

Detective = DET.  
Special Agent = SA

Assistant Prosecuting Attorney = APA  
Unknown Male One = UM1  
Unknown Male Two – UM2  
Unknown Female = UF  
Tommy Sotomayor = SOTOMAYOR  
UI = Unintelligible

DET. Today is Thursday, November 6, 2014 and the time is 12:10 p.m. This is Detective with the St. Louis County Police Department's Bureau of Crimes Against Persons, . I'm here in a conference room, in the Saint Louis County Prosecuting Attorney's Office, with a, Special Agent, Special Agent of the F.B.I., and also present in the room is...Sir, would you say your name for the recorder please?

DET. Okay, and it's is that correct?

That's correct.

DET. Okay...and what is your date of birth, ?

DET. ...and your home address?

DET. And do you work at all?

DET. Do not.

DET. Okay...and what is your cell phone?

What is my what now?

DET. Cell phone?

Number?

DET. Yes Sir.

DET. Okay and, a, did you say an apartment number with that?

DET okay.

mm hmm.

DET. So...you came down here, a, to the Prosecuting Attorney's Office, because you received a Grand Jury Subpoena, is that correct?

That is correct.

DET Okay and you received that Grand Jury Subpoena a few days ago?

Yes.

DET. Okay...and since then, you had a conversation with a, at least one of the Prosecutors here, explaining to you that they would like you to come down to the office today, is that correct?

Yes.

DET. Okay, uhh...having said that, a, I think your attendance at the Grand Jury will be later on this afternoon, or, or in a little bit here. However, a, myself and Special Agent would like to just have a conversation with you about a few things regarding your original statement that you provided to a, the Saint Louis County Police Department, on August 9<sup>th</sup>, 2014...okay?

: Okay.

DET. Are you okay doing that?

Sure.

DET. Okay, alright...and, an, just so, so you're clear, this is something separate from than what the Grand Jury, a, from what the Grand Jury, and what from what that Subpoena has a, a, requested of you – you realize that right?

Okay.

DET. Okay, alright. Uh, so, a, I should also mention that is in relation a, to Saint Louis County Complaint number 14-43984, which is an incident that occurred on August 9, 2014, in the Canfield Green Apartment Complex. Okay, so, you had previously spoken to a St. Louis County Detective on the date that the incident took place outside of your apartment, is that correct?

Yes.

DET. : Okay...and, would you retell into the recorder, a, what you recall a, from that conversation with the St. Louis County Detective?

Uh, from that conversation, um, I told him that I heard, umm, approximately five to six shots...and uh, and when I came outside, I seen the officer standing over, uh...a body.

DET. ...and did you tell him anything else?

No.

DET. Alright. And so then, I- I'm assuming based on what you're saying, it was a relatively short conversation that you had with this Detective, is that right?

Yes.

DET. Okay. In the a, time between August 9<sup>th</sup>, and a, let's say today, or, or several weeks ago, a, we have conducted numerous investiga...or numerous interviews, with a, a variety of people regarding this incident, okay?

Okay.

DET. And in doing so, information has, has come to our attention, a, about additional leads that we could follow up on...okay?

Okay.

DET. ..and one of those things being a interview that you did with a, the Tommy Sotomayor Show...

Okay.

DET. Okay...umm, and so, what I wanted to do was a, just talk to you about that interview that you did...

Okay.

DET. ...and just see umm...'ya know, I guess kind of the circumstances of that interview. Where you at home when you did it, or where were you, do you remember?

Yes...I was at home.

DET. You were at home...okay. And, could you just relay to me, what you remember, from, from that interview?

With Tommy?

DET. Mm hmm, yes Sir.

Umm...

DET. And I guess, I guess, can I, can I back you up for a sec here...because I don't know...a, before, before all this took place, I don't, didn't know, who he was, okay? So can you kinda, just kinda tell me who he is, or what he does...obviously he has a podcast radio show?

(UI) ...it's a talk show. Yep, talk show (UI)...yeah.

DET. Okay.

That people call, voice your opinions about different issues.

DET. Okay.

Mm hmm.

DET. Is this something that you listen to on the Internet, or is it...somehow syndicated to radio, or how do you listen to it?

Yeah (UI) on the internet.

DET. On the internet?

Yes, mm hmm.

DET. Okay, alright...and so do you do that from your home most of the time?

Yes.

DET. Okay...and when you called in to his show, a, where you calling from home?

Yes.

DET. Okay, alright. And, I guess would you go ahead and just relay, what, what, that conversation you had with him was about?

Oooh, wow...umm...hmm. That day, (UI) it's been a while back, uhh, (UI) I really don't remember what happened...uh, I think I called and told him that uh, I uh, saw the shooting outside...

DET. Okay.

and uh...I think I mighta said that there was a struggle going on, at the car, maybe? A...and the guy was runnin', and that's when the officer shot him.

(ELECTRONIC TONE)

DET. Okay.

...from what I can remember. I was discussin', the uh, what I, what I seen.

DET. Okay.

DET. And so, it...you said that you saw the struggle at the car, or you told him that you saw the struggle at the car?

I believe so.

DET. Okay...can you kind of describe that, what, what you saw?

The struggle?

DET. Mm hmm.

Ooh...umm. First I heard the shot. I heard one shot. I was on the telephone, so I got up and looked out, and that's when I saw a, a tussle, at the car.

DET. Okay.

And uh, and I saw, (UI) the guy, Mike Brown, I didn't know at the time, I saw a guy runnin' down the street, and I saw an officer chasin' after him. And, by that time, I got up and looked out... (UI) well, I heard the shots... and I got up and looked out, and that's when I saw the officer standing over the body. So, I came back in, hung, hung the phone up, (UI) the phone up – that's when I grabbed my cell phone, and I went outside and recorded.

DET. Okay...so you have video of the, a...not the shooting itself, but the...after the shooting had taken place...do you have video of that? Is that...

Yes.

DET. Okay. And is that on...

my commentary, yes, mm hmm.

DET. Okay, Okay...and is that on your cell phone right now?

Uhh, yes, I believe so.

DET. Okay, okay.

Mm hmm.

DET. Okay. Would you be opposed to us a, taking a look at that video?

Sure, no problem.

DET. Okay. Do you wanna grab your cell phone, can we, we, take a look at it?

(Clears throat)

Beeping sound

DET. Looks like it just stopped.... Oh no it's starting up.

Audio playing:

UM1: "(UI) Damn, he dead...blood everywhere and shit. Mmm. Just standin' around, they blockin' the street off now."

UM2: "He was chasin' him."

UM1: "No, the guy was fightin' him in the car, the guy was fightin' him in the car. Police (UI). No, the guy was, I don't know...when I looked (UI) police was fightin' him, (UI) police had pulled him over...and uh, he was fightin'...the guy was fightin' at the police, and the guy started runnin' and the police shot him, I don't know...killed him. The guy was runnin' though, but the police killed him...police killed him."

DET. Okay.

SA Is that it, just one? (UI)

DET. Yes...are there more? That's the only one? You wanna check?

...there might be, let's see here...yup that's one. That's both of them.

DET. Oh-Okay, this is another one, here?

Yes.

Audio Playing

UF1: "They did not have to shoot that boy (UI) ..."

UF2: "I knew I wasn't stupid, 'cause I heard it – it's a boo, boo, boom, boom boom boom boom...I'm like..."

UM1: "He was fightin' with..."

DET. Okay...is there any more?

No, that's it.

DET. So just those two?

Uh...yeah.

DET. Okay, alright. So, on that a, video that we just watched, right...and on the, the interview that you did with Tommy Sotomayor, you make reference to fighting in the car. Can you describe that, that fighting, or that tussling in the car?

Sure. Well, like I say, when I heard the shot, I uh, looked up, and I seen...

DET. : Can I...can I stop you just for one second? Just so I can kinda get a picture in my mind...you said you were sitting down?

Yes, I was workin' on the phone.

DET. Okay...and where you inside, outside?

Inside my living room.

DET. Okay, alright.

And I heard uh, a shot...

DET Mm hmm.

...so I looked up, and I seen, uh, the, the guy tussling with the officer at the car.

DET. Okay.

...and I seen a guy push off the car, and the officer had his shirt, tucked, you know, like this...

SA Where's the officer?

He's in - inside the car.

SA Okay...and is the door open or closed?

No it wasn't open.

SA Okay.

Yeah...and umm...he, the guy pushed off the car, and ran...down the street...and that's when I seen the officer chasin' him.

DET. And when you say pushed off the car, what do you mean?

Well, he, the officer had his shirt like this, and the guy, I guess he pushed off the car, eh, you know, (UI) to get loose...

DET. Mm hmm.

...and that's when he ran.

DET. Okay.

...and that's when I seen the officer chasin' behind him.

SA Whi...which side of the car can you see from...(UI)

It was on the driver's side.

SA Okay.

Mm hmm.

DET. Did you see anybody else standing around?

No.

DET. Okay...and...can you describe this tussling in a little more detail? Like, what, what do you see?

What I saw was, uh, the officer grab (UI) a shirt bein' tug like this...and I saw a guy push off – and when he pushed off he took off runnin'.

DET. Alright, and now just for the purposes of the recording – you're demonstrating, you have...you're kinda pulling on a, your shirt right now...

: Yes.

DET. ...or you were, I should say, pulling on your shirt, kind of at chest level...is that fair to say?

Yes, yes.

DET. ..and you're demonstrating what the officer was doing to, to Mike Brown?

That's what I saw, yes.

DET. Okay. In the podcast, you make mention that you see an individual who we now know as Mike Brown, but you said you didn't know Mike Brown at the time, right?

That's right.

DET. Okay, so let's just, we'll refer to him as Mike Brown...

Okay.

DET. ...just for clarity purposes,

Okay.

DET. ...okay? A, you said that you saw Mike Brown with, with, and he was inside the car...can you describe that part of it?

Well, a, what I saw was, his, uh, shirt being like this inside the car, he was like, like, officer's grabbin' him tryin' to pull him in the car...and I saw, Mike Brown, push off the car, meh, you know, that's what I saw – and a, I saw him take off runnin' ...down the street.

SA Where's Mike Brown's head?

It was outside the car.

SA                    Okay...so...everything was outside of the car, except for maybe his chest coming...towards the car?

                          His shirt, yes.

SA                    Okay, his shirt...that's it?

                          Yes, yes.

SA                    Okay.

                          (U) ...as far as I remember, yes.

DET.                 Okay. Did you see the officer, doing anything with his hands, other than, grabbing that shirt, grabbing Mike Brown's shirt?

                          No.

DET.                 Okay. Did you see Mike Brown doing anything with his hands, other than pulling, pushing off the car, right? You kinda made it, a motion, like you were...

                          Trying to get away...maybe...

DET.                 ...forcing your, you know, you have your arms straight out in front of you.

                          Yes.

DET.                 : A, and I'm making an assumption here, but were you kind of demonstrating you were pushing off the car, is that right?

                          That's right.

DET.                 Okay. Did you see Mike Brown doing anything else with hands, other than pushing off the car?

                          : No.

DET.                 Okay. And so, let's go back to that point right there, okay.

                          Mm hmm.

DET.                 You say that Mike Brown takes off, and runs, correct?

Mm hmm.

DET. In which direction does he run?

(UI) ...down the street...which is, uhh, I guess, North, I guess, Northbound maybe?

DET Well, which way, down the street, you're making reference to what street?

Uh, Canfield.

DET. Okay.

Yeah, Canfield.

DET And so, does he run towards West Florissant?

No, the, the opposite direction.

DET. So he runs towards...Northwinds Apartment Complex, right?

: Exactly, right.

DET. ...or, he would also be running...if your, your apartment, I'm assuming towards you, is that right?

Yes, ye-yes, yes.

DET Alright, alright...and just for clarity purposes...

Mm hmm.

DET. I guess...this is a map of the complex right here, okay? Could you indicate to me, where you saw the police vehicle at?

Mmm...kay...this is my building right here...approximately right in here.

DET. Okay. Would you just draw a rectangle where you saw the police car at?

Right there.

DET Okay...and where were you standing at...would you just put an X where you were...

Ah, I wasn't standin' - I was inside the house.

DET. Okay.

Uhh...I live right here...

DET. Alright, okay.

Right there.

DET. Would you just put an X there in that place?

X?

DET. (U) That's fine.

Okay.

DET. Okay. And so which direction did you see Mike Brown run?

This way.

DET. Okay, so, where you're indicating, primarily east, in an eastern direction on Canfield, or southeast, right? So we can put - put an arrow that he's goin' this way...okay?

Mm hmm.

DET. ...and what happens after he takes off running there?

That's...(U) it got to a point right here I didn't really see 'cause of the barrier, the uh, concrete barrier...and, I don't know if he...that's when I um, I didn't wanna come outside and, and investigate 'cause I heard the shots. After the shots, after the shots, that's when I came outside.

DET. Alright...and so you said, you made reference on a map here, to right here, he came back to this area right here. Is it fair to say that you were making...would you point out again, where, you were saying that he came back to...that Mike Brown came back to?

Came back to?

DET. You said "He ran back to here".

No, he-he, he took off from the car...he ran, down the road here... and I live right here, and that's when I... I re...I didn't see the shooting.

DET. Okay...

I heard...

DET. ...and that's what I'm saying...so he ran back to where? Back to...what's the furthest point east that he ran to is what I'm saying.

Right in front of my comp...apartment complex.

DET. Okay. So, point to me where he ran back.

Right in this area here.

DET. Okay.

Mm hmm (UI)

DET. So, where...it's fair to say that he ran towards the intersection or at the intersection of what's identified on this map as Copper Creek Court and Canfield Drive, is that fair to say?

Pretty much, yes, mm hmm, yes, uh huh (UI).

DET. I'm just gonna put an X there, right, okay. And obviously, a, you said that this right here, is your building, this , right?

That's correct.

DET. : You said you didn't see what took place here, because there's a, a barrier there?

There is a concrete barrier, yes.

DET. Alright, alright. So then what's the next thing that you see then, after Mike Brown takes off running a, back to the east? What does the officer do? Where's he at?

Well, after I heard the shots I came outside and saw the officer standing over the body.

DET. Okay.

Then, I came inside grabbed my cell phone...and I went back out...and started recording.

DET Okay.

SA What was the officer doing when he was standing over the body?

There was an officer standing around the body, a, I-I think he was on, uh, a walkie talkie maybe. I think he was, yeah, I think he was messing with a walkie talkie.

DET. How many officers did you see?

I seen one at the time.

DET. Okay.

SA After um, after you saw the officer standing over the body, how much later did other officers come?

I don't (UI)

SA You don't...you have no idea...okay.

I - I don't know...

And again, you said the officer was standing over the body – what was he doing?

Well, w-we was standing there....he wasn't like over the body looking...

SA Was he standing by the body or over the body?

He was just there...he was standing around the body...

SA Okay.

Yeah. He wasn't standing over the body, lookin', ya know, down, but he ...was standin' 'round the body.

SA Okay.

And I believe he was...(UI) walkie talkie, I guess.

DET. You're making reference to, you're reaching down, to your waistline...

Right, as far as, like messing with, talking on the walkie talkie, he was, maybe, dialing or something.

DET. Okay, alright.

SA And the concrete barrier you were talking about, that's where the staircase is?

Yes.

SA Okay.

(UI) staircase right there.

SA Right, alright,

DET. Okay...it just..if it's okay...do you have anything else? If it's okay with you, I have the interview here, of that podcast...I'm just gonna play it for you.

(beeping sound)

SA How many seconds, was it um, you said there was some tussling, at the vehicle...how many seconds do you think that was?

A, when, when I looked up, it mighta been 'bout maybe five or six seconds (UI)

SA So not, not a whole lot...okay.

(UI) ...cause when I heard the shots, that's when I looked up, and saw the tussling.

Audio playing:

SOTOMAYOR: ...310. We're gonna get to a lot of phone calls, and hopefully we have a lot of people calling...from the area of uh, Saint Louis.

(UI)

SOTOMAYOR: ...I'm being told by a lot of people that I should not go, that it's really bad there. What I'm going to do, is speak to a lot of people who are from there...and one...his name is and he lives in the complex where Mike Brown was shot. What's up

Hey Tommy, how ya doin'?

SOTOMAYOR: I'm doin' well, how are you doin' brother (UI) you're right there...  
(UI)

DET. I'm just going to stop it right there for a second, so that's you, talking to Tommy Sotomayor, is that correct?

: Yes.

DET. Okay.

(Audio restarts)

(UI) in front. Uhh, first of all, I like to say, I uh, appreciate the work you done, bro."

SOTOMAYOR: Thank you.

(UI) big respect. Tommy, man, uh, the incident happened the other day (UI) ...man.

SOTOMAYOR: Explain.

Umm...well I was on my front patio, uh, sitting down, and I heard the first shot...so I jumped up and looked out my patio, right?

SOTOMAYOR: Mm hmm.

And I noticed uh, I noticed a brother and the officer, the officer was in his car, and the brother was leaning up into the window, (UI) you know he was like scuffling...right?

SOTOMAYOR: Mm hmm.

...and I guess the officer uhh, kicked the door open...

DET I'm gonna stop it there for a minute.

Mm hmm.

DET You said leanin' up into the window...tusslin', right?

: Okay??

DET. What do you mean by leanin' into the window?

Well, like I say, I seen the shirt tugglin' ...like this...and I seen Mike Brown push off.

DET. Okay.

(Audio restarting)

...and the (UI) started runnin', down Canfield Road, that's the name of the street, Canfield, Canfield Road, and uh, apparently the officer was (UI) was firin' from, was shootin' him from the rear.

SOTOMAYOR: Mmmm!

And umm, and uh, I guess they got, I guess they call him - what's his name? Mike, Michael, Mike?

SOTOMAYOR: Yeah.

I guess he was turned around, seem like he was going back towards the officer, and officer...that's when the officer unloaded on him. And I seen the way he fell to his knees, and a, he just collapsed in the middle, middle of the road.

SOTOMAYOR: Okay, so, okay, now there are some reports, and since you saw it firsthand...

Yeah.

SOTOMAYOR: this...this is good. There are some reports which are saying umm, openly, and hopefully you can help me, help us out with that. There are some reports that are saying that the guy had his hands up when he was shot...is that true?

Well, I don't know, I didn't see that because I was behind the build...I didn't wanna (UI) head up, you know what I'm sayin'?

SOTOMAYOR: ...get shot (UI) Yeah.

Yeah...right. But apparently, uh, the guy, he was walking back towards the officer. Maybe that got his hands up, I don't know.

SOTOMAYOR: Mm hmm. So you – so somebody told you he was walking back towards the officer?

Well, that's what the crowd was sayin', he had his hands up, (UI) that's what they was yellin'.

SOTOMAYOR: Mm hmm.

But, my thing, I seen it, I seen the guy runnin' down the street, the officer was shootin' him from the back...okay?

SOTOMAYOR: Mm hmm.

And, by the time I looked up – umm, the guy he was (UI)

SOTOMAYOR: Hello? Aww, damn it! Who dropped off, was it me?

DET. He hang up on you, or did you hang up?

Uhh...I think it was a dropped call, I think.

SOTOMAYOR: Some...tell to hold on!

SOTOMAYOR: I got kicked off my own damn show!

SOTOMAYOR: Now I know what y'all fell like!

SOTOMAYOR: Y'all hold on, I got kicked on my own show somehow.

(Automated female system voice (UI), distortion)

SOTOMAYOR: Hey brother, you still there?

Yes Sir, what happened?

SOTOMAYOR: Sir, I got kicked off my own shit!

(laughing)

SOTOMAYOR: I, I, we didn't get a chance to hear the part where you said, uh, you spoke on, you said that's what the crowd was saying that he had his hands up...what happened?

Yeah, that's what the crowd was saying, uh, he had his hands up...and uh, I didn't see, I didn't see the guy with his hands up, (UI) I did see him runnin', uh, up the street towards the officer. M-m-maybe m-maybe he did have his hands, but I don't, I don't recall.

SOTOMAYOR: Mm hmm.

Ya know what I'm sayin'?

(UI)

SOTOMAYOR: Let me ask you...you said, you said, that he has his head inside of the car with the officer, like they was scuffling...so that part that the officer said...

That's correct.

SOTOMAYOR: ...is actually true?

That's - yes Sir. That's when I heard the first shot. The – the first shot came from the officer in the car.

SOTOMAYOR: That's what the...that's what the officers wrote...when I was calling bu- I was calling bullshit; the officer was claimin' that the dude was tryin' to grab his gun, and the shot went off in the car.

That's right.

SOTOMAYOR: So you're saying that's true?

The guy was half, (UI) his upper body was inside the windshield...I was like what the hell?! And, by that time, a, I guess officer kicked his door open, and the guy, took off runnin' down the street...and, I think the officer was shootin' him, as he was runnin' down the street...okay?

SOTOMAYOR: Mmm hmm.

...and by that time, the bullets was hittin' towards (UI) which I'm duckin', you know, I didn't ya know, I didn't wanna get, get done...okay?

SOTOMAYOR: Right...

...and uh, I seen the guy, he turned around, I don't know if he had his hands up or not, I don't know. But that's when the officer unloaded, you know...

SOTOMAYOR: If you...if you, had to, if you had to, say from your own opinion from what you've seen...do you think it was a justified, uh, homicide?

Oooh...from what I seen, by the guy leanin' into the car like that...yeah...yes.

SOTOMAYOR: Why? (UI)

It was a, it was a big, it was a big scuffle right there. Yes...the guy was in (UI) inside that police car, when I heard the shot...ya know what I'm sayin'?

SOTOMAYOR: Then now, do you believe...so you're sayin' like the cop probably unloaded on 'em (UI) from where you're comin' from, the cop unloaded on him when he stopped and turned back around?

Well, like I say, he was runnin' towards my way, okay, down the main street...

SOTOMAYOR: Mm hmm.

...and the cop is shooting from the rr..., (UI) the guy in the back. And I guess the guy turned around, and was heading back towards...the officer.

SOTOMAYOR: Mmm...

He's wearing flip flops, and the flip flops are all in the street, so a lot a times he runnin', you know, in his socks.

SOTOMAYOR: Mmm.

(UI)

SOTOMAYOR: Well that, that, (UI) if it ends up being, like I tell people all the time, I don't mind apologizin'...and if it ends up being... 'cause after I did my report, I did my initial report based on what I read, and I'm just tired of seeing black men get shot. But when I'm hearin' what other people are sayin', and they were like look, you're, you might have this wrong...they were saying, you may, this guy may have literally been...'cause you know, you hit a woman, the woman say, you know, he - he's a good son, he's never done anything...I just gotta ask you this though. Do you think it's justified to try and shoot somebody in the back? (UI) I mean, he's (UI) he's unarmed.

(UI) He was fleein' the scene, he was fleein' the scene.

SOTOMAYOR: Yes.

Yes. Eh, I- I don't think that was justified.

SOTOMAYOR: Eh, 'cause I-I would assume, I mean if he's shooting as this guy apparently he's not a marksman. So he could literally miss this dude, and hit, an uh, uh, kid that's walking around.

That's right. Yep. Yes, Sir.

SOTOMAYOR: I assume you got..you saw him, you got a good look out for him, you put out a APB for him, and then you just try and bring him in. But then...

That's right.

SOTOMAYOR: Ahh...I don't know; because, we're in, we're in crazy positions, and Ladies and Gentlemen, we're talking to uh, a young man who's right there, on the scene...Mr.

lives right there, he seen it by firsthand...

I-I'm not that young, I'm not that young.

(Laughing)

SOTOMAYOR: Hey I ain't either, (UI) we young until we dead. I'm a keep callin' us young men.

That's right (UI).

SOTOMAYOR: But...what is the state, of um, the atmosphere – what's goin' on right now...what is going on?

You really wanna know what's goin' on right now? During your break, there was gunshots outside on the streets here...

DET. Was that true?

Yes.

Literally.

Literally. They had a candlelight vigil, the only lights I seen was, blunts bein' lit up.

SOTOMAYOR: Mmmm.

Beer cans poppin', it was uh, it was a damn freak show. Motorcycles, car shows, shit like that.

SOTOMAYOR: How do you think the blacks are handling it...what do you think they should be doing, as opposed to what they are doing?

What do I think they should be doing...is come together, in a more positive, uh, positive way. Because I mean, (UI) you got, you got pregnant women out here, you have kids, (UI) you had kids up here, watchin' this, you know.

SOTOMAYOR: Yeah.

Innocents, kids, walkin' around just watchin' stuff. It-It was a sad situation.

SOTOMAYOR: Like I feel bad right now because I don't know what to say next. I want to measure my next comments, because the first thing I said, and I own up to it.....the first thing I said...

Mm hmm.

SOTOMAYOR ...was, they need, the cops need to start feeling, what the, uh, the citizens are feeling.

(UI)

Mm hmm.

SOTOMAYOR: And I still feel that way, (UI) I still feel that way, because cops have done, literally have gone too far with how they're handlin' their citizens. But...but, I also looked at the scene. I looked at how many hair hats was out there, I looked at how many just (UI) I mean talk about that, talk about that, doesn't that bother you little bit, that it was way more women, looked like it was about seventy to eighty percent women...

Eh...yes.

SOTOMAYOR: Women and kids, women and kids.

(UI) Half of 'em, half of 'em was pregnant...

SOTOMAYOR: Oh my goodness!

...with baby strollers out there. It was all young guys and women, no older crowd at all. I, I heard you mention about the, the uh, guy's mother.

SOTOMAYOR: Mm hmm.

The father was out there also, but they was not...it was, there was no compa...uh, companionship with each other. They's separate, doin' they own thing.

SOTOMAYOR: Yeah...that, that's crazy...

UI)

SOTOMAYOR: ...cause you saw, you saw the step...

(UI) There was no consoling or nothin'.

SOTOMAYOR: 'Cause you saw the stepdad standin' there wit a sign that said they, they shot my son dead in the street, and I was like, I thought that was the father...and they was like no, that's the stepdad. You saw the stepdad with the mom, but you never saw the dad with the mom...if you said he was out there, that's crazy...they never even interviewed him.

That's right. Matter a fact, it-it there was a, uh, black bald-headed guy, I don't know whether it was his father or stepfather or not, but this guy...was walkin' around shirtless, with pants below his butt! You know...maybe, maybe he jumped out the couch like that, came outside like that, I don't know, but, you know, eh...(sigh) you know (UI)...hangin' off his butt, and no shirt. It was, it was...it was sickening.

SOTOMAYOR: Ah gee...(UI) and, and that's what's really bothering me, and , um, do me a favor send me an email 'cause when I come out there I'm a wanna talk to you face to face if that's cool.

No problem brother.

SOTOMAYOR: Send me an email at TJ@yourworld...

Let me write, just...

SOTOMAYOR: Yeah.

...just hold on. TJ...

SOTOMAYOR: Uh ah. Just TJ...

...world?

SOTOMAYOR: Yeah at "yourworldmyviews.com". That's views with an "s" dot com. Send me an email. I want to get, get up with you so when I come out there, I can meet with you, talk to you face to face, if that's okay.

Hey, uh, I have something to show you when, you know, uh, uh...look for (UI).

SOTOMAYOR: Well, uh, perfect. If you can send that to...

I, I haven't shown, I haven't, I haven't shown anybody so...

SOTOMAYOR: Oh, if, if you can send that to me, that would, that would be beautiful. I would be uh, uh, able to use that...

Okay.

SOTOMAYOR: And we can get that up...

That's TJ at...

SOTOMAYOR: Yeah.

...is that "ywm view" or just (UI)...

SOTOMAYOR: Yeah...

Spelled out?

SOTOMAYOR: ...the whole word. Y, O, U, R. Y, O, U, R...

Gotcha.

SOTOMAYOR: ...World. W, O, R, L, D. My. M, Y, V, I, E, W...

Yes sir.

SOTOMAYOR: ...S. Dot com. Send it to me. Let's, let's get this thing going, and I'm gonna, um, talk to you when I get there, so I cannot wait, . Thank you, brother.

Well, you keep up the good work, man. You're doing a good job.

SOTOMAYOR: I'm trying. Let's see if we can do this thing together. Guys, we got more people calling in from, uh, St. Louis...

(Conversation ends).

DET. Okay. So is that the entirety of the conversation that you had with him? Have you talked to him since then or...

No.

DET Okay. And...I'm just going to go through a couple things here.

Okay.

DET. You said that you had something you wanted to show him.

Uh um.

DET. Could, would you tell me what that was?

That was the video you seen.

DET. Okay.

: Uh um.

DET. So just those two videos...that's all that you had?

Yes.

DET. Okay. At any point in time, have you seen other videos of this incident?

On You Tube? Yes.

DET. Okay.

Yes.

DET. Anybody in the neighborhood?

No.

DET. Okay.

UI). I didn't see anything.

DET. So obviously what you have said to...on this video here, or on this broadcast here, is a little bit different than what you told us here today and what you told, uh, Detective on the 9th of August, right?

: Okay.

DET. Slightly different. Um, would you mind just clarifying in... Here's the thing, Our, our job in this is to obviously get to the truth of what took place, okay?

Okay.

DET. And that's essentially all that we want...is we just want to get to the truth of what people saw.

Right. Right.

DET. And so with yours, there are a few inconsistencies that you have provided from one statement to another or when you had that conversation with the...

(Knock on door)

Okay.

DET. ...so I guess the only thing that I'm, I'm asking of you...

APA : Hi.

DET. ...the only thing I'm asking of you is, you know, to just, just lay it all out there and let us know what, uh, what it is that you saw, and what it is that you heard from other people, you know what I mean. Cause there's a big difference between you saying what you saw and then you saying what you heard from other people.

What I heard...I didn't hear anything from other people.

APA I just wanted to come in and tell you we took a lunch break, and so, um, um, we'll be back, you know, in several...they're going to eat lunch, so that's going to be 30, 40, 45 minutes. They usually just tell me when they're ready.

Okay.

APA So, um, um, I'll let you know. When they say we're ready and, and if you finish before then, let me know, okay?

Okay.

APA All right, thanks.

SA Well, you said there was a concrete barrier and you didn't see a lot of what occurred after he started running away. So, we're just trying to figure out what you actually saw and what you heard people say and you kind of put that into your, your narrative. So, did you actually see him fall to his knees?

: Yes.

SA Okay.

Yes.

SA All right.

Yes.

SA And you said that you heard shooting from the officer as he's running away? Or you saw...

That's what I thought...

SA Okay, so...

I thought. I didn't, I didn't actually see him shooting.

SA Okay.

I thought he shoot him from the back.

SA Okay. And why did you think that?

Don't know.

SA Okay.

Don't know. Don't remember.

SA Okay.

I thought he shoot him from the back.

DET Okay.

I seen the officer running after him, you know. I thought he maybe shoot him from the back.

SA Uh um.

And he go to the point where the barrier was...I seen, uh, Mike Brown...he was heading this way, but when I seen him he was turned the other way.

DET. He was headed which way?

He was heading towards, uh...he was running down the street...towards this way.

DET. Okay, so he's running east...

Right.

DET. ...right?

And he got to a point I couldn't see, but I saw him turn around. I, I thought he...I...he turned around.

SA Uh um.

DET. Okay, and when he turned around...

: And...

DET. which way are you saying...

He was heading back towards...head...facing towards the, uh, the cop.

DET. Okay.

This way. This way.

DET. Okay.

And I assume that, uh, he's running towards him, cause, he was running in that direction, but he turned around...

DET. Can I stop you there?

Yes.

DET. Who was running towards who?

Mike Brown.

DET. ...was running towards...

I didn't see him running, but I, I saw him turn, facing the cop.

DET. Okay...

SA Now you made a hand motion when you said he turned around. What was Michael Brown doing when he turned around?

I don't remember.

SA Okay. You just know he turned around.

Yeah, yeah, he had to turn around because he's facing the other direction.

SA Okay.

But the body was turned towards the cop.

SA Okay.

Okay.

SA So you don't know where his hands were? You...

I don't.

SA Okay. All right.

And I heard the shots and that's...

SA How many, how many shots did you hear?

Approximately five or six maybe. Maybe.

SA Okay, and he had already turned around and he's facing...

He was facing...

SA the police officer.

...this way - towards the cop.

SA Okay.

And I, I heard the shots and by that time I came outside and I saw the body out there. I came back inside and grabbed my cell phone. That's when I went back out and was, you know, recording.

SA Uh um. Okay, so you went inside when Michael Brown's on his feet, facing the officer. Is that...

No.

SA Okay. So, sorry. Say it one more time.

: I was inside...

SA Uh um.

...and he...I see Michael Brown running towards the other end.

SA Uh um.

And that's when I heard the shots. Five or six shots. So I came outside. I seen a body facing towards a cop.

SA Uh um.

And that's when I saw the cop standing around a body. That's when I went inside and grabbed my phone. I came back out and getting' recording.

DET. Okay. Did you see the police...you saw the police officer out of the car, correct?

I saw him chasing Mike Brown.

DET. All right. And what was he doing? You said chasing so he would, you're...I'm assuming he was running after Mike Brown. Is that right?

Yes.

DET. Okay. Did he have his gun out?

I don't remember.

DET. Okay, that's fine. That's fine. And at that same time, could you also see Mike Brown?

Yes. Yes.

DET Okay. And what was Mike Brown doing at that same time?

He was running.

DET. Okay. Which way was he running?

Towards uh Northwind, the other...the opposite direction of the cop.

DET Okay. So he's running east...

Okay.

DET. ...and the officer is also running east, following Mike Brown, right?

Yes. Yes.

DET. All right.

SA Do you hear the police officer saying anything? Do you hear Michael Brown saying anything?

No, I don't. (UI).

SA Okay.

Actually I was inside.

SA Okay.

DET. Okay. And so then, you see both of them running east and then what's the next thing you see take place?

Well, I heard the shots...

DET. Okay.

Yeah...and, uh...

SA You heard the shots at the same time you saw them running east?

That's yeah, I, uh...(UI)

SA If you don't remember, that's fine. We're just tryin' to figure out what you remember...

I-I- (UI) tryin' to think

SA ...and what you may have heard (UI)

I seen Mike Brown runnin', I seen a cop chasin' him, down the street...and I, it got to a point where the barrier was...I couldn't see what happened there...but, I know the body was turnt the other way, so Mike Brown had to turn around.

DET. Okay and I guess that's what – that's what we're trying to avoid here is – is, we don't want you to make assumptions about what you saw, or what what you think you saw, okay. Just, just tell us what you did in fact see, not what you think you might...

Okay.

DET ...have deduced from the situation, or what other people are saying.

Mm hmm.

DET. Just tell us what you saw, okay...alright?

I seen the officer chasin' Mike Brown down...and...I heard the shots. And when I came outside, I saw the body, the cop standing around the body. That's when I came back inside and grabbed my cell, my cell phone, and that's when I came back out and did the recording.

DET. : Okay.

SA Okay, so the last thing you saw were both of them running...and then you came outside, and you saw Michael Brown on the ground.

Yup. I saw him runnin', and then I heard the shots.

SA Okay. So you never actually saw him turn around...Michael Brown turn around?

No, I didn't actually see him turn around, no.

SA Okay.

DET. Alright...I'm just gonna go through a few other things here,

Okay.

DET. statements that you made...

Okay.

DET. ...in this podcast here, and I want you just to clarify, what you...

Okay.

DET. ...you said, you saw him going back towards the officer. Did you see Mike Brown going back towards the officer?

No, no, no...I didn't see that.

DET. Did you see the officer uh, shooting, a, Mike Brown in the back?

No.

DET. ...And then again at...

(U) I assumed... I assumed he was.

DET.            Alright....and I think on this one, I think you said the crowd was saying that he was walking back towards the officer...who in the crowd was saying that?

                  Just people standin' arou- (UI) by that time the neighbors, everybody was comin' out...and um, they was sayin' "He had hands up, he had his hands up", you know.

DET.            Okay.

                  That's what I was hearin'.

DET.            But there were other people there saying he was walking back towards... I think in the podcast, you say the crowd was saying that.

                  Yes, yes. They say he had his hands up.

DET.            Alright.

SA              And I know you've already mentioned this, but I just wanna clarify...

                  Mm hmm.

SA              ...in the podcast you said his upper body was inside the windshield...is that something that you saw – or did someone say that they had seen it?

                  What I've seen, what I seen was, his torso, being grabbed like this, his shirt being tugged...and I saw Mike Brown push off the car...

SA              Okay.

                  ...and then take off runnin'.

SA              : Okay. So, why would you have said his upper body was inside the vehicle?

                  Well, it's, it's...torso was...(UI) windshield...

SA              You just meant the shirt...okay, is that what you meant?

                  His torso, was like, in the, in the uh, like in the, in the windshield...not windshield...but, the...

SA              ...the opening...of the window? Yeah...

                  (UI) and see him doing this, and that's when I seen Mike Brown push off, and then take off runnin' down the street.

DET. In the podcast he asks you...something to the effect of, was the officer justified in what he was doing? Right? Then you make a comment about, well based on what I saw in the car. Right?

Mm hmm. Okay.

DET. So, when you...making reference to what's goin' on in the car...there's a big difference between what you're telling us now, and the way, that at least it's implied, in this podcast right here.

Mm hmm, okay.

DET. What's the, what else is there, or how, how can we help clarify what's going on between the podcast, and kinda the information that I'm picking up from you right now.

Pretty much the same, I mean, that's what I – that's what I've seen, I've seen the, I've seen the, the shirt bein' tugged, and I saw Mike Brown's - half his body – against the car. Maybe that's (UI) ya know, I don't know...that's what I told Tommy, ya know. But that's what I've seen. That's what I've seen. I seen a struggle right there at the car, and I seen uh, Mike Brown's shirt bein' tugged by the officer....I seen Mike Brown push off the car, and take off runnin'.

SA Is there um, I heard other voices, in your video that you showed us. Do you know any of those other folks that were in the video, that were talking?

Uh, I believe one was my neighbor next door.

SA Okay, do you know that person's name?

Her name...wait a minute, his name is .

SA ?

also, yes.

SA Okay.

Last name, I don't know.

SA You don't know? Okay.

: No. Uh...

SA So he was in apartment ?

No. Uhhh....he was on the side, on the second floor.

SA : Mm hmm.

And that's ya know, like I said, that's when everybody came out, and I had my camera, he asked me questions. (UI) I told him I heard the shots.

SA Mm hmm.

DET. Okay...in the video you say that he's half way inside the car.

Okay.

DET Okay. Now, that's not what you're...what you're describing to us today, alright? There's a big difference between being halfway inside the car and somebody just pulling, somebody just pulling on somebody's shirt.

Okay.

DET. ...and - and I guess...this is what I'm asking, okay?

Okay.

DET. Just be up front with us...

Yes.

DET. Be honest with us what you're seeing...

Yes.

DET. Okay, because right now, it's a little confusing to us...and I don't think we're getting everything from you, the whole story from you.

Okay...

DET. : K....

Okay.

DET. ...so what, I mean, tell me. Just tell me what you saw.

That's what I meant. When I looked out my window, I seen Mike Brown, half his body, against the car, bein' tugged, by the officer...and that's when I seen Mike Brown push off the car, and take off runnin'. That's, that's what I've seen.

SA So, why would you say...that you saw him inside the car those other times?

I don't know. That's-that's what I...what I mean by inside...maybe what I meant by inside the car, I seen his shirt, inside, (UI) you know, being tugged... and that's m-maybe that's what I mean by inside the car I don't know, I don't remember.

SA Why...

I know for sure, that his-his upper half, was up against the uh, the uh, windshield...the uh, window. And I seen Mike Brown push off, and then run.

SA Are, a, have you...talked to anyone in the community that has told you not to come and talk to us?

No.

SA Okay, so no one said "Don't talk to the F.B.I.", or "Don't talk to County"?

No.

SA Okay.

DET. Alright, and just so, I make sure I understand this correctly alright?

Mm hmm.

DET. They take off running, both of them ultimately run east on Canfield, correct?

Yes.

DET. Okay. You do or you do not see the officer firing?

No I didn't, I heard.

DET. You hear...

I heard.

DET ...the officer firing...shots.

Yes.

DET Do you see Mike Brown at that point?

Well, I seen Mike, Mike Brown when he was facing towards the officer laying down, and the officer, was, uh, standing around him.

DET : So, that's the next time that you see Mike Brown?

That's when I seen...(UI) I seen the body laying there...and that's when I came inside, and grabbed my cell phone and went back out.

DET. Alright...and so your statement about going back towards the officer...

Like I say, I-I was assuming that he was fit- going back towards the officer, 'cause the body was facin' towards the officer, when I came outside.

DET Okay. You previously described in the map here, that-that, where you put this X, is where Mike Brown... where you saw him run to, right? The intersection of Canfield Drive and Copper Creek Court, right?

: Yes.

DET Where did you see his body after he fell?

When I came outside, the body was right there at the X.

DET. At the X?

Pretty much, yes.

DET. Pretty much...or what? I mean...

Well...

DET. and I know we're not getting exact on this map, but...

Uhh...I seen Mike Brown runnin', and like I say, I couldn't, ah, after that, the barrier's right there, I couldn't really get details on what happened, but I seen...I heard the shots...and, when I came outside, I seen officer standin' around the body...and Mike Brown was facin' towards the officer car.

DET Okay, alright.

And like I say, I assumed that he was comin' back towards the officer, 'cause he was turned around.

SA Where are you looking at in your apartment, are you at your living room window?

Yes, patio window, yes. I was sittin' down on um on a, on a, yeah.

SA Okay.

...and I heard the shots, I heard one sh – I heard a, I don't know how many shots, but I looked up, and I seen a officer grabbin' Mike Brown, and half his body was like, ya know, against the window, you know the windshield...and I seen Mike Brown push off, and I seen him run.

SA : Mm hmm. Who were you on the phone with?

A female friend.

SA Okay. Did you talk to her about what you had just seen?

Yeah, she heard the shots on the phone.

SA Okay.

Yeah.

SA ...And what did you tell her?

What'd I tell her?

SA Mm hmm.

I told her, ah, somebody (UI) a officer chasin' a guy down the street... and she's like "are those shots honey?" Yeah, I'll call you back, so I hung the phone up.

SA Okay...

That's when I came outside, and I saw...Mike Brown body out there, officer standing around him...

SA Mm hmm.

...so I came back inside, grabbed my cell phone - and went back out.

DET.                    one of the things that we've... (UI) one of the things that we ask of anybody that has a video, of the incident, that we haven't seen...is we ask for permission to essentially take your phone for a brief period of time, and allow us to copy that video footage just so we can have it as evidence. Are you okay with us doing that?

Yes.

DET                    You're okay with us doin' that?

I mean you're gonna take my phone, am I gonna get it back, or...?

DET.                    Absolutely, absolutely...and what I'll do is...Uh, I don't know how long you're gonna be here today...

Okay.

DET.                    ...but if it's okay with you...

I'll get it back today?

DET.                    I'll take it right now, and we've got guys working right now,

Sure, no problem.

DET.                    ...that will uh, essentially mirror the phone, so take what's on the phone off.

Okay...no problem.

DET.                    ...and we'll get your phone back to you right away. Okay?

: Okay.

DET.                    ...and I say off (UI)

You're not gonna, you're not gonna, take, the other photos that I have, that I have of uh, different uh, females...are you?

DET.                    Well...ah –

Everything?

DET.                    My thought is...when they mirror it, they mirror everything on the phone.

Okay, that's fine.

DET. You okay with that?

Yeah, it's fine.

DET. Okay, alright.

As long as I get it back, then that's fine.

DET. I'll get it back to you as quick as I can.

Okay.

DET. So, just so, for clarification purposes, only 'cause we had ah, a two or three minute conversation in here before the recorder was started...

Okay.

DET. ...uh, you came in here, we identified ourselves to you, is that correct?

Yes.

DET. A, we asked you if you were okay having a conversation with us, and you indicated that you were...is that correct?

: Yes.

DET. Okay...and, I explained to you that we, uh, record interviews that we conduct, is that right?

Yes.

DET. Okay, and you indicated to us that you were okay with us, recording our, uh, the conversation that we were about to have, is that correct?

: Yes.

DET. Okay. A, we haven't made you any, any promises and we haven't made you any threats, is that correct?

o you haven't.

DET. Okay, alright. And, you're obviously; obviously, free to leave this conversation, and you felt free to leave this conversation as things were going on. Obviously, you have a

Grand Jury Subpoena, for...whenever...

Okay, okay.

DET. ...but, you are aware, you were and are aware of that, is that correct, right?

Yes.

DET. Okay, alright.

SA I'm fine.

DET. Okay. , is there anything else that you would like to add, anything else that you feel is important that we should know?

No, no, no.

SA Is there anyone else that you think we should talk to? That might give us more information...that would be willing to talk to us?

No, 'cause when I came outside, it wasn't nobody around, ya know. After the shots, that's when everybody started comin' out. Ya know, like my neighbor next door, and the guy, uh he was on the balcony, and... that's when he started askin' me question, like "What happened, I heard the shots", ya know.

DET. Did indicate that he saw anything?

No.

DET. Is there anybody else that you know that saw this take place?

No...not to my knowledge.

SA Is there anything else that you wanna tell us, about what's going on in Canfield, or what happened that day?

No...it was just a dark day, ya know. Yeah, it was crazy...that's about it.

DET. Okay. Is there a password on your phone...to open it up?

No... (UI) just let me check.

DET. Nothing? There's not code, or no...

Uhh...no....It's open.

DET. Okay. Is there anything else you'd like to add, anything else that's important?

No.

DET And this is your best recollection of the incident, you're being truthful in everything that you said?

Yes.

DET. Okay, the time is 1:03 p.m., and this will conclude the interview.

In the event of a discrepancy between the transcript and the recorded audio statement on CD, the CD should be used as the most accurate account of the statement.