

August 12, 2014

15:57

Detective

St. Louis County Police Department

Bureau of Crimes Against Persons

Detective = Det

Detective = Det.

DET. Today is Tuesday, Aug, 12, 2014, and the time is 3:55pm. This is Detective with the St. Louis County Police Department's Bureau of Crimes Against Person, DSN I am here at the New Horizon's Seventh Day Christian Church at 206 Emerling Drive, in Cool Valley, Missouri 63121, which is the church of uh; also present is Det. of the Bureau of Crimes Against Persons, DSN ...

DET. :

DET. : and present with us is uh mister, sir would you say your name for the recorder please.

:

DET. : Okay,
Right.

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

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

DET. . Okay, and your home address?

:

DET. Okay, and a, Caddiefield is within the uh
Right-right.

DET. Canfield Green Apartments Complex. Is that right?
Right, yes.

DET. Okay. And just so uh, uh, just so I understand correctly, you uh, you contacted a, Is that correct?

Yes, after um, he had come out, to witness, um, a gathering they had out there some type of vigil. And a, I been knowing him for years and uh, he saw the proximity of where we were and he knew, that's when I proceeded to tell him, well he was, asked me did we see (UI). I proceeded to tell him, ya know what I witnessed. Uh, I had another family member who was there, who came a few minutes later. He had left to make a run, he came in and also explained it to him. Okay, and so after uh, weighing ourselves, and I'm not coming forward, what I'm coming forward now because it's weighing on me. You know, but uh, the reason I hadn't, I hesitated is because one I live in the area, two if the things that was said by other people who, which is not really what happened and I was a eye witness to it...by living out there if you go against what they are saying, I think they might nut up. Uh, go crazy. Uh, I live with _____ who is _____ facing some serious health problem and surgeries that are about to come, and that's my priority.

DET.

Sure.

I have to protect _____, I don't' care about no one else, but _____.

DET.

Yes sir.

If, I see it at any time that this is gonna cause or bring _____ or bring any drama toward us or _____, it's ended.

DET.

Okay.

Okay?

DET.

Okay.

I'm sorry.

DET.

Yes sir.

It's ended. Okay.

DET.

Sure.

And _____ depends on me. I just went through _____ I depended on _____ I'm not well, _____ not well. Okay.

DET.

Okay.

So, uh, after talking to _____ cause _____ was adamant for me not to say anything. _____ not going to say anything, but _____ is really scared. Um, I talked it over with another fam...the other family members and let 'em know that it was weighing on me and uh I decided after seeing and hearing um, certain civil lead...civic leaders say certain things that I know, they were true but not quite accurate. And I want to set it straight, because the family needs to know what actually happened.

DET.

Okay.

Okay.

DET.

Yes sir.

Alright.

DET.

Okay.

So you want me to continue?

DET

Yes Sir

Okay, on the day of the incident I always sit, I stay on the floor, my bedroom window. I can look straight down Canfield toward west Florissant. And I was at that time, I was looking out the window and I happen to see two young men coming down the street, but they were in the middle of the street and I was like what the heck are they doing? Why are they in the middle of the street? I didn't really think much of it because a lot of people walk out in the street. I've walked it, but a closer to the curb, but I have walked in the street. A lot of us do that. And then I saw the police truck and he passed him a few feet and then he backed up. When he backed up I knew something was about to happen, so I got up and I went to the door and I came out and stood on the porch. By the time I got there they were tussling, in the car, it looks like, I don't know if the officer had grabbed him or the boy reached into the car. I didn't see that part. But, I dispute the fact that that officer was out of that truck. He was not. They were wrestling in the truck, 'cause when he was wrestling with him I saw something fly. I don't know if it was a hat or something, then I heard a shot. "Pow." The boy backed up and ran and I'll show you in a diagram. And he got to a certain spot which was maybe 25 30 feet maybe more. You can measure it, I'll show you. And when he turned to face the officer he raised his hands but he didn't raise them all the way up. He raised them up and looked and you could see that something was on his hands and he looked down like he was looking at his side and he looked at, and then he turned and faced the officer like what happen, why ya know. I gonna, I don't know what was going through his mind but if I had a guy shot I would have came at like why did you shoot me or ya know whatever. The officer exited the vehicle came around to the back he's about, at the, well I can't say he was on the passenger side but he wasn't quite at the end of the truck-....

DET.

And when you say who, you're talkin' about? I'm sorry he-...

The officer the boy was still standing on the, on the, on the partially on the parking lot and on the grass. 'Cause he had ran that way. The officer came out came around got into his stance. And he said "stop." Because the boy looked up at him and he took two steps, about two or

three steps. Pow, pow he fired off about three rounds and he hit him the boy kinda wiggled. And when he came back up he had the weirdest look on his face and he started coming forward. Not in a, like he was tryin to attack him, it's like he's coming to him like to plea with him stop. The officer did say, "stop, stop, stop." Well after that third time, he let loose. And the boy was coming forward slowly. Real slowly. But you could see he was hurt, 'cause he was like this. And rocking back and forth. He wasn't in a upright position he was kinda hunched over. And as he was coming forward and he fired off the volley he was falling. He didn't fall to his knees, he fell straight down. And as he was going, he kept firing. He kept firing. Until he hit the ground. Okay.

DET.

Okay.

At that time I had to turn my attention to because was about ready to hit the floor. I had to grab You know stand there, behind ; I had to come around and grab Like hold up. like oh my God, oh my God, you know. And never seen anything like that. Okay. I've seen it. In certain areas of the cities I've been in and here. So I had to get . And my brother had to calm his wife, because the were totally freaking out. When we turned around and looked the officer was walking back to the other car that was parked, he had came in and parked behind him um, maybe 8 – 10 – 12 feet maybe behind him so he was walking back that way. And the young man was there. Okay his truck was in front of, was, well he was in front of the truck. When he fell he fell straight on the two yellow lines. Like dead in the middle of the street almost. But his feet was kinda off the lines. You know. And after that it was everyone started coming from the back, saying, "oh my God. He had his hands up in the air, tellin' him don't shoot, don't shoot, don't shoot." He never uttered a word, because after he hit that-that-that second voll... that first volley, he could, it was like he couldn't talk. He was like, cause he was more or less to me, looking at his face like he was in shock 'cause he couldn't believe what was happening. You know. And he was kinda and I'm going to say it again. He was walking forward. But it was not in a menacing way, he was coming to him as if to...help me, stop or something. It awe, after he said the-the last time the officer said stop, he just let loose. To me he was already injured. If he had not fired that last volley, I think the boy might have survived. 'Cause it looked like he hit him in here, okay. But as he was going down, I don't know where the bullets hit him. You know, all I saw was his body going down and the guy, and he was steadily firing. Okay he st...he never came out of his stance. You know and I know you, do both of you know what I am talking about?

DET.

Yes sir.

Okay, and like I said when that happen that's when everyone come back and all of them started saying things like oh he was on his knees, and

when they shot him he shot him on his knees. Uh, then they came by and they said oh he was laying down and the officer came and shot him in his head. No, he may have, if he does have a head shot it was because he was coming down. That's the only way I could see it. Okay, I've fired a weapons, I've been training myself, I've gone to gun ranges and everything else. As he was coming down that the only way I could see that...if he was hit in the head, it was as he was falling. He did not intentionally shoot him, walk up and shoot him in the head. But he did not have to fire that last volley. That's what killed him, to me. Because he didn't look like he was ready. You know. He was, to me and I'm going to say it, he was executed. He had made up his mind he was going to kill him. Because he was a big guy but that big guy was on his way down after that first volley. He was getting ready to go down. And then when he started shooting again he was really coming down. And that's all I have to say about that. But I can show you a diagram and show you how he ran, how he, how far back he ran, where the driveway and the post, so you can measure. But I know, the um, that, you can tell from cert...a medically how do I say this.? How far a person been shot. You can tell a person been shot, you can tell if a person been shot 6 feet, 8 feet, 10 feet, 34 feet, okay. He was coming forward, but he was not coming menacingly. And I'm going to reiterate, when he fired that last volley which he did not have to do, that boy was gonna go down. And he might have lived because if they could have got the EMT's to him they, right then he may have lived. I can't say for sure, I pray to God that he would have. But I can't say for sure, but I truly believe in my heart that he would have survived, but when he fired that last volley he killed him. He had no intention of letting him come, move. None. Maybe he got caught up in the heat of the moment or whatever was his intention I cannot read that officer's mind, but he did not have to fire that last volley.

DET.

Okay.

And I have I am trying to convince him to come forward. He will verify what I was saying okay. And we will both all of us especially is like it was the last ones that killed him okay. And there is no way on this God's green earth is ever going to open mouth to you. I'm not going to let

DET.

Okay.

Okay.

DET.

Okay.

I will move out of this damn city before I let talk to you, because I got to protect We've, lived out there for over years.

DET. In Canfield?

Yes

DET. Okay.

Okay. So I need to protect Okay let me show you what I am talking about.

DET. Sure.

Okay, if I am sitting at my window, let me turn first, let me show you what I am talking about. This is my window here.

DET. Okay.

I'm looking, this direction, okay, Canfield comes down, I'm just going to draw it, it's gonna be rough. This is the street two yellow lines. There is a lamp post right here, this is a lamp post. This is the driveway here. Then you'll see a street sign that's right here. He never made it that far...street sign. Okay, from here the lamp post he later fell say, you can measure from where his body was. They were walking in this direction, no this direction. He came down, he backed up. When he came back, he pulled around and his car was in, the truck, police car, was right here. This is the car, sorry about the writing a little nervous. But anyway, when he grabbed him, it was on this side.

DET. And just-just so I'm- I'm clear.

Okay.

DET. Which way is the car facing?

The car is facing here, this is West Florissant. Right here, okay. His car was facing as you're going down Windfield toward Northwinds, okay. So he had came, he was kinda, he was cut straight across like at an angle. But he was, he was going this way originally toward west he was going this way, the policeman and then he backed up and that's when words were said.

DET. The policeman was going towards?

He was going toward Northwinds.

DET. So he was driving east on Canfield?

Yea, yea, yeah. You know they so many of them directions okay yeah he was going east. Uh, I said it okay he was going this way. We'll go with

this then east or however you want it. Okay he was going this way toward Northwinds.

DET.

Okay.

They were going down that way also. He passed 'em and then he backed up and words were exchanged. Then when I got there they were grappling in the car. The car was still pointed this way. The shot was fired, the cop backed up, whipped it around. Okay, he was in this position right here. He exited after the shot was fired, he the boy ran from this area. He ran to right here he was standing about five feet from the street on the driveway, that's when he turned. When he got about to the first volley, was here, okay. The officer was at the back of his car, he was walking toward him. When he got about right here near the yellow lines, that's when he hit with the other shots. Okay the first shot was in the, was either in, it had to be in the car, in the car, he had to shoot him from in the car, because he-he never exited the car.

DET

Who never exited the car?

The officer.

DET.

Okay.

He never exited. He shot him to get him off of him.

DET.

Okay.

I could see that. Somebody was on me, oh wait he's a big boy. (Puff sound) Get off of me. "Cause he thought he was in fear that something wrong. I don't know if he thought he was going for his gun, I seriously doubt it, beause he's on this side, his holsters here. I mean he would have to reach all the way across him to get his gun. That doesn't seem logical to me. But however it maybe if he turned to where he could get it. He shot him. The first shot, I heard one shot. He backed up and he ran. Right here.

DET

He backed up meaning Michael Brown backed up?

He backed up and then he turned and ran.

DET.

Okay.

And then when he, I guess the pain or the shock that he finally realized, I'm shot. He was about five to six feet off the street in the driveway, right on the corner. Right at the he had like one foot on the grass and one foot on the driveway and then he turned around and he like-like this. So that is why people thought he raised his hands.

DET.

And...

He looked down and then he did this. And he looked at the officer and he walked. He took about three to five steps. He hit him again. POW, POW, POW. But he did say stop. Okay, when he decided to hit him again... those other three shots he kinda wobbled, and he looked...and his head was down he kinda looked up like and it like this...he had his hands...he was coming at him like-like this, you know, 'cause he hit him and he was over like this and then he took about I couldn't say how many steps but he was near that, yeah, he was coming toward that yellow line. Those two double that-that yellow line that separates the street. By the time he got damn near near it, that's when he hit him with the last volley. And he was already on his way down. Now that's why they were saying because he got hit in the head he was on his, what I am hearing from all the fools out there 'cause you got these young people out there that have nothing better to do than smoke weed all day. A lot of 'em weren't even there. We looked up and down the street to see if anybody else was, ya know, like damn are we the only ones seeing this? Nobody was around. From this driveway, the apartments that are back here on this side and this side, we can see every porch. There was nobody out. The side of the street the next house this opposite my window, nobody was out. Across the street from me, no one was out. Then all of a sudden here comes a crowd from the back of the buildings from those apartments, when they got up and saw him laying there and the policeman still standing there, they said oh my God the man has, a one guy "Awe he had his arms up in the air", and that's when people started running and they all you saw it, this is what happen. Okay.

DET.

Okay.

That's why I said that they had it almost right. It's the truth but it's not because he didn't have his hands all the way up. He never opened his mouth. But he was trying to see what the hell was going on, 'cause he was shot, he was trying to see where he was shot at. And he was staggering forward a couple of times and he was bent over and he yelled "stop, stop, stop". And we was telling him, we were yelling at him "stop, stop, stop, don't, stop dude stop." " POW, POW, POW, POW" as he was going down. He was already on his way down.

DET.

Okay. Can I ask you just a couple questions to clarify a few things?

Go ahead. Uh, huh.

DET.

Okay. Um, just so, so I am clear let me, let me ask you this first? From the time you looked out your window...

Uh huh.

DET. ... okay and you saw, did you see the uh, the two gentlemen walking in the street first or did you see the police car?

I saw them walking down the street.

DET. Okay.

I saw them first, and then I saw the truck.

DET. Okay.

And he pulled, he drove kinda eased passed 'em like, I know he was like why are they walking in the middle of the street. Normally, we walk closer to the, to the sidewalk. Yeah, I mean closer to the edge of the street. And he stopped and then he backed up. When he start backed up I'm looking at these two guys I say some things going on. I ran to the front. Its not far from my door, my bedroom to my front door, okay. My brother and his wife had just got there they were coming in and when they heard the first they spun around. I had walked out the, I'm going out the, I'm looking out the door, I'm going out the, in fact I had the door open and I'm looking they turn around they were right behind me. was standing in the, in the, in the windows, I was, we these patio doors was standing right there. We weren't going to let come out.

DET. So you were standing on the....

I'm on my porch, in front of my door. And I'm good looking dead at it.

DET. Okay. And so your apartment in relation on this map is where?

I'm okay this is um, the driveway, you see on this side of the street...

DET. Yes sir.

... which is the north side, we're on this side. Our apartment building, okay, is on this side right here. There's apartments here.

DET. Uh huh. Those are the one's that almost face directly Canfield Drive?

Right, right and as it goes around it turns you know the street bends this way. Alright?

DET. Okay.

My apartment building is right here. Alright. My window is here; and I'm looking dead this way. I'm looking in that direction. Then there is an apartment building here, on this side as it goes bends around. That's another apartment building right there. If you out in that area you can see I got a rough drawing but once you look at this and then look at that then you will see where it is. You have my address, you see that

building number

DET. Uh huh.

...on that side of the street. We're right in, that's the driveway and if you turn and if you stand at the driveway or you pull in that driveway where those are you can look at my and all you have to do is turn around and look. And you, this will be self explanatory.

DET. Sure. Okay.

Okay, I mean I consider myself an artist. So this, really, I'm serious, I could show you, I am good, very good. Really gentlemen I am very good. Um, I took architecture too. Uh, I sold comics, comics, I sold quite a few. I'm good, this is pitiful.

DET. No worries.

Sorry, sorry.

DET. Okay so from the time that lets say that uh, all parties encounter one another...

Uh huh.

DET. ... in the street right there until the time that Michael Brown goes down to the ground. Roughly, how long are we talking?

Not long at all. Not long at all, I wouldn't even give it five minutes.

DET. Okay.

My, my brother may have a different time. I thought it went a little quicker but he might say a couple minutes longer. But I think within five minutes.

DET. Okay.

Okay, because it went from, well after that, after he was first shot it went from zero to a hundred, like that. Because as soon as he came around that-that (UI) he got in that position that's when Michael spun around like what the hell, you know, and he was coming toward him. But he was walking you know but when he hit him with the other three, kinda, like I say wavered he rocks, like fighting keep from going down and then when he took a, and the officer says "stop, stop, stop" because he was making some more steps toward him he had gotten when he came from here and by the time he got off and he had stepped into the street that's when he got hit the first three times. By the time he got that three shots then he got toward the lines when he was coming to him, he was, like it looked to me like he was going down, but

maybe he might not have been he was trying to fight it, ya know, trying to keep himself together and he said "stop, stop, stop." Wham, wham, wham, wham for that last volley. I think it was about four shots of them, four or five shots.

DET. Okay. So um, the encounter in the vehicle itself...

Um, huh.

DET. ...okay, you said and if there is anything that I say that is even remotely incorrect...

Uh huh.

DET. ... please correct me okay.

Okay.

DET. ...Uh, you said that you were unclear as to, a, who grabbed who, in terms of the vehicle.

Of who grabbed who.

DET. Okay.

But, see what bothered me and really wanted me, made me have a really fight of conscience is when they said that the officer was outside the truck that's a utter total lie.

DET. Okay.

He was not, he was still in that vehicle. When he shot him he ran then he exited his vehicle, he came around to the side because Michael had moved this way so he couldn't, I think he came out, had a better angle at him. He assumed his position he did tell him to stop after he saw him come, made the, came off the grass and stepped into the street. He told him to stop then he like, when he shot the fella the first three times that's when we started yelling at the guy man hold it "stop, stop, stop, stop." But he was steady, he was like help me, help me, and then as he was going down he let the other ones go.

DET Okay, so the the encounter in the vehicle itself...

Um huh.

DET. ...How long do you think that lasted?

That didn't last very long. I couldn't give you a time but a matter of minutes, maybe.

DET. Okay. And is there anything definitive that you can say that you saw that took place at the vehicle.?

Only thing definitive that I can see is that they were tussling at the car. (cell phone ringing) They were tussling at the car. The officer had not exited the car.

DET. Okay.

That's when we heard the first shot.

DET. And what do you mean by tussling? A...

It looked like they were wrestling for something, I don't know, I don't know if he had grabbed him and he was trying to get away. You know, because you can't really see him. You can, I can see the body. I could see the officer sitting at his, in the driver seat, you know and the guy was, he was whaling around.

DET. And, and are are Michael Brown's feet where?

Right there at the side of the door, I guess.

DET. On side of of what?

The pass, the driver side.

DET. Okay the driver side door. And then uh...

He was practically up against the car.

DET. Okay, up against the driver side door?

Practically up against it yeah.

DET. Okay and then where is-...

He was trying to get away.

DET. And where are his hands at?

It looks like one of them was inside, it may have been both I could, I could definitely say at least one of them was inside.

DET. Okay, where was his head at?

About right at the where the door where the jam is.

DET. Okay.

The door at he was like this, they were tussling.

DET. And-and right now you are kinda demonstrating just moving back and forth?

Right moving back and forth. They like-...

DET. Moving your arms.

Right they tussling like going like this moving their arms. I couldn't see directly in the car but you could see the body movements right there at the door.

DET. And you could see that there was a struggle?

And as that there was struggle.

DET. Okay.

And as they was struggling you know, then we heard POW...

DET. Okay.

... that's when he bring it. That's when he let go and he ran.

DET. Okay, so uh so Michael Brown let's go and he runs in what direction then?

On this side of the street. The north side where the driveway is.

DET. So he, does he stay on the driver side of the vehicle the entire time?

Yeah, he's on he's practically on that naw you have to see where the car is parked, he's on this side of the truck now.

DET. This side meaning which side?

The passenger side.

DET. So he moves around to the passenger side.

No when he, see he pointing the car is pointing in the direction where he-he ran.

DET. Okay.

Okay, he's at the driveway this is the-this is truck is parked sorta like this. This is the front, here here. This is the driveway, it's back over here. So when he came from here when he got shot he ran to the driveway on this side of the street.

DET. Okay and I, I, guess just so because when I, when I go back and and try to replay this in my head, if we're are sayin'-if we're sayin' this side of the street or this side of the car...

Right.

DET. ... I, I will not , I won't be able to visualize this.

(UI)

DET. So can I, let me draw the car. Okay.

Okay.

DET. So let's just for arguments or for I guess simplicity sake right?

Right.

DET. This is the vehicle, right.

Um, huh.

DET. This is the front of the vehicle.

This would be the front.

DET. Okay, well then we'll just flip it around okay.

Right.

DET. This would be the front of the vehicle-...

The back.

DET. ... and this the back of the vehicle. Okay and obviously here would be the uh-...

Driver's side.

DET. Driver's side door.

Right, um, huh.

DET. Okay and if you are saying that they are arguing or uh wrestling through the window, right?

Right and when he got out he ran this way.

DET. Okay, so he runs around in this direction.

Around right.

DET. In this direction.

Right, Um huh.

DET. Is that a fair and accurate.

Yes. Right and I told you you need to take this and you see this is dia, and how the street is configured, where this driveway is, where the lamp po..., its on the side of the street where they have the memorial. The memorial on this side. That's the side he ran too, okay. When he

got to there he was on he was actually on the passenger side. He got shot on the driver side and he ran that direction.

DET. Okay. And the direction that you are pointing right now?

So when he ended up-when he ended up in that position where he was on that driveway, it wound up he's on the-on the passenger side because the officer exited from his driver side and came around to the back to the passenger side and he was like this. Well, not like that like this.

DET. And you're you're showing uh uh...

Yeah he had hand like that...

DET ...that he's holdin' his hands out.

Uh huh, he had the gun in his hand like this.

DET. Okay,

Right.

DET. Okay, so and then you-you demonstrated here on the map that you drew

Uh huh.

DET. That, and again correct me if I am wrong. This direction here is north so Michael Brown would have ran in a northeast direction.

Right, right.

DET. Correct?

Right.

DET. And runs to the point of -...

The driveway that's right there.

DET The driveway and I'm going to put an x where or I guess would you mark an x were you're saying-....

Here's the x where he stopped is about five feet from the street.

DET. Okay.

Okay.

DET. And so I'm just going to make a notation on here where the x is on here just so I can remember later that um, where this x is and where this 5 is right here.

Uh huh.

DET. That, that is where...

He- he stopped.

DET. Okay, so Brown stopped...

Right.

DET. ... and that was on the, you said on the...

He wound-yeah he wound up on the passenger side.

DET. I'm sorry about that. I thought I turned that off. Okay so where when he, when he runs in this direction right here...

Uh huh.

DET. ... and he ends up and you've got the lamp post identified here the driveway identified here.

Uh huh.

DET. ...where does he end up exactly? You said one foot was on?

When he turned around he had about one foot on the grass and one on the driveway. That's when he turned around and realized, that he I guess he realized he had been shot...he really realized he had been shot, ya know. Maybe, the first when they fired the gun , I, maybe ran because he you know ooh shot, maybe he didn't get me. Okay, but when he get there he stopped, and that's when he realized-....

DET. Can I, Can I just back up one second so I can clarify. By this lamp post right here.

Right.

DET. By the grass and the driveway...

Right.

DET. ...of what would be the next driveway that you would come to if you left the police vehicle and traveled east, is that correct?

Right. Um, huh.

DET. And the driveway we are talking about would be on the north-...

So the memorials here, and this the driveway.

DET. In the North side of Canfield, correct?

Right, um huh.

DET. Okay, so Michael Brown stops at that point right?

Um, huh.

DET. And at the point that is he, is he walking away, is he running away, what's he doing?

He ran to that spot where that x is and stopped.

DET. Okay and when he stops. Where are his hands?

Right down, down below him like this.

DET. Okay.

They didn't start coming up until he turned around to realize that he been shot.

DET. Okay.

'Cause when he raised his hands he's looking at his body like, then he was, evidently he might have saw some blood or whatever he like this and he like what you know he had his hands out like this. Ya know.

DET. Okay and he...

And he kept looking and then he took about two or three steps, about three or five steps and that's when he hit him again. POW, POW, POW.

DET. Okay, so he stops and as he turns around and you say turns around do you mean turning around to face what?

Look at the officer.

DET. Okay so he turns around-...

Like why did you shoot me?

DET. and faces the officer-...

Yeah, um huh.

DET. And as he faces the officer...

Uh huh.

DET. ... you say that his hands go up to a point where?

About to his shoulders almost.

DET. Okay, so your elbows are...

Right here.

DET. Essentially like...

Like they were close to his body almost.

DET. Okay and-and your hands are...

Like this.

DET Kinda raise...

He had his hands up like this.

DET. ...your arms are like palms up, and hands and fingers are roughly shoulder height is that fair enough to say.

Yeah about close to his shoulder, yes. Uh huh.

DET. Okay.

About where I'm at now

DET. And they are out at a somewhat of an angle.

What would you say 35-45 degree angle from the body, about like this.

DET. Okay so he stands there at that point.

Uh huh.

DET. Correct?

Uh huh.

DET. And what...

Excuse me.

DET. No worries, no worries. Okay so he is standing there as I'm demonstrating right now and as we just discussed, right?

Um huh.

DET. What happens next?

He's standing there he's look, he looks down he's looking at his body.

DET. Okay and right now you are looking down to.

Right, he's looking at his body and he looks up at the officer who had by that time was standing facing him after he turned around in his position.

DET. In his position you are demonstrating you're gonna put your hands up.

He has already assumed that position.

DET. And he is holding the gun in his hand.

Before, yeah he was there before he even turned around damn near.

DET. Okay can I stop you there for a second. How far away are they from each other at this point?

About 30, 25-30 feet.

DET. 25-30 feet?

Yeah.

DET. Okay. Is there, Is there any. Okay we'll continue with 25 or 30 feet, right?

Uh huh.

DET. The officer is standing in a fixed position.

Right.

DET. Standing still pointing his gun, and please correct me if I am wrong.

Uh huh.

DET. If there is anything I am saying wrong, pointing his gun at Michael Brown correct?

Um, huh.

DET. Okay and um, Michael Brown is standing facing the officer at this point, with his hands at his rib cage,

Yeah.

DET. Hands palms up.

Uh huh.

DET. A, about shoulder height out-...

Well they weren't up against his rib cage, it was out 'cause he was looking down.

DET. Slightly-...

Slightly away from the body.

DET. And he was looking down at his body at some point.

Right, right um, huh.

DET. Okay, and is anybody saying anything at this point?

The officer, when he, he look...as he raised his head he told him stop. He hadn't moved then.

DET. As Michael Brown raises his head?

As he raises his head he says, "stop right there stop."

DET. The officer says this?

Yeah he did say stop and when he left from that fixed spot then he was walking toward him...

DET. Towards the officer?

Toward the officer. When he, as soon as he put his foot on the street, he hit 'em three times.

DET. Like, how many steps do you think he took before the officer fired?

Big boy as he is it didn't take that many steps, I really couldn't count ya. Um, all I know is he was about like I said about five feet from that curb and he got by the time he got from that spot and he got stepped off that curb.

DET. Stepped off the curb onto?

Canfield.

DET. Canfield.

Yeah.

DET. Is when that first shot went out?

No the next shots. The first shot was at the car.

DET. Oh, in the car, yeah I'm sorry okay I'm I guess at this point I'm not...

Right.

DET. ... just for clarification purposes I'm not discussing the car, I'm talking about-...

Right, no, right. He, yeah, he fired...

DET. Outside the car that's the first volley of shots.

The first volley of shots.

DET. And how many-how many shots do you think were fired?

I think it was three.

DET. So those three shots are fired, his hands go down at that point.

Uh huh, right.

DET. What happens then?

He, he kinda staggers he was like wobbling, staggering and he was looking at the officer. The officer said "stop, stop, stop", 'cause he was he had started to proceed to make a few small steps toward him.

DET. Towards the officer?

Right. And he was like his almost body was almost like at a 60-75 degree angle from the waist down, you know he was like this.

DET So his legs is standing up but torso.

Yeah his torso is bent over but his legs but he is wobbly and when he took it, he told him stop he yelled out stop three times. Okay and Michael was steadily taking steps toward him, okay, but after he said stop the third time, that was the last, that was it.

DET. So uh, the officer says stop three more times.

Uh, huh.

DET Michael takes how many more steps?

Couldn't be no more than two to three.

DET. Okay so, Michael takes two or three more steps the officer says stop three times.

Um huh.

DET. And then the officer fires.

Right.

DET. Okay. And how many times did he fire? On that, and now we are talking about-...

On the last volley, I think it was four.

DET. Okay.

Okay and when he hit him with the last he took one step and then bloop, face first.

DET Okay.

Right into the concrete, right there on the yellow line.

DET. Okay. And he, you said face first landed on his stomach, right?
Yep, he went straight down like this.

DET. Okay, and at the point that he fell to the ground-...
Um huh.

DET. How far was he from the police officer?
The officer is at the-at the rear of his vehicle.

DET. Okay and so um, you said 30-...
His, his front tires and engine for the first, for the door jamb of the first-
of the front door was probably on at the line, here's the line, here's the
door jamb right there like that. But this part of the car where the
engine is was sitting across the line. He was at the back of the truck.

DET. Okay, how close to the back of the truck are you thinkin'?
The police officer?

DET. Yes sir.
He was almost right there at the, almost parallel.

DET. Could he reach out and touch it?
I don't know how long his arms are?

DET. Well.
I couldn't tell.

DET. I'm just trying to gauge in my head, like uh, as a frame of reference.
No I don't no. I don't think he could touch it. His arm would have to be,
I don't think his arms that long where he could have touched it.

DET. But he could have maybe taken a step or two and touched it, or?
He would have to take a couple steps to the side and touch it.

DET. Okay, okay.
Because he wasn't behind it, he was right parallel with the back of it.
Okay?

DET. Gotcha okay alright. Uh, so it is your belief that Michael Brown was
falling to the ground after that first?
He was struggling to stay up.

DET. Okay after that first volley.

After that first volley.

DET. Okay. And I, I just want to clarify one thing here with you. You said that when he turned around kinda at the light post there-...

Um, huh.

DET. He looked and he and it looked as if he had been shot. Now, are you saying that-...

I didn't say it looked like it, he looked at his self as if he you know, trying to see if he was shot or maybe he realized he was shot.

DET. Ok...And that's what too...

'Cause he looked down.

DET. ...and that's what I wanted to clarify.

And he looked at one side. This side.

DET. And your-...

His right side is where he looked first. He did that and he raised up he looked up he had already spun and he turned around he had turned around and like he just ran and then he stopped and as he turned he was like damn. And he had his head...and he was looking this way, so when he, as he turned around the officer was already in his stance. He was looking down then he looked up at him.

DET. Okay, and just so that I am clear when you are saying he is kinda looking at himself, he's looking down to his right side of his-....

Yeah, his right side of his body.

DET. ...arm or his body?

Yeah, lookin' at his it looked like he was lookin' at his body.

DET. His right side of his body.

Yeah, cause his head was turned that way.

DET. Okay. And then...

I don't know if he was looking from here or where he hit him in here if he was the first shot but he was checking that side.

DET. As in, here you are demonstrating right side of his torso.

As if he got hit on the side.

Yeah he felt something he was trying to find out where it was at.

DET.

Okay.

You know and he raised his head and he was taking a few st...and he started moving forward and when he stepped off that curb and the officer standing telling him stop, he told him stop as he spun, when he turned around and was looking at him that's when he said stop, stop like don't come no further, don't come no closer. I'm thinking his intention, but when Michael hit that, when he stepped off into the street he hit him again.

DET.

Okay. And, and you say hit him again the first time that he hit him would have been, you're sayin' in the car?

First shots was in the car.

DET.

Okay, and so...

Then when he stepped in the street another volley.

DET.

That was the second time.

After he came off that volley when Michael kept staggering he was like he was staggering toward him but he was still looking at the officer it looks like. He was looking at the officer and he was coming forward the officer never broke his stance and as he took a few more steps he had yelled stop three times Michael was still approaching him barely like I said his body, his torso was at an angle and then he let off that last volley. And Michael went down face first.

DET.

Okay alright um.

DET

You said two, two guys were walking down the street. Can you describe the other guy that was with him?

He was a lot shorter um, dark complexion. He later was interviewed, uh said he was his friend.

DET.

What was his actions that you observed, what did he do?

After the shot, he ran.

DET.

Where was he when you saw the struggle going on in the car?

He was like on the sidewalk.

DET.

On the north side of Canfield or south side Canfield?

North side.

DET.

North side of Canfield

Right.

DET. Was he by anything, that you can think of?

Uh close to these uh a tree that's right there. He there's a tree nex, up in the yard. Here's the memorial where they got all the uh all the bears tied on a lamp post but behind that lamp post is a tree.

DET. And so he was by that tree.

He was by that tree. When he heard the shot he went, he had moved back there 'cause they was struggling and he was over there. Uh the next thing I know he was gone.

DET. Okay, I'm just going to draw by the lamp post that tree where you were pointing right here and I'm just going to identify, I draw a circle identify it as tree-...

Right.

DET. And I'm just going to say where-....

His buddy was, his friend that was walking with him.

DET. Other male was.

a little short guy, I seen him all the time.

DET. And you're saying when the shot went off uh which shot?

The first shot.

DET. In the car?

Right.

DET. One shot in the car went off okay?

Um, huh.

DET. And um, so was he, was the other male present when the incident near the driveway and light lamp post takes place? Which way did he run too?

Toward West Florissant.

DET. So, the other male takes off running towards West Florissant right?

Right, um, huh.

DET. Okay.

And his police car the second one was right about well later pulled in a second one was there. There was a white car sitting right here.

DET. A white car.

Yeah before the next driveway.

DET. And did you say parked on Canfield or stopped on Canfield?

Yeah it was stopped on Canfield.

DET. Which direction, facing which direction.

Facing toward West Florissant.

DET. Okay was it in the middle of the road?

And we truly believe that he jumped in that car.

DET. In the white car?

Right, 'cause that car left out of there in a hurry. I guess you know the shots being fired they could hear the volleys going off, they pulled off. While Michael was laying there in the street the first time that they finally brought the cover out to cover him I'm still on my porch, up pulls a car in front of, facing me on my side of my driveway.

DET. Uh huh.

He exited the car with a girl.

DET. Um.

The one that was with him.

DET. Okay.

Exited the car with some girl she had her arm around him. He was like, he was upset 'cause he knew Michael his friend was dead. And they walked across the street toward the apartments that are across the street from me and it's like a, they are shaped like u-shape and they went around the bend and I never saw again until about I couldn't tell you about how much longer it was uh, then he later came back out from where he was and walked over to where everyone had gathered. And was watchin', you know, you could hear him hollering and screaming my friend, my friend, my friend, you know.

DET. Okay. So do you think he had any involvement in the incident at and/or in the police car itself?

No.

DET. Okay. Do you think he had any involvement in anything that took place after that?...When...

No, he wasn't even around.

DET. Okay and so do you think he saw what took place in the police car?

He, he, he possibly did. He was on that side. He was on the driver's side, driver's side. So he had a view straight at Michael and the officer. He had a view straight at them. I'm more looking from the driver's side. He's standin' on the...I'm, I'm passenger side. He's on the driver's side. 'Cause that's were the side the tree is and that's where the car was sitting. Okay. So if he, when he was standing there he saw the struggle and when that first shot got off...

DET. He was gone.

He was gone.

DET. And he ran where?

Straight toward West Florissant.

DET. So from this tree, this tree area right here toward West Florissant.

Yeah running straight up the sidewalk going that way.

DET. And then this is where that white car was roughly?

Yeah and then he disappeared and the car sped off. We don't know if he went around to the other, around the building or either he jumped in that car, we don't know. I can't say for sure 'cause I didn't see him. All I know is when that first shot rang out you could see him running. He was like he got the hell out of Dodge.

DET. Okay.

But if he did jump into that car, okay, he could have seen it by looking out the back window.

DET. Sure okay.

I can't say for I would say with at least about a 99-95 percent certainty I didn't see no body peaking around the building at the end of that building that apartment building that sits there, where the incident happen on that side on the north side of the street. I didn't see anybody.

DET. Okay.

Okay he didn't run up on the porches he ran down the sidewalk.

DET. Okay but you're, you're just speculating whether or not he got into that car. You're not sure.

I'm not sure.

DET. Okay, alright.

That's what we're, we, me, uh, myself and my family we was did you see, naw I didn't see him, did you, no. But all of a sudden all we know is he ran car left. Car was there, he ran, car left. We don't know if he got in there or not.

DET. Okay.

Okay, he might a have ran down further down to look back, but we couldn't see nobody. I could look straight, I could see from there to where all the way to the uh, maintenance shed. Where it bends headed out towards West Florissant. From my porch if I stand on the corner of my porch where I am at I got a clear view of everything.

DET. Okay.

Okay, and I am going to reiterate it. If you I don't know if you wannago stand if you stand on that side right there you can see everything else you can see this here. You will-...

DET. So if you stand on that side (UI).

...right you will be tell just yaeh (UI) yeah this will explain itself, I'm sorry I couldn't do a better drawing but this will explain itself if you stood there and said oh, okay that's the memorial that's where the body car's this way, um, there's the tree, there's the pole, here's the driveway. Then you can judge how far it is, I might be wrong, I'm bad at distances. But I think it's about like that. Okay?

DET. Understood. Okay. Understood.

That's way I'm saying please do that. And you will understand this drawing a lot better.

DET. Sure.

Okay.

DET. Okay. Can I and I realize I'm not asking you your, I'm asking you to, to kinda editorialize when I say this okay? But I really want to get your-your view point on this. Now, I'm talking about both individuals I'm talking about the officer I'm talking about Michael Brown.

Right.

DET. What do you think that, what do you think that was done right and what do you think was done wrong?

Right I can't say anything. One as I said the people in Canfield people in Northwinds we walk up and down this street all the time. I've had officers past me, they pass other people walk with their kids in the street, headed to the stores. They never stopped us, they didn't say get out of the street or anything. They said something to him. Now there also, let me tell you another little back story. I don't know the young man personally, but I see him, I saw him all the time.

DET. The young man you are referring to.

Right. He said he has a friend that stays in an apartment just across my parking lot.

DET Just so I'm clear which young man are you talking about?

Michael.

DET. Okay.

I can count on my hand the amount of young people out there that calls me sir or speaks to me every time they see me. I seen them in Quick Trip, I seen them walking up and down the street. As I'm constantly going back up to the stores and doctors or whatever. But anytime I see that young man and there's a lady that stays downstairs from me and I met her like sit down and talk, keep an eye on the neighborhood. Anytime he see us, when he come up our driveway he always 'cause he sees us, speaks how you doing ma'am how you doing sir? He is one of the most respectful guys I ever seen, the young guys out there. The rest of them is they have a saying they call me what's up o.g.? That's to me, that's they think it's a sign of respect but I would rather have a young man speak to me in that term how you doing sir? And actually ask me how my day is. The rest of them they don't give a shit. They just acknowledge your presence. They would rather walk through me than around me. Not him. He was always walking back and forth, and he was always pleasant. The lady downstairs knows him and when I showed her his picture she started crying. She said you right that's the one, oh I know that's the young yeah that's the one that always comes up and goes in that apartment building up there. And she broke down crying. She said well it he was such a nice big boy. You know. She's a few years older than I am, I'm And I would rather have a young man speak to me like that because our youth is so screwed up. You know. I have two children very respectful. I have seven grandkids very respectful. Okay. That's what I want. Our youth today we got babies raising babies. How can you expect these young men out here to be right when they were raised by someone who was not fully mature. Okay. And in the environment that is out there now. A group of girls eight of them got to fighting why 'cause they were arguing over who's

boyfriend spent the most time in jail and who had the worst crime. And that led to a fight. That's the environment I live in. And, that's not the environment I want, that's not the environment we need to have. I would rather have officers come and talk to these young men, they are so afraid, 'cause they have nothing to look forward to. They just walk up and down the street. First they don't even show up half the time. They come up and down the street and our (UI) I can count on my hand how many times I seen him in a week. Just cruising through but out there when they do have (UI) everything goes to Northwinds. I never read about what is going on back in Northwinds. I see'em go back there five to six times in one day. Never hear about it. So if it's not being reported and it's not being acknowledged they going to keep on doing it. They were masking last night, excuse me for going off the script here but on my porch we sat out and watched, I watched over a dozen young men t-shirts wrapping around they heads so the only thing you could see was their eyes. I called Ferguson three times, I got it on my phone and they're aware of it. I said miss how could they be aware of it no one's ever back here. No one's come back here. And I, they was growing, they keep growing they was getting agitated more, more, more, I said they getting ready to do something they getting ready to go steal. They getting ready to do it. The next thing though they jumped in about 4 - 5 cars, and what do I hear this morning. They broke into shit. They could have stopped it, if they would have brought they butts back here and checked these boys out. 'Cause I guarantee you one of them maybe some of them, I maybe wrong, I hope I am but maybe involved in some of those stores being broken in yesterday.

DET. Okay um, could I ask you just for the purposes of-of identifying that this is the drawing that you did and this is what we discussed. Could I ask you just to sign and date these?

DET. It's the 12th.

Oh, I know it is. I have tomorrow.

DET. Then would you mind doing the same thing on this one just indicating that's what we talked about with the vehicle. Okay. Now um, I'm going to ask you, I'm not, you made it very clear that is not going to talk. I'm not going to ask you name.

Nope not giving it.

DET. I'm not going to go there. Uh, however I am going to ask you your brother's name.

Not until he tells me I can give it.

DET. Okay.

'Cause it's on him.

DET.

Sure. Okay.

I do my part. It's on him, he has a family he is thinking about. Even though he doesn't live down there. Okay, I don't have a car so he comes and takes around and everything else.

DET.

Okay.

And then he's mainly, he's my youngest and he's always around to take when needs to go the store (UI). He's down there quite a bit. Uh, his two kids come down when my grandkids come up. They come up they come down and spend the weekends. I watch them.

DET.

Okay.

So they cousins make sure they have the time. So uh, I am talking to him. He knows we been knowing him for years over thirty some odd years been known a long time. Um, he has spoken to some police officer he was at a function he met an officer, an officer gave him his card and to my thinking is that he may, he might reach out to this person. Okay he may go that route. Because he's out there. Uh, he did speak to but I know him I know the other two gentlemen became brothers so that is the reason I reached out to him.

DET.

Okay understood. Um, two things I forgot to mention. Can you describe what Michael Brown was wearing? Do you remember?

Like uh baggy shirt, t-shirt it looked like, some pants, I couldn't tell what was on his feet a, because after he fell I thought I saw some shoes there I wasn't quite sure if I saw shoes or not. Um, I think someone had taken a picture there's a young lady who lives there at the, and she's suppose to have a video. I think she has a excellent shot of his body.

DET.

Okay.

Someone did show me a picture that they had taken and that they posted on what is that, that Facebook? I'm not that tech savvy I don't have a computer, all I have a phone for is to make my calls. That's it. I bought the phone from my grandson, he's the one that's on youtube and all that crap, I'll just leave that um, it looked like on the picture he had on shoes.

DET.

Okay, but you don't remember?

All I know is when I walked up to the body he all he had on was a pair yellow socks.

DET.

Okay, and then...

And loose fitting pants, kinda baggy, uh, what do you call them things, oh, they don't look like short shorts, by you know how they wear them down they come down to your calf almost, they kinda long shorts.

DET. You know what color?

No I didn't pay that much attention.

DET. Okay and the police vehicle what did the police vehicle look like?

It's one of the big trucks they have, the SUV's, the trucks. That's mostly Ferguson very rarely do we see cars.

DET. They're always driving SUVs?

We'll see the K-9 guy we see him more than we see them other people. He comes all the time. Um, but mainly the trucks is the main ones they have come through.

DET. Okay, okay. Is there anything else that you feel is important we should know, any questions we should ask you anything?

No, no, everything I got, the only thing I saw was wrong was the man was shot for no reason. He did not have to fire that last volley.

DET. So your, your concern is that last volley of shots that he fired.

That last volley, I truly believe in my heart and God-and God's eyes that if he had left him alone without that last volley they could have saved him, he might have lived. He is a big boy, I'm not saying body mass, it might have slowed it down or by the, by the bullet moving through your body it might have moved in a spot to where it might not did that much damage but enough damage to where they could get to it and repair it.

DET. Okay.

No, I've never been shot, well I been shot in the knee. You know. That was years ago. Ya know.

DET. Okay uh, this is your best recollection of the-the incident?

My best yes sir.

DET. Okay and nothing is embellished or left out?

No sir. None, none.

DET. And have you been pressured to say any of this by anyone?

No, only pressure on me is my conscience. And that's it.

DET. Alright.

Uh, if I had no seen the conference by Ferguson Police and listening to these civic leaders get the truth to this point and not actually have it truthfully. But they do telling the truth but they didn't have it quite right. They all saying he was like this.

DET. Hands all the way up.

He didn't have them all the way up, but he did have them all the way up to enough to know this officer knew he was not threatening him, he was not in imminent danger. The boy was not threatening him in any way. He was not charging. He was struggling to stay on his feet.

DET. Okay.

That's it.

DET. Okay, alright.

And I'm going to say it again if he had not fired the last shot, I truly believe he would have lived. And I talked to well you know police officers are trained to use deadly force. I said I understand but I lived down in the city for a while and I saw officer almost in the same situation on Euclid and Maryland and he took the man down with a taser. And he was charging him. He was coming at him to kill him. But he had a taser.

DET. Okay.

And that was going through my mind while the hold thing was going on.

DET. Got anything? Okay if there is nothing else the time is 5:03pm and this will conclude the interview.