So every year officers have to have so
14 many hours of continuing education, correct?

15 **A** Correct.

16 **Q** And that's put on by various organizations
17 and entities, would that be fair to say?

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

19 **Q** And so there might be other entities that
20 would give additional instruction or training on use
21 of force to affect an arrest and the use of deadly
22 force, but my question is, does your department
23 itself train or instruct the officer, or is there
24 any kind of formalized training in your department,
25 put on by your department about use of force?

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

2 **Q** And is that done as like in the form of
3 giving them some written materials, or is that done
4 as in some kind of class setting?

5 **A** We have our own firearms range, it is an
6 inside range. All of our firearms training is done
7 in-house. So it is done annually.

8 **Q** Do you have a particular officer who then
9 does the instruction on using force during an arrest
10 to affect an arrest or the use of deadly force?

11 **A** That's through the continuing education.
12 That would be through the police academy or North
13 County Chiefs Association Training, or outside
14 training, that's all part of continuing education.

15 **Q** And so the firearms training you're
16 talking about, that's in relation to them being able
17 to handle a weapon and how to shoot the weapon and
18 store the weapon and so forth, correct?

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

20 **Q** So does your department have any written
21 literature that talks about use of force to affect
22 an arrest and the use of deadly force?

23 **A** Yes, ma'am. We have general orders.

24 **Q** So your department has general orders?

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

1 **Q** Is it a requirement of all of your
2 officers to study those general orders and to know
3 those general orders?

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

5 **Q** And those general orders are written by
6 who?

7 **A** Um, when I got there four and a half years
8 ago, I was not satisfied with the policy manual so I
9 set out to mirror, to get a complete general orders
10 manual policies and procedures for an agency our
11 size that mirrored CALEA.

12 **Q** What's CALEA?

13 **A** The Commission For Accreditation of Law
14 Enforcement Agencies, it is international. It is
15 very expensive to get that done. So I started with
16 the State of Missouri certification process, which
17 takes several years.

18 We developed a complete general
19 orders manual, so as those general orders came out,
20 the officers were required to and often times we
21 would have supervisors or officers present training,
22 train each other on those general orders.

23 **Q** Okay. So you have a specific general
24 order regarding the use of force to effect an arrest
25 and the use of deadly force during an arrest?

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

2 **Q** Could we get a copy of that general orders
3 as necessary?

4 **A** Yes.

5 **Q** If the grand jurors wanted it?

6 MS. WHIRLEY: Excuse me, I just want to
7 ask for the orders. Are there any orders as to what
8 the protocol would be after a shooting has occurred?

9 **A** Um, I'm trying to think. Yes, there are.

10 MS. WHIRLEY: Okay.

11 **Q** (By Ms. Alizadeh) And so you said that the
12 general orders that once you took over you were kind
13 of revamping them?

14 **A** Yes.

15 **Q** That's my word, revamping. In doing so,
16 were you trying to make them compliant with the law.

17 **A** Yes.

18 **Q** And you also said that you were attempting
19 to have them hear other possible state
20 organizations' policy and so forth?

21 **A** Yes, to create the most professional
22 organization that I could.

23 MS. ALIZADEH: Sheila, do you have any
24 more question?

25 MS. WHIRLEY: No, okay.

1 : I heard both
2 of you use the phrase use of weapon to affect an
3 arrest and use of deadly force. Can you tell me
4 what the difference between those two are?

5 MS. ALIZADEH: I had said use of force to
6 affect an arrest and then use of a deadly weapon,
7 use of deadly force.

8 : Okay. We've heard a lot
9 about in the media, can you tell me the difference
10 between those two?

11 **A** Between use of force?

12 MS. WHIRLEY: Use of force to affect an
13 arrest and use of deadly force.

14 **A** Okay. Force actually in the force
15 continuum which is taught in the academy starts with
16 the presence of the uniform.

17 : Okay.

18 **A** Then it goes to hands on, maybe just
19 compliance holds, and then it can go to fighting.
20 Then you have less lethal option such as the taser,
21 bean bang rounds, pepper mace, there's also stick
22 batons, those are all not considered, for example,
23 the baton and the taser are considered less lethal.
24 There's a possibility that they could be, but it is
25 considered less lethal weapon.

1 affect the arrest is what the standard is.

2 Okay. But not
3 specifically, whatever you do, wherever you are
4 potentially to reach out a car window and detain
5 somebody?

6 **A** No.

7 MS. ALIZADEH: Chief would you
8 expect one of your officers to attempt to arrest a
9 suspect simply because they were walking in the
10 middle of the street?

11 **A** Arrest, no. I would expect that they
12 would ask them to move to the sidewalk. And then if
13 they refused, they can be issued a summons for that.
14 Much like a traffic ticket.

15 . Race is not
16 mentioned today in our conversation, but I would
17 like to know what the officer thought or assume as a
18 white officer and a black suspect?

19 **A** Can I ask you, my years of flying a
20 helicopter, that ear is not --

21 Race has been a huge
22 factor, what the officer assumed or thought of the
23 suspect before he saw him. So my question to you
24 is, one, do you feel like your department racially,
25 the kind of racial diversity, does that reflect the

1 Ferguson community or not?

2 **A** I think that I've made an effort since I
3 got there to increase racial diversity because of
4 the make up of the community. It is very difficult
5 with an agency my size.

6 I did, probably heard me say this,
7 when I got there, there had never been an
8 African-American supervisor on the police
9 department. I promoted the first two in the
10 history, I'm very proud of that. And I've tried
11 hard to recruit minority candidates, but again, St.
12 Louis County, there's St. Louis City, there's
13 Missouri State Highway Patrol, there is federal
14 agencies, you know, it is difficult to recruit and
15 retain.

16 So knowing that and
17 knowing that's an area for growth.

18 **A** Yes.

19 : Would you say with your
20 department, is there any steps in place or any
21 action taken to help educate on social diversity or
22 how to interact with those maybe, whether it is
23 beliefs or whatever that may be, anything you do
24 department wide.

25 **A** It is a state requirement that all

1 officers receive that type of training as part of
2 their recertification every three years. So there
3 is annual racial profiling or diversity training
4 which is required.

5 MS. WHIRLEY: And there's a lot of other
6 training that's out there.

7 Recently we, of course, we doubled our
8 efforts. Some of my commanders just attended a
9 really good bias policing training put on by the
10 Cops Program. I have met with the National Director
11 from Cops and we talked a lot about some of the new
12 and young and exciting training in adversity that's
13 out there, but this training actually had citizens
14 and police officers in the training. It was a real
15 good environment.

16 : Okay.

17 MS. ALIZADEH: Anybody else have any
18 questions regarding this witness and his knowledge
19 about the incident, his press conferences in
20 particular? Okay.

21 (End of the testimony of Chief)

22 MS. WHIRLEY: It is the afternoon of
23 November 10th, approximately 3:12 p.m. I'm Sheila
24 Whirley, present is Kathi Alizadeh, all 12 jurors
25 and , the court reporter. We're going to play

1 some of the recorded statements that still need to
2 be played. We have Grand Jury Exhibit Number 49,
3 has the recorded statement of and
4 Kathi is passing out the transcripts for that.

5 After we played that, we're going to play
6 a statement by an interview with
7 and that's Grand Jury Exhibit Number 84. You recall
8 he's the one that was here last week and said he did
9 not tell the truth when he called in to a show. So
10 we will play that and you can hear more from him
11 then.

12 As soon as all the transcripts are
13 distributed we will start the statement. It doesn't
14 look like it is very long. I'm not sure how long it
15 is. It is ten minutes and 41 seconds.

16 MS. ALIZADEH: Just for the record, I'm
17 going to excuse myself for a little bit here and so
18 Sheila will remain in the room while this is being
19 played.

20 (Playing of the interview of
21)

22 (End of the Grand Jury Hearing Volume XXI.)

23

24 State of Missouri

25 SS.

1 County of St. Louis

2 I, , a Licensed Certified Court
3 Reporter by the Supreme Court in and for the State
4 of Missouri, duly commissioned, qualified and
5 authorized to administer oaths and to certify to
6 depositions, do hereby certify that pursuant to
7 Notice in the civil cause now pending and
8 undetermined in the County of St. Louis, State of
9 Missouri.

10 The said witness, being of sound mind and being
11 by the grand jury first carefully examined and duly
12 cautioned and sworn to testify to the truth, the
13 whole truth, and nothing but the truth in the case
14 aforesaid, thereupon testified as is shown in the
15 foregoing transcript, said testimony being by me
16 reported in shorthand and caused to be transcribed
17 into typewriting, and that the foregoing page
18 correctly sets forth the testimony of the
19 aforementioned witness, together with the questions
20 propounded by counsel and grand jurors thereto, and
21 is in all respects a full, true, correct and
22 complete transcript of the questions propounded to
23 and the answers given by said witness.

24 I further certify that the foregoing pages
25 contain a true and accurate reproduction of the

1 proceedings.

2 I further certify that I am not of counsel or
3 attorney for either of the parties to said suit, not
4 related to nor interested in any of the parties or
5 their attorneys.

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

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

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

1 Upon delivery of transcripts, the above
 2 charges had not been paid. It is anticipated
 3 that all charges will be paid in the normal course
 4 of business.

5 GORE PERRY GATEWAY & LIPA REPORTING COMPANY
 6 515 Olive Street, Suite 700
 7 St. Louis, Missouri 63101

8 IN WITNESS WHEREOF, I have hereunto set
 9 STATEMENT OF DEPOSITION CHARGES

10 my hand and seal on this _____ day of _____

11 Commission expires

12 _____

13 Notary Public

14

15

16

17

18

19

20

21

22

23

24

25