

Case: State of Missouri v. Darren Wilson

Transcript of: Grand Jury Volume IX

Date: October 2, 2014

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515 Olive Street, Suite 300

St. Louis, MO 63101

(314) 241-6750

1-800-878-6750

Fax: (314) 241-5070

Email: schedule@goreperry.com

Internet: [<<www.goreperry.com>>](http://www.goreperry.com)

STATE OF MISSOURI

VS.

DARREN WILSON

GRAND JURY

OCTOBER 2, 2014

VOLUME IX

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1 IN THE CIRCUIT COURT OF ST. LOUIS COUNTY

2 STATE OF MISSOURI

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4 STATE OF MISSOURI

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7 vs.

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9 DARREN WILSON

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12 The following is a hearing before the Grand
13 Jury of St. Louis County, at the offices of St.
14 Louis County Prosecuting Attorney's Office, 100
15 South Central Avenue, in the City of Clayton, State
16 of Missouri, on the 2nd day of October, 2014, before

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1 APPEARANCES OF COUNSEL:

2

3 FOR THE STATE:

4 Ms. Kathi Alizadeh & Ms. Sheila Whirley

5 Assistant Prosecuting Attorneys for St. Louis

6 County

7 100 South Central Avenue, 2nd Floor

8 Clayton, MO 63105

9 (314) 615-2600

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1 GRAND JURY HEARING VOLUME IX

2 MS. WHIRLEY: I'm Sheila Whirley, of
3 course, Kathi Alizadeh, the 12 grand jurors are here
4 and is here taking town everything we're
5 saying this morning. We are going to start out with
6 the witness that we talked about last time we were
7 together that's .

8 Before she comes in, however, she is here
9 waiting to give testimony. Before she comes in
10 we're going to listen to a statement that she gave
11 to the federal, during the federal investigation,
12 FBI and U.S. attorney and well a couple of attorneys
13 from the Department of Justice. So we will hear
14 that interview. It is probably in totality an hour
15 and 13, 14 minutes, something like that.

16 We have the transcript that Kathi will
17 pass out in a moment and she wanted to let everybody
18 know that we just got the transcript, I believe,
19 last night.

20 MS. ALIZADEH: This morning.

21 MS. WHIRLEY: This morning. We haven't
22 had a chance to proof it. So as you are listening
23 and you read, if you hear something different than
24 what's printed, what really count is what you hear
25 because that's in 's words.

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 BY MS. WHIRLEY:

9 Q Introduce yourself to the jurors and spell
10 your name for the court reporter.

11 A Okay. Hello everybody. My name is
12 , last name ,
13

14 Q And, as you can see I'm standing
15 back here so that when we have a conversation when I
16 ask you questions, you answer, you will speak up
17 loud enough so I could hear you.

18 A Okay.

19 Q That way we'll know all the grand jurors
20 can hear you too, okay?

21 A All right.

22 Q We've got a map up here and that's Grand
23 Jury Exhibit Number?

24 MS. ALIZADEH: 25.

25 MS. WHIRLEY: 25.

1 **Q** (By Ms. Whirley) You've got a pointer, you
2 know how to use it, right? I'm going to ask you
3 some questions and I want you to be able to show us
4 up on the map, there you go, is that okay?

5 **A** Yes.

6 **Q** Good, all right. So show us, first of
7 all, where you live currently if it is on the map?

8 **A** Right there. (indicating)

9 **Q** What's that address?

10 **A** , Apartment

11 **Q** And that's on, what's the street, is that
12 Canfield Drive?

13 **A** Yes, Canfield Drive.

14 **Q** And you indicated on the map where that's
15 located, is that like a first, second, third floor?

16 **A** Third.

17 **Q** It is the third floor. Okay. Now, you
18 know why we're here?

19 **A** Yes.

20 **Q** This is about the Michael Brown shooting?

21 **A** (Nods head.)

22 **Q** And that occurred on August 9th of 2014.
23 Do you remember that day pretty well?

24 **A** Yes.

25 **Q** And that would have been a Saturday,

1 correct?

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

3 **Q** Okay. Now, it was somewhere around noon;
4 is that right?

5 **A** Yes.

6 **Q** Tell us from the beginning what you saw,
7 what you know about the Michael Brown shooting?

8 **A** Okay.

9 **Q** Speak up loud enough.

10 **A** Sure. Start from the beginning of the day
11 or the beginning of everything that I saw?

12 **Q** Let's start with the beginning of your
13 day.

14 **A** Okay. I woke up that morning, I was
15 waiting to have my boss to come get me for work. We
16 were supposed to be heading out a little ways before
17 that evening, I'm sorry, the afternoon, she called
18 me.

19 **Q** I'm sorry, I didn't hear you well. Will
20 you tell us what you were going to do at work that
21 day?

22 **A** Oh, no, we were heading off for work.

23 **Q** Heading off for work?

24 **A** Right.

25 **Q** What kind of work do you do?

1 **A** Yeah, which is right there on the third
2 corner. So I'm sitting in my room.

3 **Q** Here?

4 **A** Yeah.

5 **Q** Okay.

6 **A** I'm sitting in my room and I look down at
7 my phone and I'm getting a call from . At
8 the same time I'm getting a call from her, I hear
9 tires screeching in the middle of the street. We
10 had gotten into a car accident about a couple weeks
11 before that, so that already made me go to check on
12 her, hopefully she didn't hit anybody or she didn't
13 crash or anything like that. So that's what drew my
14 attention outside the window. I then looked out the
15 window and just noticed the police car outside.

16 **Q** And where did you notice the police car
17 when you looked out the window, where on the map,
18 show us?

19 **A** It is like a police SUV, not a smaller
20 car, a bigger one, it is about right there, sorry.

21 **Q** Do it again. If you need to stand up, you
22 can. You don't have to, it is up to you.

23 **A** Okay. It is right around there.

24 **Q** Okay. That's where you saw the car from
25 your window here?

1 **A** Yes. I had noticed that 's van, it
2 was right around here. I could still see her too.

3 **Q** Was she driving when you noticed her or
4 was she parked?

5 **A** She was at a standstill.

6 **Q** She was in the car, but it wasn't moving?

7 **A** Yes.

8 **Q** And where was it again?

9 **A** Right around here.

10 **Q** Okay. There is her car right around
11 there?

12 **A** Yes.

13 **Q** How was the police car stopped in the
14 street?

15 **A** It was in the middle of the street,
16 slanted.

17 **Q** Okay. Slanted?

18 **A** Slanted towards basically this way.

19 **Q** And what street would that be?

20 **A** This is West Florissant.

21 **Q** So it was facing west?

22 **A** Yes, that is West Florissant, it was
23 facing West Florissant.

24 **Q** West Florissant, okay. So, and then what?

25 **A** Okay. Where was I, I looked out of my

1 window and I saw a glimpse of just the top of a hat.

2 Q What color?

3 A It was a red hat.

4 Q Okay.

5 A The glimpse of a top of a hat, just next
6 to the vehicle and I just saw a movement, a jerking
7 away movement.

8 Q A movement of what, the car or person what
9 was the movement?

10 A It was an arm.

11 Q It was an arm?

12 A Yes.

13 Q Did you later learn whose arm?

14 A Yes, I later found it was Michael Brown's
15 arm.

16 Q Michael Brown's arm?

17 A Yeah.

18 Q You saw a jerking of the arm?

19 A Yes.

20 Q And then what?

21 A Okay. It was like simultaneously as I'm
22 getting a phone call, I hear the tires screeching
23 and I look out the window and I hear gunshots at the
24 same time. Because this all happened very quickly,
25 this gunshot.

1 I'm looking out my window, it is just
2 a couple, two or three, I'm looking out my window.
3 I notice that they're coming from the exact
4 direction as the police car. I notice that they're
5 coming from the direction, the direction that the
6 police car vehicle, so still right there. It was
7 really loud because it was right outside my window.

8 Q Okay. You said the shots were coming the
9 direction of the police car?

10 A Yes.

11 Q Did you make any assumptions about that?

12 A I did. I, um, in the beginning stages I
13 did make assumptions. I thought that, couldn't
14 really tell, you couldn't tell, but I thought that
15 maybe a bullet hit the police car, maybe it hit the
16 building into the police car. It was just like, you
17 could hear an extra oomph, you know what I mean?

18 Q You didn't know what had occurred, but you
19 heard --

20 A Yeah.

21 Q -- but you heard the sound of shots?

22 A Yes.

23 Q Okay.

24 A Just right next and that all happened like
25 simultaneously.

1 **Q** Once you heard the shots, what did you
2 notice next?

3 **A** I looked away to grab my purse because I
4 was looking for her car, but I noticed it was fine,
5 but I was going to go outside and go to her, but I
6 decided to not go outside because of gunshots
7 outside my door. I grabbed my purse and head back
8 to the windows.

9 At this moment I'm headed, I'm
10 looking out the window, it is facing towards this
11 street now.

12 **Q** This is a different window you are looking
13 out?

14 **A** Yes, this is the window from my balcony.

15 **Q** Okay.

16 **A** A big glass sliding door, it is a window
17 and door you can walk straight out.

18 **Q** Were you still inside the apartment
19 though?

20 **A** Yes, I was. So I'm at the balcony and I
21 just notice other police officer run down the
22 street, just running, chasing, who knows, he's just
23 running, to me he was running.

24 **Q** Could you see who he was running after or
25 why he was running?

1 **A** At the time I couldn't, my focus was on
2 this car that was right here in front of my
3 apartment. The car is right there.

4 **Q** So what was the proximity of the car to
5 the police car, to the police truck?

6 **A** The car, okay, the police car, or the
7 police truck is right here in the middle of the
8 street, somewhere around here. And the other car
9 was like in front of this Canfield Drive sign, so it
10 is just right there, right in front of my window.

11 **Q** So right behind the police car?

12 **A** Yeah.

13 **Q** What kind of car was that?

14 **A** It was a Monte Carlo, two-door car.

15 **Q** What color was it?

16 **A** It was a dark color, it was black or a
17 dark blue car, like a dark, dark blue, but I'm
18 pretty sure it was a black color.

19 **Q** Okay. Why did that car draw your
20 attention?

21 **A** I saw somebody I recognized like crouching
22 next to the car. It was, I call him DJ, it was
23 Dorian Johnson. He was just crouching next to the
24 car. I originally thought the police, he'd been
25 involved in something and he was hiding, but the

1 police just ran right past the car like not even
2 looking no other directions, ran right past it. So
3 he's just still kneeling and that's when I start to
4 think he must be hiding from the police because
5 there's --

6 **Q** So did you hear some more shots after you
7 heard the shots from you thought was in the car, or
8 around the car?

9 **A** Yes. As I'm looking down at him, I'm
10 hearing more gunshots.

11 **Q** As you are looking down at whom?

12 **A** At Dorian and like he's right in front of
13 me. So I'm looking kind of down when I see him.

14 **Q** Do you know where the shots are coming
15 from at this point?

16 **A** I could tell that it was following the
17 police, so the police was the one shooting the
18 shots. It was like, my eyesight is coming from a
19 car area at first and now it's coming from this way.
20 (indicating)

21 **Q** Okay. So there are shots coming, the
22 officer is running, or shots being fired and the
23 officer is running, do you see anybody else at that
24 point?

25 **A** No, my um, my vantage point gets blocked

1 off from the police running because he runs behind,
2 how do I explain this, this little small wall right
3 here. He just runs right around there somewhere.

4 Q So he runs past the wall?

5 A Yeah.

6 Q And at that point your vision is blocked,
7 by the way?

8 A By the officer, yes.

9 Q How far did you see the officer run to?

10 A From his car down.

11 Q Show us where, how far you saw him run?

12 A If his car was right around this area, he
13 ran straight past the Monte Carlo, straight back
14 where I can't see him any more, about right around
15 here. (indicating)

16 Q So not quite to the intersection?

17 A Yeah, not quite all the way over there.

18 Q Okay. And that's the intersection of
19 Canfield Drive and Copper Creek Court?

20 A Copper Creek Court.

21 Q He didn't get to that intersection?

22 A No.

23 Q Did you see the officer stop running?

24 A No.

25 Q What did you see next, you say he's

1 running?

2 **A** Okay. As I'm glancing down and Dorian, I
3 heard the gunshot as I notice the officer running
4 past me. I just glimpse at the officer, I wasn't
5 too much paying attention to him because I'm more
6 thinking about what is going on next to this car.
7 There is also people inside the car and it appears
8 to me like Dorian was going to hop in it and just
9 leave, but that never happened.

10 I just have a glimpse, what I presume
11 to be a kid, I don't know why I thought it was a
12 kid, but he just looked young, you can tell somebody
13 young. He just turned around at this moment,
14 nothing is blocking any more, and I can see somebody
15 turn around was starting to put their hands like
16 this. (indicating)

17 **Q** Before you get to that, where did you see
18 the person, I don't know if you say you saw him stop
19 running or saw him turn around, did you see that
20 person referred to as Michael Brown, did you see
21 Michael Brown stop running or running at all?

22 **A** When I, um, saw him, I hadn't known that
23 it was him by the vehicle at first, I didn't draw
24 that connection. By the time I got over here, like
25 I saw it was almost over, basically the color of the

1 hat. There was no person with a hat on over here,
2 never got the connection at first. But I saw him
3 like get out of the blockage. So he was moving
4 towards this way. (indicating)

5 Q Who?

6 A Michael.

7 Q He was moving toward?

8 A This way. (indicating)

9 Q This way?

10 A Yeah.

11 Q Where was he when you first got sight of
12 him after your vision was blocked by the wall or
13 whatever?

14 A He was right around here. (indicating)

15 Q And that car is not related to this case?

16 A Okay.

17 Q So where did you see him?

18 A It was like right around where his car is.

19 Q At the intersection or not quite the
20 intersection?

21 A I just say the intersection.

22 Q So he was closer, some feet away from the
23 intersection of Copper Creek?

24 A Exactly.

25 Q On Canfield Drive when you saw him?

1 **A** Yeah.

2 **Q** And when you first saw him in this area,
3 was he moving at all, tell us again what he was
4 doing when you first saw him?

5 **A** When I first saw him he was coming to a
6 still and turning.

7 **Q** So he had been moving?

8 **A** Yes, you could tell because --

9 **Q** Show us what you saw?

10 **A** Okay.

11 **Q** If you don't mind, please.

12 **A** Sure thing. Okay. He's moving his body
13 this way, can everybody see me? I'm sorry, he's
14 moving his body. I don't know, I couldn't tell, he
15 was most likely running too.

16 **Q** Tell us what you saw?

17 **A** Okay. This way, this is what I saw
18 basically.

19 **Q** Okay.

20 **A** At that moment I start hearing just a
21 great deal of shots. I could not say how many shots
22 it was, after that it was a great deal of it.

23 **Q** So at the time you demonstrated for us
24 that he was turning around because at first his back
25 was to where you saw the officer running?

1 **A** Yes.

2 **Q** And he was turning around facing the
3 officer?

4 **A** Yes.

5 **Q** Could you see the officer too at that
6 point?

7 **A** I still could not see the officer.

8 **Q** So the officer now was blocked, but you
9 could see Brown?

10 **A** Yes.

11 **Q** And he turned around and this has been
12 important and we've heard a lot about hands up, so
13 once again, demonstrate for us turning around and
14 the hands?

15 **A** Okay. I saw him turn to his right, turned
16 around, but as he was turning, I'm sorry, he was
17 like this. What I was saying was that I didn't see
18 like a big all the way up there kind of thing, I
19 just saw a turned around kind of right here.
20 (indicating)

21 **Q** Kind of shoulder high, hands up?

22 **A** Yes.

23 **Q** But his palms were like facing the
24 officer?

25 **A** Yes.

1 **Q** Did you see any blood?

2 **A** I did not see any blood.

3 **Q** Did he appear injured to you?

4 **A** No, he didn't. Not at that point.

5 **Q** And when he was standing there with his
6 hands up, did you see him move at all?

7 **A** No, okay, that's the part I want to get
8 to. After that, it was just a lot of gunshots. So
9 at this point, I'm looking out my window. I guess I
10 either glance back at Dorian or I flinch or I do
11 something to where I take my eyes away and next
12 thing I know, he is falling down.

13 So I never saw him make any more
14 movements except for a lot of shots and he started
15 falling down. He fell on his knees and he hit his
16 face on the ground.

17 **Q** When you saw him falling down, did he
18 appear to be at the same spot that he was when you
19 saw him turn around?

20 **A** In my recollection he was.

21 **Q** When he fell down, where was he?

22 **A** Right around the same spot. Right around
23 that area. (indicating)

24 **Q** Do you recall how many shots you heard?

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

1 **Q** When he turned around?

2 **A** No.

3 **Q** Did he appear, because you can see him
4 now, right, when he turned around you had full view
5 of him, but not the officer?

6 **A** Yes, the officer was blocked.

7 **Q** Did he appear to be reaching for anything?

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

9 **Q** Did he touch his waist at all?

10 **A** No.

11 **Q** So you saw him actually go down?

12 **A** Yes.

13 **Q** And hit the ground. I don't want you to
14 hit the ground, but can you demonstrate how he went
15 down?

16 **A** Okay. But now from my point of view I'm
17 just looking at his knees, but I'm sure it wasn't
18 that slow, but like a fast, knees, boom and falling
19 forward. (indicating)

20 **Q** Okay, thank you. Did he move any more
21 after that?

22 **A** No.

23 **Q** Okay. And what did you do after you saw
24 him fall to the ground?

25 **A** Started crying.

1 **Q** Started crying. Okay. And then as you
2 are crying, what happens next? I'm going to get you
3 some napkins.

4 When you saw him fall, then you say
5 you started crying, then what happened next?

6 **A** I just ran to my room where I left my
7 phone and, um, the condition of my phone is
8 incredibly horrible. I dropped it, it was cracked
9 in many spots. You cannot really see the screen,
10 that wasn't my first intention was to get my phone.
11 I just ran back like I have to make this work
12 somehow. I ran back, got my phone and just started
13 recording everything that I saw from that point on.

14 **Q** Okay.

15 **A** I just hit the record button and have my
16 phone, even though you couldn't tell on the screen,
17 see the screen.

18 **Q** Did you call anybody or talk to anybody?

19 **A** No, I was too shocked.

20 **Q** Okay. And at some point you, I think this
21 maybe --

22 **A** I'm sorry, after I left, after like the
23 whole aftermath happened, I did make a couple phone
24 calls, but not like during the whole part where they
25 took the tape up and all of that. I was mainly on

1 my balcony after things started, after an hour or so
2 passed, I started getting phone calls and then
3 making them.

4 **Q** How long was it after the shooting did the
5 police contact you for a statement that day?

6 **A** Probably about an hour and a half.

7 **Q** Okay.

8 **A** Two hours.

9 **Q** How did they know to contact you?

10 **A** Because they saw me and standing
11 right there.

12 **Q** Standing?

13 **A** On my balcony.

14 **Q** At this point you were both standing on
15 the balcony?

16 **A** Yeah.

17 **Q** Do you remember what you were wearing?

18 **A** I had my uniform on. once she
19 came to my balcony, she said we can't be out here
20 with our uniforms on, we have to change shirts. You
21 have a shirt that I can wear? I went in my room and
22 gave her one of my shirts.

23 MS. ALIZADEH: I'm having trouble hearing
24 you, .

25 **A** I'm sorry.

1 MS. ALIZADEH: I want the jurors to hear
2 you. It is okay for you to talk in your direction,
3 but can you talk a little louder so I can hear you
4 too.

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

6 **Q** (By Ms. Whirley) What color are your work
7 shirts?

8 **A** They're anywhere from orange, to blue, to
9 black. I just gave her a normal shirt.

10 **Q** What did you have on?

11 **A** I put on a black shirt.

12 **Q** A black shirt. Did you have on a black
13 shirt before then?

14 **A** No.

15 **Q** What did you have on before then?

16 **A** Before I got dressed, I had on a, pretty
17 sure my blue uniform shirt.

18 **Q** You're not sure though?

19 **A** I'm pretty sure.

20 **Q** Okay. Now --

21 **A** She had on the same color.

22 **Q** Okay. Dorian Johnson, you mention him, I
23 think you refer to him as DJ?

24 **A** Yes.

25 **Q** So you know him?

1 **A** Yes.

2 **Q** You knew him before this day?

3 **A** Yes.

4 **Q** How well did you say you know him, did you
5 socialize with him?

6 **A** He was the very first person I met when I
7 moved there, like the month before I had moved
8 there. He was just walking down the street. I
9 said, hey, I'm going to be your new neighbor, I'm
10 going to need a friend and we started after that.

11 **Q** How long did you live there before this
12 happened?

13 **A** From July the 1st, I moved in July the
14 1st.

15 **Q** And this was August the 9th. Now, did you
16 know Michael Brown?

17 **A** I did not know that I had met him if that
18 makes sense. Somebody standing outside tells me
19 like hey, this is the guy we were with that one
20 time, you know, kind of thing. I didn't immediately
21 recognize him at all.

22 **Q** So do you ever recall whether or not you
23 socialized with him?

24 **A** I still don't remember exactly what it
25 was, but the memory of what I was doing that day is

1 in my head, I still don't remember interacting with
2 him.

3 Q Okay.

4 A But I know I've been in the same room with
5 him.

6 Q But somebody told you that he had been in
7 the same place you had been?

8 A Yeah.

9 Q Did you remember it then when he told you
10 that?

11 A I remember the incident, I can't remember
12 him like that.

13 Q Did you actually talk to him?

14 A He said I did, but I can't recall the
15 information if we did talk or what we would have
16 talked about and everything.

17 Q Okay.

18 A Yeah, somebody had to actually point out
19 to me who it was.

20 Q Now, at some point do you go outside your
21 balcony, I mean, from the inside of your apartment
22 to the outside on your balcony?

23 A Uh-huh.

24 Q Do you go down to the front? And you said
25 yes to that question, right, that you go out to the

1 balcony?

2 **A** I believe out of my door, yes.

3 **Q** Okay. Let me, I wasn't real clear.

4 At some point did you go out onto
5 your balcony outside?

6 **A** Yeah, okay, yes, I was standing on my
7 balcony.

8 **Q** My next question was, at some point did
9 you go out of your apartment to the ground outside?

10 **A** Yes, later on. We were trapped inside the
11 yellow tape for quite a little bit.

12 **Q** Not until the police allowed you to?

13 **A** Basically.

14 **Q** When you are outside on the balcony, is
15 that where you tape that or recorded, you actually
16 went outside to record?

17 **A** Yes.

18 **Q** When Michael Brown dropped to the ground,
19 were you inside or outside?

20 **A** I was inside.

21 **Q** You were inside. I'm going to step back
22 here so you can talk.

23 **A** Okay. I was inside.

24 **Q** You were inside. What I'm trying to find
25 out, did you see the officer when you went out?

1 **A** Okay. When I went out my door, there were
2 two officers there at this time.

3 **Q** Okay. The first time you went out on your
4 balcony outside, there were two officers there?

5 **A** Yes, there was already another officer on
6 the scene by the time I went and got my phone,
7 picked it up and put it on the camera and walked
8 outside, there were two officers there.

9 **Q** And that's when you started recording?

10 **A** Exactly.

11 **Q** You didn't see the officer when Michael
12 Brown was actually shot?

13 **A** Exactly.

14 **Q** He was out of your view?

15 **A** Yes. So I don't know the proximity they
16 were in.

17 **Q** That was going to be my question, but you
18 answered it. Now, there's been some discussion
19 about, I'm sure you have heard this, you have been
20 interviewed a few times; is that right?

21 **A** Yes.

22 **Q** You have given interviews to the media,
23 you've talked to the FBI, to the police?

24 **A** Yes.

25 **Q** We're trying to make sure we get things

1 clear, probably everybody asking you probably the
2 same type of questions.

3 At the window, when you first saw
4 Mike Brown at the window, are you sure of what you
5 saw regarding the arm and pulling and that kind of
6 thing?

7 **A** Yes, I had made an earlier assumption that
8 he was being pulled because why else would you be
9 jerking from the police.

10 **Q** When you say jerking, can you show us what
11 you saw?

12 **A** Like just a quick movement, like a quick
13 arm jerk. (indicating)

14 **Q** You saw that?

15 **A** Yes.

16 **Q** Regarding the shots fired before Mike
17 Brown fell down, you recall how many shots you
18 heard?

19 **A** No.

20 **Q** No?

21 **A** Yes, no.

22 MS. WHIRLEY: Anybody else have any
23 questions? Well, Kathi, let's start with you.

24 **Q** (By Ms. Alizadeh) Hi .

25 **A** Hello.

1 **Q** I know you met Sheila before you walked in
2 here, I work with Sheila and so I'm an assistant
3 prosecuting attorney and she and I are both
4 presenting this case to the grand jury, so I haven't
5 had a chance to talk to you; is that right?

6 **A** Yes.

7 **Q** Okay. I'm going to show you some
8 pictures.

9 **A** Okay.

10 **Q** I think, you'll see that these are
11 pictures of the scene on that day and they may help
12 you explain where you were in relation to what was
13 going on. So these are pictures that were taken by
14 a detective and are contained in an envelope that I
15 have marked as Grand Jury Exhibit Number 23.

16 I'm going to show you what has been
17 identified and marked as Image Number 4. Can you
18 see okay or would it be better if you --

19 **A** No, I'm okay.

20 **Q** You can see that okay?

21 **A** Yes.

22 **Q** Okay. Does it help if I turn down the
23 lights?

24 MS. ALIZADEH: Everybody can still see to
25 write, right? There is a little bit of a glare on

1 this, that's not actually like the sun coming up.

2 That's just the way the light shines on the
3 photograph paper.

4 **A** Okay.

5 **Q** (By Ms. Alizadeh) So you've got a pointer
6 there and I'm going to use one too. But from what I
7 am gathering, this is your building, correct?

8 **A** Yes.

9 **Q** And you live right up here?

10 **A** Yes.

11 **Q** So this window right here, is that your
12 bedroom?

13 **A** Yes, both of those.

14 **Q** Both of these?

15 **A** Yes.

16 **Q** So you have a window that looks out
17 looking west toward West Florissant and you have a
18 widow in your bedroom that looks out onto Canfield?

19 **A** Yes.

20 **Q** Now, is this the parking lot where
21 had actually parked her vehicle?

22 **A** Yes, that's just, that's not.

23 **Q** She pulled in here?

24 **A** Yeah. So she wasn't that close, she was
25 over there.

1 **Q** Did she park over there or did she park
2 against your building?

3 **A** She parked right here. (indicating)

4 **Q** Right there. So she's not parked right
5 along here? (indicating)

6 **A** Yes.

7 **Q** She's not; is that correct?

8 **A** Yes, that's correct.

9 **Q** Okay. And so when you first, something
10 drew your attention, there were three things that
11 all happened kind of at the same time. The tires
12 squealing and your phone ringing?

13 **A** Yeah.

14 **Q** And gunshots, which originally you said
15 three shots is what you heard, is that how you
16 remember it today?

17 **A** I remember hearing a couple of shots, two
18 or three, yes.

19 **Q** Okay. A couple of shots, does that mean
20 two or does it mean two or three?

21 **A** It could have been two or three.

22 **Q** Okay. And so when you looked out, is this
23 the window you first looked out?

24 **A** Yes.

25 **Q** And that's your bedroom?

1 **A** I'm sorry, when was calling me,
2 no, I was sitting on my bed.

3 **Q** Okay. You said you looked and saw it was
4 calling you?

5 **A** Yes.

6 **Q** How did you know it was calling
7 you?

8 **A** Because , okay, the way my phone is
9 shaped, you can see the right side of the screen,
10 like the very right side. So at the end of her
11 number, I know the last four digits of her number.
12 It was her calling me.

13 **Q** Okay. So your phone was on the bed?

14 **A** Yes.

15 **Q** So did you go over and look at the phone
16 when it was on the bed before you went to the
17 window?

18 **A** I picked the phone up and went to the
19 window.

20 **Q** Okay. So when you go to the window, you
21 look out and see the police car?

22 **A** Yes.

23 **Q** I want you to know, at least I can't speak
24 for everyone else, I truly believe you were there
25 and I know you saw things. What we're trying to

1 figure out, because as many people have said,
2 sometimes over time your memory changes or sometimes
3 people influence your memory, not intentionally, but
4 because you sit down and you talk with people about
5 what they saw and those memories kind of become your
6 memories, okay.

7 So what we're trying to do, and you
8 know that people have asked about various statements
9 you have made in the past. We're just trying to
10 make sure that we understand that this is what you
11 saw and not what you say, you're not saying it
12 because somebody else mentioned it and now you
13 believe it too.

14 **A** Yes.

15 **Q** Do you understand that?

16 **A** Yeah, I get what you're saying.

17 **Q** And, you know, are you years old?

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

19 **Q** I know what you saw was horrible and it is
20 probably never going to come out of your brain, it
21 will be in there forever and I'm sorry we have to
22 ask you this many detailed questions. It is
23 probably something you don't want to have to think
24 about, but it is important that we get this
25 information, okay?

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

2 **Q** So now when you first look out, you see
3 the police car and you see what direction is the car
4 facing?

5 **A** It is facing towards that way.
6 (indicating)

7 **Q** Facing towards West Florissant?

8 **A** Yes.

9 **Q** Now, you know in the FBI interview, the
10 gentleman, Mr. asked you a whole bunch a
11 questions about when you first entered on the day
12 this happened, you said when you first looked out,
13 you saw a police officer get out of the car and
14 running?

15 **A** Uh-huh.

16 **Q** Do you remember him talking to you about
17 that?

18 **A** I remember him mentioning it.

19 **Q** Have you had an opportunity to look at the
20 transcript of your prior statement or to listen to
21 it?

22 **A** No.

23 **Q** Okay. You haven't looked at it or
24 listened to it, so I understand that this might be
25 the first time, but I'm going to show you a

1 transcript. It says it is on August 9th at
2 2:19 p.m. And it has Detective , do you
3 remember talking to him?

4 **A** Yeah.

5 **Q** And then you're , correct. It
6 says he starts out by saying that you're at
7 Canfield in an unmarked police vehicle. Were you in
8 his car or in a police car when you made this
9 statement?

10 **A** I was in a car.

11 **Q** Okay. So now you've given some
12 information about your phone number and so forth.
13 And then you start talking to him around page three
14 about the fact that your boss was going to pick you
15 up. She was going to pick you up and she was headed
16 towards me, do you see that?

17 **A** Yes.

18 **Q** And then you said here on page three, at
19 the moment I heard a car tire skirrr, like skirrr,
20 like it hurried up and pulled over. At the same
21 time she called me to come outside cause I was
22 waiting on her.

23 So I saw her, so I looked out the
24 window and I saw the police. And the first thing I
25 saw was, and then the officer interrupts you. I'm

1 going to stop you here for a second, okay.

2 And then he asked you where was

3 She was at her van, blah, blah, blah, you
4 were just getting ready to tell him the first thing
5 you saw, he stops and asked you about

6 **A** Yes.

7 **Q** And then you talk about over in the
8 parking lot, do you see the van? Yes. Where is it?
9 Right behind those officers.

10 So you are talking about where you
11 see right? She's in the Do you
12 see where I'm leading you down the page?

13 **A** Yes.

14 **Q** And she's sitting in her van, yes. Okay
15 what happens then. Okay. So she witnesses
16 everything from behind, but I witness it from the
17 top.

18 You are on the third floor, right?

19 **A** Right.

20 **Q** I looked outside and saw the police the
21 first thing. The only thing I saw at that moment
22 was, and then he stops you again, right?

23 **A** Right.

24 **Q** Like you couldn't get those words out. So
25 I'm going to stop you again. And then he's asking

1 you where you were looking outside, top floor,
2 second, I'm sorry, third floor. He's trying to
3 clarify where you are, okay.

4 And then it says here, you're looking
5 out the window, right? No, this one. You are
6 pointing to him where the windows are, right?
7 Facing towards the police car.

8 So you are talking about what you
9 knew. And then you get back to, cause I heard the
10 skirrr, and I just assumed it was her and she was
11 calling me. So I was going to grab my things to
12 come outside to go to work.

13 He says, okay. And then you say, so
14 at the moment where, I mean, before I did, I just
15 looked outside to make sure she was, it was her
16 waiting for me and I saw a police officer.

17 I don't know name running toward this
18 guy. I didn't see the hassle at first, but I did
19 see him get out of the car and run in a hurry.

20 The guy was, oh, I'm sorry. I can't
21 remember his name, but it was a friend of a friend
22 of mine and , I think you are talking about,
23 are you talking about Dorian at that point?

24 **A** No, I was talking about, they keep telling
25 me I knew --

1 **Q** So that is actually not ,
2 isn't it?

3 **A** Yes.

4 **Q** Okay. So he ran and so at that time I
5 came from that window and I ran to the patio right
6 there. I open the blinds and I could see past this
7 corner, so I could see directly there from the
8 blinds.

9 So there I saw the man running, I
10 kept hearing some gunshots. The lady's window
11 across the apartment complex from mine, her window
12 got shot cause steady shots fired.

13 So you're talking about the first
14 thing you see is the officer get out of his car and
15 run. And you also mention that I didn't see the
16 hassle at first.

17 **A** Yeah, when I was mentioning that, they was
18 saying stuff was going on inside a police car and a
19 lot of stuff. And I was trying to let him know that
20 before the tires screech, I didn't see anything that
21 they were doing before that happened.

22 **Q** Okay.

23 **A** They said there was stuff going on, and
24 everybody was talking about it and so I did not see
25 those things that they said.

1 Q Oh, okay. So on page 7, again, we're
2 talking about how many gunshots do you think you
3 heard and I think that this is initially, okay.
4 Well, I've heard three at first. Like as soon as I
5 heard the skirrrr, I heard three gunshots, boom,
6 boom, boom. And then I came to the window and
7 before I could exit my house from the balcony to the
8 actual door, is when I kept hearing more and more
9 shots.

10 So I was technically trying to say
11 behind, stay behind the door, which is why I could
12 see, um, him getting shot, but I wasn't present for
13 the video to be show cause I was all, I was inside,
14 okay.

15 And then he asked you some questions
16 about he wants to understand what you are saying.
17 So you look out of that far window and there's
18 s car, right? Right.

19 And what do you see at that point?

20 And I saw the man, I'm sorry, by the
21 man, I mean the police officer getting out of his
22 car and running full speed.

23 So again, when he's asking you, you
24 look out the far window, you see s car, at
25 what did you see at that point? I saw a man

1 running, the police officer.

2 **A** That's what I saw.

3 **Q** Okay. So if you want to look through
4 this, I can let you, but I don't recall you ever
5 telling the police in your interview on the 9th that
6 you saw anything happen between the officer and
7 Michael Brown at the car?

8 **A** And I didn't make that recollection like
9 that at first. I have to sit down and think and
10 process everything that had just happened to me.

11 **Q** And certainly that's understandable
12 because, as I said, you're years old, you've just
13 witnessed something that hopefully none of us ever
14 have to see. And I know you were emotional at the
15 time.

16 Do you they think it's possible that
17 that initial recollection was that you didn't see
18 anything at the car and it was only until after
19 people were talking to you about it then you started
20 to think that maybe you saw what happened at the
21 car?

22 **A** No, I know that because I didn't make the
23 recollection because I didn't know those were the
24 same people -- person I was seeing. I know that I
25 hadn't seen Dorian before, I saw him by the 2-door

1 car. I know that after Michael get shot, that was
2 after I know it was Michael, and that was a person
3 without a hat on. And I, you know, couldn't tell
4 who it was him at that time.

5 **Q** Okay.

6 **A** It was a brief, a very brief meeting
7 anyway.

8 **Q** Okay. I'm going to show you a few more
9 images so the jury can kind of see what your actual
10 location is. Again, you see the police car with the
11 tape around it, that's the officer's car, correct?

12 **A** Yes.

13 **Q** And then this is your building right up
14 here and where you live right there, right?

15 **A** Exactly.

16 **Q** And so when you come out of the front of
17 your building, we can see this wooden staircase and
18 is the deck right there on the front?

19 **A** Yes.

20 **Q** Okay. And then I'm going to borrow your
21 thing here. So this thing right here, this kind of
22 like wall, if you're on your deck, does it block
23 your vision from what's going on right here in front
24 of the street?

25 **A** No, if I'm right there on my balcony. It

1 only blocks what's kind of to the left of me. If
2 I'm on the left of the balcony on the other side,
3 shortly to the right of me. It doesn't block that
4 much view.

5 **Q** I'm going to show you Number 7, and when
6 you were looking out through the blinds, was it out
7 a sliding glass door or was it out an exterior door?

8 **A** It was my sliding glass door.

9 **Q** Okay. Gee, I wish this wasn't. I'll move
10 it down.

11 **A** I might confuse you, I call it a door and
12 a window because you can open it and see out of it,
13 but yes, it is my sliding glass door.

14 **Q** Okay. We see in this picture on the third
15 floor is, there's a window and you said that's one
16 of your bedroom windows, correct?

17 **A** Yes.

18 **Q** And just as we're looking at the picture
19 to the right of that, is that a sliding glass door?

20 **A** Yes.

21 **Q** And then it leads out to your balcony?

22 **A** Yes.

23 **Q** And then is there another door?

24 **A** Yes, there is another door, yeah, you've
25 seen some of it that was my shadow right in there.

1 **Q** It is right in there, right?

2 **A** Right.

3 **Q** So when you were peeking out the blinds,
4 was it out of this sliding glass door or out of
5 here?

6 **A** Yeah, it was out of my sliding glass door.

7 **Q** Sliding glass door. And so you don't come
8 out until after Michael Brown's been shot, correct?

9 **A** Yes.

10 **Q** So your entire vantage point once you come
11 to this window, you stay at that window until after
12 Michael Brown's been shot, correct?

13 **A** Yes.

14 **Q** And so wouldn't you agree if people were
15 running in this direction and if things are moving
16 in this direction, this wall is going to block what
17 you are seeing, isn't it?

18 **A** For some partially, yes.

19 **Q** Okay. So there's things that you wouldn't
20 have been able to see?

21 **A** Yeah, that's true.

22 **Q** There's a time period where you don't see
23 anything. And then, you know, when you say you
24 don't see the officer when Michael Brown gets shot,
25 do you think it's because this wall was blocking

1 where he was?

2 **A** Yeah, but from where I'm looking out my
3 window.

4 **Q** You want that back up?

5 **A** Yeah. From where I'm looking out my
6 window, it blocks like a little bit of how the
7 street is shaped. So it blocks from like here, if
8 I'm looking out of my balcony, I can see, that's the
9 right side of it, I can see kind of over the right
10 side. I can still see the left, I can still see
11 what's right in front of me, just a little portion
12 portion of the whole space.

13 **Q** Just to be clear, you never came out of
14 that sliding glass door?

15 **A** Yes.

16 **Q** Okay. I don't show you this picture to
17 upset you, okay. I am going to show you Number 14.

18 **A** Okay.

19 **Q** This, again, now, I'm going to orient you
20 here because this police vehicle that you see, the
21 middle of the picture, that's not the officer's car?

22 **A** Definitely.

23 **Q** His car is up here, okay. So you're
24 apartment is right there.

25 **A** Yes.

1 **Q** What's that red dot on right there?

2 **A** My balcony.

3 **Q** Is that your sliding glass door or is that
4 your front door?

5 **A** That's my sliding.

6 **Q** Okay. And so, and wherever this picture
7 was taken from, which it looks like it is actually
8 on the sidewalk perhaps?

9 **A** Uh-huh.

10 **Q** Across the street. If you look in a
11 straight line from where the picture is, you can see
12 into your sliding glass doors, correct?

13 **A** Yes.

14 **Q** At then this wall at some point would
15 obscure some of your vision westbound a little bit?

16 **A** Yes.

17 **Q** I just made a note and I want to make sure
18 that I understood this correctly. So you, when you
19 heard the first gunshots, whether it is two or
20 three, and you thought they were coming from the
21 direction of the police car, and then, you were in
22 your bedroom at that point, correct?

23 **A** Yes.

24 **Q** And then I wrote a note that you just
25 today said I grabbed my purse and headed toward my

1 front window?

2 **A** Yes.

3 **Q** So where was your purse?

4 **A** It was right there on my bed.

5 **Q** Okay. So you look out your bedroom
6 window, which we know is the window that faces the
7 west?

8 **A** Yeah, I looked out of all of the windows.
9 I looked out both of my room windows and then to the
10 balcony. It was just a peek though.

11 **Q** And so you go and grab your purse and then
12 you say you looked out your front window. You
13 talking about the sliding glass door or you talking
14 about the bedroom window that faces Canfield?

15 **A** Did you say you, can you repeat that,
16 ma'am?

17 **Q** This is just my notes, I want to make sure
18 I wrote it right. I don't know if I did or not.
19 But I have here, grabbed my purse, headed toward my
20 front window.

21 **A** Yes, okay, that's when I had grabbed my
22 purse and headed towards the balcony.

23 **Q** That is the sliding glass window?

24 **A** Yes.

25 **Q** So I assume that you leave your bedroom,

1 what's on the inside of the sliding glass door?

2 **A** Blinds.

3 **Q** No, is it like your family room, kitchen?

4 **A** Living room, yes.

5 **Q** Living room area, okay. So you go from
6 your bedroom to the living room and then to look out
7 that window?

8 **A** Yes.

9 **Q** And you also said in your statement to the
10 FBI, or your attorney did, that you had pointed out
11 to someone tire marks in the street where the car
12 had, you know, we heard you say it screeched its
13 tires.

14 **A** Exactly.

15 **Q** Who did you point those tires mark out to?

16 **A** To her and her husband.

17 **Q** Your attorney?

18 **A** And her husband, yes.

19 **Q** So when was that?

20 **A** Um, we were making a short video about the
21 bullet that hit the wall across from mine. So we
22 were talking about that and I was just saying the
23 tire mark screech and this is where I heard the car
24 at and where I saw the car, and where the bullet hit
25 the wall and stuff like that.

1 **Q** And you said in your statement to the FBI
2 that you had made, you had written down everything
3 that you had scene shortly afterwards. How long
4 after it happened did you write everything down?

5 **A** Right before or right after I got my
6 attorney. So that wasn't long at all, that was
7 within a week or two weeks of it happening, a week
8 or two weeks, maybe not even that long.

9 **Q** And then when they asked you about that
10 statement, you said that you burned it?

11 **A** No, I didn't burn it, I got rid of it, I
12 threw it away.

13 **Q** You threw it away?

14 **A** Yeah.

15 **Q** Why did you throw it away?

16 **A** Because I become really paranoid. Every
17 day I came home there was a different reporter on my
18 door and everybody knew where I lived at. And I
19 couldn't get one sense of peace at all.

20 So I was getting calls, my family was
21 getting calls, every day they would come to my door.
22 I started to get paranoid they are going to find
23 this and use this. I got this really bad paranoid
24 feeling, the whole thing was sick to my stomach. I
25 got rid of everything that I had wrote down.

1 question is in regards to at the car when you saw
2 Michael Brown jerk away.

3 **A** Yes.

4 You describe it as arm
5 movement, you did see the arm?

6 **A** Yes.

7 : Do you know if that was
8 reaction to the gunshot you heard, he was reacting
9 to a gunshot?

10 **A** It may have been.

11 The timing wise was right?

12 **A** Yes, it was almost simultaneous.

13 Do you know if it was the
14 right arm or left arm that you saw pull away?

15 **A** Um, I think, I want to say left arm
16 because in the front how the police car was shaped,
17 that picture is gone. How it was slanted, kind of
18 slanted and I'm looking toward the front. I just
19 see a jerking motion moving backwards, I want to say
20 left arm.

21 : After he jerked back, did
22 he go forward again and reengage, or was this out of
23 your view?

24 **A** I didn't see anything after that. It was
25 a very quick glimpse.

1 : Do you know how long after
2 that he tried to run or did you see him actually
3 pull away and run?

4 **A** Um, after I saw the little jerking motion
5 is when I was reaching for my purse.

6 : Thank you.

7 **A** You're welcome.

8 MS. WHIRLEY: Anybody else?

9 : . After
10 Michael Brown fell, you did continue to observe the
11 scene, correct, you saw them put up the yellow tape
12 and all of that?

13 **A** Yes, sir.

14 : Did you see anything that
15 would indicate that anybody moved or interfered with
16 anything within that taped off area?

17 **A** No, no, they wouldn't let anybody near it.
18 There were already two officers right there and
19 another one putting up tape. They were securing and
20 putting the cones down.

21 : . if I
22 can, I'm just referencing back to the testimony or
23 statement you gave to , Detective
24 the day when you are sitting in the police
25 vehicle, do you remember that?

1 **A** I'm sorry, you said who I was referring
2 to?

3 : Yeah, uh-huh.

4 **A** This sounds odd jumping up, I'm trying to
5 think about what I was talking about.

6 : Okay.

7 **A** I don't know, say get down, I might have
8 said, for instance, when I saw him fall.

9 : Okay.

10 **A** That's probably, that's the most likely
11 cause how this paragraph is jumbled, I'm pretty sure
12 I was talking about when I saw him fall when his
13 arms are like that. (indicating)

14 : So you are referencing
15 Michael Brown; is that correct?

16 **A** I was, yes, ma'am.

17 MS. WHIRLEY: Is there someone else?

18 : I have one other question.

19 **A** Sure.

20 : At any time did you hear
21 the officer yell to Michael or to Dorian or whoever?

22 **A** I heard no audio.

23 : You heard no audio?

24 **A** Only gunshots.

25 : Thank you.

1 . We saw a lot of
2 news clips also, including the video you shot on
3 your phone following the incident.

4 **A** Okay.

5 : So my question for you, in
6 the video the two officers, and obviously you
7 witnessed the event, you saw Officer Darren Wilson,
8 how certain are you in the video that you shot of
9 those two officers that the one on the right is
10 Officer Darren Wilson?

11 **A** Okay. I'm want to say 99.9 percent
12 certain. They look nothing alike. You can tell one
13 was short and kind of chubby, the other one is tall
14 and more built. He was the only one running and the
15 only one that had left the scene before everybody
16 gathered there.

17 Between the two people, I'm
18 100 percent sure between those two people, it was
19 not the guy on left, it was the guy on the right
20 99.9 percent accuracy.

21 : Of the two
22 people, are you sure it was Darren Wilson or is that
23 someone who looked more like Darren Wilson? I mean,
24 are you sure when you are taping that was Darren
25 Wilson?

1 **A** I'm sure that was Darren Wilson.

2 : I have another question,
3 this is going back to the interview you gave with
4 the FBI and I'm going to reference page 11 and 12.

5 **A** Okay.

6 : That's not the one.

7 MS. ALIZADEH: You talking about the FBI
8 interview?

9 : Yeah.

10 MS. ALIZADEH: I have one.

11 And again, I'm confused,
12 that's why I'm asking you these questions.

13 **A** Okay.

14 This is some kind of car
15 accident or something. I just automatically looked
16 right out my window and right now I'm looking out
17 the window to see a police car right in the middle
18 of the street. I see a young man standing, and
19 that's what you said earlier today.

20 So then you go, I couldn't really tell
21 what was going on. There was a lot of movement, but
22 then you say I'm looking at pull into the
23 driveway after the shot was fired.

24 Now, the shot fired out the window, so
25 that's my question. Because you go on to say, you

1 gather your purse and some items and at this time
2 Michael is running down the street and Darren is
3 chasing him. So I'm looking at the officer.

4 I'm really confused by this.

5 **A** Uh-huh.

6 : I just want to know from
7 page ten where you are talking about seeing him
8 doing a lot of movement.

9 **A** Okay.

10 : Is that where you heard
11 the first shot because on the next page I'm looking
12 at pulling into the driveway, a shot was
13 fired.

14 **A** Okay. They did all go on at the same
15 time.

16 : Okay.

17 **A** It was like a movement, it was like the
18 window, you are looking out the window and then
19 movement, shot, all of that happening. Out of the
20 corner of my eye I could see just turning.

21 : It was all simultaneous?

22 **A** Exactly. She was already by this point to
23 turn, she was probably, I don't know, she was
24 already right there and she just turned into the lot
25 and --

1 type of protocol as other police officers, if that
2 makes sense.

3 Like usually okay, I going back to
4 what I saw. I'm looking at him standing here
5 talking to the other officer, he's just standing
6 there looking over the body, just looking like, like
7 just a weird look. Just looking at it. He then
8 just starts pacing back and forth next to the body,
9 not like back and forth, like immediately back and
10 forth, it was just kind of a slow movement while he
11 was looking at the body. He keeps walking and
12 looked backs at the body and then finally just walks
13 away and just leaves. After he walks out of my
14 video, I don't see him any more.

15 . Did you
16 ever see him make like a radio call?

17 **A** Yeah, the officer on the left was the one
18 doing this on his little walkie-talkie or something,
19 which was connected. He was just talking, Darren
20 Wilson was talking to him, probably explaining what
21 was going on. He was just, he was like, I was
22 outside at that point, but I still didn't hear him
23 say anything, I didn't hear the exact words.

24 : One more question,
25 . Did he appear to look injured in any way,

1 did you see him grab his face?

2 **A** I did not.

3 Like injured people do?

4 **A** Yeah, no, no, no holding of the head, no
5 gripping the body, no having somebody else look at
6 an injury or none of that.

7 Thank you.

8 MS. ALIZADEH: But you did see that his
9 face was red?

10 **A** When I first was talking to the police
11 officer, I was trying to make the distinction to
12 him, it looked red out of anger.

13 MS. ALIZADEH: You said you saw his face
14 and it looked red?

15 **A** Yeah, as he was running --

16 MS. ALIZADEH: You were just assuming why
17 it was red, you don't know why it was red, you just
18 saw his face looked red, right?

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

20 MS. ALIZADEH: Obviously, you've never
21 seen, I assume, you have never seen him before that
22 day, correct?

23 **A** Probably not.

24 MS. ALIZADEH: Whether his face was
25 naturally red --

1 Thank you.

2 : Okay. . So
3 you're saying you never saw him grab his face, not
4 once?

5 **A** No.

6 Because he could have been
7 hurt, right?

8 **A** Yes, not once.

9 MS. ALIZADEH: Could you see the officer's
10 head in the vehicle?

11 **A** No.

12 MS. ALIZADEH: To clarify, you're not
13 saying he didn't grab the officer's face, you're
14 saying I couldn't see what was going on in the
15 vehicle, correct?

16 **A** Exactly.

17 MS. ALIZADEH: Are you talking about the
18 officer grabbing his own face?

19 **A** He's talking about the aftermath.

20 : I'm asking did the officer
21 grab his face in a way to indicate he was injured in
22 some kind of way?

23 **A** Yeah, no, I didn't see that.

24 MS. ALIZADEH: Okay, sorry. See how we
25 get confused when we say he and we don't know who we

1 are talking about?

2 MS. WHIRLEY: Is there more questions?

3 Feel free. If not, I have a question for her. Did
4 you have something?

5 **A** I'm sorry, I just want to make a note of
6 something I said earlier. While I was outside
7 filming, I didn't notice the red any more after that
8 as I was looking. And when I was looking back on my
9 videos, I didn't notice the red that I had
10 originally noticed. This is another reason that I
11 presumed it to have been anger.

12 MS. WHIRLEY: Okay. We've asked you a lot
13 of questions here today. But we may not have asked
14 the question that you wanted us to ask, something
15 you may want us to know. Is there anything else you
16 think it is important for us to know that maybe we
17 didn't ask the question?

18 **A** Um --

19 MS. WHIRLEY: Or you like to tell us?

20 **A** Um, no, you already know everything that
21 happened in the aftermath. How troubled people
22 were, that's about it.

23 MS. WHIRLEY: Talk this way so we can hear
24 you.

25 **A** Okay, sorry. I didn't make any, I'm

1 sorry, I'm trying to think of something relevant.

2 MS. WHIRLEY: You don't have to, you don't
3 have to think of anything. If you had something in
4 your mind we wanted to hear it, but you don't have
5 to say anything if you don't, that's fine. Thank
6 you very much.

7 One last thing, did you think, did it
8 appear to you that Michael Brown was threatening
9 this officer?

10 **A** Not in my point of view because I couldn't
11 see him that many times in a threatening manner
12 toward the police officer at all.

13 MS. WHIRLEY: At the time that he was shot
14 I'm referring to.

15 **A** Oh, no, no.

16 MS. WHIRLEY: Okay. That's all I have.

17 **A** That wasn't an issue.

18 MS. ALIZADEH: All right.

19 MS. WHIRLEY: Thank you.

20 (End of testimony of .)

21 MS. ALIZADEH: This is Kathi Alizadeh. It
22 is October 2nd, 1:57 p.m. Present is myself and
23 Sheila Whirley, all 12 jurors are present and we had
24 a very brief lunch break, thank you for being brief.
25 We have a couple witnesses that are here. Don't

1 know if we'll get to both of them today. Because
2 they're here and generally our preference is that
3 you would hear the recorded statements first, we're
4 just going to go ahead and put them on and play the
5 recorded statements at a later time just so we can
6 try to get them on and off.

7 So the witness we'll call is

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

15 EXAMINATION

16 BY MS. ALIZADEH:

17 Q Could you please state your name and spell
18 it for the court reporter?

19 A

20

21 Q Now, how old are you?

22 A

23 Q And did you grow up in the St. Louis area?

24 A I did.

25 Q Are you familiar with the Canfield

1 Apartment Complex?

2 **A** I am.

3 **Q** Okay. Now, just so I can let you know,
4 the court reporter has to take down everything
5 that's being said.

6 **A** Okay.

7 **Q** And so if you talk before I stop talking,
8 and that's almost like everybody does that, right,
9 it is hard for him to get both down.

10 **A** Okay.

11 **Q** I'll try not to walk on you and you try
12 not to walk on me and it will make easier for him,
13 okay?

14 **A** Okay.

15 **Q** You don't live in the Canfield Apartment
16 Complex; is that correct?

17 **A** Right.

18 **Q** How is it that you're familiar with the
19 complex?

20 **A** lives in the area, in the
21 subdivision.

22 **Q** All right. And does actually live in
23 an apartment in Canfield Green?

24 **A** Yes, does.

25 **Q** How long has lived there?

1 **A** Well over years.

2 **Q** Who does live with?

3 **A** .

4 **Q** ?

5 **A** Yes.

6 **Q** And so you remember the day of August 9th,
7 correct?

8 **A** I do.

9 **Q** You married or single?

10 **A** Married.

11 **Q** What is your wife's name?

12 **A**

13 **Q** And so that was a Saturday on August 9th.
14 Do you remember anything about the morning that was
15 unusual or anything happening that was different in
16 the morning?

17 **A** No, not at all, not where I live.

18 **Q** But you had plans that day to go visit
19 ; is that correct?

20 **A** Correct.

21 **Q** And did you and go to the
22 Canfield Green Apartment Complex?

23 **A** We did.

24 **Q** Who drove?

25 **A** I did.

1 **Q** And this would have been over here is West
2 Florissant?

3 **A** Uh-huh.

4 **Q** And as you are coming down West
5 Florissant, this is a residential neighborhood
6 correct?

7 **A** Right.

8 **Q** Single family homes?

9 **A** Right.

10 **Q** Do you see the building that
11 lives in?

12 **A** I do.

13 **Q** Okay. You have a laser pointer there,
14 they have kind of been cantankerous, sometimes you
15 have to shake them or something. Can you point
16 where the laser pointer?

17 **A** Right there. (indicating)

18 **Q** The building that you are talking about
19 actually has four different units?

20 **A** Uh-huh.

21 **Q** You have the laser pointer on, if this is
22 north, okay, so you have the laser pointer on the
23 unit that would be on the northwest side of that
24 building, is that fair to say?

25 **A** Correct, uh-huh.

1 **Q** And what floor does live on?

2 **A** The second floor.

3 **Q** So when you pulled into the complex, did
4 you notice anything unusual or that drew your
5 attention?

6 **A** No, we just drove down the street, just
7 normal on that day. Just pulled into the parking
8 lot and we parked.

9 **Q** Did you see any guys walking on the street
10 when you pulled in?

11 **A** Um, after we parked, yes, because once I
12 parked we, my wife had made a comment because I saw
13 the police officer's truck driving this way up
14 Canfield.

15 **Q** So you're coming in, going east on
16 Canfield, you saw a police officer's truck coming
17 west?

18 **A** Yes.

19 **Q** So toward you?

20 **A** Right.

21 **Q** All right. Now, at this point had you
22 seen any kids or when I say kids, I mean, like older
23 teenagers or walking the street?

24 **A** No, not at that point. I mean, because I
25 think it was after we probably, right as we parked

1 and maybe I might have passed them coming into the
2 neighborhood and never did pay any attention.

3 **Q** Okay. So now when you came down Canfield
4 Drive, did you pass the police vehicle before you
5 turned into the parking area?

6 **A** No, we had actually had parked the car and
7 then we came past, right as we were getting out of
8 the vehicle because my wife had just made a
9 statement that we had just got off 70 and we saw
10 another Florissant police SUV, and we was like is
11 that the same truck? And he drove right past and --

12 **Q** No lights on?

13 **A** No.

14 **Q** Was he going like he was going to a call
15 or something?

16 **A** No.

17 **Q** Speeding?

18 **A** No, he was driving the speed limit down
19 the street.

20 **Q** Leisurely?

21 **A** Uh-huh.

22 **Q** Did you have your windows opened or
23 closed?

24 **A** My windows were closed because it was hot
25 that day and we had the air on.

1 **Q** Okay. So now when you are pulling into
2 Canfield on Canfield Drive, do you pull in on this
3 street here?

4 **A** Right, uh-huh.

5 **Q** Are there parking spaces that are along
6 this edge of the building?

7 **A** There are.

8 **Q** Is that where you parked?

9 **A** Yes.

10 **Q** And we've seen pictures of the buildings
11 and everything, these are buildings that you walk up
12 a staircase that's outside of the building to get to
13 the upper floors, correct?

14 **A** Correct.

15 **Q** So did you notice anything when you, were
16 you carrying anything in your hands when you got out
17 of the car?

18 **A** No.

19 **Q** No groceries, you didn't have anything
20 that you were getting out of the car?

21 **A** No.

22 **Q** So what's the first thing as you were
23 getting out of the car and proceeding to the
24 staircase, did anything draw your attention?

25 **A** Yes, like I say, me and my wife was going

1 up the steps and then we turned and looked back down
2 Canfield because we saw the officer's truck going
3 down the street. And he stopped in the middle of
4 the street somewhere around, let me see here, around
5 here he stopped his truck around this section right
6 here. (indicating)

7 **Q** Okay. Did you actually see him stop his
8 truck?

9 **A** Yes, I did.

10 **Q** And what happened, what did you see?

11 **A** He stopped his truck and then I saw the
12 two gentlemen walking down the street. At that
13 point, I don't know if he said something to them, I
14 guess, or they said something to the officer, and
15 then they kept walking.

16 **Q** So now did you hear anything being said?

17 **A** No, no.

18 **Q** So you are just kind of assuming?

19 **A** Right, because he stopped, he stopped his
20 truck and he, I guess he said something to them
21 because they stopped and started talking with him
22 for a brief moment.

23 **Q** Okay. So the two guys on foot stopped
24 walking as they were next to the police truck for
25 briefly?

1 **A** Right.

2 **Q** And then they keep walking?

3 **A** Right.

4 **Q** The same direction they had been?

5 **A** Correct.

6 **Q** And so did they come from, were they
7 walking east then on Canfield?

8 **A** Yes, I'm sorry.

9 **Q** And the officer was going west on
10 Canfield, correct? His truck was going in this
11 direction, correct?

12 **A** Correct.

13 **Q** And so was it about in this area that you
14 saw him first make contact with them?

15 **A** Correct.

16 **Q** All right. How long, how many minutes or
17 seconds?

18 **A** It was about 15 seconds, maybe 20 seconds
19 at the most.

20 **Q** Okay. And then when you see the boys
21 start walking again, does the vehicle move any more?

22 **A** Yes.

23 **Q** What does it do?

24 **A** He in turn, as he's talking to the
25 gentlemen, there was another white vehicle pulled up

1 behind him and when the gentlemen started walking
2 down the street, he in turn threw his truck in
3 reverse and pulled it like he was trying to block
4 their way of going back down Canfield.

5 **Q** Okay.

6 **A** In a way to where he is now facing like
7 towards going up West Florissant at an angle in the
8 middle of the street. So he was kind of like
9 impeding their walkway down the street.

10 **Q** Okay. And when he did that, did he block
11 their forward motion?

12 **A** Somewhat, yes.

13 **Q** What happened then?

14 **A** From that point I turned around and I told
15 my wife they're down there struggling. I mean,
16 they're down there fighting or something. And I
17 couldn't tell exactly what was transpiring because
18 the truck, I was on this side of the truck looking
19 at what's going on.

20 So I couldn't see exactly if the
21 gentleman reached inside his truck or the officer
22 reached and grabbed him or whatever, but the other
23 gentleman he stood down, he ran somewhere.

24 There was a white car that was behind
25 him. I don't know what happened with the white car,

1 but then he took off, something happened, I heard a
2 gunshot go off inside the struck.

3 Q Okay. Let me stop you. So are you still
4 outside of the apartment?

5 A I am.

6 Q Are you going up the stairs?

7 A I'm standing on the porch.

8 Q So on the third floor?

9 A No, on the second.

10 Q Second floor, okay. And so from your
11 vantage point here, you're looking down here?

12 A Correct.

13 Q Now, when the officer angled his car?

14 A Uh-huh.

15 Q When he went in reverse and angled his car
16 is his car between the boys and you?

17 A Yes.

18 Q Okay. So can you, so the car is blocking
19 your view of --

20 A Of the driver's side.

21 Q The driver, okay. So you can see the back
22 of the vehicle?

23 A I can see the passenger side of the
24 vehicle and the back of the truck.

25 Q And so you can't tell what was going on,

1 could you see the truck moving or anything?

2 **A** No.

3 **Q** Was it rocking or anything that you know?

4 **A** I couldn't tell you.

5 **Q** What made you think there was a struggle
6 going on?

7 **A** Because you could see, I mean, I could see
8 them going back and forth. I mean, I'm standing on
9 the porch at an angle looking down.

10 **Q** Okay.

11 **A** So I could see something going on, but I
12 can't tell whether or not if he, again, who grabbed
13 who or what have you, I don't know because like I
14 said, the truck was, it happened on the driver's
15 side of the vehicle.

16 **Q** Okay. Who was engaged in the struggle,
17 you said there was two boys or gentlemen walking and
18 then the officer that was driving, who among those
19 three were engaged?

20 **A** Mr. Brown and the police officer.

21 **Q** Okay. Now, did you know Mr. Brown before
22 this day?

23 **A** No.

24 **Q** But he's the gentleman that was shot and
25 is deceased, correct?

1 **A** Yes.

2 **Q** And when you saw the two boys, did you
3 recognize Mr. Brown?

4 **A** No.

5 **Q** Okay. Haven't seen him in the complex or
6 anything?

7 **A** No.

8 **Q** Would you describe him as pretty big guy,
9 tall?

10 **A** Yes, from what I saw.

11 **Q** And compared to like the other kid he was
12 with, Michael Brown was substantially taller; is
13 that right?

14 **A** Yes.

15 **Q** He was the one that was at the vehicle
16 struggling with the officer?

17 **A** Yes.

18 **Q** And then what happened then, you heard a
19 gunshot?

20 **A** I heard a gunshot, and about another 20
21 seconds later, I heard another gunshot go off, or
22 maybe 15 seconds another shot goes off.

23 **Q** Okay. Let me stop you. When you heard
24 the first gunshot what, if anything, does Michael
25 Brown do at the vehicle?

1 **A** He was still, they were still standing at
2 the door at the window of the vehicle. They were
3 still, I guess, struggling or going back and forth,
4 I don't know.

5 **Q** Okay. And then a few seconds go by?

6 **A** Uh-huh.

7 **Q** And then you heard another gunshot?

8 **A** Another second gunshot.

9 **Q** What, if anything, did he do after the
10 second?

11 **A** He took off running.

12 **Q** Which direction did he run?

13 **A** He started running down Canfield this
14 direction.

15 **Q** Was he running in the street?

16 **A** Yes.

17 **Q** Or on the sidewalk or the street?

18 **A** He was running in the street.

19 **Q** Now, at this point are you still on the
20 porch?

21 **A** I am.

22 **Q** Did you ever go inside s?

23 **A** Yes, I did. I stepped inside the door
24 when the first, the first gunshot went off, my
25 family, they ran inside the door and then we came

1 back outside. Because we didn't hear any more
2 shooting, to see what was going on.

3 **Q** So let me get this straight, were you
4 inside or outside when the first gunshot went off?

5 **A** We were outside when the first gunshot
6 went off.

7 **Q** Were you inside or outside when the second
8 gunshot --

9 **A** We were inside when the second gunshot
10 went off.

11 **Q** Okay. So you run inside, were you fearful
12 because the gunshots were going off?

13 **A** Correct.

14 **Q** And then you said he took off, meaning
15 Michael Brown took off and started running down
16 Canfield. Were you observing that from the inside
17 of 's apartment or did you come back
18 outside?

19 **A** I came back outside.

20 **Q** What did you see then as you saw Michael
21 Brown running down Canfield?

22 **A** So I saw Mr. Brown running down the
23 street, he ran down the street from the police
24 officer. He stopped right here at this driveway
25 right here and he turned around in the entrance of

1 the driveway about right there on the corner of the
2 driveway.

3 And he looked down at his hand or at
4 his side, and at that point, the police officer had
5 got out of his vehicle and was pursuing Mr. Brown
6 down the street.

7 Mr. Brown turned around and was
8 walking back towards the police officer, I guess,
9 they were like 20 meters maybe, 10 meters apart and
10 Mr. Brown had his hands to his sides by his waist up
11 and mister, the officer shot and he shot like six
12 times.

13 Q Okay. So let me back up. You say as he
14 ran down the street, he stops, meaning Michael
15 Brown?

16 A Right.

17 Q And when he stops, is his back to the
18 officer when he stops?

19 A No.

20 Q So does he run backwards?

21 A No, I'm sorry, yes. If he was running,
22 yes, he was running down with his back towards the
23 police officer, yes.

24 Q Okay. And so you said when he stops, he
25 looks down and looks like he is looking at something

1 or his hands or body or something?

2 **A** Right, like he's looking at his hand.

3 **Q** Do you recall which hand or both hands?

4 **A** If I'm standing on the corner right there
5 where it was, I guess it would have been his left
6 palm.

7 **Q** Okay. So everybody can see you since you
8 are seated, do you mind standing up and doing that
9 motion?

10 **A** Right. Standing on that corner, like he
11 looked down at his palm, still like looked like this
12 at his palm or something, he looked down.

13 **Q** Okay.

14 **A** At that point he turned around and started
15 walking back towards the middle of the street and
16 had his hands like this, walking towards the middle
17 of the street.

18 At that point the police officer was,
19 had already stopped, had his gun drawn and Mr. Brown
20 was walking towards him with his hands like this and
21 he fired. He fired one shot and Mr. Brown took a
22 couple steps and he fired like two or three or four
23 more shots. (indicating)

24 **Q** Okay.

25 **A** That's when he fell, he fell in the middle

1 of the street.

2 **Q** Okay. After the two gunshots that you
3 heard from inside the vehicle what we are assuming,
4 do you think that happened when the officer was
5 still in the vehicle?

6 **A** I would assume because I didn't see him
7 out of the vehicle.

8 **Q** You saw the first gunshot or you saw, you
9 were outside and looking when the first gunshot went
10 off, but you were inside when the second gunshot
11 went off?

12 **A** Correct.

13 **Q** Were you looking when the second gunshot
14 went off?

15 **A** We were looking out the window.

16 **Q** Okay. So was the officer still in the car
17 for the second gunshot?

18 **A** Yes, he was.

19 **Q** And then Michael Brown takes off running
20 after the second gunshot?

21 **A** Uh-huh.

22 **Q** And the officer, does he get out of the
23 car?

24 **A** He does.

25 **Q** And does he run or walk after him?

1 **A** He is running.

2 **Q** How is he running?

3 **A** In like a haste to try to catch him.

4 **Q** Do you see his gun?

5 **A** I don't believe I did.

6 **Q** Okay. So as he gets to about 20 meters?

7 **A** Uh-huh.

8 **Q** From Mr. Brown is when Mr. Brown turns

9 around?

10 **A** Right, and that's when he had his gun

11 drawn.

12 **Q** So when you say his gun drawn, the

13 officer's gun?

14 **A** Yes.

15 **Q** Never saw a gun on Michael Brown, correct?

16 **A** No.

17 **Q** How was he holding the gun when you saw

18 him with his gun drawn?

19 **A** He was in a stance and was holding it like

20 this. (indicating)

21 **Q** Okay. And could you hear anybody saying

22 anything?

23 **A** No.

24 **Q** Didn't hear the officer giving commands?

25 **A** From where I was standing on 's

1 porch right here and they were, let's see, about
2 right here, no, I couldn't hear exactly what they
3 were saying, but I could see what was transpiring in
4 front of me.

5 **Q** Okay. And so then, was your brother
6 next to you or with you when this was -- when
7 you were watching this?

8 **A** It was my brother, my wife and
9 standing on the porch.

10 **Q** Altogether?

11 **A** Yes.

12 **Q** Okay. And so when you say you saw Mike
13 Brown turn around, then would his back be towards
14 you?

15 **A** Catty-corner, sideways because like I
16 mentioned, from where he is standing in the
17 driveway, like his side is facing me looking up from
18 here and he's standing at an angle at the driveway
19 looking like this and he looks down to his side and
20 then he starts, the way he was turned, he was turned
21 as though he was facing this way.

22 **Q** Okay.

23 **A** Going off the street so that's the angle
24 that I had. So when he walked out in the middle of
25 the street with his hands up to his sides, that's

1 when, you know, he took a couple steps and the
2 officer fired.

3 And me and my wife were like, why is
4 he walking. And he took a couple more steps and the
5 cop, the officer fired like four more shots and
6 that's when he fell.

7 Q So from the time of the first gunshots in
8 the car until Michael Brown turns around to face the
9 officer, did you hear or see the officer shooting
10 his gun as Michael Brown is running away?

11 A No.

12 Q Okay. And so once he turns around, and
13 you said he stopped and he is looking and then he
14 turns around and his hands go into this position?
15 (indicating)

16 A Yeah, like this. (indicating)

17 Q So out to his sides, palms facing forward?

18 A Right.

19 Q And then he began to move towards the
20 officer?

21 A Correct.

22 Q Was the officer still moving?

23 A He was in a stance, no, he was standing
24 like this facing Mr. Brown.

25 Q Okay. As Mr. Brown started walking or

1 moving toward the officer, did you say he was
2 walking?

3 **A** Yes.

4 **Q** Was it in a, I mean, casual walk or was it
5 hurried or do you have any description of it?

6 **A** It would be speculation for me to say
7 because I don't know Mr. Brown, I don't know how he
8 walks. I just know he took steps towards the police
9 officer.

10 **Q** Okay. But he wasn't running?

11 **A** No.

12 **Q** He wasn't charging?

13 **A** No.

14 **Q** Was his body upright at that point?

15 **A** It was.

16 **Q** And so when he walks towards the officer,
17 did the officer move backwards or forward or to the
18 side?

19 **A** From what I could tell he stood still.

20 **Q** How about Michael Brown. From the time he
21 ran and stopped and turned around and started in the
22 opposite direction, does he ever, is he always in
23 the street or does he move off the street at some
24 point?

25 **A** Well, I mean, again when he ran down the

1 street, he got to right at the edge of the driveway,
2 which is right here. So this is like a water
3 fountain or a fire hydrant or street sign, right
4 there at the corner --

5 Q Okay.

6 A -- of the driveway. He stopped right
7 there at the edge of the driveway and then he
8 turned, he turned around, like I mentioned, he
9 stopped, looked at his palm and then he started
10 walking back towards the police officer.

11 Q From the time he stopped and turned
12 around, and I'm going to ask you to estimate a
13 distance, from where he stopped and turned around
14 until his body came to rest in the street.

15 A Uh-huh.

16 Q Can you give my an idea how many feet that
17 was?

18 A From the sidewalk to the middle of the
19 street, about five, maybe five, 10 yards maybe.

20 Q Okay. Did you ever see Michael Brown
21 doing anything with his hands around the front of
22 his body?

23 A No.

24 Q And so when you're looking at him from
25 your vantage point, you're seeing the left side of

1 his body, correct?

2 **A** Correct.

3 **Q** Could you clearly see his right hand?

4 **A** Yeah, I mean, when he's walking back
5 across the street, he's walking like this.

6 (indicating)

7 **Q** Okay.

8 **A** He had both his hands like this.

9 (indicating)

10 **Q** You didn't see him ever reaching or make a
11 motion toward his waistband?

12 **A** No.

13 **Q** And then you said there was a round of
14 shots, you said maybe six shots?

15 **A** Yes, four to six shots I heard, yes.

16 **Q** Okay. And then did you see if Michael
17 Brown was hit, could you tell if he was hit?

18 **A** I couldn't, I mean, again, like I
19 mentioned, when the first shot went off, well, the
20 third shot went off when Mike started walking back
21 across the street and he shot. And like I
22 mentioned, me and my wife made the comment, why is
23 he still walking, why is he walking, is he missing
24 him? And then he took like three more steps and he
25 fired like another five, four, five rounds, and

1 that's when he staggered and he fell where he laid
2 in the middle of the street.

3 **Q** Okay. And where, can you point on the
4 pointer where he ended up laying in the middle of
5 the street?

6 **A** About right here. (indicating)

7 **Q** Okay. And now, did you remain at
8 s while the aftermath was going on?

9 **A** I did.

10 **Q** Did you ever see the officer approach
11 Michael Brown after he went down on the ground?

12 **A** He walked over to him and then he turned
13 around and he went back and that's when another
14 police officer, I guess the other police officer
15 started coming into the neighborhood.

16 **Q** Did you ever see the officer who did the
17 shooting, did you ever see him on a walkie-talkie or
18 on a radio that was on his shoulder or anything?

19 **A** Not that I can remember.

20 **Q** And did you ever see anybody, I mean, I
21 know that Michael Brown's body was out on the street
22 for several hours, but did you ever see anybody move
23 his body from one location to another location?

24 **A** No.

25 **Q** Did you ever see the car that the officer

1 had stopped in, where the altercation initially took
2 place, did you ever see that moved?

3 **A** Not that I remember, not that I remember
4 because I think me and my wife, we stayed there
5 about another 35 to 45 minutes after everything
6 happened. And when all the police and everything
7 came down, they taped off the street and everything
8 and, um, then we left, we left.

9 **Q** Now, when is it that you were first
10 contacted or first contacted the police?

11 **A** I was contacted that evening, that night
12 by a County Police officer.

13 **Q** Were you still at Canfield?

14 **A** No.

15 **Q** How is it that they knew to contact you,
16 do you have any idea?

17 **A** My wife had mentioned to
18 and we went, it was actually the night
19 We were at a
20 and there was a gentleman there, I
21 have his card, I can't think of his name right now.
22 But he is an attorney or something for the city or
23 something, but he asked, they were talking about it
24 at the table where we were and he asked us if we
25 didn't mind speaking with a police officer regarding

1 it.

2 And then I said I really didn't want
3 to get involved in this because I hate I saw what I
4 did. He got on the phone and he called two
5 detectives and they came out that evening about
6 11:00. And me and told him, kind of somewhat
7 mentioned our story and I gave him my name and
8 address, and he came out and got in contact with us
9 at a later date.

10 Q So you talked to the officers late in the
11 evening that first day?

12 A Yes.

13 Q And then you talked to them again and gave
14 a different, not different, gave a more detailed
15 interview later; is that correct?

16 A Correct, right.

17 Q The more detailed interview, were there
18 also FBI agents present?

19 A When they came and talked to me, no, it
20 was just the two detectives.

21 Q Okay.

22 A They came and spoke to me. And then a few
23 nights later, they came back, along with a few other
24 attorneys and another FBI agent, they came and spoke
25 with my wife .

1 **Q** Okay. Is there anything that you recall
2 about what you saw that day that is important or you
3 think that the jurors should know about?

4 **A** (Shakes head.)

5 **Q** you are shaking your head no?

6 **A** No.

7 **Q** How is your eyesight?

8 **A** Good.

9 **Q** Do you where wear glasses?

10 **A** I do for reading.

11 **Q** Okay. So distance, you have no difficulty
12 seeing?

13 **A** No.

14 **Q** How about your hearing?

15 **A** My hearing is good.

16 **Q** Good.

17 **A** Uh-huh.

18 **Q** All right.

19 MS. ALIZADEH: Sheila, do you have any
20 questions?

21 **Q** (By Ms. Whirley) When Michael Brown was
22 walking towards the officer, when he first turned
23 around, he started walking, let me make sure I
24 understand. When he first turned around was there a
25 shooting, was he shot then or was he thought when he

1 started walking towards --

2 **A** When he started walking back towards the
3 police officer.

4 **Q** You couldn't hear anything that was being
5 said?

6 **A** I couldn't hear, no.

7 **Q** So as he's walking towards the officer, he
8 said he wasn't like running or charging at him?

9 **A** Right.

10 **Q** Did it seem like he was walking towards
11 the officer to fight, did you get that impression?

12 **A** No.

13 **Q** Did you get the impression that he was
14 threatening the officer as he walked toward him?

15 **A** No.

16 **Q** What was your impression of the way he
17 walked toward him?

18 **A** Again, like I say, it is hard for me to
19 speculate how Mr. Brown walked because I don't know
20 him.

21 **Q** Right --

22 **A** I don't know how he's walking, he was just
23 walking, I guess, in a normal pace towards the
24 police officer, that's what I'm saying.

25 **Q** I guess what I'm asking is, demeanor, you

1 know how a person, their outward, like if I'm, you
2 know, I'm walking like this, you know?

3 **A** I guess he was walking in a demeanor as I
4 give up.

5 **Q** That was your impression?

6 **A** Yeah.

7 **Q** Okay.

8 MS. WHIRLEY: That's all I have.

9 MS. ALIZADEH: Just really quickly.

10 **Q** (By Ms. Alizadeh) From the time you first
11 saw Michael Brown at the officer's window until
12 Michael Brown was lying in the street, how many
13 minutes or seconds do you think that took?

14 **A** I would say probably about five, five
15 minutes, ten minutes at the max, if that. I don't
16 probably like, I'm sorry, it was probably more like
17 probably like five minutes at the max.

18 MS. ALIZADEH: Okay.

19 MS. WHIRLEY: Real quickly.

20 **Q** (By Ms. Whirley) When Michael Brown was
21 running away from the officer, I think you said you
22 heard maybe a couple shots and then Michael Brown
23 ran?

24 **A** Correct.

25 **Q** I'm sorry; is that correct?

1 attendee where the city attorney made contact with
2 you there?

3 **A** Uh-huh.

4 From the time of the
5 incident on August the 9th until the time that you
6 spoke to the police or whatever.

7 **A** Uh-huh.

8 : Do you know what length of
9 time elapsed?

10 **A** Yes, this happened about, I guess, about
11 12:30, 12:40 that afternoon. I didn't speak with
12 anybody until later that night, yes.

13 : It was the same day?

14 **A** It was the same day, yes, ma'am.

15 : Okay, thank you.

16 MS. ALIZADEH: But just to be, I'm going
17 to try to make sure I understand. Were you
18 interviewed that night or was it just you spoke to
19 them and said, hey, I saw this and made arrangements
20 to be interviewed later?

21 **A** That's exactly, that's what happened. We
22 made arrangements to interview later because, again,
23 we were at and the, he
24 didn't want to really get into that because my wife
25 was still kind of emotional. He didn't want to talk

1 about it.

2 So they took our name and our phone
3 number and they contacted us at a later date. I
4 think it was like two days or a day later. They
5 came by my home and spoke with me regarding it.

6 : Could you
7 tell Mr. Brown, I guess his attire, his shorts and
8 shirt, where they sagging, were his pants kind of
9 hanging low or do you remember?

10 **A** I don't remember, I don't remember.

11 : Okay. Did it seem to you
12 when he turned around, did it ever appear to you
13 that he reached up under his shirt?

14 **A** No.

15 MS. ALIZADEH: Anyone else have any more
16 questions?

17 (End of the testimony of .)

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2 State of Missouri

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12

Missouri.

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The said witness, being of sound mind and being

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by the grand jury first carefully examined and duly

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cautioned and sworn to testify to the truth, the

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whole truth, and nothing but the truth in the case

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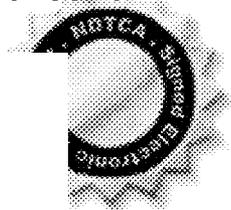
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5 State of Missouri vs. Darren Wilson

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8 CERTIFICATE OF OFFICER AND

9 STATEMENT OF DEPOSITION CHARGES

10

11 DEPOSITION OF Grand Jury, Volume IX

12

13 10/2/2014

14 Name and address of person or firm having custody of
15 the original transcript:

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19 Clayton, MO 63105

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13 Notary Public

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