

Case: State of Missouri v. Darren Wilson

Transcript of: Grand Jury, Volume XVIII

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STATE OF MISSOURI

VS.

DARREN WILSON

GRAND JURY

November 3, 2014

VOLUME XVIII



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1 GRAND JURY HEARING VOLUME XVIII

2 MS. ALIZADEH: Good morning.

3 (Everyone says good morning.)

4 MS. ALIZADEH: It is Monday, November 3rd,  
5 it is 9:26 a.m. This is Kathi Alizadeh. Sheila  
6 Whirley is present as well, and all 12 grand jurors  
7 are here, as well as the court reporter, who's  
8 taking down and recording what is being said.

9 Some matters that I wanted to discuss  
10 before we start with evidence today. I would like  
11 you all to give us some dates for next week. And,  
12 you know, I had told you in the past that we are  
13 getting close to wrapping up, but you know, I don't  
14 know how long, you know, this is still going to last  
15 for sure and, of course, I don't know how long. We  
16 don't know how long you will need to deliberate.

17 And so just go ahead and pick some dates  
18 for next week. If you could give us three days,  
19 that would be great. I understand, you know, with  
20 your schedules, you have to work around and we will  
21 work around those schedules.

22 A couple of other matters is the floor  
23 plan with no door, remember the floor plan? So I  
24 had Detective talk to the gal, the leasing  
25 agent and she drew the door in here. They didn't

1 change it other than she drew a little line where  
2 the door is on these second two bedroom version.  
3 And then she also wrote next to the marks, which  
4 would indicate a window, she wrote sliding door.

5           These are new, I don't know if you all got  
6 rid of the old ones that I've given you. If you  
7 haven't, go ahead, and you want to give those to me  
8 and I will shred them so we don't get those  
9 confused. That's your newest version of that.

10           So, for the record, I had previously  
11 marked that floor plan as Exhibit Number, Grand Jury  
12 Exhibit Number 51. I'm going to remark the new one  
13 that shows the door, as Grand Jury Exhibit Number  
14 51. And I'm going to tear up the old one so we  
15 don't get those confused. I'm just using the same  
16 number, I just replace it with the accurate version.

17           And then so we have the week scheduled out  
18 pretty busy, hopefully we're going to be chugging  
19 along here and trying to get some of these witnesses  
20 in and out.

21           We talked about you all seeing the  
22 vehicle. We actually had a plan, we were going to  
23 try to do that today, we have now discovered because  
24 I had, I don't know if I was told this or I don't  
25 recall who even told me, I had believed that Officer

1 Wilson's vehicle was back in service and the door  
2 had been repaired and it was back on the road being  
3 used as a police car in Ferguson.

4 But last week we learned that it is not  
5 repaired and it is still missing the door. So we  
6 can't really have somebody drive it down here. It  
7 would draw too much attention if that was driving  
8 around like that.

9 So I have a couple of options for you. We  
10 could have the vehicle towed to a location where the  
11 new call center is. There is a secure garage in  
12 there. We could have the vehicle towed there and  
13 then we could have you all, depending on the time of  
14 day we do this. If we do it at the end of the day,  
15 you all take your own vehicles out there, then you  
16 could leave directly from there rather than coming  
17 back to Clayton, or if necessary, we could get a van  
18 and take you all out there together to see it.

19 Of course, then we'd have to bring you  
20 back here to get your vehicles, so that is an  
21 option. If you want to see the actual Ferguson  
22 vehicle.

23 The limitations with that are going to be  
24 that the door is not on the car. And we have the  
25 door and I can throw the door in the back of the

1 truck and you all can look at the door, but it is  
2 not going to be on the car.

3 And so depending on what you want to see,  
4 it might be a better option for you if I could get a  
5 Ferguson Tahoe, same year and same model and  
6 everything, and that way you would have a complete  
7 truck, in other words.

8 I will also tell you that I had someone  
9 from the Crime Scene Unit go out and measure the  
10 actual truck, the actual Ferguson vehicle points  
11 like from the ground to the top, you know, the roof  
12 from the ground to this and so forth. So we do have  
13 actual measurements if those are important to you,  
14 we'll give those to you as well.

15 So maybe during your lunch break today you  
16 can talk about whether or not, if we just get a  
17 lookalike Ferguson truck, we can do that here, we  
18 had previously talked about doing that in the  
19 sallyport here which is where prisoners are brought  
20 in so they are automatic doors, it is secured, we  
21 would be able to have that area for 30 minutes.

22 It is monitored by cameras because it has  
23 to be, but we've arranged that the cameras would be  
24 shut off so nobody is going to be seeing you.

25 Of course, no recordings will be made of

1 you while you are up around the vehicle. If we get  
2 the lookalike, we can do it here. If we are going  
3 to need the actual vehicle, we are going to have to  
4 make the arrangements to take you to another  
5 location to view that. So you can talk during your  
6 lunch break about what you want to do, or if you  
7 want to do both. If it is important that you see  
8 both, we'll do whatever, okay.

9 How y'all doing, okay. I can't recall if  
10 there was any other things that needed to be talked  
11 about or brought up and if there are, yes.

12 : I saw on KSDK over the  
13 weekend, or I think late last week, that they  
14 indicated that Dr. who did the family  
15 autopsy had mentioned that he was willing to come  
16 and testify before us and also that there is  
17 reportedly some of his findings doesn't agree with  
18 our findings regarding some, I guess it is stippling  
19 or whatever. So I know you put it out there already  
20 inviting him to come at your request to come  
21 testify.

22 I don't know if you've heard from him?

23 MS. ALIZADEH: The latest is we are trying  
24 to get him here. He had not, still has not  
25 completed his report. And he indicated that he

1 needed a copy of the St. Louis County Medical  
2 Examiner's Report in order for him to complete his  
3 report, which is protocol, it is.

4 And you will hear from medical examiners  
5 we are going to bring in that that's necessary  
6 because obviously when you are doing a second or  
7 third autopsy, things that were done previously, you  
8 need to know is this something that, you know, was  
9 caused or created in the autopsy or is this a  
10 different wound. And so it is not unusual and in  
11 fact, you know, I don't want to say protocol, I  
12 think that is the appropriate medical procedure is  
13 to have the previous autopsy reports so that you can  
14 know what was done previously.

15 Obviously, the bullets were removed  
16 already and things that were done are not going to  
17 be seen in a second or third autopsy.

18 So we have forwarded a copy of that to the  
19 appropriate people to get to him. And so we've also  
20 contacted the appropriate people to have him check  
21 his schedule, let us know when he might be  
22 available.

23 Obviously, we can't wait if I'm not  
24 available until January, we're going to have to make  
25 a decision on what to do about that in the event

1 that happens. But yes, we have things in place  
2 right now where we are trying to get him to come  
3 here and testify for you.

4 So that's being done and was there any  
5 other things that you guys wanted or needed that?  
6 . I was going to  
7 see, we have learned a lot about Michael Brown  
8 through testimony. I still don't know a lot about  
9 Officer Darren Wilson.

10 I know we brought his supervisor in  
11 briefly to talk about protocol, what happened that  
12 day. His story was very different from Darren  
13 Wilson's. Would be interested to know if we know  
14 about what his morning was like.

15 MS. ALIZADEH: What?

16 : What his morning was like  
17 that day. History, you know, behavioral, awards,  
18 whatever that may be. I know a lot about Michael  
19 Brown, but not a lot about Darren Wilson.

20 MS. ALIZADEH: We have his personnel file  
21 and that is something we will get to you. Kind of  
22 our strategy here is once we get done with all of  
23 our eyewitnesses, then we are going to have some  
24 experts still testify. And then probably the last  
25 witness is going to be Detective who is the

1 primary case officer on this. And so a lot of, some  
2 of that stuff is going to come in through him.

3 But we talked about the fact that there  
4 may have been witnesses who testified earlier in the  
5 process that now that you know more than you did  
6 back then, you may wish us to recall some witnesses.

7 As you know, we cannot compel Officer  
8 Wilson to testify. So all I could do is extend an  
9 invitation if you wanted him to come back.

10 If anybody else that now you look at, you  
11 know, what you now know and you are comparing what  
12 the witness said previously. If you have additional  
13 questions for any witness who has already testified,  
14 just let us know and we will do our best to get them  
15 in here again.

16 So we talked about that last week that you  
17 know, this whole thing began two months ago so and  
18 you've heard from, you know, what am I on now, how  
19 many witnesses have we had, 47. We have had 47  
20 witnesses. So it is a lot.

21 So you guys can discuss that as well. If  
22 you want to recall any witnesses and again, it would  
23 be an invitation to Officer Wilson if you wanted to  
24 have him back. We would do what we can to get him  
25 here.



1                   We have transcripts for two statements.  
2     The first statement is ten minutes and 58 seconds.  
3     The second statement is a minute 35 seconds, which  
4     is just a phone call and then we have transcripts  
5     for those two.

6                   Then there is a third statement that is 22  
7     minutes and 32 seconds with no transcript for that  
8     since that was just done last week, and so I would  
9     ask that we'll go pause the recording while we are  
10    playing statements.           , you do not need to  
11    transcribe the first two statements, but I would ask  
12    that you transcribe for the third one.

13                  So at this time, if you the want to pause  
14    that.

15                  So now that we're paused, I will tell you  
16    the two transcripts are together.

17                  : A whole list of all the  
18    witnesses so we make sure that we have them also  
19    what you have.

20                  MS. ALIZADEH: Absolutely, I have been  
21    keeping track of that.

22                  The other thing is over the weekend I was  
23    trying to organize the exhibits and I'm still  
24    missing Number 48. So if anybody keeps track of the  
25    numbers.

1 MS. WHIRLEY: What is 48?

2 : Exhibit 48?

3 MS. ALIZADEH: It is the witness number  
4 coincidentally.

5 MS. WHIRLEY: Okay .

6 MS. ALIZADEH: Is everybody ready to start  
7 the statements? Okay.

8 (This will be the playing of the audio  
9 recorded statements of Witness 48.)

10 (This is the playing of audio interview  
11 number three of Witness Number 48 that is being  
12 transcribed.)

13 : This is special agent  
14 We are at FBI 2222 Market Street. It is  
15 Wednesday, October 29th, 2014, approximately  
16 9:21 a.m. I'm with USA and DOJ trial  
17 attorney and we are here  
18 interviewing.

19  
20 Is your name  
21 spelled

22 Uh-huh.

23 : Are you still at

24

25 No, no.

1 : What's your residence  
2 address?

3 Um, I don't know the  
4 address, but I know the street I live off of

5  
6 Okay.

7 Where is that

8 Yeah.

9 : Okay. If I needed to get  
10 ahold of you, what is best number to call?

11 I don't know, my mom.

12 : Your mom's, okay. What about  
13 your godmother who is here with you?

14 She's probably the best  
15 person to call. I wasn't even thinking about her.

16 : What's her name?

17  
18 : She's waiting outside for  
19 you here today?

20 Uh-huh.

21 : She came down with you?

22 : Do you know what her phone  
23 number is?

24  
25 Okay. And what's your date

1 of birth?

2

3 : And what's your social  
4 security number.

5

6 :

7

8 : okay.

9

10 : Okay.

11 MR. All right. thanks for  
12 being here today. We wanted to follow-up on some  
13 statements that you gave before, all right. I know  
14 that on August 14th you talked to investigators,  
15 okay, and we just had a few questions about that and  
16 wanted to follow-up.

17 Before we do that, I just want to go  
18 through some preliminary things that we do with most  
19 witnesses, okay, or basically I want to remind you,  
20 obviously, you know this is being recorded, and you  
21 have to say yes or no.

22 Yes.

23 MR. : Just because it is being  
24 recorded you have to, if I ask you a question, yes  
25 or no answer, be sure to a yes or no just so it

1 shows up on the tape, okay?

2 Okay.

3 MR. : I also want to tell you  
4 don't answer any question you don't understand,  
5 okay? If I ask you something and you're not sure  
6 exactly what I mean by that, just feel free to ask  
7 me to explain it, I will do that, all right, you  
8 understand?

9 : Uh-huh.

10 MR. Basically we don't want you  
11 to answer any questions that you don't understand.

12 All right.

13 MR. : All right. I need to warn  
14 you that it is a crime to lie to the FBI or federal  
15 investigators, okay?

16 Uh-huh.

17 MR. : So you need to be sure to  
18 tell the truth today, you understand that?

19 : Yes.

20 MR. : Basically we are just  
21 looking for the truth here. We've talked to a lot  
22 of different witnesses and all we are looking for is  
23 what you actually saw and heard on August 9th of  
24 this year, okay?

25 : Uh-huh.

1 : I know there have been a lot  
2 of things in the media and that sort of thing. If  
3 you are going to refer to any of that or whatever,  
4 that's fine, you just need to let us know, but  
5 otherwise, we are just looking for what you actually  
6 saw.

7 : Okay.

8 MR. : All right. Okay, I also  
9 wanted to ask you are you under the influence of any  
10 drugs or alcohol today?

11 No.

12 MR. Is there anything else that  
13 would influence your ability to tell us the truth  
14 today?

15 : No, just anxiety. That's  
16 not going to stop me from telling the truth though.

17 MR. : You just a little nervous?

18 Yeah.

19 MR. : Okay. That's normal, don't  
20 worry about that, that's perfectly normal.

21 : Okay.

22 MR. : Let's go back through. As I  
23 said, I know that you gave a statement on  
24 August 14th and I understand that on that date you  
25 were in an minivan with your family; is that right?

1 : That's right.

2 MR. : Were you sitting in the  
3 minivan?

4 I was sitting in the second  
5 row, in the middle of the second row.

6 MR. : Did you have a clear view of  
7 what was going on?

8 : Yes.

9 MR. : What was your view? I mean,  
10 where were you looking?

11 The windshield.

12 MR. : All right. You looking the  
13 front through the windshield?

14 Yes.

15 MR. : And you see a young man  
16 that's standing near a police cruiser; is that  
17 right?

18 Yes.

19 MR. : The young man, do you know  
20 who that is now?

21 : I know now.

22 MR. : And based on just things  
23 that have happened since then?

24 : I really don't like listen  
25 to radio or news like that.

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

1 MR. : And what do you see  
2 happening there at the police cruiser?

3 I see Michael Brown  
4 standing in front of the cruiser by the driver's  
5 side of the door.

6 MR. : Is he facing the police  
7 cruiser?

8 : Yes.

9 MR. : Facing the driver's side  
10 door?

11 : Yes.

12 MR. About how far away do you  
13 think he is from the door?

14 A couple inches.

15 MR. Basically right there.

16 : Yeah.

17 MR. : What do you see?

18 : I see him talking, I don't  
19 know really what he was doing. I know that he had  
20 his back to me.

21 MR. : Uh-huh.

22 : His hands were in front of  
23 him. I don't know like, if you see a person behind,  
24 from the behind and you just see their arms, you  
25 don't see them like hanging down.

1 MR. : Okay.

2 : You see them in front of  
3 him?

4 MR. : So he's facing the police  
5 cruiser's driver's side door?

6 : Yeah.

7 MR. : Is there a police officer in  
8 the cruiser at the time?

9 Yes.

10 MR. : Where is the police officer?

11 : In the driver's seat.

12 MR. : Okay. I understand it is an  
13 obvious question, but so the police officer is in  
14 the driver's seat, Michael Brown is facing the  
15 police officer?

16 Yes.

17 MR. : At the driver's side.

18 MS. : Just for the recording,  
19 when you were demonstrating just a few moments ago,  
20 you said his hands were forward. You held your  
21 hands so that your elbows were bent at almost right  
22 angles with your hands slightly above waist level in  
23 front of you.

24 : Right.

25 MR. : Could you see what Michael

1 Brown was doing with his hand at that time?

2 No.

3 MR. You just know that his hands  
4 were in front of him?

5 : Yes.

6 MR. And you say he was just a  
7 few inches from the side of the police cruiser?

8 : Right.

9 MR. : Could you tell from your  
10 angle whether or not his hands were inside the  
11 vehicle or outside the vehicle?

12 I don't know if his hands  
13 were in the vehicle.

14 MR. : You just couldn't tell?

15 : I just couldn't tell what  
16 he was doing. I just seen that his hands were like  
17 midway up, not like in the air, I don't know they  
18 weren't hanging down, so I don't know what he was  
19 doing.

20 MR. : His hands were in front of  
21 him. You can't tell what he was doing with his  
22 hands?

23 Right. And then heard two  
24 gunshots. One, like I didn't really pay attention  
25 to because I was in the middle talking to my sister.

1 And then the second one I clearly heard and then my  
2 mother asked me were they shooting at each other? I  
3 was like, I don't know. And then we look, we was  
4 watching it and Michael Brown took off running down  
5 Canfield the opposite of West Florissant, opposite  
6 way.

7 MS. : Was there anybody besides  
8 Michael Brown standing outside of the police  
9 cruiser.

10 I didn't see the dude in  
11 the gray pants, I didn't see him standing by the  
12 cruiser.

13 MS. : Okay.

14 : I just seen him run from  
15 like behind it like kind of and he took off running  
16 across the field behind the other apartments.

17 MR. Okay. So when you first, do  
18 you know who the other guy is?

19 No.

20 MR. : You don't know his name?

21 Huh-uh.

22 MR. Can you describe him?

23 He's a thin man, had on a  
24 black T-shirt and I guess gray jogging pants and I  
25 believe he had dreads.

1 MR. : Okay.

2 : He wasn't like --

3 MR. : He was a young black male?

4 Yes.

5 MR. : So thinner, dreads?

6 Uh-huh.

7 MR. : And a younger black male?

8 Uh-huh.

9 MR. : Is that right?

10 Yes.

11 MR. : So the first time you see

12 them you think he is somewhere around the back of

13 the police vehicle?

14 Right.

15 MR. : You see him take off

16 running?

17 Right.

18 MR. : When did he run, when did he

19 take off running?

20 : After the first shot was

21 fired, after the first two I heard.

22 MR. Then you say Michael Brown

23 after the second shot took off running down

24 Canfield?

25 Yes.

1 MR. : Okay. And at some point  
2 then do you see the police officer get out of the  
3 vehicle?

4 : Yeah, you seen the officer  
5 hop out of his cruiser and he is running behind and  
6 he's yelling stop. Then Michael turned around and  
7 started charging towards the officer and the officer  
8 still yelling stop. He did have his firearm drawn,  
9 but he was yelling stop, stop, stop. He didn't, so  
10 he started shooting him.

11 MR. All right. So the police  
12 officer was yelling at him multiple times to stop?

13 : Yes.

14 MR. At any time the police  
15 officer was yelling stop as he's charging at him,  
16 did Michael Brown stop?

17 : He slowed down, I thought  
18 he was going to stop, but he kept charging towards  
19 him. Like he slowed down for a second and then he  
20 started running again. Like he put his hand up in  
21 the air like, he put his hands up and then he put  
22 his hand like in front of him like this way.

23 MR. Let's talk about this, you  
24 say he started to put his hands up?

25 Yes.

1 MR. Michael Brown did?

2 Yes.

3 MR. But then he pulled his hands  
4 down and you demonstrated that you kind of had a  
5 fist in front of you like at your chest height?

6 Right.

7 MR. : And can you describe, he had  
8 his hands at his chest?

9 His hands were balled up.  
10 He has his arms bent towards his chest and he's  
11 running like, you know, almost like a tackle  
12 running.

13 MR. : Okay.

14 And I see him shoot him. I  
15 don't know, he wasn't going to stop. I don't know  
16 how many times he shot him altogether, but like you  
17 seen like one of the bullets hit him in the face,  
18 cause you seen like the splatter from it. I'm  
19 sorry, it distracted me for a second.

20 MR. : I understand, I understand.  
21 You say it didn't look like Michael Brown was going  
22 to stop.

23 : No.

24 MR. : He wasn't going of his own  
25 volition going to stop?

1 : He was running, he slowed  
2 down, and then he kept running and he shot him and  
3 was like for a second he kind of like slowed down  
4 and staggered. He kept charging, so he shot him  
5 again.

6 MR. : All right. You said that  
7 the police officer was at that time telling him to  
8 stop?

9 : Yes.

10 MR. : Repeatedly. You said that  
11 in your statement on August 14th that referring to  
12 Michael Brown you said the boy wouldn't stop, he  
13 fired three rounds, that would be the police  
14 officer?

15 : Right, he fired the three  
16 rounds first.

17 MR. And the dude kept running  
18 and the police, you say the police officer fired  
19 four more rounds?

20 : Yes.

21 MR. Does that sound about right?

22 : Yes.

23 MR. And then he finished off the  
24 rounds and he fell on the ground, Michael Brown fell  
25 on the ground?

1 : Right.

2 MR. : How did he fall, did you see  
3 him fall?

4 : If you were in a standing  
5 position, he kind of stopped and he kind of like  
6 started to lean forward like this and then he kind  
7 of fell on his knees and smacked the ground on his  
8 face.

9 MR. : So he fell face first?

10 : Yes.

11 MR. : And when he was laying there  
12 on the ground, he was laying face first on the  
13 ground?

14 Yes.

15 MS. You indicated again, just  
16 for the tape, you were standing up just now. You  
17 had your right hand down near your waistband area  
18 and your left arm was sort of hanging down loose, is  
19 that how you recall it?

20 : No, that's just how I was  
21 standing.

22 MS. : Okay, that's good. Do  
23 you recall sort of what his hands were doing?

24 When he went from running  
25 with his hands balled up like this.

1 MS. : His hands up by his  
2 chest?

3 Yeah, he just kind of like  
4 stopped and was standing there, and he kind of just  
5 fell forward.

6 MS. : Okay.

7 MR. : As Michael Brown was running  
8 away from the police officer, from the police car,  
9 did you see the police officer shoot at him at all  
10 at that time?

11 No, he did not fire at him.

12 MR. : How about, you said that  
13 when Michael Brown turned around, he briefly, looked  
14 like he briefly started to put his hands up?

15 : Right.

16 MR. : Was the police officer  
17 shooting at him at that time?

18 : No.

19 MR. When did the police officer  
20 start shooting at him after the first two shots in  
21 the car?

22 Um, it took him a minute to  
23 fire at him for real. I probably would have shot  
24 him instantly you charge at me like that, but when  
25 he was running back he was screaming stop, stop.

1 And the officer was backing up as he kept coming  
2 closer to him and he didn't stop. So he shot him  
3 three times and he was still charging towards him  
4 and he shot him again, shot him four more times.

5 MR. : Okay. So the police officer  
6 didn't start shooting again until Michael Brown was  
7 actually charging at him?

8 Right.

9 MR. : As the police officer was  
10 yelling for him to stop?

11 : Right.

12 MR. : You say he's actually  
13 backing away from Michael Brown?

14 : Right.

15 MR. : All right. You want to take  
16 a quick break?

17 MS. : Just a couple quick  
18 follow-up then we can take a quick break. Did you  
19 see the officer, what did the officer do after  
20 Michael Brown fell to the ground?

21 : Got back up, I guess, I  
22 don't know. I mean, he didn't actually walk up on  
23 the body.

24 MS. : Okay.

25 MR. : Did you ever see him

1 approach the body at all?

2 : No.

3 MR. : Or the area around it?

4 Huh-uh.

5 MR. Okay.

6 MS. When you first came up on  
7 this situation and you are in your family's minivan,  
8 was Michael Brown already at the police car, was the  
9 police car already stopped?

10 Uh-huh.

11 MS. There is already some  
12 interaction as you come up?

13 Yes.

14 MS. : That's what makes your  
15 vehicle stop?

16 : Yes.

17 MS. : When he was at the, when  
18 Michael Brown was at the police vehicle, you  
19 indicated that his hands were up in front of him and  
20 you could see that from the back because you  
21 couldn't see the lower part of his arms; is that  
22 right?

23 Right.

24 MS. Could you see where his  
25 head was?



1 you were when you pulled up here?

2 : Yeah, we pretty much

3 stopped.

4 MS. : And didn't move.

5 : There was a little girl

6 trying to hide on the side of our car from the

7 shooting.

8 MS. : Do you know who she was?

9 : No.

10 MS. Little girl, like a kid?

11 : Yeah, like maybe middle

12 school.

13 MS. : Oh, yeah. Then after

14 everything was done, after he's on the ground and

15 did you guys move your car, what did you guys do?

16 We stood there for a

17 second, we sat there in the vehicle for a second

18 like.

19 MS. : What do you do?

20 : Like, damn, you know, and

21 then I went on into cause I still had to go

22 right on

23

24 MS. Did you drive past the

25 body.

1 : Yeah.

2 MS. : Okay.

3 : But not down the street, I  
4 turned into the parking lot. Say this is the  
5 street, we're right here.

6 MS. : Okay.

7 There is multiple places  
8 where you can drive into the parking lot. So we  
9 went in, we made a left and we went around.

10 MS. : Okay. Around the  
11 building?

12 There is still a parking  
13 lot right here. We are at the bend where his body  
14 was laying.

15 MR. : Who was in the van with you  
16 that day?

17 : My mother, my father, my  
18 sister, my older sister, and my niece, my younger  
19 niece.

20 MR. : Okay. What is your mother  
21 and father's name?

22

23

24 MR. : And then your sister who is  
25 with you, your older sister?

1

2 MR. : How about the niece.

3

4 MR. : How old is she.

5

6 MR. : years old?

7

8 MR. : You want to take a break?

9 Okay. Why don't we take a quick break here. We  
10 will take a minute or two. And then if you don't  
11 mind, we will just leave the recording on so we  
12 don't have to start it all over when we come back  
13 in. You're welcome to stay here and wait or if you  
14 want to go out with your godmother out in the lobby.

15 MS. : We'll just be a second.

16 MR. We will be right back.

17 (A break was taken at this time.)

18 MS. WHIRLEY: We are going to advance it  
19 until it begins.

20 MR. : All right. Thanks for  
21 waiting. We have a few more questions for you. I  
22 think had a few follow-up questions she  
23 wanted to ask.

24 : I just wanted to clarify.

25 You saw his friend, the thinner one with the dreads

1 run away? You didn't see him exit the car, you saw  
2 him run past the police, you saw him run behind the  
3 police cruiser?

4 : Yeah, I don't know if he is  
5 directly behind me or if he was just on the other  
6 side where I couldn't see. I just seen him run from  
7 that way.

8 : When did you see, you saw him  
9 run into the woods you say?

10 Not the woods, he ran  
11 behind the apartment buildings on the other side of  
12 the street.

13 : Okay. Let me just. So here,  
14 that's West Florissant.

15 Uh-huh.

16 So about --

17 Right in between these  
18 buildings.

19 : When did you see him do that?

20 Um, wait, yeah.

21 : If you are over here  
22 somewhere?

23 Yeah, right over here where  
24 these trees are.

25 : Okay.



1 down by his dies?

2 : No, they were in front of  
3 him.

4 MS. : Could you see the officer  
5 in the vehicle?

6 No.

7 MS. : Michael Brown is a big  
8 guy, right?

9 : When he's standing in front  
10 of the vehicle I could not see the officer.

11 MS. : Because Michael Brown was  
12 blocking the vehicle basically?

13 : Yes.

14 : And then you said you have a  
15 ?

16 : Uh-huh.

17 : Did she see it?

18 : No,

19 .

20 : Now, when you went because  
21 you said you drove around, did you drive this way?

22 : Yes, and we had to pass  
23 through this way. We came this way.

24 MR. So you kind of came around  
25 the apartment building from behind?



1 have anything else. Thanks for your time today.

2 : Thank you.

3 : End the recording at

4 9:44 a.m.

5 MS. WHIRLEY: Good morning. This is  
6 Sheila Whirley and Kathi Alizadeh is present and all  
7 12 grand jurors, and , the court reporter. It  
8 is November the 3rd, 2014, approximately 10:15 a.m.

9 That last recording that we heard was  
10 Grand Jury Exhibit Number 58.

11 (Grand Jury Exhibit Number 58  
12 marked for identification.)

13 MS. WHIRLEY: It occurred on October the  
14 29th, 2014. The very first two recordings that we  
15 heard were from Grand Jury Exhibit Number 17. And  
16 those were, as you can see on the transcript, was  
17 from August the 14th of 2014.

18 All of these recordings are related to the  
19 witness, Witness Number 48. All of these are from  
20 Witness Number 48 and we will hear from her  
21 momentarily. We're going to get the witness.

22 MS. ALIZADEH: The first two you heard  
23 were on Grand Jury 17.

24 : Okay.

25 MS. ALIZADEH: And those were both

1 recorded on August 14th. And the third one you  
2 heard was on Grand Jury Number 58, and that was  
3 recorded on October 29th of this year.

4 : Thank you.

5 WITNESS NUMBER 48,

6 of lawful age, having been first duly sworn to  
7 testify the truth, the whole truth, and  
8 nothing but the truth in the case aforesaid,  
9 deposes and says in reply to oral  
10 interrogatories, propounded as follows, to-wit:

11 EXAMINATION

12 BY MS. WHIRLEY:

13 Q Throughout this proceeding we intend to  
14 refer to you as Witness Number 48, but for now would  
15 you introduce yourself to the grand jurors and spell  
16 your name for us, please?

17 A

18 Q

19 A (Nods head.)

20 Q Okay. And you don't live in Canfield  
21 Green; is that correct?

22 A No, I do not.

23 Q Who is your parents?

24 A

25 Q Okay. And your sister?

1           **A**

2           **Q**     And they were with you that day on August  
3     the 9th, 2014?

4           **A**     Yes.

5           **Q**     Okay.  Is there anything else we needed?  
6     Let's go ahead and get started.

7                   MS. ALIZADEH:  Just so that we are clear  
8     on this, and we talked to you about not using your  
9     parents' name, just call them mom and dad and sister  
10    so that when we begin the recording, we won't need  
11    to redact if you say my mom, my dad, my sister,  
12    stuff like that, okay?

13          **A**     Okay.

14          **Q**     (By Ms. Whirley) I'm going to stand toward  
15    the back of the room so you'll speak loud enough for  
16    us to have a conversation.  I know there is a  
17    microphone there by you, but it won't make your  
18    voice louder.

19          **A**     Okay.

20          **Q**     If you can speak loud enough so everyone  
21    can here, okay?

22          **A**     All right.

23          **Q**     You know we are here regarding the Michael  
24    Brown shooting?

25          **A**     Yes.

1           **Q**     Did you know Michael Brown?

2           **A**     No, I did not.

3           **Q**     All right. And you know he was shot by an  
4 officer?

5           **A**     Yes.

6           **Q**     Did you know the officer?

7           **A**     No.

8           **Q**     Did you know, do you know the officer's  
9 name today?

10          **A**     No.

11          **Q**     Okay. All right. So let's talk about  
12 August the 9th, 2014. How did you start your day?

13          **A**     Um, I was hanging out with my parents at  
14 first, then my            asked me to come bring  
15 something to            , and I did.

16          **Q**     Now your            , where does            live?

17          **A**

18          **Q**     All right. You've referred to our map,  
19 which is marked as Grand Jury Exhibit Number 25. I  
20 told you about the laser pen there, you see it?

21          **A**     Yes.

22          **Q**     Why don't you pick that up. Can you  
23 figure out how to use it? There you go. So that's  
24 where your            lived

25          **A**     Uh-huh.



1           **Q**     Okay. Did you have a pretty clear view of  
2 what was ahead?

3           **A**     Yes.

4           **Q**     All right. So you're traveling east on  
5 Canfield Drive from West Florissant?

6           **A**     Yes.

7           **Q**     Did you see the police car?

8           **A**     Yes, I seen the cruiser.

9           **Q**     Cruiser, describe it, what did it look  
10 like?

11          **A**     It was an SUV, um.

12          **Q**     What color?

13          **A**     It was white.

14          **Q**     Was it marked as a police car?

15          **A**     Yes.

16          **Q**     Okay. So where did you see it, you were  
17 showing us on the map?

18          **A**     Like in this right here, I believe.

19          (indicating)

20          **Q**     Like near Canfield Drive?

21          **A**     Our vehicle was here on Coppercreek.

22          **Q**     Okay. Were there any cars ahead of you  
23 before you reached the police cruiser?

24          **A**     No, the only thing that was in front of us  
25 was the cruiser and Michael Brown, his back towards

1 us, standing up on the cruiser. It was like maybe a  
2 few inches away from it.

3 Q How close I should say were you to the  
4 cruiser?

5 A I'm not sure how many feet.

6 Q Like if you were to judge it by car  
7 lengths, you said there were no cars in front of  
8 you, but was there a space for a car to be in front  
9 of you before you --

10 A There was enough space for at least like  
11 two cars.

12 Q About two car lengths?

13 A Yeah.

14 Q And which way was the cruiser, we will  
15 refer to it as cruiser, was it facing?

16 A He was facing towards West Florissant.

17 Q Was he parallel?

18 A He was slightly angled going onto Canfield  
19 Drive like he was going to turn into the parking  
20 lot.

21 Q Which way?

22 A This way. (indicating)

23 Q Like he was going to turn that way?

24 A Yeah.

25 Q But was he facing east or west on Canfield

1 Drive?

2 **A** I guess west.

3 **Q** This is West Florissant?

4 **A** Yeah.

5 **Q** So that would be west, he was facing west?

6 **A** Uh-huh.

7 **Q** You were facing east?

8 **A** Yes.

9 **Q** Now, you mention Michael Brown, Michael  
10 Brown was, what was Mike Brown doing?

11 **A** He was standing at the cruiser like in  
12 front of it. I really don't know what he was doing,  
13 but he had his hands at least waist in front of him.  
14 I'm not really sure what he was doing.

15 **Q** Could you see his hands?

16 **A** No.

17 **Q** All right. How did you know his hands was  
18 at the waist?

19 **A** Because if you see something from the  
20 back, you can tell that their hands are not dropped  
21 or up, you can see them in front of you.

22 **Q** You didn't see them dropped or up?

23 **A** Right.

24 **Q** Okay. From your viewpoint, would you be  
25 looking at the driver's side or the passenger side

1 of the police cruiser?

2 **A** The driver's side.

3 **Q** So you were looking at the driver's side?

4 **A** Yes.

5 **Q** You were sitting in the center?

6 **A** Right.

7 **Q** Okay. Did you notice the car moving and  
8 when I say moving, I don't mean driving, I mean like  
9 shaking or any motion to the car?

10 **A** I'm not sure if the car was rocking or  
11 anything because I was in conversation with my  
12 sister. And I didn't really notice what was going  
13 on until I heard the first two gun fires.

14 **Q** So initially when you saw the car, you  
15 didn't think much of it?

16 **A** Right.

17 **Q** You couldn't tell that there was some kind  
18 of altercation or something going on?

19 **A** No, I couldn't.

20 **Q** All right. So you heard, you say two  
21 gunshots?

22 **A** Yes.

23 **Q** When you heard the two gunshots, where was  
24 Michael Brown at that time?

25 **A** He was on the side of the police cruiser

1 at the driver's side and that's when he took off  
2 running.

3 **Q** You actually saw him take off running?

4 **A** Yeah, we actually sat in the van and  
5 watched him run down the street and then he turned  
6 around and came back towards the officer.

7 **Q** Did he appear to be injured when you saw  
8 him running?

9 **A** No, I'm not sure if he was injured.

10 **Q** You couldn't see any blood or anything?

11 **A** No.

12 **Q** Which way, show us with the laser pen  
13 which way he was running?

14 **A** He was running east down Canfield, right  
15 here. (Indicating)

16 **Q** And what --

17 **A** The officer hopped out of his cruiser and  
18 chased him down Canfield. They got like right about  
19 here and then Michael turned around and charged  
20 towards. The officer and the police officer drew  
21 his gun and he was like stop, stop, stop and he shot  
22 him.

23 **Q** Okay. When the officer got out of the  
24 car, was he running too?

25 **A** He was running behind Michael, he wasn't

1 really close to him.

2           **Q**     Okay. Did he have his gun out at that  
3 point?

4           **A**     No.

5           **Q**     You didn't see his gun when he got out of  
6 the car?

7           **A**     No.

8           **Q**     Did he shoot it, well, you didn't see his  
9 gun, did you hear any shots?

10          **A**     No, he did not fire at Michael while he  
11 was running away from him.

12          **Q**     Okay. So when did you see the officer's  
13 gun?

14          **A**     I seen the officer's gun when Michael  
15 turned around and was charging at him.

16          **Q**     So he didn't pull his gun out of the  
17 holster until Michael Brown started to charge him?

18          **A**     Charge him, right.

19          **Q**     Okay. So when he was running, I think you  
20 said he was yelling stop?

21          **A**     I heard him yell stop at least three  
22 times.

23          **Q**     When was the first time you heard him yell  
24 stop?

25          **A**     When he was chasing, when he was chasing

1 down Canfield.

2 **Q** So Michael Brown's back was to him?

3 **A** Turned to him, he was like stop.

4 **Q** He was chasing him, he was yelling stop?

5 **A** Yes.

6 **Q** He did not have his gun out as he was  
7 yelling stop?

8 **A** No.

9 **Q** No?

10 **A** No, he didn't.

11 **Q** Michael Brown turns around?

12 **A** And starts to run towards the officer and  
13 the officer drew his gun and he pointed it at him  
14 and he was like stop, stop. And he was like going  
15 in reverse, like backing up.

16 **Q** The officer was backing up?

17 **A** Yes.

18 **Q** Would you mind standing up for me, please?  
19 What's on your arm, by the way, I couldn't help but  
20 notice?

21 **A** A tatoo that time.

22 **Q** What does it say?

23 MS. ALIZADEH: I don't want her to say  
24 that.

25 **Q** (By Ms. Whirley) Can you demonstrate for

1 us how Michael Brown was coming towards the officer?

2 **A** He was like charging towards the officer  
3 withs his hands drawn up like this in a fist running  
4 towards him. (indicating)

5 **Q** Come towards me?

6 **A** Almost like a football, I'm not going to  
7 run.

8 **Q** You don't have to run, kind of like walk  
9 towards me. Like that?

10 **A** Yeah.

11 **Q** And the officer, can you show me how the  
12 officer was going backwards?

13 **A** He had his gun drawn. He was like stop.  
14 He was backing up, he was like stop and he didn't,  
15 so he shot him three times.

16 **Q** Three times?

17 **A** He kept yelling stop and Michael kept  
18 coming towards him.

19 **Q** At the time that they are, at this  
20 intersection --

21 **A** We're stopped.

22 **Q** You're stopped back here? (indicating)

23 **A** Yeah.

24 **Q** But you could see?

25 **A** We was closer towards the trees right

1 here. (indicating)

2 Q Did you get out of the car at any time?

3 A No.

4 Q You stayed in the car as you were watching  
5 all of this?

6 A Yeah.

7 Q And you were right around here?

8 (indicating)

9 A Uh-huh.

10 Q And it was occurring up here?

11 (indicating)

12 A It was like right here. (indicating)

13 Q Any idea how far that is apart?

14 A No, it is not that far.

15 Q Okay. Some additional car distances  
16 though?

17 A Uh-huh.

18 Q All right.

19 A It was right here in this area.

20 (indicating)

21 Q Is your vision pretty good?

22 A Yes.

23 Q You don't wear glasses or anything?

24 A No.

25 Q And you can hear pretty well?

1           **A**     I can hear just fine.

2           **Q**     Okay. At any time did it look like  
3 Michael Brown had anything in his hands?

4           **A**     No.

5           **Q**     Okay. Or that he was reaching for  
6 anything?

7           **A**     No.

8           **Q**     Did you ever see his hands near his waist?

9           **A**     No.

10          **Q**     Did you ever see his hands raised up?

11          **A**     No, he looked like he was going to raise  
12 his hands at one point, but he didn't. He just  
13 continued to run forward. It looked like he thought  
14 about it, and then he didn't.

15          **Q**     Okay. Tell us what you mean, demonstrate  
16 what you mean he thought about it, looked like he  
17 thought about it?

18          **A**     I mean like, he's running and then he like  
19 stopped, he put his hands up like this and then he  
20 kind of brought them back down and started running.  
21 (indicating)

22          **Q**     Okay. That's when he charged towards the  
23 officer?

24          **A**     He was running already, he was still in  
25 the process of running, should I say.

1           **Q**     Did you ever hear Michael Brown say  
2 anything?

3           **A**     No.

4           **Q**     Any idea how many shots you heard total?

5           **A**     At least eight or nine.

6           **Q**     Okay. You heard two at the car and then  
7 you --

8           **A**     Then I heard three and then like four more  
9 shots, maybe like one or two more after that.

10          **Q**     And all of these were when Michael Brown  
11 was charging the officer?

12          **A**     Yes.

13          **Q**     Did you hear any shots after Michael  
14 Brown, at some point he fell; is that right?

15          **A**     Yeah, that was after he fired the last  
16 shot.

17          **Q**     Okay. So you didn't hear any shots after  
18 he fell?

19          **A**     Huh-uh.

20          **Q**     Did you see any of the shots hit him?

21          **A**     I seen the one hit him in the face because  
22 you could see like the blood spatter, you couldn't  
23 really see the bullets themselves, but you seen like  
24 the blood fly away from his face. I don't know  
25 exactly where it hit him.

1           **Q**     Okay. But you could see blood splatter?

2           **A**     Yeah.

3           **Q**     Near his face?

4           **A**     Right.

5           **Q**     How did he fall?

6           **A**     Um, he kind of just dropped, like he  
7 stopped and he kind of like fell forward and like  
8 smacked the ground with his face.

9           **Q**     I think in one of your reports he did fall  
10 on his knees?

11          **A**     He like hit his knees and he like just  
12 fell.

13          **Q**     Now, did you ever see anyone with Michael  
14 Brown?

15          **A**     Um, I seen a dude before all the shooting  
16 happened, there was a guy, thinner dude with  
17 Michael. He had on a black T-shirt and some gray  
18 jogging pants.

19          **Q**     Okay.

20          **A**     I really didn't get like a good look at  
21 his face.

22          **Q**     Tell us how his hair was?

23          **A**     He had dreadlocks.

24          **Q**     Was he at the police car too when you  
25 first noticed Michael Brown?

1           **A**     I was behind him. I didn't see where he  
2     came from.

3           **Q**     When you looked and saw Michael Brown at  
4     the police car, did you see him also?

5           **A**     I didn't see him up on the cruiser but  
6     when the first two shots had been, he was like in  
7     this area behind the cruiser and he took off running  
8     along side of Building 18.

9           **Q**     That's the way you saw him running. Did  
10    you ever see him reappear?

11          **A**     No.

12          **Q**     Did you take a video or anything of that  
13    occurrence?

14          **A**     No. Somebody stole my cell phone.

15          **Q**     Somebody stole your cell phone?

16          **A**     (Nods head.)

17          **Q**     Like that day or earlier?

18          **A**     Previous.

19          **Q**     Previously. Do you know anybody who did  
20    make a video of this occurrence?

21          **A**     No.

22          **Q**     Okay. Now, did you discuss what was  
23    happening with the people that were in the car with  
24    you?

25          **A**     The only thing we said was, my mom was

1 like, did they shoot him? I was like, yeah, they  
2 shot him. I was like, he just shot the fuck out of  
3 him, that was all that was really said.

4 **Q** Do you know whether your mother saw it or  
5 not?

6 **A** My mother saw the shooting, she just  
7 didn't know if they were shooting when the first two  
8 fires popped off.

9 **Q** Okay. All right. I think I already asked  
10 you, you said you didn't know any of the people that  
11 were involved in the shooting?

12 **A** Huh-uh.

13 **Q** Is there anything else that I didn't ask  
14 you that you thought you need to tell us?

15 **A** No.

16 **Q** No?

17 **A** (Nods head.)

18 MS. WHIRLEY: Okay, Kathi?

19 **Q** (By Ms. Alizadeh) Ma'am, just to be clear.  
20 We've listened to statements that you made that a  
21 police officer talked to you, a detective on  
22 August 14th?

23 **A** Uh-huh.

24 **Q** And I know you were using a map to show  
25 him certain things. And we can't see what you were

1 doing, but can you show the grand jurors after your,  
2 who was driving the van?

3 **A** My mother.

4 **Q** So after the shooting happened, did your  
5 mother drive away?

6 **A** Yes.

7 **Q** Can you show on the map the route that you  
8 took?

9 **A** We turned into Coppercreek, we went along  
10 the back on  
11 Coppercreek.

12 **Q** So when you earlier used the laser pointer  
13 and you said your cars was about right here?  
14 (indicating)

15 **A** Yeah, about right here.

16 **Q** That's a little east of Coppercreek Road?

17 **A** Okay.

18 **Q** Did your mom have to turn the car around  
19 did she have to put it in reverse?

20 **A** We were really just parked right here by  
21 the trees, just kind of back up a little bit. We  
22 was going to come down the street this way.

23 **Q** So you didn't get farther than Coppercreek  
24 Road?

25 **A** No.

1           **Q**     Your mom didn't have reverse?

2           **A**     No, she backed up a little bit, yes.

3           **Q**     Okay. Was there any cars behind her?

4           **A**     No.

5           **Q**     You didn't see any cars behind her?

6           **A**     No, but there was a girl standing here.

7           **Q**     Okay. So you had mentioned in your  
8 statement, you called her a little girl. Thought  
9 maybe she was in middle school?

10          **A**     Right.

11          **Q**     Was she white, African-American?

12          **A**     No, African-American.

13          **Q**     African-American, okay. She by herself?

14          **A**     Yes.

15          **Q**     Did she have anything about her that you  
16 recall descriptively, long hair, short hair?

17          **A**     She had her hair in a ponytail. She had  
18 glasses on, looked like she got out of school.

19          **Q**     So when you went around here and I'm  
20 pointing on Coppercreek Road and it kind of goes  
21 into the northern part of the subdivision, did you  
22 go directly then to your            ?

23          **A**     Uh-huh. I  
24 and then I left.

25          **Q**     So you didn't stay?

1           **A**     Huh-uh.

2           **Q**     Did you leave with your family then?

3           **A**     Uh-huh.

4           **Q**     How did you get out of the complex?

5           **A**     We went back down Coppercreek.

6           **Q**     The way you had come?

7           **A**     Uh-huh.

8           **Q**     So when you came back down here, were you  
9     able to drive west on West Florissant?

10          **A**     Uh-huh.

11          **Q**     There weren't a bunch of police cars?

12          **A**     Oh, yeah, they were flying down the  
13     street, but we were on the opposite side of the  
14     street. I mean, they didn't have it blocked off  
15     yet.

16          **Q**     So you were, once you turned to go west on  
17     Canfield Drive, did you see police vehicles coming  
18     east?

19          **A**     Yeah, a lot of them.

20          **Q**     So you never got down to this area where  
21     Michael Brown was?

22          **A**     I had no reason to go down there.

23          **Q**     You mention that you'd been down there,  
24     you had mentioned in one of your statements that you  
25     have been down there since?

1           **A**     Yeah.

2           **Q**     Have you seen the memorial in the street?

3           **A**     Yeah.

4           **Q**     Was that where you saw his body fall or is  
5 that someplace else?

6           **A**     No, that is where his body fell.

7           **Q**     Okay.

8           **A**     But you know they have kind of got the  
9 memorial back on the sidewalk. They have a little  
10 bit of stuff in the street, but other than that.

11          **Q**     Okay. So there's a bunch of teddy bears  
12 and candles and stuff in the middle of the street?

13          **A**     Roses.

14          **Q**     And then there's also another place where  
15 candles and teddy bears and flowers and stuff?

16          **A**     Along the light post.

17          **Q**     Along the light pole. Is it on the corner  
18 of Coppercreek Court and Canfield Drive?

19          **A**     It's actually more where that car is right  
20 there. It is not exactly on the corner it is here.

21          **Q**     The other one is not in the street?

22          **A**     Right.

23          **Q**     Okay. Now in your, you talked about being  
24 with your mom and your dad and your sister. When  
25 the police came to talk to you, where did they,

1 where did you speak to the police, where were you  
2 physically?

3 **A** Which time?

4 **Q** The first time?

5 **A** The first time I was

6 **Q**

7 **A** Yes.

8 **Q** Okay. And you don't live in Canfield?

9 **A** No.

10 **Q** Do you know how the police found you

11

12 **A** No.

13 **Q** Okay. So they just knocked on the door  
14 and said, hey, we want to talk to you about what you  
15 saw?

16 **A** Pretty much. And then they said that my  
17 mother was the reason they had my name.

18 **Q** Okay. So are you close with your parents?

19 **A** Yes.

20 **Q** After this happened, I know you said  
21 immediately after it happened your mom was like,  
22 made some kind of comment about, did they just shoot  
23 him or something, but afterwards, did you talk about  
24 what you saw with your family?

25 **A** No.

1           **Q**     Never have?

2           **A**     (Shakes head.) I mean, nothing really to  
3 talk about. Just seen somebody get shot, okay. I  
4 mean, it is tragic, but I didn't know him so I  
5 didn't have sympathy for what was going on. I felt  
6 like he brought it on himself because if you are  
7 going to go rob a place and then fight with the  
8 officer, of course they're going to shoot you.

9           **Q**     So let's back up now. You commented just  
10 now if you are going to rob a place and then fight  
11 with the police officer. Now, you didn't see --

12          **A**     I didn't see the robbery or the fight with  
13 the officer, no, I didn't.

14          **Q**     So let me ask a question. So those are  
15 things that you learned afterwards?

16          **A**     Uh-huh.

17          **Q**     And you said yes?

18          **A**     Yes.

19          **Q**     Did you learn those things before you made  
20 your statement on August 14th?

21          **A**     What statement?

22          **Q**     The first officer that came to talk to you  
23 at your apartment, at that time did you know or had  
24 you learned or heard that Michael Brown had robbed  
25 the place?

1           **A**     I did not know that he had robbed any  
2 place. I didn't know why they were doing it.

3           **Q**     Okay.

4           **A**     I didn't know his name until long  
5 afterwards either.

6           **Q**     When did you learn, if you remember, that  
7 Michael Brown, or when did you hear that Michael  
8 Brown had robbed the place?

9           **A**     I heard that after I seen it on the news  
10 where they had burned down the QuikTrip in Canfield.

11          **Q**     Where they had what?

12          **A**     They had burned down the QuikTrip on West  
13 Florissant.

14          **Q**     It was after that the QuikTrip burned  
15 down?

16          **A**     Uh-huh.

17          **Q**     And then, and certainly then you also knew  
18 that when you gave your statement to the FBI and the  
19 U.S. attorney last week?

20          **A**     Uh-huh.

21          **Q**     When you say uh-huh, you say yes?

22          **A**     Yes.

23          **Q**     Thank you. So you are saying that you  
24 never talk to your family about what you saw. You  
25 know, and the reason I ask this, ma'am, I think it

1 is understandable when people see the same thing to  
2 kind of discuss it with each other just because oh,  
3 my God, can we believe we just saw that?

4 **A** I mean, we were surprised and, you know,  
5 but never really talked about it like that.

6 **Q** So you never like, you know that your mom  
7 had talked to the police, right?

8 **A** Yeah, but I was trying to avoid her giving  
9 them my name. So, yeah, I really wasn't talking to  
10 her.

11 **Q** You know that your dad talked to the  
12 police?

13 **A** Uh-huh.

14 **Q** And do you know that I have talked to your  
15 parents about trying to get you to call me, did they  
16 talk to you about that?

17 **A** Yeah, they contacted me and told me you  
18 were trying to call me and I called several times  
19 and I didn't know your name. So they were like,  
20 well, if you don't have her name, we can't help you.  
21 And I was like okay.

22 **Q** So you're saying you called my office and  
23 asked for the prosecutor handling the Michael Brown  
24 shooting and nobody knew who that was?

25 **A** Yes, that's what I'm telling you.

1           **Q**     And so it was actually last week that you  
2     and I, and actually, I never spoke to you on the  
3     phone, but we connected last week through somebody,  
4     another           , right?

5           **A**     (Nods head.)

6           **Q**     Yes?

7           **A**     Yes.

8           **Q**     And in your statements previously you used  
9     the word charged. You said that you saw Michael  
10    Brown charge the officer?

11          **A**     That's right.

12          **Q**     Did you hear anybody prior to you making  
13    your first statement, and your mom made her  
14    statement on the 11th and your dad made his  
15    statement two or three days after that, and you made  
16    your statement on the 14th. Did you ever hear your  
17    mom or dad use that term charged?

18          **A**     No.

19          **Q**     Okay.

20          **A**     Like I said, we never really talked about  
21    it.

22          **Q**     So that is a word that you used that I  
23    picked to describe what you saw?

24          **A**     Yeah.

25          **Q**     And you also said that the officer said

1 stop, stop, stop?

2 **A** Right.

3 **Q** Do you recall if the windows were open or  
4 closed that day?

5 **A** They were opened.

6 **Q** So you're saying you could hear him and  
7 when you said it for the grand jurors you kind of  
8 just spoke it, stop, stop, stop, is that how he said  
9 it?

10 **A** No, he was yelling.

11 **Q** You could hear it as he was yelling?

12 **A** Yes.

13 **Q** Did you hear anybody else yell or anybody  
14 else say anything?

15 **A** No.

16 **Q** Didn't ever hear Mike Brown say don't  
17 shoot?

18 **A** No.

19 **Q** Or nothing like that?

20 **A** No.

21 **Q** Did you, other than the little girl that  
22 you saw by your van, did you see anybody else, and  
23 you also talked about the skinnier boy with the  
24 dreads, did you see anybody else around here?

25 **A** No.

1           **Q**     What about other cars that were maybe  
2 behind the police car?

3           **A**     There were no cars on the street. There  
4 was no cars. All the cars were on the parking lot.

5           **Q**     So you didn't see like a white Monte Carlo  
6 or any other cars that were behind the police car?

7           **A**     No.

8           **Q**     After the shooting, did you see a car  
9 drive up in the grass to drive around the police car  
10 to leave the apartment complex?

11          **A**     No.

12          **Q**     Are you saying you didn't see it or you  
13 saying it didn't happen?

14          **A**     I'm saying if it did happen, it had to be  
15 after we pulled completely away from Canfield while  
16 we were there it did not happen.

17          **Q**     Okay. This is one of those things that  
18 always want to make sure to clarify when you say no,  
19 you didn't see it on anything. My question is, is  
20 that because it didn't happen or are you saying I  
21 just didn't see it or it could have happened, I just  
22 didn't see it.

23                         Was there ever a time in the van when  
24 you looked away or put your head down or ducked?

25          **A**     No.

1           **Q**     You never like got down in the van once  
2     you heard the first shots?

3           **A**     No.

4           **Q**     Have you heard --

5           **A**     I was too busy watching what was going on.

6           **Q**     Have you heard gunshots before?

7           **A**     All the time.

8           **Q**     So when you heard those first two shots,  
9     did you immediately recognize that as gunshots?

10          **A**     Yes.

11          **Q**     Yes.  Didn't sound like firecrackers or  
12     anything?

13          **A**     No.

14          **Q**     Did you ever see the officer's hands or  
15     arms or a arm or hand come out of the driver's  
16     window?

17          **A**     No.

18          **Q**     Did you see his gun come out of the  
19     driver's window?

20          **A**     No.

21          **Q**     Is it because it didn't happen or because  
22     you didn't see it?

23          **A**     I did not see a gun out of the window at  
24     all.

25          **Q**     Okay.  And were you, when you said that

1 you were looking at the driver's side of that car,  
2 you see the back of Michael Brown?

3 **A** Correct.

4 **Q** So he's a big guy, right?

5 **A** Yeah.

6 **Q** His body would have been blocking the  
7 window; is that right?

8 **A** That's right.

9 **Q** As far as how Michael Brown was, I know  
10 you already described what you observed as far as  
11 his arms and you said you couldn't see his hand, but  
12 did you see his body moving in any way or was he  
13 standing still?

14 **A** He was just standing there. I don't think  
15 he was really moving like, nothing like that in  
16 front of the cruiser and then you see him take off  
17 running after the first two shots that's all I seen.

18 **Q** All right. So now you're saying that you  
19 didn't want your mom to give the police your name,  
20 is that because you didn't want to be involved or is  
21 there another reason?

22 **A** Because I didn't want to be involved and I  
23 didn't want to be sitting here doing this.

24 **Q** I understand. You're not the first person  
25 to say that. Do you know, did your mom and/or dad

1 have a discussion with you and your sister about  
2 coming forward to talk to the police?

3 **A** No, she just told me that she felt bad she  
4 didn't say nothing. And I was like, if you feel  
5 bad, then go say something. I didn't know she was  
6 going to tell y'all my name. Under oath you've got  
7 to tell the truth.

8 **Q** What about your sister. Now, has your  
9 sister, to your knowledge, talked to any police?

10 **A** I don't think she has.

11 **Q** When is the last time you talked to your  
12 sister?

13 **A** Yesterday.

14 **Q** Okay.

15 MS. ALIZADEH: I don't have any other  
16 questions. Grand jurors may ask you questions next.  
17 Any questions from any of the jurors?

18 . I want to  
19 go back to the minivan, figure some things out about  
20 the layout of the minivan. What color is this  
21 minivan?

22 **A** It is

23

24 **A**

25 : Your mom was driving?



1 how you got in the middle?

2 **A** Because I was in the spot where there is  
3 no seat. I was on the seat, but I was already in  
4 the middle doing something with my sister, and when  
5 we were turning in. I mean, I know that sounds bad,  
6 supposed to have your seatbelt on and all of that  
7 stuff, but that is how I was sitting.

8 : Okay. You mentioned that  
9 you was bringing something to your Could  
10 you tell us what you were bringing to your ?

11 **A**  
12  
13 Can you  
14 tell me the year and make of the minivan that you  
15 were in?

16 **A** No, I cannot.  
17 : Do you know Dodge, Chevy,  
18 Ford?

19 **A** No, I don't know any of that.  
20 : So you're saying you were  
21 not sitting in the middle, you were leaning in the  
22 middle?

23 **A** No, I was sitting in the middle. There's  
24 like in between the spot, between the seats and  
25 stuff there is a little thing right there. I don't

1 know what it is called, but yes, I was sitting there  
2 because I was talking to my sister and I was leaning  
3 over doing something and I had my dog, but other  
4 than that, yes, I was sitting in the middle.

5 MS. ALIZADEH: You had what?

6 **A** My dog, I have a

7 MS. ALIZADEH: So your dog was in the van  
8 with you?

9 **A** Yeah.

10 MS. ALIZADEH: Okay. I didn't know that  
11 before, okay.

12 When you  
13 saw someone standing outside of your window, I guess  
14 on the sidewalk, was it a younger female?

15 **A** Yes, a little girl.

16 : What did she do during all  
17 of this?

18 **A** She just kind of ducked on the side of our  
19 van. That is another reason why we just didn't pull  
20 off.

21 : She stayed there the whole  
22 time?

23 **A** Yes.

24 Until the final shots were  
25 fired?



1 Florissant?

2 **A** No, she was walking east.

3 MS. ALIZADEH: Okay.

4 . So I just want  
5 to make sure you're saying that your van was, your  
6 car, your van was on Canfield at Coppercreek, or a  
7 little to the east?

8 **A** Correct.

9 You did not, I'm asking  
10 this question, did you or did you not know about the  
11 robbery?

12 **A** No, I didn't.

13 : And the fight with the  
14 police officer when you gave your statement to the  
15 officers on August 14th?

16 **A** No.

17 : You did not know about  
18 that at the time?

19 **A** No.

20 : I just want to make sure,  
21 you said you didn't see the officer have his gun  
22 drawn when he got out of the car. I want to make  
23 sure that you saw him draw his gun or you didn't see  
24 him, did you actually see him draw his gun?

25 **A** When he got out of the vehicle, ma'am, he

1 had his hand on his waist.

2 : Okay.

3 **A** He was chasing after Michael.

4 Okay.

5 **A** He didn't have his gun strawn until  
6 Michael actually turned around and started coming  
7 towards him.

8 : Okay. I just want to  
9 make sure that the police cruiser is pointed towards  
10 West Florissant?

11 **A** Right.

12 It is at an angle?

13 **A** Right.

14 : And you were in front of  
15 the car?

16 **A** Correct.

17 : There were about two car  
18 lengths between you and the police officer's car.  
19 Nobody was in front of you?

20 : No.

21 Nobody was behind you?

22 : What about the inside of  
23 the police officers car you didn't see anybody, any  
24 car, nothing?

25 **A** No.

1 : And can I ask how old are  
2 you?

3 **A**  
4 Were you living with your  
5 parents?

6 **A** No, I was staying on  
7

8 : Okay. That's all.

9 MS. ALIZADEH: I just, I didn't ask you  
10 this and I apologize if Sheila asked you this. Can  
11 you use the laser pointer and show me on that map  
12 Grand Jury Exhibit turn around to pace.

13 **A** He was right here. He started running  
14 this way.

15 **Q** (By Ms. Alizadeh) So are you, some people  
16 are good, some people are not good about estimating  
17 distances.

18 **A** Okay.

19 **Q** Are you good at estimating distances do  
20 you think?

21 **A** Pretty good.

22 **Q** Can you give an estimate as to how many  
23 feet. And if you can't do feet, Sheila had said  
24 before use car lengths as an explanation, but how  
25 far he traveled from the time he turned around until

1 he fell into the street or fell on the street.

2 **A** I'd said about two or three feet.

3 **Q** About what?

4 **A** Two or three feet.

5 **Q** Two or three feet. So you had used the  
6 laser pointer to say he was about right there when  
7 he turned around?

8 **A** He turned around here. (indicating)

9 **Q** Where did his body come to rest?

10 **A** Right here. (indicating)

11 **Q** So where I'm pointing is that about right?

12 **A** Uh-huh.

13 **Q** Did you ever see him run off of the  
14 street?

15 **A** No.

16 **Q** Never saw him get in the grass or turn up  
17 into a park lot or anything?

18 **A** He didn't do that.

19 MS. WHIRLEY: I want to make sure I heard  
20 clearly. When he turned around and charged the  
21 officer, he only moved two feet, two to three feet.

22 **A** I'm not exactly sure how many feet it was,  
23 but I know for a fact that he was in front of this  
24 patch of grass when he turned around and I know that  
25 his body landed here for a fact because I was

1 standing there and I seen the whole thing.

2 MS. WHIRLEY: Okay.

3 **A** Or I was sitting there.

4 MS. WHIRLEY: You kind of described it as  
5 charging at the officer once he turned around?

6 **A** Right.

7 MS. ALIZADEH: So you're saying he only  
8 moved a couple of feet, though, in that charge?

9 **A** Well, yeah, because he didn't get far  
10 before the officer started firing because I wasn't  
11 going to, he didn't let anyone run up on him.

12 MS. WHIRLEY: So as soon as he turned  
13 around and started moving towards the officer two to  
14 three feet, the officer started firing?

15 **A** Yes.

16 MS. WHIRLEY: Is that right?

17 **A** Yes.

18 . I just  
19 want to make sure I understand. What you are  
20 saying, you are saying that the officer started  
21 shooting when Michael Brown ran to two or  
22 three feet, charged two or three feet, you're not  
23 saying that's all he charged?

24 **A** That's not all he charged, but like he  
25 turned around and he started running towards him

1 charging, he told him to stop like three times.

2 Like two or three feet he got before they started  
3 shooting. He kept running.

4 Okay.

5 **A** Like the first few bullets didn't have any  
6 phase in it, he just kept running.

7 : So he didn't just go two  
8 or three feet, he went two or three feet when the  
9 officer started shooting?

10 **A** Correct.

11 again.

12 Could you see, I guess in one of your transcripts,  
13 you said he shot him three times. Did he actually  
14 see him getting shot three times?

15 **A** I don't know if it made contact. He fired  
16 his gun three times at first.

17 : Okay.

18 **A** And then he said stop some more and he  
19 kept coming and then he fired the gun four more  
20 times.

21 : Could you demonstrate how  
22 he turned, or when he stopped and turned around and  
23 started coming back towards the officer?

24 **A** Yeah, but like when he was running away,  
25 he kind of like stopped for a second. And then kind

1 of like he put his arms up and he started charging  
2 towards the officer like this. (indicating)

3 : Okay. So he never did  
4 this? (indicating)

5 **A** For a second it looked like he was going  
6 to put his hands up, but he brought it back down.  
7 When he charged the officer like that, that's when  
8 you heard the first three gunshots.

9 I don't know where he, I guess the  
10 little thing on the fucking news where it had it in  
11 his hands. So that's where I assumed where it hit  
12 him. I did not see it hit him.

13 : You are saying he went  
14 like this and then like this? (Indicating)

15 **A** Yeah, he kind of like, he thought about  
16 putting his hands up for a second. He just didn't  
17 do it.

18 : Is that when he proceeded  
19 to charge this officer?

20 **A** Correct.

21 MS. WHIRLEY: Okay. Let me make sure I'm  
22 clear. This is really an important part for a lot  
23 of, I think the grand jurors. When you said it  
24 looked like he was thinking about putting his hands  
25 up or not?

1           **A**     That's the point, it looked like he may  
2     have thought about it. Like he wanted to.

3           **Q**     (By Ms. Whirley) So was he doing it?

4           **A**     No, he like, his hands were open at first,  
5     and it looked like his arms were going to start to  
6     go up.

7           **Q**     Did they go up at all?

8           **A**     He got like shoulder length like this and  
9     then he balled his hands up and then he went like,  
10    folder his arms in and started charging towards him.

11          **Q**     Okay. So you demonstrated that his hands  
12    were open and they went up shoulder length and then  
13    they came down and balled up?

14          **A**     Correct.

15          **Q**     And that's when you said he charged at the  
16    first two to three feet?

17          **A**     Right.

18          **Q**     The officer shot him several times, you  
19    think three, so that didn't stop him?

20          **A**     It was three at first. I don't know if  
21    the bullets, it was three shots at first and then  
22    four.

23          **Q**     Okay. The three shots and then what did  
24    Michael Brown do after those three shots?

25          **A**     He kept running.

1           **Q**     He kept running toward the officer?

2           **A**     He kept trying to charge him.

3           **Q**     Do you have any idea how he came to the  
4 officer. After those three shots?

5           **A**     Right. And then he fired four more rounds  
6 and then it was like maybe two rounds after that.  
7 Maybe one or two.

8           **Q**     Okay. When he fired the four more rounds,  
9 what did Mike Brown do?

10          **A**     He kind of stopped. He kind of staggered  
11 a little bit and then he kept kind of coming forward  
12 but he was running as fast as he was. And then I  
13 heard the last two shots, I believe it was. And  
14 then you seen him like stop and he fell to his knees  
15 and his face hit the concrete kind of hard.

16          **Q**     Okay. So those last four shots you said  
17 he stopped and he staggered?

18          **A**     Uh-huh.

19          **Q**     How many more feet did he --

20          **A**     It really wasn't no feet after that, maybe  
21 like a few inches after maybe.

22          **Q**     And then the officer fired two more shots?

23          **A**     Correct.

24          **Q**     How close was the officer to Mike Brown  
25 when he fired those last shots?

1           **A**     Probably about as far as she is from you.

2           **Q**     We'll do it, okay. I will walk back and  
3 you tell me when to stop?

4           **A**     Okay. It was like right there, like right  
5 there.

6           **Q**     So like 15 feet or so maybe?

7           **A**     Right.

8           **Q**     That's how far the officer was when you  
9 fired the last shot or heard?

10          **A**     Correct.

11                   MS. ALIZADEH: And, ma'am, you said the  
12 officer was backing up?

13          **A**     He was backing up the whole time he was  
14 yelling at him.

15                   MS. WHIRLEY: When he was firing those  
16 last shots, was he saying anything, the officer?

17          **A**     I don't believe so, no.

18                   MS. WHIRLEY: You never heard Michael  
19 Brown say anything?

20          **A**     No, I didn't.

21                   MS. WHIRLEY: You weren't in earshot?

22          **A**     Yes.

23

24                   Rather than talking distance, can you tell me about  
25 how many steps he took by the time Michael turned

1 around until the officer started shooting and how  
2 many more steps he took after the first round of  
3 shots?

4 **A** Uh, like the same probably, I don't know.  
5 : 15 total steps?

6 **A** Steps, like footprints?

7 **Q** Each step, to me a step is like two or  
8 three feet, and you are describing two or three  
9 feet, in my mind that's one step. Is it more than  
10 one step he took towards the officer before he  
11 started shooting?

12 **A** Yeah.

13 : Multiple steps.

14 **A** I don't know how many steps physically.

15 : Okay.

16 MS. WHIRLEY: When you talk about feet,  
17 you talking about steps?

18 **A** No, I was talking about like feet and  
19 yards and stuff like that.

20 I just have one quick  
21 question, . Did you say that your  
22 vehicle was parked on the same side?

23 **A** No, it was the side of the streets.

24 : You were on this side?

25 **A** Yes.

1 : So you can see, you were  
2 parked here by the trees?

3 **A** Correct.

4 : Not that this is the  
5 actual footage, but you can see clearly straight  
6 down?

7 **A** Uh-huh.

8 : Did you ever see the  
9 expression on Michael Brown's face?

10 **A** No, I did not see the expression on his  
11 face.

12 : But you could see the  
13 charge?

14 **A** Correct.

15 : Okay, thank you.

16 MS. WHIRLEY: That's an interesting point.

17 You characterize it as charge, could he  
18 have been staggering?

19 **A** When he first started running, ma'am, he  
20 was not staggering. He was charging this officer  
21 and that's how I feel it was, like he was running  
22 towards him. If he had got close enough, I feel  
23 like he would have tackled him up against the car.

24 **Q** (By Ms. Whirley) Up against the car?

25 **A** The cruiser.



1 was kind of like running like, like I said, like a  
2 football tackle, like he was going to tackle the  
3 officer. I couldn't really see the expression on  
4 his face.

5 : Okay. So it is not that  
6 you were too far to see it, it was just that you  
7 weren't at a good angle to see it?

8 **A** Correct.

9 You didn't hear him making  
10 any noise at all?

11 **A** No.

12 : He didn't scream, he  
13 didn't act like he was hit?

14 **A** No.

15 : He didn't say wait or --

16 **A** That was the shocking part, that's what  
17 really made you pay attention.

18 : I give up or whatever.

19 **A** It looked like it didn't have any affect  
20 on him at all. Like it wasn't even happening.

21 : And there is no, in your  
22 mind, there's no way you say this young man wasn't  
23 charging?

24 **A** Correct

25 And there's no way he

1 could have been saying, you know, I'm hurting, I'm  
2 giving up, there is no way you feel it could have  
3 been mistaken?

4 **A** No, it wouldn't have been mistaken.

5 : This is really important.

6 **A** I'm not, you know, really big on talking  
7 to the police or defending police or anything like  
8 that. I'm just being real honest with you.

9 : That's all right.

10 **A** I feel like the officer was in the right,  
11 that is a lot of saying. Because other than that, I  
12 ain't got nothing to do with them.

13 : I mean, do you feel like  
14 this could have ended up any other way?

15 **A** Yeah, it could of, if he had of just  
16 stopped running, yeah, it could have ended a  
17 different way.

18 : That's the other way it  
19 he could have ended another way, the officer had no  
20 other choice?

21 **A** He could of had another choice, but it  
22 could have ended in him being physically hurt.

23 : Thank you.

24 : . At the  
25 time he turned around, he then shot, or even when he

1 first turned around, did you see see him grab for  
2 his hand or his shorts?

3 **A** No.

4 : He never grabbed his side  
5 or anything like that?

6 **A** No.

7 again. What  
8 about when he was falling, you say he went to his  
9 his knees, were his hands going down at the time?

10 **A** When he fell to his knees, his arms were  
11 just like, it didn't really affect him, you know  
12 what I'm saying? His arms is like he had them right  
13 here. He just kind of like fell on his knees. He  
14 got kind of like he stopped, and he staggers and  
15 then he dropped like this and hit like this on the  
16 ground.

17 MS. WHIRLEY: Anybody else?

18 (End of the testimony of Witness 48.)

19 MS. WHIRLEY: We're back on the record,  
20 November the 3rd of 2014, approximately 11:20 a.m.  
21 We're going to play a recorded statement of  
22 who testified last week. It is on Grand  
23 Jury Exhibit Number 63.

24 (Grand Jury Exhibit Number 63  
25 marked for identification.)

1 MS. WHIRLEY: We will play the recording.  
2 I don't know exactly how long it is, but I don't  
3 think it is very long. Let me bring it up and I can  
4 give you an idea.

5 This is November 3rd, 2014, Sheila  
6 Whirley. I was attempting to play Grand Jury  
7 Exhibit Number 63. It is not working so we won't be  
8 able to hear that one. We will hear Grand Jury  
9 Exhibit Number 49. A statement, recorded statement  
10 of . You already have the transcript for  
11 that one. We will go ahead and play that one.

12 (Playing the audio recording of the  
13 interview of )

14 MS. WHIRLEY: That concludes the statement  
15 of , which is Grand Jury Exhibit Number  
16 49. It is approximately 12:01 p.m. Might be time  
17 for lunch.

18 MS. ALIZADEH: Yeah, said the  
19 lunch, she was going to go get it at noon, hopefully  
20 she will be back any time.

21 For this afternoon, hopefully at 1:00,  
22 will come back and then at 2:00, I  
23 have scheduled , the person you just  
24 listened to and then at 3:00, I might try to move up  
25 a little bit is going to be . He is

1 going to explain how radio calls work so you can  
2 understand that aspect. So we will break for lunch  
3 right now and hopefully your lunch will be here  
4 soon.

5 (Lunch recess taken)

6  
7 of lawful age, having been first duly sworn to  
8 testify the truth, the whole truth, and  
9 nothing but the truth in the case aforesaid,  
10 deposes and says in reply to oral  
11 interrogatories, propounded as follows, to-wit:

12 EXAMINATION

13 BY MS. ALIZADEH:

14 Q Good afternoon.

15 A Good afternoon.

16 Q Now, you were here previously on  
17 October 23rd and you gave some testimony, and then  
18 we actually had to recess early that day and we  
19 weren't able to complete your testimony, so thank  
20 you for coming back today.

21 What I want to start with, though, is  
22 that after your testimony on October 23rd. You and  
23 I had a phone conversation where I had called you  
24 because we were trying to figure out another date  
25 for you to come back, do you recall that?

1           **A**     Yes.

2           **Q**     And during that phone conversation, well,  
3     let's back up a little bit.

4                     On the 23rd, on the day that you left  
5     after you were done testifying for the day, do you  
6     recall we talked about a notebook that you said you  
7     had written this down in?

8           **A**     Yes.

9           **Q**     And do you recall telling me it was like a  
10    journal that you had kept?

11          **A**     Yes.

12          **Q**     You asked me if I would like you to bring  
13    that notebook back with you?

14          **A**     Yes.

15          **Q**     Did you do that?

16          **A**     Yes.

17          **Q**     Is that what you have in your hands there?

18          **A**     Yes.

19          **Q**     So what is this notebook, what is it that  
20    you have with you?

21          **A**     Um, since my prior accident, my doctor  
22    told me to write down everything so that I don't  
23    forget it because I have a habit of forgetting  
24    people or I have a habit of forgetting where I was.  
25    There is a lot of things that I don't remember. He

1 told me if I write it down and I can't remember it,  
2 I can always go back and read it.

3 **Q** You were in a car accident some years ago,  
4 correct?

5 **A** Yes.

6 **Q** What year?

7 **A** Um, Valentine's Day, oh, shoot, she was  
8 born, 2001.

9 **Q** And so you have memory problems as a  
10 result of an injury, head injury that you sustained  
11 in that car accident?

12 **A** Yes, I went through the windshield of the  
13 car head first.

14 **Q** And so, I don't say this to embarrass you,  
15 I think you already have talked about this when you  
16 were here on the 23rd. Do you have any mental  
17 health issues?

18 **A** I'm bipolar.

19 **Q** And do you take medication for that?

20 **A** Um, not for the bipolar, well, the  
21 medication that I take works both for migraine  
22 headaches and the bipolar, but it is actually  
23 prescribed for the migraines so that I'm not  
24 labeled.

25 **Q** So that you're not?

1           **A**     Labeled.

2           **Q**     Labeled.

3           **A**     Labeled as having a mental illness. The  
4 doctor prescribes it as the form of for the  
5 migraines.

6           **Q**     So what do you take?

7           **A**

8           **Q**     And does that help you with the migraines?

9           **A**     80 percent of the time, yes.

10          **Q**     Does it help you balance yourself out as  
11 far as your bipolar disorder?

12          **A**     I guess. It is the only thing I take for  
13 it. I mean, I don't have --

14          **Q**     How long has it been since you had a  
15 diagnosis of bipolar disorder?

16          **A**     I believe it was 1985.

17          **Q**     So that was well before the car accident?

18          **A**     Correct.

19          **Q**     And so the car accident is not the cause  
20 of your bipolar disorder?

21          **A**     Oh, no.

22          **Q**     And are you currently under the care of  
23 any physician or psychiatrist for your bipolar  
24 disorder?

25          **A**     No.

1           **Q**     Are you supposed to be?

2           **A**     Would other people probably like it  
3 probably, yes, but I'm not ordered to or anything.

4           **Q**     Are you supposed to be on any medication  
5 that you're not taking that you were advised by a  
6 doctor that you should be taking?

7           **A**     No, I haven't taken any medication for it  
8 since 1988.

9           **Q**     All right. And so when you left my office  
10 on the 23rd, you mentioned this notebook to me.

11          **A**     Yes.

12          **Q**     You had indicated that you write in this  
13 notebook as somewhat of a journal; is that right?

14          **A**     Yes.

15          **Q**     And you explained to me that you keep a  
16 notebook for each month?

17          **A**     Yes.

18          **Q**     And so you make entries that are dated; is  
19 that right?

20          **A**     Correct.

21          **Q**     All right. Did I tell you yes, that would  
22 be a good thing for you to bring that?

23          **A**     Yes.

24          **Q**     And then did you also talk with me at the  
25 end of the day on the 23rd, did I talk to you about



1           **Q**     Okay.  And is the entry from August 9th  
2     where you wrote down what you saw, is that in your  
3     notebook in front of you?

4           **A**     Yes.

5           **Q**     And in our phone conversation did you also  
6     tell me that you were going to tear that out of the  
7     notebook so that you could just bring that in  
8     because you didn't want other people to necessarily  
9     see what you were writing in your journal?

10          **A**     Correct.

11          **Q**     And did I tell you that it was important  
12     that you not tear it out of the notebook?

13          **A**     Yes, you said that.

14          **Q**     All right.  And so the entry that you made  
15     for August 9th, is it still in that spiral notebook?

16          **A**     Yes.

17          **Q**     And             when did you make that entry?

18          **A**     For August 9th?

19          **Q**     Yes.

20          **A**     I made one 8:00 a.m., 4:00 p.m. and again  
21     at 9:00 p.m.

22          **Q**     All on August 9th?

23          **A**     Yes.

24          **Q**     All right.  And then in our phone  
25     conversation after I told you don't rip that out of

1 the notebook, did you tell me that you had read it,  
2 reread it after you testified here, but before we  
3 were talking on the phone?

4 **A** Yes.

5 **Q** And did you tell me that you realized  
6 after reading it that some of the details that you  
7 testified to in the grand jury on the 23rd were not  
8 contained in your entry in your journal?

9 **A** What?

10 **Q** Did you talk about how your journal was a  
11 little different --

12 **A** Yes, yes, sorry.

13 **Q** Than what you testified to. And did you  
14 also then on the phone tell me that, you know,  
15 thinking about it and rereading the entry made you  
16 wonder now if maybe some of the details that you  
17 testified that you have a memory of you might have  
18 gotten those off the internet?

19 **A** Correct.

20 **Q** And then did you also tell me that there  
21 was something that you wanted to tell me about why  
22 you were up in Florissant that day or why you went  
23 up to North County?

24 **A** Why did I go there?

25 **Q** Do you remember on the phone that you

1 wanted to tell me something about why you had gone  
2 up there?

3 **A** I didn't go up there with the intent of  
4 meeting does exist and she  
5 does live up there, I did not go up there that  
6 particular day with the intent of meeting her.

7 **Q** What is it that you told me, why is it  
8 that you went up to neighborhood that day?

9 **A** Um, why do I like to go into the all  
10 African-American neighborhoods? I like to go up  
11 there or I like to go in the city because I like to,  
12 I'll go in and have coffee and I will strike up a  
13 conversation with an African-American and I will try  
14 to talk to them because I'm trying to understand  
15 more.

16 **Q** Did you tell me during our phone  
17 conversation that you realized that you have, you  
18 may have some feelings that some may consider to be  
19 racist?

20 **A** I have feelings that others consider to be  
21 racist, yes.

22 **Q** But you told me that you didn't think that  
23 you're a racist?

24 **A** I believe that I made very racist remarks  
25 that can be very offensive to others of other races.

1 I don't believe, I would never say a racist remark  
2 to other individuals to their face because I  
3 wouldn't want to hurt their feelings. I would never  
4 harm anybody due to their race, gender, sexual  
5 preference or anything, I don't have hate towards  
6 other races, I just have confusion and fear.

7 **Q** Did you tell me that on the day, on  
8 August 9th, you drove up there to find an all black  
9 neighborhood because you feel that by doing that it  
10 helps you to maybe deal with your fears of people  
11 from different races?

12 **A** Yes.

13 **Q** Helps you to overcome your feelings?

14 **A** Yes.

15 **Q** And we also had a conversation that some  
16 of the remarks that you posted online were  
17 offensive?

18 **A** Correct.

19 **Q** They were racist?

20 **A** Yes.

21 **Q** And there are entries in your journal that  
22 are offensive and racist; is that right?

23 **A** Correct.

24 **Q** And we had a conversation just now before  
25 you came in here and I talked to you about the

1 importance of telling the truth to this grand jury?

2 **A** Correct.

3 **Q** And I told you that as long as your  
4 truthful, that you don't have anything to worry  
5 about?

6 **A** Correct.

7 **Q** Do you believe me when I tell you that  
8 these people only want the truth from you?

9 **A** Yes.

10 **Q** It doesn't matter if it's black or white,  
11 all of us just want the truth.

12 **A** Right.

13 **Q** Do you intend to tell the truth today?

14 **A** Yes.

15 **Q** Now, can you tell this grand jury when you  
16 testified on the 23rd, were you being truthful about  
17 the fact that you went up to the Canfield Apartment  
18 Complex on August 9th?

19 **A** That I was up there, yes.

20 **Q** All right. So your testimony about having  
21 driven up there and been in the Canfield Apartment  
22 Complex on the 9th, that part was true?

23 **A** Yes.

24 **Q** All right. What wasn't true that you  
25 didn't go up there to meet with ?

1           **A**     Correct.

2           **Q**     And your testimony on the 23rd that you  
3     witnessed the shooting of Michael Brown, was that  
4     true?

5           **A**     Yes.

6           **Q**     And is there anything about your testimony  
7     from the 23rd that you would like to change, clarify  
8     or correct today?

9           **A**     Um, can I just read?

10          **Q**     Do you have --

11          **A**     This is what I, this is what I remember  
12     when I got home. I wrote what I remember at this  
13     time the second I got in front of paper.

14          **Q**     All right. I'm going to show you, I told  
15     you I would copy your entry, right?

16          **A**     Yes.

17          **Q**     I didn't want to tear it out, I told you I  
18     would give you back your journal?

19          **A**     Yes.

20          **Q**     Okay. These three pieces of paper, four  
21     pieces of paper, are those your entries from  
22     August 9th?

23          **A**     Yes.

24          **Q**     Okay. Now, I want you to look in that  
25     notebook for me to August 9th. What was the entry

1 that was immediately before the August 9th entry?

2 **A** Before August 9th?

3 **Q** Yeah?

4 **A** August 8th.

5 **Q** And before that?

6 **A** It is August 7th. It goes the 6th, 5th, I  
7 believe it started on the 1st.

8 **Q** Do you make an entry every day in your  
9 journal?

10 **A** Yes.

11 **Q** This is to help you remember things?

12 **A** Correct.

13 **Q** Wouldn't you agree with me, though, that  
14 most of your other entries don't really have much to  
15 do with what happened that day, but maybe just like  
16 I had a headache today?

17 **A** That's what, pretty much.

18 **Q** So your entry, I'm not going to read them,  
19 but your entry from August 1st you have a 2:00 p.m.  
20 and 5:00 p.m. and midnight about going to a meeting,  
21 about having a headache?

22 **A** Oh, no, I went to the casino with my mom.

23 **Q** Okay. About having a headache, going out  
24 with the girls?

25 **A** Yes.

1           **Q**     All right.  So can you read for the grand  
2     jurors then your entry, well, let me ask you this,  
3     what's the next entry after August 9th, is it  
4     August 10th?

5           **A**     Yes.

6           **Q**     All right.  So can you read starting with,  
7     you know, August 9th, Saturday, 8:00 a.m. and read  
8     for the grand jurors what you wrote in your journal?

9           **A**     For August 9th?

10           MS. ALIZADEH:  I will provide copies of  
11     this for everybody.  I didn't have enough time to  
12     make copies for everybody right now.  Yes,  
13     August 9th.

14           **A**     The 4:00 p.m. entry or the entire day?

15           **Q**     (By Ms. Alizadeh) Entire day?

16           **A**     8:00 a.m., August 9th, Saturday, 8:00 a.m.  
17     Well, I'm going to do my random drive up to  
18     Florissant, need to understand the black race better  
19     so I stop calling blacks --

20           **Q**     Niggers, is that what you wrote?

21           **A**     Yes.

22           **Q**     Okay.

23           **A**     And start calling them people.  My dad  
24     always said you can't bear or hate an entire race  
25     because of what one man did 40 years ago.

1           **Q**     All right. And then you have an entry at  
2     4:00 p.m. Is that the next entry for the  
3     August 9th?

4           **A**     Yes.

5           **Q**     What did you write then?

6           **A**     OMFG.

7           **Q**     Is that, oh, my fucking God?

8           **A**     Yes.

9           **Q**     We're all adults here. I think we've all  
10    heard the words.

11          **A**     It was crazy, I don't even know where I  
12    was. I did ask a QT guy for directions, but went  
13    the wrong way. I just wanted to take a drive and  
14    ended up in some apartment complex. I asked for  
15    directions again, real nice kid in a wife beater, or  
16    wife beater. He had no idea. He asked the guy in  
17    green shirt and jeans, that guy was really sweet.  
18    Then I heard a weird noise, caught my attention. It  
19    was this cop backing up saying something to these  
20    boys.

21                    I couldn't hear, but they was the  
22    same kids I almost hit with my car, a big one and  
23    skinny one and the cop tried getting out and the big  
24    one hit the door and the cop looked pissed and tried  
25    opening the door again.

1                   The big kid hit the door, wait a  
2 minute, the big kid hit the door with his gut, the  
3 little one punched the mirror and something gold  
4 fell on the ground.

5                   The big one is half in the window,  
6 door, I can't remember. I swear the little one had  
7 the cops leg. I heard a noise, not sure what the  
8 guy in the green shirt -- I swear --

9           **Q**     Start again, I heard a noise, start again  
10 with that sentence, the beginning of that sentence,  
11 I heard a noise.

12           **A**     I heard a noise. Not sure what the guy in  
13 the green shirt was yelling. Not sure what the  
14 green guy, the green shirt was yelling stop. The  
15 big kid pulled his pants up, they was tan shorts and  
16 he started running. The skinny one took off in the  
17 opposite direction.

18                   The cop got out with his left hand on  
19 his face and his right hand on the gun. The cop  
20 screamed, but I could not understand everyone else,  
21 everyone was screaming. I heard, lay your stupid  
22 ass down, I think that was the lady next to me. The  
23 cop was wobbling, the big kid turned around and had  
24 his arms out with an attitude and the cop just stood  
25 there. Dang, if that kid didn't start running right

1 at the cop like a football player, head down.

2 I heard three bangs, but the big kid  
3 wouldn't stop. I heard the cop say something, but  
4 not sure what or if it was just that, he was just  
5 making noise.

6 The cop took a couple of steps  
7 forward and then backwards and then the gun went off  
8 two more times. The last one on top of the kids'  
9 head. OMG the blood. The green shirt man grabbed  
10 my arm and said, get your ass out of here.

11 I got in my car and drove into the  
12 neighborhood. Somehow I went through a parking lot  
13 across the street and back to the main road, not  
14 sure how long, but police were every place with  
15 police tape.

16 There were other cops there. I seen  
17 one pull his gun, but he didn't fire. Don't even  
18 remember when he got there. There was a lady in the  
19 parking lot of QT. I just pulled up and asked for  
20 the closest highway, she points and I left. Then to  
21 top shit off, I got on the highway going the wrong  
22 way and had to ask for directions again. Real nice  
23 old man helped me out, home now, no cable, so not  
24 sure what's on the news.

25 Q And then you have another entry on that

1 date that's at 9:00 p.m.?

2 **A** Yes.

3 **Q** Read that?

4 **A** Talked to

5 without telling him everything. Talked to

6 without telling him everything. He told me first I

7 was nuts for taking a drive up there, and second, to

8 keep my mouth shut. He's probably right, no one

9 will believe me anyway.

10 **Q** All right. So do you recall, you already

11 testified that you remember me telling you that I

12 wanted you to contact this

13 and have her call me?

14 **A** Right.

15 **Q** And did you ever do that?

16 **A** No.

17 **Q** Why not?

18 **A** Because even though I intended, I had

19 thought I could probably stop by and visit with her

20 or meet up with her, she did not know I was coming.

21 **Q** So she could not corroborate that you were

22 coming up to North County that day?

23 **A** Correct.

24 **Q** You write in this statement a lot of

25 detail, you testified to some of that detail and

1 some additional detail. And you admitted that you  
2 watched the news or that you looked on the internet  
3 about some of this stuff after it happened, right?

4 **A** Correct.

5 **Q** Were you intrigued by what had happened up  
6 in Canfield after the fact?

7 **A** What do you mean intrigued? I had no  
8 interest.

9 **Q** You researched it a little bit?

10 **A** I researched the streets to figure out how  
11 I got there and how I got home.

12 **Q** Well, you remember when you talked to the  
13 FBI agent, you told them you did some searches, put  
14 in Michael Brown?

15 **A** Right, I was trying to figure out what  
16 that gold thing was that fell.

17 **Q** You read an article on the internet that  
18 talked about a gold bracelet that was at the scene?

19 **A** Correct.

20 **Q** And so you, then now, is it now that you  
21 think that it was a bracelet that came off of his  
22 wrist?

23 **A** Because of what I read?

24 **Q** Yes?

25 **A** Yes. I didn't know what it was at that

1 time, it was just something gold.

2 Q That was something that you said came off  
3 of Dorian or the skinny kid's wrist?

4 A Correct.

5 Q And is it possible, ma'am, that after this  
6 happened and you read a lot of stuff about it  
7 online, that maybe you, in your mind it is real to  
8 you, that you were up there and, in fact, you  
9 weren't?

10 A What?

11 Q Do you think it's possible you believe you  
12 were up there, but what you read on the internet you  
13 really weren't up there?

14 A I was up there and I wrote it before it  
15 ever even hit the news.

16 Q All right. Is it possible, do you think,  
17 that you dreamed about this after it happened and it  
18 feels real to you that you were up there?

19 A I never dreamed about it.

20 Q Does your medication ever make you  
21 perceive things that aren't there or does your  
22 condition ever cause you to perceive things that  
23 aren't real?

24 A I know what reality is.

25 Q Okay. That's my question. Some mental

1 health issues cause people to have, it is called  
2 psychotic break, where you don't know, you don't  
3 perceive reality the way it really is. I'm asking  
4 you in the past has your mental health issues ever,  
5 have you ever had a problem with that?

6 **A** My only problem is mania. I haven't had a  
7 major problem since I moved out of where I grew up.

8 **Q** And it is your truthful testimony today  
9 that you were up there and you witnessed what you  
10 testified about and what you told the FBI agents  
11 that you were really there?

12 **A** That I was really there, yes. I would go  
13 on more what is in this thing than what I would on  
14 what I said in the past.

15 **Q** As you sit here today, do you have a  
16 recollection of what you saw up there or you relying  
17 on what you wrote in my journal?

18 **A** I'm relying on what I wrote in my journal.

19 **Q** When you testified on October 23rd, were  
20 you testifying from your recollection of that day,  
21 or were you relying on having reviewed your journal?

22 **A** Having read on the internet.

23 MS. ALIZADEH: Sheila, do you have any  
24 questions?

25 MS. WHIRLEY: Can I see your folder? As I

1 recall, do you know Darren Wilson, the officer  
2 involved here?

3 **A** I know of him.

4 **Q** (By Ms. Whirley) Had you ever met him  
5 before this date?

6 **A** No.

7 **Q** I don't have your transcript in front of  
8 me, but I recall when you were here before there was  
9 talk about you raising money or starting a website,  
10 fundraiser for Darren?

11 **A** Yes, ma'am, but it is not for Darren  
12 Wilson. We have local elementary schools making  
13 Christmas cards.

14 **Q** I think you said first responders?

15 **A** First responders, yes, ma'am. But the  
16 current thing we are collecting donations is all  
17 LEO's that have been dealing with the long hours.

18 **Q** When did that start?

19 **A** I want to say the end of August, beginning  
20 of September. It started because of this.

21 **Q** That's what I'm asking?

22 **A** Yes.

23 **Q** So because of this, you wanted to raise  
24 money for first responders, which would include  
25 Darren Wilson?



1 take me, you get up in the morning, and you want to  
2 go to a random black neighborhood?

3 **A** Correct. I picked Florissant because I  
4 knew a friend that lived up there, or at least I  
5 thought I did.

6 : So you stopped at, okay,  
7 can you tell me how did you get up to the QuikTrip?

8 **A** From the highway?

9 From your location, which  
10 I'm thinking is

11 **A** No, I live

12

13 **A** Correct.

14 How did you get there?

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

16 You don't know?

17 **A** Not any more. I have a GPS now, my mom  
18 gave me a GPS the next day.

19 : So then you end up at this  
20 QuikTrip and you ask for directions?

21 **A** Correct.

22 : Okay. Directions to what  
23 you just said?

24 **A** To the nearest highway.

25 : You just said the

1           didn't know you was coming?

2           **A**     Correct. I asked for directions back to  
3     the nearest highway.

4                                 : You said nearest highway?

5           **A**     Highway, yes.

6                                 : They told you --

7           **A**     They told me one way and I went the other  
8     way.

9                                 Which way did you go?

10          **A**     I believe it was to the left and then to  
11     the left again.

12                                : And you did what, you  
13     turned around?

14          **A**     No, I ended up in the complex.

15                                : You can't figure out how  
16     you got there, but you can figure out how you got  
17     inside the apartment complex?

18          **A**     From QT. I don't know how I got from  
19     to where I was, no.

20                                MS. ALIZADEH: Can I interrupt here, don't  
21     spend much time looking for a transcript because I'm  
22     thinking maybe we don't have one. I don't have one  
23     in my folder. And so I want to make sure everybody  
24     is catching what's being said and I will double  
25     check to see if we have one, but I'm kind of

1 thinking we don't. That would explain why no one  
2 can lay their hands on one. All right, I'm sorry to  
3 interrupt, but I didn't want anybody looking for  
4 something that wasn't there.

5 : So this random black  
6 neighborhood, did you find it?

7 **A** Did I find it? Yes, turned out to be  
8 Ferguson.

9 : Okay you just kind of --

10 **A** I know lives in Florissant, but at  
11 the time I thought lived off of Florissant and  
12 the address I have --

13 : You already stated that  
14 your intentions was notes to see ?

15 **A** Correct. What I said was that was not the  
16 intent, but that -- can you reread what I said?

17 MS. ALIZADEH: About when?

18 **A** I was going up there --

19 : To find a random  
20 neighborhood.

21 **A** I'm sorry?

22 . Okay.

23 Let her finish talking and then you ask her again  
24 what you want her to answer. Don't talk over top of  
25 her because we don't understand what you say or what

1 she say.

2 MS. ALIZADEH: And that is true. Also for  
3 the court reporter because he can't, it is very  
4 tough for him to take it down when people are  
5 talking at the same time. So go ahead, continue.  
6 . I'm just  
7 getting to the point where you said you were going  
8 to find a random black neighborhood and then you  
9 just made a statement you were looking for  
10 that lived in Florissant. I'm trying to figure  
11 which one is it?

12 **A** That's not the reason I went up there. I  
13 went to find the random black neighborhood like my  
14 journal says. Then I thought, I mean, I picked that  
15 neighborhood because of had no idea that I  
16 was anywhere in the area or that I was coming.

17 You picked the  
18 neighborhood before you left ?

19 **A** Correct. I picked the general vicinity,  
20 yes.

21 When  
22 you are reading your journal from 4:00, basically  
23 what I have here is you explained what you saw, and  
24 it wasn't a lot of previous statements that you said  
25 before, a lot of it was different. But in your

1 journal you said the little one had the cops leg?

2 **A** Correct, that's what I remember at the  
3 time that I wrote this.

4 : Okay.

5 **A** I don't know where that came in.

6 : Okay. And I just want to  
7 make sure, you know, I understand that you are  
8 confused and it helps us.

9 **A** I know it sounds like I'm lying too,  
10 that's why --

11 : I don't think you are  
12 lying, I believe you are confused, I think you are  
13 confused. I understand that. I want to know, just  
14 look at me and tell me, what you are telling us --

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

16 : Is you saw Michael Brown  
17 charging the officer without a doubt in your mind.  
18 This young man didn't have a reason to do this, so  
19 could you have been mistaken about what you saw?

20 **A** It looked to me like he was going after  
21 the officer like a football player.

22 : Okay.

23 **A** Did I know what I was seeing at the time?  
24 No.

25 : Okay. So your perception

1 is that he was charging the officer, but you don't  
2 know for sure exactly what was going on. You were  
3 lost, you were out of your surroundings?

4 **A** Correct.

5 : So you can't really say  
6 exactly what was going on?

7 **A** Correct. And also, according to my  
8 journal, I guess the recollection of the officer's  
9 talking to the two boys before he backed up was what  
10 I read online and not what I seen.

11 : So you think there could  
12 have been, and you have said this, there is a lot of  
13 blurry lines there as far as what you read and what  
14 you really saw. So all you have to do is these  
15 bullet points about what you think you saw on that  
16 day and this was at 4:00, so this was after a three  
17 and a half hour time frame when you are trying to  
18 find your way home, you are trying to find, you are  
19 getting lost in the neighborhood.

20 I'm not saying you are lying,  
21 (sic) I'm really not. I think you are confused. I  
22 want you to understand what you're saying could have  
23 been misunderstood.

24 **A** I suppose, yes.

25 Okay. Thank you.

1 . Was this  
2 the first time that you had done sort of an  
3 exploration of a predominantly African-American  
4 community? Do you have other journals about  
5 previous statements --

6 **A** Yes, I do it all the time.

7 : How often?

8 **A** Um, probably about twice, two, three times  
9 a month for years. And there's other days in this  
10 journal as well that I did it, even after this date.

11 MS. WHIRLEY: What's the last date of your  
12 journal?

13 **A** For written, I don't think it was the last  
14 day of August, I think I skipped the last day. I  
15 skipped a weekend too somewhere in here.  
16 August 30th was the last day.

17 MS. WHIRLEY: They are not consecutive  
18 days that you write in your journal, correct?

19 **A** It went every day in a row except there  
20 is, I believe, it skips from the 22nd to the 24th,  
21 so I didn't write it on the 23rd.

22 MS. ALIZADEH: So they are consecutive,  
23 but not daily?

24 **A** Right, because like on August 22nd, the  
25 22nd I decided to take

1 didn't get  
2 home until Sunday, so I didn't write in it Saturday.

3 MS. WHIRLEY: Can you remind us how you  
4 first came to give your statement to the police or  
5 the FBI?

6 A How I came about it?

7 Q (By Ms. Whirley) Did they come find you,  
8 you find them or what happened?

9 A No, ma'am, I called them.

10 Q Who did you call?

11 A I don't remember. It might have been just  
12 the non emergency number.

13 Q You called the police. What day was it  
14 that you called them?

15 A I don't know.

16 Q Did you not journal it?

17 A Wait a minute, it wouldn't have been until  
18 September. I think it wasn't until the first week  
19 of September.

20 Q You didn't journal in September?

21 A No, I did. I don't have September's with  
22 me. I mean, I don't believe I contacted them until  
23 the beginning of September.

24 Q But you're not sure when you contacted  
25 them?

1           **A**     Correct.

2           **Q**     All right.  And so you contacted the  
3 police and how did you talk to them, did they come  
4 to you or did you come to them or on the phone or  
5 what?

6           **A**     I went to them.  I believe it was here,  
7 no, it was down the street at the headquarters, not  
8 the two court buildings, but.

9           **Q**     It was the county police and not the FBI  
10 or was it all of them?

11          **A**     No, it was the police.  The FBI, there was  
12 a gentleman there from the FBI.

13          **Q**     When you call the police, what do you tell  
14 them?

15          **A**     I don't remember, it would have been in  
16 the effect of what I've seen.

17          **Q**     It is our understanding you did not see  
18 what happened initially when Mike Brown was at the  
19 police car?

20          **A**     Not the first time, no.

21          **Q**     Did you tell them that you saw it?

22          **A**     I might have, I don't remember.

23          **Q**     So sometimes you tell the truth and  
24 sometimes you don't?

25          **A**     I told them what I remember and what I had

1 read online at that point had become jumbled.

2 **Q** So you don't know when you're telling the  
3 truth?

4 **A** No. I know what I had seen and what I had  
5 read online for the first day itself right prior to  
6 going up there would have become jumbled, and than I  
7 would have gotten facts confused because my memory  
8 would have been gone as far as what I truly seen  
9 every detail.

10 **Q** My question to you, you're not sure when  
11 you are telling the truth and when you are telling  
12 something that you may have just read?

13 **A** No, I know when I'm telling the truth.

14 **Q** So were you telling the truth when you  
15 said you saw Michael Brown at the car or is that  
16 something you read?

17 **A** That was something, the first time?

18 **Q** Whenever?

19 **A** At the car is something I read. The  
20 second time he was at the car after the officer  
21 backed up is where I started paying attention and  
22 watching.

23 **Q** Okay. So you were not telling the truth  
24 initially?

25 **A** Okay. I'm sorry.

1           **Q**     You either were telling the truth or you  
2 weren't?

3           **A**     I guess not, no.

4           **Q**     Okay.

5           **A**     It was not set out to be an intent lie.

6           **Q**     Do you consider yourself a racist?

7           **A**     Do I consider myself to be racist? No, I  
8 don't.

9           **Q**     What is a racist in your opinion?

10          **A**     In my opinion somebody like, honestly?

11          **Q**     Please?

12          **A**     Somebody that would harm or say it to  
13 their face or harm them physically or, you know,  
14 like the KKK, that is not right.

15          **Q**     So the KKK would be racist?

16          **A**     In my opinion, yes.

17          **Q**     Are you affiliated with the KKK?

18          **A**     No, ma'am.

19          **Q**     Do you know any KKK members?

20          **A**     No.

21          **Q**     So when you just use derogatory language  
22 towards another group of people, that's not racist  
23 to you?

24          **A**     It is racist, but I don't, I say it  
25 towards white people too. Use it like the B word,

1 like bitch.

2           **Q**     I mean, when you use the word nigger, you  
3 don't think that's being racist?

4           **A**     I do think it is being racist, yes. I  
5 have a racist vocabulary. I would never in my life  
6 harm anybody just because of a race.

7           **Q**     Well, because Michael Brown was a black  
8 young man and I guess that's a nigger in your  
9 opinion. If he's black, is that what you mean by  
10 nigger?

11          **A**     When I seen him, he was nothing more than  
12 a kid.

13          **Q**     When you say nigger, my turn.

14          **A**     Sorry.

15          **Q**     When you say nigger, is that related to  
16 black people, white people or what people are you  
17 referring to?

18          **A**     Assholes, I don't know. I don't mean it.

19          **Q**     I just need to know when you use the word  
20 nigger, who are you referring to. You referring to  
21 white people or referring to black people?

22          **A**     I refer it to a lot of white people, yes,  
23 ma'am.

24          **Q**     When you write nigger in your book, nigger  
25 on your blog or your internet communications, what

1 people were you talking about?

2 **A** At that time I was talking about black  
3 people.

4 **Q** Okay. That's all I'm trying to find out.

5 **A** Okay.

6 **Q** So you talking about black people now,  
7 Michael Brown was black, right?

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

9 **Q** And you said the officer was doing his job  
10 killing him, right?

11 **A** Yes.

12 **Q** Okay. And you feel like you need to help  
13 the officer, is that why you're here, you want to  
14 make the officer look better than he looks and make  
15 Michael Brown look like a nigger?

16 **A** No.

17 **Q** If it is true?

18 **A** All I want is the truth, no, no.

19 **Q** He's dead?

20 **A** I don't wish anybody dead. I don't care  
21 what color you are, I don't care what gender you  
22 are.

23 **Q** When you said the officer did his job by  
24 killing the young man?

25 **A** That wasn't all that though, a lot of it

1 was because of what I had seen. I feel that if I  
2 was in that situation I probably would have ended up  
3 shooting him too.

4 **Q** You said you didn't see what happened at  
5 the car, you saw him come toward him like a football  
6 player. You are not even sure what was going on  
7 then. So not knowing what was going on, you felt he  
8 should have killed him because he was a nigger?

9 **A** At that time, no, it is not because he was  
10 black.

11 MS. WHIRLEY: Nothing else from me.

12 . You have  
13 memory issues you said, short term memory. Does  
14 that memory kind of go away after you sleep or  
15 throughout the day you have lunch and not remember  
16 you have lunch or would it be the next day that you  
17 kind of have memory lapses?

18 **A** Now, I remember I've eaten. Like for  
19 several years, yes, because I went from 195 down to  
20 120 because I would forget if I ate or not.

21 Now that it has been a number of  
22 years, usually it is the details of a situation. I  
23 have to meet you, hear your name, talk to you every  
24 day. There's still next door neighbors that I live  
25 next to that I have lived next door two and a half

1 years I still can't remember their name. It will go  
2 seconds after you tell me.

3 : Your journal entry 4:00  
4 p.m. has a lot of detail in it. Seems like, your  
5 memory must have been pretty good from that point  
6 after you got home.

7 **A** Yes, no, it is not so much that as it has  
8 to be really traumatic. Like I won't remember your  
9 name, if I see you outside, if we take a break, I go  
10 out there to smoke and I see you, there's a  
11 99 percent chance I won't recognize you. I will  
12 probably, if you are smoking I would walk right up  
13 to you and say hello and not realize that I had just  
14 talked to you in here.

15 If something major happens like I can  
16 give you in detail from two weeks ago when a dog got  
17 hit by a car because it was horrible thing to watch,  
18 but.

19 Now,  
20 you had said before that you had  
21 visited other African-American or black communities,  
22 like three a month, or something like that  
23 sometimes, or whatever, but -- or three a day?

24 **A** Three a month.

25 : I'm confusing myself.

1 Okay. Can you tell me,

2 **A** Correct.

3 So you would be coming  
4 from that point all the way up to where you got off  
5 on West Florissant. Can you tell me during this  
6 period of time or afterwards, after this shooting,  
7 what black neighborhoods you visited?

8 **A** That day or?

9 Since then?

10 **A** Since then. I spend a lot of time off of  
11 Grand close to Shaw. I  
12 spend a lot of time down in those areas.

13

14 I spent a lot of time down in those  
15 areas and we will go and talk to people and then the  
16 Central West End.

17 : Okay. Anywhere else?

18 **A** There is one that right across the JB  
19 Bridge and something called Bellview, Belleville,  
20 bell something, but I'm not sure.

21 : Got me, I don't go that  
22 far.

23 **A** I used to live in East St. Louis. I know  
24 that area a little bit.

25 : Uh-huh, okay. Just to

1 clarify the reason between when you get on  
2 and go north.

3 **A** Correct.

4 You cut off on  
5 and what you got over there you have your

6

7 **A** Yes, I used to live in

8 Is that right, what  
9 street?

10 **A** In those when they were first  
11 brand knew. We were one of the

12

13 : Uh-huh.

14 **A** We moved out, we were there  
15 we moved out

16

17 Okay.

18 **A** We had just moved out like just a few days  
19 prior to that situation.

20 I see. Do you recall the  
21 name of the street you lived on?

22 **A** Dang it. was the name of the  
23 I don't.

24 : Okay.

25 **A** Dang it, and I remember I think it was,

1 that

2 worked in the office.

3 : Uh-huh.

4 **A** You know, I do remember the

5

6 Uh-huh.

7 **A**

8 :

9 **A** But I could never come up with the  
10 address.

11 : Those are built

12 on When we used to

13 there, they used to call it

14

15 **A** I used to have friends in there before the  
16 when I was a teenager.

17 : I understand. The reason  
18 why I ask, there is a lot of black communities from  
19 where you are to where you get up to where you were,  
20 you could of made a stop in some of these black  
21 communities?

22 **A** I've been in there.

23 Have you been anywhere

24 else?

25 **A** I could not tell you where it was or how I

1 got there until this, because my mom gave me a GPS.  
2 I have not gone as much north since then. I have  
3 spent more time in the city.

4 : Uh-huh.

5 : Those same apartments you  
6 said you grew up there as a teenager?

7 **A** No, I didn't grow up I  
8 had a friend that lived in and I worked  
9 at the and I would take  
10 my friends home all the time.

11 So, I mean, I drove through  
12 throughout my teenage years taking friends or  
13 picking them up and taking them home. I didn't  
14 actually move to until those  
15 were built. I have no idea what year it was.

16 You said in your journal  
17 during your 8:00 a.m. entry, you said that you were  
18 going to go try to find a black neighborhood too, so  
19 you could associate better with black people because  
20 your dad said you should not judge one race of  
21 people based on something that happened four years  
22 ago.

23 **A** 40.

24 : What happened 40 years  
25 ago that would cause you to have any kind of

1 contention of this type, 40 years you talking?

2 **A**

3

4 :

5 **A**

6

7 : Okay.

8 **A**

9

10 : You do still have them?

11 I don't want to see them.

12 **A**

13

14

15

16 **A**

17

18

19

20

21 MS. ALIZADEH: Does anybody have any other  
22 questions? No, okay.

23 (End of the testimony of

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:

7 EXAMINATION

8 MS. ALIZADEH: This is Kathi Alizadeh. We  
9 just had a short break and so now we are resuming  
10 our afternoon session. Sheila Whirley is present,  
11 as well as all 12 grand jurors and the witness is  
12 here and we're going to, as well as the court  
13 reporter who is taking down what's being said.

14 BY MS. ALIZADEH:

15 Q Could you state your name, please?

16 A .

17 Q What is your occupation, sir?

18 A At this time I'm the assisting St. Louis  
19 County Emergency Communications Commission with  
20 deployment of the new 800 megahertz radio system in  
21 St. Louis County.

22 Q So what are your duties and  
23 responsibilities in that position?

24 A At this time I'm assisting law enforcement  
25 disciplines with the installation, design and

1 programming of their radios.

2 **Q** And how long have you had that position?

3 **A** Two years.

4 **Q** Prior to that, where were you employed?

5 **A** I was employed with St. Louis Electronics,  
6 they are a Motorola dealer, was with them for 17  
7 years. Prior to that, another three years with a  
8 radio distributor.

9 **Q** So has your entire career been in the law  
10 enforcement radio communications business?

11 **A** Right. Past 23 years, yes.

12 **Q** And do you have, well, can you tell the  
13 grand jurors about your educational background?

14 **A** Sure. I hold an associate's degree in  
15 electronic technology in communications. I also  
16 hold a ham radio licenses and an FCC license, which  
17 gives me the opportunity to work on large  
18 transmitters for like broadcasters and everything.  
19 Twenty years ago that was one of the keynote things  
20 that you had to have to be able to get into this  
21 field.

22 Recently they have kind of gone away  
23 from it and have other things, but I had, when I was  
24 with the Motorola dealer, Motorola very keen on  
25 making sure their sales consultants and engineers

1 had training. So on a yearly basis I had to go for  
2 updates on the new technology that was coming out.

3 **Q** So were you working for the, as a Motorola  
4 salesperson back when the City of Ferguson got their  
5 radio system installed.

6 **A** Right. Back then, and it has got to be  
7 six, seven, I would have to look back, I replaced  
8 their console, their dispatch console from a button  
9 to a CTR, a computer driven dispatch console, which  
10 is used just to dispatch and turn on the radio  
11 transmitters along with filling in with some new  
12 portable and mobile radios.

13 There is about a 10 to 12 year life  
14 expectancy on mobiles and portables. At that time  
15 they needed new equipment and I sold them the new  
16 equipment and also programmed it with the  
17 frequencies that was needed.

18 **Q** And you think that that was about six  
19 years ago or thereabouts?

20 **A** Six to eight years. They usually buy  
21 different times of the year because of their  
22 budgets. One year they might budget for ten radios  
23 and next year five radios. The following year new  
24 mobile radios.

25 **Q** So it was at least before August of 2014,

1 correct?

2 **A** Definitely.

3 **Q** And so do you think, are you familiar with  
4 the radio system that the Ferguson Police Department  
5 uses?

6 **A** Yes.

7 **Q** Okay. And, um, are you aware that  
8 Ferguson dispatches for themselves?

9 **A** Yes.

10 **Q** And so what does that mean, what does a  
11 dispatcher, and explain what it means when a  
12 municipality may dispatch for themselves as opposed  
13 to something else.

14 **A** Well, they take the 911 call, they're  
15 considered a peace effort. It is a public safety  
16 answering point, they take the 911 calls, they look,  
17 they usually have a CAD system, computer added  
18 dispatch piece of software that they type in the  
19 address and they assign it at car and that car is  
20 then dispatched through the console, radio console.

21 **Q** And so I understand that this is all done  
22 with computers, but there is a person who is the  
23 dispatcher, correct?

24 **A** Correct.

25 **Q** All right. And so now do all

1 municipalities dispatch for themselves?

2 **A** No, in Ferguson's case they have Country  
3 Club Hills and Calverton Park, and the new entity  
4 Flordell Hills. They dispatch for those three other  
5 agencies also.

6 **Q** Are there some municipalities that you are  
7 aware of where St. Louis County communications  
8 dispatches for some municipalities?

9 **A** Off the top of my head, there is like 23  
10 different agencies that they dispatch their  
11 departments.

12 **Q** Okay. So let's get some, I guess,  
13 vocabulary out of the way. You talked about a  
14 transmitter. What is a transmitter?

15 **A** Transmitter is basically a box and it has  
16 a components for transmitting at different power  
17 levels they are programmable it is also box  
18 transmitter also is a receiver so it also receives  
19 radio transmissions as well as when the dispatcher  
20 keys up or pushes the talk button it turns  
21 transmitter on and the voice goes out through the  
22 transmitter.

23 **Q** Okay. And where is the Ferguson Police  
24 Department transmitter?

25 **A** It is on their back parking lot where

1 there is a cell tower that's back there and their  
2 tower and their antennas are on top of that tower.  
3 At the bottom of this tower is a little shelter that  
4 their transmitters are placed.

5 **Q** So the antenna is on a tower and the  
6 transmitter is on a box inside the shelter?

7 **A** Yes.

8 **Q** And then this is behind the Ferguson  
9 Police Department?

10 **A** Yes.

11 **Q** And so the console where the dispatcher  
12 would sit, is that inside the Ferguson Police  
13 Department?

14 **A** Yes, and it's wired line out to the  
15 transmitter.

16 **Q** And is that on a, like a phone line or?

17 **A** It is like a phone line. It is not going  
18 through the phone system system's network, but it is  
19 like a pair of Cat 5 or a twisted pair of wires that  
20 are going out to the transmit site.

21 **Q** So the dispatcher can communicate via the  
22 transmitter and she can receive, I say she, the one  
23 I'm thinking of is a she, can receive communications  
24 via the receiver?

25 **A** Yes.

1           **Q**     All right.  And you mention portable and  
2     mobile?

3           **A**     Right.

4           **Q**     And so explain what a portable radio is?

5           **A**     A portable radio is what you see on the  
6     officer.  It can be held in his hand to transmit, or  
7     a lot of them, a majority of them have what we call  
8     a remote speaker mike, which you'll see right on  
9     their shoulder that they can just key up the radio  
10    and talk and the walkie-talkie or portable radio is  
11    on their hips.

12                   The mobile radio is mounted usually  
13    inside the car and is usually a higher powered type  
14    of road versus portable radio, which is a 5 watt  
15    radio.

16           **Q**     So I'm going to show you, I haven't marked  
17    it, it is simply for demonstration purposes, but is  
18    this a mobile radio?

19           **A**     That's a portable.

20           **Q**     Portable, see, I get mixed up.  I just  
21    learned all of this last week.  So this is portable  
22    radio?

23           **A**     Yes.

24           **Q**     And this would be something that the  
25    officer would wear?

1           **A**     Yes.

2           **Q**     And what is this part?

3           **A**     That is the remote speaker mike.

4           **Q**     That can be worn on the epaulette on the  
5 shoulder on the officer's uniform?

6           **A**     Correct.

7           **Q**     And so does the, does this radio have a  
8 transmitter in it?

9           **A**     Yes, it does.

10          **Q**     And does this radio have a receiver?

11          **A**     Yes.

12          **Q**     What about the car radio, that's the  
13 mobile radio?

14          **A**     Right.

15          **Q**     Does that have a transmitter?

16          **A**     Yes.

17          **Q**     Does that have a receiver?

18          **A**     Yes.

19          **Q**     So when an officer is in a vehicle and  
20 they have their mobile, can they have their portable  
21 radio and their mobile radio on at the same time?

22          **A**     Yes.

23          **Q**     And can they have them on the same channel  
24 at the same time?

25          **A**     Yes.

1           **Q**     And what would happen if an officer tries  
2     to transmit, for example, on his mobile mike, so the  
3     car radio, while his portable is on and turned up?

4           **A**     You get a horrible squealing. It is  
5     called acoustic feedback, and it's a horrible  
6     squeal, it's like you're in a room and the  
7     microphones are turned up real high and you get that  
8     squealing noise, that's what the officer gets. And  
9     also at that time that is also being transmitted  
10    back to the dispatcher. So she will sometimes say,  
11    turn your walkie down or turn your walkie off.

12          **Q**     Again, so we can kind of, the walkie  
13    refers to the portable radio?

14          **A**     Correct.

15          **Q**     Okay. And so can an officer be in his  
16    vehicle and have his mobile radio on a particular  
17    channel, but have his walkie on a different channel?

18          **A**     Yes.

19          **Q**     And if he speaks on one of those radios,  
20    do you get that squelch or that feedback?

21          **A**     No.

22          **Q**     Okay. Is there anyway for an officer, how  
23    does an officer select a channel on the walkie?

24          **A**     He has, there's two buttons and the one on  
25    the outer and this is usually a standard on all

1 Motorola radios, the one on the outside is your on  
2 and off button, and your volume control and then the  
3 center one is your channel selector and it has  
4 little ratchet clicking noise to it. A lot of the  
5 officers know by clicking it two or three times on  
6 what channel they're on.

7 **Q** And so on this particular radio, the  
8 buttons are different height, correct?

9 **A** Correct.

10 **Q** And different shapes?

11 **A** Correct.

12 **Q** And they have different feel to them as  
13 well?

14 **A** Correct.

15 **Q** And is it true that on all the Motorolas  
16 channel selector is in the middle?

17 **A** Yes.

18 **Q** And so, and then the other button you said  
19 was an on/off and volume?

20 **A** Yes.

21 **Q** And how many channels does a portable  
22 radio, how many channels can that radio turn to?

23 **A** Most of them all are 16 channels on the  
24 channel selectors always usually 16.

25 **Q** Are there also 16 channels in the mobile

1 radio?

2 **A** Yes or more.

3 **Q** And that's in the vehicle?

4 **A** Right.

5 **Q** So you said that the ones inside the  
6 vehicle are usually a higher power?

7 **A** Yes.

8 **Q** And so in Ferguson, do you know how high  
9 of power the ones in the vehicle are?

10 **A** They are 50 watts.

11 **Q** And what is the power of the handheld?

12 **A** That's 5 watts.

13 **Q** Okay. And so let's talk about the RIOT  
14 channel. You familiar with the RIOT channel?

15 **A** Yes, I am.

16 **Q** And so can you, what does RIOT stand for,  
17 it doesn't mean it is just for riots?

18 **A** Correct. It is Radio Operability, Radio  
19 Interoperability Tactical.

20 **Q** So it's an acronym?

21 **A** Yes.

22 **Q** So what is the purpose of the RIOT  
23 channel?

24 **A** It is to be used for any type of events  
25 that needs St. Louis County or any of the other

1 municipalities to be able to communicate together in  
2 some type of event.

3 **Q** All right. And are you aware of how many  
4 RIOT channels there are in St. Louis County?

5 **A** There's a RIOT A, B, C, D and E, so a  
6 total of five.

7 **Q** Okay. Now, when a police department  
8 purchases and installs a radio system, are the  
9 channels uniform throughout each municipality or  
10 does each municipal decide what channels they want?

11 **A** They mostly decide which one they want.  
12 There is mostly a standard that every radio has at  
13 least RIOT A. Some will put RIOT B in, some won't.  
14 Some will just keep RIOT A their preference.

15 **Q** So would it be, for example, I'm just  
16 saying this, for example, like channel one might be  
17 the dispatch channel?

18 **A** That's always usually the dispatch  
19 channel.

20 **Q** Okay. And then what other kind of  
21 channels are there for the radio?

22 **A** There's a mutual aid channel.

23 **Q** Mutual aid?

24 **A** Right, which is once again kind of an  
25 inoperability type of channel, most every radio

1 within the state, mutual aid channel. There's a  
2 point-to-point and that's used for dispatchers to be  
3 able to talk to other dispatch centers. It is  
4 always in that as receive only. The licenses set up  
5 for base station transmission only, no portable  
6 radios can talk on it so they don't interfere with  
7 the radio traffic being transmitted to each of the  
8 different dispatch centers.

9 **Q** So if an officer has his radio on the  
10 point-to-point channel, he can hear other  
11 dispatchers that might be talking to each other?

12 **A** As long as he's within the range of that  
13 transmitter.

14 **Q** Okay. We'll talk about the range in a  
15 second, but that's the purpose of that?

16 **A** Right.

17 **Q** They can hear it, but they can't transmit?

18 **A** That's correct.

19 **Q** Okay. And so what about the RIOT channel  
20 now, how does that work. If someone got on the RIOT  
21 channel, who can they talk to?

22 **A** Um, as long as the neighboring  
23 municipality, they have it set up to have some type  
24 of DWI checkpoints or something like that, they  
25 would use it.

1           **Q**     So if, for example, the president or  
2 vice-president was going to visit St. Louis and the  
3 St. Louis County Police Department was going to  
4 provide security for that visit, would they use the  
5 RIOT channel for a period of time?

6           **A**     Definitely they would secure that channel  
7 for that event.

8           **Q**     And so if any municipality or anybody that  
9 has these radios can talk on the RIOT channel, how  
10 is it that they know not to use it if, for example,  
11 there is a presidential visit?

12          **A**     There's pretty much a notice that goes out  
13 through St. Louis County saying between this date  
14 and this date, you know, that's going to be used for  
15 the president coming to town. They even have it set  
16 up for the one golf tournament at one of the country  
17 clubs that they do security with they might secure  
18 that channel for that.

19                   Ballwin Days, they would request the  
20 St. Louis County, we have Ballwin Days going, can we  
21 use the RIOT channel, and they usually approve it  
22 unless there's something, an event that's going to  
23 happen, they will reserve it.

24          **Q**     It can be used for preplanned events, what  
25 about events that are not preplanned?

1           **A**     That's kind of a go-to if you are on it  
2     using it for an event and something larger comes,  
3     everybody goes to a different channel.

4           **Q**     So, for example, if there was a hostage  
5     situation that was occurring in South County and the  
6     County Police had mobilized and their attack unit  
7     was on scene and various precincts maybe have been  
8     called in for this situation. Would that be  
9     something they would advise all of those officers to  
10    turn to the RIOT channel?

11          **A**     Definitely, that is the go-to channel  
12    basically.

13          **Q**     So the theory is at that time the officers  
14    that are using RIOT channel are all using it for the  
15    same purpose, they all know what's going on, they  
16    are there for that particular event?

17          **A**     Correct.

18          **Q**     So now, let's talk about, we talked about  
19    when possibly a call could be received and not  
20    received. And you and I met last week and you kind  
21    of had to educate me on a lot of this, but we talked  
22    about the fact that whether or not a call can be  
23    received by somebody might, in part, be determined  
24    by signal strength, correct?

25          **A**     Correct.

1           **Q**     So given that the walkie-talkies?

2           **A**     5 watts.

3           **Q**     5 watts. That's a lower signal strength  
4 than the mobile radios in the cars, correct?

5           **A**     Correct.

6           **Q**     And then how many watts does the  
7 dispatcher has?

8           **A**     The dispatcher, most of all in St. Louis  
9 County their base stations, their transmitters are  
10 at least 100 watts.

11          **Q**     Okay. And so there is another thing that  
12 might affect whether or not a transmission is  
13 received is the distance away from the dispatch  
14 transmitter that the radio is, correct?

15          **A**     Correct. It is kind of a line of sight.  
16 So anything in between this antenna and that  
17 dispatch center can reduce the radio transmission to  
18 that receiver. So if there is a building, even  
19 trees, large thick trees, any steel structure  
20 reduces that capability of that transmitter to get  
21 to that receiver.

22          **Q**     What about the height of the antenna, does  
23 that also affect the transmission?

24          **A**     Yes. And especially if a portable radio.  
25 Being on your hip can reduce that 5 watts to almost

1 half if it is touching your body or if this officer  
2 is a large person, that can really cut down the  
3 power.

4 **Q** Okay. So would it be uncommon then that  
5 maybe an officer who is using his portable  
6 walkie-talkie could call out and transmit something  
7 and the dispatch not hear him?

8 **A** Yes, very much so.

9 **Q** Okay. Also, we talked about the different  
10 powers and strengths of these radios, is it possible  
11 for other officers when they're on say the dispatch  
12 channel, can an officer in car A hear officer in car  
13 B transmitting a call?

14 **A** If he's close enough. Only if he's close  
15 enough within, you know, a range. On a portable  
16 radio, it is usually a mile tops, not too much  
17 unless you are out in Kansas, straight line, nothing  
18 there, maybe a mile and a half or so. These are  
19 very low power. He would probably hear the mobile  
20 radio more than he would hear the portable radio.

21 **Q** So to understand this, when someone in the  
22 vehicle transmits on the mobile, and let's say they  
23 are going to talk to another car, does that  
24 transmission go from their mobile to the transmitter  
25 tower behind the police station and then go back out

1 to that car?

2 **A** No, it is just radio to radio, from mobile  
3 radio to mobile radio.

4 **Q** And can you do that, can you talk to other  
5 cars when you are on the dispatch channel?

6 **A** Yes.

7 **Q** Okay. And when other cars are talking to  
8 each other, can you hear that maybe when you are on  
9 the dispatch channel?

10 **A** Yes.

11 **Q** But I'm gathering that you might not hear  
12 it depending on how far apart you are?

13 **A** Correct.

14 **Q** And where the radio might be, correct?

15 **A** Correct.

16 **Q** And so, and we heard some testimony from  
17 another officer who talked about like when he left  
18 his police vehicle and went inside a residence for a  
19 call, he might not hear transmissions that are being  
20 made by dispatch because he's a distance from the  
21 car and he's also on the walkie-talkie inside a  
22 building?

23 **A** Right. If he's inside the building, the  
24 mobile wouldn't have any factor on his portable  
25 radio. It is that building structure that is going

1 to reduce the capability of receiving on that  
2 portable.

3 **Q** Okay. So it is possibility for a police  
4 officer if he's using his walkie-talkie to transmit  
5 a call, but that call might not be received by local  
6 dispatch?

7 **A** Correct.

8 **Q** And that has to do with all of those  
9 factors we've talked about?

10 **A** Correct.

11 **Q** Now, are you aware that when the Ferguson  
12 dispatch receives calls or transmits calls that they  
13 actually record those calls?

14 **A** Yes.

15 **Q** So if the call is not, here is a question  
16 I don't even think I asked you this last week. When  
17 a call is not received by a dispatcher, is there  
18 anyway to tell if that call was ever made?

19 **A** No, because that recorder is connected to  
20 the receive portion of the dispatch console. So  
21 whatever the dispatch console receives and hears,  
22 that is when it is recorded.

23 **Q** Okay. Is it possible, are there occasions  
24 when a call is received like it is garbled or  
25 there's, you know, static that would make it

1 difficult or impossible to tell what's being said?

2 **A** Definitely.

3 **Q** Okay. Now, let's talk about when an  
4 officer is wearing his walkie for the portable radio  
5 if his car is on the dispatch channel, we talked  
6 about if he is in his car he can be on two different  
7 channels, right?

8 **A** Right.

9 **Q** If his car is on the dispatch channel and  
10 his walkie-talkie gets switched to another channel,  
11 does he get any kind of squelch or anything like  
12 that?

13 **A** No.

14 **Q** So that could happen, and if that were to  
15 happen and he was unaware of the switch, he would  
16 not know?

17 **A** No.

18 **Q** Without looking down?

19 **A** And looking --

20 **Q** At the collector?

21 **A** Right.

22 **Q** Now, I'm looking at the top of this  
23 portable radio, there's an orange button here?

24 **A** Right.

25 **Q** What is that orange button?

1           **A**     When the officer presses that, it sends  
2     out a data burst that is a number that has been  
3     programmed in that radio. So it could be 1, 2, 3,  
4     4, it will send out that data burst. It will be  
5     decoded at the dispatch console and whatever they  
6     decode it as, it could be the officer's name, it  
7     could be the car number, it could be anything, an  
8     alias associated to that radio. It could be even to  
9     that beat, it could be beat 104 that when he hits  
10    that button it will come up on the screen.

11                   Lights flash red and a horrible noise  
12    of beeping goes off until that dispatcher hits the  
13    console a couple times to silence it.

14           **Q**     And so is there any information that is  
15    transmitted other than what you said that might be  
16    preprogramed to associate that radio is the who that  
17    transmitted that.

18                   Is there anything, can I push that  
19    red button and then say something in there?

20           **A**     Yes, it also lets you to be able to  
21    transmit.

22           **Q**     And this data burst that can happen if you  
23    press that orange button, does that depend upon  
24    those factors, like how far away you are, whether  
25    you're in a building or there's buildings between

1 you and the transmitter, are those still factors?

2 **A** Those are still factors.

3 **Q** That's also a radio signal?

4 **A** Right.

5 **Q** And it's 5 watts when it comes from there?

6 **A** Yes.

7 **Q** Okay. When an officer is wearing this  
8 type of radio and this is on his sleeve, if he has  
9 it turned to, for example, the dispatch channel, is  
10 this also a speaker?

11 **A** Yes.

12 **Q** So he can hear what's being transmitted?

13 **A** Yes.

14 **Q** Does this have a speaker on it?

15 **A** It does, but it is disabled once that  
16 remote speaker mike is connected to the radio.

17 **Q** So if you are in your vehicle and your car  
18 vehicle is turning to the dispatch channel and this  
19 is on the dispatch channel, does either of them  
20 cancel each other out?

21 **A** No, it is basically which one is turned up  
22 the loudest is which one they are going to hear.

23 **Q** So you could hear both?

24 **A** Yes.

25 **Q** If they were on different channels, could

1 you hear different transmissions?

2 **A** Yes, definitely.

3 **Q** But it would be if you keyed your mike,  
4 that's when you get that squelch?

5 **A** Correct.

6 **Q** So let's talk about what calls that might  
7 walk over each other. That is kind of a phrase that  
8 I used, but is it possible if an officer is  
9 transmitting from this type of a radio, a portable  
10 radio, if someone else on that same channel keys in,  
11 can that person talk over him possibly ?

12 **A** Especially if it is on a car radio, it's  
13 possible, but it's really whoever is closest to  
14 Ferguson's transmit site on the dispatch channel.  
15 It is called kind of a receiver capture effect. So  
16 that receiver in that base station, whatever hearing  
17 is the strongest is what's going to be able to be  
18 heard to the dispatcher.

19 However, if they mix then you get the  
20 garbling sound and you might pick out, you know, 102  
21 or you might pick out a little bit of radio traffic.  
22 And that's when the dispatcher will usually say, car  
23 102, go ahead with your traffic or something like  
24 that, or too many cars calling in they usually state  
25 but yes, it can happen.

1           **Q**     Okay. Now let's talk about transmissions  
2     on the RIOT channel. Do those transmissions when  
3     you are on say RIOT A, if you are on RIOT A on your  
4     radio, does that transmission go to Ferguson?

5           **A**     No, St. Louis County does a series of  
6     voting receivers and all they are receivers and they  
7     are like ears. And the closest radio is picked up,  
8     that audio is sent down by phone line back to  
9     another box here in Clayton called a comparator.  
10    And that takes the best audio, not the transmission,  
11    but the audio sound from that receiver and votes on  
12    which one's the best, and the best audio, the  
13    strongest audio signal will be heard to the recorder  
14    and to the dispatcher sitting at that console  
15    monitoring the RIOT A channel.

16          **Q**     So the dispatcher monitoring the RIOT A  
17    channel is here in Clayton, right?

18          **A**     Correct.

19          **Q**     So it is not the Ferguson dispatcher who  
20    is monitoring unless she chooses to do that?

21          **A**     Right.

22          **Q**     And I think we talked about the fact that  
23    a dispatcher has their dispatch channel and then  
24    they have another selected --

25          **A**     Unselected audio.

1           **Q**     Unselected.  So they can now monitor two  
2     different channels at once?

3           **A**     Correct.

4           **Q**     And so, so, how many voting?

5           **A**     Voting receivers.

6           **Q**     How many voting receivers are there in St.  
7     Louis County?

8           **A**     Oh, just on the RIOT channel I'm going to  
9     take a guess.  I don't have their information right  
10    in front of me, but I want to say at least six or  
11    seven.

12          **Q**     Okay.

13          **A**     Throughout the county north, south, east  
14    and west.

15          **Q**     And so, for example, if something is going  
16    on down in South County, and the county police is  
17    using the RIOT A channel because of this incident  
18    that occurred.  If a Ferguson officer calls in on  
19    the RIOT A channel when he's up in Ferguson, is it  
20    possible that his transmission will not be received  
21    by Clayton?

22          **A**     Yes, especially if the receiver down south  
23    is hearing the transmission louder and it is being  
24    sent in and being voted and voter, that transmission  
25    will be just put on the side basically, won't even

1 come through.

2 **Q** Will there be any record that that  
3 transmission was made?

4 **A** No.

5 **Q** So the voting receiver just measures the  
6 strength and quality, audio quality of the call and  
7 then the voting receiver then selects which call  
8 they are going to put through?

9 **A** Right.

10 **Q** And so is it possible then that somebody  
11 on a walkie-talkie in Ferguson could make a call on  
12 the RIOT A channel, if County Police were using the  
13 RIOT A channel down at South County at the same time  
14 and there were officers talking at the same time, is  
15 it possible then that the Ferguson officer's call  
16 would never get recorded in Clayton?

17 **A** Very possible.

18 **Q** Is there anything that I haven't asked you  
19 that I forgot about that is important?

20 **A** No.

21 **Q** And just again if you all want to look at  
22 this, I will tell you that this is a radio from the  
23 Ferguson Police Department. It is not Officer  
24 Wilson's radio, but they have the same radios and  
25 just for reasons that you might want to look at it.

1 But don't try to call on it because I have no idea  
2 if it would work. It probably wouldn't transmit in  
3 here, would it?

4 **A** Want to try it?

5 **Q** No.

6 MS. ALIZADEH: I'll just kind of start  
7 this around and Sheila, do you have any questions  
8 for

9 **Q** (By Ms. Whirley) Well, it is just kind of  
10 unnerving, I guess, so you are saying, maybe you  
11 didn't say common, but how common is it for dispatch  
12 not to receive calls?

13 **A** Um, it just depends on the radio traffic.  
14 If it is really busy, a really busy day at that  
15 municipality it can happen. You know, one thing, I  
16 hope I'm not telling any secrets, one issue is one  
17 of the county channels which is dispatched in West  
18 County, they have Eureka, they have Chesterfield.  
19 They are so far away that Eureka officer could be  
20 keying up trying to talk to a dispatch and that  
21 Chesterfield officer, which is a little bit closer  
22 to the receiving site, is going to get to Clayton  
23 more and this guy is saying, hey, I need help or  
24 something, that Eureka officer, there is a good  
25 chance is not getting back to Clayton.

1           **Q**     Wow?

2           **A**     That is one of the reasons why this new  
3 system is being put in.

4           **Q**     That's something to come that we don't  
5 have yet?

6           **A**     Correct.

7           **Q**     So that orange button that you were  
8 referring to, is that supposed to be like an  
9 emergency?

10          **A**     Yes.

11          **Q**     Aspect for this?

12          **A**     Yes. Another way that that works, even if  
13 there's radio traffic, it is still pulsing that data  
14 out. It doesn't care if there's radio traffic on  
15 it, it keeps on trying until it gets an  
16 acknowledgment from the dispatcher.

17          **Q**     And as I understand, you can be on, I  
18 guess RIOT A, which is the county?

19          **A**     Yes.

20          **Q**     And that orange button wouldn't have any,  
21 would it work for county or would it just go to, if  
22 you are on the RIOT A channel.

23          **A**     Right.

24          **Q**     And you are a Ferguson officer and if you  
25 hit that a orange button, what would happen?

1           **A**     It would go to dispatch. It is programmed  
2 as a revert, so when you hit that button, if you are  
3 on channel six, it doesn't matter what channel, you  
4 hit that emergency button, it reverts that data to  
5 the dispatch channel.

6           **Q**     To Ferguson's dispatch?

7           **A**     Yes.

8           **Q**     So even though RIOT A channel, it wouldn't  
9 be of any consequence to them?

10          **A**     Right.

11          **Q**     But Ferguson would?

12          **A**     Right.

13          **Q**     And is it your understanding that most  
14 officers are trained if you are in an emergency  
15 situation to hit that orange button?

16          **A**     Yes, ma'am.

17          **Q**     So if I'm in a shooting or something that  
18 would probably be one of the first things a trained  
19 officer would do is to hit that orange button?

20          **A**     I can't tell you what that officer would  
21 be thinking at that time, but that is kind of, I  
22 need help, that's what I hit.

23          **Q**     That's the purpose of that orange button  
24 is to supersede everything to let your dispatch know  
25 that you need help?





1 for police officers to keep their mobile and their  
2 portable on a different channel?

3 **A** Usually, it is.

4 : Usually they do. Okay.

5 So they would have to know that they are on a  
6 different, their portable is on a different channel  
7 when they get out of the car and switch it back?

8 **A** Some might just use it to listen to the  
9 neighboring municipal next to them, that is what  
10 they use it mainly, what they tell me. They like to  
11 hear what's going on around them. Maybe Ballwin  
12 would listen in on Manchester PD is doing in case  
13 they need an assistance or something.

14 : They do keep it on  
15 different channels while they are in the car?

16 **A** Yeah. And some keep it turned off too to  
17 save the battery and save avoidance of feedback  
18 sometimes.

19 . Can the  
20 dispatcher ever notify a police officer that they  
21 are on the wrong channel? Like they think they are  
22 on their department channel, but for some reason  
23 they are always on it or have a signal?

24 **A** No, there is nothing the dispatcher can  
25 see on what channel that that portable or mobile is

1 on. The only way if they are calling them, they  
2 know that they're not on the dispatch channel. If  
3 they are trying to call dispatch and they're not  
4 responding, yes. They will call them by cell phone  
5 or keep on calling, but there is no way that  
6 dispatcher knows.

7 MS. WHIRLEY: I had a question --

8 So there is no readings  
9 that goes out daily from all whatever happened that  
10 day? Like there is a computer generating all the  
11 radios from that day for each department, police  
12 department in the areas, different areas. There is  
13 no generated report that's coming out?

14 **A** No, not from which channel their on. The  
15 only thing I've seen where it counts how many times  
16 the radio has been keyed up. It might say it's been  
17 keyed up on this channel ten times that day, that's  
18 about it.

19 MS. WHIRLEY: On the mobile, I'm sorry,  
20 that's passed around, I'm sorry, the portable, thank  
21 you. The orange button is on there, is there also a  
22 an orange button on the mobile that's inside the  
23 car?

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

25 MS. WHIRLEY: For the same purpose, it is

1 an emergency transmission?

2 **A** Yes.

3 MS. WHIRLEY: Because I was going to ask  
4 you, what can an officer do if he's in trouble if he  
5 may not be heard on the transmitter, but that's what  
6 he can do?

7 **A** Right.

8 MS. WHIRLEY: Okay.

9 . Is there any  
10 other way for dispatch to communicate with the  
11 officer, like through texting to display or texting  
12 to the laptop.

13 **A** There is some messaging on their CAD  
14 system, their in-car computer system. I know that  
15 exist, I can't tell you that Ferguson has that  
16 feature, but most of the agencies within St. Louis  
17 County does have a way, and they can communicate car  
18 to car also, so that officer can send a message to  
19 the neighboring precinct or jurisdiction, how am I  
20 going to say this, to the officer next to them.  
21 Would be the officers within that agency.

22 . You talked about  
23 red button emergency situation, that's a pretty  
24 broad for a police officer to cover, obviously,  
25 every emergency situation is going to require a red

1 button. You kind of mentioned a life and death  
2 situation, seems like that button is pretty much  
3 reserved for an extremely serious emergency, not  
4 typical emergency for a police officer?

5 **A** Correct.

6 : And that can happen very  
7 quickly. The odds of a police officer to get to  
8 that button in the time of a quickly escalating  
9 activity, that could be a question?

10 **A** Right.

11 It would be hard to hit  
12 that button in a very highly emergency situation  
13 that happens very quickly?

14 **A** Right. And if you notice the size of that  
15 button, you really got to hunt for it sometimes.

16 MS. ALIZADEH: And just on another note,  
17 for example, the situation is over, then there would  
18 be no reason necessarily for the officer to use the  
19 orange button as opposed to using his walkie-talkie  
20 because then he can explain the nature of his need  
21 for help, correct?

22 **A** Correct.

23 MS. ALIZADEH: And if he's transmitting,  
24 if you're transmitting from your walkie-talkie and  
25 it's not being received, other than nobody responds,

1 is there any way that the officer knows that his  
2 transmission didn't get received?

3 **A** None whatsoever.

4 MS. ALIZADEH: I send an email and it  
5 doesn't get received, I get something back saying it  
6 wasn't delivered?

7 **A** Correct.

8 MS. ALIZADEH: But there's nothing on the  
9 radio like that.

10 **A** No. Some departments train they officers  
11 if they don't get out, take radio out of their  
12 holster and transmit, but I couldn't tell you about,  
13 but that is part of a SOP in a lot of departments.

14 MS. ALIZADEH: And SOP is standard  
15 operating procedure?

16 **A** Yes.

17 MS. WHIRLEY: And tell us again what does  
18 CAD stands for, the CAD?

19 **A** Computer Aided Dispatching.

20 MS. WHIRLEY: Okay. And is that time  
21 generated, I mean, there's a CAD report, right?

22 **A** Right.

23 MS. WHIRLEY: Does that track the timing  
24 of the calls?

25 **A** Yes.

1 MS. WHIRLEY: Who puts that information in  
2 there, I know it is computer generated, correct,  
3 tell me about that?

4 A Well --

5 MS. ALIZADEH: Let me back up here. Do  
6 you have expertise to talk about the CAD system?

7 A I know the mechanics, the technology, you  
8 know, how they receive the timing, but as far as it  
9 is all software and every department has got a  
10 different type of CAD. So I couldn't tell you  
11 exactly what information goes in it or how the  
12 screen is. How most of them are set up for timing.

13 MS. WHIRLEY: That's what I want to know  
14 about.

15 A So a lot of departments bought what they  
16 call Net Clocks. They are little boxes that are  
17 connected to a GPS antenna and they get their timing  
18 from the satellites, just like our car GPS works.  
19 There is also timing that is done and this box kind  
20 of distributes that timing mechanism, which can go  
21 to logging reporters, their CAD, some departments I  
22 set up their consoles have this timing. So that all  
23 the timing is the same throughout.

24 MS. WHIRLEY: Okay. So when an officer  
25 calls in, let's say I'm on a traffic stop or I'm out

1 with a pedestrian, would that information be timed  
2 into the dispatch or to this CAD system?

3 **A** I can't answer that. I don't know.

4 MS. WHIRLEY: Okay.

5 **A** I have been listening to police calls  
6 since I was eight years old. Most of the time, the  
7 dispatcher, the officer will call in, I'm at a  
8 traffic stop blah, blah, blah. She will usually  
9 repeat, car 104 is at a traffic stop at 1520 hours,  
10 or something like that. And that's usually the time  
11 the officer will write down that time and that is  
12 what's recorded in the CAD so all the times are  
13 together.

14 MS. WHIRLEY: Okay.

15 MS. ALIZADEH: , you didn't set  
16 up the CAD system in Ferguson, correct?

17 **A** I did not.

18 MS. ALIZADEH: And you don't know how they  
19 have it set up?

20 **A** That's correct, I do not.

21 MS. ALIZADEH: So is it possible that the  
22 time for their CAD calls might differ from the time  
23 that dispatch calls?

24 **A** Definitely.

25 MS. ALIZADEH: If they set them manually

1 as opposed to getting those times from the  
2 satellite, is it possible then that those times  
3 could be off?

4 **A** Yes, definitely. I know I did not sell  
5 them a Net Clock or any type of timing mechanism.

6 MS. ALIZADEH: What about compare it also  
7 to, for example, county communications. Is it  
8 possible that Ferguson's CAD calls and their  
9 dispatch calls might not be timed, the CAD's might  
10 not be the same with the county communication clock?

11 **A** Definitely.

12 MS. ALIZADEH: So a call that we all know  
13 for a fact that was made at 3:00 in the afternoon.  
14 The dispatch time might be 3:02, the CAD call might  
15 say 3:01 and yet the county communication, if it  
16 were received there, might say it was 3:00?

17 **A** Yes, definitely.

18 MS. ALIZADEH: Be it is just one call?

19 **A** Yes.

20 I just  
21 want to make sure I understood you. The  
22 point-to-point channel, this is dispatch, and the  
23 portable is not transmitting and they can only hear  
24 what's going on?

25 **A** Right.

1 MS. ALIZADEH: When it's on  
2 point-to-point.

3 : When it is on  
4 point-to-point?

5 **A** Right.

6 : So if an officer had his  
7 portable on that channel while he is in the car,  
8 left the car, he thought he was calling in, nobody  
9 would hear him --

10 **A** That's correct.

11 -- until he changed the  
12 channel?

13 **A** Right. What he is going to hear is maybe  
14 a bong because that is a receive channel only.

15 : That would be the same,  
16 not that nobody would hear him, but dispatch would  
17 hear him if he was on a RIOT channel, he is on the  
18 mutual aid channel or any of the other channels, he  
19 would have to it put it on one, which is a dispatch  
20 channel for his dispatch to hear him?

21 **A** No, if he's on point-to-point, I'm sorry,  
22 if he's on RIOT channel.

23 : Uh-huh.

24 **A** And dispatch has RIOT channel turned on at  
25 the console at Ferguson, and he's close enough, yes,

1 it is going to transmit and a good chance the  
2 dispatcher is going to hear them.

3 MS. ALIZADEH: Any other questions?

4 (End of the testimony of .)

5 It is 3:28 on November 3rd. This is Kathi  
6 Alizadeh, Sheila Whirley is present, also all 12  
7 grand jurors are present and , the court  
8 reporter. And we just had a discussion off the  
9 record that we talked about that a witness that I  
10 had scheduled for this afternoon didn't show up, so  
11 we are kind of out of material for today.

12 And so you all agree to go ahead and  
13 recess early today. There has been discussion now  
14 about additional things that you all want. It is my  
15 understanding that we're going to get a Ferguson  
16 police vehicle that is not the same vehicle, but the  
17 same make, model and year. So we have to set up  
18 when we are going to do that.

19 There's been a request to get the press  
20 conferences from Chief then there's been a  
21 request to get, I will get you copies of the  
22 transcript of Officer Darren Wilson's grand jury  
23 testimony.

24 You should have a transcript of his  
25 interview that he did with the county police on the

1 10th, but I will get the transcript for you for  
2 tomorrow, give it to you tomorrow.

3 And then I'm also going to contact Chief  
4 to see if he can appear to answer any  
5 questions that you may have that might arise out of  
6 your viewing of the press conferences. And is there  
7 anything else? Oh, yes, you talked about getting a  
8 field training officer. So I will talk to Ferguson  
9 about that.

10 I think we discussed the fact that it's  
11 Darren Wilson's field training officer in Ferguson  
12 is currently and so probably we  
13 would want to find somebody else who could talk  
14 about the training that they do for their officers  
15 in general.

16 Would obviously not be that he received,  
17 but in general. Is that all we can think of for  
18 now?

19 : Perhaps get somebody in  
20 the Normandy Police Department that trained him?

21 MS. ALIZADEH: That was Jennings.

22 : Oh, sorry, Jennings.

23 MS. WHIRLEY: What was that again?

24 Check with somebody, one  
25 of his superiors in Jennings to see if they gave him

1 some field training instruction before he came over  
2 to Ferguson and that way you avoid  
3 situation.

4 MS. ALIZADEH: So we will recess early  
5 today and it is my understanding that tomorrow we're  
6 going, you are going to get here at 8:00, we start  
7 up about 8:30-ish, whenever you are all here. And  
8 then we're stopping at 4:00 tomorrow for the  
9 election; is that correct.? Amendment 2, I'm just  
10 plugging it. Everybody have a good evening.

11 (End of Grand Jury hearing XVIII.)

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1  
2 State of Missouri  
3 SS.  
4 County of St. Louis  
5 I, , a Licensed Certified Court  
6 Reporter by the Supreme Court in and for the State  
7 of Missouri, duly commissioned, qualified and  
8 authorized to administer oaths and to certify to  
9 depositions, do hereby certify that pursuant to  
10 Notice in the civil cause now pending and  
11 undetermined in the County of St. Louis, State of  
12 Missouri.

13 The said witness, being of sound mind and being  
14 by the grand jury first carefully examined and duly  
15 cautioned and sworn to testify to the truth, the  
16 whole truth, and nothing but the truth in the case  
17 aforesaid, thereupon testified as is shown in the  
18 foregoing transcript, said testimony being by me  
19 reported in shorthand and caused to be transcribed  
20 into typewriting, and that the foregoing page  
21 correctly sets forth the testimony of the  
22 aforementioned witness, together with the questions  
23 propounded by counsel and grand jurors thereto, and  
24 is in all respects a full, true, correct and  
25 complete transcript of the questions propounded to

1 and the answers given by said witness.

2 I further certify that the foregoing pages  
3 contain a true and accurate reproduction of the  
4 proceedings.

5 I further certify that I am not of counsel or  
6 attorney for either of the parties to said suit, not  
7 related to nor interested in any of the parties or  
8 their attorneys.

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

4 100 S. Central Ave.

5 Clayton, MO 63105

6 Total:

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1 Upon delivery of transcripts, the above  
 2 charges had not been paid. It is anticipated  
 3 that all charges will be paid in the normal course  
 4 of business.

5 GORE PERRY GATEWAY & LIPA REPORTING COMPANY  
 6 515 Olive Street, Suite 700  
 7 St. Louis, Missouri 63101

8 IN WITNESS WHEREOF, I have hereunto set  
 9 STATEMENT OF DEPOSITION CHARGES

10 my hand and seal on this \_\_\_\_\_ day of \_\_\_\_\_

11 Commission expires

12 \_\_\_\_\_

13 Notary Public

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