

Case: State of Missouri v. Darren Wilson

Transcript of: Grand Jury Volume VII

Date: September 25, 2014

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STATE OF MISSOURI

VS.

DARREN WILSON

GRAND JURY

SEPTEMBER 25, 2014

VOLUME VII

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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 25th day of September, 2014,
17 before

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1 APPEARANCES OF COUNSEL:

2

3 FOR THE STATE:

4 Ms. Kathi Alizadeh & Ms. Sheila Whirley

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6 County

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1 GRAND JURY HEARING VOLUME VII

2 MS. WHIRLEY: Good morning.

3 (Everybody says good morning.)

4 MS. WHIRLEY: I'm Sheila Whirley. Of
5 course, Kathi Alizadeh is here, 12 grand jurors is
6 here, and the court reporter. Today is September
7 the 25th, Thursday. And I don't have the total
8 program memorized for this morning or for today. I
9 can tell you our first witness is .

10 , we heard his taped
11 statements last time we were here, recorded
12 statements with the police, with the FBI agent, and
13 also made several appearances on the media for CNN,
14 and I think various TV channels. You guys remember
15 that, he is going to testify live here this morning.

16 And then, Kathi, could you tell us what
17 else is on the agenda today?

18 MS. ALIZADEH: I don't know. No,
19 actually, we have a witness scheduled for 10:30. He
20 called me bright and early this morning to cancel,
21 so we're going to probably play you, I don't think
22 Witness Number 10, remember the guy that was

23 He has a recorded statement
24 I don't think I played.

25 MS. WHIRLEY: Only played part of it. We

1 had about ten minutes left.

2 MS. ALIZADEH: We can play the end of that
3 to finish that and then we also have, you all heard
4 from last time and she has media
5 interviews that take, I think, about 33 minutes
6 total for all of her media interviews. And then she
7 also has some recorded statements that we can play
8 and hopefully, that will fill out the morning.

9 And then in the afternoon we have a
10 witness scheduled to be here at 12:30. I will check
11 and make sure he hasn't called to cancel during a
12 break or whatever, hopefully then we will have
13 another witness here in the afternoon. He also has
14 a taped statement. I can't remember if it is 30
15 minutes or an hour, it doesn't exceed an hour.

16 So if he, you know, shows up, we can play
17 his statement and then have him testify, and I think
18 we are trying to recess 2:30.

19 : 3:15.

20 MS. ALIZADEH: At the lunch break, if we
21 need to figure out how to fill our time, we'll do
22 that.

23 Also, if you recall, Witness Number 10 had
24 talked about the fact that he is,
25 at the scene the

1 aftermath,

2

3 I do have that clip and we will play it
4 for you. It is only a couple minutes and, you know,
5 just so you know,

6 It is not a very long
7 clip, so if you all, if we go through it, we can
8 play it again. So we can go back and try to listen,
9 because the person who is doing the recording
10 occasionally speaks and, of course, their voice will
11 kind of talk over the people that are in the
12 background.

13 So it might be, if you request it, it
14 might be you want to hear that a couple of times
15 just so you can try to pick up what's being said.
16 All right.

17 MS. WHIRLEY: All right. I'll go get the
18 first witness.

19 MS. ALIZADEH: Let's talk about the
20 question that they had.

21 MS. WHIRLEY: Okay.

22 MS. ALIZADEH: We were not on the record,
23 I think it was last week when one of you asked a
24 question about your deliberations and, of course,
25 you've been sitting as a grand jury for several

1 months, so you know that it takes nine people to
2 indict and the question was asked what if we have,
3 what if we can't, since we're giving you a variety
4 of different charges to consider, I think the
5 question was, what if we don't have nine people that
6 all agree on the same charge, what do we do then or
7 what happens.

8 And I wanted to make sure that I put that
9 in there in the record that that was a question that
10 was asked and we have had discussions about that and
11 what I will tell you is we're researching this
12 because we want to make sure before we tell you, you
13 know, we want to make sure we're correct on the law,
14 but I assure you that we will have an answer for you
15 well before you begin your deliberations about what,
16 in the event that that would happen, what happens
17 then. All right.

18 Are there any other questions that anybody
19 had thought of? Okay, all right.

20
21 of lawful age, having been first duly sworn to
22 testify the truth, the whole truth, and
23 nothing but the truth in the case aforesaid,
24 deposes and says in reply to oral
25 interrogatories, propounded as follows, to-wit:

1 EXAMINATION

2 BY MS. WHIRLEY:

3 Q Introduce yourself to the jurors, please.

4 A My name is

5 Q All right. , where do you
6 live? You don't have to give me your exact address,
7 in what vicinity?

8 A I live in Canfield.

9 Q Do you live in the Canfield Green
10 Apartments?

11 A Yes, I do.

12 Q How long have you lived there?

13 A Um, going on a year now.

14 Q One year. So you lived there on August
15 the 9th of 2014?

16 A Yeah.

17 Q Is that the day that Michael Brown was
18 shot?

19 A Uh, no, I think it was like on the 9th.

20 Q August 9th of 2014, correct?

21 A Yes.

22 Q What day was it?

23 A Um, I think that was a Saturday.

24 Q Okay, Saturday. Do you remember your
25 Saturday that day?

1 **A** Yes. All I did that morning, early that
2 morning, my family and I went out for breakfast and
3 we came back around nine something and we all took a
4 nap.

5 **Q** How many folks went to breakfast with you?

6 **A** Uh, four altogether. My fiancée and my
7 three kids.

8 **Q** And then you all came back and took a nap?

9 **A** Yes.

10 **Q** And so what time did you wake up from the
11 nap?

12 **A** Um, I was actually woken up about 11:00,
13 11:30.

14 **Q** Did something wake you up or you just woke
15 up?

16 **A** A friend of mine came over.

17 **Q** Okay. And what happened when your friend
18 came over?

19 **A** Um, I steps outside with him for a couple
20 of minutes, maybe no longer than five minutes.

21 **Q** Okay. Can you show us on the map? You
22 can use that pointer or that laser light thing.

23 Show us where you live.

24 MS. ALIZADEH: For the record, this is
25 Grand Jury Exhibit Number 25.

1 MS. WHIRLEY: Yes, thank you.

2 A Oh, I have to push it.

3 MS. WHIRLEY: Yeah, push it down.

4 Q (By Ms. Whirley) Grand Jury Exhibit Number
5 25, show us where you live.

6 A I live right here.

7 Q All right. So is that an upstairs or
8 ground level?

9 A That's the middle level, that's the second
10 floor.

11 Q Do you have a balcony?

12 A Yes, I do.

13 Q So when you went out and talked with your
14 friend, were you on the balcony?

15 A On the balcony.

16 Q On the balcony?

17 A Uh-huh.

18 Q An then what happened?

19 A I goes back in the house. I goes back in
20 the house.

21 Q And speak up a little.

22 A I goes back in the house no longer, three,
23 four minutes after that maybe, and I heard something
24 going on outside.

25 Q And do you investigate that to see what it

1 is?

2 **A** Yes, I happen to look out the window.

3 **Q** All right. And what do you see?

4 **A** I see a guy on the side, on the driver's
5 side of a police vehicle. I just see something
6 going on through the window, like a tussling going
7 on through the window.

8 **Q** Can you show us on the map where you saw
9 this police vehicle?

10 **A** Um, about right here.

11 **Q** Okay. And show us again where your
12 apartment is.

13 **A** My apartment is right here.

14 **Q** So you are looking sort of down?

15 **A** Yeah.

16 **Q** And --

17 **A** Kind of.

18 **Q** From your perspective, from your point of
19 view, are you looking at the driver's side of the
20 vehicle or the passenger's side of the vehicle?

21 **A** I'm looking directly through the passenger
22 window to the driver, you know, so I could see real
23 good.

24 **Q** Okay. So which direction was the car
25 facing?

1 **A** The vehicle was actually facing --

2 **Q** The truck, the police truck.

3 **A** The police vehicle was like facing like up
4 here, you know, kind of like my direction, but this
5 way diagonal like.

6 **Q** Okay.

7 **A** Maybe like facing this building.

8 **Q** Okay. So you're saying it was like facing
9 that building?

10 **A** Yeah, kind of, you know, by diagonal.

11 **Q** All right. So if it was traveling, which
12 way would it have been traveling?

13 **A** Um, it was traveling going towards West
14 Florissant.

15 **Q** All right. That would be going west on
16 Canfield Drive?

17 **A** Yeah.

18 **Q** But it was diagonal?

19 **A** Right.

20 **Q** Parked when you saw it?

21 **A** Yeah.

22 **Q** Did it look like the brake lights were on
23 or anything?

24 **A** I didn't notice that.

25 **Q** Okay, all right. So it is facing this way

1 diagonally, but you can see the passenger side
2 versus the driver's side?

3 **A** I could see the passenger's side clearly.

4 **Q** Clearly?

5 **A** Versus the driver's side.

6 **Q** Okay. So then you see a tussling going
7 on, can you give us any more description about what
8 the tussling looks like?

9 **A** Um, obviously, the window is between them,
10 so I just see both arms moving.

11 **Q** When you say both arms, what do you mean?

12 **A** I see, if my window was in this direction
13 I can see the officer's arms moving this way and I
14 see Mike's arms, you know, whatever, through the
15 window, whatever.

16 **Q** Can you see skin of the arms, are they
17 wearing long sleeves?

18 **A** Yeah, it was skin.

19 **Q** Could you tell two black people, two white
20 people, black and white?

21 **A** I could tell black and white.

22 **Q** You could tell black and white. You said
23 Mike, you used the name Mike?

24 **A** Yeah.

25 **Q** Did you know Mike?

1 **A** No.

2 **Q** Had you ever met him before?

3 **A** I seen him before.

4 **Q** Because he lived in the neighborhood you
5 thought?

6 **A** I'm not even sure.

7 **Q** You don't know, okay. Had you ever talked
8 to him?

9 **A** No.

10 **Q** All right. Okay. So then what after you
11 see the tussling?

12 **A** I see the tussling and all of the sudden,
13 he also had a friend with him, he was standing like
14 in front of the vehicle, the police cruiser, but
15 like on the passenger side in front, maybe like
16 4 feet away from him, but all of the sudden, they
17 just takes off running.

18 **Q** So his friend, which you now know to be
19 who, what is his friend's name, do you know what his
20 friend's name is now?

21 **A** Um, um, Dorian.

22 **Q** Okay, Dorian. So was his friend on the,
23 Mike was on the driver's side; is that correct?

24 **A** Yeah.

25 **Q** With the officer tussling you said?

1 **A** Yes.

2 **Q** Was Dorian on the driver's side too?

3 **A** No, he was on the passenger side.

4 **Q** The passenger side of the?

5 **A** Police cruiser.

6 **Q** Closer to where you could see?

7 **A** Yeah.

8 **Q** Okay. And what was he doing?

9 **A** He's just standing, just standing there.

10 **Q** Okay. And then what?

11 **A** And, like I said, they both just take off
12 running, almost like at the same time.

13 **Q** Okay. Did you see anything that occurred
14 that caused them both to take off running?

15 **A** No, I didn't notice that.

16 **Q** All of the sudden they both --

17 **A** They takes off running.

18 **Q** Did you hear anybody saying anything?

19 **A** Um, I heard, that's the only thing I heard
20 was just the tussling or whatever, like maybe some
21 voices, but I'm not sure like what was said, they
22 just take off running.

23 **Q** All right. They took off running which
24 way?

25 **A** Um, Mike, he runs straight down Canfield

1 directly in the middle of the road, and his friend,
2 like I said, he was in the front passenger side, and
3 if the vehicle, the police cruiser is like right
4 here and there was also two parked vehicles on the
5 side right here, and his friend takes off running
6 directly behind the first vehicle he sees.

7 **Q** Okay.

8 **A** That was on the side.

9 **Q** Do you recall what those vehicles were
10 like, the color and make of the cars?

11 **A** I just remember the white vehicle that
12 Dorian ran to.

13 **Q** Do you know what kind of car that was?

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

15 **Q** Okay. So there were two cars parked, the
16 first was the Monte Carlo close to the police
17 vehicle?

18 **A** Yeah.

19 **Q** And then Mike is running down, I guess
20 east, well, you are showing us east on Canfield
21 Drive?

22 **A** Yes.

23 **Q** And then what happens?

24 **A** And, um, the moment they take off running,
25 I see the officer immediately gets out of his

1 vehicle, pull out his gun, definitely, in his
2 shooting position, and let me see. Mike must have
3 probably made it about right here in front of this
4 driveway, as I said before, he didn't make it there,
5 he just, when he gets out of the car he just
6 immediately starts shoot.

7 **Q** As soon as the officer gets out of the car
8 he's shooting?

9 **A** Yes.

10 **Q** And when you say the shooting, I don't
11 know what your phrase, was standpoint, what did you
12 say?

13 **A** Yeah, like in a shooting position.

14 **Q** Position, show us the shooting position.

15 **A** Um, like, you know (indicating).

16 **Q** So he gets out of the car and does that?

17 **A** Yeah, or maybe this right here.

18 **Q** Okay, thank you. And Mike is running and
19 he's shooting?

20 **A** Yes.

21 **Q** And he's shooting like with Mike's back to
22 him?

23 **A** Yes.

24 **Q** And then what?

25 **A** And, um, at the time I was still in the

1 window looking and, um, my eyes, actually, I was
2 still kind of focused, I was focused on both of
3 them, but mainly on Dorian because he was still
4 closer to the officer than Mike because Mike, he ran
5 kind of fast at that time, but as I see Dorian
6 ducking down looking at the officer shooting, I was
7 kind of thinking that the officer was, he was going
8 to stop, even himself with the vehicle that his
9 friend ran to and come over and shoot him.

10 **Q** Shoot Dorian?

11 **A** Yeah, but I kept my eyes on him because I
12 seen Dorian constantly looking over the vehicle and
13 looking at the officer each time.

14 **Q** Did Dorian look a certain way or anything
15 in your opinion?

16 **A** Just looking scared.

17 **Q** Okay.

18 **A** Definitely looking at the officer, like I
19 said.

20 **Q** Was he saying anything, Dorian, that you
21 could hear?

22 **A** No, no.

23 **Q** How many shots did you hear the officer
24 fire when he got out of the car and pursued Mike
25 Brown?

1 **A** Maybe four or five times.

2 **Q** Okay. And you didn't count the shots?

3 **A** No.

4 **Q** But it seemed like four or five?

5 **A** Yeah, it was kind of like a round though.

6 **Q** Okay. So you seen Dorian, Mike is
7 running, now what?

8 **A** I'm still in the window and, um, I notice
9 that the officer passed his friend Dorian where he
10 ran to and that's when I decided to run outside to
11 see what, you know, get a closer look.

12 But I forgot my phone in the bedroom,
13 so I still took some steps, ran into the bedroom and
14 got my phone and I went back, which is just a couple
15 of seconds.

16 **Q** And where did you end up when you came
17 out? Show us on the map where you were.

18 **A** I was at this building right here on the
19 second floor.

20 **Q** Uh-huh.

21 **A** On the balcony.

22 **Q** Uh-huh.

23 **A** Turning on the power on my phone and the
24 moment I steps outside, I see Mr. Brown kind of bent
25 down a little bit with his arms tucked in like on

1 his stomach, so now I'm thinking that he's now shot.

2 He was going down definitely so, and
3 the officer just let out a few more rounds to him
4 and he hit the ground and that's when I seen blood.

5 Q So when you say he was going down, the
6 officer shot more at him you say?

7 A Uh-huh.

8 Q How many more times maybe?

9 A Maybe four or five more times.

10 Q Can you demonstrate for us when you say
11 going down, what his position looked like?

12 A His position looked like this.

13 Q Both arms under?

14 A Both arms like this (indicating).

15 Q Under his torso?

16 A Yeah, I remember him like taking two small
17 steps like he was stumbling and like I said, the
18 officer lets out some more shots and that's when he
19 hit the ground.

20 Yeah, he hit the ground just like how
21 he, how he laid there or whatever, he dropped the
22 arm.

23 Q Okay. So he had two arms --

24 A Just like this.

25 Q -- and one arm came out?

1 **A** Yeah, yeah, yeah, so all at the same time
2 cause, um, I thought he was hit in his chest I
3 didn't see no blood yet or, you know, so. When the
4 officer let out more shots, you know, he just hit
5 the ground, boom, just like this.

6 **Q** And the officer let off the shots as he
7 was going down?

8 **A** Yeah.

9 **Q** Okay. Did it appear to you that Mike
10 Brown was charging the officer?

11 **A** No.

12 **Q** Did it appear that the officer was being
13 threatened by Mike Brown at that point when he was
14 going down?

15 **A** No.

16 **Q** Okay. Then what did the officer do once
17 Mike Brown hit the ground?

18 **A** Uh, the officer was maybe 5 feet away from
19 his body.

20 **Q** Was he 5 feet away, did you see the shots?

21 **A** Yeah, I saw the shots.

22 **Q** So he was shooting, when Mike Brown was
23 going down, how far away was he from Mike Brown
24 then?

25 **A** He was like a good 15, 20 feet.

1 **Q** From him when he, and let me walk it, I am
2 going to walk back here and you tell me how far,
3 like you be the officer and I'm Mike Brown. So if
4 this room is large enough, about right here?

5 **A** Yeah, maybe, I'm standing at the door.

6 **Q** You can stand up.

7 **A** Maybe I'm standing at the door, about this
8 distance.

9 **Q** This is the distance between Mike Brown
10 and the officer when he shot him and he was going
11 down?

12 **A** Yeah, at the time that he was going down,
13 but like I said, he was probably a little bit
14 farther when he let out the first shots.

15 **Q** Okay.

16 **A** The last shots he was about this distance,
17 yeah.

18 **Q** Okay. So that's about 20 feet, 15 or
19 20 feet?

20 **A** Yeah.

21 **Q** That's what you thought it was, right?

22 **A** Yeah.

23 **Q** And what did the officer do? You said at
24 some point he was like five foot from you?

25 **A** Yeah, I see his body, I didn't see him

1 check his body. He was just like 5 feet away from
2 his body, um, over his shoulder or whatever on his
3 walkie-talkie, still have his gun out pointed at
4 him.

5 **Q** Okay. And was Mike Brown moving at that
6 point?

7 **A** No, the moment he hit the ground, I knew
8 he was dead.

9 **Q** No more movement?

10 **A** No more.

11 **Q** At any point did you hear the officer say
12 anything?

13 **A** No, no, I don't remember.

14 **Q** At any point did you hear Mike Brown say
15 anything?

16 **A** No.

17 **Q** How about Dorian?

18 **A** No.

19 **Q** You never heard any of them say anything?

20 **A** They probably was, but you know, I wasn't
21 even paying attention to anything that was said. I
22 was definitely paying attention to the sounds of the
23 gunshots and what was going on.

24 **Q** Okay. Did you ever see Dorian get in the
25 car that he was by, a white Monte Carlo? Did it

1 appear to you he got in the car?

2 **A** Yes, I saw him, he's in the car about the
3 time that Mike Brown's body hit the ground.

4 So I see him inside the car and --

5 **Q** Do you actually see him in the car or you
6 are assuming?

7 **A** Yeah, I see him in the car kind of sitting
8 and then, like I said, when I see his body laying
9 there now and it is done and over with, I see two
10 more cops come there, but then probably a little bit
11 before that is when I noticed Dorian had left, the
12 white car left.

13 **Q** Okay. You didn't see Dorian any more?

14 **A** No, I didn't see him then.

15 **Q** Did you see him any time after that when
16 this investigation was going on at the complex?

17 **A** I don't remember seeing him then.

18 **Q** Had you ever seen Dorian before?

19 **A** In the streets, no.

20 **Q** So you didn't know Dorian?

21 **A** No, I don't remember seeing him.

22 **Q** I asked you to describe him, what do you
23 remember about him?

24 **A** I just remember some dreads.

25 **Q** Okay. You really couldn't identify him if

1 I brought a bunch of pictures here and show them to
2 you or do you think you could?

3 **A** Maybe, yeah, I think.

4 **Q** I'm not going to show the pictures, I was
5 just asking.

6 Did it ever appear that Mike Brown
7 had a weapon?

8 **A** Uh, no.

9 **Q** Did it appear when he was, you know, you
10 said holding his torso with both arms when he was
11 going down, that he was going for a weapon in your
12 opinion.

13 **A** No, it just looked like he was going down
14 because the moment I steps outside, I'm thinking now
15 he's hit in his chest area and the officer lets out
16 more shots. It looked like he was going down,
17 anyway, not to like give up, like to surrender, but
18 to go down and bleed, you know, because like I said,
19 before even going down on his knees or whatever, the
20 officer lets out more shots but he had his arms on
21 his torso.

22 **Q** When you say on his knees, what do you
23 mean by that?

24 **A** I'm just saying like before, like I said
25 when I was thinking that he's now shot, but he's got

1 his arms like this, you know, like before he even
2 hit the ground, like his knees didn't even hit the
3 ground or nothing like that. Cause I know he was
4 hit, I knew he was hit, that's why I'm pretty sure
5 he was now turned around.

6 **Q** Okay. And when he turned around, did you
7 see him raise his hand in any way? I understand you
8 saw his hand on his torso.

9 **A** I didn't see the hands go up, I didn't see
10 no hands go up.

11 **Q** Okay. And you already said you didn't see
12 him charge the officer, but you did say the officer
13 was shooting at him as he was running away?

14 **A** Yes.

15 **Q** After they left and ran from the car?

16 **A** Yes.

17 **Q** The police car?

18 **A** Yes.

19 **Q** Okay. Now, when did you first interview
20 with the police?

21 **A** Um, the first time?

22 **Q** Did you talk to them that day when this
23 occurred?

24 **A** I think so.

25 **Q** Okay. You talked to them the very first

1 day I'm asking?

2 **A** I think so, I mean.

3 **Q** That Saturday?

4 **A** Yeah, I think because I talked to a lot of
5 other reporters too. So A lot of people was coming
6 the my house.

7 **Q** You talked to a lot of people, I
8 understand.

9 **A** Yeah.

10 **Q** When you talked to the police, do you
11 recall if they came to you or did you go to them?

12 **A** No, they came to me.

13 **Q** How did they know to come to you. Were
14 you outside and they came to you or did they come to
15 your house?

16 **A** They definitely just came there. They
17 just came there.

18 **Q** To your house?

19 **A** Yes.

20 MS. WHIRLEY: Kathi?

21 **Q** (By Ms. Alizadeh) So just to clarify,
22 you heard something that caused you to
23 look out your window and when you did, you saw that
24 Mike Brown was at the vehicle?

25 **A** Yes.

1 **Q** And the driver's window and you saw hands
2 in the window?

3 **A** Yeah, just going through, just arm
4 movement.

5 **Q** Arms moving?

6 **A** Uh-huh.

7 **Q** Now, when you originally described this,
8 and I, you know, I'm taking notes as you are
9 testifying, so I don't want to say I missed
10 something, but can you show what you showed before
11 or what you saw that Mike Brown's arms or hands
12 appear to be doing?

13 **A** I just see his hands just through the
14 window and I see like the officer's elbow, you know,
15 just like this. (indicating)

16 **Q** Okay. Now, you're using your right elbow
17 when you are doing that?

18 **A** Uh-huh.

19 **Q** And if you were the officer, you'd be
20 sitting in the driver's seat and I'm Mike Brown, I'm
21 standing on this side of you, correct?

22 **A** Yeah.

23 **Q** Was say the officer's right elbow going
24 like this or was it this elbow?

25 **A** No, it was going like this.

1 **Q** Okay.

2 **A** So if my window is this way, I seen this
3 kind of movement.

4 **Q** And you're looking into the vehicle
5 through the passenger window?

6 **A** Yeah, and slightly through the front
7 windshield like, yeah.

8 **Q** Okay. So to be clear, anything that
9 happened before you looked out the window, you have
10 not witnessed nor heard anything about, right?

11 **A** No.

12 **Q** And then by the time you first look out,
13 Dorian is already on the passenger side of the
14 vehicle near the sidewalk?

15 **A** Yeah, kind of like in front, in front of
16 the vehicle though, you know, not on the side of it,
17 but still like 5 feet away from it. Yeah, basically
18 between the sidewalk and the parked vehicle.

19 **Q** Okay. So was he in the street or grassy
20 area?

21 **A** He was still in the street like, yeah.

22 **Q** But not at the driver's door?

23 **A** No, not at the driver's door at all.

24 **Q** So he was not in a position where if Mike
25 Brown wanted to reach to him, he couldn't, he wasn't

1 there?

2 **A** No, not at all.

3 **Q** Okay. And so, and then you said that you
4 ran to get your phone and then I assume it was close
5 by?

6 **A** Yes.

7 **Q** So you missed some of it?

8 **A** Yes.

9 **Q** But a matter of seconds?

10 **A** Yeah, yeah.

11 **Q** And then when you came back, you went
12 outside then?

13 **A** Uh-huh.

14 **Q** So you're actually out on your balcony?

15 **A** Yes.

16 **Q** So still above ground level?

17 **A** Yeah.

18 **Q** Looking kind of down?

19 **A** Yeah.

20 **Q** Did you start recording with your phone at
21 that point?

22 **A** No, my phone, it was completely off and I
23 was cutting on the power still.

24 **Q** Okay. So now, you did record some things
25 with your phone that day; is that right?

1 vehicles around the police car or in front of or the
2 police car initially?

3 **A** No, I just seen two vehicles parked on the
4 side, on the sidewalk.

5 : Nothing in front of the
6 police vehicle though?

7 **A** No, it was behind it like.

8 Did you see Michael
9 Brown's head or shoulders entering the car at any
10 time?

11 **A** Inside the vehicle?

12 : Inside, yeah.

13 **A** No.

14 : So just his arms?

15 **A** Yes.

16 Okay, thank you.

17 : At any
18 time did you see Dorian with anything in his hands
19 or Michael pass anything to Dorian?

20 **A** No.

21 : . So go
22 back to part of the story you were explaining, you
23 wouldn't mind maybe explaining it. When you are in
24 your bedroom looking through the window, through the
25 blinds, you explain seeing Officer Darren Wilson,

1 but can you walk us through exactly, you said you
2 saw him shooting, kind of what that looked like.
3 You know, if you heard him kind of what, you know,
4 you showed us how he was holding his gun, but I mean
5 was it cocking back, is there any sort of smoke,
6 shell casing, anything that you may have seen or
7 heard during that?

8 **A** No, no, he just, I say immediately, when
9 they started running, he just gets out of his car
10 and I see him in his shooting position and he lets
11 out some rounds. So I didn't see no shells fall or
12 no gun smoke or anything.

13 : As he is progressing, is
14 he continually moving, what is he doing?

15 **A** He's, he's, he's taking, he's taking like
16 large steps, so I didn't see him like run or
17 anything, so he is just taking large steps, you
18 know, towards him, you know, while his back is
19 turned towards him.

20 . When Darren
21 Wilson is pursuing Michael Brown, did you see
22 anybody like maybe with a camera or cell phone
23 running like towards or moving towards the officer,
24 like towards where Dorian Johnson would have been?

25 **A** No.

1 when you got outside?

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

3 : Same place. So he was in
4 the same spot when you were looking at him from your
5 balcony?

6 **A** Yes.

7 And he was, when you saw
8 him from outside?

9 **A** Um, no, he was right here the moment I
10 come outside.

11 Okay.

12 **A** I know for sure while I was in the window.

13 : Uh-huh.

14 **A** Where his death is, he actually ran just a
15 little bit past his death, death bed, I know that
16 for sure because from my window, this building right
17 here, kind of blocks the view.

18 You didn't see him run
19 towards Copper Creek Court?

20 **A** Copper Creek Court, yeah, I see.

21 : You saw him down there.

22 Did he get to the corner of Copper Creek Court, did
23 you see him there?

24 **A** At the corner of it?

25 Or did you see him

1 basically the same spot within just a few feet from
2 your balcony to when you got outside?

3 **A** Yeah, just right here, yeah.

4 : Okay. So you didn't see
5 him anywhere near that corner?

6 **A** Oh, no, no, no, no.

7 MS. ALIZADEH: Can I interrupt you real
8 quick? I'm not sure, maybe I'm mistaken.

9 : Okay.

10 MS. ALIZADEH: You're inside, when you are
11 looking through the window, you are inside?

12 **A** Yes.

13 MS. ALIZADEH: From there you go onto your
14 balcony?

15 **A** Yes.

16 MS. ALIZADEH: And you call that outside,
17 that's outside, right?

18 **A** Yes, the balcony is outside.

19 MS. ALIZADEH: Okay. And then you go
20 leave your balcony and go outside of the building?

21 **A** Outside on the ground level?

22 MS. ALIZADEH: Yeah.

23 **A** No, that was way after, way after.

24 MS. ALIZADEH: Okay. So inside, when you
25 go outside, that's on the balcony.

1 Brown's body hit the ground, he let out some more
2 shots.

3 He turned around and got
4 into his car?

5 **A** Not, not right after that, not right after
6 that.

7 : Okay. That was all, I
8 couldn't really hear you.

9 MS. WHIRLEY: I'm glad that was cleared up
10 because you were on the balcony the entire time that
11 this incident was occurring?

12 **A** No, not the entire time.

13 MS. WHIRLEY: Let me rephrase.

14 **Q** (By Ms. Whirley) Once you came out to the
15 balcony.

16 **A** Uh-huh.

17 **Q** You never came to the ground?

18 **A** No.

19 **Q** Until after the incident --

20 **A** Yeah, after.

21 **Q** -- had occurred?

22 **A** Yes.

23 **Q** Until after Mike Brown was on the ground
24 dead?

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

1 is. The officer still about right here.

2 : Okay. You see part of
3 his side and part of his back?

4 **A** Yes.

5 : You don't see him doing
6 this all the time?

7 **A** Yes, I saw that he was in his shooting
8 position. So I see, you know, his arm and his side
9 the officer's side.

10 : You see this hand and
11 you see perfectly with this one too?

12 **A** Yes.

13 MS. ALIZADEH: let me just ask you.
14 I until you pointed on the diagram to where you sea
15 say Mike's Brown's body eventually came to rest.

16 **A** Uh-huh.

17 MS. ALIZADEH: Show me on the diagram
18 again.

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

20 **Q** (By Ms. Alizadeh) Okay. So you know the
21 police were out there afterwards, correct?

22 **A** Yes.

23 **Q** And they photograph everything, I don't
24 know if you saw that, but I will tell you they did.
25 I mean, do you have any reason the police moved the

1 body into a different location?

2 **A** No, they didn't.

3 **Q** And you know police took measurements of
4 where the body was in relation to things and they
5 did a diagram. Would it help you to talk about
6 where the officer was and where Mike Brown was if I
7 show you that diagram?

8 **A** Yeah.

9 **Q** Okay. So I'm going to show you a diagram
10 that was done, I'm not trying to mess you up at all
11 because it is difficult to remember all of this, I
12 get. So this is a diagram, Grand Jury Number 2,
13 okay.

14 And so this is where they measured
15 where the police truck was when the police got
16 there. You never saw that truck move again, did
17 you?

18 **A** No.

19 **Q** Okay. So here is this, do you see this
20 little grassy area here?

21 **A** Yeah, that's my apartment.

22 **Q** You can see that's kind of reflected in
23 the diagram?

24 **A** Oh, that's what that is supposed to be.

25 **Q** I think so, do you see that?

1 **A** Yeah.

2 **Q** So the truck is about, you know, somewhere
3 in this area according to the diagram, correct?

4 **A** No, it was actually up here, like right
5 here. (indicating)

6 **Q** Okay.

7 **A** So closer, like up here.

8 **Q** You think it was closer up to here?

9 **A** Yeah, I know it was because there is a
10 sign right here and it kind of evened itself up. I
11 just know it was closer to the driveway right here.
12 (indicating)

13 **Q** So let me ask you this. Do you think that
14 the police officer measured it wrong or do you think
15 that the, anybody moved the truck?

16 **A** No, no, I know that the truck was right
17 here, it was definitely right here.

18 **Q** Okay.

19 **A** Just before this driveway diagonally in
20 the middle of the street.

21 **Q** Okay. And you see here this line right
22 here that kind of looks like the edge of the
23 driveway?

24 **A** That's the edge of the driveway.

25 **Q** You say the truck was more up here?

1 your mind that's where you would see him because you
2 are on a balcony, so that's the distance your eyes
3 were focused where the two people are in position.
4 And so you seen Mike collapse, I believe that from
5 your balcony that's, that's where your eyes focused
6 that that's where he laid, but actually like
7 everything was done, they did the measurements, that
8 it was a little bit further than your eyes focused
9 on where he actually fell. So not saying that
10 you're wrong, that's just from the vision point of
11 your perspective that's where you were standing.

12 MS. ALIZADEH: And she's exactly right.
13 I'm not trying to say you are lying about this or
14 anything, I mean, don't make it, don't feel like
15 you're on the defensive, like I'm trying to point
16 out that you're wrong or that you weren't really
17 there.

18 **A** I was there.

19 MS. ALIZADEH: I know you were there. But
20 people remember things differently or they see
21 things from a different perspective, distances are
22 hard to judge. And so I just want to clear things
23 up and I'm going to show you what is a photograph
24 that was taken by the detective who processed the
25 scene.

1 What's the envelope you took that out of,
2 Sheila? Oh, here it is. This came out of Grand
3 Jury Exhibit Number 3. And it is Image Number 3,
4 you see that three on the back there?

5 **A** Yeah.

6 **Q** (By Ms. Alizadeh) So this is the image
7 that the detective took of the police car?

8 **A** That's the police car right there.

9 **Q** That's the officer's vehicle, yes. Does
10 that help you get a perspective of where the car
11 might have been?

12 **A** You may be right.

13 **Q** So you don't think that helps you?

14 **A** No, no, I think it really does. So if I'm
15 on my balcony, that's why, I know it's a little wall
16 right here, so from my balcony right here it is on
17 the side. So I could barely see kind of because I
18 got barbecue grills right here.

19 **Q** Uh-huh.

20 **A** So I kind of leaned over and still see the
21 vehicle right there, but I'm thinking, you know,
22 right there on this picture.

23 **Q** Sure. Okay. And you see the corner here,
24 I believe, that's probably that corner right there,
25 right?

1 **A** Yeah, Canfield.

2 **Q** And then I'm going to show you Image
3 Number 13.

4 **A** Uh-huh.

5 **Q** So this is where his body came to rest and
6 this is Copper Creek Court right here. Does it
7 appear to be right in front of this building, right
8 here?

9 **A** Yeah, right in the front.

10 **Q** So would that be more like right here?
11 (indicating)

12 **A** I know that pole right there, yeah, you
13 know what I think that's right, yeah, okay.

14 **Q** So does that help you?

15 **A** Yeah.

16 **Q** I'm not trying to get you to change what
17 you say you saw because we all understand?

18 **A** Yeah, I saw what I saw, it is just the
19 parked vehicle and the body from my window and
20 balcony.

21 **Q** Okay. Just again to clarify, you're not
22 saying anybody moved the car or moved the body,
23 correct?

24 **A** No, I didn't see nobody move the body.

25 **Q** So seeing those photographs, you believe

1 that those photographs do depict where the body was?

2 **A** Yeah, yeah.

3 **Q** And where the vehicle was?

4 **A** Yeah.

5 MS. ALIZADEH: Okay, all right. I just
6 wanted to clarify that.

7 : . Could
8 you put that Number 3 on the screen.

9 MS. ALIZADEH: Image Number 3?
10 : Yes, please.

11 : A couple
12 times when you were explaining the story just a
13 couple minutes ago, you referred to Michael Brown's
14 death bed?

15 **A** Uh-huh.

16 : Do you mean where you saw
17 him fall in a day or do you mean where there is
18 currently a memorial?

19 **A** No, where he laid.

20 : Where he fell?

21 **A** Yes.

22 MS. WHIRLEY: I'm not sure which button to
23 push. We need to push.

24 MS. ALIZADEH: We need somebody to teach
25 us how to do this.

1 MS. ALIZADEH: We're just rocking and
2 rolling now. I want to get this all on the screen.

3 I'm putting up here Image Number 3. At
4 the request of one of the jurors.

5 : Let me go over here to
6 the map. Now that driveway we see behind the police
7 vehicle.

8 **A** Uh-huh.

9 Is that this driveway or
10 this driveway?

11 **A** This one, the first one.

12 : Okay. All right. Thank
13 you.

14 Can you
15 point out where your balcony is at on the picture?

16 **A** Um, should be right here. (indicating)

17 . I
18 apologize if I missed this. Are you on the second
19 floor?

20 **A** Yes.

21 . There
22 are three floors?

23 **A** Yes.

24 : Would the
25 other cars that were parked there, the one that

1 Dorian allegedly ran behind.

2 **A** Uh-huh.

3 Would they have been in
4 this picture?

5 **A** Yes, before then, yes.

6 Okay.

7 **A** So, yeah, I kind of thought the vehicle
8 was a little bit upwards from my balcony and from my
9 window. But it would have been right here and like
10 another one right here. (indicating)

11 : That's where those two
12 vehicles were parked?

13 **A** Yeah.

14 MS. ALIZADEH: So, Michael, those two
15 vehicles, you're talking about the white Monte
16 Carlo?

17 **A** Yes.

18 **Q** (By Ms. Alizadeh) And then I think you
19 described in a previous statement a purple car?

20 **A** Yeah, I think, it was more, it was darker
21 color black.

22 MS. ALIZADEH: Maroon or black cherry or
23 something.

24 **A** Uh-huh.

25 **Q** (By Ms. Alizadeh) Were those cars then,

1 did it look like they had stopped in traffic or were
2 they parked?

3 **A** No, they was on the side, they was just on
4 the side. I don't even think they was parked.

5 **Q** Okay.

6 **A** They was just off to the side.

7 **Q** All right. Did you ever see the doors of
8 the Monte Carlo open?

9 **A** That's the funny thing, like I seen the
10 Monte Carlo door, the passenger side door was
11 opened.

12 **Q** Okay. Did you ever see anyone inside the
13 Monte Carlo get out?

14 **A** No.

15 **Q** Okay.

16 **MS. WHIRLEY:** You said you thought Dorian
17 got in into the car, where would he have gotten in?
18 Did you see that, in the passenger's front?

19 **A** Yeah, he would have got in through the
20 passenger's front door.

21 **Q** (By Ms. Whirley) Because you saw someone
22 in the passenger front door and the door was open?

23 **A** Yeah, the door was open, yeah, so. I
24 didn't see nobody in front other than somebody in
25 the driver's seat.

1 MS. ALIZADEH: And did you tell the police
2 the names of these people?

3 **A** No, I don't know the names.

4 MS. ALIZADEH: Do you know if those people
5 have ever been talked to by the police?

6 **A** I'm not sure.

7 MS. ALIZADEH: So was this someone you
8 just kind of met that day?

9 **A** Yeah, just at that moment, you know, just
10 everybody is just talking what they saw and he
11 happen to be outside with his girlfriend, they was
12 just in the car with their feet up, with the doors
13 open.

14 MS. ALIZADEH: Okay. If I said any names,
15 did you ask his name?

16 **A** No, huh-uh.

17 MS. ALIZADEH: It wouldn't help if I said
18 a name or two?

19 **A** No, huh-uh.

20 MS. ALIZADEH: It was a man and a woman?

21 **A** Yes.

22 MS. ALIZADEH: Okay.

23 MS. WHIRLEY: Anything else?

24 : At the
25 point where the last, I guess the final shots by the

1 police officer and you said he was kind of balled
2 up?

3 **A** Yeah.

4 Did it to your, I guess,
5 your opinion, did it ever seem like he was trying to
6 tackle this officer?

7 **A** No, huh-uh, no, not at all. It just
8 looked like, the moment I come outside, I just
9 thought he was hit, you know, in the stomach
10 somewhere and he was going down, that's my vision
11 right there. Oh, he's going down and then boom,
12 boom, boom, he's down for sure. And, you know, I
13 just knew he was dead the moment, I think, yeah,
14 probably like the very last shot is when like I seen
15 his face.

16 Cause, um, after all of them shots, I
17 didn't see no blood like splatter until like his
18 face hit the ground, so I thought his head busted up
19 at first so.

20 : Just to
21 clarify also, the time in which you were behind your
22 window and you grab your phone and come to the
23 balcony, at that point is that where you would
24 assume Mike Brown stopped and turned around, so you
25 didn't actually see him at any time when he stopped

1 running?

2 **A** I didn't see that moment.

3 : Okay.

4 **A** I just seen him running away. Then the
5 moment I gets outside, he is now facing the officer.

6 Thank you.

7 MS. ALIZADEH: Any other questions?

8 MS. WHIRLEY: All right.

9 MS. ALIZADEH: is there
10 anything else that you know that would help this
11 grand jury figure out in its deliberations maybe
12 something that nobody's asked you or that you know
13 now that you would like to tell them.

14 **A** Um, no, not at the moment, no.

15 MS. ALIZADEH: If there's anything that
16 you think of in the future before this grand jury
17 concludes its investigation, would you promise to
18 call me or Miss Whirley or the County Police?

19 **A** Yes.

20 MS. ALIZADEH: Just let us know that you
21 have some additional information?

22 **A** Yes.

23 MS. ALIZADEH: And you believe me when I
24 said this is our job to make sure they have as many
25 facts as they could possibly have?

1 **A** Yes.

2 MS. ALIZADEH: All right.

3 MS. WHIRLEY: So that concludes the
4 question and answer period with in the
5 Michael Brown shooting. Thank you, .

6 **A** Thank you. Thank you.

7 (End of the testimony of .)

8 MS. ALIZADEH: All right. This is Kathi
9 Alizadeh, present in the grand jury are all 12 grand
10 jurors and Sheila Whirley and the court reporter,
11 and it is 9:55 a.m. We had a witness wasn't able to
12 appear this morning and so we're going to try to
13 listen to some more recorded statements.

14 So the first one we are going to hear, we
15 are going to resume the recorded statement of
16 Witness Number 10. He testified earlier this week
17 and we actually began hearing his recorded
18 statement, but we stopped because if you recall,
19 then was here and we wanted to get
20 her on.

21 So Sheila thinks that we stopped the
22 recording at?

23 MS. WHIRLEY: At 2041. I cued it at 2040.
24 I didn't want to go over 41.

25 MS. ALIZADEH: Okay. So we will now stop

1 the recording in the grand jury while we are playing
2 the recorded interview of Witness Number 10, which
3 is contained on a file which is on a disc marked
4 Grand Jury Number 24.

5 (This is continuation of statement of
6 Witness Number 10.)

7 DETECTIVE Okay. at the end of
8 that ten seconds, what happens?

9 WITNESS 10: A gunshot.

10 DETECTIVE Okay. And then what
11 happens after that gunshot goes off?

12 WITNESS 10: Mr. Brown ran.

13 DETECTIVE Okay. do you know where
14 that gunshot came from?

15 WITNESS 10: No, I do not.

16 DETECTIVE : Okay. So before he
17 runs, he leaves the car?

18 WITNESS 10: Yes.

19 DETECTIVE Okay. So he kind of
20 comes out of the car then and then he runs, right?

21 WITNESS 10: Uh-huh.

22 DETECTIVE : He takes off running in
23 which direction?

24 WITNESS 10: East.

25 DETECTIVE East, okay, which would

1 be away from you, correct?

2 : Page ten.

3 WITNESS 10: Yes.

4 DETECTIVE : Okay. At that point
5 what do you do?

6 WITNESS 10: I'm in shock. Um, I'm
7 thinking that he just killed this police officer
8 because he didn't get out of the car and follow foot
9 pursuit as quickly as I would have thought that he
10 would.

11 DETECTIVE Okay. And I think you
12 said six seconds, roughly, before the officer gets
13 out of the car?

14 WITNESS 10: Yes.

15 DETECTIVE : So Michael Brown runs
16 east on, east, where at is he running actually?

17 WITNESS 10: He's running in the middle of
18 the street at like, at a slant, um, and the, it will
19 be the first driveway on the left from the squad car
20 that he was -- he was turned -- about to make a turn
21 like he was going to go into the driveway.

22 Actually, he did turn into that first driveway and
23 then he stopped and came back towards -- by this
24 time the police officer was out of his car with the
25 gun drawn. Okay. And afterwards he stopped and

1 came towards the police officer.

2 DETECTIVE : Okay. So, um, Michael
3 Brown is running east heading towards the parking
4 lot, right.

5 WITNESS 10: Yes.

6 DETECTIVE : The officer comes out
7 of the car. How is the officer, you said with his
8 gun drawn. How is the officer holding his gun.

9 WITNESS 10: Just as if he was going to
10 use it.

11 DETECTIVE Okay. And do you hear
12 anybody saying anything at in any point in this?

13 WITNESS 10: No, no, I was not at a close
14 enough distance to hear any words being exchanged.

15 DETECTIVE Okay. Um, what did
16 this officer do then at that point?

17 WITNESS 10: At that point he has his gun
18 drawn at a raised point. He -- when he felt he came
19 into a line, close enough distance with him, um, it
20 appeared that when he did raise his gun, that he's
21 verbally um, telling this guy, giving him a command.

22 And at that point that's when I seen
23 Mr. Brown turn and he like did something. I don't
24 know if it was pull his pants up, it was some type
25 of motion that took place with Mr. Brown's body

1 gesture and after that, he began to run towards the
2 police officer.

3 DETECTIVE : Okay. So from the time
4 that you hear that first gunshot and the officer
5 gets out of the car until the time that Michael
6 Brown stops and -- and turns around and faces the
7 officer, right?

8 WITNESS 10: Uh-huh.

9 DETECTIVE Do you hear any
10 gunshots between that -- that period right there?

11 WITNESS 10: No.

12 DETECTIVE Okay. So Michael Brown
13 stop, he turns around, correct?

14 WITNESS 10: Uh-huh.

15 DETECTIVE : Where are his hands at
16 that point, do you know?

17 WITNESS 10: Um, I know for sure they
18 weren't above his head.

19 DETECTIVE : Okay. Okay. So let's
20 go back to the officer is chasing after or
21 approaching Brown, right?

22 WITNESS 10: Uh-huh.

23 DETECTIVE : Brown stops, turns
24 around, and just so I'm clear, what happens at that
25 point then?

1 WITNESS 10: You're at the point Mr. Brown
2 stops, turns around --

3 DETECTIVE Uh-huh. He stops and
4 turns around.

5 WITNESS 10: He turns around, he does some
6 of body gesture, and I'm thinking he pulled his
7 shorts up, I can't really recall upon what all
8 happened. All I know is that I seen the body
9 gesture. I mostly seen it in the upper body.

10 Um, after that, he began to run at the
11 police officer.

12 DETECTIVE Okay. How far away do
13 you think he did was from the officer at this point?

14 WITNESS 10: Um, maybe, I want to say
15 15 yards he was away and he may have gotten 5 yards
16 before the police officer fired his first shot.

17 DETECTIVE Okay.

18 WITNESS 10: So that would bring him in,
19 um, within a 10 yard range before the police officer
20 would have fired.

21 DETECTIVE Okay. Where were,
22 where were Michael Brown's hands when he's, you said
23 he does this thing with his pants, right?

24 WITNESS 10: Yeah.

25 DETECTIVE : Or something. Um, what

1 does he do after he does that?

2 WITNESS 10: He runs. He's at a charging
3 motion.

4 DETECTIVE : Okay. And where are
5 his hands at that time, do you know?

6 WITNESS 10: Um, I'm not sure where his
7 hands was at that time. Uh, all I know is that I'm
8 seeing him coming at a very aggressive, um, speed
9 and just in a charge mode towards the police
10 officer.

11 DETECTIVE : Is this a trot or is it
12 a jog or is it a full-out?

13 WITNESS 10: No, it's a full-out. I'm
14 coming charge full-blown to try to get to you.

15 DETECTIVE : Okay. And so the
16 officer fires the first shot when he's how far away?

17 WITNESS 10: Um, 10 yards.

18 DETECTIVE Okay. And how many
19 times do you think he fires?

20 WITNESS 10: I think he fires, um, five to
21 six rounds.

22 DETECTIVE : Okay. And then after
23 that five or six rounds are fired, what happens.

24 WITNESS 10: Uh, Mr. Brown then paused and
25 the police officer ceased fire and Mr. Brown then

1 tried to charge once more and that's when the police
2 officer opened fire.

3 DETECTIVE : So Brown charged again
4 and the officer opened fire again?

5 WITNESS 10: Yes.

6 DETECTIVE : Is that what you said?
7 Okay. And then what happens?

8 WITNESS 10: Then he collapsed in the
9 street.

10 DETECTIVE : Did you see the
11 officer, uh, touch him at all, or anything like
12 that?

13 WITNESS 10: No.

14 DETECTIVE : Okay. And how many
15 officers were present when this took place?

16 WITNESS 10: One.

17 DETECTIVE : Just the officer that
18 was shooting?

19 WITNESS 10: Yes.

20 DETECTIVE : Okay. How long did it
21 take before other officers to show up?

22 WITNESS 10: I'm not sure. I walked in
23 the and maybe two minutes, a minute at tops.

24 DETECTIVE : Okay. But you went
25 back to the to --

1 WITNESS 10: Two minutes tops, yeah.
2 DETECTIVE : Okay.
3 WITNESS 10: Yeah.
4 DETECTIVE Uh --
5 WITNESS 10: I'm not sure, I'm not sure
6 there on the time on the response because when I did
7 come back out, I'm not sure if it was the actual
8 police officer that shot, uh, Mr. Brown that was
9 doing the taping. I know when I came back outside,
10 I really wasn't focused then on did another police
11 car show up. What drew my attention was I seen one
12 police officer, um, taping off the scene and I'm not
13 sure if that was the actual police officer that did
14 the shooting.
15 DETECTIVE Okay. You made mention
16 of a car, right?
17 WITNESS 10: Yes.
18 DETECTIVE It was west, I'm sorry,
19 east of the police car in the middle of the road,
20 right?
21 WITNESS 10: Yes.
22 DETECTIVE What kind of car do you
23 think that was?
24 WITNESS 10: It was Monte Carlo. Blue.
25 DETECTIVE : Okay. Do you know what

1 color?

2 WITNESS 10: Blue.

3 DETECTIVE Okay. Do you know how
4 many people were in that car or who was driving?

5 WITNESS 10: No, I'm not sure. I just
6 seen a driver's from a distance. I couldn't get a
7 description. Uh, I know he was a black
8 African-American.

9 DETECTIVE You said he, so it was
10 a male in the car?

11 WITNESS 10: Yeah, yeah, yeah, it was a
12 he. Yeah, yeah.

13 DETECTIVE Okay. Do you know if
14 there was anybody else in the car?

15 WITNESS 10: No, I'm not sure.

16 DETECTIVE All right. The
17 individual with the dreadlocks that you say were,
18 uh, you said kind of highlighted --

19 WITNESS 10: Yeah.

20 DETECTIVE : -- or had some sort of
21 color to them, right?

22 WITNESS 10: Yes.

23 DETECTIVE He went where?

24 WITNESS 10: He went um, at what time?

25 DETECTIVE : Uh, I guess what's the

1 first point that you saw him?

2 WITNESS 10: The first point was I seen
3 him with the suspect when they were still alive
4 together. The next time I seen him was when after
5 everything already took place where Mr. Brown was
6 fatally injured and he came from nowhere and ran
7 across the street and it would be at the point where
8 he ran across would be in front of the squad car.

9 DETECTIVE Okay.

10 WITNESS 10: And he cuts across and yells,
11 uh, "they killed him, they killed him." And I'm not
12 sure if he, at that point when he was yelling at
13 the, um, that, blue Monte Carlo was at the same,
14 they were at the same point. I'm not sure if he was
15 yelling it just to be yelling it or if he was
16 telling them in the car that they killed him.

17 And that -- and that he never entered
18 their car or went up to that car that they killed
19 him. He was yelling and he ran through the back
20 fields of Canfield.

21 DETECTIVE Okay. Did you notice
22 anybody else outside? You made mention obviously of
23 the, obviously, the -- the -- the guy with the
24 dreadlocks, right.

25 WITNESS 10: Uh-huh.

1 DETECTIVE And the occupant of the
2 Monte Carlo, right?

3 WITNESS 10: Yes.

4 DETECTIVE : Did you notice anybody
5 else outside at that point?

6 WITNESS 10: No, I, I never noticed
7 anybody outside looking or anything. Um, I was
8 mainly, I have -- I have felt like I had tunnel
9 vision where I was just like zoomed in on just what
10 was going on with the police officer.

11 Now, um, I, I didn't see anybody. No, I
12 seen that everybody started coming outside. I did
13 notice when, uh, Mr. Brown was laying on the ground.

14 DETECTIVE Okay, all right. Uh,
15 when you went inside and told the you were
16 working at, those people in there, how many people
17 did you tell?

18 **A** Just one.

19 DETECTIVE Just one?

20 WITNESS 10: Yeah.

21 DETECTIVE And that was the
22 in the , right?

23 WITNESS 10: Yes.

24 DETECTIVE Okay. What did
25 say, anything?

1 WITNESS 10: Uh, I can't recall
2 comments.

3 DETECTIVE : wasn't -- I
4 guess -- I guess --

5 WITNESS 10: I can't -- I can't recall
6 comments.

7 DETECTIVE Um, wasn't outside
8 or anything, was ?

9 WITNESS 10: No.

10 DETECTIVE : But , I guess what
11 I'm getting at didn't say, yeah, I know I saw
12 this or --

13 WITNESS 10: No.

14 DETECTIVE : Okay. So when you
15 first told that was first, first
16 knowledge of the incident?

17 WITNESS 10: Exactly.

18 DETECTIVE Okay. And do you
19 remember -- you do not remember name, right?

20 WITNESS 10: No, no. I never really got
21 name. This is the time me working there.
22 I never --

23 DETECTIVE : Just a, just a job.

24 WITNESS 10: Exactly, it's just a job.

25 DETECTIVE Okay, all right. How

1 old is , roughly?

2 WITNESS 10: I'm not sure. If I had to
3 guess, maybe late , early .

4 DETECTIVE All right. What, um,
5 what is your opinion of that incident itself?

6 WITNESS 10: Initially, um, I thought wow,
7 um, did he have to use the force on him. Um, could
8 he have taken and retrieved his taser, um and tased
9 the young guy. He was, I felt like he was unarmed
10 and my initial thoughts was that.

11 And after thinking about it and reviewing
12 everything and putting myself in the police
13 officer's shoes, I feel like he handled the
14 situation correct force wise. The gunshot led from
15 the car, the confrontation led from the car.

16 He came out with his weapon drawn, um,
17 trying to pursue the suspect.

18 Then, um, at one point the suspect turns
19 and if he, I felt he was really trying to give
20 himself up, um, the police officer already has his
21 gun drawn. If you're really trying to give himself
22 up, you're going to lay down on the ground and
23 you're going to let it be known, um, but that he
24 didn't do that.

25 And he charged at him and at that time I

1 feel like the police officer, he didn't have time to
2 really react and holster his weapon and reholster
3 with a taser.

4 DETECTIVE Okay. The entire
5 incident from the time that you first saw until the
6 time that Michael Brown was on the ground, how long
7 do you think it lasted.

8 **A** Um, maybe two minutes.

9 DETECTIVE Okay, all right. You
10 have anything?

11 DETECTIVE Did we get an address of
12 where you're working?

13 WITNESS 10: No.

14 DETECTIVE (Redacted)

15 DETECTIVE No, on the street
16 itself.

17 DETECTIVE : Oh, no, it's the
18 on the --

19 WITNESS 10: It's the on the
20 .

21 DETECTIVE : --

22
23 WITNESS 10: Yeah.

24 DETECTIVE : Or on the or the
25

1 WITNESS 10: Uh, I believe it is .

2 DETECTIVE Okay. And you were
3 just doing that job, an
4 job?

5 WITNESS 10: No, it's a

6

7 DETECTIVE Oh, to okay.

8 WITNESS 10: Yeah.

9 DETECTIVE All right. Um, is this
10 your, I'm sorry, anything else you can think of? Is
11 this your best recollection of this incident?

12 WITNESS 10: Yes.

13 DETECTIVE Okay. And nothing has
14 been embellished, you know, I mean, you're being
15 upfront, honest. There's nothing that you're making
16 more out of or nothing that a you are leaving out on
17 either end of the spectrum; is that --

18 WITNESS 10: No.

19 DETECTIVE Okay. Is there
20 anything else that you would like to add? Anything
21 else that you feel is important that we should know?
22 Any questions that we did not ask you?

23 And that's not a trick question, that's
24 just something that I want to give everybody an
25 opportunity to, you know, speak their peace.

1 WITNESS 10: Um, I just, um, I just, uh, I
2 feel sad about this whole situation that, um, it had
3 to end like this. And, um, it's just, just hearing
4 everybody's point of view, I feel that, um, most
5 people think that, um, Mike basically f'd the
6 police. They think the police are bad for them up
7 until the time they're in need of the police.

8 And, uh, I just wanted to come forward and
9 tell it how I seen it because I feel like it's very
10 rare that somebody's going to come forward and tell
11 actually what happened.

12 DETECTIVE : Okay. Anything else
13 you want to add? Anything else that is important?

14 WITNESS 10: No.

15 DETECTIVE Okay. You have
16 anything? If there is nothing else, the time is
17 12:16 p.m. and this concludes the interview.

18 (End of the recording.)

19 MS. ALIZADEH: Does anybody need to hear
20 anything over regarding the recorded statement of
21 Witness Number 10? You have the transcripts that
22 you can keep in your packet and, of course, at any
23 time you want to rehear something, it is available
24 to you.

25 Now, we're going to play a clip from a

1 video that was recorded by a cell phone. This video
2 was obtained off of the internet. It is contained
3 on Grand Jury Exhibit Number 26 that I've marked and
4 might be better for me to do it, I know where to cue
5 it up to.

6 As I said, this is not very long and
7 actually, this clip appears twice on this disc. One
8 clip includes the video, which I will describe it,
9 is after the shooting.

10 The other clip of this contains just the
11 audio and it has just a plain view screen and all
12 you are hearing is the audio. It is the same clip,
13 it is just without the video. I don't know if after
14 you see the video on if it would assist you to then
15 just do the audio to just kind of close your eyes
16 and try to listen because as I said, it is difficult
17 to hear because voices, that has
18 identified as own, is actually a background
19 speaker in this clip. Can I black that screen while
20 I'm trying to find it or no?

21 since this is not very long. It
22 probably is okay for us to just record. Nobody says
23 any identifying information on the recording. And
24 also it would probably be difficult for you to even
25 to attempt to transcribe it. We don't have a

1 transcript of this and I think one of the reasons,
2 as you will see, it is very difficult to hear it,
3 and I don't want to be in a position that I'm saying
4 this is what we think is being said because it is
5 your job to decide what you think is being said.

6 And the entire clip is ten minutes long,
7 however, I'm going to put the cursor forward to
8 about a little past six minutes because that is the
9 time when the conversation occurs that
10 is talking.

11 Again, this video in its entirety is ten
12 minutes long. If you want to watch the entire
13 video, you certainly can.

14 I'm going to start the clip at exactly six
15 minutes.

16 (Clip is being played at this time.)

17 MS. ALIZADEH: Now, there again, the
18 entire clip is ten minutes. If you want to watch
19 the whole clip or if you want to watch a certain
20 part of it again or if you want to just do the audio
21 portion and listen, it is up to you.

22 : Let's just hear the audio.

23 MS. ALIZADEH: So you'd like to just hear
24 the audio portion? You want me to start at six
25 minutes or you want me to play the whole thing?

1 I think it would be okay
2 if you start it at the exact same timeframe.

3 (playing of the audio recording.)

4 MS. ALIZADEH: Start it at 5:59. You
5 know, I'm not sure that that starts at the same
6 place that I'm hearing this. Can I review this over
7 the lunch hour and maybe we can, I don't want to
8 represent to you that it starts at the same place
9 because in my mind, I'm thinking it is not at the
10 same place.

11 So what's in the beginning
12 of it, the rest of the six minutes?

13 MS. ALIZADEH: If you want to watch it, I
14 mean, I don't want to necessarily characterize it
15 except to say it is all after the shooting and that
16 it appears to be someone who is recording with a
17 cell phone or handheld device and then you hear
18 people in the crowd talking, you hear people near
19 the camera talking, I don't know if it is the person
20 who is holding the camera that is doing all the
21 talking.

22 : Okay.

23 MS. ALIZADEH: You can certainly watch the
24 whole thing if you want. But before we listen to
25 that audio portion, let me listen to it during the

1 lunch hour and make sure. I don't want to start it
2 at a different place and get you confused about
3 that.

4 So at this time then, I will just remove
5 the disc and try to do this at the lunch hour when I
6 have time to look at it.

7 Okay. The next thing we are going to play
8 for you is a disc that is marked Grand Jury Number
9 27, and it contains several clips which are media
10 interviews that were done by _____, who
11 you will recall testified yesterday, not yesterday,
12 Tuesday.

13 And we can go ahead, there is 33 minutes
14 of video clips. I might speak during and in between
15 them. Leave the recorder on.

16 (Clips are being played).

17 MS. ALIZADEH: All right. That was a clip
18 that was aired on August 13th, 2014 on KMOV.

19 The next clip was aired August 13th, 2014
20 on CNN Tonight.

21 (clip is being played.)

22 MS. ALIZADEH: So the next clip is a
23 continuation of that. Actually, it appears there is
24 a total three clips of that interview on CNN.

25 (clip is being played.)

1 MS. ALIZADEH: Now, I'll play the
2 actually, the third clip of the CNN interview, which
3 on the disc is actually the fourth clip, but it is
4 the third clip of the CNN interview.

5 (clip is being played.)

6 MS. ALIZADEH: I have stopped it after the
7 interview concluded. The reporter's comments are
8 not really relevant.

9 I'll going to play a clip that aired on
10 August 14th on MSNBC and on a program called last
11 word and this interview is actually contained in
12 three separate clips, so this is the first clip of
13 that interview.

14 (interview being played.)

15 MS. ALIZADEH: So I'm now playing the
16 second clip of that interview.

17 (interview being played.)

18 MS. ALIZADEH: I'm now going to play the
19 last clip of that interview.

20 (clip is being played.)

21 MS. ALIZADEH: And as you can see on the
22 screen, there is one clip remaining. I think I
23 mentioned to you that that is actually reporter
24 commentary about dissecting s story and they
25 do play a couple of segments of that interview that

1 you just watched, but it is all segments of the
2 interview that you've already seen. So I don't
3 think it is appropriate for you to, you know, the
4 reporter's commentary is really not evidence and it
5 shouldn't play into your decision, I'm not going to
6 play the final clip that's on Grand Jury Exhibit
7 Number 27, all right.

8 Did anybody want to see any of these clips
9 over again?

10 This next interview is fairly short, so I
11 thought maybe we would go ahead and listen to that
12 and then if you want to take a break. Have you all
13 ordered lunch? I'm going to pass around a
14 transcript interview that was done on August 9th,
15 2014 by St. Louis County police detective is
16 interviewing .

17 I'm going to go ahead and stop the audio
18 recording in the grand jury while the audio
19 interview is being played, and I've given the court
20 reporter a copy of the transcript. So at this time
21 let's pause the recording of the grand jury.

22 (Audio recording is paused at this time
23 and this is the audio recorded interview of
24)

25 DETECTIVE : This is Detective

1 with St. Louis county Police, Bureau
2 Crimes Against Persons. I am on Canfield Drive in
3 reference to a officer-involved shooting uh, in the
4 City of Ferguson. It is 1:53 p.m. It's Saturday,
5 August 9th.

6 Um, I'm here with, uh ,
7 black female, date of birth (redacted) Address of
8 (Redacted). She has phone number of (redacted).
9 , are you aware this is being
10 recorded?

11 Yes.

12 DETECTIVE : You okay with that?
13 : I'm fine.

14 DETECTIVE Okay. If you would,
15 um, just, cause you speak kind of soft, can you hold
16 onto the recording for me?

17 : Yes.

18 DETECTIVE : And just kind of
19 tell me, uh, what, if anything, you observed on
20 Canfield today?

21 : Okay. I was coming down
22 Canfield going south.

23 DETECTIVE Okay.

24 I hear "urrrrrr" sound, like
25 the brakes stopping on the car.

1 DETECTIVE : So you heard tires
2 squeal.
3 : Yeah, tires -- tires
4 squealing.
5 DETECTIVE : Okay.
6 : I come closer and I see a
7 guy being pulled through the window of the SUV of
8 the St. Louis Ferguson.
9 DETECTIVE : Of the police
10 vehicle?
11 : Yes, of the police vehicle.
12 DETECTIVE : So the Tahoe, Chevy
13 Tahoe, Ferguson Chevy Tahoe right there?
14 Yes.
15 DETECTIVE : Um that's parked in
16 the middle of street with the cones around it?
17 Yes.
18 DETECTIVE : Um, is that where
19 the was at?
20 Yes.
21 DETECTIVE : Positioned exactly?
22 : That's where it was.
23 DETECTIVE : Okay.
24 : It didn't move.
25 DETECTIVE : And where did you,

1 you saw, what did you see there.

2 : I saw the police pulling a
3 guy through the window and the guy trying to pull
4 back.

5 DETECTIVE : Okay. So, um, as
6 you're approaching and you see, uh, the officer
7 trying to pull, uh, the gentleman, uh, into the
8 driver's area of the vehicle; is that correct?

9 Yes.

10 DETECTIVE : And this -- and this
11 guy's pulling back?

12 : Yes.

13 DETECTIVE : Trying to pull away?
14 Like they're wrestling
15 through the window, trying to pull --

16 DETECTIVE : Okay.

17 : Like tug of war.

18 DETECTIVE All right. Okay.
19 Were they, did you see anything that would've been
20 fighting over or anything like that?

21 : No.

22 DETECTIVE : Okay.

23 : No. Then I saw, I here
24 gunfire and I saw smoke coming out of the window of
25 from the --

1 DETECTIVE : Okay.

2 : So after that, the kid, he

3 gets away and he starts running.

4 DETECTIVE : Okay. So--

5 : Opposite way of the--

6 DETECTIVE : Is that hat his?

7 : Yes.

8 DETECTIVE : The Cardinals cap

9 right by the cone?

10 The red Cardinals caps is

11 the -- the guys.

12 DETECTIVE Okay. And then each

13 of these, uh 1, slipper or sandals?

14 Yes, those are his. He was

15 running from the police officer.

16 DETECTIVE : Okay. He's running

17 -- he's running south away from you basically?

18 Uh-huh.

19 DETECTIVE : Okay.

20 : He lost his sandals running

21 from the cop.

22 DETECTIVE Okay.

23 : The cop gets out of the SUV

24 are he starts shooting at the guy as he's running

25 way.

1 : Yes, a jerking in his body
2 and he turns around puts his hands up.

3 DETECTIVE : Put his hands in the
4 air?

5 Yes.

6 DETECTIVE : Faced the officer?

7 : Yes.

8 DETECTIVE : Okay.

9 : And the officer walks up
10 him and continues to just shoot, shoot him until he
11 falls to the ground.

12 DETECTIVE Continued to fire,
13 even though his hands were up?

14 : Yes.

15 DETECTIVE Okay. What happened
16 after that?

17 : After that the kid falls to
18 the ground and two more officers pull up, Ferguson
19 department, and all begin to take pictures of the
20 guy just laying in the ground and they were standing
21 around and everybody else just started coming out
22 and everybody just started yelling at the cops.
23 It's like, you're wrong and he had nothing.

24 I called the, um, Channel 2 news and
25 Channel 4 news.

1 : And her attorney.

2 : .

3 : And I'm with

4 the FBI and this is , she's with the

5 Department of Justice and right over there

6 with the attorney's office in St. Louis.

7 I know your attorney has already spoken to
8 you, we are going to talk to you today about what
9 happened on August 9th of this year. So with that
10 being said, I think would like to say an
11 opening paragraph or two and then we will start with
12 what you saw on that day.

13 : I'm actually going to do it.

14 So and I are both federal prosecutors. I'm
15 based in Washington D.C., he's based here in St.
16 Louis. Obviously, we're with the FBI. We wanted to
17 talk to you because we know that you are already met
18 with the St. Louis County police detective, but we
19 are doing our own individual investigations, that is
20 why we want to meet with you and hear what you have
21 to say, okay?

22 : Okay.

23 So basically, as you know,
24 everything is being recorded. So if you nod your
25 head or shake your head and I will say is that a yes

1 or no.

2 : Okay.

3 : That's just to get your answers
4 out loud so when we listen to it afterwards, we
5 don't have to guess what your reaction was, right?

6 And if you don't understand a question
7 that any of us ask you, please stop us and make us
8 clarify because, you know, we intend to talk fast
9 sometimes.

10 Uh-huh.

11 And sometimes we ask bad
12 questions. We try not to, but if you answer we are
13 going to assume that you understood. If at any
14 point you get confused or -- don't just guess, you
15 were the one that was there.

16 We are certainly not trying to suggest an
17 answer. If you think we are looking for an answer,
18 all we are looking for is the truth.

19 So, um, want to make sure that you feel
20 comfortable in answering the questions and certainly
21 feel free to correct us if we mischaracterize it,
22 okay:

23 : Okay.

24 : And we tell this to all the
25 witnesses, this is a federal investigation and if

1 is wet, you go oh, it rained, right?

2 : Uh-huh.

3 That's natural, right, you
4 immediately think of rain.

5 : Uh-huh.

6 : And we also do the same with
7 sprinklers on, right?

8 : Uh-huh.

9 : Instead of telling us it is
10 rain, just tell us what you saw.

11 Okay.

12 : If you don't know something or
13 you can't remember something, that's a perfectly
14 acceptable answer. A lot of times we like to ask
15 details to see if we can trigger something.

16 : Uh-huh.

17 : So we can get more details
18 because we weren't there.

19 Uh-huh.

20 : So we may quiz you on some
21 stuff. We're not trying to get an answer other than
22 the truth. If you don't know, it's perfectly fine
23 to say I don't know.

24 : Okay.

25 : You have a piece of the puzzle,

1 as do a lot of different people. All we need from
2 you is the truth. Basically, it doesn't involve
3 you, it is not one person, it is a whole picture,
4 okay?

5 Uh-huh.

6 Do you have any questions so
7 far?

8 I don't.

9 : Okay.

10 : So could you spell your
11 name, please?

12 ,

13 .

14 : And would you give me your
15 date of birth, please?

16 : (Redacted)

17 : And your social security
18 number?

19 : (Redacted)

20 : Where are you currently
21 living?

22 : (Redacted)

23 : Okay. What is your phone
24 number?

25 (Redacted .

1 her up.

2 Okay.

3 : So I tried to put it on
4 record and the shot came, so I came and I turned,
5 made a left right here.

6 : Uh-huh.

7 : And I pulled right into
8 there.

9 : Uh-huh.

10 : And the kid yanked away as
11 I was turning this way and he started running back
12 there.

13 Can you point on here where
14 the truck was?

15 The truck was right here.

16 : Okay.

17 It was like catty-corner in
18 the street.

19 Okay.

20 : The kid was right there
21 going through the window, this is the trunk, this is
22 me, I came this way.

23 : Uh-huh.

24 I made a left onto here,
25 parked right there, he started running that away.

1 : Who is they?
2 : The officer and Michael
3 Brown.
4 : Okay. Was there another
5 person with Michael Brown? Sorry to keep
6 interrupting you, was there another person with
7 Michael Brown?
8 : Yeah, there was another
9 person.
10 : Where was he?
11 It was a car right behind
12 him stopped, right behind the officer. I didn't see
13 this car until I got right here and that's whenever
14 I saw Dorian duck down on the side of that car.
15 : Okay. Do you know what kind
16 of car that was?
17 : It was a white Monte Carlo.
18 : All right. What kind of car
19 were you diving?
20 : I was driving a
21
22 All right. So what did you
23 see here at the vehicle, at the truck?
24 I saw them wrestling
25 through the window, the officer and Michael

1 wrestling through the window.

2 Uh-huh. What do you mean by
3 that?

4 It appears to me as Michael
5 is pulling off and the officer is pulling in, kind
6 of like a tug of war.

7 Uh-huh. Did you see hands
8 touching?

9 I saw Michael's like
10 pushing up against the thing and whenever he yanked
11 off, I saw his hands go like that.

12 : Did you see the officers
13 hands on Michael Brown at all.

14 I couldn't see his hands, I
15 just saw he kept trying to pull away, I saw Michael
16 try to pull away.

17 : He had to be pulling away
18 from something --

19 Yeah.

20 Do you know what he was
21 trying to pull away from?

22 : I guess the officer, I
23 can't say for sure like where the officer's hands
24 was, but I did see them both pulling back and forth.

25 : Okay.

1 : So this is where I was when
2 I came across this grass, that is whenever I saw his
3 body jerk right up in here and that's when he turned
4 around and put his hands up. But the cop still, he
5 continued to walk up on him and shoot him.

6 : Okay. So after you saw, I'm
7 going to call it an altercation, is that okay?

8 : Uh-huh.

9 : Here at the vehicle, you saw
10 what happened, how did the officer get out, what did
11 Michael Brown do?

12 : Okay. At this point
13 whenever I was turning here, this is when Michael
14 yanked away and went that way.

15 : How did you see that if you
16 were --

17 : I was still turning.
18 Just tell me what you saw
19 and don't tell me what you assumed.

20 : I'll telling you what I
21 saw. This is what I saw, his arm yank away. From
22 that point whenever I was turning this way, I wasn't
23 all the way over here at this point.

24 : Okay.

25 : This is what I saw with him

1 : I don't know.
2 But it the multiple shots or
3 one shot.
4 : Multiple.
5 : Multiple shots, okay. So
6 let's start from the vehicle again, could you tell
7 me one more time again what you saw?
8 : From the vehicle?
9 : Uh-huh.
10 : As I was pulling up, I saw
11 them wrestling through the window.
12 : Uh-huh.
13 : Then the shot was fired
14 from the car.
15 : Okay. How many shots?
16 One shot is fired from the
17 car.
18 : Do you have any idea where
19 the shot went, if it actually hit someone?
20 No, I don't.
21 : Okay.
22 And that's when he yanked
23 away and he started running and I was coming over
24 here. I didn't see the officer getting out of the
25 car, but I did see him running from, like away from

1 the car towards Michael.

2 : Okay. And at any time did
3 you not see something?

4 : I didn't see whenever the
5 officer got out of the car, but I did see him by the
6 time he got beyond his car here, right here.

7 Okay, thank you.

8 : That was right here.

9 : Okay. Where were you at
10 that time, were you inside your vehicle or did you
11 get out?

12 : I got right out of my
13 vehicle, I was parked right here.

14 : Okay. Where did you go?

15 : I went up to 's house.

16 As I was walking up, that's whenever I seen him
17 shooting the kid, going down with the shots.

18 Okay. Where does live?

19 : She lives right here.

20 You have your vehicle here?

21 : Uh-huh.

22 And then you started walking
23 towards s house here?

24 : Yeah.

25 You said you were looking

1 for your phone, you had your phone with you?

2 : Uh-huh.

3 What were you doing with
4 your phone while this is going on?

5 : Well, the first time I was
6 trying to record when the shot came, and I came over
7 here. By the time I was just holding my phone in my
8 hand at that time. I wasn't doing anything with it
9 by the time I came up to 's.

10 : Okay.

11 And then I went upstairs
12 and called my fiancée.

13 : Okay. Who is your fiancée?

14 : .

15 Were you scared to get out
16 of your vehicle?

17 : I was so shocked, I was so
18 shocked, I was trying to see what was going on. So
19 I was like, holy crap, what is going on. The kid
20 was dead, I saw the blood. At first I was like, is
21 he shooting rubber bullets? What is going on.

22 So I was so shocked that I just got right
23 out to try to see what was going on.

24 : Uh-huh. Why are you calling
25 him a kid?

1 : Because I don't know him, I
2 don't know him, no.
3 : I was just curious.
4 : I'm sorry.
5 It is not like you're 50,
6 you look very young.
7 : Yeah.
8 : Do you have any questions?
9 Yeah. I just want more
10 clarification of looking at the map.
11 : Uh-huh.
12 : When you are coming around the
13 curve, that is when you hear the tires squealing; is
14 that right.
15 : Uh-huh.
16 : That's yes, right?
17 Yes, I'm sorry.
18 : That's fine. And at that point
19 you don't see anything next to the car; is that
20 correct?
21 No, I don't.
22 : And when he came up on the car,
23 you actually, did you stop your car when you came up
24 to it?
25 Yeah, I stopped.

1 that right?

2 : No.

3 You're sort of out of the car?

4 : Yeah.

5 : So you are head-on, so which is
6 clearer to you, the passenger side or the driver's
7 side or equally both?

8 I say the driver's side
9 because it was like, the car was like this way, but
10 the SUV was like going this way, okay. This is the
11 Chevy was like this and I was like this.

12 : Okay. And so when you describe
13 what you saw specifically, you saw Michael Brown, he
14 was standing outside the car?

15 : Yeah.

16 : Describe his body, how was his
17 body situated?

18 : It was like, it took like
19 pulling away like, you know. Like, you know how you
20 push off of something, it was more like that.

21 : Where were his hands?

22 : At one point I saw his hand
23 like pushing up against the car like coming off.

24 : Okay. You said both hands?

25 Yeah, and then whenever I

1 saw him yank away his hand went like that.

2 : He yanked away. And when you
3 pulled up on them, Michael Brown was already by the
4 car, correct?

5 : Uh-huh. I didn't see how
6 the thing, the first beginning of it, I didn't see
7 that.

8 Okay. You didn't see anything
9 of that leading up to it?

10 : No.

11 : By the time you pull up, you
12 heard a shot already or no?

13 No.

14 Okay. So let's go, you
15 describe Michael Brown had his hands on the outside
16 of the car; is that right?

17 : Uh-huh.

18 : Is that yes?

19 : Yes.

20 : And is hands on the window sill
21 of the car, on the door or the car?

22 : Like the side door.

23 : The driver's side door.

24 : Yeah.

25 On the handle of the door, by

1 the door handle or by the window?

2 He had like this I can
3 describe like the whole time because it was action
4 at like, you know, I can't see every little step,
5 but I did see him pushing off like, you know.

6 : While this is going on, you
7 said you didn't see this every day, is that when you
8 took out your phone?

9 I had my phone in my hand.
10 I was trying to get to record, that's when the shot
11 came.

12 : So you got your phone?

13 : No, I'm trying to work the
14 recorder.

15 : I'm trying to figure out if you
16 were watching.

17 No, I can't, you know, I
18 have to push record on that phone. So I don't know
19 every little thing, I was trying to do that sort of
20 thing.

21 : That's only fair. I'm just
22 trying to find out what you actually saw. Because
23 you say you see something like that, there were
24 times when you looked down, that's all I'm trying to
25 establish.

1 look at Michael Brown at all?

2 : As I was driving?

3 Yeah, as you are driving away,
4 did you look over at the police officer and the car?

5 : No, I went straight to the
6 (inaudible), that's whenever I got out. And I saw
7 the officer come out, I saw Michael run.

8 : All right, let's go back to
9 when you were driving to the parking lot, okay?

10 : Uh-huh.

11 : So from the time you heard the
12 shot and you decided you wanted to get out of there,
13 so you both (inaudible)

14 Yes.

15 : During that point that you are
16 driving to the parking lot, you were not looking at
17 Michael Brown and the officer in the police vehicle;
18 is that right?

19 No, I was not.

20 : Okay. At any point up to that
21 part, did you notice anything about Michael Brown or
22 any injury of anybody at that point?

23 : No. Whenever I looked back
24 up, that's whenever there was more shots coming, I
25 saw his body jerk.

1 : Okay. You are pulling into the
2 parking lot?

3 : Uh-huh.

4 : You pull into the parking lot,
5 they are not in your vision; is that correct?

6 : The officer is still in my
7 vision.

8 : Even as you are pulling into
9 the parking lot?

10 : Yes, so, whenever I got
11 right here, it is a parking lot. This is my parking
12 spot right here. Right across this grass I can
13 still see, that's when I coming this way, I did see
14 him get out of that truck, I didn't see him coming
15 this way.

16 : That's what I'm saying, there's
17 a point in there where he is out of your vision as
18 you are driving?

19 : Yes, I'm on the other side
20 of his car and I can't see the driver's side door at
21 that time.

22 : Okay. And you park your car in
23 a parking space?

24 : Yeah.

25 : Where is the parking space

1 relative to the street, is it parallel,
2 perpendicular, are you facing the street?

3 : Yes, I am facing the
4 street.

5 : Here is the parking lot?

6 : You pull like right up into
7 here, I could still see right over here and then
8 right out.

9 : At any point are you trying to
10 get your phone out to record?

11 : I still have the phone
12 ringing. And that time I wasn't trying to record
13 anything and I was in shock.

14 : Okay. So you pull into the
15 parking lot, what's the next thing you see when you
16 pull into your space?

17 : When I pull into my space,
18 I see the officer running behind shooting.

19 : Okay. You didn't see the
20 officer out, correct?

21 : No.

22 : So you don't know what happened
23 from there to the time you looked down at your phone
24 initially to the time you pull into the spot, you
25 heard the shot, you didn't see that because you were

1 running into the spot; is that right?

2 : No, that's not what I'm
3 saying.

4 : Okay.

5 : Put down my phone to
6 record, I had to put down the phone at that time to
7 hit the record, that's whenever I heard the shot
8 come so. I get out of the way so I did see the kid
9 yank like this.

10 I'm sorry, you saw him yank
11 hard?

12 : Yeah, and he run off.
13 So you saw the kid run off?

14 : Yes.

15 : At that point the officer
16 (inaudible) follow you; is that correct.

17 : I didn't see exactly when
18 he got out of the car.

19 So now you are in the parking
20 lot and you parked, what's the next thing you see
21 when you parked?

22 I saw the officer running.

23 Okay. You say you saw Michael
24 Brown running also?

25 Yes, I saw the officer

1 running off shooting and I saw his body jerk.

2 : Okay. Can you describe
3 anything about the manner in which Michael Brown was
4 running at that point?

5 : What do you mean, like
6 fast, slow?

7 For example, did you see where
8 his hand were as he was running?

9 : No, I can't say where his
10 hand were, I just know he was running.

11 : Okay. Did you notice Michael
12 Brown had any injuries to his body on him?

13 No.

14 Okay. And at this point, when
15 you got out of your car, you park your car, do you
16 hear any other shots?

17 : Yeah, multiple shots.

18 : Multiple shots. This is
19 between the time, can you be more specific, between
20 the time you pulled in and parked on this spot, at
21 that time after the first shot, did you hear any
22 shots?

23 Yes.

24 : About how many.

25 I can't say how many shots

1 were fired.

2 : You got out of your car, is
3 that what was next?

4 : Yeah.

5 : At that point is when you see
6 the officer running; is that correct?

7 Uh-huh.

8 : You say maybe the officer
9 was firing shots?

10 Yes.

11 How do you know?

12 : I heard him firing shots.

13 : About how many?

14 : I don't know. I can't tell
15 you exactly how many shots were fired at all. The
16 only time I just remember that one shot came from
17 the car, after that I can't say how many shots were
18 fired.

19 Okay.

20 : Can you say more than two or
21 more than three?

22 : Yes, it was multiple.

23 : It was multiple times?

24 : Yes.

25 : Okay. And so at some point you

1 said Michael Brown stops; is that correct?

2 Yes.

3 : Can you describe what you saw,
4 anything about him?

5 I saw his body jerk, I saw
6 him turn around and put his hands up. He looked
7 like a big tall man, I didn't know he was a kid.

8 : Okay. When his body jerked,
9 where were his hands?

10 : It was like oh, like, you
11 know.

12 And you saw his body jerking?

13 : Yeah.

14 : You are kind of
15 demonstrating jerking forward?

16 Yeah, from behind, yeah
17 from behind jerking.

18 : Did you notice where his hands
19 were?

20 : When.

21 At that point whenever he
22 jerked, did you notice his hands?

23 That's when he went up and
24 he turned around and he started, I can't say what he
25 was doing in front of him, but at that time he was

1 running. It was really fast though. He wasn't
2 doing anything with his hand, like once his body
3 jerked, it jerked, I can't say where.

4 : Okay. I was listening to you
5 and you say his body jerk and he started turn around
6 (inaudible)

7 : He started putting them up
8 as he is turning around.

9 : Okay. What did the officer do?
10 He continued to walk up on
11 him and shoot until he goes down.

12 : Okay. He walked up to Michael
13 Brown shooting, is what you are saying?

14 He kept walking, he kept
15 walking and shooting until Michael falls down. And
16 he just walked up on him and just stop and shoot.

17 So the whole time he just kept
18 on shooting?

19 : Yes.

20 So as you seem to remember it
21 basically he just continued the shots basically
22 (inaudible).

23 : Yes.

24 : Were there any pauses in the
25 shooting?

1 : Yes, there was a pause.

2 : When.

3 : I can't say exactly when.

4 Okay so, has one shot and then a couple more shots
5 and then more shots. I can't say like exactly this
6 is happening when the pause happened. Like, I don't
7 know, the shots were coming.

8 So you are saying Michael Brown
9 turned around, the officer just kind of kept on with
10 it, he kept on shooting.

11 : Yes.

12 : And you're saying that the
13 officer came up on Michael Brown and got closer and
14 closer as he was shooting?

15 : Yes.

16 : How close did the officer get
17 to Michael Brown?

18 It was feet away, I can't
19 say exactly how, like the exact measurement of it,
20 but it was like feet away.

21 : Was it arm's length from each
22 other?

23 : No.

24 : Further away?

25 Yeah, further away.

1 : Distance to the wall?
2 Further away from the wall.
3 : From me to the wall?
4 : Uh-huh.
5 : I'll say probably from me
6 to the wall.
7 I'm not good with feet or
8 distances.
9 : Me either.
10 8 feet, 8 or 9 feet?
11 : I can't say anything about
12 feet.
13 : Do you remember anything about
14 the expression of Michael Brown's face was at that
15 time?
16 : No.
17 : And so from what you are
18 telling us is that Michael Brown got to that point,
19 stopped, turned around and stayed there because the
20 officer came up on him.
21 : Yes.
22 : All right. And this entire
23 time you are watching this, you're outside of your
24 car as you are walking to 's apartment?
25 : Yes.

1 : Do you have your phone in your
2 hand?

3 : I know I have my phone in
4 my hand.

5 Were you trying to call
6 at all while you are there?

7 I was in shock, I wasn't
8 calling anybody. First call I made was when I got
9 to her.

10 About the time you see Michael
11 Brown go to the ground, you were getting out of your
12 car and walking to her apartment; is that correct?

13 : Yes.

14 : Where were you when you
15 heard the first shot?

16 In the car.

17 : Where were you when you
18 heard the second shot?

19 When I was parking getting
20 out of the car.

21 Where were you when
22 (inaudible)

23 : When I heard the last shot
24 and I saw the kid go down I was about right here.

25 Okay.

1 you saw Michael turn around, he stayed where he was
2 and the officer came up to him.

3 : Uh-huh.

4 : Is that correct?

5 : Yes.

6 : And then after that, the
7 officer, um, (inaudible)

8 : Yeah.

9 : If fact, I believe you said you
10 saw the officer go and get on his radio; is that
11 right?

12 : I didn't just say that.

13 : No, you didn't. In the past,
14 is it true that you seen --

15 : Yeah, I saw him touch his
16 radio. I can't say what he said, but I did see him
17 touch the radio and another officer immediately like
18 pulled up right after.

19 : I want to be clear. Once
20 Michael Brown is on the ground, Officer Wilson did
21 not go over to Michael Brown's body; is that
22 correct?

23 : No, he did not.

24 In fact, you didn't see any
25 officer go over to the (inaudible)

1 : No, I did not.

2 : Okay. And you were watching
3 the whole time, correct?

4 Uh-huh.

5 : That's a yes, right.

6 : Yes.

7 : And you saw Officer Wilson
8 somehow either touch his radio, do something with
9 his radio.

10 Yes, he touched it.

11 And this is right after Michael
12 Brown went to the ground?

13 : Yes.

14 : And after that you went to s
15 apartment, right?

16 : Uh-huh.

17 Is that a yes?

18 Yes, I'm sorry.

19 : When you went to s, what did
20 you do when you went up there?

21 : She was standing on the
22 porch and she had her phone out and she was crying.
23 She was like, I just saw him shoot him. I said I
24 know, I saw it too.

25 And hen I called my fiancée and I told him

1 what happened. He says you need to call somebody
2 and tell them what you saw.

3 : And so who did you call?

4 : So I called the news.

5 : So your fiancée said you need
6 to call someone and you call the news?

7 : Uh-huh.

8 : Why did you call the news?

9 : Because what I saw wasn't
10 right.

11 Why did you choose the news as
12 opposed to anybody else, why did you choose the
13 news?

14 : I think they should know
15 what happened to this kid.

16 : Who else did you call?

17 : Um, I think I called my
18 (inaudible) I know I called Channel 2 and Channel 4,
19 and I know I called him back.

20 Okay. Did you talk with at
21 the time?

22 We didn't really talk about
23 it, she just said, I just saw him shoot him. I said
24 yeah, I saw it too. There is like pacing back and
25 forth, like what the -- just happened.

1 : Did you talk to at
2 that time?

3 : Yeah.

4 : Did you know that there was
5 another person out there?

6 Uh-huh.

7 On the street with Michael
8 Brown; is that right?

9 Yes.

10 Did you know him?

11 : No.

12 : Did you know if knows him?

13 : No.

14 : Okay. Had you ever seen either
15 one of them before?

16 No.

17 Did you see any other
18 vehicle, you said that you saw this one that was
19 behind the police vehicle, did you see any other
20 vehicles?

21 : I saw a black vehicle and
22 it was like coming up behind, I don't remember
23 exactly where this vehicle came, right after the
24 shooting where he backed up, it went through one of
25 those driveways.

1 away. I saw like him try to pull him in and he
2 actually pulled away, he's not just doing this.

3 So you saw -- is Michael Brown
4 has two hands on the car, you saw him pushing back;
5 is that right?

6 Yes.

7 : Do you see, I mean, is it
8 anybody --

9 I know for a fact that
10 whenever he was pulling away, he had his shirt like
11 this. (inaudible) I can't say exactly where the
12 officer's hands were, but like they were both
13 pulling.

14 : So you are showing me when
15 Michael Brown pulled away, (inaudible)

16 : Yeah, I saw his sleeve like
17 pull, like he was pulling away.

18 : Did you see any hand pulling
19 him?

20 I don't remember seeing
21 that.

22 : So from your vantage point, you
23 say Michael with his hands on the outside of the car
24 and you assume pushing away?

25 : Uh-huh.

1 : Yes.

2 Yes.

3 : And you don't see the officer
4 rose his hands anywhere?

5 No, I can't remember seeing
6 his hands.

7 Is there any part of Michael
8 Brown that is inside the vehicle?

9 : Another side of his head is
10 in the window. They were wrestling back and forth
11 throughout the whole thing.

12 : Just help me understand this.
13 How is it, you said, his hands up (inaudible)

14 What do you mean?

15 : Well, you told me when you saw
16 him they were pulling away.

17 They're pulling away, he
18 had to be pulling away from something. Something
19 was holding him through the window.

20 Well, you showed that he was
21 pushing off?

22 Yeah.

23 So how do you know he was being
24 pulled in, though, if you can't see somebody pulling
25 in. I'm not trying to argue, I'm just trying to

1 understand what you saw.

2 Uh-huh.

3 : Someone pushed away --

4 : Do you want me to say that
5 I saw the cops hand pulling him in, no.

6 : I don't want you to say
7 anything.

8 : No.

9 : Let me be very clear to you,
10 I want you to say what you know happened
11 and I'm trying to understand it.

12 : I'm telling you what I know
13 happened. I don't get, okay, saying where were the
14 officer's hands. I can't say where the officer's
15 hands were, but I did see him pulling away. He is
16 pulling away from something because something is
17 pulling him back in. So I can't say exactly where
18 those cop hands was, but I did see tug of war going
19 on through this window.

20 You didn't see the officer
21 pulling him in, correct?

22 I didn't see his hands
23 pulling him in.

24 Okay.

25 : Well, I think is

1 confused because she said that his head was inside,
2 his hands are pushing away, so how is his head
3 inside and his hands are pushing away?

4 I don't know exactly, like,
5 I don't know.

6 I mean, is it bent in the wind?

7 : Yeah, it is like a bend,
8 like what I showed you the first time. It is like
9 their pulling, he is pulling back.

10 You are showing me pushing
11 back, maybe we are using different words or the same
12 thing. Are you assuming that somebody was pulling
13 him in or can you tell me that somebody was pulling
14 him in, you see what the difference is?

15 Yeah, I see what you are
16 saying. So I'm not assuming something.

17 : When you, yourself, could see
18 him like that?

19 Uh-huh.

20 : You see Michael Brown's two
21 hands on the door; is that right?

22 : Uh-huh.

23 : Yes.

24 : Yes.

25 Okay. And you see, now you see

1 his head, is his head inside the window, outside the
2 window?

3 It was like, at the time I
4 saw his head in the window, yes. It was like a pull
5 back or something.

6 : Did his head go into the window
7 so that it disappeared from your view?

8 : No, like no, it didn't
9 disappear from my view.

10 : So, I mean, if it is any
11 different than somebody coming over to the car and
12 talking to them, is that what you are saying you
13 saw?

14 No, I saw like a pull, like
15 a wrestle, I can't say I exactly saw where the cops
16 hands were, but I did see a wrestle.

17 : I don't understand what wrestle
18 means?

19 : Like a tussle back and
20 forth.

21 : Let me ask you this. You
22 see Michael's hands on the doors pushing against the
23 door?

24 Uh-huh.

25 : He is pushing himself away

1 from it?

2 : Yes.

3 Could you tell whether he
4 was pushing himself away from the door or pushing on
5 the door, was the door closed at the time?

6 Yeah, the door was closed.

7 Did you see the door open?

8 : No, they always had the
9 door closed.

10 : Could you tell the
11 difference whether he was pushing against the door
12 to keep it closed or pushing himself away from the
13 door, could you tell that?

14 It was like he was pushing
15 away from the door, like trying to pull off. Like
16 the only time I saw like a tug on Michael is
17 whenever his arm, he was trying to like yank away
18 and like his shirt was like, you know.

19 : So when you are on the news you
20 told, actually that his whole
21 body stayed out of the vehicle the whole time that
22 you saw him; is that right?

23 : Uh-huh.

24 So no part of Michael Brown's
25 body was in the vehicle from what you saw?

1 : No, like I saw them pulling
2 back and forth. I never seen like his whole body be
3 inside of his vehicle.

4 Did you see anyone else, like
5 someone walking by, anyone on foot that may have
6 witnessed this?

7 : No, I don't remember seeing
8 anyone else.

9 Is that because you were so
10 focused?

11 : Yeah, what was going on, so
12 I can't say I seen anybody else.

13 You can't say there was
14 somebody else around?

15 : Yeah.

16 : We need to take a break, is
17 that okay?

18 : Uh-huh.

19 : Do you mind if we leave the
20 recording on or if we turn it off.

21 You can leave it on.

22 MS. ALIZADEH: It is 11:58 a.m. and I
23 paused the recording of the FBI interview of
24 at 40 minutes and 19 seconds because they
25 actually are taking a break in the interview and the

1 jurors thought this would be a time we would break
2 for lunch. So at this time we are going to have a
3 break for lunch and let me know how quickly you want
4 to resume. I'll keep you posted on if the witness
5 is here when he's supposed to be here.

6 (Lunch recess)

7 MS. WHIRLEY: It is approximately 12:49,
8 we are still on September the 25th, 2014, and we
9 were listening to an interview by the Federal Law
10 Enforcement Department of .

11 We're going to conclude that interview and
12 then after that, we do have a witness here. His
13 name is . We will talk to

14 and then we will see where we are on time.

15 Kathi will be joining us in a little bit,
16 so we're at 4019 is where we stopped it and I'm
17 going to resume that interview now.

18 (Resuming the interview of

19 .)

20 : We have some more questions, so
21 we have a better understanding, okay?

22 : Okay.

23 We are not trying to suggest
24 anything.

25 We started back at

1 approximately 5041.

2 : Again, if there is anything
3 mischaracterizing or misunderstanding, definitely
4 help us, okay?

5 : Uh-huh.

6 : Where you parked your car, can
7 you describe for us, I mean what you did, when you
8 parked your car.

9 I got right out of the car
10 and I start walking towards s house to see what
11 was going on.

12 Sorry, you said you parked your
13 car, got out, before you got out, did you take the
14 keys out of the ignition?

15 : Uh-huh, yes.

16 Did you grab anything, did you
17 have any stuff with you, anything like.

18 : I just got out of my car
19 and grabbed the keys and got right out.

20 When you got right out, where
21 did you go?

22 : I start walking towards
23 house, cutting across the grass.

24 : Did you continue walking as you
25 are looking at what is going on.

1 Uh-huh.

2 : Yes.

3 Yes.

4 Okay. And did you start going
5 up to, going up to s apartment while this is all
6 going on?

7 No, by the time I got right
8 over here that is whenever, I got right to this
9 point, that's whenever I saw he was going down, like
10 whenever. Before I got to her first steps, he was
11 already laying on the ground. I saw him next to the
12 ground.

13 : Okay. Did you go down into the
14 foyer while you were walking?

15 No.

16 Can you describe when you saw
17 Michael first begin to turn around, can you describe
18 in as much detail as you can, what he was doing? I
19 know you said he was running.

20 Yeah.

21 : But now and then.

22 His body jerked.

23 : Okay.

24 : He was still faced like the
25 opposite way of me, so I just saw his body jerk and

1 then he stopped where he was and turned around and
2 putting his hands up as he was turning.

3 : When he was running, do you
4 know where his hands were.

5 No.

6 Okay. When he stopped, do you
7 know where his hands were with his body (inaudible).

8 : Uh-huh.

9 When his hand -- (inaudible).

10 Whenever he, whenever he
11 jerked, he was like, and then he just like this.
12 (indicating)

13 His hands starting coming up
14 when he jerked, like when he jerked his hands
15 starting coming up?

16 : Like, you know, if you jerk
17 like that.

18 : You are showing almost
19 involuntarily his hands jerk; is that correct?

20 Yeah.

21 I don't want to mischaracterize
22 it, but based on what you are showing me happening,
23 the body jerked, like body jerking, like his hands
24 just kind of moved as part of the jerking?

25 : Yeah.

1 : Okay.

2 : As he jerked, his hands kind
3 of flew up?

4 : Yeah, like that.

5 : Okay. Can you describe, did
6 you see any sort of blood or injury at that point?

7 : I didn't, I couldn't see.
8 I didn't see blood until when he laid there and
9 started pouring from him. It didn't register to me
10 that he was dead until I saw the blood. I didn't
11 see any of that.

12 As he was turning around, did
13 he put his hands anywhere on himself?

14 : No.

15 : No?

16 No.

17 Did you notice anything about
18 his hands or his arms?

19 That they were, whenever he
20 turned around, no. Only thing I notice that they
21 were up in the air like he just went down like that,
22 he was getting shot it was like huh, huh, huh and he
23 fell to the ground.

24 : So you are saying, I wanted to
25 see if I can characterize this correctly.

1 With the jerking movement, as you just
2 showed us, his hands kind of went up, that kind of
3 involuntary jerking motion?

4 : Uh-huh.

5 : It was kind of all one motion
6 as he turned around with his hands up and then fell
7 to the ground; is that right?

8 No.

9 : No, okay.

10 : So when he jerked that's
11 when like whenever, that's what happened where his
12 hands were at. I can't say where his hands was
13 until I saw his jerk and that, that is when I saw
14 like come up. It was involuntary because it was
15 just like a reaction to a jerk. That is whenever he
16 turned around and put his hands up like that.

17 You show with his palms up,
18 were you able to see his two palms?

19 : Uh-huh.

20 : Yes?

21 : Yes.

22 : Okay. Was his arms and hands
23 the same level that they were at when you first,
24 when his arms first jerked?

25 No, it was starting to go

1 up.

2 : They started going up, you
3 notice something about his palms, you were able to
4 see them, correct?

5 : Uh-huh.

6 Yes?

7 : Yes.

8 : Was there almost simultaneous
9 as he turned around in that position, then the shots
10 kept going and he started going to the ground?

11 : Uh-huh. They were like
12 right behind each other.

13 : Right behind each other.

14 : Yeah.

15 : So like one big movement right,
16 the jerking and the turning around and hold them up
17 and he went to the ground.

18 Yes.

19 : Was he already kind of going to
20 the ground as his hands were up?

21 : Once he faced the officer,
22 he started going down once he faced the officer and
23 his hands went up, he just started going down to the
24 ground as the shots was hitting him.

25 : So do you remember, okay, it

1 was kind of one motion, one series of events.
2 : Yeah, it was.
3 Okay.
4 : Just to be clear for the
5 tape, hands up, you got them basically at shoulder
6 level or your level, something like that?
7 : Yeah.
8 : Okay.
9 : How far did Michael go in
10 this direction?
11 : About to right here where
12 he fell.
13 Okay.
14 : That's as far as he went
15 where he turned and fell.
16 : Uh-huh.
17 : That's as far east on
18 Canfield as he went?
19 : Yes.
20 : Okay. I'm fine. One thing
21 that struck me earlier, you are talking about
22 afterwards, after you went up on 's balcony
23 and you talked to her for a short time and you said
24 you called your fiancée; is that right?
25 : Yes.

1 : Was that still on the
2 balcony there?
3 : Uh-huh.
4 : When you call your fiancée.
5 : Yes.
6 : Did you call the news from
7 the balcony also?
8 Yes.
9 : Was with you on the
10 balcony at that time.
11 : Yes.
12 : At the time you made those
13 calls?
14 : Uh-huh.
15 Okay.
16 : Is there anything else you want
17 us to know about this?
18 No, that's all that I know.
19 : Is there anything that we
20 didn't ask you that we should have asked you about?
21 : No, I don't think so. I
22 can't think of anything.
23 : Is there anything that we
24 mischaracterized or we misunderstood, I know we went
25 over with you several times.

1 Yes.

2 : Do you know what part of him is
3 being pulled?

4 : No, I don't. It looked
5 like it was his shirt.

6 : You are talking about that is
7 when he was jerking away, correct?

8 Yes, I did see the shirt,
9 like this part of the shirt being pulled.

10 : You are showing the sleeve
11 part?

12 : Yeah, yeah, whenever he
13 turned his arm, like turning off, he was trying to
14 pull it out. (inaudible)

15 : His right sleeve?

16 : Yes.

17 : Okay. And so what about right
18 before that, were you able to see him being pulled?

19 : Yeah, I didn't see exactly
20 what was being pulled, but you can tell if somebody
21 is being pulled without seeing what's pulling him.

22 So your perception from your
23 vantage point that Michael Brown is being pulled?

24 : Yes.

25 : You couldn't tell from what

1 part of his body he was being pulled?

2 : No.

3 And no part of his body, as far
4 as you could tell, was inside the car?

5 : No, I can't see, like his
6 hands is like okay, I can't see his hands went all
7 the way into it, but it was just like, you know,
8 like through the window like, like a little back and
9 forth.

10 : Is Michael Brown's head in the
11 window a little bit is what you are saying?

12 : Yeah, I can't say, like he
13 didn't go all the way into like that, but it was
14 like a back and forth thing right there through the
15 window.

16 : Okay.

17 : You never saw Michael
18 Brown's hands go inside the window?

19 No, I didn't. I can't say
20 that they didn't, but I didn't see them.

21 : Is there a point you didn't
22 see the entire thing where it is possible it could
23 have gone in the window, is that fair?

24 Yes.

25 : But you didn't see

1 everything that was going on there inside the
2 vehicle?

3 No, not before, no. I was
4 looking at my phone.

5 : Right. Looking at your
6 phone and parking as well.

7 : Yeah.

8 : So there were portions of
9 this where you actually didn't have eyes on what was
10 going on in street; is that fair?

11 Yes.

12 : And after you parked your
13 car, were there other times then, for example, as
14 you are getting out of your car where you may not
15 have had eyes on the street the entire time?

16 No, wherever I got out of
17 my car, I started walking right toward it, more like
18 I saw it from whenever I saw the officer come from
19 his car, I saw Michael going down.

20 : I'm talking about where you
21 parked and were getting out.

22 : As I was getting out, I
23 couldn't see on the other side of that car. I can't
24 say how fast the officer got out of the car and, you
25 know, exactly what he did on that side because I'm

1 on this side, on the passenger side of the vehicle,
2 not the driver's side.

3 Have we clarified all of that
4 now?

5 : Yes.

6 : You feel like we were trying to
7 get you to say something that a you didn't want to
8 say?

9 : No.

10 : We treated you fairly?

11 : Yes.

12 All right. If at any point
13 weeks, day, months whatever come up, you want to
14 talk to us again and you think there is something we
15 need to know, you want us to know, don't feel like
16 this is one shot and that's it, okay?

17 Uh-huh.

18 : You can always call the FBI,
19 call you can have your lawyer call myself or
20 , we are always open to new information from
21 you or anybody else. We don't want you to feel like
22 you lost your opportunity this is it, okay.

23 Oh, that's fine, thank you.

24 : Thank you.

25 : We have to clarify that you

1 drew on the map this is where Michael Brown last
2 stood; is that correct?

3 : Uh-huh.

4 : Okay. Are you sure?

5 : The place where he last
6 laid?

7 : Where he turned around,
8 where he last was?

9 This was his last place
10 right there where he fell.

11 : I didn't want to put words
12 in your mouth, I didn't see like you were
13 understanding what I said so. I'm just going to say
14 where Michael Brown last stood; is that correct.

15 : Uh-huh.

16 That dot or this rectangle
17 was the vehicle, the truck, the police truck?

18 : Uh-huh.

19 Okay. Just going to say
20 police vehicle. And this X was, do you remember?

21 : I don't remember why I made
22 the X right there.

23 I think this is what, where
24 you said they were when you were getting out of the
25 vehicle, does that sound correct?

1 Are you sure? We can leave
2 it blank.

3 I don't remember why I made
4 this.

5 That's fine, we just won't
6 identify it. Do you remember what this was?

7 No.

8 Okay. All right. So is
9 this okay for me to put these two items.

10 : Yes.

11 Okay. Could you sign and
12 date this just anywhere, please?

13 Okay. Do you have any questions for us?

14 No, that's it.

15 : I'm going to stop the
16 recording. The time is 4:16 p.m.

17 (End of he playing of the
18 interview.)

19 MS. WHIRLEY: That is the conclusion of
20 the interview with the federal,
21 during the federal investigation. Now it is
22 approximately 1:06 p.m. for us our time. We are
23 preparing for our next witness. Do you have any
24 other announcement?

25 So I will go get our next witness.

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

9 EXAMINATION

10 BY MS. WHIRLEY:

11 Q I'm Sheila Whirley, Kathi Alizadeh is
12 here, both with the prosecuting attorney's office,
13 also all 12 jurors are here, the court reporter and
14 we are now talking with .

15 A Yes.

16 Q Could you introduce yourself and spell
17 your name for everyone, please?

18 A My name is . ,

19

20 Q All right. And keep your voice up. You
21 see a microphone, it is not going to make your voice
22 louder, it is just recording, okay?

23 A Okay.

24 Q All right. you know why
25 we are here?

1 **Q** Okay. We have a map here, I don't know if
2 it captures the area that you are discussing, but
3 can you tell us looking at this map, and here is a
4 pointer, you use it like this, push that button?

5 **A** Okay.

6 **Q** Which area can you tell from this map
7 where the area is that the apartments are that you
8 were coming from?

9 **A** Where, this is West Florissant.

10 **Q** This is West Florissant, right?

11 **A** Yes.

12 **Q** Okay. And that's Canfield Drive?

13 **A** This apartment is back over in that way.

14 **Q** Okay. So they're not actually on the map,
15 but they're further east?

16 **A** Right.

17 **Q** From the Canfield Green Apartments?

18 **A** Yes, end up this is Canfield, yeah, making
19 a right this way.

20 **Q** Okay. You are driving down Canfield
21 Drive?

22 **A** Yeah.

23 **Q** What kind of car are you in?

24 **A** A Monte Carlo, two-door white Monte Carlo.

25 **Q** Who is driving?

1 **A**

2 **Q** You are the passenger?

3 **A** Yes.

4 **Q** Anyone else in that two-door car?

5 **A** No.

6 **Q** Okay. So show us your pathway again?

7 **A** So end up making a right here, so as we
8 are coming down one of these side streets is like a
9 dead end for right here, and the officer came off
10 one of these streets right here, I think it might
11 have been this one. (indicating)

12 **Q** When did you see the officer?

13 **A** When we made a right coming down, he
14 basically jumped in front of us.

15 **Q** The officer came out onto Canfield Drive?

16 **A** Right.

17 **Q** Now, before you go further, do you recall
18 approximately what time it was, what time of day?

19 **A** Almost 12.

20 **Q** Close to noon?

21 **A** Uh-huh.

22 **Q** And when the officer, you say he jumped in
23 front of you, was he like, did he have red lights
24 and siren on or something appear to be happening?

25 **A** No.

1 **Q** Okay.

2 **A** So he came, he got up to the Canfield
3 area, I mean, street or whatnot, he got a little
4 further off going a little faster or whatever, so we
5 coming in behind, that's when kind of, almost got
6 right behind him because he had confronted Mike
7 Brown and his friend Dorian.

8 **Q** Okay. For the record, we are using Grand
9 Jury Exhibit 25 when we refer to the map and you are
10 showing us the locations at what point on that map
11 are you saying you guess he confronted Mike Brown
12 and Dorian, where on the map?

13 **A** It is like, let's see, it is somewhere
14 right here. (indicating)

15 **Q** Okay. And why do you say you guess, do
16 you know or you guess?

17 **A** No, I'm saying it is right here.

18 **Q** Okay.

19 **A** So that's where -- so that's where we are
20 coming down. whatnot. So I guess he was, the police
21 was about right here somewhere, talking to him or
22 whatnot, they didn't comply.

23 **Q** How do you -- what did you know, did you
24 hear them talking?

25 **A** No, I didn't hear nothing at all.

1 **Q** You just heard later about them not
2 complying, is that what you are saying?

3 **A** I'm saying it was the police stopped.

4 **Q** Okay.

5 **A** And said something and that's, Mike Brown
6 kind of looked back and just both of them kept
7 walking, him and Dorian. And that's when he came
8 back real fast, Officer Wilson, and kind of
9 catty-corner the car and almost hit Mike Brown, and
10 jump back and that's when we were actually behind
11 the police car, the Monte Carlo.

12 **Q** So where would you have been, the Monte
13 Carlo?

14 **A** It was like, I know we was like right here
15 being by this sewer, like a little bit in front of,
16 you know, the entrance right here.

17 **Q** Okay. And could you pass the car, the
18 police truck, could you pass it?

19 **A** No.

20 **Q** Did you drive around it?

21 **A** No.

22 **Q** Okay. So you were blocked?

23 **A** Basically, yes.

24 **Q** Behind the police car?

25 **A** Yeah, and after that, after somehow I

1 couldn't see because it's a tinted window on the
2 back of the truck so, um, somehow Mike Brown ended
3 up by the window or whatnot.

4 **Q** Which window?

5 **A** The police car.

6 **Q** Which window?

7 **A** Driver's side.

8 **Q** Okay. Driver's side?

9 **A** Or whatnot, so the only thing I could see
10 is like under the car.

11 **Q** Let me ask you this, was someone with him,
12 you did say Dorian was walking with him?

13 **A** Uh-huh.

14 **Q** Where was Dorian at this time?

15 **A** Um, as he was at the window?

16 **Q** Yeah.

17 **A** He was like, he was like, right towards,
18 when he was looking at it, I guess I could show you
19 all, I guess he is looking at them in the scuffling,
20 he looked, he kind of tripped over his foot and
21 just, you know, ran off whatever he seen because I
22 couldn't see. I couldn't see and whatnot because
23 the truck was, you know, catty-corner or whatnot.

24 So from then I was just like seeing
25 Mike Brown feet under the car.

1 **Q** What was his feet doing?

2 **A** Just moving like, you know, back and forth
3 and truck starts shaking like two or three different
4 times.

5 **Q** What did it appear to you was going on?

6 **A** A scuffle, a scuffle and whatnot.

7 So from then after that happened I
8 heard like a shot, just a shot, a small shot. It
9 wasn't too loud, it just was a shot.

10 **Q** Could you tell where the shot was coming
11 from?

12 **A** In front of us.

13 **Q** Could you tell --

14 **A** The police car.

15 **Q** It sounded like it was happening inside
16 the car?

17 **A** Yeah.

18 **Q** Or outside?

19 **A** Well, I know he was outside the car and
20 the police was inside the car, his feet was on the
21 ground, Mr. Wilson's wasn't.

22 **Q** But the shot, where did it sound like it
23 was coming from inside or outside the car?

24 **A** Inside the car.

25 **Q** Okay.

1 **A** So from then I end up telling , this
2 don't seem right. After I heard that first shot
3 back up, back up and open your door, open my door,
4 so we don't catch no shot or what else is going to
5 go on.

6 **Q** So why did you want the doors open?

7 **A** So we could duck.

8 **Q** You felt you could duck better if the door
9 was open?

10 **A** Yeah.

11 **Q** I see. So where does he back up from the
12 police car?

13 **A** Yeah.

14 **Q** And where was she when she backed up?

15 **A** We're kind of like, like this is the sewer
16 right here.

17 **Q** Okay.

18 **A** We wasn't nowhere like right here where we
19 could turn in, you know, to be kind of like right
20 here.

21 **Q** Okay.

22 **A** A little bit in front of the sewer or
23 whatnot.

24 **Q** Okay.

25 **A** So from then, as soon as like we backed

1 up, Mike Brown ran on her side, I meant the driver's
2 side coming from the officer's car, like limping a
3 little bit, gasping for breath.

4 **Q** Who was limping?

5 **A** Mike Brown. So I think his slipper came
6 off or something like that.

7 **Q** His what?

8 **A** His shoe, his shoe he had on or something
9 like that, I think it came off. But, um, so that
10 happened, that's when I heard a second shot. That's
11 when we he started ducking, we end up ducking.

12 **Q** Well, let's see what better clarity, what
13 was going on when you heard the second shot. So you
14 heard the first shot in the car, what happened once
15 you heard that first shot?

16 **A** Back up and open the doors.

17 **Q** Okay. And what was happening?

18 **A** About when we stopped, that's when Mike
19 Brown was running around her side.

20 **Q** The side, the driver's side of the car?

21 **A** Of , yes.

22 **Q** You saw him running?

23 **A** Yeah, like, you know, like scooting off.

24 **Q** Okay.

25 **A** Not actually running, running, running,

1 like scooting off, walking fast.

2 Q What was the police officer doing?

3 A I couldn't see him still.

4 Q Okay.

5 A I just heard another shot.

6 Q You heard another shot?

7 A Yes.

8 Q While Mike Brown was kind of scooting or
9 running?

10 A Yeah, right.

11 Q Did he have his back to you at that time?

12 A No, I was looking on his side, I was on in
13 the passenger side, so I'm looking at his side.

14 Q Okay.

15 A So his back to the officer.

16 Q Let me ask the question again, his back
17 was to the officer?

18 A Uh-huh.

19 Q Okay. He was not facing the officer when
20 you heard the second shot?

21 A Huh-uh, no.

22 Q Okay, go ahead.

23 A End up, you know, halfway ducking down.
24 So as I'm ducking down, you know, catty-corner from
25 my eye and I see Dorian. Like I don't know how he

1 got from, you know, from over here, you know, going
2 to the side of this street to being all the way over
3 here, I was, I didn't see nothing, none of that.

4 So the second shot I heard, I end up
5 seeing, ducking down and seeing him like, who is
6 this, you know, and I end up recognizing who it was.

7 **Q** Did you know Dorian before that day?

8 **A** No.

9 **Q** Did he say anything when he came around to
10 the side of the car?

11 **A** Huh-uh, not at the time, not yet.

12 **Q** Okay. Okay.

13 **A** And then I did say like the second shot,
14 said like a good four, five, six seconds, and that's
15 when I see the officer, Mr. Wilson, came the same
16 way as was. You know, he's gasping for
17 breath, had his gun down, just going toward him.

18 **Q** Was he running or trotting?

19 **A** Just trotting, like huh, you know.

20 **Q** Okay.

21 MS. ALIZADEH: So who's trotting and
22 gasping for breath that you just described?

23 **A** Mr. Wilson.

24 MS. ALIZADEH: The officer?

25 **A** The officer.

1 MS. ALIZADEH: Okay, all right.

2 **A** So, uh, and then I end up looking out the
3 back window, I guess, coming down the way or
4 whatnot. Like the whole time I don't know, I
5 blanked out or whatnot because I'm not hearing
6 anything, but I didn't hear nothing from the time
7 that they was at the truck. We are both, from the
8 officer's truck to the time he was running and
9 whatnot because I guess he had got down the street
10 some, a little after him or whatnot.

11 **Q** (By Ms. Whirley) So the officer was
12 trotting with his gun out?

13 **A** Yeah, it was down here.

14 **Q** After Mike Brown?

15 **A** Yeah.

16 **Q** Okay.

17 **A** So basically from then I'm looking out the
18 back window, is looking out her little rear
19 view mirror. So I guess they got down the street,
20 you know, got down towards, they still in the yellow
21 line the whole time. So get down, get down a way
22 and Mike Brown kind of swayed and turned around.
23 His hands weren't fully up, he kind of turned around
24 and he was just like that, and then he slid off
25 three more shots and fell on his face. (indicating)

1 **Q** So the officer shot him while his hands
2 was like this? (indicating)

3 **A** Uh-huh.

4 **Q** And the way you demonstrated was his hands
5 were --

6 **A** Halfway.

7 **Q** Like shoulder length?

8 **A** Uh-huh.

9 **Q** Okay.

10 MS. ALIZADEH: Can you demonstrate again,
11 I missed it, I was writing.

12 **A** Like, uh, I guess, I guess from where the
13 officer was at, he must have said something to him.
14 I couldn't hear that far back, you know. He was
15 probably, he was up by some other cars, so I
16 couldn't hear that far or whatnot. So I guess he
17 end up putting, you know, his gun up and saying
18 something to him, like get down or something.

19 **Q** (By Ms. Whirley) You are guessing about
20 that?

21 **A** Yeah.

22 **Q** You didn't hear that?

23 **A** Yeah, I didn't hear nothing the whole
24 time.

25 **Q** All right.

1 **A** As I guess he said something, you know, if
2 you are looking just to visualize or whatnot, turn
3 around, like slow his hands like slow.

4 **Q** Mike Brown?

5 **A** He wasn't fully up in the air or nothing
6 like that, he was just like this, and then boom,
7 boom, boom, three more shots and he fell down, hit
8 his face and fell on his arm and hit the ground.

9 **Q** When he turned around and raised his hands
10 up shoulder length, did he charge at the officer?

11 **A** No, no.

12 **Q** Did he move in a threatening way towards
13 the officer?

14 **A** Not that I could see, no.

15 **Q** You didn't see him threaten the officer?

16 **A** No.

17 **Q** As if he was coming to do him harm?

18 **A** No, the officer wasn't that close, he was
19 not close at all to him.

20 **Q** Like how far away would you say the
21 officer was when he turned around with his hands up?
22 Was it longer than what this room allows? I mean,
23 if I'm back here?

24 **A** I'd say from here to that corner
25 basically.

1 **Q** From where you are to the corner?

2 **A** Yeah, or from the door to there.

3 **Q** So like 15, 20 feet you're saying?

4 **A** Yeah.

5 **Q** Okay. And that's how far the officer was
6 when he fired the last shots?

7 **A** Yes, that I heard.

8 **Q** That you heard?

9 **A** That I heard.

10 **Q** Did Michael Brown stumble toward him in
11 any way or come at him?

12 **A** I just seen him drop.

13 **Q** Did he move again once he dropped Michael
14 Brown?

15 **A** Like I'm in the back seat, like he's on
16 the ground, I can't see no more after that.

17 **Q** Okay.

18 **A** And unless I got out and whatnot. So from
19 seeing that and whatnot, I got doors are still open.
20 So the first thing Dorian say, can you take me down
21 here? I'm like, hell no.

22 So prior to what they did at that
23 store, I didn't know nothing about that. You know
24 anybody ask you something like that, you are like
25 no.

1 **Q** Shots were being fired, you don't know
2 what's going on?

3 **A** Right.

4 **Q** Is that right?

5 **A** I mean, the three shots he dropped or
6 whatever, I'm just saying after that, you know, like
7 messed up or whatnot, he asked to get in the car and
8 take me down here and this and that. I'm like, no,
9 skirt off.

10 So about the time then the police
11 officer catty-corner right here, so I told her to,
12 you know, leave him where he was at, got up here, we
13 got up here by the police car like right here. On
14 the side is the apartments, you know, catty-corner.
15 So by the time we got up there, other police were
16 coming through, coming from West Florissant indene
17 came like straight at us at first.

18 **Q** Was there more than one car?

19 **A** It was like, I think it was like three,
20 four, five of them trucks.

21 **Q** Okay.

22 **A** So they came like straight at us, but
23 then, I guess, one of the other trucks stopped and
24 they turned, they just went on around towards the
25 body.

1 So from then, I just told her to
2 gradually go in that grass and we left.

3 **Q** So you didn't see what they were doing
4 once the police arrived because you left, right?

5 **A** Yeah, we left.

6 **Q** Did anyone try to stop you and talk to you
7 about what you may have seen that day?

8 **A** No.

9 **Q** Okay. All right. So, go ahead.

10 **A** Let me say something I just forgot too.
11 So when we got here by the police car, basically we
12 got stopped seeing other officers coming in, I end
13 up getting out, you know, to look back and whatnot.

14 MS. ALIZADEH: I'm sorry, I couldn't hear
15 what you just said, you ended up getting out?

16 **A** Yeah.

17 MS. ALIZADEH: Okay.

18 **A** I seen the other officers was coming in or
19 whatnot, and her getting up beside, you know, of the
20 truck. Because we end up stopping because the
21 police I thought were going to block both sides, but
22 they end up didn't. They came straight at us and
23 they went on around towards the body and whatnot.

24 And the other officer I end up
25 getting out of the way of him. I looked back and I

1 just seen the officer checking his arms or whatnot.
2 I don't know if was checking for blood splatter or
3 whatever or whatnot.

4 After that, got in, started to
5 gradually go through the grass and we left. That's
6 why I say at the end.

7 : Now, when you say he was
8 checking his arms, Officer Wilson was checking his
9 arms?

10 **A** Uh-huh.

11 Okay, all right, thank
12 you.

13 : . On the
14 map could you indicate to us about how far towards,
15 how far east, I should say, Mike Brown ran before he
16 turned from where he stopped?

17 **A** I would say it is like, you know, going up
18 by this way. Where his body was at, that's how far
19 he went. Well, over by this tree, well, not this
20 tree here, but like, you know, a little right there,
21 that area, yeah.

22 : When you
23 were witnessing this, did you happen to see was it
24 like another car that came behind you as well?

25 **A** It was like, I'd say, I'm trying to, you

1 know, put in about time. I'd say about, ended up
2 being like two to three cars behind us.

3 Do you remember like the
4 color any of those cars, what kind of make or model
5 they were?

6 **A** I know it was a burgundy car that was back
7 there that a young lady was in.

8 MS. WHIRLEY: Do you know the young lady?

9 **A** Uh-huh, no. In a black truck, that is all
10 I remember.

11 MS. ALIZADEH: Where was the black truck,
12 behind the burgundy car?

13 **A** I think it was in front of that one, I
14 think.

15 MS. ALIZADEH: Do you know who was
16 directly behind s car, not who, but can you
17 tell me what car was behind s.

18 **A** I know it was a smaller car, smaller
19 vehicle. I don't know, it might have been a white
20 or a gray car. It was like a truck and a burgundy
21 car.

22 MS. ALIZADEH: And where were the truck
23 and burgundy car in relation to the car you were in?

24 MS. WHIRLEY: Show us on the map?

25 **A** Behind, basically, behind us.

1 MS. ALIZADEH: Behind you?

2 **A** Yeah. Like I said, it was like a smaller
3 car behind us, I don't really remember what color,
4 it my have been gray or white, but I know that car
5 was a black one and a burgundy one.

6 MS. ALIZADEH: Let me ask because I know
7 at some point, you and I have talked a little bit
8 about this, right, briefly?

9 **A** Uh-huh.

10 MS. ALIZADEH: You said that as Michael
11 Brown ran past, you turned in the car and watched
12 through the rear, back of the car.

13 **A** Yeah, the mirror, yeah, the glass.

14 MS. ALIZADEH: Through the windshield.

15 **A** The back glass.

16 MS. ALIZADEH: I don't know what you call
17 it, back windshield.

18 **A** Uh-huh.

19 MS. ALIZADEH: So you are looking out the
20 back window of the car, the back windshield?

21 **A** Uh-huh.

22 MS. ALIZADEH: And so when you first
23 turned to look out the back windshield, was there
24 already a car behind you?

25 **A** Um, I think it was like one, I think it

1 was like one at the time.

2 MS. ALIZADEH: You said that was a smaller
3 car?

4 **A** Yeah.

5 MS. ALIZADEH: Now, you also said that
6 there was a truck, like a black truck?

7 **A** That was the time that I got out, yeah.

8 MS. ALIZADEH: Black truck came after?

9 **A** Yeah, that was after, it was like still
10 clear out there.

11 MS. ALIZADEH: Okay. Somebody else had
12 hands up?

13 : . I was
14 trying to make sure I have this correct. You said
15 that, was it officer Darren Wilson you said that was
16 trotting down the street after Michael Brown and
17 appeared to be gasping for breath?

18 **A** Yeah.

19 With the gun down by his
20 side?

21 **A** Towards the ground, it wasn't like up or
22 nothing like that, it was huh, like that.

23 Okay. Then with Dorian,
24 did Dorian, you said he appeared out of nowhere or
25 something?

1 Dorian, if I'm understanding you correctly here, at
2 that point is Dorian, let me say state this
3 correctly, is Dorian and Michael, are they both on
4 the driver's side of the officer's vehicle at that
5 time that you see the feet underneath struggling.

6 **A** No, Dorian had been left.

7 : Dorian had gone?

8 **A** Had been left.

9 : Okay. Dorian was not
10 there. Then when Dorian shows up again, is he at
11 the passenger side of your vehicle?

12 **A** Yeah, like two doors, he is like, he is on
13 the side part, you know, ducking down too.

14 Okay. And you said
15 before, is her name ?

16 **A** .

17 Okay. So
18 was driving, you are in the passenger seat of the
19 Monte Carlo?

20 **A** Uh-huh.

21 Okay. He shows up and
22 says man, you know.

23 **A** That's at the end, you know, from me
24 seeing him shoot Mike Brown and, you know, like end
25 up talking, like messed up, whatnot. And first

1 thing he said, can I get in, can you take me down
2 here. I'm like, no, I don't know you.

3 : Uh-huh.

4 MS. WHIRLEY: No, you go ahead.

5 **A** I didn't.

6 : You did not know Dorian
7 then?

8 **A** No.

9 Okay. Just some random
10 guy that said, hey, man take me somewhere. I don't
11 know what's going on.

12 **A** Yeah, he was probably just scared like. I
13 said, he wasn't getting in no way.

14 MS. WHIRLEY: So to be clear, the point
15 where Dorian was at the car asking to get in, the
16 shooting had already occurred?

17 **A** Right.

18 MS. WHIRLEY: So before the shooting
19 occurred, was Dorian at, just kneeling by the car
20 without saying anything?

21 **A** He didn't say nothing, on the second shot,
22 he didn't say nothing.

23 MS. WHIRLEY: Was he in a position to see
24 what was going on?

25 **A** He was in a position to see everything.

1 MS. WHIRLEY: And coming back to your
2 question, when you first saw Dorian and Mike
3 together.

4 A Uh-huh.

5 MS. WHIRLEY: They were both walking down
6 the middle of street?

7 A Uh-huh, on the yellow line.

8 MS. WHIRLEY: On the yellow line. And the
9 officer, you were behind the officer and he backed
10 up real fast you said?

11 A Yeah.

12 MS. WHIRLEY: Almost hit Mike.

13 A About hit his foot almost.

14 MS. WHIRLEY: You could see that?

15 A Uh-huh, he jumped back from it.

16 MS. WHIRLEY: And was Mike pushing him,
17 preventing him from getting out of the car from your
18 view?

19 A I couldn't see all of that because the
20 truck was already catty-corner, that's why I was
21 saying how he ended up right by the police officer's
22 car.

23 MS. WHIRLEY: The officer almost hit him
24 he was so close when he came back.

25 A Yeah, he just, I don't know if he ran up

1 there and pushed the door, he might have seen it
2 coming open, I don't know, I don't know none of that
3 part.

4 MS. WHIRLEY: Okay. When the car comes
5 back and Mike Brown is at the door, where is Dorian
6 at that time because you said they were both walking
7 down the street, were they both by the door?

8 **A** Probably, well, I got to say exactly.

9 MS. WHIRLEY: Tell me what you saw, not
10 probably.

11 **A** I basically saw him kind of, you know,
12 slow and walking away from, I guess when Mike Brown
13 ended up being at the door, he was basically, I saw
14 him going kind of slow across the street and he ran
15 off real quick. I guess not wanting to be a part of
16 it.

17 MS. WHIRLEY: Okay.

18
19 So when the police officer backed up.

20 **A** Uh-huh.

21 : You say he almost hit
22 Michael Brown's foot?

23 **A** Uh-huh.

24 : That's when Dorian ran
25 away?

1 : So it obviously was a
2 little bit of a hard --

3 **A** Right, right.

4 : Okay.

5 : . I had one
6 more question.

7 MS. ALIZADEH: Sheila interrupted you,
8 that was not right.

9 MS. WHIRLEY: No, I didn't.

10 At any time did Dorian
11 position himself, to your knowledge, that you could
12 see, at any time did he position himself at the
13 trunk of your vehicle and between this other vehicle
14 that was parked behind you or that was stopped
15 reportedly behind you?

16 **A** The trunk?

17 The rear part of your
18 vehicle, the trunk end of your vehicle?

19 **A** Uh-huh.

20 : Was Dorian ever positioned
21 there at any time?

22 **A** The back of the car we was in.

23 : Yes?

24 **A** No, he was on the side, right on the side.

25 : On the passenger side?

1 **A** Basically, like I said, the second shot,
2 he end up ducking, that's when I seen him too. He
3 basically ducking down like this looking, you know,
4 just looking.

5 : He's like on the passenger
6 side at the rear portion of your vehicle?

7 **A** Yeah, like by the tire.

8 : Okay. Never by the
9 trunk, okay, thank you.

10 : . How soon
11 would you say the struggle began?

12 **A** How long was it I think?

13 : When you said you saw the
14 police vehicle come back at him at a rapid speed and
15 stop.

16 **A** Uh-huh.

17 : How soon would you say the
18 confrontation started?

19 **A** Oh, man, three seconds. No, like from
20 Mike Brown being by the door, about three seconds,
21 might have been two.

22 : You never heard nothing?

23 **A** Not the whole time, music down and
24 everything. I didn't hear stop.

25 MS. WHIRLEY: Windows down?

1 than the Tahoe's roof, if he is standing there and
2 standing upright.

3 **A** Right.

4 MS. ALIZADEH: Would you have been able to
5 see the top of his head or some part of his?

6 **A** No, because where I'm sitting is down
7 here.

8 MS. ALIZADEH: Is lower?

9 **A** Right. Even if he is tall, I wouldn't be
10 able to see him.

11 MS. WHIRLEY: Because you are in a Monte
12 Carlo, it sits low.

13 MS. ALIZADEH: So your position is further
14 lower?

15 **A** Right, yeah.

16 : Did you
17 happen to notice where Dorian went after the
18 shooting?

19 **A** No. As I told him to go on, we got by the
20 police car, that's when other police came in. Like
21 I say, when I got out, I didn't see him nowhere. I
22 didn't see him on the ground or nothing.

23 : Forward or backwards, you
24 don't know?

25 **A** No.

1 MS. ALIZADEH: You can sit down if you
2 want, , we don't mean to make you stand
3 up.

4 Did you happen to notice
5 to your right there's a parking lot, grassy area,
6 did you notice anybody else in that area right after
7 the shooting or during the shooting, would have been
8 on your right side?

9 **A** Like my right side over here. There was
10 like, I just seen somebody in a pink shirt. I don't
11 know from what balcony or exact or whatnot, but
12 somewhere over there, you know, glimpsing, going and
13 looking to the right or whatnot. It wasn't a full
14 fledge of people until when I left.

15 Up on the ground or
16 parking lot or getting out of the car or right
17 there?

18 **A** Uh-huh.

19 You didn't see anybody?

20 **A** No, just people in the apartment like
21 straight ahead over here.

22 : Okay.

23 **A** My eyes was, you know just looking.
24 That's the first thing, you know, when I got out and
25 turned, I just seen pink a shirt.

1 : You saw somebody on the
2 balcony.

3 : . So you are
4 saying you drove through that little field to get
5 away?

6 **A** Just drove right here on the grass part,
7 where the grass is, went around the police car.

8 And you didn't see
9 anybody standing in that area watching?

10 **A** Huh-uh, no.

11 MS. WHIRLEY: Were you looking for people?

12 **A** Huh-uh, no.

13 : Somebody could have been
14 there, but you just didn't recognize seeing it?

15 **A** Yeah, right.

16 : You were wanting to go?

17 **A** Yeah, exactly, yeah.

18 When this
19 scuffle was going on, you said you could see Michael
20 Brown's feet kind of moving and shuffling. Did you
21 ever, did it ever appear to you that he stepped back
22 and then went to the car and then stepped back again
23 and went to the car?

24 **A** Like, I mean, I guess you can kind of say,
25 what you mean like letting go and coming back?

1 : No.

2 **A** Yeah, like dancing movements. It wasn't
3 like standing still hitting or punching, it was like
4 a dancing, like they was probably just grabbing each
5 other or something, and just moving around, just
6 back and forth.

7 : Did you hear the shot at
8 the car or did you --

9 **A** The first shot?

10 : The first shot.

11 **A** Uh-huh. That's when I told her to
12 back-back, open the doors and basically take cover
13 if we hear another one.

14 : At that point did he turn
15 and run?

16 **A** Who?

17 : Mike Brown, sorry, Mike
18 Brown.

19 **A** From the first shot?

20 : Yeah.

21 **A** Like when we back, we back-back, as soon
22 as we stopped, that's when he start coming on
23 s side.

24 : You didn't hear a shot and
25 then he went back to the car and scuffled with the

1 were leaving and you went around the police car.

2 **A** Uh-huh.

3 MS. ALIZADEH: Were there cars on the
4 other side of the police car?

5 **A** Coming in?

6 MS. ALIZADEH: Yeah.

7 **A** No.

8 MS. ALIZADEH: You didn't see any cars?

9 **A** No cars coming in the whole time that I
10 seen.

11 MS. ALIZADEH: Did you drive straight out
12 Canfield to West Florissant?

13 **A** Yeah.

14 MS. ALIZADEH: Did you see anybody
15 standing in the street or in the yards of those
16 houses?

17 **A** No, not as I remember.

18 MS. ALIZADEH: Not that you remember?

19 **A** Huh-uh.

20 MS. ALIZADEH: And I have some other
21 questions, but not kind of at the scene. So let's
22 stick with questions about what happened at the
23 scene if you have any.

24 MS. WHIRLEY: Anything else at the scene?

25 MS. ALIZADEH: Okay. So I

1 just, I know you said is driving and after
2 you left the scene, where did you guys go?

3 **A** We went up, I told her to take me home,
4 but went up on the side, what's that street, what's
5 that Ferguson, on the side of Ferguson Market, is
6 that Ferguson or something like that?

7 MS. ALIZADEH: So you went out to West
8 Florissant, then you make a left?

9 **A** Made a left and quick right by that store.

10 MS. ALIZADEH: Okay.

11 **A** And went on out to Pagedale.

12 MS. ALIZADEH: You don't live in Ferguson;
13 is that right?

14 **A** No.

15 **Q** (By Ms. Alizadeh) Are you familiar with
16 Ferguson, the area?

17 **A** Uh, that street, from going through that
18 street, that was about my second time going through
19 that street, well, third time from the incident.

20 **Q** Do you know, does live in
21 Northwinds Apartments?

22 **A** Yes, I just thought about it, Northwinds,
23 that's the name of it.

24 **Q** That's the name?

25 **A** Yeah.

1 **Q** So you had take you home?

2 **A** Uh-huh.

3 **Q** And when you went home, who is the first
4 person you told about what you saw?

5 **A** When I went home?

6 **Q** Well, you went home after, you had her
7 take you home, right?

8 **A** Yeah.

9 **Q** Did you go home or did you just get out
10 and leave your house?

11 **A** No, I went to my house.

12 **Q** Right. So when you, after she drops you
13 off, does she stay or does she leave?

14 **A** She left.

15 **Q** Okay. So now that is gone, who is
16 the first person you told about what you saw?

17 **A** My sister.

18 **Q** Your sister?

19 **A** Uh-huh.

20 **Q** Okay. Now, at some point you knew that
21 there were, there was a big disturbance that
22 happened within a few hours of the shooting?

23 **A** Right.

24 **Q** Did you ever go back down to Canfield and
25 watch what was going on or be a part of that?

1 **A** No, huh-uh.

2 **Q** No?

3 **A** No.

4 **Q** What about, and then we know that in days
5 after that there was looting and rioting and
6 protesting, I mean, protestors are one group and the
7 looter and rioters are definitely a different group?

8 **A** Right.

9 **Q** Did you ever go up there and protest or be
10 involved?

11 **A** A week afterwards, but it was in the
12 daytime.

13 **Q** In the daytime?

14 **A** Daytime, when it was hot.

15 **Q** So I guess what I'm getting at is, you
16 actually spoke to the police for the first time on
17 August 22nd?

18 **A** Uh-huh.

19 **Q** So what was, what was going on between
20 August 9th and August 22nd, like as far as, you knew
21 that there were people saying hands up, people
22 saying no hands up, and you'd seen it?

23 **A** Uh-huh.

24 **Q** What was going on in your mind about why
25 wouldn't you come forward and tell the police what

1 you saw?

2 **A** Just, I don't know, just the thought, I
3 guess, just being there really. I didn't want to
4 get into it, you know.

5 **Q** Didn't want to be involved?

6 **A** Yeah, just be involved, you know. Just
7 seeing what was going on on TV every day, and this
8 and this, you know, you never know how people react
9 to certain things. Did you know this or you know,
10 you might know much more. So they might could be,
11 you know, after you or not. People are crazy out
12 here, so they might come for you first if you say
13 something.

14 **Q** Sure. But at some point you got together
15 with the police, so how is it that the police knew
16 to contact you?

17 **A** Um, well, a friend of mine, his name is
18 , his daddy, he knows --

19 **Q** You know what, it is hard to hear you when
20 your hands are in front.

21 **A** A friend of mine , his daddy knows
22 Mike Brown's people and they wanted to talk to me, I
23 guess, probably to hear about it. I don't remember
24 the man's name though.

25 **Q** Did your friend know that you had

1 been there and seen it?

2 **A** Yeah, afterwards.

3 **Q** Okay. So at this point you had told your
4 friend that you had seen it?

5 **A** Yeah.

6 **Q** And was friends with Mike Brown's
7 family or people?

8 **A** Yeah, so his daddy, I guess friend,
9 whoever he knew, got in contact with some guy and he
10 knew some guy from the NAACP.

11 **Q** Okay.

12 **A** I guess they gave him my number and then
13 they contacted me and like I said, it took me a
14 couple days from then to even go talk to them.

15 **Q** Okay. So other than your sister, and we
16 know you talked to the police on the 22nd, did you
17 ever give a detailed statement to anyone else about
18 what happened?

19 **A** No.

20 **Q** So no one else, whether it was someone
21 from Mike Brown's family, did you ever meet with
22 people from Mike Brown's family and tell them what
23 you saw?

24 **A** No.

25 **Q** What about anybody from the NAACP --

1 **A** Uh-huh.

2 **Q** And did you ever meet with the attorney
3 that represents Mike Brown's family?

4 **A** No.

5 **Q** Okay. You mentioned in your statement
6 that you had talked to a person named Attorney ?

7 **A** Attorney ?

8 **Q** Yeah.

9 **A** That was somebody that daddy.

10 **Q** Was that

11 **A** I just called him

12 **Q** Okay.

13 **A** Yeah.

14 **Q** All right. You didn't give him a detailed
15 statement of what happened, the attorney did you, I
16 mean, was he your attorney or someone else's
17 attorney that you met with?

18 **A** I guess that was somebody else's attorney.

19 **Q** Okay.

20 **A** That was representing them at the time,
21 which I end up giving them a statement because
22 that's where I was going to the NAACP so.

23 **Q** So did you give them a statement before
24 you talked to the police or after you talked to the
25 police?

1 **A** Before.

2 **Q** Okay. Did you feel that anybody, whether
3 it be your friends or people from Mike Brown's
4 family or the NAACP or anyone else, do you feel that
5 they were wanting you to say something other than
6 what the truth was or what you saw?

7 **A** No. You mean, mix up a story or
8 something?

9 **Q** Well, I wanted to know if you felt
10 pressured in some way to come forward and say
11 something?

12 **A** No, I just felt like, I didn't want to
13 just not say nothing.

14 **Q** Okay.

15 **A** So that's why, you know, talk to the NAACP
16 because I know that. I don't know, I just felt, it
17 didn't feel right no more so, and I know people are
18 looking for statements out here. So I just kind of
19 felt, you know, after the stuff started calming down
20 is when I calmed down and kind of realized to say
21 something.

22 **Q** So just, so I can also be clear, you said
23 that from the time Mike Brown turned around.

24 **A** Uh-huh.

25 **Q** That was pretty much at the spot where his

1 body fell on the ground?

2 **A** Uh-huh.

3 **Q** So he didn't go towards the officer after
4 he turned around?

5 **A** No.

6 **Q** Okay. And have you been out to Canfield
7 since this happened?

8 **A** Um, like I say in the day. I went to
9 like, I don't remember the dates, I know it was two
10 times I basically just stood by McDonald's the time
11 they kept closing right there. And say what, three
12 or four days from then, I went to go to the visual,
13 went to the visual, stood there for a minute and
14 left.

15 **Q** What do you mean by looking for the
16 visual?

17 **A** No, looking at the visual, you know, the
18 stuff that was in the street.

19 **Q** Oh, okay. The memorial?

20 **A** The memorial, that's what I meant to say.

21 **Q** The memorial they were putting in the
22 street in memory of Mike?

23 **A** Uh-huh.

24 **Q** Did you ever after dropped you off,
25 have you ever had a conversation with her about what

1 the two of you witnessed?

2 **A** Yeah, basically every day from when we see
3 it on TV.

4 **Q** Okay.

5 **A** I mean, you know, not trying to put things
6 together, but seeing things on the TV that is just
7 crazy stuff going on just back and forth, and back
8 and forth.

9 **Q** I'm not trying to suggest you were trying
10 to get your stories together, the reason I ask is
11 hasn't been returning calls. Do you talk to
12 her about that we would like her, you ever talk
13 about coming in and talking about this?

14 **A** Yeah, but you know, she works every day,
15 deal with kids every day.

16 **Q** Do you think if we could have her come in
17 at a time that it didn't interrupt her work, do you
18 think she would come in or is she just not wanting
19 to be involved, she doesn't return calls?

20 **A** I guess, I don't know how she really feels
21 about it now. I haven't just straight up and down
22 asked her.

23 **Q** Okay. Do you know anybody else who claims
24 to have seen this that hasn't come forward to the
25 police or anyone?

1 you don't live in the Canfield Apartments; is that
2 correct.

3 **A** No.

4 Do you live in Northwinds.

5 **A** No, I live in

6 : You don't live in the
7 particular area. How long has , do you know
8 how long she's stayed there?

9 **A** Um, I can't really say a number. I guess,
10 I think she said two years.

11 : Two years?

12 **A** Something like that.

13 : If I heard, I'm not sure
14 if I heard you correctly, I think your voice is kind
15 of low, she has children as well.

16 **A** Yes.

17 : Is that correct? In
18 speaking with her, I guess you two have a pretty
19 close friendship.

20 **A** Uh-huh, yes.

21 How long have you known
22 her?

23 **A** Um, since approximately about a year.

24 About a year?

25 **A** About a year.

1 : Okay.

2 **A** Some months.

3 : In speaking with her, is
4 it that she might be concerned about the safety, her
5 safety and the safety of her children is why maybe
6 she's not coming forward at this point?

7 **A** It might be because it is just, thing with
8 her too, she is just trying to get away from there
9 because there is just too much going on.

10 : Too much going on?

11 **A** Yeah. I mean, we talked about it, you
12 know, she said before she wanted to, but I don't
13 know how she really feels about it now.

14 : I'm sorry, is there a lot
15 of conversation in the air, that okay you know, if
16 you say something, something might happen to you or
17 to your car or whatever, okay, is that the kind of
18 feeling that's going on around there in Ferguson at
19 the time or what?

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

21 : You don't know?

22 **A** I don't live over there.

23 : Okay. You don't frequent
24 the area too much any more?

25 **A** No, at all.

1 Not at all, okay. I can
2 understand that.

3 MS. ALIZADEH: And has never said
4 anything about being threatened, has she?

5 **A** No.

6 MS. WHIRLEY: When is the last time you
7 talked to her?

8 **A** Yesterday when she got off of work.

9 MS. WHIRLEY: Okay. So you talk to her
10 still frequently?

11 **A** Uh-huh.

12 MS. WHIRLEY: You will let her know we are
13 trying to reach her?

14 **A** Yeah, yeah.

15 MS. WHIRLEY: And what happened, I mean,
16 not what happened, just that we want to talk to her?

17 **A** Right.

18 MS. WHIRLEY: Is there anything that you
19 want to add or tell us, a question that we didn't
20 think to ask or something you feel is important for
21 this grand jury to know?

22 **A** No, basically told everything, that's what
23 happened.

24 MS. WHIRLEY: Okay. We have another
25 question?

1 to bumper, but say might have been 3 or 4 feet,
2 enough to see up under a SUV, you know.

3 And then when you guys
4 backed up, be able to back up, how far back did you
5 back up?

6 **A** Yeah, probably like 8 feet by then, 7
7 feet.

8 : Okay.

9 MS. ALIZADEH: Now, you brought up another
10 point that I want to ask about. You said you can
11 see underneath the car, and I know it is an SUV and
12 sits up higher, but don't you think, if you were 3
13 or 5 feet.

14 **A** See, I'm the passenger, the car is
15 catty-corner, I can see straight up under there,
16 right up under there. She couldn't see it from her
17 side, she couldn't see like there, right at the feet
18 like I could. I could see, you know, just from
19 looking right up under the SUV.

20 MS. ALIZADEH: You were looking through
21 the windshield, front windshield when you could see
22 underneath the car.

23 **A** You couldn't see through the back
24 windshield, it was tinted.

25 MS. ALIZADEH: No, no, 's car, you

1 were look through the front windshield?

2 **A** Yes.

3 I just
4 want to make sure I understand what both of those
5 people are trying to get to. When you were looking
6 through the windshield and under the car, you are
7 maybe a foot from the police cruiser?

8 **A** Yeah, like I say.

9 : It wasn't until you
10 backed up that you were about 5 feet from them?

11 **A** Yeah.

12 Then you have a better
13 view of things but then by that time you were
14 trying --

15 **A** I mean, like from the get-go, from the
16 get-go from when he pulled back, I can still, I can
17 see from under that truck the movement.

18 : You can still see, the
19 reason you can only see under the truck was because
20 you are --

21 **A** Right, when I was on the passenger side,
22 yeah, uh-huh.

23 MS. WHIRLEY: Anyone else? Okay. I guess
24 that concludes the question and answer period with
25 .

1 **A** Yes.

2 (End of the testimony of .)

3 MS. WHIRLEY: We're back on the record at
4 2:20 p.m. on September 25th, 2014. Having heard
5 's testimony. All 12 grand jurors
6 are present, Kathi Alizadeh and Sheila Whirley and
7 the court reporter.

8 Now we are going to hear 's
9 recorded statement with a police officer and also I
10 believe someone from the federal investigation was
11 there also. You will hear the different voices.
12 This interview was conducted on August 22nd, but I
13 will go ahead and play it with that little bit of
14 introduction.

15 MS. ALIZADEH: We're going to pause the
16 recording. Are you ready to play?

17 MS. WHIRLEY: Yeah, let me bring it up.
18 There we go, that one is up.

19 MS. ALIZADEH: Enlarge that for a second.

20 MS. WHIRLEY: Are we ready?

21 MS. ALIZADEH: Pause the recording.

22 (Recording is paused.)

23 (This is the interview of

24)

25 MS. WHIRLEY: The interview concluded at

1 approximately 3:03 p.m.

2 MS. ALIZADEH: I just wanted to add that
3 during the playing of the interview, I had marked a
4 map as Grand Jury Exhibit Number 28. And originally
5 I put it up on the screen, but we couldn't do that
6 while it was playing so that kind of went around and
7 I wanted just to make a record that the map that
8 drew on or was used during his
9 interview is Grand Jury Exhibit Number 28.

10 Did you all have a good chance to look at
11 it?

12 MS. WHIRLEY: I do want to say when I said
13 that the interview 3:03 p.m., I mean that we stopped
14 watching it today on September 25th, 2014 at
15 3:03 p.m., or 3:02, whatever time I said. That's
16 all I have.

17 MS. ALIZADEH: So that's all the witnesses
18 and evidence that we have lined up for today. We
19 were planning on quitting at 3:15, you have 15
20 minutes more in your day now.

21 (End of the testimony for September 25,
22 2014.

23

24

25

1
2 State of Missouri
3 SS.
4 County of St. Louis

5 I, a Licensed Certified Court
6 Reporter by the Supreme Court in and for the State
7 of Missouri, duly commissioned, qualified and
8 authorized to administer oaths and to certify to
9 depositions, do hereby certify that pursuant to
10 Notice in the civil cause now pending and
11 undetermined in the County of St. Louis, State of
12 Missouri.

13 The said witness, being of sound mind and being
14 by the grand jury first carefully examined and duly
15 cautioned and sworn to testify to the truth, the
16 whole truth, and nothing but the truth in the case
17 aforesaid, thereupon testified as is shown in the
18 foregoing transcript, said testimony being by me
19 reported in shorthand and caused to be transcribed
20 into typewriting, and that the foregoing page
21 correctly sets forth the testimony of the
22 aforementioned witness, together with the questions
23 propounded by counsel and grand jurors thereto, and
24 is in all respects a full, true, correct and
25 complete transcript of the questions propounded to

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5 I further certify that I am not of counsel or
6 attorney for either of the parties to said suit, not
7 related to nor interested in any of the parties or
8 their attorneys.

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1 COURT MEMO

2

3

4

5 State of Missouri vs. Darren Wilson

6

7

8 CERTIFICATE OF OFFICER AND

9 STATEMENT OF DEPOSITION CHARGES

10

11 DEPOSITION OF Grand Jury

12

13 9/25/2014

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

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17 Prosecuting Attorneys Office

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19 Clayton, MO 63105

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2 charges had not been paid. It is anticipated
3 that all charges will be paid in the normal course
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8 IN WITNESS WHEREOF, I have hereunto set
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10 my hand and seal on this _____ day of _____

11 Commission expires

12 _____

13 Notary Public

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