Case: State of Missouri v. Darren Wilson

Grand Jury Volume XVII

Date: October 28, 2014

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STATE OF MISSOURI		
VS.		
DADDEN LITT GOV		
DARREN WILSON		
CDAND THOY		
GRAND JURY		
October 28, 2014		
VOLUME XVII		

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Page 2
           IN THE CIRCUIT COURT OF ST. LOUIS COUNTY
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                       STATE OF MISSOURI
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     STATE OF MISSOURI
 5
 6
 7
     VS.
 8
 9
     DARREN WILSON
10
11
          The following is a hearing before the Grand
12
     Jury of St. Louis County, at the offices of St.
13
     Louis County Prosecuting Attorney's Office, 100
14
     South Central Avenue, in the City of Clayton, State
15
     of Missouri, on the 28th day of October, 2014,
16
17
     before XXXXXXXXXXXXX.
18
19
20
21
22
23
24
25
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Page 3
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     APPEARANCES OF COUNSEL:
 2
 3
      FOR THE STATE:
         Ms. Kathi Alizadeh & Ms. Sheila Whirley
 4
         Assistant Prosecuting Attorneys for St. Louis
 5
 6
     County
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         Clayton, MO 63105
 8
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         (314) 615-2600
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	Page 5
1 ,	GRAND JURY HEARING VOLUME XVII
2	MS. WHIRLEY: Good morning. Today is
3	October 28th, it is approximately 8:39 a.m. This is
4	Sheila Whirley present, and also the 12 grand jurors
5	are here and XXXXXXX, the court reporter, is here.
6	Kathi Alizadeh is here, but has stepped out
7	momentarily. We are going to start out the morning
8	with the statement of . You have the
9	transcripts. It is on Grand Jury Exhibit Number 49.
10	(Grand Jury Exhibit Number 49
11	marked for identification.)
12	MS. WHIRLEY: I will play approximately 20
13	something minutes. She has another statement that
14	goes 40 something minutes. We are actually waiting
15	on her to come that's why we are going to go ahead
16	and do the statements. She was supposed to be here
17	at 8:30. Kathi is going to check on that and she
18	had not arrived before we came in this morning. So
19	we are still waiting on her. So that's the way we
20	will start the morning. XXXXXXX, with that bit of an
21	introduction if you can pause the recording.
22	(This is the playing of the interview of
23	.)
24	MS. WHIRLEY: All right. That was the
25	first statement by We have another

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Page 6
                           . I understand she is on
1
     statement by
 2
    her way. There was a mixup with transportation, but
 3
     she's on her way. This one is, I think,
     approximately 42 minutes. And it was an FBI
 4
 5
     interview that was conducted on September the 25th
 6
     of 2014. I'm passing out the transcripts. The
7
     actual recording is on Grand Jury Exhibit Number 36,
8
     and we will play that as soon as the transcripts are
9
     distributed.
               (Playing of the second interview of
10
11
          . )
               MS. WHIRLEY: That concludes the second
12
13
     interview of
                                 We will take a break,
14
     you probably need one and then we'll start with her
15
     testimony when we resume.
16
     of lawful age, having been first duly sworn to
17
18
     testify the truth, the whole truth, and
19
    nothing but the truth in the case aforesaid,
     deposes and says in reply to oral
20
21
     interrogatories, propounded as follows, to-wit:
22
                         EXAMINATION
23
     BY MS. WHIRLEY:
               I'm Sheila Whirley and these are the 12
24
25
     grand jurors. You met Kathi Alizadeh and XXXXXX, the
```

	Page 7
1 ,	court reporter, sits next to you.
2	Please introduce yourself to the
3	grand jurors and spell your name for us?
4	A Hi. My name is , last
5	name .
6	Q Okay. , you know why we're here,
7	the shooting of Michael Brown. Did you know Michael
8	Brown?
9	A No, I didn't know him. I seen his cousin,
10	I think that's the one that has the dreads. I seen
11	him a couple times, but I didn't know him.
12	Q We're going to ask you to speak up. I
13	generally stand back here so you and I can have a
14	conversation loud enough for everybody to hear,
15	okay?
16	A Okay.
17	${f Q}$ And that microphone is not going to help
18	you be louder, so you are going to have to raise
19	your voice, okay?
20	I understand what you said about
21	Michael and the person that was with him, had you
22	seen Michael Brown before that day?
23	A Probably once.
24	${f Q}$ Okay. When you saw him, did you talk to
25	him or anything?
ı	

	Page 8
1 .	A No, we didn't talk or anything.
2	Q You lived in Canfield Green Apartments
3	back on August 9th of 2014; is that correct?
4	A Yes, ma'am.
5	Q All right. There you go. All right. So
6	how long did you live there?
7	A Since Valentine's Day.
8	Q So February 14th of that year?
9	A Yes.
10	${f Q}$ Of this year. Show us on the map, you see
11	that map, that's Grand Jury Exhibit Number 25 and
12	there's a laser pointer right near you somewhere.
13	You know how to use it, there's a little button,
14	there you go. And you push that button down, there
15	should be a red light if you push.
16	A To show where I live?
17	${f Q}$ I want you to show us where you lived on
18	August 9th, 2014. I don't see the red light.
19	A I'm trying to recognize the map.
20	${f Q}$ Get oriented to the map. So does the map
21	help you out?
22	A Yeah, I see it, my apartment is right
23	here. (indicating)
24	Q So it is like ?
25	A Yes.
1	

	Page 9
1 Q All right. Now, te	ell us what you did that
2 morning, what time did you wa	
3 morning?	1
	e up at probably, um,
5 like 9:00. I was supposed to	be expecting my
6 boyfriend, the mother of his	kids to bring his child
7 over that day.	
8 Q Was your boyfriend	there with you?
9 A No, he was at work.	
10 Q Okay. So when you,	did the girlfriend
11 bring the child over?	
12 A She had brought him	n over later. I had a
13 whole bunch of errands to do,	I had to go to the
14 library to return a movie.	
15 Q Okay. You went to	the library. What
16 library did you guy to?	
17 A .	
18 Q Did you walk or dri	.ve?
19 A I caught the bus up	there, but I didn't
20 have no cash, I had to walk b	back.
\mathbf{Q} Was it a pretty lon	ng walk?
22 A Uh-huh.	
\mathbf{Q} Okay. So what time	e were you walking back
24 from the library?	
25 A Um, I was coming do	own Canfield probably at

		Page 10
1 1	about 12	:20, something like that.
2	Q	Noon-ish?
3	A	Yeah.
4	Q	And on this map, can you tell that West
5	Florissan	nt is over here?
6	A	Yes.
7	Q	And were you walking from West Florissant?
8	A	Yes, ma'am.
9	Q	And tell us where you were walking when
10	you first	t noticed something going on with Michael
11	Brown?	
12	A	Uh, I was probably about right here by
13	these tre	ees. (indicating)
14	Q	Okay.
15	A	Because I had paused, I saw a police car
16	sitting o	over here.
17	Q	You've got to talk a little louder.
18	A	I'm sorry. Sitting near the lease office
19	with the	lights on, you usually don't see a police
20	car just	sitting in Canfield.
21	Q	Okay. Where is leasing office, do you see
22	that on t	the map?
23	A	Right here. (indicating)
24	Q	Okay. That's the leasing office.
25		MS. ALIZADEH: Could you point at it again

		Page 11
1	because I	was just looking down.
2	A	I'm sorry. It is right here.
3	(indicati	ng)
4	Q	(By Ms. Alizadeh) Building 1?
5	A	Yes, ma'am.
6	Q	All right. So you pause in that area and
7	you said	you saw a police car with its lights on?
8	A	Yes.
9	Q	What do you mean by its lights on?
10	A	Like, uh
11	Q	The head bar?
12	A	Yes, the little red and blue light on top
13	of it.	
14	Q	At the top of the vehicle?
15	A	Yes.
16	Q	Not the lights that help you see at night?
17	A	No.
18	Q	And the lights that were on, what kind of
19	vehicle w	was it?
20	A	It was like the big, I don't know what
21	kind, lik	ce SUV.
22	Q	Okay. What color?
23	A	A white.
24	Q	But it was a marked police car?
25	A	Yes.

	Page 12
1 .	Q Okay. You could see that from Building 1
2	area?
3	A Yes.
4	Q Then what?
5	A Um, so I paused like right about here,
6	right by these trees just to see what was going on
7	because I saw the police car had backed up and he
8	like backed up at a slant, like to the left so that
9	he ended up in the middle of the street.
10	So all the cars that was next to me
11	like backed up right here was just sitting there. I
12	sat there to just to try to see what is going on.
13	$oldsymbol{Q}$ Did you see the car when it backed up or
14	when you first noticed it had backed up?
15	A No, when I first noticed it was straight.
16	The car was just straight. It was sitting right
17	there, the car was facing towards West Florissant.
18	Q Okay.
19	A There was the two boys, they were like
20	behind the car kind of like, like if he would of
21	continued to talk to them the way they was walking,
22	he would of had to back up to follow them. They was
23	like walking away from his car. So he backed up at
24	a slant going to the left to try to like block them
25	off.
l	

		Page 13
1 ,	Q	Okay. Can you describe the two boys that
2	were walk	ing that he backed up?
3	A	Yeah, there was a big, really big, I
4	didn't kn	ow he was that young. He looked like he
5	was in hi	s 20s and his friend was real skinny with
6	dreads.	He looked really young.
7	Q	Do you recall what the big guy had on?
8	A	I remember he had on a white T-shirt that
9	was about	it, like tan pants.
10	Q	Was he wearing anything on his head?
11	A	He had a red hat on.
12	Q	Okay.
13	A	A red Cardinals hat.
14	Q	A Cardinals cap?
15	A	Uh-huh.
16	Q	And then the guy, you said he had dreads
17	and he wa	s smaller?
18	A	Yes.
19	Q	Do you recall what he was wearing?
20	A	Looked like he had on a gray, like a dark,
21	gray shir	t.
22	Q	Okay.
23	A	I don't remember what kind of pants or
24	anything.	
25	Q	Okay. And you said you had, you had seen

		Page 14
	1	the smaller guy before?
	2	A Yeah, I had seen him before.
	3	Q But not the big guy?
	4	A No.
	5	$oldsymbol{Q}$ We know today that the big guy is Michael
	6	Brown, correct?
	7	A Yes.
	8	Q Okay. And that's who you saw?
	9	A Yes.
	10	Q So when the car back-back, did it
	11	back-back like hurriedly or slow or what fashion did
	12	the car back-back?
	13	A It was kind of like a fast, it was quick
	14	like. I don't know how to explain it.
	15	Q Okay. That's fine. Did it appear to
	16	touch the two guys that it back toward?
	17	A It looked like it did. I'm not saying
	18	that it did, but the way they jump back, like they
	19	were in shock like.
	20	Q So you saw the two people that the car
	21	back towards jump back?
	22	A Yeah, kind of like what are you doing, you
	23	know.
	24	Q Okay. Now, we read and heard your
	25	recorded statements because you made two statements
1		

		Page 15
1 1	both to t	he FBI and the Department of Justice?
2	A	Yes.
3	Q	Correct?
4	A	Yes.
5	Q	And you mention that your vision was
6	somewhat	impaired?
7	A	Yes.
8	Q	As far as you needing corrective glasses
9	or lenses	3?
10	A	Yes.
11	Q	On that day, did you have what you needed
12	to make y	our vision very good?
13	A	No.
14	Q	How would you rate your vision that day?
15	A	Um, from one to ten, I would say like
16	five.	
17	Q	Okay. So like me. I could probably read
18	from here	e to Forsyth without glasses, but up close I
19	cannot se	ee anything, okay. So was your long vision
20	better th	an up close vision?
21	A	Um, I'm nearsighted, so I can't see far.
22	Q	Okay. You need glasses to help you to see
23	far?	
24	A	Yes.
25	Q	Are you pretty confident in what you saw

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Page 16
     that day because how far would you say you were
 1
 2
     away? Let's look at that again. When you first saw
 3
     it, where were you?
          Α
               Uh, probably like right there.
 4
 5
     (indicating)
 6
               Okay. About right here. And where were
          Q
 7
     they when you first noticed them?
 8
          Α
               About right here. (indicating)
 9
               Okay. Anyway to judge that in feet or
     yards, I'm not good at that, but if you can tell us?
10
11
               I'm not certain. I would probably be
     really off.
12
13
          Q
               Okay. We got kind of a visual picture of
14
     the map that you showed us. Am I getting too close?
15
                               No.
16
               (By Ms. Whirley) You felt that you were
17
     pretty secure in what you were looking at?
18
          Α
               Yes.
19
          Q
               Even though you need contacts?
20
               It is not that bad. I can see the big
          Α
     vehicle and how he pulled back like that.
21
22
          Q
               Okay, just checking. How about your
23
     hearing?
24
               I couldn't really hear much of anything
25
     they were saying, there was a lot of other stuff
```

	Page 17
1 .	going on.
2	Q You have good hearing?
3	A My hearing is fine.
4	Q You don't need assistance to hear well or
5	anything?
6	A No.
7	Q Okay. So they back-back, the officer
8	back-back, it looks like they hit them because they
9	jump a little bit and look perturbed and look like,
10	hey, what are you doing, and then what?
11	A Well, the big dude, Michael Brown, like he
12	got mad kind of, he just went immediately to the
13	driver's window and they got into it. I don't know
14	how it started. I just know he went around to the
15	window and it looked like they was fighting.
16	${f Q}$ Okay. Did the little guy seem to be
17	helping?
18	A No.
19	Q Did you notice him?
20	A He was standing there for a while, but
21	once they started fighting, he just ran.
22	${f Q}$ Was he next to Michael Brown on the same
23	side of the car?
24	A Yeah, he was on the same side of the car
25	still at the back of it.

	Page 18
1 ,	Q They're at the driver's side of the car
2	since they were fighting?
3	A Yes, ma'am.
4	Q Did it look like anybody else was in the
5	car with the officer?
6	A No, I couldn't tell if anyone else was
7	next to the car.
8	Q You never saw anybody else get out or
9	anything like that?
10	A No.
11	Q Now, describe for us why it looked like
12	they were fighting, what did you see?
13	A Um, it was like his arms.
14	Q You have to tell us whose arms?
15	A I'm sorry, Mike's arms are reaching into
16	the car. It looked like some type of struggle cause
17	he was like bobbing in and out like they were doing
18	something. Like I said, I couldn't exactly see what
19	was going on, what they were doing, but his actions
20	looked like there was some type of fight.
21	Q Could you see the officer's arms?
22	A Not really. His body was kind of blocking
23	the window.
24	Q Okay. And you could just see Mike's arms?
25	A Yeah.

	Page 19
1 .	Q So you're standing on this side?
2	A Yes.
3	Q And the car is over here?
4	A Yeah, about.
5	Q Facing West Florissant?
6	A So it was a little farther, like right
7	there.
8	Q So would you have been closer, would your
9	view have been closer to the passenger side of the
10	car or the driver's side of the car?
11	A The driver's side.
12	${f Q}$ Okay. Because the car was going
13	A It was facing towards West Florissant and
14	then he backed like a slant going to the left, like
15	right in the middle of the street almost. That's
16	why the cars couldn't go through, he was right in
17	the middle of the street.
18	Q What other cars did you notice?
19	A I saw, it was like a black van. I don't
20	know models of cars, but right beside me there was a
21	black van, as far as behind that going down, I'm not
22	sure.
23	Q Okay. What did you see after that?
24	A Um, after that I see they were struggling
25	in the window for about, it was not that long, a

Page 20

- 1 couple seconds and then I heard the first gunshot.
- 2 And that's like, you know, kind of got everybody's
- 3 attention, people started paying attention after
- 4 that.
- 5 Q How do you know that people started paying
- 6 attention after that?
- 7 A Because his friend, after he ran, you
- 8 know, he just running around looking at stuff.
- 9 People outside on their porches, you know, because
- 10 you hear gunshot over there, especially when it is
- 11 like right in the middle of everything, so everybody
- 12 could hear it. You know, people start looking out
- 13 their windows.
- 14 **Q** You notice this yourself?
- 15 A Yes, ma'am.
- 16 You are kind of looking around at the
- 17 scene. You weren't just focused directly on the
- 18 police officer constantly?
- 19 A Yeah, that's another thing that throws off
- 20 some of my details, there's so much going on.
- 21 **Q** Okay.
- 22 **A** Like even the lady in the car that was
- 23 beside me, she was just like, you know, just
- looking, everybody just started to pay attention to
- 25 it.

	Page 21
1 .	Q Did you talk to anybody while this is
2	going on?
3	A I was by myself, I didn't talk to anybody.
4	Q Nobody was yelling out anything to you?
5	A Not until the rest of the shots fired,
6	that's when everybody went crazy.
7	Q The first shot, was the officer in the car
8	when that shot occurred?
9	A Yes, the officer was still in the car.
10	Michael Brown was still in the window when I heard
11	the first shot.
12	Q Tell us what happened next?
13	A After that, he kind of backed up and just
14	looked down at himself.
15	Q Show us, if you wouldn't mind
16	demonstrating?
17	A Like, stand up.
18	Q Like he backed up and was looking at
19	himself?
20	A Okay. So I heard the first shot and he
21	was just like, his hands was in the car and after
22	that he backed up like, trying to check hisself
23	making sure he wasn't hurt or anything.
24	Q Could you see if he was injured from your
25	vantage point?

		Page 22
1	A	No.
2	Q	You couldn't tell one way or the other?
3	A	No.
4	Q	Okay. And then what?
5	A	Um, then he kind of stepped back a little
6	bit. I d	did see something fall on the ground, it
7	sounded m	metal. So, of course, the first thing I
8	assume wa	as it was a gun.
9	Q	Okay. You thought that somebody had a gun
10	that fell	L?
11	A	Yeah, at first I was thinking he had a
12	gun.	
13	Q	Michael Brown?
14	A	Yeah.
15	Q	Go ahead.
16	A	So the officer got out of the car, you
17	know.	
18	Q	This metal object that fell?
19	A	Uh-huh.
20	Q	Did it appear that the officer or Michael
21	Brown or	anyone else retrieved that object?
22	A	I didn't see anybody pick it up because at
23	that poir	nt was another point when I was looking
24	around.	
25	Q	Okay.

	Page 23
1 ,	A When I did look back, that's when the
2	officer had the gun, he was pointing it at him.
3	${f Q}$ Did you notice if that object that you
4	thought that fell on the ground was still on the
5	ground?
6	A It wasn't.
7	Q It wasn't there any more?
8	A No.
9	Q Okay. You did notice that?
10	A Yes, ma'am.
11	${f Q}$ Okay. So the officer you said at that
12	point when you saw the officer again he was out of
13	the car?
14	A Yes.
15	Q And what was the officer doing?
16	A He was like just standing with the gun
17	facing him and then like.
18	Q Show us how he had the gun, the stance?
19	A He was just like, you know, officer, just
20	standing like this. Like he was, you know, going to
21	shoot him, like he did something.
22	Q Okay. Where was he though and maybe I
23	missed something. Let's go back to the shot went
24	off, Michael Brown checked himself out, was acting
25	like he was looking at himself. Then where did

	Page 24
1 .	Michael Brown go?
2	A He backed up a few steps. At first he
3	tried to run, at first when when he first looked
4	at hisself he tried to run.
5	Q Where was he running to though?
6	A Back towards the back of Canfield, like
7	back where his friend ran right there.
8	Q So east on Canfield?
9	A Yeah, the car was about right here, he ran
10	to about right here. (indicating)
11	${f Q}$ How did he get around the car, did he just
12	go from the back of the car?
13	A He was like next to it so he didn't have
14	to, you know, there was too much turning to go down
15	the street.
16	${f Q}$ Okay. And you said at first he tried to
17	run?
18	A Yeah, he made a couple little steps like a
19	quick sprint, nothing more than like five to seven
20	steps.
21	Q And then what?
22	A He didn't get that far. And then he
23	turned around, the officer had the gun pointed at
24	him and then you just heard the rest of the shots.
25	${f Q}$ Let me ask something though. Did the

	Page 25
1 .	officer like pursue him when he was running away?
2	A No, I didn't see him run after him.
3	Q The officer just got out of the car?
4	A Yes, I saw him standing there. I didn't
5	see him get out of the car.
6	Q Okay.
7	A You know, certain things I saw and certain
8	things I didn't see.
9	Q But when you caught it again, Michael
10	Brown had turned around?
11	A Yes.
12	Q Did you see him turn around?
13	A Yes.
14	Q Can you show us how he did that?
15	A Just. (indicating)
16	Q So like run that way, I mean, or walk that
17	way of however he was doing it?
18	A Okay. He just turned around like, you
19	know, he put his arms about shoulder length and just
20	stopped, like looking at him. And then, um, that's
21	when I heard the rest of the shots. I heard the
22	first two, I didn't see them. And then when I
23	looked at him, I saw him still shooting him.
24	Q Okay. So you heard two shots?
25	A Yes.
I	

	Page 26
1 ,	Q As part of this set of shots or two
2	separate shots and then a pause?
3	A No, it was all in a set. It was like in a
4	row like that. (indicating)
5	Q Okay.
6	A The first two of them I didn't see. I
7	wasn't looking. The rest of them I was looking
8	straight at him and I saw the actual shots going
9	into him.
10	Q It looked like the shots were going into
11	him?
12	A Yes.
13	Q How could you tell, what was it looking
14	like?
15	A I mean, I can't tell, you know, I can't
16	really tell. I'm just saying based on him pointing
17	the gun at him and hearing all the pops and seeing
18	the smoke coming off his gun.
19	Q You saw the smoke?
20	A Yeah, I saw the smoke and you could smell
21	it like, it was like firecrackers almost.
22	Q You could smell it from where you were?
23	A Yes.
24	Q Was it a windy day?
25	A I don't remember.

Page 2	7
1 Q Was his arms up the way you showed us when	
2 he was being shot?	
3 A Yes, about, like his palms were out facing	
4 forward, they were about at his ears, I'd say, like	
5 shoulders, about like that.	
6 Q Okay. What did that mean to you to have	
7 your arms like that?	
8 A That meant surrender, that meant take me	
9 to jail.	
10 Q You thought he was surrendering?	
11 A Yeah.	
12 Q Did you ever see him rush the officer	
13 like, you know what I mean by rush?	
14 A Yeah, like he was mad.	
15 Q Was he running toward the officer or	
16 charge him?	
17 A I didn't see that.	
18 Q Okay. Did you ever hear anybody ever say	
19 anything?	
20 A As soon as the shots got fired, like I	
21 said, I was up here by these trees, I was behind a	
22 mailbox. I was standing right there after the rest	
23 of the shots got fired. His friend that was with	
24 him was running around, he was running. He was like	
25 here, I guess. I don't know what he was doing. He	

Page 28 was standing with some dudes, he started running 1 around the complex, they shot him, they shot my home 2 3 boy, he didn't even deserve that. It was the police that killed him, it 4 5 was the police that killed him. That is what got the big crowd out there real fast. 6 7 Just to go back to when those last shots Q was fired. You thought it was about how many shots? 9 It sounded about like six. Α 10 Q Did you see Michael Brown fall? 11 Yes. Α Were you watching him then? 12 Q 13 Α Yes. 14 How did he fall to the ground? Q 15 Α He fell face forward. There wasn't no 16 pause on his knees or nothing, it was just straight 17 down. (indicating) 18 You didn't see him go down on his knees 19 and then fall, it was just from standing to facedown? 20 21 Yeah. Α 22 Okay. And then what did the officer do? Q 23 Α The officer walked up to his body and was standing over him like he was going to get back up. 24 25 He was just looking at him like, just looking down

	Page 29
1 ,	at him like, I don't know.
2	${f Q}$ Did the officer still have his weapon in
3	his hand?
4	A He still had his weapon in his hand.
5	${f Q}$ Did you notice what he was doing with the
6	weapon or if he was doing anything?
7	A No, I just know he still had the gun right
8	at his side in his hand. He was just looking down
9	at him, just like walking around him, you know, just
10	like walking a circle around him like. I don't
11	know, it was just strange.
12	Q So he didn't holster the weapon at that
13	point after Michael Brown was down?
14	A No.
15	${f Q}$ Okay. Show me where you saw the body fall
16	on the map?
17	A It was probably like right here. Like
18	right there, went a couple steps and fell.
19	(indicating)
20	MS. ALIZADEH: Can you do that again?
21	A About right here is where his body was.
22	(indicating)
23	Q (By Ms. Whirley) Where were you again?
24	A By this time I was over here.
25	$oldsymbol{Q}$ Okay. What did you do after the body
I	

```
Page 30
     fell?
 1
 2
               I ran in the house.
          Α
 3
               Which way did you go home?
          Q
               Back this way.
 4
          Α
 5
          Q
               Okay. And again, you live in building?
 6
          Α
                    So you went back this way?
 7
          Q
 8
     (indicating)
 9
               Yes.
          Α
               Okay. Did you see, at the time of the
10
11
     shooting, were there any other police vehicles
12
     there?
13
               No, when he first got shot he was laying
     there I seen another police car pull up probably
14
     about ten minutes later. It wasn't that long after
15
     the police car pulled up. So there was two police
16
     cars out there, they eventually, I guess they told
17
     the cop that shot him to go home because he wasn't
18
     out there after a couple of minutes.
19
20
               Did that car that showed up, did it have
          Q
     its head bar lights on too?
21
22
          Α
               Yes.
23
               Did you talk to any police officers or any
24
     investigators that day?
25
          Α
               No.
```

	Page 31
1 ,	Q How did you come to talk to the
2	investigators?
3	A Honestly?
4	Q Honestly.
5	A I was at home enjoying myself watching a
6	movie and there's a knock on the door, and two big
7	guys with FBI things on. I told my boyfriend to get
8	the door, I don't want to talk to anybody, go get
9	the door.
10	So he answered the doors and says, I
11	was at work on that day, but my girlfriend was here
12	and saw the whole thing so. Oh, really, can we come
13	inside? I couldn't say no, the first thing he said
14	was just say no. So figure you can't say no to an
15	FBI agent. So, yeah, that's how it went.
16	Q Okay. So had you told your boyfriend
17	about what happened that day?
18	A Yeah, I told him because his son was
19	coming over. When she finally did get there, she
20	said, did you know somebody got shot? I was like,
21	yeah, I was just out there.
22	Q Did you tell her what happened too?
23	A No, I don't like her. We don't talk.
24	\mathbf{Q} Okay. How old is the little boy?
25	A He's one.
I	

	Page 32
1 ,	Q Okay. All right. But you did share with
2	your boyfriend?
3	A Yeah.
4	Q All right.
5	A Because I never, I've never seen anybody
6	get killed. I've seen police brutality firsthand,
7	but I've never seen nothing like that, nobody's life
8	get taken.
9	${f Q}$ Did you think this was police brutality?
10	A Honestly, to me it looked like murder.
11	I've seen the Ferguson police do some really awful
12	things. I've personally myself filed cases against
13	them for them coming into my house and basically
14	beating me up.
15	Q Okay. Tell us about that?
16	A Okay. So my boyfriend had got into it
17	with his son's mom.
18	Q Yeah, baby momma.
19	A Yeah.
20	Q Go ahead, we know about it.
21	A He got into it with her. The two of them
22	were fighting and arguing. I had just got off work.
23	She got off the bus with me so, you know, me and
24	her, why are you getting off the bus and going to my
25	house. It is my son's birthday, you know, I'm just

	Page 33
1	trying to get stuff for him, don't worry about it.
2	So she walked in the house, they get into it. I
3	didn't tell you could come over here.
4	So basically they started fighting,
5	he called the police on her. When the police
6	arrived, which was not that, it was like two minutes
7	later, like they was literally parked down the
8	street. When they arrived he was standing in the
9	doorway.
10	They walked straight up to him, they
11	didn't ask questions, they grabbed him, put him in
12	cuffs, told him to get on his knees. Like how am I
13	going to get on my knees when you're twisting my arm
14	up in the air.
15	They pushing his face all up on the
16	wall. Me and her are in there crying, he didn't do
17	nothing, he's the one that called you. They dragged
18	him outside.
19	She was getting ready to leave. So
20	her son, he wasn't even one at this time. He was,
21	where was he. He was sitting on the porch in his
22	stroller, still on the porch. It was freezing
23	outside, snow on the ground.
24	So they close the front door, left
25	him out there on the norch after they dragged

Page 34 down the steps. 1 2 So they had me and her, and they sat her on the couch. I come out of the kitchen because 3 it is a walk-around bar in the kitchen. So I come 4 5 around the bar in the kitchen, I'm like, what are 6 y'all doing in my house, why you doing my boyfriend 7 like that. He's the one that called y'all. 8 Like don't you understand, we had 9 nothing to do with this, we are trying to remove her because we live here. 10 11 He was like the B word, don't say nothing to me, this has nothing to do with you, this 12 13 is a police matter now. They called you the B word? 14 Q 15 Α The Canfield security officer, he Yes. 16 came in, come on man, these are kids. Don't do them 17 like that. You shut up because this is a police 18 matter, we're taking over this investigation and 19 stuff like that. What investigation. These are kids. They called you for this girl that don't live 20 21 here. 22 So I'm like yelling at him, yes, I 23 did get mad. I started yelling at him. I'm like, 24 my name is on the lease. I didn't have nothing to 25 do with this. Why y'all in my house, you tearing it

Page 35 1 up and all of this. 2 Okay. You don't know how to reason, 3 somebody come put her in cuffs. This big huge officer came and put the cuffs on me. He kicked me 4 all over my back and he got cuffs like this, and 5 there was cuts all around my wrist. I had bruises 6 7 on my body and then they let her go. They let the 8 momma go. She started crying my baby's in the snow. 9 She took the baby? 10 She took the baby and walked down the 11 They put my boyfriend in the cop car. street. I'm in handcuffs walking around the house, so I walk 12 13 outside. Where's she going. Oh, there she is. Don't you love how they just like to wander around 14 15 like the walking dead. I'm out there like, where's my 16 17 boyfriend, looking in the police car and stuff. 18 they come out there, he put me in the car and I'm 19 like, what am I going to jail for. We search your name, you probably 20 have a traffic ticket. I don't even drive, I have 21 22 no car. Well, we're going to find out when we get 23 down there. 24 I get down there, they say I have a

Metro ticket for the MetroLink. They kept me in

25

```
Page 36
     there, I was a manager at this time. I had to open
 1
 2
     my store at 9:00 in the morning. They kept me in
     there until 2:00 p.m. They let my boyfriend out at
 3
     like 3:00 in the morning. Well, he called them.
 4
 5
               Now, was this officer, you know the
     officer who is involved in this case, Darren Wilson,
 6
 7
     correct?
 8
          Α
               Yes.
 9
               Was he involved in any of this that
     happened with you?
10
11
          Α
               No, it was another dude.
12
               It was another one?
          Q
13
               Big guy with a mustache.
          Α
14
               Had you ever had any type of altercation
          Q
15
     with Darren Wilson as a police officer?
16
          Α
               No.
17
               How long ago did this happen to you?
18
               Um, that was probably like March and we
     had been trying to get some type of justice up until
19
20
     basically this. The security officer at Canfield
     had everything on tape, like he recorded everything
21
22
     he had taped that he sent to the landlord. He was
23
     like, you need to do something. You need to take
     this to court or sue Ferguson, he's telling her all
24
25
     of this.
```

you tape any of this A No. A No. A No. A A that time I didn't have a phone that could record. Do you know anybody who has a tape of the actual shooting? A I saw a girl standing out there. It was about that time when he was out of the car, she was recording. She could have got most of the shooting, but one of the officers took her phone. A I was standing there in the crowd at that point. This was like 20 minutes after the shooting, his body was still laying out there. A Yeah, this was after I ran in house. I put my bags down from the library, I was just basically out there walking and, you know, mingling around with all the people outside. I saw her before I even went in the house, she was standing like, she was standing like right here. Q Okay.		Page 37
A No. Q shooting? A At that time I didn't have a phone that could record. Q Do you know anybody who has a tape of the actual shooting? A I saw a girl standing out there. It was about that time when he was out of the car, she was recording. She could have got most of the shooting, but one of the officers took her phone. Q How do you know that? A I was standing there in the crowd at that point. This was like 20 minutes after the shooting, his body was still laying out there. Q You saw an officer take her phone? A Yeah, this was after I ran in house. I put my bags down from the library, I was just basically out there walking and, you know, mingling around with all the people outside. I saw her before I even went in the house, she was standing like, she was standing like right here. (indicating)	1 ,	Q So, in your opinion, you mention tape, did
A At that time I didn't have a phone that could record. Q Do you know anybody who has a tape of the actual shooting? A I saw a girl standing out there. It was about that time when he was out of the car, she was recording. She could have got most of the shooting, but one of the officers took her phone. Q How do you know that? A I was standing there in the crowd at that point. This was like 20 minutes after the shooting, his body was still laying out there. Q You saw an officer take her phone? A Yeah, this was after I ran in house. I put my bags down from the library, I was just basically out there walking and, you know, mingling around with all the people outside. I saw her before I even went in the house, she was standing like, she was standing like right here. (indicating)	2	you tape any of this
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about that time when he was out of the car, she was recording. She could have got most of the shooting, but one of the officers took her phone. 13	7	${f Q}$ Do you know anybody who has a tape of the
about that time when he was out of the car, she was recording. She could have got most of the shooting, but one of the officers took her phone. Recording there in the crowd at that I was standing there in the crowd at that point. This was like 20 minutes after the shooting, his body was still laying out there. Recording there in the crowd at that point this was like 20 minutes after the shooting, his body was still laying out there. Recording there in the crowd at that point this was like 20 minutes after the shooting, his body was still laying out there. You saw an officer take her phone? Recording the phone in the phone in the library, I was just basically out there walking and, you know, mingling around with all the people outside. I saw her before I even went in the house, she was standing like, she was standing like right here. (indicating)	8	actual shooting?
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17 Q You saw an officer take her phone? 18 A Yeah, this was after I ran in house. I 19 put my bags down from the library, I was just 20 basically out there walking and, you know, mingling 21 around with all the people outside. I saw her 22 before I even went in the house, she was standing 23 like, she was standing like right here. 24 (indicating)	15	point. This was like 20 minutes after the shooting,
A Yeah, this was after I ran in house. I put my bags down from the library, I was just basically out there walking and, you know, mingling around with all the people outside. I saw her before I even went in the house, she was standing like, she was standing like right here. (indicating)	16	his body was still laying out there.
put my bags down from the library, I was just basically out there walking and, you know, mingling around with all the people outside. I saw her before I even went in the house, she was standing like, she was standing like right here. (indicating)	17	Q You saw an officer take her phone?
basically out there walking and, you know, mingling around with all the people outside. I saw her before I even went in the house, she was standing like, she was standing like right here. (indicating)	18	A Yeah, this was after I ran in house. I
around with all the people outside. I saw her before I even went in the house, she was standing like, she was standing like right here. (indicating)	19	put my bags down from the library, I was just
before I even went in the house, she was standing like, she was standing like right here. (indicating)	20	basically out there walking and, you know, mingling
23 like, she was standing like right here. 24 (indicating)	21	around with all the people outside. I saw her
24 (indicating)	22	before I even went in the house, she was standing
	23	like, she was standing like right here.
25 Q Okay.	24	(indicating)
	25	Q Okay.

	Page 38
1	A Her house is right here. She was standing
2	on her porch like over there.
3	Q Do you know her name?
4	A I don't know her.
5	Q Okay.
6	A That was my first time seeing a lot of
7	these people. But I saw her, she was like, I got
8	the whole thing, she's standing there like, yeah, I
9	got you on camera too. He came over and took her
10	phone.
11	Q Was it a Ferguson office?
12	A It was a Ferguson officer.
13	Q You know the difference between Ferguson
14	and County?
15	A And the County, yeah, it was Ferguson.
16	Q It was an Ferguson officer?
17	A Yeah.
18	Q Okay. One second. So based on your
19	knowledge of what's going on in the community, how
20	would you describe the relationship between the
21	police and the residence there in Canfield Green.
22	A From every instance I've been involved
23	with the police, I'm not a criminal. I don't have
24	any record. I don't have any reason to be arrested
25	or brutalized. A lot of people that I know over

Page 39 1 there is the same way. 2 What I see when the police come, it 3 is like instant panic from people. You know, like who called them, why would you call them over here. 4 5 We don't need them to solve this problem, you just 6 brought more trouble into the area and stuff like 7 that. 8 And I just see like, I mean, I seen 9 my daddy get beat by the police, I've seen friends of mine will be out, you know, shopping and someone 10 11 told them we stole something and just get followed by the police cars. I never seen, you know, I don't 12 think he deserves to get killed like that. And that 13 14 just kind of proves my whole image of what I thought 15 of the police. 16 Which is what? 17 They abuse their authority to me. 18 Now, in one of your statements you 19 describe Michael Brown as looking scared when he turned around. Do you recall that? 20 21 Α Yes. 22 Explain to us what you mean by that. Q 23 couldn't actually see his face, could you? No, I couldn't see his face. 24 Α 25 What did you mean he looked scared? Q

	Page 40
1 ,	A I mean, you know, when you see a really
2	big dude just kind of cowering.
3	Q Like stand up for us, demonstrate
4	cowering.
5	A Okay. If you stop and you are looking at
6	someone and you're, you know, it is cool, you know,
7	I'm all right, you know. And, you know, I don't
8	know how to explain, but when I see a big dude like
9	that kind of looking like he's afraid, like he's
10	like trembling like a child kind of.
11	Q Do it look like he was trembling?
12	A Yeah
13	Q From that distance?
14	A Yeah, you know, the way his hands was,
15	they was moving or something. He was just like
16	scared to me, he looked scared.
17	$oldsymbol{Q}$ It did not look to you that he was trying
18	to come at the officer when he was cowering or
19	moving his hands?
20	A No.
21	${f Q}$ When Michael Brown fell to the ground, did
22	the officer stop shooting?
23	A Yes, I didn't hear any more mots.
24	Q You didn't hear any more shots. Did you
25	hear any shots when Michael Brown, after that first

	Page 41
1 ,	shot and Michael Brown fled from the car before he
2	turned around, did you hear any shots?
3	A Like when he was running?
4	Q Yes.
5	A I don't remember.
6	Q Okay. I don't know if I've asked you this
7	already, but when you said there was one shot was in
8	the police car, did it appear that Michael Brown was
9	shot? You said he looked at himself, but you
10	couldn't tell if he was shot or not?
11	A I couldn't tell if he was shot. He just
12	looked at hisself, like he was checking to see, like
13	he didn't know hisself.
14	Q Okay.
15	MS. WHIRLEY: I don't have anything else
16	right now. Kathi?
17	MS. ALIZADEH: Yeah.
18	Q (By Ms. Alizadeh) So I'm going to ask you
19	a few more questions just to clarify a few things
20	and you're killing the court reporter because you
21	talk so fast.
22	A I'm sorry, I work at a call center.
23	Q I know you were getting excited. And I'm
24	really sorry that you had those experiences. Do you
25	think that Officer Wilson, do you hold him

	Page 42
1 ,	accountable for the bad behavior that you've
2	experienced or witnessed or that you are aware of
3	other Ferguson officers?
4	A No, I don't hold him accountable really.
5	I think, you know, like I say with authorities, I
6	think he just got beside himself. Like, you know,
7	it turned into, you know, I'm going to tell you kids
8	you do this, you listen to me, you have an attitude.
9	And then it turned into him just being frustrated,
10	that's what it seemed like.
11	${f Q}$ Okay. What I want to make sure, ,
12	and because this grand jury is going to consider
13	whether or not to indict the police officer for a
14	crime. And they're examining what happened that day
15	so that they can decide that, and I know that you
16	having had unpleasant or, you know, very bad
17	experiences with police officers, you know, it gives
18	you a bad impression of police officers I imagine.
19	But, you know, they need just to
20	relate what you saw today. They can only consider,
21	not that they can't consider other things, do you
22	know what I'm saying?
23	A What I saw, not what I heard.
24	Q Right. And I want to make sure that we're
25	not bringing all bad police officers behavior into

1 this picture. 2 A Right. 3 Q And you saw what you saw that day and you 4 have an opinion about what you saw that day and 5 that's fine and that's what we're interested in, 6 okay? 7 A Yes. 8 Q So when you said you were walking back 9 from the library and you first saw the two boys and 10 I just wanted to clarify, you said that maybe you
A Yes. 2 And you saw what you saw that day and you 4 have an opinion about what you saw that day and 5 that's fine and that's what we're interested in, 6 okay? 7 A Yes. 8 Q So when you said you were walking back 9 from the library and you first saw the two boys and
4 have an opinion about what you saw that day and 5 that's fine and that's what we're interested in, 6 okay? 7 A Yes. 8 Q So when you said you were walking back 9 from the library and you first saw the two boys and
5 that's fine and that's what we're interested in, 6 okay? 7 A Yes. 8 Q So when you said you were walking back 9 from the library and you first saw the two boys and
6 okay? 7 A Yes. 8 Q So when you said you were walking back 9 from the library and you first saw the two boys and
7 A Yes. 8 Q So when you said you were walking back 9 from the library and you first saw the two boys and
8 Q So when you said you were walking back 9 from the library and you first saw the two boys and
9 from the library and you first saw the two boys and
10 I just wanted to clarify, you said that maybe you
11 had seen him once before, were you talking about the
12 littler guy or Michael Brown?
13 A The littler one.
14 Q The littler one?
15 A Yes.
16 Q In what setting have you seen him before?
17 A One of the little community stores up the
18 street.
19 Q Okay. So you recognized him as having
20 seen him up at one of the convenience stores?
21 A Seeing him up close. Actually seeing
22 pictures of his face up close, I recognized that was
23 his structure.
24 Q So from where you were standing initially,
25 which was somewhere around here; is that right?

	Page 44
1 ,	(indicating)
2	A (Nods head.)
3	${f Q}$ And the boys were initially down about
4	here or where were the boys when you first saw them?
5	A They were about right here. I was like
6	right there. (indicating)
7	Q And you were about right here?
8	(indicating)
9	A Yes.
10	Q So from that distance you could see enough
11	of the smaller boy's facial features to realize that
12	you recognized him?
13	A Yes.
14	Q And so now, we know, did you say this
15	Building 1 is the leasing office, correct?
16	A Yes.
17	Q And you said that you first saw the
18	officer's car by the leasing office and I want to
19	make sure we're clarifying here, was his car always
20	on Canfield Drive when you saw it or was there ever
21	a time when his car was up here on Coppercreek Road?
22	A No, it was always on Canfield.
23	Q Okay.
24	A The closer it got to pulling in somewhere
25	was when I first approached him all the way back
1	

```
Page 45
     here, it was somewhere around here. (indicating)
 1
 2
               Did you see him turn into one of those
 3
     drives or streets at all?
               He was on this main street, he was about
 4
          Α
 5
     probably like in one of these parking lots. By the
 6
     time I got right here, he was already up the street.
 7
               Did you see him come from a parking lot
 8
     onto Canfield?
 9
               No. When I first was like all the way
     down, the first side street, I saw him somewhere in
10
11
     like one of the entrances to the parking lots.
               When you were walking from this direction,
12
          Q
13
     did you see any people outside?
14
          Α
               No, I don't remember. I wasn't paying
15
     that close attention.
               Okay. So just to clarify then, you're
16
17
     saying that there could have been, but you weren't
18
     paying attention?
19
          Α
               Yeah.
20
               It is not that you say, no, there wasn't
21
     anybody else?
22
          Α
               Right.
23
          Q
               All right. But you said that you saw a
24
     black van?
25
          Α
               Yes.
```

		Page 46
1 1	Q	Was this a minivan type of van or the
2	bigger li	ke?
3	A	Soccer mom van.
4	Q	Okay. Was there a soccer mom in the car?
5	A	Uh, she might have been a soccer mom.
6	Q	Was a woman in the car?
7	A	Yes.
8	Q	Was she an African-American?
9	A	Yes.
10	Q	And can you give me an idea about how old
11	she was?	
12	A	Probably, um, 36, 40, between 36 and 42
13	maybe.	
14	Q	Was there anybody else with her?
15	A	I couldn't tell if there was anyone in the
16	back, but	not in the front passenger seat.
17	Q	Okay. And the other cars that you said
18	were lini	ng up, you really didn't get a good
19	descripti	on of them?
20	A	No.
21	Q	You can't remember anything about those
22	other car	s?
23	A	No.
24	Q	And when you first saw the police
25	officer's	car, was the police officer's car moving

	Page 47
1 ,	when you first saw it?
2	A No.
3	Q It was stopped?
4	A Yes.
5	Q And so you had described that the
6	officer's car backed up quickly?
7	A Yes.
8	${f Q}$ Is that the first time that you saw the
9	officer's car move or did it go forward and then
10	back up from what you saw?
11	A Uh, no, it just backed up, it went forward
12	first.
13	Q So the first time you saw the officer's
14	car, it was standing still and were the boys walking
15	away from the car at that point?
16	A Yes, they was walking.
17	Q Okay. And then you saw the officer's car
18	back up quickly?
19	A Yes.
20	Q Did the tires make noise or did you hear
21	any screeching or any noise from the car?
22	A Yes.
23	${f Q}$ And at this time could you see inside the
24	police car to see who was driving the car?
25	A At that point when he backed up I did see

```
Page 48
     him like, you know, with his arm out the car saying
 1
 2
     something to him like, I don't know, saying
     something to him. I just saw hand gesture like
 3
     doing something like that.
 4
 5
               So you could see that there was a driver
 6
     in the police car?
 7
          Α
               Yes.
 8
          Q
               Could you tell it was a man?
 9
               Yes.
          Α
               Could you tell whether he was
10
11
    African-American or white at that point?
12
               Yes.
          Α
13
               Okay. How about anybody else in the
          Q
14
     police car, could you see if there was anyone else?
15
          Α
               No, I couldn't see if there was anyone
16
     else.
17
               But you could tell there was a policeman
18
     in the car?
19
          Α
               Yes.
20
               What about, now, you said you saw the red
          Q
     and blue lights on the top of his car on?
21
22
          Α
               Uh-huh.
23
               Were those always on from the first time
24
     you saw the car or did he turn them on?
25
          Α
               From the first time I saw him all the way
```

1 down the street the lights was on. 2 Q The lights were always on from the first 3 time you saw the car? 4 A Yes. 5 Q Did you ever see the lights get turned
3 time you saw the car? 4 A Yes.
4 A Yes.
5 Q Did you ever see the lights get turned
6 off?
7 A I don't remember that.
8 Q Now, you described when you saw Michael
9 Brown come to the window of the car. He went to the
10 window of the car kind of quickly, in your opinion
11 it looked like he was angry?
12 A Yes.
13 Q And then you described his hands and
14 shoulders and arms inside the vehicle. And today
15 you said he was bobbing in and out?
16 A Yeah, it was like, you could see the back
17 of his body, like his shoulders were just like
18 moving, like they were doing something in the car.
19 Q Okay. Did he ever leave his feet? In
20 other words, did he ever get like to the point where
21 he, you know, jumped halfway into the car or
22 anything?
23 A I wouldn't remember.
${f Q}$ Okay. And you said that the struggle
25 lasted a few seconds; is that right?

	Page 50
1 ,	A Yes.
2	Q I think in one of your previous statements
3	I think you said about 15 seconds, but does that
4	seem about right?
5	A Yeah, around that time.
6	$oldsymbol{Q}$ All right. And then another thing I
7	wanted to clarify is that while this whole thing is
8	going on, you're moving. At some point you stand
9	still and then you move?
10	A Yes.
11	Q Can you narrate for me, I'm not telling
12	you this is what I want you to say, I'm just giving
13	you an example. If you say I'm walking down here
14	and right here is where I see, I see the police car,
15	so I stop right here. And then after the guy starts
16	running, I walk over here. So can you kind of move
17	the laser pointer.
18	A Yeah.
19	Q And give us an idea of how you were moving
20	and what was going on while you were moving?
21	A Okay. So like you said, I did come down
22	this street. I didn't actually stop until I got
23	like to the last tree.
24	Q Okay.
25	A That's when I was pretty close enough to
I	

1 see what was going on. 2 Q Were you on the sidewalk or the street?
3 A Yeah, I was on this sidewalk right here.
4 (indicating)
5 Q That's on the south side of Canfield?
6 A Yes, ma'am.
7 Q Okay.
8 A I saw the police car sitting about here.
9 (indicating)
10 Q Okay. Keep the laser pointer where you
11 are while you are narrating, okay. So I know where
12 you are when you first see things.
13 A Okay. I was about right here when I first
14 stop to get a look, when they were at the car. The
15 first shot I was right here. I seen once he got out
16 of the car, kind of started moving towards this way.
17 I was standing about right here in the grass with
18 some people over here. I'm standing right here just
19 listening to them. That's when I heard the rest of
20 the shots. So I hid behind the mailbox kind of and
21 then after that, I just go down here and go home.
22 (indicating)
23 Q Where were you when you saw his body fall,
24 were you behind the mailboxes yet?
25 A Probably about right here in the grass in

1 this area. (indicating)	
I this area. (indicacing)	
2 Q When you said you went behind the	
3 mailboxes, I don't know what the mailboxes look	
4 like, did you go behind there for shelter, like to	
5 get out of the way?	
6 A Yeah, I hear all of those shots, you know,	
7 I went over there.	
8 Q Okay. And so are those mailboxes, what	
9 are they like, are they metal?	
10 A Yes, ma'am, they're metal.	
11 Q How tall are they?	
12 A From the ground, they're about this tall.	
13 (indicating)	
14 Q I'm a little over 5 foot and I've got	
15 heels on, so let's say today I'm 5'4".	
16 A On the ground there about this tall, I can	
17 reach up and touch the top.	
18 Q So that's maybe about 5 foot high?	
19 A Yes.	
20 Q And is it a solid box with little	
21 mailboxes in it?	
22 A Yes, a solid long box with just a whole	
23 bunch of little doors.	
\mathbf{Q} If you are standing behind the mailboxes,	
25 does the mailboxes block your view of where Michael	

	Page 53
1 .	Brown's body fell?
2	A No, I'm standing completely behind them.
3	Q Yes, okay. But you saw Michael Brown's
4	body fall?
5	A Yes.
6	Q You weren't behind the mailboxes?
7	A Not completely behind it, you know, just
8	kind of look around it kind of, like right here.
9	Q Okay.
10	A No cars right there, there is no cars, you
11	can see all the way down to right almost right here
12	on the street.
13	Q This white rectangle here that I'm
14	pointing at in front of this row of cars, these are
15	mailboxes?
16	A Yes.
17	Q Okay. And so were you on the west side of
18	the mailboxes when you finally got behind the
19	mailboxes?
20	A Oh yeah, back here. (indicating)
21	Q Okay. Can you people see what I'm
22	pointing at right here, the mailboxes?
23	But you were able to see everything
24	until about, including when Michael Brown fell on
25	the ground?

	Page 54
1 .	A Yeah.
2	${f Q}$ And then you also describe that you saw
3	the officer walk up to the body and kind of walk
4	around it with his gun at his side?
5	A Yeah.
6	${f Q}$ So were you behind the mailboxes at that
7	point peeking around or were you still out in the
8	open?
9	A I was still at this point just looking
10	around until everything was over and people started
11	coming outside and I went in the house.
12	${f Q}$ Okay. And now you said today that when
13	Michael Brown turned around and he put his hand up
14	and you demonstrate that, that he looked like he was
15	scared; is that right?
16	A Yes.
17	$oldsymbol{Q}$ When you saw that, were you over in this
18	area when he turned around?
19	A Yes.
20	$oldsymbol{Q}$ Okay. And you described him being where
21	when you saw him turn around?
22	A Um, about right here. (indicating)
23	$oldsymbol{Q}$ Okay. So just so I can help with trying
24	to understand things and with trying to get you to
25	understand things, are there, when he turns around
I	

	Page 55
1 ,	and he gets shot, does he ever move backwards or
2	forwards after he turns around?
3	A I don't remember that specific.
4	${f Q}$ Do you remember telling the investigators
5	that you saw him taking steps backwards?
6	A Yes, after he ran, he moved a couple steps
7	with his hands up.
8	Q Yes?
9	A Yes.
10	Q He runs a few steps and he turns around
11	and he puts his hands up like next to his ears?
12	A Yeah, and takes like some short half
13	steps.
14	<pre>Q Backwards?</pre>
15	A Yes.
16	Q So what's the furthest point backwards
17	that he walks?
18	A He doesn't take too many backward steps.
19	The most move he made was running about here. He
20	didn't get much farther than this area. (indicating)
21	Q Okay. Now, eventually when he was shot
22	and hit the ground and his body laid there for quite
23	some time, is that where the memorial is now on the
24	street?
25	A Yes.
I	

Page 56 And so can you point on the map where the 1 Q 2 memorial is? There's one right here by the Ferguson 3 Α apartment complex, one right here and one at the end 4 5 of my street and there's one on the street right 6 here where Canfield ends. 7 Where the word Canfield is? Q 8 Α Yes, memorial right there. 9 Okay. So where the body laid and where the memorial is, that's the farthest east that you 10 11 saw him get? Α Yes. 12 13 Q Okay. 14 They kind of built the memorial on top of Α 15 the blood stain that was there. So that's where he 16 was. 17 So you never saw him from the farthest point that he was east, you never saw him move 18 toward the officer? 19 20 I didn't see him move toward the officer. He could have, but I didn't see him do it. 21 22 Q So this would have been when you were kind 23 of over by the mailboxes? 24 Yes. Α 25 And would you have been like peeking out Q

```
Page 57
     or whatever?
 1
 2
          Α
               Yes.
               And you also said today and in previous
 3
     statements that, you know, you were kind of at that
 4
     point noticing that people were kind of coming out
 5
 6
     and milling about?
 7
          Α
               Yes.
 8
          Q
               So you were taking your eyes off of what
 9
     was going on a little bit?
10
          Α
               Yes.
11
               Now, you said that you saw a woman come
          Q
     out and say that she had videoed this on her phone?
12
13
          Α
               Yes.
               Where did you see her when she came out?
14
          Q
15
          Α
               When I first saw her she was standing
16
     right here in front of her apartment complex. After
17
     I had went in the house and came back out, she was
18
     over here with a big group of people over by the
19
     apartment right here.
20
          Q
               Okay.
               That's where I thought he took her to take
21
          Α
22
     her phone, she was standing like right here, still
23
     in front of her building. (indicating)
               Okay. So you think she lives in
24
          Q
25
```

		Page 58
1 ,	A	Yes.
2	Q	Do you know that?
3	A	I don't know that.
4	Q	Why do you think she's lives in that
5	building?	
6	A	She was standing on the balcony of, I know
7	the man t	that lives there, I know she was standing on
8	the balco	ony with them.
9	Q	You don't know her name?
10	A	No.
11	Q	What about the man that lives there, do
12	you know	his name?
13	A	No.
14	Q	If somebody, could you point to what
15	balcony i	t was?
16	A	Yeah, I can point to what balcony it was.
17	If I saw	him on the street, I would know him.
18	Q	Okay so was the gal an African-American?
19	A	Yes.
20	Q	About how old?
21	A	Probably her 20s.
22	Q	Have you seen, after this happened, have
23	you seen	people on the news who came forward who
24	said they	saw it and describing what they saw?
25	A	I did.

Page 59

- 2 the officer took her phone, did you ever see her on
- 3 the news?
- A No, I was expecting to see that video, but
- 5 I didn't.
- 6 Q Okay. Now you describe when you said
- 7 Michael Brown turned around and you said it looked
- 8 like he was scared and today you used the word
- 9 cowering. In previous statements you said it was
- 10 like he was crouched over.
- 11 **A** Yes.
- On your recording from previous statements
- 13 we can't see what that means because it's an audio
- 14 recording. But you demonstrated today, and XXXXXX
- 15 was in between you and I so I didn't have a good
- 16 look at it. Can you describe or demonstrate what
- 17 you meant when he was crouched over or cowering.
- 18 A Okay. It was like his hands were about
- 19 like this. (indicating)
- 21 this point, right?
- 22 **A** Yes. His shoulders were like almost
- 23 touching his hands, um. No, that's kind of like the
- 24 stance for self-defense to me. So that's how I said
- 25 crouched over.

FBI agents and the assistant U.S. attorney, remember the guy with black hair that you talked to, the attorney? A Yes. Q Okay. And you said to him that Michael Brown was kind of crouching over and it sounded to me like maybe you were trying to demonstrate it and you said, so kind of bent over? A Yes. Q When you demonstrated it to them, was your body bent over in any way? A Yes, neck kind of bent forward, shoulders going inward. Q Okay. How about at the waist. Would the body be upright or is the body bent over? A No, the body is upright. Q Body is upright? Like from the forearm up is kind of what I
the guy with black hair that you talked to, the attorney? A Yes. Q Okay. And you said to him that Michael Brown was kind of crouching over and it sounded to me like maybe you were trying to demonstrate it and you said, so kind of bent over? A Yes. Q When you demonstrated it to them, was your body bent over in any way? A Yes, neck kind of bent forward, shoulders going inward. Q Okay. How about at the waist. Would the body be upright or is the body bent over? A No, the body is upright. Q Body is upright?
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11
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body be upright or is the body bent over? A No, the body is upright. Body is upright?
17 A No, the body is upright. 18 Q Body is upright?
18 Q Body is upright?
19 A Like from the forearm up is kind of what I
20 meant.
21 Q Kind of like shoulder slumped?
22 A Yes, like, you know.
Q Okay. Okay. And just to be clear, from
the time after you heard one gunshot while Michael
25 Brown was at the vehicle.

	Page 61
1 ,	A Yes.
2	Q And then you see him run. Does the
3	officer fire at Michael Brown while he's running
4	away?
5	A That I don't remember. I wasn't paying
6	attention at that point.
7	Q Okay.
8	A It is from the time that the officer got
9	out of the car from the gun, or whatever it was on
10	the ground being picked up or whatever, that part
11	I'm not sure.
12	Q Okay. And just to be clear, you said from
13	the gun being picked up off the ground, but you
14	don't know for sure what was on the ground; is that
15	right?
16	A Right.
17	Q It was black?
18	A Yes, it was black. It made like kind of a
19	plastic metal clink when it hit the ground. That's
20	all I know as far as the shape and what I know
21	exactly.
22	Q Did you see any yellow on it, was it black
23	and yellow?
24	A I didn't see any yellow.
25	Q It looked like it was all black and about
I	

		Page 62
	1 ,	the size that a handgun would be?
	2	A Yes.
	3	Q You didn't see who picked it up, you just
	4	know that later it was gone?
	5	A Yes.
	6	${f Q}$ Okay. Did you see, as the boys were first
	7	walking toward the car, after the officer backed up
	8	and the boys approached the car, did you see
	9	anything in Michael Brown's hands?
	10	A No.
	11	Q Did you ever see Michael Brown hand
	12	anything to the little guy?
	13	A No, I wasn't paying attention.
	14	Q Okay. So just cause you were kind of
	15	talking softly, you said, no, you weren't paying
	16	that close of attention?
	17	A Yes.
	18	${f Q}$ Okay. And so after the first gunshot and
	19	Michael Brown backs away, kind of checks himself out
	20	looks like and then he starts to run away, you say
	21	he gets a few steps before he turns around, did you
	22	hear any shots before he turns around?
	23	A I don't remember.
	24	${f Q}$ Okay. And then after he turns around and
	25	puts his hands up, and you said in your statement
1		

Page 63 1 and today, you said he took a few steps, half steps 2 backwards? 3 A Yeah, just like a little shuffle. 4 Q Okay. And then did it appear to you that 5 he had been shot at that point, could you see? 6 A I couldn't tell, that was too far for 7 that. 8 Q Okay. And then you heard several shots in 9 a row after that? 10 A Yes. 11 Q And then after those several shots in a 12 row, was there another series of shots? 13 A Um, after, while his body was out there, 14 but it wasn't. 15 Q I know there's been people who said there 16 were gunshots going off in the complex, but I'm 17 talking about from the officer?
A Yeah, just like a little shuffle. Q Okay. And then did it appear to you that he had been shot at that point, could you see? A I couldn't tell, that was too far for that. Q Okay. And then you heard several shots in a row after that? A Yes. Q And then after those several shots in a row, was there another series of shots? A Um, after, while his body was out there, but it wasn't. Q I know there's been people who said there were gunshots going off in the complex, but I'm
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15 Q I know there's been people who said there 16 were gunshots going off in the complex, but I'm
16 were gunshots going off in the complex, but I'm
17 talking about from the officer?
18 A No.
19 Q Okay. So the one in the car or at the
20 car, and then several shots after Michael Brown had
21 turned around and that's all the gunshots you heard?
22 A Yes.
23 MS. ALIZADEH: I don't have anything else.
24 MS. WHIRLEY: Questions?
25 . I'm

```
Page 64
     trying to get some idea on this distance here.
 1
     we can probably put it in terms of car lengths, like
 2
     a four-door vehicle, can you picture that in your
 3
    mind?
 4
 5
          Α
               Yes.
 6
                               Okay. Now, when you
 7
     started off, when you saw the officer's car, can you
 8
     give me an idea how many cars, 4-door cars can fit
     between where the police officer's car is and where
 9
     you are when you first see him?
10
11
               Okay. It will be about probably four or
          Α
     five car lengths.
12
13
                              Okay. Four to five car
14
     lengths, okav.
15
          Α
               Yes.
16
                               Okay.
                                      And then when you
17
     got to, were you still at that point when you heard
18
     the first shot go off?
19
               Yes, ma'am. When I heard the first shot,
     I was still by the tree.
20
21
                             : Okay. Then when you're at
22
     the bank of the mailboxes, okay, are you still,
23
     okay, where are they then?
               They're still in the same place about
24
25
     right here. They're still in the same area.
```

```
Page 65
     (indicating)
 1
 2
                                Okay. And so from there
 3
     to where they are, about how many car lengths would
     that be you think?
 4
 5
          Α
               From where I was to the police car?
     where I was here to the police car?
 6
 7
                                Yeah.
 8
          Α
               I was closer, I was probably about two or
 9
     three car lengths.
10
                                Two to three car lengths.
11
    And then at that point you're there about two or
     three car lengths, at that point that's when you see
12
13
    Michael Brown, you see the other bank of shots or
14
     the other shots go off?
15
          Α
               Yes.
16
                                Okay. I think that's all
17
     I have.
18
                                                 Okay.
                                                         On
    August the 16th, your interview when you told the
19
20
     authorities that you were walking home from the
     library, you first said that you saw the police
21
22
     officer back-back, you know, not hard but --
23
          Α
               Ouick.
24
                                Quick stop and almost
25
     hitting the boys?
```

```
Page 66
          Α
 1
               Yes.
 2
                               I call them young men.
 3
     You said that, okay, what I need to understand,
     cause you are on the same side as them, right?
 4
               I'm on the opposite side of the street.
 5
          Α
 6
                               At the time when you saw
 7
     the police?
 8
               Yes, during everything I was on the
 9
     opposite side of the street from the police car.
                             : Opposite side would be --
10
11
          Α
               This side of the street. The car was on
     this side of the street, parked about right here at
12
13
     first.
             (indicating)
14
                               Okay. Let me rephrase the
15
     question, you are so right. You are facing the same
16
     side as you are facing to the back of everything
17
     that's going on.
18
               Yeah, well, I'm facing towards the front
19
     of the police car, but I'm facing the back of the
     police officer, but while he was getting shot, I was
20
     still facing toward Michael Brown.
21
22
                               Right. My point is, when
                             :
23
     you saw the action going on at the car and the
24
     vehicle, I call it MB and PO, police officer. Did
25
     it look to you when he came back at that quick stop,
```

```
Page 67
     even though they may have almost gotten hit, you
 1
     know, and they jump back, how soon would you say
 2
     that the action between MB and the PO took place?
 3
               How soon did he walk up to the car window?
 4
          Α
 5
                                Cause when you say walk up
     to the car, I'm thinking somebody almost got hit,
 6
 7
     it's like it's right here, I mean, it is like
 8
     instant, it is right directly in front of me?
 9
          Α
               Yes.
10
                                It would be like boom,
11
     boom, you know.
12
               Uh-huh.
          Α
13
                                Just a jerk more than not
14
     jump far back.
15
               Right.
          Α
16
                                But when you say walk up
17
     to the police car, did he have to like walk some
18
     feet?
19
               No, just walk from the back of the car to
     the driver's window. It wasn't like a walk, it was
20
     just like, you know, probably like three steps. He
21
22
     was already there by the car. He just walked from
23
     the bumper to the driver's window.
24
                               How soon did the
25
     conversation that you did not hear take place?
```

	Page 68
1 ,	A How soon after he backed up the car?
2	: Yeah.
3	A Um, like less than five seconds. It was
4	like instant after that happened, he just charged
5	right up to the window, he just went right over.
6	: So, and you said that you
7	saw his body waist up in the car?
8	A About his arms, shoulders right here like,
9	you know, somebody reaching, he's reaching in there.
10	Like they're in there fighting, he's reaching for
11	something but he's doing something in the car.
12	: His head and chest was
13	inside the vehicle too?
14	A His head was in the vehicle at one point
15	reaching in.
16	On August the 16th you
17	never mention that his body was inside the vehicle,
18	but on September 25th you mention that his body was
19	inside. You just said that it was his arm, it
20	looked like they were fighting.
21	So I'm just confused because like that's a
22	big gap, that's almost like a month after you had
23	your first interview. Did you like hear anything on
24	television or hear anyone in the neighborhood
25	talking about, you know, what they actually saw?

Page 69 1 A No, it was just what I remember. It might 2 be off, but it was like a grapple, you know, head 3 bobbing and shoulders moving, arms moving. 4 : Okay. Thank you. 5 : . Continuing on 6 that same thought. You know the car backs up, 7 nearly hits Michael Brown and Dorian. You said 8 Michael Brown makes his way almost immediately, five 9 seconds or so, to the driver's side of the car. 10 Can you tell from your perspectives were 11 there words exchanged first, or was there kind of 12 immediate action with the arms? 13 A I couldn't tell. 14 : Okay. Thank you. 15 : When you 16 moved from the tree to the mailbox, were you walking 17 or running at that time? 18 A It was a mix, kind of like a jog almost I 19 say. 20 : That's a pretty good 21 distance, that's 50, 60 feet maybe? 22 A From the tree to the mailbox? 23
bobbing and shoulders moving, arms moving. chay. Thank you. chay. Continuing on that same thought. You know the car backs up, nearly hits Michael Brown and Dorian. You said Michael Brown makes his way almost immediately, five seconds or so, to the driver's side of the car. Can you tell from your perspectives were there words exchanged first, or was there kind of immediate action with the arms? A I couldn't tell. Chay. Thank you. When you moved from the tree to the mailbox, were you walking or running at that time? A It was a mix, kind of like a jog almost I say. That's a pretty good distance, that's 50, 60 feet maybe? A From the tree to the mailbox?
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18 A It was a mix, kind of like a jog almost I 19 say. 20 : That's a pretty good 21 distance, that's 50, 60 feet maybe? 22 A From the tree to the mailbox?
19 say. 20 : That's a pretty good 21 distance, that's 50, 60 feet maybe? 22 A From the tree to the mailbox?
20 : That's a pretty good 21 distance, that's 50, 60 feet maybe? 22 A From the tree to the mailbox?
21 distance, that's 50, 60 feet maybe? 22 A From the tree to the mailbox?
22 A From the tree to the mailbox?
From the tree to the
24 mailbox?
25 A It's not really far when you are there.

```
Page 70
     It is not even this little amount of trees, I think
 1
 2
     there is another one right here and there's another
 3
     one right here as well, that's not on this map.
                                Is that the picture, you
 4
 5
     are watching the ground as much as maybe you are
 6
     looking back at the scene too, so you're not seeing
 7
     everything?
 8
          Α
               Yes.
 9
                                You are concentrating on
10
    moving.
11
          Α
               Yes, that's what I stated earlier as well.
12
                                Did you make it to the
    mailbox before you heard the shots or was it as you
13
14
     were moving that you were hearing shots?
15
          Α
               It was while I was there. At this point I
16
     was kind of on the edge right here when the rest of
17
     the shots rang out.
18
                                You had already stopped.
19
          Α
               Yes.
20
                                And turned around and were
     facing him?
21
22
          Α
               Yes.
23
                                          When you saw
24
    Michael Brown turn around, you indicated earlier
25
     that you couldn't identify any facial expressions.
```

```
Page 71
     Could you tell, and you said clearly that you
 1
 2
     couldn't hear anything. Could you tell whether he
     was saying anything or not?
 3
          Α
               No.
 4
 5
                               Or trying to say words?
 6
          Α
               I wouldn't be able to see his mouth moving
 7
     or anything. I wasn't really listening for him
 8
     saying anything.
 9
                               You didn't see his mouth
    moving?
10
11
          Α
               I can't see his facial expressions.
12
                               So you didn't hear
13
     anything or you couldn't see anything?
14
          Α
               No.
15
                               Okay.
                                       Thank you.
16
                                            I just want to
17
     go back to what
                                            were talking
18
     about.
19
               When I look at the transcript from
     September 25th, and I compare it to the transcript
20
     from August 16th, to me it looks like you are saying
21
22
     something very similar.
23
               From the 16th on page 15, it says he
24
     approached the window of the vehicle, Mr. Brown, he
25
     approached the window of the vehicle. Could you
```

```
Page 72
     tell if he reached in or the officer reached out. I
 1
 2
     don't know.
               And then you said, yet like his head and
 3
     shoulders were. And the FBI agent says, his head
 4
 5
     and shoulders were in the window. And you said,
 6
     yeah.
 7
               Were his arms in the window as well. You
 8
     said yeah, his arms basically, you know, steady
 9
     reaching in. His whole top half in the window and
10
     popping back out?
11
          Α
               (Nods head.)
12
                                And then the one from the
13
     25th, basically to me it looks like you are saying
14
     the same thing. I want to make sure that I'm
15
     reading this correctly.
16
          Α
               Okay.
17
                                When he saw him go into
18
     the window, it seemed like he just ran. And then
     one of the lady officers, she says, was he in the
19
     window or parts of his body inside the window. And
20
     you said yeah, like his head and shoulders were.
21
22
     And you said yes, that's what it looked like.
23
               And then later you said you saw Michael
     Brown, you said his whole top half in the window and
24
25
     you said yes, just about.
```

	Page 73
1	I want to make sure I'm understanding.
2	A Yes.
3	: His head, shoulders and
4	arms were in the window?
5	A Yes.
6	: And that's what you said
7	in both statements.
8	A Yes.
9	: You said here, did you
10	see the police officer's face after Michael Brown
11	left the scene and the officer was getting out?
12	A After Mike Brown left the scene?
13	: After Mike Brown was
14	running away and the officer got out of the car, did
15	you see the officer's face?
16	A No, no.
17	: You didn't see if it was
18	bruised or anything?
19	A No, I couldn't tell. I didn't even see
20	him really get out of the car. When I looked up he
21	was already out.
22	: Do you know if Michael
23	Brown reached for his chest or under his waistband?
24	A I don't remember.
25	MS. ALIZADEH: His own or the officer's?

```
Page 74
                                Michael Brown.
 1
 2
          Α
               I don't remember.
                                In one of the statements
 3
     the first two shots you didn't see?
 4
 5
               A couple of them I wasn't looking, but I
          Α
     heard them ring back, to back, to back. After it
 6
 7
     had to be like, I don't remember exactly, but they
 8
     were back to back. After about the third one, I did
 9
     look and see.
10
                                And you said to officer
11
     or district attorney, whatever her name is,
         , in one of your statements that you had looked
12
13
     away. And she said, if I told you we had evidence
14
     that he moved forward toward the police officer,
     what would you say about that. You said that might
15
16
     have been one of the times I was looking away.
17
               Yeah.
          Α
18
                                So I understand, you're
19
     doing very well by the way, there's a lot going on,
20
     you are scared?
21
               There was a lot going on.
          Α
22
                              : I understand, Hon.
                                                     Ι
23
     just want to make sure just because you are saying
24
     you didn't see it, doesn't necessarily mean it
25
     didn't happen.
```

```
Page 75
               Right, right, that's the point I tried to
 1
          Α
 2
    make.
 3
                                Okay. You said today
     that you felt like this was murder. Can I ask you
 4
 5
     how you felt, I want you to put yourself in the
 6
     officer's position. I want you to tell us what you
 7
     think he should have done?
 8
               Okay. I mean, even if I heard that people
     said that he reached in the truck, even if he did
 9
10
     attack you, he was unarmed. I feel like at the
11
     point he tried to surrender, he could have put
     handcuffs on him. They could have maced him, that's
12
13
     why they have those nightsticks, that's why you have
     all these other options.
14
15
                    This is a boy who has no weapons at
16
     all, you exhaust your other options. Injure him,
17
     but why kill him.
18
                                Thank you so much.
19
               MS. ALIZADEH:
                                       I have a question.
     I can't remember from your previous statements, but
20
     you've never heard the officer yelling any commands
21
22
     or anything, did you?
23
          Α
               No.
               MS. ALIZADEH: Your hearing is okay?
24
25
               It's okay.
          Α
```

```
Page 76
               MS. ALIZADEH: This thought just now
 1
 2
     occurred to me because you are a young person.
     I've never asked anybody else, but did you have
 3
     headphones or ear buds that day as you were walking
 4
 5
     back from the library?
 6
          Α
               No.
 7
               MS. ALIZADEH: Kids walk around with
 8
     headphones on, so you didn't have anything in your
 9
     ears?
               No, I just wasn't really, I mean, it was a
10
11
     lot of noise, a lot of commotion. It's usually a
     lot of noise over there. So if they weren't where
12
13
     they were, I probably wouldn't have heard it.
14
               MS. ALIZADEH: You didn't hear any
15
     screaming from anybody?
               No, I wasn't paying attention to it.
16
               MS. ALIZADEH: Okay.
17
18
               Like I said, it's a possibility they could
19
     have been, but I didn't catch anything or anything I
20
     would remember word for word.
21
               MS. ALIZADEH: All right, thank you.
22
23
     I have one more question. You said that you saw
24
     something hit the ground, you thought it was a
25
     weapon?
```

	Page 77
1 ,	A Yes.
2	: And I understand now we
3	know that Michael Brown was not armed?
4	A Yes.
5	But at the time we didn't
6	know that, correct?
7	A Right. At first I thought it was his gun,
8	like I thought that's what hit the ground.
9	: So it is reasonable to
10	think the police officer might think he has a gun.
11	I'm not saying that he deserved what happened to
12	him, we just didn't know that?
13	A Yes.
14	: Thank you.
15	. You just
16	stated to the prosecutor that you never heard the
17	officer yell out any commands. When Mr. Brown was,
18	you know, shots were going towards Mr. Brown, the
19	last what six shots or whatever, did you at any time
20	hear him cry out anything or cry out even in pain?
21	A No.
22	: No.
23	MS. ALIZADEH: Anyone else? Sheila?
24	MS. WHIRLEY: No. That will conclude the
25	testimony of this witness.

	Page 78
1 ,	(End of the testimony of)
2	MS. WHIRLEY: We're still working
3	together. It is October 28th, 2014, approximately
4	11:21 a.m. We've concluded the testimony of
5	. Now we're going to start with the recording
6	of . You have transcripts of that.
7	The Grand Jury Exhibit Number 55, which is the
8	recording for her. We will play that. We are
9	anticipating she will be here as a witness probably
10	after lunch. It is somewhere around 30 minutes
11	long. With that said, XXXXXXX, stop the recording.
12	: Who are the other people
13	listed on here?
14	MS. WHIRLEY: We didn't do these
15	transcripts. I'm not sure how, why all of these
16	folks spoke. This is what I did notice and you will
17	notice it when you hear the transcript, hear the
18	recording, there are several people at the house.
19	I'm glad you asked that question. Actually, there
20	are several people at the house, and then they kind
21	of isolate and the bulk of the
22	testimony is from her, but a few other people are
23	speaking.
24	: They may be family
25	members or bystanders?

```
Page 79
               MS. WHIRLEY: People that are in the house
1
 2
     when the FBI arrived there to find out what
 3
     happened. And then, I guess, they narrow her down
     as really the witness. Okay. Good question.
 4
 5
               (Playing of the interview of
 6
           . )
 7
               MS. WHIRLEY: That concludes the recorded
8
     testimony of
                                   We do anticipate that
 9
     she will be here this afternoon, however, we are
     going to break for lunch now. We'll see if your
10
11
     lunch is here, first of all. And it is 11:55 a.m.,
12
     October 28th, 2014.
13
                         (Lunch recess taken)
14
               MS. WHIRLEY: I'm Sheila Whirley. We are
15
     resuming our afternoon session in the shooting of
    Michael Brown. It is October the 28th, 2014, at
16
17
     approximately 12:56. Kathi Alizadeh is present, all
18
     12 grand jurors are present and so is XXXXXXX, the
19
     court reporter. We are going to start with our
20
     first witness,
               As you recall, you listened to one of her
21
22
     statements this morning before lunch. She's here
23
     live for testimony and she did also meet with the
     federal investigative parties this morning. So she
24
25
     has another statement that we don't have for you
```

```
Page 80
     yet. So we will see what she has to say today.
 1
 2
     of lawful age, having been first duly sworn to
 3
     testify the truth, the whole truth, and
 4
 5
     nothing but the truth in the case aforesaid,
 6
     deposes and says in reply to oral
 7
     interrogatories, propounded as follows, to-wit:
 8
                         EXAMINATION
 9
     BY MS. WHIRLEY:
               Hi, as I introduced myself a little
10
          Q
11
     earlier, I'm Sheila Whirley.
               How you doing, Miss Whirley.
12
          Α
13
               I'm good dear, thank you. You met Kathi
          Q
14
     Alizadeh, the 12 grand jurors are here, XXXXXXX, the
15
     court reporter, is here and I want you to introduce
     yourself to the grand jurors and spell your name,
16
17
     please?
18
               Yes. My name is
          Α
19
               Okay. And you know why we're here today?
20
          Q
               Yes, ma'am.
21
          Α
22
               I know you talked to several people.
          Q
23
     many interviews have you given?
               Well, two.
24
          Α
25
               Two, okay. And do you recall when your
          Q
```

	Page 81
1	first interview was?
2	A Uh
3	
4	after, a little bit earlier than, I guess, a week
5	after, does that sound right?
6	A I want to say it was probably before that.
7	It could have been before then, it could have been
8	that day.
9	Q It could be August 16th, kind of around
10	like 11 in the morning?
11	A Yeah.
12	Q And then you had another interview today;
13	is that correct?
14	A That's right.
15	Q That you finished?
16	A This morning.
17	$oldsymbol{Q}$ This morning. Okay. We just need you to
18	tell us what happened, so that's basically what
19	we're here for. I'm going to ask you to start at
20	the beginning. This would have occurred August the
21	9th of 2014, on a Saturday, is that how you recall
22	it?
23	A Yes, ma'am.
24	Q Do you live in Canfield Green?
25	A No, ma'am.
	•

		Page 82
1 ,	Q	Did you live in Canfield Green that day?
2	A	No, ma'am, I was riding through.
3	Q	You were riding through. So what did your
4	morning s	tart like, tell us about it?
5	A	Well, actually, I was up early morning, I
6	was going	to make a store run, but I also stay in
7	the area	on .
8	Q	Where is that in relation to Canfield
9	Green Apa	rtment?
10	A	Actually, it is not that far, it is like,
11	it is lik	e down the street and around the corner.
12	Q	It is like off West Florissant or behind
13	Canfield	Green?
14	A	I will say before you get to Canfield.
15	Q	Okay.
16	A	It's a house on the other side of Solway
17	and West	Florissant. It is a side street you can
18	take to g	ret to the Canfield.
19	Q	Is it Jennings or is it in Ferguson or is
20	it uninco	rporated?
21	A	Well, my house was the last house of
22	Jennings,	so I would say it is
23	Q	So Jennings?
24	A	Jennings.
25	Q	Okay. So what time of day is it that
1		

	Page 83
1	you're driving through Canfield Green Apartments?
2	A That I couldn't say. I honestly forgot
3	what time it was, but I was riding through coming
4	from the store and I seen a friend, I was going to
5	visit a friend, but he wasn't at home. So I seen a
6	couple of people that I knew outside and stopped to
7	ask one of the guys for a cigarette.
8	Q Are those all people that live in Canfield
9	Green, your friend and the other people that you
10	saw?
11	A Yeah, but my friend wasn't there.
12	Q All right.
13	A I didn't see him at all.
14	${f Q}$ If I tell you it was around noon or so,
15	does that sound right?
16	A Yeah.
17	Q Where did you come from? I mean, this is
18	West Florissant over here just to orient you to the
19	map.
20	A Okay.
21	Q So where did you come from?
22	A I was, I came the back way through the
23	Northwinds Apartment.
24	Q So you're traveling, is it east on
25	Canfield toward West Florissant?

Page 8	4
1 A Toward West Florissant.	
2 Q That's a laser pen, it has a red light.	
3 If you push the button, so why don't you pick that	
4 up and there's a little button right there and,	
5 yeah, okay. So show us how you were traveling?	
6 A Okay. I was coming down Canfield.	
7 Q Uh-huh.	
8 A And I had stopped, this is a driveway	
9 before you get to Coppercreek.	
10 Q Okay.	
11 A I pulled in there and I got out of the	
12 car, I was talking to a friend.	
13 Q And is this before everything happened?	
14 A Before everything had happened.	
15 Q Were you riding alone?	
16 A Yes, I was.	
17 Q What kind of car were you in?	
18 A I had a .	
19 Q What color?	
20 A Burgundy.	
21 Q Burgundy?	
22 A I saw a friend, I got out and asked him	
23 for a cigarette. He was just sitting there, we was	
24 just talking in general. And as we was in the midst	
25 of talking, Mike Brown and his friend was walking	

	Page 85
1 ,	across the lot.
2	Q Which way were they walking?
3	A They was walking towards
4	${f Q}$ Show us on the map if it is on the map.
5	A They was walking down Canfield on the lot
6	by the trash cans, they crossed and then they walked
7	down the street. I don't know where they was going,
8	I can't say.
9	Q Okay.
10	A So they walk towards West Florissant.
11	Q Okay.
12	A I can say that, don't know where they was
13	going.
14	Q Okay.
15	A So we just out there generally talking.
16	Q So when you saw them walking towards West
17	Florissant, nothing was going on then?
18	A Was nothing going on.
19	Q Did you know Mike Brown before this day?
20	A No, I didn't.
21	Q Did you know his friend?
22	A No, I didn't.
23	Q Describe Mike Brown so we know we are
24	talking about the same person?
25	A He was a big, tall, heavy set guy. He had

	Page 86
1 ,	on like some khaki type shorts with like a gray like
2	T-shirt and flip flops, he had a hat on.
3	Q Okay. Do you remember the color?
4	A I'm not for sure.
5	${f Q}$ Okay. And what did his friend look like?
6	A He was dark skin with dreads, he had on, I
7	think he probably had on like a white T-shirt.
8	${f Q}$ Are you guessing or is that what you
9	recall?
10	A Well, I'm guessing. I really wasn't
11	paying no attention.
12	Q Okay.
13	A What really they had on.
14	Q You don't have to guess.
15	A All right.
16	${f Q}$ If I ask you to give me an approximate
17	amount feet or something like that is a distance,
18	maybe as long as you let us know you are kind of
19	guessing.
20	A I was at the dumpster that's on
21	Coppercreek that I'm standing by. When they walk
22	past, they was like a little distance away from me.
23	${f Q}$ Show me again where you were when they
24	walked past?
25	A This, I don't know where directly
I	

	Page 87
1 .	Coppercreek is.
2	$oldsymbol{Q}$ This is Coppercreek is going all the way
3	around.
4	A The dumpster is like right here on the
5	first parking lot.
6	Q Okay.
7	A My car was parked right behind it, but I
8	was standing not that far from the dumpster.
9	Q So you are having a smoke, you're talking,
10	you're chilling, this is a Saturday, you're enjoying
11	life, right?
12	A Yes, ma'am.
13	$oldsymbol{Q}$ I saw your testimony or read it on the
14	transcript where you were happy to be out there?
15	A Yeah, it was a beautiful day.
16	Q Is that what you meant by that?
17	A Yeah.
18	Q Then what?
19	A So we was out there talking, notice
20	Ferguson was coming from the back, from the
21	Northwinds Apartment.
22	${f Q}$ When you say Ferguson, you mean a police
23	officer?
24	A Ferguson police officer was coming.
25	Q He was in a marked police car?

Page 8 1 A Yes, he was in a SUV.
2 Q And why did you notice him?
3 A I mean, because we was all standing on the
4 parking lot and they was coming.
5 Q When you say they, more than one?
6 A There was two in the car.
7 Q But just one car?
8 A Yes, SUV.
9 Q And tell me again why you notice the car?
10 A Because they was riding through. And, I
11 guess, that's their way of making their rounds or
12 whatever. So I really didn't pay no attention, but
13 in the midst of that I guess Mike Brown and his
14 friend, not guessing, they was on their way back up.
15 Q Which way were they walking down?
16 A They was coming back towards, like they
17 was coming towards the Northwinds Apartment.
18 Q Show me?
19 A They was coming back that way.
20 (indicating)
21 Q All right. And the police car, did it
22 have its light on or anything like that?
23 A No, it did not.
24 Q Was it like driving fast
25 A No, they was like

1 Q or like patrolling? 2 A Like patrolling.	
2 A Like patrolling.	
3 Q All right. So Mike Brown and his friend	
4 are walking east on Canfield Drive and what happens	
5 then?	
6 A They was walking in the middle of the	
7 street.	
8 Q Okay.	
9 A I didn't hear what the police had said to	
10 'em or what the remark was, but they was in the	
11 middle of the street. I want to say the guy, his	
12 friend was, we didn't stay that far, I heard him	
13 say, we didn't stay far.	
14	
15 A I heard the friend say, we didn't stay	
16 that far.	
17 Q We didn't stay that far?	
18 A Right.	
19 Q Don't know what was going on with that?	
20 A Don't know what was going on or what was	
21 said.	
22 Q Did you hear Mike Brown say anything?	
23 A No, I didn't.	
24 Q Did you hear the police officer say	
25 anything?	

	Page 90
1 ,	A I didn't hear anything.
2	Q Now, I need you to show me again where you
3	were when you heard his friend say, we didn't go
4	that far or what he said?
5	A I was standing like right in the parking
6	lot, I was still standing like, not that close from
7	the dumpster.
8	Q Okay.
9	A And they was sort of walking like in the
10	middle of the street.
11	Q So where were they when you heard it?
12	A Right up in there. (indicating)
13	Q Where was the police car, right next to
14	them or something?
15	A It is like right next to 'em, they like in
16	the middle of the street, right in the middle of the
17	street.
18	Q Okay.
19	A He pulled up like, they divide each other.
20	They in the middle walking up the street, the police
21	coming down, of course, they like split up so the
22	car can go through.
23	$oldsymbol{Q}$ Okay. So you saw them split up, they were
24	on either side of the police car?
25	A Yes.
I	

1	•	Page 91
1	Q	What side of the police car was Mike Brown
2	on?	
3	A	On the driver's side.
4	Q	What side was Dorian?
5	A	The passenger side.
6	Q	So they were on opposite sides of the car?
7	A	Yes.
8	Q	Was Dorian talking to anybody on the
9	passenger	side?
10	A	Huh-uh.
11	Q	Okay. And then what did you see?
12	A	I seen the police pull off and then next
13	thing you	know, he pulled back.
14	Q	In what manner did he pull back, was it
15	quick, was	s it just normal, was there anything
16	noticeable	e about how he pulled back?
17	A	Wasn't noticeable.
18	Q	So he pulls back?
19	A	Pulls back.
20	Q	Does he pull back straight in a line or
21	some other	r way?
22	A	I want to say straight back in a line.
23	Q	So like if I'm going to back, he just went
24		back, he didn't move one way or the other?
25	A	No.
	**	•

	Page 92
1 .	Q Okay, go ahead.
2	A So as he pulled back, I guess that's when
3	he went to go and try to grab him.
4	Q Did you say you guess?
5	A Well, no, he grabbed, he went to go and
6	grab him, that's when they start tussling.
7	Q So the police officer pulls back and grabs
8	Mike Brown?
9	A Yes, and they was tussling.
10	Q Could you see the officer's arm?
11	A He grabbed him from the outside, just
12	grabbed him.
13	Q I want to kind of focus on what you saw.
14	Did you see the officer's arm?
15	A No, I did not.
16	Q You didn't see the officer's arm, but he
17	was grabbing him?
18	A Like I say, I just seen a little
19	altercation. I didn't know if he was, oh Lord,
20	excuse me, I got nervous.
21	Q Don't get nervous, we're just trying to
22	find out what you saw.
23	A They was tussling I, can say they was
24	tussling. I didn't see his arm or anything.
25	Q You didn't see the officer's arm?

	Page 93
1 .	A No.
2	Q Could you see Mike Brown's?
3	A I did see him shy back, like he went to go
4	and jump back.
5	Q Okay.
6	A And that's when we first was like what's
7	going on. Then, that's when we heard the first
8	shot.
9	${f Q}$ Okay. Now, before we get to the shot, I
10	want to make sure I understand. Can you see, where
11	you are looking at Mike Brown and the officer,
12	because all of this is real important, and I know
13	you probably know this because that's why you had
14	these interviews.
15	When you see Mike Brown and the
16	officer and you believe they're tussling, are you
17	looking, is your vision at the passenger side of the
18	car or the driver's side of the car?
19	A The passenger side.
20	Q Okay. So you're standing here and the car
21	is going west, so you're at the passenger side and
22	the driver's side
23	A On the left side, so I really couldn't
24	see. So, therefore, when they was on the passenger
25	side, he grabbed back, that's when the first gunshot

```
Page 94
     went off.
 1
 2
               Right. I know you want to get to that
 3
     gunshot, but I really want to make sure that we're
     clear on your vantage point, you know, like where
 4
 5
     you could see it, like where you were.
 6
               I was standing right by the dumpster.
          Α
 7
               You can see Dorian still?
          Q
 8
 9
     Just to help us a little bit, we don't know where
     the dumpster is. Can you mark that on there for us,
10
11
     please?
               Let's see. It may not even be on the
12
          Α
     photo I don't think. I don't want to do it wrong.
13
     There's another parking lot. I want to say it was
14
15
     like right up here, dumpster right here, dumpster
16
     right here. (indicating)
17
                               You were right next to the
18
     dumpster you said?
19
               I was like right up in there by the
     dumpster. (indicating)
20
21
               MS. WHIRLEY: Where are they when you saw
22
     them, like you said, tussling?
23
          Α
               This is Coppercreek, this is Canfield,
     here is the tree, they was like right up in here.
24
25
     (indicating)
```

		Page 95
1 ,		MS. WHIRLEY: Okay.
2	A	Like right up in there. (indicating)
3		: Thank you.
4		MS. ALIZADEH: Can I ask while you were
5	standing u	up there. I couldn't see around you, use
6	the pen ar	nd where is the dumpster? No, just sit
7	down if yo	ou can.
8	A	It is, I need glasses, it is right there.
9	(indicatin	ng)
10		MS. ALIZADEH: Good, all right, I just
11	couldn't s	see.
12	Q	(By Ms. Whirley) Now, we've got to ask you
13	about your	r vision.
14	A	I do need glasses, excuse me.
15	Q	What do you need glass for?
16	A	For?
17	Q	To see far way?
18	A	Yes, ma'am.
19	Q	Do you need glasses like me to read up
20	close also	o?
21	A	Yes.
22	Q	Do you wear glasses?
23	A	I don't have them, but I do.
24	Q	Do you have contacts instead?
25	A	No.

		Page 96
1 ,	Q	So you need help with your vision, but you
2	don't hav	ve any?
3	A	No.
4	Q	Okay. So that particular day were you
5	wearing a	anything to help your vision?
6	A	Huh-uh.
7	Q	But you did need some help?
8	A	I mean, it was light so.
9	Q	You were okay?
10	A	I was okay.
11	Q	So you're pretty firm and secure about
12	what you	saw you are telling us about?
13	A	Yes.
14	Q	Even though your vision is not perfect?
15	A	Yes.
16	Q	How about your hearing?
17	A	Fine.
18	Q	No problem with the hearing?
19	A	No problem.
20	Q	Don't need an aid or anything?
21	A	No.
22	Q	Okay. You know, I'm going to ask you, do
23	you thin	you were as close to the scene where the
24	officer a	and Mike Brown were tussling as this room
25	depicts o	or was it much further than this room?
1		

	Page 97
1 ,	Like from where you are, I start
2	walking, is it beyond this wall, how close you were
3	to them?
4	A Yeah.
5	Q Okay.
6	A There was the street and the dumpster was
7	kind of a little ways.
8	Q So it was a pretty good little distance?
9	A Yeah.
10	Q But you see?
11	A But I could see.
12	Q And you're sure of what you saw?
13	A Yeah.
14	Q Now, you did tell us today that you
15	weren't sure what they were doing in the car, but
16	they were tussling?
17	A They was tussling.
18	${f Q}$ At one point you thought that the officer
19	grabbed Mike Brown?
20	A When he pulled back.
21	Q When he pulled back, did he grab Mike
22	Brown. Are you sure or unsure about that today?
23	A I'm sure he pulled back.
24	Q When the officer pulled back, you mean
25	backed the car up?

		Page 98
1 .	A	When he backed the car up.
2	Q	He grabbed Mike Brown?
3	A	Yes.
4	Q	That was the first physical thing that
5	happened?	Is that a yes?
6	A	Yes, ma'am.
7	Q	So how did he grab him, where did he grab
8	him at?	
9	A	Like by the shirt, like the neck collar
10	part.	
11	Q	So was the car window down?
12	A	Yes, it was.
13	Q	So did you see his arm?
14	A	When it went out the window.
15	Q	Uh-huh.
16	A	Yes, ma'am.
17	Q	Okay. You weren't clear on that earlier.
18	A	Yes.
19	Q	So you say you did see his arm?
20	A	When he went out the window.
21	Q	You could see, what color was he?
22	A	He was white.
23	Q	He was white. He didn't have
24	A	Uniform.
25	Q	I mean, did he have on a uniform?

		Page 99
1 .	A	Yes.
2	Q	Long or short sleeve?
3	A	Short sleeve.
4	Q	Okay. And he grabbed him and what
5	happened	when he grabbed him?
6	A	That's when the tussling started, and
7	that's wh	nen the first pow went off.
8	Q	Did you see them tussling once the officer
9	grabbed h	nim, there was a tussle?
10	A	There was a tussle.
11	Q	How long would you say that tussle went
12	on?	
13	A	It wasn't long. It wasn't long at all.
14	Q	Seconds, minutes?
15	A	It was probably, maybe like two minutes.
16	Q	Okay. We know that's a guess, correct?
17	A	Yes.
18	Q	All right.
19	A	I'm not going to be
20	Q	Did you see Mike Brown hit the officer?
21	A	No.
22	Q	Okay. Did you see him with his fist, did
23	you see h	nis hands?
24	A	It was as if he was trying to get away.
25	Q	Show us what you mean?

Page 100 He was like, when the police grabbed him, 1 Α it was like as if he was trying to, like break away 2 3 from the police. Okay. So you didn't see his hands inside 4 Q 5 the police car? 6 No, ma'am. Α 7 You didn't see him, his body inside the Q 8 police car? 9 Α No, ma'am. Okay. So then what did you see? 10 Q 11 When the police grabbed him by the neck, he shied away from him, that's when the first shot 12 13 went off. His friend Dorian ran and hid beside a 14 black Monte Carlo that was also parked on Canfield 15 in front of an apartment building. Not that far, 16 like right up in here. (indicating) 17 Okay. Q 18 He hid right here. That's when Mike 19 Brown, on the first shot, he turned around and ran. I was trying to run and there was another lady who 20 was also coming out of her apartment was in the 21 22 midst of running. 23 Did it appear that Dorian was hit by that first shot? Not Dorian, Mike Brown, was hit by the 24 25 first shot?

	Page 101
1 .	A Yes, ma'am.
2	Q Why do you say that?
3	A Because when he turned around, I seen a
4	red spot on his shirt.
5	Q Now, you are pointing to your upper right?
6	A He got shot up in this area. (indicating)
7	Q Are you saying the right or the left?
8	A When you turn around, I want to say might
9	have been on the left.
10	Q I don't want you to guess.
11	A The left I will say.
12	Q Are you sure about that?
13	A Yeah, I'm sure.
14	Q Okay. And you saw a red
15	A Red spot on his shirt.
16	Q Okay.
17	A And that's when he stopped and when he
18	stopped.
19	Q When you say he stopped, did he stop right
20	at the car?
21	A No, he stop, actually, like it's like a
22	light pole and a tree. He stopped right there at
23	that tree and the light pole.
24	Q We have to kind of take it step by step, I
25	know you are getting tired of all of this, but

		Page 102
1	that's how	we have to do. I tell us how far he got
2	away from	that car when he stopped, did you see him
3	leave the	car.
4	A	When I seen him break away from the car,
5	he was run	ning. That gave me the assumption that I
6	was going	to run.
7	Q	Okay. What did he do when the shot was
8	fired, did	he just break and run?
9	A	He broke and run, but he stopped, he
10	stopped in	stride.
11	Q	I want to know about him running though,
12	where did	he go behind the car?
13	A	No, he didn't go behind no car.
14	Q	What did he do?
15	A	His friend ran behind the car.
16	Q	Where did Mike Brown run to?
17	A	He ran towards the light, he was running
18	like towar	ds the light pole, like towards my
19	direction.	
20	Q	Okay. The dumpster you show us was here?
21	A	Yeah, and he was running like towards that
22	way.	
23	Q	So in the grass?
24	A	And he stopped his stride and stopped
25	right ther	e like by the tree in between the light

	Page 103
1	pole.
2	Q Okay.
3	A He stopped, hands was up.
4	Q Can you show us how he, well, first of
5	all, you didn't say he turned around, did he turn
6	around or was he running backwards?
7	A No, he was running like towards my
8	direction.
9	Q Okay.
10	A Looking toward like my way.
11	Q Okay.
12	A He stopped.
13	Q Uh-huh.
14	A And that's when he turned around.
15	Q Show us that. Show us like, you know, go
16	that way and then show us how you turn around?
17	A He, I'm standing over there, he's running
18	and then he turns around and he was like that way.
19	(indicating)
20	Q Did you hear him say anything?
21	A He might of.
22	Q You don't have to guess, did you hear him
23	say anything?
24	A That's where I thought I heard him say he
25	gave up.

	Page 104
1 .	Q You heard him say what?
2	A I give up.
3	Q You're not sure?
4	A I heard him say don't give up.
5	Q Don't give up?
6	A I give up, I mean.
7	Q I give up.
8	A I give up.
9	Q Where did he say that?
10	A That's when he started walking back
11	towards the officer.
12	Q So how was he walking towards the officer?
13	A He went like this with his hands up, and
14	when he reached that way that's when the police
15	started four shots. (indicating)
16	${f Q}$ How did he reach. You say he reached that
17	way?
18	A I mean, he had his hands up like this, he
19	never went down or reached out, he still had his
20	hands up. And that's when the police started
21	letting off more shots.
22	Q You never saw him like go to his waist?
23	A His hands never went down.
24	${f Q}$ When the officer was shooting?
25	A When the officer start shooting, his hands

		Page 105
1 .	never wen	t down.
2	Q	How many shots did the officer fire?
3	A	Uh, it was over six, it was six to nine
4	rounds.	
5	Q	All about
6	A	The first shot pow, pause.
7	Q	And that was at the car?
8	A	That was at the car.
9	Q	Okay.
10	A	When he turned around to go back, as if he
11	was surre	endering, that's when the rest of the shots
12	started g	oing off.
13	Q	Okay. So when Mike Brown was surrendering
14	and he wa	s walking towards the officer, what was the
15	officer d	loing before he started shooting or did he
16	just star	t shooting?
17	A	He just started shooting.
18	Q	The officer didn't back up or walk toward
19	Mike Brow	n?
20	A	He just started shooting.
21	Q	Did he say anything to him, like get down?
22	A	No, he just started shooting.
23	Q	He didn't tell him to stop or anything?
24	A	If he did, I didn't hear that part, I just
25	know the	gunshots start ringing off.

	Page 106
1 ,	Q Were you close enough to hear it?
2	A The gunshots?
3	Q Were you close enough to hear if the
4	officer said something?
5	A No.
6	Q You were not close enough?
7	A No.
8	Q But you were close enough to hear Mike
9	Brown?
10	A He screamed like, I give up.
11	Q He was screaming?
12	A He screamed, I give up.
13	${f Q}$ So if the officer was screaming a command
14	or something, do you expect to have heard it?
15	A I would have heard it.
16	${f Q}$ Okay. Now, this other officer, when did
17	you see him, you said it was two officers in the
18	car?
19	A Yes, I mean, when he got out of the car, I
20	didn't really get no description of him.
21	Q Before you kind of jump too far. Are you
22	saying the officer, the other officer?
23	A He was in the passenger seat.
24	${f Q}$ He was in the passenger seat, in the
25	front?

		Page 107
1	A	The front seat.
2	Q	Did you see him get out of the car?
3	A	(Shakes head.)
4	Q	Okay. So he did not get out of the car?
5	A	No, ma'am.
6	Q	Okay. From what you could see, what did
7	you, what	did you tell us about the other officer
8	was he a b	plack or white man?
9	A	He was a white cop too.
10	Q	Did he look young or old?
11	A	He could have been middle age or young, I
12	don't know	I .
13	Q	Did he look to be in uniform?
14	A	They both was in uniform.
15	Q	Okay. But he never got out of the car?
16	A	No.
17	Q	Or you didn't see him?
18	A	I didn't see the passenger door open at
19	all.	
20	Q	Okay. And since your vantage point was
21	from the p	passenger side, that's where Dorian was?
22	A	Yes.
23	Q	You could see this other officer in the
24	car?	
25	A	Yes.

1	Page 108
	Q And that officer never got out to assist
2	
3	A I never
4	Q I have to ask the question and then you
5	answer. He can't take us both down at the same
6	time.
7	A I'm sorry.
8	${f Q}$ You never, when the officer, when the
9	gunshot went off, you never saw the other officer do
10	anything?
11	A No, ma'am.
12	Q And when Darren Wilson we know is the
13	shooting officer, when he got out, the other officer
14	never got out to assist him?
15	A No, ma'am.
16	Q But you're positive there was another
17	officer in the car?
18	A Yes, ma'am.
19	Q Okay. Did you ever see a weapon fall?
20	A (Shakes head.)
21	Q Did you ever see Mike Brown with a weapon?
22	A No, ma'am.
23	Q And when I ask you about a weapon falling,
24	what was your answer?
25	A No.
1	

	Page 109
1 ,	${f Q}$ Okay. When you saw Mike Brown stop and
2	turn around, I think your first statement on August
3	the 16th, and we've had your statement so we know,
4	at least the first one, of course, I think you
5	mention that he turned around as if he was defending
6	himself or giving up, which are two different
7	things.
8	A Well, there was so much going on, I meant
9	to say he was surrendering himself. I didn't say to
10	defend hisself, I meant to say surrendering.
11	Q Okay. Surrendering or giving up?
12	A Giving up.
13	Q Is what you meant?
14	A Yes, ma'am.
15	$oldsymbol{Q}$ Did it look like at any time he was trying
16	to defend himself from the officer to you?
17	A As far as getting away, he grabbed him,
18	yes, it was like as if he was like, why is you
19	grabbing me, like what did I do, that type.
20	Q Okay. Now, when Mike Brown was running
21	away, you were trying to explain to me how he ran.
22	So you said he didn't run very far, so explain that
23	to me?
24	A I mean, from the middle of the street to
25	the light pole like where, it is like light pole and

	Page 110
1 ,	there is some trees right there in front of his
2	apartment building right there.
3	Q Uh-huh.
4	A Like the parking lot, he didn't run that
5	far from Mike from right here to there. It wasn't
6	far at all. (indicating)
7	Q Okay. Before he turned around?
8	A Before he turned around.
9	Q And when he was running away from the
10	officer, when he had his back to the officer, did
11	you hear any shots being fired?
12	A No.
13	Q How many shots would you say you heard
14	total from the start of the car?
15	A One, I'm going to say like it's about six,
16	between six and nine shots.
17	$oldsymbol{Q}$ Okay. And when he was walking towards the
18	officer?
19	A He had his hands up.
20	Q He had his hands up?
21	A Yes, ma'am.
22	Q Did you ever see him like run towards the
23	officer?
24	A No, ma'am. He stopped and he turns around
25	and he like was walking back towards the officer.

	Page 111
1 ,	Q What was your opinion of why he was
2	walking towards the officer?
3	A Like as if he was surrendering, and that
4	first shot, I guess, he noticed he was shot. So he
5	was surrendering hisself like, I give up. Like,
6	what did I do?
7	${f Q}$ Did it look like he was falling into the
8	officer's body or something?
9	A No, it was like as if he was walking back
10	towards him. He was going back towards him, that's
11	when the police started letting off the shots.
12	${f Q}$ Now, did you take any video or pictures of
13	the shooting?
14	A No, I didn't. I didn't get none of that
15	at all.
16	Q Did you get anything like after the
17	shooting?
18	A I got after the shooting, it's not much,
19	but I got some of it.
20	${f Q}$ What did you do with that video, was it
21	video or pictures?
22	A I got videos on my phone.
23	Q Do you have it with you?
24	A Yes, ma'am.
25	Q Just hold tight, we will have to deal with
1	

		D 110
1 ,		Page 112
		r. Did you turn that over to the police?
2	A	To the FBI.
3	Q	The FBI have it?
4	A	Yes.
5	Q	Okay. That's what I need to know.
6		Do you know ?
7	A	No.
8	Q	Okay. Do you remember when you talked to
9 t	the FBI a	t the house, I guess it was in Canfield
10 G	Green?	
11	A	Uh-huh.
12	Q	Whose house were you at when you were
13 t	alking t	o them?
14	A	I was at my friend's house.
15	Q	What is her name?
16	A	No, that was a guy.
17	Q	What's his name?
18	A	•
19		MS. ALIZADEH: I'm sorry, what's his name?
20	A	
21		MS. ALIZADEH: ?
22	A	Uh-huh.
23	Q	(By Ms. Whirley) And he lived at Canfield?
24	A	Yes.
25	Q	Where was that apartment at that
	~	

```
Page 113
          lived at?
1
 2
              Uh, this one right here. (indicating)
 3
         Q
              Is that
         Α
              Yeah.
 4
 5
         Q
              Now, in the statement , so it could
 6
    have been ?
7
              I was at the house next to it.
         Α
8
         Q
                           who you were visiting?
9
              Yes, he was at work at the time. So I
         Α
    stepped over here to a house next door.
10
11
              At , not that you had to go?
         Q
12
              MS. ALIZADEH: Sheila.
              MS. WHIRLEY: How did you happen to go.
13
14
              MS. ALIZADEH: It says we are at apartment
15
          and then the person says
16
              MS. WHIRLEY: Okay. Thank you for that
17
    correction. So you were right, is where you
18
    were?
19
         Α
              Uh-huh.
20
              (By Ms. Whirley) So what was , is that
21
                        lives?
    where
22
              Yes, he stay in , I was at .
         Α
23
         Q
              How did you get to ?
24
              I was standing outside and I was talking
         Α
25
    to the people the night before, I was talking to
```

```
Page 114
     them.
 1
 2
          Q
               Okay.
 3
          Α
               And the agent, all of them pulled up.
                                                       Ιt
     was a burden on my chest just to know that it
 4
 5
     happened like that and I felt like I should say
 6
     something, just give my opinions because I was
 7
     there.
 8
          Q
               Okay.
 9
               So I just went on and I told them I seen a
     little bit and I went on in and told them what I
10
11
     saw.
              Okay. You didn't know the people that
12
          Q
13
     were at
               who lived there?
14
          Α
               No.
15
               Because there was a few people there, they
          Q
     were all talking?
16
               Yeah, they was talking. I don't know them
17
     like that so, like I said, that was my friend's
18
     house. Basically I can come over there and talk to
19
20
     them in there.
               You didn't know
21
          Q
22
          Α
               No.
23
          Q
               Did anybody ever there show you a video of
24
     the shooting?
25
          Α
               No.
```

	Page 115
1 .	Q Okay. Or say they had a video that you
2	know of?
3	A No.
4	Q All right. Now, you said you wanted to
5	say something because of the way it happened?
6	A Yes.
7	Q Well, tell us what you mean by that?
8	A I mean, I just fell like, I mean, he
9	didn't do anything wrong. I mean, from him walking
10	from the store or anything, or whatever, to the
11	place out in the street or what the police did, I
12	didn't know. But I just felt like it was wrong, why
13	would you shoot an unarmed child with his hands up.
14	Q And the part you did actually see some
15	kind of scuffle at the car or you said the officer
16	snatched him at the car or grabbed him?
17	A Grabbed him by his shirt.
18	Q You didn't see Michael Brown start any
19	type of physical skirmish or anything?
20	A No, ma'am.
21	Q You saw it from the very beginnings?
22	A From the very beginning, I was talking on
23	the phone. We was all out there just talking like I
24	said the police was riding down the street, they was
25	walking in the middle of the street, pulled up and
I	

	Page 116
1 ,	said something and he pulled back and that's when he
2	went to grab him by his shoulder.
3	Q Now, let's go back to when Michael Brown
4	turned around, had his hands up as you tell us, and
5	he was shot at least five or six times as he was
6	walking towards the officer. And did you see him
7	hit the ground?
8	A When he hit the ground, he fell hands up
9	and that's how he was laying.
10	Q Did he fall, how did he fall?
11	A He fell, like fell down like on his knees
12	and he just fell.
13	Q Did he go down on his knees for a minute
14	first, or how did he do?
15	A He dropped down and he fell.
16	Q Where did he land?
17	A In the middle of Canfield, like right up
18	in there. (indicating)
19	Q And was he, face on the beyond?
20	A Face on the ground.
21	$oldsymbol{Q}$ All right. And what did the officer do
22	once he fell?
23	A I seen an officer walk over, check his
24	pulse, stand up, and he walked away.
25	Q What officer was that that checked his
1	

			Page 117
	1	pulse?	
	2	A	I don't have the slightest idea, I don't
	3	know.	
	4	Q	Was it the officer that did the shooting?
	5	A	I don't know.
	6	Q	You're not sure?
	7	A	Not sure.
	8	Q	Initially you thought it was?
	9	A	I thought it was.
	10	Q	Why did you decide it may not have been?
	11	A	Because the picture of the police, didn't
	12	look like	the picture of the man who checked his
	13	pulse.	
	14	Q	What picture now?
	15	A	On the news, that didn't look like Darren
	16	Wilson who	o took the pulse.
	17	Q	You said you didn't see the other guy who
	18	was riding	g with him?
	19	A	No.
	20	Q	Now, on one part of your statement, let's
	21	see, it is	s on page 17, have you ever looked at your
	22	statement	?
	23	A	Huh-uh.
	24	Q	We can let you if you need to, but I just
	25	had a ques	stion about, um, you said that before, on
1			

	Page 118
1 ,	page 17 at the top, before the first shot, you talk
2	about slamming his hand and like I said once, I
3	guess once he flung his hand, that's when the first
4	shot rung off and it hit him. What did you mean by
5	slam his hand?
6	A I guess when he grabbed him by his shirt,
7	you know, reaction from a person grabbing your
8	shirt, you are going to initially grab his hand to
9	try to snatch it away or smack his hand away.
10	${f Q}$ You talking about Mike Brown slamming the
11	officer's hand away?
12	A Yeah.
13	Q Did you see Mike Brown strike the officer?
14	A No, ma'am.
15	Q And once Mike Brown is down on the ground,
16	did the officer shoot any more?
17	A Somehow, all I know, I didn't know if he
18	got in the head. We notice there was a blood trail
19	coming from his head as he was laying on the street.
20	${f Q}$ Okay. But my question is, you saw him hit
21	the ground?
22	A Yes, ma'am.
23	Q Did the officer shoot any more?
24	A No, ma'am, I don't think he shot any more
25	after he hit the ground.

	Page 119
1	Q You didn't hear any more shots after he
2	hit the ground?
3	A No, ma'am.
4	$oldsymbol{Q}$ What did the officer do when he hit the
5	ground, do you recall?
6	A Nothing.
7	Q Okay. Was there any point that you
8	thought maybe when you first talked to the FBI
9	agents that the officer shot him while he was on the
10	ground?
11	A It could have happened that way like once
12	he fell.
13	Q Did you ever think that?
14	A Yes, I did.
15	Q Tell us why, tell us a little bit more
16	like that?
17	A There was too many shots. After a certain
18	many shots he fell. And I guess he was going to
19	make sure, I didn't know if he was absolutely there,
20	I don't know. It is how it happened.
21	Q But it seemed to you he was still shooting
22	at him once he fell?
23	A Yes, ma'am.
24	Q Does it seem that way today?
25	A Yeah.

		Page 120
1 ,	Q	Okay. But you didn't see it?
2	A	No, ma'am.
3	Q	You just assume it?
4	A	I mean, I saw it.
5	Q	I know, don't be nervous.
6	A	It's crazy.
7	Q	Try not to be.
8	A	I think he did, I think he did shoot him
9	once whil	e he's down on his knees.
10	Q	But you're not sure?
11	A	No, I'm not.
12	Q	Was he on his knees for a minute?
13	A	No, like once he fell, as he was shooting,
14	he was fa	alling and.
15	Q	So he wasn't like on his knees and the
16	officer w	as shooting him?
17	A	Like um, um, he could have been
18	shooting	him as he was going down, yes, ma'am.
19	Q	But you didn't see him stand over him once
20	he is dow	m?
21	A	No.
22	Q	You're sure of that?
23	A	Yes, I'm positive.
24	Q	Now, why did you think you needed to come
25	forward,	you said you didn't like that, what are

	Page 121
1 .	your thoughts about that, did you feel that the
2	officer was being threatened by Mike Brown?
3	A He could have.
4	${f Q}$ What are your thoughts on that in viewing
5	what you saw?
6	A I can't say on behalf of the police if he
7	felt threatened, he could have cause he was a big
8	guy. I thought he was a grown man when I saw him.
9	Q Okay.
10	A He could have felt threatened because of
11	his height and his weight. He could have felt
12	threaten by him.
13	Q I guess I should have asked that a little
14	differently. Did it appear to you that Mike Brown
15	was threatening him?
16	A No, it didn't seem like that at all. They
17	wasn't causing no trouble at all period. They was
18	like walking.
19	Q And why did you want to come forward and
20	tell what happened?
21	A Because it was wrong.
22	Q What was wrong?
23	A For the police to shoot him like that
24	numerous times. After the first shot, I mean, after
25	the first shot that should been enough if he's

```
Page 122
     surrendering with his arms up and not making no type
 1
     of movement saying that he had a weapon or anything,
 2
 3
     I felt that was wrong.
               So that from what you could see, there was
 4
          Q
 5
     another officer to assist him in the car?
 6
               Yes, ma'am.
          Α
 7
               You actually saw another officer?
               Yes, ma'am.
 8
          Α
 9
               MS. WHIRLEY: I don't think I have
     anything else. Kathi?
10
11
               (By Ms. Alizadeh) Okay. Ma'am, I'm going
     to ask you some more questions and they might seem
12
13
     kind of tough questions, okay?
14
          Α
               Okay.
15
               One thing we need to slow this down.
16
     means when I speak and answer a question, try to
17
     wait until I'm finished with the question before you
18
     answer.
19
          Α
               Okay.
20
               It helps them to follow what's going on
     and it certainly helps the court reporter because
21
22
     his fingers are on fire right now trying to keep up
23
     with this, okay.
24
                    And I might slow you down
25
     occasionally.
```

	Page 123
1 .	A Okay.
2	${f Q}$ I'm going to ask you a question. I don't
3	ask you this to embarrass you in any way. Do you
4	take any medication?
5	A No, ma'am.
6	$oldsymbol{Q}$ Okay. Is there anything that you are
7	supposed to be taking medication for?
8	A No, ma'am.
9	Q Okay. So I see you raise your eyebrows.
10	I'm just asking because kind of ADHD and
11	sometimes he talks very fast and I didn't know if
12	anybody ever told you that?
13	A Huh-uh.
14	Q You're a fast talker.
15	A Yes, I am.
16	Q Okay. So let me back up, see if I can
17	understand. When you say that you were going into
18	the complex, I'm not sure if I understood the reason
19	that you were going in there.
20	You said you were coming back from
21	the store?
22	A I have a friend who stays right next door
23	to the apartment who I was, , he stays
24	in that apartment where I was going to visit.
25	Q Okay. Were you specifically going to

```
Page 124
     visit him or were you cutting through to go back to
 1
 2
     your place and you were going to stop?
               It was a little bit of both.
 3
               And correct me if I'm wrong. I think you
 4
          Q
 5
     said that it is not unusual for you to go through
 6
     Canfield to get to where you live, can you get to
 7
     where you live by going through Canfield?
 8
          Α
               Uh-huh.
 9
               Okay. So when you were going through that
     that day, were you going home, or were you going
10
11
     through there to stop and visit your friend?
               I was going home, but just by me going
12
          Α
13
     through, I was just generally just stopping to see a
     friend.
14
15
               Okay. And we know it was a beautiful
          Q
16
     Saturday day?
17
               Uh-huh.
          Α
18
               Do you know other people in the complex?
          Q
               No, I mean, I know just because I've been
19
          Α
     over there with my friend. So, I mean, I just stop.
20
     I saw them when my friend wasn't at home, saw them
21
22
     and just generally speaking.
23
               So your friend, I think
     you've been inside his apartment before?
24
25
          Α
               Uh-huh.
```

```
Page 125
               How about anybody else that lives in
 1
          Q
 2
     Canfield, have you ever been inside anyone else's
 3
     apartment?
          Α
 4
               No.
 5
          Q
               The other people you met in Canfield was
 6
     kind of in passing by?
 7
               Yes, ma'am.
          Α
 8
          Q
               And so on that day, you said you were
     coming this direction?
 9
               No, I was coming.
10
          Α
11
               Oh, okay, I'm confused. You are coming
          Q
     from this direction?
12
13
          Α
               Yes, ma'am.
               And you turn onto Coppercreek Court?
14
          Q
               Yes. It is a lot like right here. I was
15
          Α
     on the back lot. I pulled directly in front on the
16
     lot in the back, back by the dumpster.
17
18
          Q
               You are in the lot that's on Canfield
19
     Court?
20
          Α
               Yes.
21
               You were going to go visit this person
          Q
22
     at --
23
          Α
               Yes.
               -- at
24
          Q
25
          Α
               Yes, ma'am.
```

```
Page 126
               And is there, just out of curiosity, a
1
         Q.
 2
     reason you didn't go and park closer to his
 3
     apartment?
         Α
               Like I say, it was neighbors standing out
 4
 5
     right there and I stopped right there.
 6
               Okay. Who was standing out?
         Q
               His name is and I want to say
7
         Α
8
               , I call her
 9
         Q
               You saw a man named
                                                  , you
     call him
10
11
         Α
              Uh-huh.
12
              And a woman named
         Q
13
         Α
              Uh-huh.
14
               So when you pulled up into the parking
         Q
15
     lot, were they outside?
16
         Α
               Yes, they were.
17
               Were they on the ground or were they like
18
     on a balcony?
19
         Α
               On a balcony.
20
               Okay. Do you know what building number
          Q
    where they were on the balcony?
21
22
         Α
               Uh, stayed in the next apartment on
23
    the other side, on this side on the second floor and
24
    he was up on the balcony.
25
               Okay.
                      So was on the balcony on the
         Q
```

```
Page 127
     second floor on , did you point right there?
1
 2
               Not the apartment where I was standing at,
 3
     on the other side. I don't know quite what that
     address is on the other side.
 4
               Just where I'm pointing, is that where you
 5
          Q.
    had the laser pointer right here, he was on the
 6
7
    balcony?
8
         Α
               Yes, on the second floor.
 9
               On the second floor. And your friend
10
     lives?
11
              Yes, over there on that side.
         Α
               Did you get out of your car?
12
         Q
13
         Α
               Yeah, and walked right over toward
14
    thing, and
                           we was all standing right
15
     there by the dumpster. Well,
                                              was
     standing over there by the dumpster.
16
               Okay. There's a dumpster here?
17
          Q
18
         Α
               Uh-huh.
19
          Q
               That's in the parking lot of Coppercreek
20
     Court?
               And my car was parked right there.
21
          Α
22
     (indicating)
23
               Hang on, let me finish. And there's a
     dumpster here that's in the parking lot of Canfield
24
25
     Court?
```

		Page 128
1 ,	A	Uh-huh.
2	Q	Which dumpster was standing by?
3	A	The one right there on Coppercreek.
4	Q	The one on Coppercreek Court?
5	A	(Nods head.)
6	Q	Do you know was she standing, if this is
7	south, ok	ay. Was she on the south side of the
8	dumpster,	on the north side of the dumpster, was she
9	in the par	rking lot or was she behind?
10	A	Parking lot.
11	Q	In the parking lot. And was on his
12	balcony?	
13	A	Balcony.
14	Q	So point to the map where you parked your
15	car?	
16	A	Like right up in here. (indicating)
17	Q	Okay. And when you walked, where did you
18	walk to?	
19	A	I walked over to the balcony, got a
20	cigarette	from , and then I walked over there to
21	talk to	•
22	Q	Okay. When you got the cigarette from
23	, did	come down off the balcony?
24	A	Not just yet, he didn't come down until
25	the commo	tion started.

		Page 129
1 .	Q	Okay. Let's get to that in a minute.
2	A	Okay.
3	Q	But when he, so did he toss a cigarette to
4	you?	
5	A	Yes, ma'am.
6	Q	Or did you go up?
7	A	No, he tossed it down to me.
8	Q	Okay. So you know him well enough, hi
9	can	I have a cigarette?
10	A	Yeah.
11	Q	All right. So when you say, after you got
12	the cigar	ette, you walk down here?
13	A	Uh-huh, because I was talking to
14	•	
15	Q	You call her
16	A	Uh-huh.
17	Q	You said you saw, at some point, maybe I'm
18	confused,	when you first saw the boys, which
19	direction	were they walking?
20	A	They was walking towards West Florissant.
21	There was	a lot right up here, this is a grass area.
22	Q	Yes.
23	A	They walked from somewhere up in this
24	area, the	y walked across the lot and go down
25	Canfield.	

		Page 130
1	Q	Okay. When the officer's car pulled up
2	and confro	onted the boys, is that as they were
3	walking th	nis direction down Canfield?
4	A	No, they was coming back.
5	Q	Okay. That is what I was confused about.
6	So you're	standing there talking to ,
7	smoking a	cigarette and how long were you there
8	before you	ı saw those boys again?
9	A	Maybe 20, 25 minutes.
10	Q	Just standing in the parking lot talking?
11	A	We was just standing there talking.
12	Q	Did you see any other people around this
13	area?	
14	A	It was some people standing out like by
15	the Canfie	eld Court. I mean, there was lot of people
16	standing,	I mean there was people standing in the
17	Canfield	Court area. There was some people outside.
18	Q	Did you ever see anybody that looked like
19	they were	working on buildings or working on things?
20	A	Some construction workers?
21	Q	Yes.
22	A	Yes.
23	Q	Where were they?
24	A	They was like, they was like on Canfield,
25	like back	up in the this area by Canfield Court.

	Page 131
1 ,	(indicating)
2	Q So you got the laser pointer on a grassy
3	patch between the sidewalk that's on the north side
4	of Canfield Drive and the actual street?
5	A Yeah.
6	Q In between Coppercreek Court and Canfield
7	Court. So what were they doing in this area?
8	A Can't say what they was doing, probably
9	working on some sewer lines.
10	${f Q}$ So were they like digging or could you
11	tell?
12	A I want to say they was digging. They was
13	doing a lot of digging around there, so I say they
14	was digging.
15	${f Q}$ Okay. Now remember when we talked before
16	we came in here, I don't want you to guess at
17	things. So remember I said if, I really don't know
18	is the right answer, that I'd rather have you say
19	that.
20	A Okay. I don't know.
21	$oldsymbol{Q}$ Okay. Did you stay here with
22	the entire 30 minutes from the time the boys left to
23	when they came back?
24	A Yeah.
25	Q was still there when the boys

	Page 132
1 .	came back. So was she standing there at the
2	dumpster when the whole thing with the police car
3	happened at the police car?
4	A Yeah.
5	Q You mention that eventually came down
6	when the commotion started.
7	A He sat on his balcony so, when the police
8	did all the shooting, that's when he came down. He
9	knew I forgot to call the ambulance and stuff like
10	that.
11	Q Were you still standing, and I've got the
12	end of my pen here where that dumpster is on
13	Coppercreek Court, there's a little, looks like
14	painted lines in a little box so people don't park
15	in front of it, would that be fair to say?
16	A Yes, ma'am.
17	Q Were you like in that box?
18	A I was somewhere up in there.
19	Q Somewhere up in there. And so you saw a
20	police vehicle coming westbound on Canfield Drive?
21	A Yes, ma'am.
22	Q At this point did you see the boys walking
23	back?
24	A Well, not at that time, but when they got
25	closer up toward this apartment building, that's
I	

```
Page 133
     when I saw them, like right up in here.
 1
 2
     (indicating)
               Now, let me ask you, ma'am, because if the
 3
          Q
     initial encounter at the vehicle, after the vehicle
 4
     backed up and the shooting occurred, did you ever
 5
     see that vehicle move again?
 6
 7
          Α
               No.
 8
          Q
               And so if I were to tell you that vehicle
     was photographed by crime scene detectives right
 9
     around in this area, would that be about your
10
11
     recollection?
12
          Α
               Yes, ma'am.
13
               Can I ask you, ma'am, how it is if you are
          Q
14
     at this dumpster, you can possibly see what's going
15
     on at the police car because wouldn't this building
     obstruct your view?
16
17
               No.
          Α
18
               So you're saying if you stand at this
19
     dumpster, I'm going to use a piece of paper as like
     a straight edge.
20
               Uh-huh.
21
          Α
22
               We all know people can't see around
          Q
23
     corners, right?
               (Nods head.)
24
          Α
25
               And so if the police vehicle was somewhere
          Q
```

	Page 134
1 1	around here and you are at that dumpster, do you see
2	that the line of sight for that area goes through
3	this building, doesn't it?
4	A Yes.
5	${f Q}$ So can you explain to me how it is that
6	you can stand there and see what happens at that
7	police car?
8	A I mean, I saw. Cause it is like two
9	dumpsters on Canfield, on Coppercreek.
10	Q Okay.
11	A But it might be the second one, but it is
12	more like there is one right there closer toward the
13	street. I was closer toward the street.
14	Q So you think that you were closer toward
15	Canfield Drive?
16	A Yes, I was. The dumpster right there up
17	there by the apartment and then dumpster right down
18	here.
19	Q Despite the fact that you just for the
20	last 15 minutes or longer, when Sheila was
21	questioning you too.
22	A Uh-huh.
23	Q You put yourself here? (indicating)
24	A I mean, there's the dumpster that I see.
25	I mean, there is two dumpsters, so it can be either

```
Page 135
 1
     one.
 2
               Okay. Do you believe that there's two
          Q
 3
     dumpsters there today?
          Α
               I mean, the one dumpster up there by the
 4
 5
     apartment and the one down here closer to Canfield.
 6
               So you think there is another dumpster
          Q
     that's in this parking lot that's closer to
 7
     Canfield?
 8
 9
          Α
               Yes.
               Because I'm confused.
10
          Q
11
               Okay.
          Α
12
               And I'm not trying to put you on the spot.
          Q
13
          Α
               No.
14
               You remember I said we have got to ask
          Q
15
     tough questions.
16
          Α
               Yes, ma'am.
               And remember I said at some point you say
17
18
     you know what, maybe I really didn't see that.
     that's the true answer, that's what we want today,
19
20
     okay?
21
          Α
               Yes, ma'am.
22
               And if you say absolutely not, I know I
          Q
23
     saw it.
              If that's the true answer, that what I want
24
     you to say, okay?
25
          Α
               Uh-huh.
```

	Page 136
1	Q But based upon what you're telling me
2	earlier, do you understand how it would be very
3	difficult for me to believe that you could see that
4	vehicle if you were at that dumpster and the police
5	car were here? (indicating)
6	A Uh-huh.
7	Q So now you're saying you were closer to
8	the street. Were you in the parking lot or on the
9	grass?
10	A I was on the parking lot.
11	Q Was with you at that location
12	or was she farther up the parking lot?
13	A She was like right there in the same area
14	where I was at.
15	Q She was next to you?
16	A Uh-huh.
17	Q Were you having a conversation?
18	A We was all having a conversation.
19	Q Okay, all right. I have to use my glasses
20	to read what I write, okay. Now, you said that when
21	the officer was driving west on Canfield, you see
22	him stop and talk to the boys?
23	A He said something.
24	Q And you hear
25	A And then he pulled off.

1
3 where I don't say that far. 4 Q And then there was, did you see any
4 Q And then there was, did you see any
, , , ,
5 confrontation right then?
6 A No, the police pulled off.
7 Q Were the boys at the driver's window at
8 that moment?
9 A They was in the middle of the street.
10 Q I know you've said there were two
11 policeman in the car, were they at the driver's side
12 talking through the driver's window or were they on
13 the passenger side?
14 A They was on each side, one was on one
15 side.
16 Q Which one was on what side?
17 A Dorian was on, he was on the sidewalk
18 part, closer by the sidewalk, and Mike Brown was
19 like in the middle of the street like crossing over.
20 Q And then you said the officer pulled
21 forward, did the boys keep walking?
22 A They kept walking like as if they was
23 coming back towards where they was coming from, back
24 towards this way. (indicating)
\mathbf{Q} All right. And how far did the officer

	Page 138
1	get toward West Florissant before he backed up?
2	A They wasn't down there this way.
3	Q No, no, I meant toward.
4	A They didn't go far at all.
5	Q Would it have been more than two car
6	lengths?
7	A Maybe, I would say.
8	Q And then you said he backed up, quickly or
9	normal?
10	A Normal.
11	Q All right. So you didn't hear any tires
12	squealing?
13	A No.
14	Q And then when he backed up, I'm so sorry
15	because I get confused with what everybody else has
16	said and I've listened to so many statements.
17	A That's fine.
18	Q If my pen is the police car and this is
19	obviously way bigger on the map, when somebody is
20	driving down the street, they drive in a lane and
21	they drive straight, correct?
22	A Uh-huh.
23	$oldsymbol{Q}$ So when the officer backed up, did he back
24	straight?
25	A Backed straight.

	Page 139
1 ,	Q He didn't angle his car in any way?
2	A (Shakes head.)
3	Q You are shaking your head no.
4	A No.
5	Q He didn't angle his car?
6	A No.
7	$oldsymbol{Q}$ If I tell you that there is photos of that
8	vehicle after the fact where that vehicle is
9	actually angled in the middle of the street, you
10	don't recall that?
11	A No.
12	${f Q}$ And when he backed up, and the boys now,
13	are they both on the driver's side when he backs up?
14	A No.
15	${f Q}$ Still Dorian is on the passenger side?
16	A On the passenger side.
17	Q And Michael Brown
18	A Is on the driver's side.
19	${f Q}$ And then if you were in this position now,
20	or somewhere on this parking lot farther south than
21	the dumpster, than this dumpster that we have been
22	talking about.
23	If the officer's car is right around
24	in this area and Michael Brown was in the window.
25	If that car was angled, wouldn't you agree with me

		Page 140
1 .	that the ca	ar would be between you and Michael Brown?
2	A 5	Yes.
3	Q A	And when you were at this location and
4	looking at	the vehicle when Michael Brown was at the
5	driver's do	oor, was the car in between Michael Brown
6	and you, th	ne police car, yes?
7	A 3	Yes, ma'am.
8	Q	Okay. So the car is blocking part of your
9	view?	
10	A .	Yes, ma'am.
11	Q	And wouldn't you agree with me, now
12	Michael Bro	own we know that he was 6'5", right, and I
13	would image	ine
14	A	I thought he was an adult, I didn't know
15	he was no d	child.
16	Q	I would imagine if he was standing there.
17	He's probak	oly taller than the car, would you think
18	maybe he wa	as?
19	A 7	Yeah.
20	Q V	When he was standing at the driver's
21	window of t	the car, could you see the top of his head
22	or any part	of his head over the roof of the car?
23	A -	I'm not sure.
24	Q 7	You're not sure?
25	A .	Yes.
l		

sure, okay? A Yeah, I'm not sure. Q And so you said you saw the officer's arm come out of the window and grab him by the shirt collar. Let me ask you this. If the vehicle is in between Michael Brown and you, are you looking through the vehicle to see that? A Yes. Q Okay. So is the passenger window of the vehicle open? A Yes. Q You remember the passenger window was down, and obviously, if the officer puts his hand through the driver's side window, we know that window was down? A Yes. Q Okay. So you're saying that you could see through those windows, and you saw the officer grab Michael Brown by the shirt collar? A Yes, ma'am. Q Okay. So you're actually looking into the car, if you are seeing through those windows, you have to see into the car, right? A (Nods head.)		Page 141
A Yeah, I'm not sure. Q And so you said you saw the officer's arm come out of the window and grab him by the shirt collar. Let me ask you this. If the vehicle is in between Michael Brown and you, are you looking through the vehicle to see that? A Yes. Q Okay. So is the passenger window of the vehicle open? A Yes. Q You remember the passenger window was down, and obviously, if the officer puts his hand through the driver's side window, we know that window was down? A Yes. Q Okay. So you're saying that you could see through those windows, and you saw the officer grab Michael Brown by the shirt collar? A Yes, ma'am. Q Okay. So you're actually looking into the car, if you are seeing through those windows, you have to see into the car, right?	1	Q That is the correct answer if you are not
Q And so you said you saw the officer's arm come out of the window and grab him by the shirt collar. Let me ask you this. If the vehicle is in between Michael Brown and you, are you looking through the vehicle to see that? A Yes. Q Okay. So is the passenger window of the vehicle open? A Yes. Q You remember the passenger window was down, and obviously, if the officer puts his hand through the driver's side window, we know that window was down? A Yes. Q Okay. So you're saying that you could see through those windows, and you saw the officer grab Michael Brown by the shirt collar? A Yes, ma'am. Q Okay. So you're actually looking into the car, if you are seeing through those windows, you have to see into the car, right?	2 sur	ce, okay?
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through the vehicle to see that? A Yes. Q Okay. So is the passenger window of the vehicle open? A Yes. Yes. Yes. Yes. Yes. Yes. Yes. A Yes. A Yes. Vau remember the passenger window was down, and obviously, if the officer puts his hand through the driver's side window, we know that window was down? A Yes. Q Okay. So you're saying that you could see through those windows, and you saw the officer grab Michael Brown by the shirt collar? A Yes, ma'am. Q Okay. So you're actually looking into the car, if you are seeing through those windows, you have to see into the car, right?	5 com	ne out of the window and grab him by the shirt
through the vehicle to see that? A Yes. Q Okay. So is the passenger window of the vehicle open? A Yes. Q You remember the passenger window was down, and obviously, if the officer puts his hand through the driver's side window, we know that window was down? A Yes. Q Okay. So you're saying that you could see through those windows, and you saw the officer grab Michael Brown by the shirt collar? A Yes, ma'am. Q Okay. So you're actually looking into the car, if you are seeing through those windows, you have to see into the car, right?	6 col	lar. Let me ask you this. If the vehicle is in
9 A Yes. 10 Q Okay. So is the passenger window of the 11 vehicle open? 12 A Yes. 13 Q You remember the passenger window was 14 down, and obviously, if the officer puts his hand 15 through the driver's side window, we know that 16 window was down? 17 A Yes. 18 Q Okay. So you're saying that you could see 19 through those windows, and you saw the officer grab 20 Michael Brown by the shirt collar? 21 A Yes, ma'am. 22 Q Okay. So you're actually looking into the 23 car, if you are seeing through those windows, you 24 have to see into the car, right?	7 bet	ween Michael Brown and you, are you looking
Q Okay. So is the passenger window of the vehicle open? A Yes. You remember the passenger window was down, and obviously, if the officer puts his hand through the driver's side window, we know that window was down? A Yes. Q Okay. So you're saying that you could see through those windows, and you saw the officer grab Michael Brown by the shirt collar? A Yes, ma'am. Q Okay. So you're actually looking into the car, if you are seeing through those windows, you have to see into the car, right?	8 thr	rough the vehicle to see that?
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A Yes. 13	10	$oldsymbol{Q}$ Okay. So is the passenger window of the
Q You remember the passenger window was down, and obviously, if the officer puts his hand through the driver's side window, we know that window was down? A Yes. Q Okay. So you're saying that you could see through those windows, and you saw the officer grab Michael Brown by the shirt collar? A Yes, ma'am. Q Okay. So you're actually looking into the car, if you are seeing through those windows, you have to see into the car, right?	11 veh	nicle open?
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A Yes. Q Okay. So you're saying that you could see through those windows, and you saw the officer grab Michael Brown by the shirt collar? A Yes, ma'am. Q Okay. So you're actually looking into the car, if you are seeing through those windows, you have to see into the car, right?	15 thr	rough the driver's side window, we know that
18	16 win	ndow was down?
through those windows, and you saw the officer grab Michael Brown by the shirt collar? A Yes, ma'am. Okay. So you're actually looking into the car, if you are seeing through those windows, you have to see into the car, right?	17	A Yes.
Michael Brown by the shirt collar? A Yes, ma'am. Q Okay. So you're actually looking into the car, if you are seeing through those windows, you have to see into the car, right?	18	Q Okay. So you're saying that you could see
A Yes, ma'am. 22 Q Okay. So you're actually looking into the 23 car, if you are seeing through those windows, you 24 have to see into the car, right?	19 thr	rough those windows, and you saw the officer grab
Q Okay. So you're actually looking into the car, if you are seeing through those windows, you have to see into the car, right?	20 Mic	chael Brown by the shirt collar?
23 car, if you are seeing through those windows, you 24 have to see into the car, right?	21	A Yes, ma'am.
24 have to see into the car, right?	22	Q Okay. So you're actually looking into the
	23 car	, if you are seeing through those windows, you
25 A (Nods head.)	24 hav	ve to see into the car, right?
	25	A (Nods head.)

	Page 142
1 ,	Q And then you would see the front portion
2	of Michael Brown's body?
3	A Yeah.
4	Q And so if Michael Brown, I mean, if his
5	hands were up, at or near or inside that vehicle
6	A His hands were not in the vehicle at all.
7	${f Q}$ Okay. Do you remember saying before that
8	you couldn't really see either of their hands as far
9	as what their hands were doing?
10	A I know when he grabbed him by his shirt.
11	Q Right.
12	A I seen him when he went to go and like
13	knock his hands back. And that's when the first
14	shot was fired.
15	Q Well, you've said in your other statement
16	that when you talk about the officer putting his
17	hand out of the car, you say he pulled out and
18	grabbed him. This is difficult for me to do because
19	you guys talk over each other in these statements
20	and so I'm going to do my best and I'm going to show
21	you this so it will be easier for you to follow
22	along.
23	On page 11. So you're in this
24	conversation and SA, that's special agent, so that's
25	the FBI guy. So you were talking about, you know,

```
Page 143
     that the officer hadn't got out of the car, but I
 1
 2
     mean was that, you said he pulled and then you said
 3
     he pulled.
                    And then the officer says, reach out
 4
 5
     of the car? And you say, he pulled out and grabbed
 6
     him.
 7
                    You mean the officer reached out and
 8
     grabbed Michael Brown, is that what you mean?
 9
               Yes, ma'am.
               He had already, he had his hand on his
10
          Q
11
     gun?
12
               Yeah, I mean, for him to shoot while he
          Α
13
     was sitting in his car.
14
               Did you see that?
          Q
15
               No, I heard the pop.
          Α
16
               My question is, did you see that the
17
     officer had his hand on the officer's gun?
18
               Did I see?
          Α
19
          Q
               Remember, I said don't guess at things.
20
          Α
               No.
               Okay. When you were looking through the
21
          Q
22
     vehicle?
          Α
23
               I didn't see the officer have his hand on
24
     no gun.
25
               Did you ever see the gun until the officer
          Q
```

```
Page 144
 1
     got out of the car?
               I heard the pop, that's what I heard.
 2
 3
     heard the shot, I didn't see the gun, I heard the
     shot.
 4
 5
          Q
               Okay.
               And I didn't know that the cop went out of
 6
          Α
 7
     his car.
 8
          Q
               Okay. And you understand that it is those
 9
     little details that matter?
               Yes, ma'am.
10
          Α
11
               And you say evidently he already had his
     hand on the gun, I was gathering by his word
12
13
     evidently, that you were guessing at that?
               No, I was saying, what I was saying was
14
          Α
15
     that evidently he had to have his hand on the gun in
     order for him to shoot first cause he never had got
16
17
     out of the car.
18
               Okay. You're just guessing at that,
          Q
19
     right?
20
               (Nods head.)
          Α
               Is that right?
21
          Q
22
          Α
               Yeah.
23
               Okay. And from your vantage point, you
     never saw the gun in the officer's hand while the
24
25
     officer was in the car?
```

Page 145 1 Α No, ma'am. And so would it be safe to say that if the 2 3 officer had his gun in his hand, and if Michael Brown had his hand on the officer's gun, you 4 couldn't see that either, is that fair to say? 5 Α Yes. 6 7 Okay. Now, you testified today that when 8 Michael Brown turned around and he had his hands up, 9 I don't want to frustrate you, do you want some 10 water or anything? 11 Α I'm fine. And when he turns around with his hands up 12 Q 13 you said that, I'm not sure how sure you were to date on this because you said I think so and then 14 you said yes. You said that you heard Mike Brown 15 16 say, I give up. 17 He did. Α 18 And then you also said you never heard the 19 officer saying anything? 20 He didn't. Α Okay. And I'm going to ask you again in 21 Q 22 your first statement to the police, and this was on 23 August 16th, this happened on August 16th, would have been the next Saturday when you are talking to 24 25 the officers on page 17. And the officer, and

	Page 146
1 ,	you're and this is the special agent. And
2	you say, and that's when he turned around and he was
3	going back toward the police, defend, to give up.
4	And the officer asked, could you hear what was being
5	said.
6	And then another officer said do, and
7	then you said, no, I could not but I
8	And then the agent says, can't hear
9	anybody yelling back and
10	A I said no.
11	${f Q}$ And you said no. Back on the 16th you
12	didn't hear anybody say anything?
13	A No. Like I said, when the first shot went
14	off, I know I heard him turn around and say, I give
15	up. Now, as far as him, I say him defending
16	himself, I meant to say he was surrendering himself.
17	Q Okay. I'm sorry, I started before you
18	finished.
19	A No, I was just saying that he was going
20	back to surrender himself. Like I say when he went
21	back and he turned around, his hands was up.
22	Q Okay.
23	A He never reached down or like if he had
24	anything or any type of weapon on him or anything.
25	Q Okay. I think you clarified that with

		Page 147
1 .	Sheila tha	at you didn't mean
2	A	Right, I really didn't mean to say defend
3	hisself.	
4	Q	My question has to do with the fact that
5	today you	testified that you heard Michael Brown say
6	I give up'	?
7	A	He did say I give up.
8	Q	But back on the 16th, a week after this
9	happened,	you said you didn't hear either of them
10	say anyth:	ing back and forth, back and forth?
11	A	No, I didn't mean that.
12	Q	Okay. Do you think it's possible, have
13	you talked	d to a lot of people since this has
14	happened a	about what you saw?
15	A	No.
16	Q	You're friends with , right?
17	A	Uh-huh.
18	Q	And she was there?
19	A	She was there. She's just a neighbor and
20	she talks	to everyone.
21	Q	Yeah, I know, I've met her. So I'm asking
22	you since	this happened this is a big deal.
23	A	Yeah, it is, it is a very big deal.
24	Q	You saw something and I know we already
25	talked abo	out this, you wish you weren't there. You

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Page 148
     were in the wrong place at the wrong time.
1
     there were a lot of people that wish they weren't
 2
     there to see that. And you people that were witness
 3
     to this share some special bond, I think, because
 4
 5
     you were the ones who saw this. And I would think
 6
     it would be a natural thing to want to talk to the
7
     other people because you have this, you know,
8
     affinity with them. I saw it too, you have an
 9
     ability to kind of relate to each other. You don't
     talk to people about this? You are shaking your
10
11
    head no?
              No, I don't.
12
         Α
13
              How about , did see it?
         Q
14
         A He was on his balcony.
15
              And did you ever talk to
         Q
                                               since
     then about what he saw?
16
17
               No, ma'am.
18
              All right. Do you watch any of the news
         Q
19
     accounts about this?
20
         Α
               I try not to even look at it no more.
21
              Okay.
         Q
22
              I saw enough.
         Α
23
              After it first happened, did you watch
     some of the news?
24
25
         Α
              No.
```

Page 149 Okay. 1 Q Only thing I saw on the news is when they 2 3 brought up the video saying he's at the store. That's the only thing I saw. After that, I never 4 5 paid attention to it. 6 Have you joined in any of the activities 7 about, you know, whether it be to demonstrate or to help raise money? 9 (Shakes head.) 10 Q No? 11 Α No. 12 Let me ask you this, you testified today, Q 13 you didn't actually come forward, you actually were there, the police came, the FBI came and went to the 14 15 apartment, correct? 16 Α Yes. So you didn't come forward, but when they 17 18 were there, you told them what you saw? 19 Α That's right. You said it was somebody that encouraged 20 you to tell what happened? 21 22 I mean, at first I wasn't going to say Α 23 anything, but it was a burden on me. Uh-huh. I'm glad you did. But let me ask 24 Q 25 you this. I know that you were interviewed today

		Page 150
1 ,	and you w	were interviewed by a woman named ,
2	do you re	emember?
3	A	Uh-huh.
4	Q	There was a man named there,
5	do you re	emember him?
6	A	Yes.
7	Q	And when they talked to you today
8	A	I didn't talk to no man today.
9	Q	Okay.
10	A	It was three women.
11	Q	Two female FBI agents?
12	A	Yeah.
13	Q	Do you
14	A	It was three, it was a prosecutor and I
15	want to s	say maybe two.
16	Q	Okay. When you talked to them today, did
17	you tell	them that one of the reasons why you're
18	coming fo	orward and telling what you saw is because
19	you empat	chized with Michael Brown's mother?
20	A	(Shakes head.)
21	Q	You are shaking your head yes?
22	A	Yes, ma'am.
23	Q	So what does that mean?
24	A	Because she's hurting, she lost a child.
25	Q	Yes.

	Page 151
1 .	A I lost a brother, so.
2	Q So you know what it is like to lose
3	somebody. Did you lose your brother to violence?
4	A Two.
5	Q You are shaking your head yes?
6	A Yes, I did.
7	Q And that's a painful thing to have to live
8	through, I understand.
9	That's one of the reasons why you
10	wanted to help Michael Brown's family. And you are
11	shaking your head yes?
12	A (Shakes head.)
13	Q You need a minute? You want some water?
14	A (Shakes head) No.
15	Q Ma'am, I'm not saying that that's a bad
16	thing, okay. I think that that is totally
17	understandable because again, you share something
18	with them in a sense that you have a similar
19	experience. And you know what it feels like, it
20	would be normal to want to help bring them comfort
21	or closure, okay?
22	A Yes, ma'am.
23	Q Do you know Michael Brown's mother?
24	A No, ma'am.
25	Q Have you ever spoken to her?
1	

	Page 152
1 .	A No, ma'am.
2	Q Have you ever spoken with anyone from his
3	family?
4	A No, ma'am.
5	${f Q}$ How about attorneys that represent his
6	family?
7	A No, ma'am.
8	${f Q}$ Other than the FBI agents that have
9	interviewed you now twice and coming in here and
10	talking to the grand jurors.
11	A This is it.
12	${f Q}$ And finally, I want to clarify when you
13	said that you saw Michael Brown, the final shots,
14	okay. And Sheila asked you about did you see the
15	officer stand over him and shoot him. I'm not
16	really sure because in a way you said, it seems like
17	it happened that way, or something to that effect?
18	A It might as well.
19	${f Q}$ It might as well. But you were there to
20	see it, right?
21	A I mean, he was like at the back of the
22	SUV. Mike Brown was going toward him and he was
23	just shooting at him like as he was walking toward
24	them, he's shooting and he's falling down face first
25	with his hands up.

	Page 153
1 ,	${f Q}$ So when he was on the pavement, were his
2	hands still in that position?
3	A Yes, ma'am.
4	Q Okay. And you saw his body on the
5	pavement?
6	A Yes, ma'am.
7	$oldsymbol{Q}$ Did you stay at the scene for any amount
8	of time afterwards?
9	A I had stayed there until the whole thing
10	was over because I couldn't go nowhere.
11	Q Because your car was
12	A My car was trapped in.
13	Q Okay. Did you stay down on Canfield
14	during that when the crowd started gathering?
15	A I moved further back away from it.
16	\mathbf{Q} So you moved away from the body?
17	A (Shakes head.)
18	Q You are shaking your head yes?
19	A Yes, ma'am.
20	Q What I'm trying to clarify is, I want to
21	make sure we're getting what you saw and not what
22	you think happened.
23	So even though you say it might as
24	well have happened that way, but you didn't see the
25	officer stand

Page 154
1 A No, he didn't stand over him. He was
2 shooting as he was walking towards him. And as he
3 was walking towards the guy, he fell down and the
4 last shot. He didn't stand over him like as if he
5 walked over to him and stood over him, no, he
6 didn't.
7 Q Okay. You could see the officer as he was
8 firing those last shots?
9 A He was standing right there in the middle
10 of the street.
11 Q So you could see. You said that somebody
12 walked over and checked the pulse of Michael Brown?
13 A The officer, yes, he did.
14 Q If you see this officer, was it the
15 officer that you saw shooting that walked over?
16 A No, I don't know. It could have been a
17 different policeman.
18 Q Okay. Was it, was the scene taped off
19 when the officer checked his pulse?
20 A Yes, ma'am.
21 Q Okay. And I really appreciate your coming
22 in.
23 A No problem.
24 Q I'm very sorry I upset you.
25 A You didn't upset me.

```
Page 155
               MS. ALIZADEH: I don't want to bring up
1
 2
     your bad memories, but I appreciate you sharing them
 3
     with us, okay.
                     Thank you.
               MS. WHIRLEY: I just have one thing for
 4
 5
     clarification. When you talked about you were asked
 6
     that you wanted to help Michael Brown's family, I
7
     wasn't watching. I think you shook your head yes.
8
     How do you want to help them, I'm not clear on that?
 9
               As far as bringing, bringing the truth out
     of what really happened. I mean, I didn't feel like
10
11
    he did anything wrong. He didn't make no --
               MS. WHIRLEY: You are telling this grand
12
13
     jury that you absolutely saw what you told us here
14
     today?
               Yes, ma'am.
15
         Α
               MS. WHIRLEY: You're not making up
16
17
     anything to help his family?
18
          Α
               No, ma'am, not at all.
19
               MS. WHIRLEY: Are you making it worse than
     what it really was?
20
               I'm going off on what I saw and it just,
21
          Α
22
     it's just got to be right. Wrong, everything is
23
     just wrong. He didn't do nothing wrong. He was
     walking, where he was coming from he was walking.
24
25
     It is not like he was attempting to do anything to
```

	Page 156
1	nobody or harm anyone, he was walking, him and his
2	friend.
3	So, I mean, for the police to assault
4	him or do anything, what was the reason?
5	MS. WHIRLEY: Questions?
6	. I
7	sympathize with your loss, sorry. I understood what
8	you just told Miss Sheila, let me understand your
9	feelings, you feel that the killing of Mr. Brown was
10	not justified to you?
11	A No, ma'am.
12	Regardless, you didn't
13	know what happened beforehand because like you say,
14	you just saw the tussling and after that?
15	A Right.
16	: But as far as him being
17	dead on the ground.
18	A Okay. What I'm saying is, if he did
19	something wrong, and the police had to protect
20	itself or to defend itself, then that would have
21	been the case, but for this young man to be walking
22	down the street, not causing any problems to no one
23	that was outside, what was the point. You could
24	have tased him instead of shoot him.
25	If you felt like he was harming you

	Page 157
1	in some type of way, you could have tased him. You
2	didn't have to pull your gun first. He didn't go to
3	show that he had any weapon on him at all.
4	So I felt like for him shooting him,
5	it was just too much. You could have tased him. If
6	anybody else run up and have an incident with a
7	police officer, that would be the first thing a
8	police officer will do to defend themself. If you
9	felt like he had a weapon or anything.
10	He didn't show that he had any weapon
11	at all. He was just walking down the street and him
12	and his friend having a casual conversation, that's
13	what I saw out of them, so.
14	For him to just shoot that young man
15	like that I didn't think that was right.
16	Thank you.
17	. And
18	again, I also sympathize with you, this is a hard
19	thing, it is a hard thing for the parties involved,
20	for the grand jury, actually for the country. Okay.
21	It is some hard issues that are being brought up by
22	this, that's what we are charged to do. We have to
23	know the truth.
24	A Yes, ma'am.
25	: In order to make the

```
Page 158
     proper decision, okay?
 1
 2
               Uh-huh.
          Α
 3
                               Sometimes it might be hard
     on you, it is with love, with love behind it, okay?
 4
 5
               I have a question here. You said that, I
     think this is on page 17 of your statement from what
 6
 7
     is this, August 16th, at the top. When you're
 8
     saying that the officer backs up and then you know
 9
     Mike Brown is at the driver's side window, your view
10
     is from the passenger side?
11
               Yes, ma'am.
          Α
12
                               I think we've already
13
     established the amount you can see.
               Uh-huh.
14
          Α
15
                             : You have a SUV with tinted
16
     windows, Mike is between, his body is between you
17
     and the SUV, then you have a cop in the car as well
18
     and then Dorian also to the right side?
               Yes, ma'am.
19
          Α
20
                                Of the vehicle. Okay.
21
     You said you heard the first shot, am right about
22
     that?
23
          Α
               Yes, ma'am.
24
                                So if we can't see, you
25
     know, hands going off or whatever, and I pose a
```

```
Page 159
     question, is it a possibility that the first shot
 1
 2
     may have been an accidental shot and it was not a
 3
     shot intentionally to injure Mr. Brown?
               It could have been, but that doesn't count
 4
          Α
 5
     for the rest of the shots that came after that when
 6
     he turned around. If that was a warning shot, the
 7
     rest of the shots, them or five or six shots
     shouldn't have came from behind the first shot that
 8
 9
     went off.
10
                               Uh-huh.
11
               I don't feel like it was a warning, I feel
          Α
     like it was intentionally done because the police
12
13
     could have been intimated. Like I say, I didn't
14
     know he was a teenager, I thought he was a grown man
15
     when I seen him.
16
                    So the police probably was
17
     intimidated of his height, his weight, I don't know,
18
     but I don't feel like it could have been a warning
19
     shot.
20
                                But even if that was a
21
     warning shot, that would be an intentional act by
22
     the officer, okay?
23
          Α
               Okay.
24
                                So in the realm of
25
     everything, there's a possibility just like the
```

	Page 160
1	first shot might have been an accident; is that
2	correct?
3	A It could have been yes, ma'am.
4	. As you mentioned
5	again, standing out there, a nice day on a Saturday,
6	talking with a couple people by the dumpster. A lot
7	of stuff going on as you mentioned out there. Was
8	it the act of the police car driving by that drew
9	your attention to then watch the entire scene, or
10	was it the first gunshot that had a big conversation
11	or smoke that drew your attention, what was it that
12	really made you focus solely on
13	A What made me focused is when they pulled
14	back towards them.
15	Okay.
16	A What could they do. They was walking
17	across the street, they couldn't have been doing too
18	much, they wasn't doing anything.
19	: There wasn't any sound
20	associated with it, okay. Okay, thank you.
21	: I have a couple
22	questions.
23	A Uh-huh.
24	: And I want you to know
25	that these questions are hard for me to ask you,

```
Page 161
     okay?
 1
 2
               That's fine.
          Α
 3
                             : I just want to verify on
     page 29 of your statement, you said that, just now,
 4
 5
     that was what I was going to ask you,
                                                       You
     said the gunshot is what made me look for real?
 6
 7
               Yeah.
          Α
 8
                               We've established you
 9
     were looking through a car window that was tinted,
     past one officer to another officer from the
10
     opposite side of the street, and you really weren't
11
     paying attention until you actually heard that first
12
13
     gunshot, okay?
               Uh-huh.
14
          Α
15
                               We've already established
     that could have been an accident on either person's
16
     side. The officer or Michael, they could have been
17
18
     tussling. You didn't see his head, so you don't
19
     know if he was in the car, right?
20
               No.
          Α
21
                              : You couldn't see the top
22
     of his head?
23
          Α
               No.
24
                             : You have stated that he
25
     was not in the car?
```

	Page 162
1 ,	A He was not in the car at all.
2	: So, and then we also
3	established when you said the officer stood up over
4	him and emptied, and you didn't finish that, but
5	that's what it felt like to you, right?
6	A Yeah.
7	: He did not do that?
8	A No, he did not literally stand over him,
9	no.
10	: I just have a question
11	for you about . Was she outside with you
12	from the very beginning when the police car stopped?
13	A No.
14	Because you talked about
15	the first thing that you saw.
16	A No, she probably came outside right when I
17	pulled up, so.
18	: Okay. So again, when did
19	you pull up?
20	A I can't remember, it was afternoon.
21	: I mean, did you pull up,
22	I'm just trying to determine if you and
23	see the whole altercation?
24	A No, she probably did see the whole
25	altercation, I'm not going to say she did or not. I

	Page 163
1 ,	know what I saw.
2	: And so you were visiting
3	a friend, you were going to stop by?
4	A Yeah, I just want to stop by and visit a
5	friend.
6	: And you realized he was
7	home?
8	A Right.
9	: Did you get of your car
10	and go to his door and knock?
11	A Yes, I did.
12	: After you got done, did
13	you see on his balcony?
14	A He was on his balcony and I was walking
15	like back towards my car, where the car was. And I
16	asked him for a cigarette and he threw it down and
17	that's when I saw .
18	Outside?
19	A Yes, ma'am.
20	And then today before you
21	said you heard him as he's walking away, Michael
22	Brown walking toward the police officer with his
23	hands up, you heard him say, I give up?
24	A I give up.
25	Then today you said, um,

```
Page 164
     let me find my notes. That you heard him say I give
1
 2
     up after the first shot?
 3
               Yeah, no, no, when he walk, when he come
     back, when he was running towards, he didn't say
 4
 5
     when he turned around, when he noticed, I guess,
 6
     when he was shot, when he turned back around to walk
7
     back towards the police, he was giving up. He was
8
     surrendering hisself.
 9
                                I have a question for you
     about that. I'm not saying he wasn't truly giving
10
11
     up. If you were in the same situation and you were
     giving up, would you continue to walk toward the
12
13
     police officer or would you stop and get down?
               I probably would have stopped and got
14
          Α
15
     down.
16
                                So if you're telling me
17
     that you would have stopped and got down, and the
18
     reasonable thing would be to stop and get down. And
     a 6'5", 285 pound man, even though he may have his
19
    hands like this coming towards you, do you think
20
     it's possible the police officer could have
21
22
    misunderstood his act of surrender? (indicating)
23
               He probably could have misunderstood, but
     that still didn't give him no reason cause he still
24
25
     didn't ever move his hands from out of the air.
                                                       Ι
```

	Page 165			
1	could see if he walked, and then dropped his hands			
2	and started back towards the police. And then I			
3	could see some sort of, I need to defend myself. I			
4	don't know what is going to happen, but when he was			
5	going back towards the police, he had his hands up.			
6	: But he always was walking			
7	toward the police?			
8	A He was walking toward the police.			
9	: Thank you.			
10	MS. WHIRLEY: Anything else?			
11	: I have a few because I'm			
12	confused with your answer there. I thought earlier			
13	today that you had said when you got the cigarette,			
14	was already out by the dumpster and you			
15	stood next to her for like 30 minutes smoking and			
16	you saw Michael and Dorian walking west Canfield.			
17	That it was 30 minutes roughly that they came back.			
18	Was there something different?			
19	A When I was standing out there, I mean,			
20	when they walk past, I was pulling up on the lot so.			
21	: Okay.			
22	A That's when I pulled up on the lot, they			
23	was walking towards that, walking towards West			
24	Florissant. I get out the car, knock on the door,			
25	walk back down. on his place, ,			

```
Page 166
     she's down by the dumpster.
 1
 2
                                She's already down by the
 3
     dumpster when you got the cigarette?
          Α
               Yeah.
 4
 5
                                Before the first shot is
 6
     fired she's down?
 7
               She was already outside when the first
 8
     shot went off.
 9
                                I just wanted to clarify
10
     that.
11
               MS. ALIZADEH: Any other questions?
12
               MS. WHIRLEY: All right. That will
13
     conclude her testimony.
               ( End of the testimony of
14
                                                         .)
15
                         WITNESS 46,
     of lawful age, having been first duly sworn to
16
     testify the truth, the whole truth, and
17
18
     nothing but the truth in the case aforesaid,
     deposes and says in reply to oral
19
     interrogatories, propounded as follows, to-wit:
20
21
                          EXAMINATION
22
     BY MS. ALIZADEH:
23
               Now, I'm going to tell you that I had
     already explained to you we are making an audio
24
     recording of what is going on in here and the court
25
```

```
Page 167
     reporter is going to transcribe what is being said,
 1
 2
     but at this time I've had the court reporter pause
 3
     the recording so that I can have you introduce
     yourself to the grand jurors.
 4
 5
                    I'm going to ask you where you live,
 6
     but not an address. You can tell me generally, you
     can say I live in north county, I live in Jeff
 7
 8
     County, I live in Illinois, something like that,
 9
     okay?
10
          Α
               (Nods head.)
11
               And then after we're done with that, I
     will have the court reporter start the audio or
12
13
     recording again and after that I will refer to you
     as Witness Number 46.
14
15
                    Is that okay with you?
16
          Α
               (Nods head.)
17
               You have to answer out loud.
18
          Α
               Yes. I use that on Power Ball number,
19
     okay.
               Oh, the lucky number for you. Isn't faith
20
          Q
             So go ahead and introduce yourself to the
21
     weird.
22
     grand jurors, what's your name?
23
          Α
               My name is
24
               And how old are you, ma'am?
          Q
25
               My age is I'm 50 years old.
          Α
```

	Page 168
1	Q Okay. And whereabouts do you live in St.
2	Louis?
3	A I live in North County area.
4	Q Okay. Do you live in the Canfield Green
5	Apartment Complex?
6	A No.
7	Q Have you ever?
8	A No.
9	Q Okay. So at this time now I'm going to go
10	ahead and have him start the audio recording. And
11	then I will again, , I will not refer to
12	you by your name after that, I will refer to you as
13	Witness Number 46, okay. And I will probably just
14	call you ma'am while I'm asking you questions, okay?
15	Now, we paused the recording while
16	you introduced yourself to the grand jurors and
17	herein after I'm going to refer to you as Witness
18	Number 46. And you understand that that's you
19	today, Witness Number 46; is that right?
20	A (Nods head.)
21	Q You have to answer out loud.
22	A Yes.
23	Q I will remind you if you forget, but as I
24	explained to you, not only are we recording what's
25	being said in here, but the court reporter is also
1	

```
Page 169
     taking down what's being said and he can't take it
 1
     down if you shake your head yes or no. And so if I
 2
     can catch you doing that, I will probably say is
 3
     that a yes or is that a no, okay?
 4
 5
          Α
               Yes.
               So try to remember to answer out loud.
 6
          Q
                    And then also you know the people at
 7
 8
     the very end of this table have to be able to hear
 9
     you, okay? And so --
               Hi.
10
          Α
11
               When you answer questions, if your voice
     is too low, they're not going to hear your answers
12
13
     and I think it is very important that they hear what
14
     you have to say, okay?
15
               (Nods head.)
          Α
               And you are shaking your head yes?
16
17
          Α
               Yes.
18
               And so when I ask you questions, if I
19
     remind you to keep your voice up, I'm not trying to
     be rude, it is just that I want to make sure that
20
21
     they can hear you have to say, is that all right?
22
          Α
               Yes.
23
               And they will raise their hands if they
24
     don't hear what you are saying, okay?
25
          Α
               Yes.
```

	Page 170
1	Q Okay. So now, ma'am, um, prior to me
2	beginning the recording, you told us the whereabouts
3	you live, but we established that you do not live in
4	the Canfield Green Apartments; is that right?
5	A Yes.
6	Q And have you ever lived in the Canfield
7	Green Apartments?
8	A Never lived in Canfield Apartments.
9	Q Okay. Now, do you remember August 9th of
10	this year?
11	A Yes.
12	Q And do you remember that that was a
13	Saturday?
14	A Yes.
15	Q Were you working that day or were you off
16	that day?
17	A I was at work, just getting off of work,
18	going over to my house.
19	Q All right. And where was your
20	house?
21	A She stay in Canfield Apartments, like the
22	part of the Canfield Apartments.
23	Q Okay. Have you been over to her house
24	before?
25	A Yes, lots of times.

	Page 171
1 ,	Q How about anybody else in Canfield
2	Apartments, are you friends with anyone else that
3	lives there?
4	A No, I don't know nobody over there.
5	${f Q}$ Okay. How about when you go, is it your
6	you said?
7	A My
8	Q Your
9	A I call her . We call her
10	•
11	Q Okay. I'm going to call her your
12	So have you ever been over visiting
13	her when she's had some of the other neighbors over
14	that might live in Canfield?
15	A No.
16	${f Q}$ So to the best of your knowledge, you
17	don't know anybody else that lives in the Canfield
18	Apartment Complex?
19	A No, ma'am.
20	$oldsymbol{Q}$ Now, on this day, how is it that you were
21	driving, were you driving to Canfield?
22	A I was driving over to Canfield to take her
23	to the grocery store.
24	Q To take who to the grocery store?
25	A My to the grocery store.

	Page 172
1 .	Q Okay. Were you going into the complex
2	when something happened or were you leaving the
3	complex?
4	A I was going into the complex.
5	Q Were you in your car by yourself?
6	A Yes.
7	${f Q}$ And what kind of vehicle were you driving
8	that day?
9	A A
10	Q Okay. What color was it?
11	A color.
12	Q And so, I'm sorry
13	A My car got stolen after this.
14	Q Okay, I'm sorry about that. And so when
15	you came into the apartment complex, did you come
16	off of West Florissant?
17	A Yes.
18	Q Now, I'm going to let you look at Grand
19	Jury Exhibit Number 25, which is a map. We have
20	been using this because it shows an aerial view of
21	the streets and the buildings of the Canfield Green
22	Apartments.
23	A Uh-huh.
24	${f Q}$ Looking at that, does some of that look
25	familiar to you?

	Page 173
1 .	A Uh-huh.
2	Q And you are saying yes?
3	A Yes.
4	Q Okay. And don't, you don't have to worry
5	about talking into the microphone because it won't
6	amplify your voice, it is recording and it will pick
7	you up, don't worry, you don't have to worry about
8	talking to into it, okay?
9	A Yes.
10	Q Here is a laser pointer, have you ever
11	used one of these? It has a little button right
12	here.
13	A Yes.
14	${f Q}$ And when you press it, it will point on
15	something, okay?
16	A Yes.
17	${f Q}$ So when I ask you questions, I might ask
18	you to use that laser pointer and refer to Grand
19	Jury Exhibit Number 25 to show us what you are
20	talking about, okay?
21	A Yes.
22	Q All right. So now, ma'am, about what
23	time, if you recall, was it when you came into the
24	Canfield Apartments?
25	A It was like probably about like 2:00,

	Page 174
1	2:30, 2:40, I was coming into the apartment to take
2	her to the grocery store. I just left my other job.
3	Q Okay.
4	A I was really released from work, going to
5	take her to the grocery store and pick me up some
6	items.
7	Q Were you in a hurry or was there anything
8	about your trip that was stressing you out that day?
9	A No, I was relaxed.
10	Q It was a beautiful day?
11	A Beautiful, warm day, not too warm, not too
12	hot, beautiful day.
13	Q So when you were driving in your car, do
14	you remember did you have your windows open or
15	closed?
16	A I had my driver's side open.
17	Q Were the other windows closed?
18	A Yes. My passenger side was half, but not
19	fully down.
20	Q Okay. How about music, did you have music
21	playing in your car?
22	A Yes, gospel music.
23	Q Do you play your music up loud or do you
24	have it a normal level?
25	A It is at a normal level, unless it is a
I	

	Page 175
1 .	good gospel song I want to hear, then I turn it up
2	loud.
3	Q Then you crank it up?
4	A Then I crank up my gospel.
5	Q Do you remember if you were cranking up
6	your music when you came into the complex that day?
7	A No.
8	Q You don't remember or?
9	A It was not turned up.
10	${f Q}$ Okay. So when you came into the apartment
11	complex off of West Florissant, did you travel down
12	Canfield Road?
13	A Yes.
14	${f Q}$ And on the map here, if this map went out
15	this direction, West Florissant would be over here?
16	A Yes.
17	Q So were you traveling eastbound on
18	Canfield Drive if that's east?
19	A Right, I was coming, can I show you?
20	Q Sure, you can sit there and use the
21	pointer, use the pointer?
22	A When I come in through Canfield
23	Apartments, the leasing office is right there, the
24	first.
25	MS. WHIRLEY: Use the pointer so we can

Page 176 1 see. 2 MS. ALIZADEH: Use that pointer. Where is 3 the leasing office? The leasing office is right up there in Α 4 the front. Say this is West Florissant right. 5 6 (By Ms. Alizadeh) West Florissant you Q can't see. 7 8 That's what I'm saying, right over here. 9 This is front of the apartments and Canfield Apartments, and when I turned in this front of the 10 11 apartments and she stayed right back up in here. (indicating) 12

- Q Okay. If you were able to get to your destination that day, you would have turned up this street right here and gone?
- 16 **A** Right, I could turn up that street right
 17 there or I can come right here and come back to the
 18 back way. (indicating)
- 19 **Q** Okay. So when you turned into the complex 20 that day, did you see anything unusual?
- 21 **A** Well, when I turned up into the apartment 22 complex, the first thing, when I was driving in
- 23 there, I'm going to be honest y'all, God help me.
- 24 The police was behind me. So most of us think when
- 25 the police behind us, oh, my God, I've got a ticket,

```
Page 177
     when is the police stopping me.
 1
 2
                    So I pulled over to the side right
 3
     over here before I got into the apartment complex.
     I said oh, my God, you know, what do he want with
 4
 5
     me, you know. I'm driving my speed limit, what is
 6
            (indicating)
     wrong.
 7
               Okay. So now the police officer, was it
          Q
     in a marked police car that was behind you?
 9
               Yes.
          Α
               Did you know if it was a Ferguson officer?
10
          Q
11
               It was a Ferguson police officer.
          Α
12
               Was it a car, like a sedan or was it like
          Q
13
     an SUV or was it something else?
14
               It was a regular police car.
          Α
15
               A regular police car?
          Q
16
          Α
               Right.
17
               Did he have his light bar on, the lights
18
     that are on top of the car?
19
          Α
               It was not really, it was not the sirens,
     what do you call the thing?
20
               Was there any audible on the cars
21
          Q
22
     sometimes, you know, of course there's a siren, but
23
     then they also have a thing that kind of squawks or
24
     whoop?
25
          Α
               No.
```

	Page 178
1 ,	Q You didn't hear any of that?
2	A Huh-uh.
3	Q So if you were coming into the apartment
4	complex, you would have been traveling on the right
5	side of the road; is that right?
6	A Right.
7	$oldsymbol{Q}$ And so was he traveling behind you in the
8	same direction you were going?
9	A Right.
10	Q And so when you pulled over, did you pull
11	over to the right of the roadway?
12	A Uh
13	Q Or did you pull off of the roadway?
14	A I pulled over to the right before I pulled
15	into that apartment complex. I said oh, my, you
16	know, I thought he was coming, I got a ticket, okay.
17	$oldsymbol{Q}$ Everybody gets that feeling when you look
18	up and you see that.
19	A And you see a police, I pulled over to the
20	side and I said oh, my God, I know he got me, you
21	know. I thought he was coming for me.
22	${f Q}$ So use the laser pointer and point on the
23	roadway here where you were when you pulled over?
24	A Right over, like right over in here.
25	(indicating)

		Page 179
1	Q	Okay. And so did the officer pull in
2	behind yo	ou?
3	A	No, he went around me.
4	Q	Okay.
5	A	I mean, he was behind me for what I'm
6	saying, h	e went around me.
7	Q	Okay.
8	A	So I stopped. I said thank you, he wasn't
9	for me.	
10	Q	So did you see where his vehicle went
11	then?	
12	A	His vehicle kept going up this way about,
13	about rig	ht there. (indicating)
14	Q	So it stayed on Canfield Drive?
15	A	It stayed on Canfield Drive.
16	Q	Okay. And at that point what happened?
17	A	And at that time it was two black guys or
18	young men	or kids or whatever they was, walking down
19	the compl	ex.
20	Q	Did you recognize either of them?
21	A	I don't even know the kids.
22	Q	You hadn't seen them before, right?
23	A	I might have seen them in the complex, you
24	know, but	I don't know you personally enough to wave
25	at you or	nothing.
1		

	Page 180
1 .	Q Well, that's my question. Did you
2	recognize them as having been people you had seen in
3	the complex before?
4	A No.
5	Q So can you describe where they were? Were
6	they in the street, on the sidewalk, in the grass?
7	A Mostly over in Canfield, we don't have too
8	much of a sidewalk, you know what I'm saying? So
9	the street thing is where everybody walks anyway
10	because see, as you can see, Canfield don't have too
11	much of a sidewalk. We walk in the street anyway,
12	you know.
13	Q Aren't there sidewalks on either side of
14	the street there?
15	A Yeah, but that's not too much of a
16	sidewalk. There is trees and stuff over there.
17	Q Okay.
18	A So everybody is going to walk in the
19	street.
20	Q So these kids were in the street and I'm
21	going to call them kids, you call them?
22	A I call them kids.
23	Q Okay.
24	A Because they're kids under me.
25	Q And they were in the street?
l	

	Page 181
1 .	A And they was in the street, and I'm
2	looking, you know, what the police doing.
3	${f Q}$ So let me stop you. Were the kids walking
4	in which direction?
5	A They was walking up, coming up this way.
6	Q So they were walking?
7	A They was not walking towards West
8	Florissant area, they was walking like they was
9	going to somebody's apartment complex.
10	${f Q}$ Okay. Use the laser pointer and show me
11	where they were when you first saw them walking?
12	A Okay. When I first saw them walking, they
13	was like over here and they was walking like this
14	away. (indicating)
15	Q Okay. So they were walking into the
16	complex?
17	A Not to the one I was turning into, but I
18	mean straight down, straight.
19	Q Okay. You were going to turn this way,
20	when I say into the complex, I'm saying that this is
21	the apartment complex?
22	A Right, right.
23	Q So they were walking on Canfield Drive?
24	A Uh-huh.
25	Q And down in this direction, east on
1	

	Page 182
1	Canfield? (indicating)
2	A Uh-huh.
3	Q Yes?
4	A Yes.
5	Q Okay. And so when you were pulling in
6	there, you saw their backs, would that be fair to
7	say?
8	A Right.
9	Q And did you notice anything about them,
10	how could you describe them?
11	A They was black men, they was one had a cup
12	of something in their hand, other one had nothing in
13	their hand and they was just walking.
14	Q Okay.
15	A Like a soda, you know.
16	Q There were two?
17	A There was two guys. One looked bigger
18	than the other one.
19	Q Okay. So let's call the bigger one, the
20	bigger kid or bigger boy or bigger one and the other
21	one we will call the smaller one, okay?
22	A (Nods head.)
23	Q So had one had a soda or something in his
24	hand?
25	A The little one.
18 19 20 21 22 23 24	than the other one. Q Okay. So let's call the bigger one, the bigger kid or bigger boy or bigger one and the other one we will call the smaller one, okay? A (Nods head.) Q So had one had a soda or something in his hand?

	Page 183
1 ,	$oldsymbol{Q}$ Could you see that it was a soda cup or
2	could you see that it was a cup?
3	A It was just a cup.
4	${f Q}$ Okay. What about the bigger one, did you
5	notice if he had anything in his hand?
6	A Huh-uh.
7	Q So are you saying no, he didn't have
8	anything or he didn't?
9	A No, I didn't notice that he had anything
10	in his hand.
11	${f Q}$ Okay. And so when you first saw them
12	walking, was the police car still behind you?
13	A No, he was in front of me.
14	${f Q}$ Okay. So he had already passed by you
15	when you first saw the boys walking?
16	A Uh-huh.
17	Q And they're walking in the same direction
18	that the police car is traveling?
19	A Right. Let me tell you this, they was
20	Q You can use the laser if you want.
21	A Say that my car is right here, right.
22	(indicating)
23	Q Uh-huh.
24	A And the two young boys or kids, as I call
25	them, walking over here, you know, passed up your
1	

	Page 184
1 ,	car and you see the police was right here, okay, on
2	the other side, because he passed around me.
3	Q Did the boys walk past your car?
4	A Yeah.
5	Q So you were pulled over on the side when
6	the boys walked past your car?
7	A Yeah.
8	${f Q}$ All right. So was the police officer then
9	already past you when the boys passed your car?
10	A No, the boys passed my car and the police
11	was like, how can I say, say like you right there
12	where I'm at, okay, you walking forward and I'm the
13	police and I'm about 10, 20, 25 feet from you.
14	Q Okay.
15	A And you're passing me up, I'm the
16	policeman and I am right diagonally sideways of you.
17	$oldsymbol{Q}$ All right. Let me stop you here. When
18	you saw the police officer at first he was behind
19	you?
20	A He was behind me.
21	Q Had you seen the boys yet?
22	A Before the police officer?
23	Q Before you saw the police officer?
24	A I seen them in my mirror, but it wasn't
25	nothing.
1	

		Page 185
1 ,	Q	So the boys were in your
2	A	Was walking, but they was not.
3	Q	So when you first saw the boys, they were
4	behind you	1?
5	A	Well
6	Q	You said you saw them in your mirror?
7	A	In the mirror, but not directly behind me.
8	Q	Okay.
9	A	You know what I'm saying on the side of
10	you.	
11	Q	Okay. I thought you said that the boys
12	were like	down in this area? (indicating)
13	A	They was up before me right on the side of
14	you, how c	can I say this.
15		Here is your car, okay. Here is the
16	young men	right here. (indicating)
17	Q	Let's use, let's say this is your car,
18	don't say	your car, it is your, it is my car?
19	A	This is my car.
20	Q	Right.
21	A	You see the young man is right here, they
22	are coming	right here walking like this in the
23	middle of	the street, okay. Excuse me.
24	(indicatin	ıg)
25	Q	So is West Florissant over here?

	Page 186
1	(indicating)
2	A West Florissant is behind me.
3	Q So which direction is your car facing in
4	this scenario, this thing, is it driving this way?
5	A It is driving on Canfield.
6	Q Is it driving that way? (indicating)
7	A Yeah.
8	Q So you're facing that way?
9	A Okay. I'm facing this way, I'm driving up
10	Canfield, whatever you call that street from West
11	Florissant, the young men says right here they are
12	walking over here, police that was behind me went
13	around here. (indicating)
14	Q Okay. So let me stop you here.
15	A On the opposite side.
16	Q Let me stop you here. I don't want to try
17	to confuse you, but in this scenario, are you
18	driving on the correct side of the street?
19	A Yeah.
20	Q So that would have your car over on the
21	right side of the street?
22	A Right.
23	Q So the officer wouldn't have passed you on
24	this side?
25	A What I'm saying, I'm driving right here I

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- 1 guess in the middle of the street or call it closer
- 2 to the right side, okay. And the police did this,
- 3 you pulling over so can get out of the police way.
- 4 You're scared, you know how Ferguson, I'm scared of
- 5 the police, y'all, I'm scared of the Ferguson
- 6 police, I'm telling you.
- 7 Q Let's try to get through this where we can
- 8 describe what happened, okay. And then we'll talk
- 9 about that, but I want to try to make sure we
- 10 understand.
- 11 You said you were driving on the
- 12 right side of the road as you are coming into
- 13 Canfield?
- 14 A Coming, however you say, right side of the
- 15 middle.
- 16 In the middle?
- 17 A Right side of the middle. What I'm saying
- is right here, the right side, but closer to the
- 19 middle, you know.
- 20 **Q** But you also said that when you saw the
- 21 officer, you pulled over to the right?
- 22 **A** Right. What I'm saying is right here
- 23 because I'm pulling in here, I'm closer to the right
- 24 side, okay, because other people come out of the
- 25 complex and come down the left side, okay.

		Page 188
1 ,	Q	Sure.
2	A	When they come out the apartment complex.
3	So I'm c	loser over here to the right side, okay.
4	Q	Uh-huh.
5	A	And the is behind me, so I
6	pulled r	ight over here closer to the right side.
7	Q	Okay.
8	A	To get out of his way. He comes around
9	here and	goes to the left side to go around.
10	Q	So he if this is your car, he's passing
11	you on th	ne left side?
12	A	Right.
13	Q	Not the right side?
14	A	Right.
15	Q	All right. So the boys now
16		MS. ALIZADEH: Yes.
17		. So are
18	you sayir	ng he passed you on the side closer to the
19	sidewalk	?
20	A	Closer to the sidewalk.
21	Q	(By Ms. Alizadeh) No?
22	A	No, no, closer to
23	Q	The middle.
24		: Middle line.
25	A	Middle line.

```
Page 189
                               To the middle line, okay.
 1
 2
               Yeah, closer to the complex, whatever you
          Α
 3
     want to call it.
               (By Ms. Alizadeh) Okay. Now we've got the
 4
          Q
     officer having passed you on your left?
 5
               Uh-huh.
 6
          Α
               And then did he continue down Canfield?
 7
 8
          Α
               He said, the boys is right here. I don't
 9
     know what he said to the boys. I really wasn't
     paying attention. I was into my gospel music and he
10
11
     said something to the boys and they kept on walking.
     And then as you go down here, I seen the boys right
12
13
     here steady walking down Canfield. The police said
     something to them, I don't know what they said back
14
15
     to them, I cannot say, you know, because I was
     really not paying attention. I was paying
16
17
     attention, but I was not listening. I was in my
18
     own, you know, listening to my gospel music. So I
19
     was not open to their conversation.
20
                    And then I seen the police stop, I
     don't know if he told them to stop or whatever
21
22
     because young kids stop right up in here, you know,
23
     go further down I'm looking, what the hell you
     doing, excuse my French, what the hell you doing
24
25
     with them kids, what did they do now.
```

	Page 190
1 .	Q Okay. So let me stop you now. The
2	officer stops his car in the street and you said it
3	looked like he was talking to the boy.
4	A Right.
5	Q Which side, where were the boys in
6	relation to the officer's car?
7	A Towards the, how can I say.
8	Q Well, there's the driver's side?
9	A The driver's side, you closer to the
10	driver's side, okay, but you mostly in the middle of
11	the driver's side and the other side.
12	${f Q}$ So they were on the side of the car?
13	A Not directly on the side, this is your
14	car, right. Here is your driver's side over here.
15	We'll say driver's side right here, okay. And here
16	is the middle side so they directly in the driver's
17	side, driver's window right here. I'm right here.
18	The center of the driver's side. (indicating)
19	Q So were the boys in front of the car?
20	A Half, yes. So mostly towards the driver's
21	middle, you follow me?
22	Q Not really.
23	A Anybody follow what I'm saying?
24	$oldsymbol{Q}$ So you said the boys were talking to the
25	officer, were they at the driver's window talking to

	Page 191
1 .	them?
2	A They was not at his window, he was over,
3	okay.
4	${f Q}$ You know what, it is too hard for us to
5	use this because they can't really see what you're
6	doing.
7	I'm going to do my best to help you
8	to explain it, okay? It's just, I think it is too
9	difficult, they are not going to be able to see what
10	you're doing, but if you
11	A You know what I'm doing, don't you?
12	Q If the officer is driving his car, right?
13	A Right.
14	Q And the driver's seat is on the left side
15	of the car?
16	A The driver's seat is always on.
17	Q The left side of the car; is that right?
18	Yes?
19	A I got to think how I drive my car.
20	Q In America the driver's seat is on the
21	left side of the car?
22	A Yeah.
23	$oldsymbol{Q}$ And so if the officer stops to talk to the
24	boys, did he get out?
25	A No, if it's on the left side, he was
I	

	Page 192
1 .	talking to the boys, I don't know what he said to
2	the young men.
3	Q Uh-huh.
4	A Okay. And he slowed his car down and I'm
5	looking what's going on here. And at that time the
6	police got out of his car and I'm looking, what the
7	hell is he getting ready to do with these kids?
8	I thought, now wait a minute, this is
9	Ferguson police, what's going on because we scared
10	of our police. I'm scared to be here because of the
11	police.
12	Q Ma'am, let's try to keep on track. I
13	don't want you to get emotional, you are doing fine,
14	okay. I know you are doing fine, so let's try to
15	push forward and we will talk about, I know you
16	don't like the police and you don't want to be here.
17	If we can get through this, it will be better
18	because you will be done, all right. You
19	understand?
20	I'm not trying to be mean, I don't
21	want you to get emotional because that makes it
22	difficult for you to tell the jurors what you know,
23	okay?
24	Okay, so let me
25	A Give me strength, Lord, give me strength,

	Page 193
1 ,	Jesus.
2	Q Let me have you keep going with what you
3	saw. You said the officer got out of his car?
4	A Yes, ma'am.
5	Q And am I correct in assuming he got out of
6	the driver's door?
7	A Yes, ma'am.
8	Q What did you see happen?
9	A He walked up to the police, I don't know
10	what was said or what.
11	Q Who walked up to the police?
12	A I mean, the police walked up to the young
13	men.
14	Q Okay.
15	A I don't know what was said or whatever.
16	Then the police went back, was going to his car. I
17	guess they was arguing or something because the boys
18	was saying something to him and stuff, and I'm
19	looking here go another Ferguson incident. And the
20	police kept talking to the boys and the boys were
21	steadily walking, and the police was talking to them
22	or fussing at them or whatever.
23	I'm looking at this and I'm looking
24	what the heck is going on. So I kind of turn my
25	music down to try to hear the conversation, and

```
Page 194
     which I really couldn't hear. I had my windows
 1
 2
     down. I said, Lord, what's happening now.
     thing I know, I turn my head to answer my cell
 3
     phone, turn my head, I bent down to pick up my cell
 4
 5
     phone off my seat and that's when I seen the police
 6
     pull a gun out.
 7
                    So I seen a little, I guess they was
 8
     fussing, you know, or whatever, but I seen the
 9
     police pull his gun and I'm saying, what's the hell
10
     going on, excuse me.
11
               That's all right.
          Q
               I'm talking to this lady here. So I said,
12
          Α
13
     what the hell is going on. And it was a, I don't
     know, the one little boy, the little small guy ran
14
15
     behind on the side, of the other side of the police
     car. And the Big Daddy, I call him Big Daddy.
16
               You call him what?
17
          Q
18
          Α
               I call him Big Daddy, I'm just using big
19
     names.
               Big Daddy?
20
          Q
               I don't know him, but we usually say Big
21
          Α
22
     Daddy.
23
               Okay.
          Q
               And Big Daddy and the police officer, this
24
25
     guy, they was arguing.
```

	Page 195
1 ,	Q Now, is the officer, you've already said
2	the officer got out of his vehicle. Is he still
3	outside of his vehicle when they're arguing?
4	A Uh-huh.
5	Q Yes, okay. So is his car door still open?
6	A Uh-huh.
7	${f Q}$ You said he walked back to his vehicle.
8	A When he got back to the vehicle, when he
9	got back to his vehicle, I can't use you.
10	Q No, no, he's can't, he's got
11	A I was going do grab his arm, I can't use
12	him. But when I walk back to my vehicle, okay. I
13	had one of the boys steady talking to me and I'm
14	talking to them. So then when I turn back to the
15	vehicle, me and you is doing a little tussling.
16	Q Now, you were just, in describing that,
17	you were pretending to be the police officer?
18	A Right, I'm the police officer and I'm
19	sitting up, what's going on here. And next thing
20	I'm seeing, hear a noise and the little boy had,
21	which is the little guy, was hollering, saying
22	something and the big guy was steady fussing at him,
23	and they are walking back towards the car, police
24	car, not mine. The police car.
25	And next thing I know that the

	Page 196
1	policeman pulled his gun, like I told you, and start
2	firing.
3	Q So was the police officer outside of his
4	car when he was firing?
5	A Uh-huh.
6	Q Yes?
7	A (Nods head.)
8	Q And what or who was he firing at?
9	A He fired at the Big Daddy.
10	${f Q}$ How far away was the Big Daddy when he was
11	firing at him?
12	A By this time Big Daddy, he's aware from
13	the car, he's laughing at me. Big Daddy was away
14	from the car, and he was walking, the other guy, the
15	little small guy, he was steady walking too. He
16	walked on the opposite side.
17	So Big Daddy was walking in front, I
18	don't know what he said. The only thing I heard he
19	said, I ain't got nothing. And I'm looking, what
20	the heck is going on here.
21	Q So you heard Big Daddy say to the officer,
22	I ain't got nothing?
23	A Right.
24	$oldsymbol{Q}$ Okay. Have you ever told anybody that you
25	heard him say that before?

	Page 197
1 .	A The people, the FBI the people I talked
2	to.
3	${f Q}$ You told the people that you talked to
4	before and they were recording your statement,
5	right?
6	A I guess they did.
7	Q Okay. That's fine.
8	A So by this time I'm sitting up calling
9	people, something happen y'all, Ferguson police
10	messing with our young men again.
11	So everybody was telling me what's
12	wrong. I said I don't know, you know how these
13	police over here. Something is going to happen,
14	y'all. And everybody was saying, what's happening?
15	I'm saying, I don't know.
16	Q Okay. Let me stop you. Who are you
17	talking to?
18	A I told you I picked up my cell phone and I
19	started dialing numbers, that's what I just said.
20	And I called and I said, something's happening with
21	these police over hear, they are messing with our
22	young men again. And everybody was telling me
23	what's wrong. I said, I don't know, but by this
24	time the police pulled his gun out.
25	Help me, God, please.
I	

	Page 198
1 ,	Q Did you see the officer fire his gun?
2	A (Nods head.)
3	Q All right. You are shaking your head yes?
4	A Yes, ma'am.
5	$oldsymbol{Q}$ All right. And did you see whether or not
6	that bullet hit anybody?
7	Do you think that the bullet hit
8	anybody after that first shot?
9	A The first shot, I don't think it hit
10	anybody.
11	Q Okay.
12	A But I seen the little boy when he turned
13	back around he said, I didn't do nothing, I didn't
14	do nothing. He's got his hands up like this and the
15	other guy ran the other way, the small guy, and the
16	police just fired again. There about, I'm trying to
17	think about 20 or 30 feet, 25 feet from me to you.
18	\mathbf{Q} There was 25 to 30 feet between the big
19	guy and the police officer when he fired again?
20	A Uh-huh.
21	${f Q}$ Okay. Was the officer still out of his
22	car?
23	A Uh-huh.
24	Q And you're saying yes, right?
25	A Yes, ma'am.

Page 199 Okay. Do you remember when you talked to 1 Q the detective and that was, we talked about that 2 3 before you came in, do you remember talking to Detective at the NAACP, and you are 4 5 shaking your head yes? 6 Yes, ma'am. Α Do you remember telling him during your 7 8 conversation that I heard, I've seen them when they was talking to the police and I thought it was just 9 a friendly talk. 10 11 I did, I didn't know. Α Hang on, okay. Do you remember saying, so 12 Q 13 the next thing I see the police reach out his car 14 and I seen one boy run behind the police car on the 15 side of the police car. 16 Do you remember telling them that? 17 So when you told them that before you said the 18 officer was inside the car and you put his gun, reached out the car with his gun for the first shot? 19 Right, but it was not, he was out of the 20 Α 21 car. 22 So your memory is that he was actually Q 23 outside of the car when he did the first shot? You are shaking your head yes? 24 25 Yes, ma'am. Α

Page 200

- Okay. And you also didn't mention at any 1 Q
- 2 time when you were talking to Detective
- the boy saying anything, do you remember when you 3
- said, did you remember telling him about the boy 4
- 5 saying anything when they were at the car?
- 6 They was talking, like I told y'all, they Α
- 7 was talking to the police, I thought, like I'm
- 8 telling you just like I talk to you.
- 9 Q Okav.
- We think friendly conversation, or 10 Α
- 11 whatever, like I told you y'all just know. I don't
- know what they're talking about. 12
- Okay. But I just want to clarify, today 13 Q
- 14 you said you heard the big guy say, I don't --
- 15 Α That's after he got up further, the big
- guy said, I ain't got nothing. 16
- 17 We jumped ahead then. We're still at the
- 18 car and you heard one shot, the officer is outside
- of the car, he fires one shot, but you don't think 19
- it hits Michael Brown or the big boy at that time? 20
- Right. 21 Α
- 22 What does the big boy do after that first Q
- 23 shot goes off?
- He started walking up, further back 24
- 25 towards the apartment complex.

		Page 201
1 1	Q Okay. Was he walkin	ng in street or did he
2	walk off of the street?	
3	A In the street.	
4	Q Does he stay on Canf	field Drive?
5	A Yes.	
6	Q Was he walking east	then in that
7	direction?	
8	A Yes, ma'am.	
9	${f Q}$ Okay. How was he wa	alking, was he running,
10	was he jogging, was he sprinti	ng fast?
11	A No.	
12	Q How was	
13	A Walking fast.	
14	Q Walking fast. Okay.	So he's walking away
15	from the police officer?	
16	A Right.	
17	Q Now, the officer's c	out of his car you've
18	already said?	
19	A Right.	
20	${f Q}$ So what does the off	ficer do as the big guy
21	is walking away from him?	
22	A He was saying someth	ning to the young men,
23	I wish to, God knows I wish I	would have heard
24	everything, but I was into my	music.
25	Q Now, you said you tu	rned your music down?

	Page 202
1 .	A I turned my music down, but not completely
2	off down.
3	Q Okay.
4	A Enough so I can still hear the bass, you
5	know what I'm saying? Down low music.
6	$oldsymbol{Q}$ So do you think the officer said something
7	then after the big guy started to walk quickly away?
8	A Yes.
9	Q Could you hear him say something?
10	A I heard him, you know how you can look and
11	see conversation being done, but you cannot make out
12	what is done, you know what I'm saying?
13	Q Yes, that's what I'm trying to get at.
14	A Right.
15	Q So you couldn't make out the words?
16	A Right.
17	Q Could you hear something, like
18	(indicating) could you hear something and just
19	couldn't make it out?
20	A I heard when the boy screamed out, I ain't
21	got nothing.
22	Q Okay.
23	A He didn't say it as a low tone of voice.
24	Q Okay. That's jumping ahead. I'm talking
25	about Michael Brown is moving away from the officer.

```
Page 203
     The officer is outside of his car and I said what
 1
 2
     does the officer do, and you said the officer, you
     heard him say something, but you couldn't make it
 3
 4
     out?
 5
          Α
               Right.
               Is that something you actually heard or is
 6
 7
     it something you assumed because of the way he was
 8
     acting?
 9
               It was something I heard, you know, no
     way, the police move, you know what I'm saying.
10
11
     When you are talking to a person.
               Okay. So you heard the officer say
12
          Q
13
     something, but you didn't, you couldn't tell what he
     said?
14
15
               I could not tell what it was.
          Α
               Okay. And what did Michael, I'm sorry, I
16
17
     keep wanting to call him Michael Brown, you know
18
     that is his name, correct?
19
          Α
               Right.
20
               You know who we're talking about?
               I call him Big Guy. I don't know these.
21
          Α
22
               Okay. So when the officer says something,
          Q
23
     what does the Big Guy do, does he continue to walk
     away from the officer or does he stop at that point?
24
25
               They was communicating at first.
          Α
```

		Page 204
1	Q	Who was?
2	A	Michael Brown and the little small guy,
3	what's hi	s name.
4	Q	So let's just call him little small guy,
5	you don't	know his name, right?
6	A	No.
7	Q	So we'll just keep calling him the little
8	small guy	?
9	A	The little small guy and Michael Brown is
10	Big Daddy	·
11	Q	So they were communicating?
12	A	With the police.
13	Q	Have we gotten back to the beginning of
14	this then	because we've got, you already said the
15	little gu	y ran?
16	A	When the boy, we are at the middle right
17	now when	the little boy was talking, he was talking
18	to Big Da	ddy, okay, Michael Brown, okay. And the
19	little sm	all guy was there too. I don't know where
20	little Br	own, little Brown, little small guy was
21	saying to	the police officer. Little Brown started
22	walking s	lowly, Big Daddy started walking faster.
23	Q	Is this before any shots or after shots?
24	A	Before.
25	Q	Okay. And that's kind of a problem

Page 205

- 1 because it is difficult to follow what you are
- 2 talking about if we keep skipping around. I want to
- 3 take this a step at a time so we can be sure.
- A I want to get it over with, I'm scared,
- 5 I'm scared now.
- 6 Q Let's push forward. So when Michael Brown
- 7 was moving away from the officer, when Big Daddy was
- 8 moving away from the officer and you said he was
- 9 walking quickly. Was his back toward the officer
- 10 then?
- 11 A At the time his back was towards the
- 12 officer.
- Okay. What happened then?
- 14 A With his back, he kept walking forward,
- 15 the other guy was walking, how can I say, to the
- 16 side of the police car. They wasn't together.
- 17 **Q** Okay.
- 18 A They was together, but one walking on the
- 19 other side, you know what I'm saying? One walking
- 20 on one side and the other one was walking.
- 21 Q Okay. What happened then?
- 22 A And that's when the policeman start
- 23 fussing, I mean not fussing, communicating with
- 24 them. And they was communicating back and the Big
- 25 Guy, I guess, walked away and the police start

	Page 206
1 .	firing.
2	$oldsymbol{Q}$ Okay. Let me ask you. You said that Big
3	Guy, I don't know what word you used, what's the
4	word you used? Sounded to me like you said
5	murder-cate, what did you say?
6	A I said Big Daddy.
7	Q Big Daddy, communicate?
8	A Communicate.
9	Q All right, sorry. I just want to make
10	sure I'm clear. Who is communicating with who?
11	A Communication was with Big Daddy and the
12	police.
13	Q Okay.
14	A And the other boy was saying something,
15	the little small guy was saying something.
16	Q Okay.
17	A But the police was looking at like I'm
18	looking at you.
19	Q Now, is this before or after Michael Brown
20	has already started to walk away.
21	A While Michael was walking.
22	Q So what happens then?
23	A The other guy was walking, Michael's
24	walking here, your friend walking on the other side,
25	but he's not directly right next to you, you know
I	

what I'm saying? You're not directly right next to me, you are a little farther away from me. Okay. And what happened then?
3 Q Okay. And what happened then?
4 A Help me, Jesus, help me, Lord. Give me
5 strength.
6 Q How far did Michael Brown walk, can you
7 show with the pointer on the map, laser pointer how
8 far you saw him walk?
9 A I'm sorry, y'all, please forgive me.
10 Q I just want help you get through this
11 because I know it is tough for you, and if we can
12 get through it, you'll be done, okay. So here is
13 the pointer, show me how far Michael Brown walked?
14 A Okay. They was like up about, okay, say
15 he was right here, I'm over here on the side, they
16 are over there. They walk around here to the middle
17 of the complex thing, or whatever y'all call it,
18 street thing. About right up in here. About how
19 can I say. (indicating)
20 Q Okay. You pointed that's fine, you said
21 right up in here. So this is about at the
22 intersection of Canfield Drive and then?
23 A That's what about 20, 30.
24 Q The eastern leg of this horseshoe like?
25 A Right.

	Page 208
1 ,	Q All right. So what happened then when he
2	got to this point?
3	A The police start shooting.
4	Q Was Michael Brown still, was his back
5	still toward the officer at that point?
6	A Can I do it?
7	Q Yes.
8	A Okay. Say the police car here and I'm
9	walking, steadily walking fast and then I'm turning
10	around and then I ain't got nothing, and he kept
11	walking. You see what I'm saying?
12	Q Okay.
13	A Say this is Michael. You are right here,
14	this is police car, right. And I was walking fast
15	and you saying something to me and I turned, I ain't
16	got nothing, I ain't got nothing like that, he kept
17	walking and the other guy is you, you walking over
18	there, you my friend, hi friend. But you my friend
19	and he's walking on the other side of me.
20	Q Okay.
21	A He kept turning around like I don't know
22	what the police said. He said I ain't got nothing,
23	what do you want. I heard that he said it in a very
24	large tone of a voice. And I just turned around and
25	start calling, you know I was scared because I

Page 209
1 didn't know what's going to happen.
2 \mathbf{Q} Okay. So after the boy had turned around
3 and said he put his hands up and said I ain't got
4 nothing, and you demonstrated kind of in a manner
5 like to show your hands like you didn't have
6 anything in your hands?
7 A Right.
8 \mathbf{Q} And then he kept walking and then what
9 happened?
10 A And the police start firing.
11 \mathbf{Q} Okay. Was the boy still walking away from
12 the police officer when he starts firing?
13 A Michael stopped right there, and I don't
14 know if the man said halt, because you was walking
15 like this and when you turn around, I ain't got
16 nothing man, I ain't got nothing like this. Next
17 thing I know, I just start hearing shots going.
18 Q Okay. So the shots happen after Michael
19 Brown turns around?
20 A The first shot was before when, like I
21 said, before he started.
22 Q Okay. How many shots do you think you
23 heard?
24 A I'm scared of bullets.
25 Q I think we're all scared of bullets.

	Page 210
1 ,	A Okay. You can shoot, I'm going to run up
2	and hide on the floor, okay.
3	Q Did you hide, you told the police that you
4	put your head down?
5	A I put my head down when I heard the second
6	shot, not all the way down. I did my head like this
7	on my driver's, on the steering wheel. Because I'm
8	used to, when I'm young, my parents used to say you
9	hear a bullet, hit the floor.
10	${f Q}$ So there was a time that you had put your
11	head down?
12	A Right on the thing.
13	Q So did you see Michael Brown fall on the
14	ground?
15	A I seen when after, yes.
16	Q Okay.
17	A I seen, I mean. The police just stand
18	over him and kept shooting like this. (witness
19	starts crying) Jesus, help me.
20	Q Do you need to take a break? You want to
21	take a break for a couple minutes?
22	A Lord help that child, help me Jesus.
23	${f Q}$ Do you want to take a break for a couple
24	minutes?
25	A Yes.

	Page 211
1 .	Q I don't know what time it is.
2	MS. ALIZADEH: We are going to take about
3	a five minute break. It is 3:49.
4	(Recess)
5	MS. ALIZADEH: We're back on the record
6	and we took a few minutes for a break. While
7	Witness Number 46 needed to kind of have a break to
8	collect herself. And she has asked if me could she
9	come in here and try to finish explaining what she
10	saw. So rather than me ask you questions, I felt
11	like maybe I was upsetting you. I'm going to let
12	you just finish telling what you saw. And if they
13	have questions, they can ask you, okay. This is
14	their investigation and they will ask you questions
15	if they need you to explain, okay.
16	A Yes.
17	MS. ALIZADEH: So Witness Number 46, why
18	don't you start from where you said the officer was,
19	Michael Brown is moving away from the officer and
20	the officer starts shooting and then you can pick
21	up, that's kind of where we were and you can just
22	finish or keep going from there, okay.
23	A Okay. Michael Brown, which I call Big
24	Daddy, the police fired and the young man turned and
25	said I don't have anything. I don't know what their

Page 212 he

- 1 communicating mean I don't have anything, but he
- 2 said it loud, not in a low tone voice, in a holler
- 3 voice is I don't have anything.
- And the other young man, which is
- 5 small ball, he was on the other side, but he was
- 6 diagonally like a distance from like me and you.
- 7 And the young man kept walking fast
- 8 and the police had shot one shot, I don't know where
- 9 it hit or what, because at that time I put my head
- 10 down behind, you know, the wheel. I raised back up
- 11 and the police just kept firing and the second shot,
- 12 which I seen that hit the boy cause he jumped. I
- don't know where it hit him at, but it hit the boy.
- 14 And the police just kept firing and saying something
- 15 to the boy, and kept firing. The boy kept saying, I
- 16 got, my hands is up, I don't have anything, what do
- 17 you want.
- 18 And next thing I know, I don't know
- 19 where it hit, but when the boy fell, there was blood
- 20 shot everywhere.
- 21 And the police just stand over him
- 22 and shot him like he playing darts at a board. At
- 23 that time the police, the other boy was gone, not
- 24 gone, but standing and off to the side. Mostly
- 25 toward the passenger side of the street.

	Page 213
1	And when the policeman kept shooting
2	at him like he's a dartboard, I got out of my car,
3	and I went to the police I said, can I help the
4	young man, can I please help him, he's bleeding.
5	The police told me.
6	MS. ALIZADEH: You can say the bad word.
7	A The police told me, get the fuck away from
8	over here. When he told me that, I turned around
9	and I said, you ain't said nothing but a word. So I
10	jump back in the car, this time I started panicking.
11	So I pulled my car into the complex,
12	I call my and I told her I just seen a
13	boy got shot. For what, I said I don't know, I
14	don't know, he's shot. He's in the street. She
15	said what street, I said right on the side of your
16	house, and they said they heard gunshot, so
17	everybody started coming outside.
18	By this time a young man, I don't
19	know who he is, gave me a cigarette. I haven't
20	smoked a cigarette since I was young. I smoke now.
21	I took the cigarette, I smoked it and then I asked
22	for more cigarettes, the guy gave me three
23	cigarettes. I smoked it, I walked back up there,
24	after the police told me to get away.
25	By this time it was like a crowd of

Page 214 people, and this is before they put that orange tape 1 2 around or yellow tape around, and I asked, I said what is going on here. Everybody was hollering and 3 stuff, everybody was crying this, somebody said call 4 5 the police, and one lady said that is the police. 6 And the only thing I just remember 7 from that I was screaming and hollering, people 8 was hugging me, I don't even know nobody out there 9 besides my And I told them, like I told Kathi 10 11 and the other lady, if I could have saved him, , I thought I could save him, I 12 because 13 wanted to save him, not because he was bleeding, because any time, say for instance if you look at, 14 15 what if that's your child laying on that ground. What if that's your daughter laying up there that 16 17 the police shot. What would you do. Would you sit 18 there and see somebody else's child that I don't 19 even know lay on the ground? Flashbacks went in my mind. That's 20 my boy. I don't know these kids, but just think 21 22 y'all, what if that's your boy. Picture your boy 23 laying on that ground. Picture that blood running out of your boy's face. Picture that boy's arms 24 25 wide open and saying whatever, you know. His hands

Page 215 1 up in the air. 2 Take your time right now and close 3 your eyes, please close your eyes, close your eyes for a minute, please. And just think that's your 4 child, your nephew, your daughter, laying on that 5 6 ground. What would you do, would you sit there and 7 let them bleed? 8 Would you ask them, can you help 9 them? MS. ALIZADEH: Now, ma'am, when I told 10 you, you had said that to me outside and I told you 11 that we know that that boy when he was shot in the 12 head, he was killed instantly. There is nothing you 13 could have done to save him. 14 15 I feel that maybe I could have stopped the Α 16 bleeding, sometimes now after that happened, I feel 17 it was my fault. Maybe I should have been speeding 18 so the police can stop me. 19 MS. WHIRLEY: Let us see, Number 46, if there are any questions though, okay? 20 21 Α Ferguson police, I'm scared y'all. 22 now, I'm scared. A week to my 23 after that, my got stolen. I don't know if it with this stuff, I don't know what it was. But I 24 25 know y'all if whatever you do, please help our

```
Page 216
     police department. I'm scared of my own police, you
 1
 2
     know, police is supposed to be your best friend.
               MS. WHIRLEY: We're just going to see if
 3
     there are any questions, Number 46. Are there any
 4
 5
     questions from any of the jurors? No, okay. We
 6
     really appreciate you coming in.
 7
               (End of the testimony of Witness Number
     46.)
 8
 9
     of lawful age, having been first duly sworn to
10
11
     testify the truth, the whole truth, and
     nothing but the truth in the case aforesaid,
12
13
     deposes and says in reply to oral
14
     interrogatories, propounded as follows, to-wit:
15
                         EXAMINATION
16
     BY MS. ALIZADEH:
17
               This is Kathi Alizadeh and I am with the
18
     prosecutor's office as well as Sheila Whirley is
19
     present, all 12 grand jurors are present and so we
     are having our final witness for today testify.
20
21
                    Can you state your name, please?
22
               My name is
          Α
23
          Q
               And I'm going to stand back here,
24
                 , because you are kind of soft spoken.
25
     The microphone that's in front of you does not
```

```
Page 217
     amplify your voice. So it is not going to help you
 1
 2
     to speak into it, so speak loud enough so that
     people all the way back here would be able to hear
 3
     you, okay?
 4
 5
          Α
               Yes, ma'am.
 6
                           , how old are you?
          Q
 7
          Α
               I am
                       vears old.
 8
          Q
               And where do you live, you don't have to
 9
     give me your address, do you live in Missouri?
               No, ma'am, I stay in
10
11
               Okay. And back in August of this year,
          Q
     where were you living?
12
13
               On Canfield Drive.
          Α
14
               Okay. Would that be in the Canfield Green
          Q
15
     Apartment Complex?
16
          Α
               Yes, ma'am.
               And who did you live there with?
17
          Q
18
          Α
19
          Q
               So did you have an apartment with
20
               Yes, ma'am.
          Α
               And I'm going to direct your attention to
21
          Q
22
     a map that's Grand Jury Exhibit Number 25. And
23
     right here is a laser pointer. So if you press that
     button, the dot comes out and can you use that and
24
25
     show the grand jurors? Does this look familiar to
```

	Page 218
1 ,	you, the street of Canfield Drive that cuts through?
2	A Yes, ma'am.
3	Q And this is over in this direction if you
4	went and drove this way is West Florissant?
5	A Okay.
6	Q Can you show where your
7	was?
8	A (Indicate.)
9	Q So you pointed right here, is his
10	apartment face Canfield?
11	A Yes, ma'am.
12	Q All right. And so were you home on, or at
13	your dad's, were you living there or were you just
14	visiting?
15	A I was living there.
16	Q Okay. Did you know many people in the
17	Canfield Apartment Complex?
18	A No, ma'am.
19	Q How long had you been living with your
20	at that point?
21	A About a month.
22	Q Okay. Were you working or going to
23	school?
24	A No, ma'am.
25	Q Do you, now, you know that we're here

1 2	regarding	the investigation of the sheeting of
2		the investigation of the shooting of
	Michael B	rown?
3	A	Yes, ma'am.
4	Q	Did you know who Michael Brown was before
5	this day?	
6	A	Something like that.
7	Q	Okay. How is it that you knew Michael
8	Brown?	
9	A	He's a friend of a friend.
10	Q	And who is the mutual friend that you
11	have?	
12	A	His name is .
13	Q	?
14	A	Yes, ma'am.
15	Q	So you met Michael Brown through your
16	friend,	
17	A	Yes, ma'am.
18	Q	And so how well do you think you would say
19	you knew 1	Mr. Brown?
20	A	I didn't know him very well.
21	Q	So would it be accurate to say you guys
22	were just	acquaintances?
I ~ ~	A	Yes, ma'am.
23		
23	Q	Did you know his last name?
14 15 16 17 18 19 20 21 22	A Q friend, A Q you knew 1 A Q were just	Yes, ma'am. So you met Michael Brown through your Yes, ma'am. And so how well do you think you would say Mr. Brown? I didn't know him very well. So would it be accurate to say you guys acquaintances?

		Page 220
1 ,	Q	All right. What did you call him, what
2	was his n	ickname or did you call him Mike?
3	A	I mean, we only saw each other one time.
4	So I didn	't really say his name at all.
5	Q	Okay. Had you seen him in the complex?
6	A	No, ma'am.
7	Q	So you just met him the one time and
8	that's th	e only time you'd seen him?
9	A	Yes, ma'am.
10	Q	Did you tell officer's previously that you
11	called him	m, you believed him or knew him to be
12	Mike-Mike	?
13	A	Yes, that's what everybody called him.
14	Q	Mike-Mike?
15	A	Yes, ma'am.
16	Q	So on the 9th of August of this year,
17	which was	a Saturday, were you at your
18	apartment	that day?
19	A	Yes, ma'am.
20	Q	And you remember was anything special
21	about tha	t morning?
22	A	No, ma'am.
23	Q	Did you have any special plan for that
24	day?	
25	A	No, ma'am.

		Page 221
1 .	Q	And did something during the day direct
2	your atten	tion to the outside?
3	A	No, ma'am, I just go outside every day.
4	Q	So you were hanging outside or did you go
5	outside to	go see somebody?
6	A	I was just hanging outside.
7	Q	Okay. So your unit being right
8	here, I kn	ow we know there's three floors to each
9	building?	
10	A	Yes, ma'am.
11	Q	What floor was he on?
12	A	The second.
13	Q	So when you say you were outside, were you
14	like on th	e balcony or were you down elsewhere in
15	the comple	ex?
16	A	I was on the balcony.
17	Q	Okay. Were you by yourself?
18	A	Yes, ma'am.
19	Q	And what were you doing?
20	A	Just looking around.
21	Q	Watching people?
22	A	Yes, ma'am.
23	Q	Okay. And so did something happen that
24	you though	t was unusual or drew your attention?
25	A	No, ma'am.

1 Q Okay. Did you go back into your 2 apartment? 3 A Yes, ma'am. 4 Q And why did you go back into your 5 apartment? 6 A Because I had to go get my cell phone. 7 Q Why did you have to get cell phone? 8 A Because of the Michael Brown incident, I 9 was going to go record it. 10 Q Okay. So let's get back and that is kind 11 of why I was trying to get at while you were
A Yes, ma'am. Q And why did you go back into your apartment? A Because I had to go get my cell phone. Q Why did you have to get cell phone? A Because of the Michael Brown incident, I was going to go record it. Q Okay. So let's get back and that is kind of why I was trying to get at while you were
Q And why did you go back into your apartment? A Because I had to go get my cell phone. Q Why did you have to get cell phone? A Because of the Michael Brown incident, I was going to go record it. Q Okay. So let's get back and that is kind of why I was trying to get at while you were
5 apartment? 6 A Because I had to go get my cell phone. 7 Q Why did you have to get cell phone? 8 A Because of the Michael Brown incident, I 9 was going to go record it. 10 Q Okay. So let's get back and that is kind 11 of why I was trying to get at while you were
A Because I had to go get my cell phone. Q Why did you have to get cell phone? Because of the Michael Brown incident, I was going to go record it. Q Okay. So let's get back and that is kind of why I was trying to get at while you were
7
8 A Because of the Michael Brown incident, I 9 was going to go record it. 10 Q Okay. So let's get back and that is kind 11 of why I was trying to get at while you were
9 was going to go record it. 10 Q Okay. So let's get back and that is kind 11 of why I was trying to get at while you were
10 Q Okay. So let's get back and that is kind 11 of why I was trying to get at while you were
11 of why I was trying to get at while you were
12 outside, an incident started; is that right?
13 A Yes, ma'am.
14
15 going to let you kind of tell your narration and
16 then if need be, we'll go back and kind of clarify
17 things.
18 Why don't you tell them what you saw
19 while you were standing on the balcony of your
20 apartment?
21 A Okay. Well, as I was sitting down, I
22 notice Mike Brown and another young man walking down
23 the street. They were in the middle of the street,
24 and then moments later a police cruiser pulls up.
25 I'm not sure if they exchanged any words or

Page 223

- 1 anything, but that's when I went in the house to go
- 2 get my cell phone. I heard a gunshot and I rush
- 3 back outside, and I went to the other side of the
- 4 balcony and that's when I seen Mike Brown turning
- 5 around holding his wounds and then the police
- 6 officer continued to fire.
- 7 Q Okay. Keep your voice up, I know it is
- 8 natural for you to kind of talk to the person that's
- 9 closer to you, and your voice kind of goes down.
- 10 Will you do that? Make sure you are talking so we
- 11 did hear you back here.
- 12 I'm sorry to interrupt you, but go
- 13 ahead, you said, and I missed part of what you said.
- 14 So you said when you came back out after getting
- 15 your cell phone, let's start at that point.
- 16 A Came back out from getting my cell phone,
- 17 I seen Mike Brown holding himself, like holding his
- 18 wounds. And he turned around and took, I guess,
- 19 like a step towards the officer, whether he was
- 20 lunging forward because he was falling from his
- 21 getting shot. I know the officer just kept firing.
- 22 And as he was going to the ground, the officer fired
- 23 a couple more shots and then that was it.
- 24 Q Okay. So during this whole incident,
- 25 other than to go in to get your cell phone, did you

		Page 224
1 ,	stay on t	he porch or the balcony, what do you call
2	that area	that's right outside the front door?
3	A	The balcony.
4	Q	The balcony. Did you stay there during
5	that enti	re incident other than like you said, you
6	went in t	o get your phone?
7	A	No, ma'am.
8	Q	Where did you, where did you go?
9	A	I just went in the house and back outside.
10	Q	Okay. Was that, I'm talking about you've
11	already s	aid that you were outside and you see a
12	please of	ficer and some boys?
13	A	Yes.
14	Q	And at this point you hadn't heard any
15	gunshots,	right?
16	A	No, ma'am.
17	Q	Then you went in your house to get the
18	phone?	
19	A	Yes.
20	Q	While you were in your house, you heard a
21	gunshot?	
22	A	Yes, ma'am.
23	Q	And then you come out?
24	A	Yes, ma'am.
25	Q	So from the time you come back out until

		Page 225
	1	Mike Brown is lying in the road, did you stay on
	2	your balcony?
	3	A Yes, ma'am.
	4	Q Okay. And so, um, so can you use the
	5	laser pointer, so you stayed right around this area
	6	and can you show the grand jurors where the police
	7	car was when you first saw it?
	8	A Around this area. (indicating)
	9	$oldsymbol{Q}$ Do you recall what direction it was
	10	facing?
	11	A It was facing towards this way.
	12	(indicating)
	13	Q If this is east and the police car was
	14	facing east?
	15	A Yes, ma'am.
	16	Q Now, when you looked, when you first
	17	noticed it, was it standing still or was it moving?
	18	A It was standing still.
	19	Q Okay. So you didn't notice anything
	20	before you looked and you saw the police car
	21	standing, or not moving and it was in the middle of
	22	the street?
	23	A Correct.
	24	Q And where were the boys when you first saw
	25	the police car?
1		

		Page 226
1	A	Um, they were sort of kind of in front of
2	it.	
3	Q	Okay. Were they walking or standing
4	still?	
5	A	They were walking.
6	Q	And which direction did it look like they
7	were walki	ng?
8	A	They were heading east as well.
9	Q	Okay. So they were going in that
10	direction	as well?
11	A	Yes, ma'am.
12	Q	And so from your vantage point then, could
13	you see th	e driver's side of the car?
14	A	No, ma'am.
15	Q	So you are looking at the passenger side?
16	A	Yes, ma'am.
17	Q	And so could you see the officer inside
18	the car fr	om that at this point from your balcony?
19	A	No, ma'am.
20	Q	And so you said that you saw the two boys
21	and the of	ficer appear to have some kind of
22	communicat	ion?
23	A	Yes, ma'am.
24	Q	Could you hear what was being said?
25	A	No, ma'am, I was too far away.

		Page 227
1 .	Q	Could you hear anything like, you know,
2	words, bu	t you couldn't make it out?
3	A	No, ma'am.
4	Q	No screaming?
5	A	No, ma'am.
6	Q	Okay. And what, if anything, could you
7	see going	on while the boys were at the vehicle?
8	A	Just look like they were talking.
9	Q	Okay.
10	A	Like exchanging a few words and that's
11	when I we	nt to go get my cell phone.
12	Q	Okay. Can you give me an idea or an
13	estimate	as to how long you were in the house
14	getting y	our phone before you came back out?
15	A	Probably about 30 seconds to a minute.
16	Q	Okay. And while you were inside is when
17	you heard	the first gunshot?
18	A	Yes, ma'am.
19	Q	And then did you come right out after
20	that?	
21	A	Yes, ma'am.
22	Q	Did you have your phone with you?
23	A	Yes, ma'am.
24	Q	Did you start videotaping anything?
25	A	No, ma'am.

	Page 228
1 ,	Q And so why did you go in to get your
2	phone?
3	A To videotape, and actually to check it
4	too. I usually don't go outside without bringing my
5	phone, I just happen to leave it in there.
6	Q So you went in to get your phone because
7	you thought maybe something was going to happen and
8	you wanted to record it?
9	A Yes, ma'am.
10	Q And then you went in, you got the phone,
11	you hear a gunshot when you came out, but you didn't
12	start recording?
13	A No, ma'am.
14	Q Why not?
15	A Because it all happened too fast.
16	Q Okay. Too fast for you to really react?
17	A Yes, ma'am.
18	Q And so when you came out after hearing
19	that first gunshot, where was the officer? Was he
20	still in the police car or was he outside the police
21	car?
22	A He was outside the police car.
23	Q And where was Michael Brown?
24	A He was right across from me.
25	Q Was he standing up in the street or was

	Page 229
1 ,	he, is this a point where he's down in the street?
2	A He was standing up.
3	${f Q}$ Okay. What about the littler guy, where
4	was he?
5	A He was nowhere to be found.
6	Q Okay. So he somehow disappeared from your
7	view?
8	A Yes, ma'am.
9	$oldsymbol{Q}$ And did you ever see him again during the
10	incident?
11	A No, ma'am.
12	${f Q}$ Okay. So when the officer, you come back
13	and the officer is outside of his car, is the door,
14	driver's door of his car open, do you recall?
15	A I don't remember, I didn't look at the
16	police officer's car.
17	${f Q}$ Did you notice, did the officer have the
18	lights on on top of his car?
19	A Not that I remember.
20	${f Q}$ All right. And when, so you said you saw
21	the officer out of his car and Michael Brown was
22	right there, can you describe for the grand jurors
23	like where they were in relation to the officer's
24	car?
25	A They were probably about a good 10 feet
1	

	Page 230
1 ,	from the officer's car.
2	Q So who was closer to the car, the officer
3	or Michael Brown or neither?
4	A The officer, where they was probably
5	directly across from each other, I probably say the
6	officer was.
7	Q Okay. So was the officer, if he's
8	standing next to his car, was he facing the rear
9	part of his car or was he facing the front part of
10	his car or was he directly facing the car?
11	A Here was, can you repeat the question,
12	please?
13	Q Sure. If this, for example, is the
14	officer's car and the officer is outside of the car
15	now, is he facing his vehicle as I'm facing this
16	now, or if this is the front of the car, is he
17	facing the front of the car, is he facing away from
18	his car or is he facing the rear of his car or
19	something else?
20	A Well, they weren't by the car at that
21	point.
22	Q You said they were about 10 feet away?
23	A Yes, ma'am, but he was facing towards Mike
24	Brown. They were
25	Q Were they facing each other?

		Page 231
1 .	A	Yes, they were facing each other.
2	Q	Did you see the officer's gun at this
3	point?	
4	A	Yes, ma'am.
5	Q	Where was the gun?
6	A	He had it drawn.
7	Q	Okay. So it was out of his holster?
8	A	Yes, ma'am.
9	Q	Do you recall which hand it was in?
10	A	No, ma'am.
11	Q	And how was he holding it?
12	A	I don't recall.
13	Q	So you don't recall if it was by his side,
14	if it was	pointed?
15	A	It was pointed, I know that.
16	Q	It is pointed?
17	A	Yes, ma'am.
18	Q	Okay. And so, and Mike Brown is facing
19	the offic	er at this point?
20	A	Yes, ma'am.
21	Q	How far away from the officer is Mike
22	Brown?	
23	A	Probably about seven or eight feet.
24	Q	Seven or eight feet?
25	A	Yes, ma'am.

	Page 232
1	Q And then what happens?
2	A And then the officer starts to fire.
3	Q Okay. And does he fire in the direction
4	of Mike Brown?
5	A Yes, ma'am.
6	Q So the officer is outside of the car?
7	A Yes, ma'am.
8	Q And he's seven to eight feet from Mike
9	Brown at that point?
10	A Yes, ma'am.
11	Q Do you see if he hits Michael Brown?
12	A Judging from Mike Brown's reaction, it
13	looks as if he hits him.
14	Q Okay. Did you see any blood?
15	A No, ma'am.
16	Q So can you describe, or even if you can
17	demonstrate what you mean when you say judging from
18	Michael Brown's reaction?
19	A Well, he was holding his wounds as the
20	officer was firing, he started to fall towards the
21	ground. He fell to his knees first and then
22	collapsed all the way.
23	Q Okay. So let's, I think I understand that
24	there's a section missing here, so you said the
25	officer's vehicle was stopped here?

		Page 233
1 ,	A	Yes.
2	Q	Did he ever move that car?
3	A	No.
4	Q	So when you came back out and you saw the
5	officer a	nd Michael Brown facing each other, and the
6	officer h	ad his gun drawn, can you use the pointer
7	and show	me where on the map they were?
8	A	This area right here. (indicating)
9	Q	And so what do you see happen then?
10	A	I see the officer use excessive force to
11	take down	Mike Brown.
12	Q	Okay. So let's back up a little bit. You
13	said Mike	Brown was standing facing the officer and
14	it looked	to you like he, the officer fired at him
15	and it lo	oked like he was hit?
16	A	Yes.
17	Q	And you describe that Michael Brown looked
18	like he w	as holding his wound at this point?
19	A	Yes.
20	Q	Was he holding his wounds before the
21	officer f	ired the shot that you saw or did he grab
22	his wound	s after that shot?
23	A	He was holding before.
24	Q	Before?
25	A	Yes.

	Page 234
1 ,	${f Q}$ Can you demonstrate to the grand jurors
2	how you saw Michael Brown holding himself? Can you
3	stand up so they can all see you?
4	A Like this. (indicating)
5	Q So you have your right arm across your
6	torso, a little bit above your belly button area?
7	A Yes, ma'am.
8	Q And so you said Michael Brown had his arm
9	in that fashion and the officer fired a shot that
10	looked to you like it hit him?
11	A Yes.
12	Q And then what did Michael Brown do then?
13	A It looked like he just took the impact and
14	the officer kept firing and then that's when he
15	started to fall towards the ground.
16	Q Okay. Now, did you say a little bit ago
17	you saw Michael Brown take some steps?
18	A I seen him take one step.
19	Q One step?
20	A I don't know if he was taking the step or
21	if he was just, you know, falling forward.
22	Q Okay. And so you only saw him take one
23	step?
24	A Yes.
25	$oldsymbol{Q}$ And this is first thing that you see when

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Page 235
     you come back out of your apartment is that they are
 1
     already at a point somewhere around here. You said
 2
     where they're facing each other and the officer
 3
     fires and then Mike Brown lands at that point on the
 4
 5
     ground?
               Yes, ma'am.
 6
          Α
               Okay. So whatever happened from the time
 7
          Q
     you saw Mike Brown at the vehicle until they're
     here, you didn't see any of that?
 9
10
          Α
               No, ma'am.
11
               And so how close did you say that the
     officer was eight to ten feet away from Michael
12
13
     Brown when he was firing the shots?
14
               Seven to eight feet.
          Α
15
               Seven to ten. Did Michael Brown, did you
          Q
     ever see him put his hands up in the air?
16
17
               No, ma'am, I did not see that.
18
               But like I said, there's parts that you
19
     didn't see since you come out and at this point
     Michael Brown already has his hand here?
20
     (indicating)
21
22
               Yes, ma'am.
          Α
23
               If he had his hands up prior to that, you
          Q
24
     didn't see it?
               No, ma'am.
25
          Α
```

		Page 236
1 1	Q Z	And you didn't see him running from the
2	officer?	
3	A]	No, ma'am.
4	Q]	Now, you said, did you see, did you ever
5	see him ru	n from the officer?
6	A]	No, ma'am.
7	Q	Okay. From the first gunshot that you
8	heard while	e you were inside, is the next gunshot you
9	hear the or	ne that you see when he fires, when he's
10	face-to-fac	ce with him?
11	A	I'm not, I don't remember.
12	Q	Okay. How many total gunshots do you
13	think you l	heard?
14	A	Six or seven.
15	Q A	And you said that you saw Michael Brown
16	fall forwa:	rd?
17	A	Yes, ma'am.
18	Q	Did he fall to his knees first or did he
19	just fall :	straight down?
20	A	He fell to his knees first.
21	Q	Okay. Did he remain on his knees for any
22	amount of	time even if it was a couple of seconds?
23	A	Yes, ma'am, it was probably a couple
24	seconds.	
25	Q	Okay. So he fell to his knees, did the
1		

			Page 237
	1	officer c	ontinue to fire?
	2	A	Yes, I think he let go one more shot.
	3	Q	And then you saw Michael Brown from his
	4	knees, the	en did he fall forward?
	5	A	Yes, ma'am.
	6	Q	And when he was on his knees, did you see
	7	him put h	is hand up?
	8	A	No, ma'am.
	9	Q	And when he was falling forward, did you
1	0	see him p	ut his hands up?
1	1	A	No, ma'am.
1	2	Q	So when you saw him, he had a hand across
1	3	his torso	?
1	4	A	Yes, ma'am.
1	5	Q	What was the other hand doing?
1	6	A	I'm not sure, I couldn't see.
1	7	Q	Okay. And did he keep his hand in the
1	8	position	that you saw his hand the whole time you
1	9	saw him?	
2	0	A	Yes, ma'am.
2	1	Q	Did he fall that way with his hand across
2	2	his torso	?
2	3	A	Yes, ma'am.
2	4	Q	Did you, after he fell to the ground, did
2	5	the office	er continue to fire?
1			

	Page 238
1 1	A No, ma'am.
2	Q Did you see what the officer did then?
3	A No, ma'am.
4	Q And why not?
5	A I was too busy looking around to see if
6	anybody else saw what I saw.
7	${f Q}$ Okay. And did you see other people around
8	there?
9	A No, ma'am, not at the time until like
10	after, you know, a couple of minutes went by and
11	then I saw other people start to come outside.
12	Q Okay. Did you see, now you're in this
13	building, right?
14	A Yes.
15	${f Q}$ Did you see anybody on the balconies over
16	here?
17	A No, ma'am.
18	$oldsymbol{Q}$ And did you see cars, how about cars on
19	the street that might have been stopped?
20	A No, ma'am.
21	Q Did you see cars in either direction?
22	A No, ma'am, I didn't see any cars.
23	Q And, okay, so let's clarify. Are you
24	saying that there weren't cars there or you saying
25	you don't know if there were cars there?

	Page 239
1 ,	A I don't know if there were cars there.
2	Q Okay. And the same thing with somebody
3	being on the balcony here, are you saying there
4	wasn't anybody on the balcony next to you or you
5	saying you don't know if there was?
6	A I don't know if there was.
7	Q Okay. And then did you see the officer
8	who did the shooting, did you see him approach
9	Michael Brown's body after he fell on the ground?
10	A I don't remember.
11	Q Okay. Did you see what he did after that,
12	after Michael Brown fell on the ground?
13	A I don't remember.
14	Q During the time you saw the initial
15	encounter until Michael Brown was dead on the
16	ground, did you see any other police officers?
17	A No, ma'am.
18	Q Did you see any other police cars?
19	A No, ma'am.
20	Q Eventually did other police officers and
21	cars come?
22	A Yes, ma'am, eventually.
23	$oldsymbol{Q}$ Did you go down to the street afterwards?
24	A No, ma'am.
25	Q Did you stay up in your apartment?
l	

		Page 240
1	A	Yes, ma'am.
2	Q	And the next day you left is
3	that righ	t?
4	A	Yes, ma'am.
5	Q	You had somebody, a family member drove
6	you	?
7	A	Yes, ma'am.
8	Q	Was that because of this that you felt you
9	needed to	get
10	A	No, ma'am.
11	Q	So was this already planned that you were
12	going to	?
13	A	Yes, ma'am.
14	Q	On the ?
15	A	Yes, ma'am.
16	Q	But at some point, somebody came and
17	discovere	d that you had witnessed this?
18	A	Yes, ma'am.
19	Q	You didn't talk to the police that day?
20	A	No, ma'am.
21	Q	Why not?
22	A	I really didn't want to be involved with
23	the whole	entire situation.
24	Q	Had you ever had a bad experience with the
25	Ferguson	police officers?

		Page 241
1 ,	A	No, ma'am.
2	Q	Did they have a good or bad reputation or
3	if you kr	low?
4	A	I'm not sure.
5	Q	Okay. So you not wanting to be involved
6	is just k	ecause you just didn't want to be involved
7	or was it	because of distrust of the police officers
8	or?	
9	A	I just didn't want to be involved. I
10	didn't wa	ant that attention.
11	Q	Do you know how it was that the police
12	found you	1?
13	A	No, ma'am, I don't.
14	Q	But eventually on August 18th, you recall
15	a couple	FBI agents coming to talk to you ?
16	A	Yes, ma'am.
17	Q	Did you tell them what you saw?
18	A	Yes, ma'am.
19	Q	And now you actually here with
20	your moth	er to testify in this case; is that right?
21	A	Yes, ma'am.
22	Q	And did you do that willingly?
23	A	Yes, ma'am.
24	Q	And you met with the FBI, was it
25	yesterday	7?

		Page 242
1 ,	A	Yes, ma'am.
2	Q	And you made a recorded statement with
3	them?	
4	A	Yes, ma'am.
5	Q	Okay.
6		MS. ALIZADEH: I don't have any more
7	questions	. Sheila?
8		MS. WHIRLEY: Thank you.
9	Q	(By Ms. Whirley) Why do you say it was
10	excessive	force?
11	A	After the first shot, it's excessive.
12	Q	I'm sorry?
13	A	After the first shot that was excessive.
14	Q	You thought after?
15	A	After I came outside and I seen him
16	holding h	is wound, he didn't really have to keep
17	shooting.	Mike Brown didn't pose a threat, to my
18	knowledge	, he didn't pose a threat.
19	Q	And you didn't see anything happening at
20	the polic	e car, you just said, why did you go, what
21	was happe	ning when you went and got your cell phone
22	again?	
23	A	They were just at the police cruiser.
24	Q	You didn't see any tussling or car moving?
25	A	No, ma'am.

		Page 243
1 .	Q	Any loud noises or anything?
2	A	No, ma'am.
3	Q	And then you went in to get your cell
4	phone bed	cause you always have it?
5	A	Yes, ma'am.
6	Q	You heard a shot?
7	A	Yes, ma'am.
8	Q	While you were getting your cell phone?
9	A	Yes, ma'am.
10	Q	You didn't see what was happening when the
11	shot firs	st went off?
12	A	No, ma'am.
13	Q	All right. And then was it just one shot
14	you heard	d before you got back out?
15	A	I know one shot for sure, but I don't
16	remember.	
17	Q	Where were you at like on the balcony or
18	something	ŋ?
19	A	When I heard the shot?
20	Q	Yeah, when you came back out and saw
21	everythir	ng?
22	A	I was on the balcony.
23	Q	So you never went downstairs?
24	A	No, ma'am.
25	Q	You were watching from the balcony?

		Page 244
1	A	Yes, ma'am.
2	Q	So after you came out to the balcony with
3	your phon	e, a shot had already occurred?
4	A	Yes, ma'am.
5	Q	You say you saw Michael Brown facing the
6	officer?	
7	A	Yes, ma'am.
8	Q	When he was holding his torso and that's
9	when all	of these shots, you heard some more shots?
10	A	Yes, ma'am.
11	Q	Okay. Could you hear him saying anything?
12	A	No, ma'am.
13	Q	You weren't close enough to hear them
14	talking?	
15	A	No, ma'am.
16	Q	What do you think the officer should have
17	done?	
18	A	Anything other than kill him. I'm pretty
19	sure the	police training and police training they,
20	you know,	have any other means of, you know,
21	corrallin	g a suspect other than killing him.
22	Q	You said he was wounded when he was shot
23	dead?	
24	A	Yes, ma'am.
25	Q	I wasn't clear, did you record any of the

		Page 245
1	incident,	even afterwards?
2	A	Afterwards, yes, ma'am.
3	Q	So what did you record?
4	A	I just recorded his body laying right
5	there and	the officer just, I guess he was walking
6	around, I	'm not sure.
7	Q	But you didn't record the actual shooting,
8	you weren	't quick enough to do that?
9	A	No, ma'am.
10	Q	Did at any time when you saw him with his
11	hands, we	call this the torso, right?
12	A	Yes, ma'am.
13	Q	Around his torso, did he appear to be
14	going for	a weapon?
15	A	No, ma'am.
16	Q	It was clear to you that he appeared to be
17	wounded?	
18	A	Yes, ma'am.
19	Q	Could you see blood?
20	A	No, ma'am.
21	Q	Okay. And so why do you think he was
22	wounded a	gain?
23	A	Because I heard gunshots.
24	Q	Okay. And it didn't look like he was
25	going for	a weapon?

```
Page 246
               No, ma'am.
 1
          Α
 2
               Did he ever look like he was rushing
     toward the officer?
 3
          Α
               No, ma'am.
 4
 5
          Q
               Okay. And where were his hands when he
     was falling to his knees before collapsing to the
 6
 7
     ground?
 8
          Α
               I don't remember.
 9
               And again, it did not appear to you like
     he was charging the officer?
10
11
         Α
               No, ma'am.
12
               MS. WHIRLEY: Questions.
13
                                                   When
14
     you were looking at the police car, you were looking
15
     at what, t he driver's side or the passenger side?
16
          Α
               Passenger side.
17
                              : Passenger side. So the
18
    police vehicle was facing west or toward West
     Florissant.
19
               No, it was facing towards east, going
20
     towards Northwinds.
21
22
                                That way's east.
                              :
                                                   If it
23
     was facing east, then the driver's side would have
     been toward you?
24
25
               Correct, but I wasn't, the balcony isn't
          Α
```

```
Page 247
     all that big.
 1
 2
                              : All right. You were at
 3
     an angle?
          Α
 4
               Yes, ma'am -- yes, sir, I apologize.
 5
                                 That's close enough.
 6
                                                  I just
 7
     need to clarify something. Did you hear any shots
 8
     while you were walking back into the apartment to
 9
     get your cell phone?
               No, ma'am.
10
          Α
11
                                The first shot you
     actually heard when you came back out?
12
13
          Α
               The first shot I heard was when I was
     inside.
14
15
                               You heard one while you
     was on the inside?
16
               Yes, ma'am.
17
18
                                That was the shot you
19
     heard?
20
               Yes, ma'am.
          Α
21
                             : Okay.
22
               MS. ALIZADEH: Anyone else?
23
                                       . I guess, did you
24
    have head phones or anything on, were you listening
25
     to music out on the balcony or playing a video game
```

	Page 248
1 .	or anything, or were you just sitting out there?
2	A I'm just sitting out there.
3	: Just watching?
4	A Just watching, looking around.
5	: I had another question. I
6	guess you know when you looked up and saw Michael
7	Brown at the police car, something must have made
8	you want to think it is more than just an innocent,
9	you know, stop right there. Because you ran in to
10	get your phone, can you think of why or what made
11	you think there was something to record? Did you
12	hear loud voices, did you look at Michael's face,
13	did you know something was about to happen.
14	A It was just a gut feeling. Something just
15	toll me in my mind that you might want to go get
16	your phone.
17	: So you just saw a few
18	seconds of that, whatever happened there. And then
19	it sounds like you just saw the very last few
20	seconds at the end before Michael Brown was shot to
21	death?
22	A Yes, sir.
23	: Okay. Thank you.
24	. Your cell
25	phone, what room was your cell phone in?

	Page 249
1 ,	A It was in the kitchen.
2	: It was in the kitchen.
3	Was it plugged in a charger at that time?
4	A No, ma'am.
5	: Okay. When you came from
6	the balcony into the house to get your cell phone, I
7	think you have to enter through the sliding doors in
8	the living room, is that how you enter your
9	apartment?
10	A You can or you can just go through the
11	main door.
12	: The main door, how did you
13	get in there?
14	A I went through the door.
15	You went through the door?
16	A Yes, ma'am.
17	So where is that in
18	relationship, you have to walk to your left to the
19	right of the sliding glass doors or where are you
20	exactly positioned to the main door?
21	A It is on the right.
22	: On the right. And how far
23	were you away from the main door at that point?
24	A Probably about two or three feet.
25	Two or three feet. You
1	

```
Page 250
     know about how many feet you traveled in the
 1
 2
     apartment to get to your cell phone?
               I'm not sure.
 3
          Α
                            : Not sure?
 4
 5
          Α
               I'm not sure.
 6
                                Okay. When you came back
 7
     out, did you also go back out through the main door,
     the same path?
               Yes, ma'am.
 9
          Α
10
                                Okay, all right, thanks.
11
                              : I don't have anything any
12
     more.
13
               MS. ALIZADEH: No more questions from you.
     At this point if there is no more questions, that
14
     will end the testimony of this witness.
15
                (End of the testimony of
16
                                                      . )
17
18
19
20
21
22
23
24
25
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	Page 251
1 ,	
2	State of Missouri
3	SS.
4	County of St. Louis
5	I, XXXXXXXX, a Licensed Certified Court
6	Reporter by the Supreme Court in and for the State
7	of Missouri, duly commissioned, qualified and
8	authorized to administer oaths and to certify to
9	depositions, do hereby certify that pursuant to
10	Notice in the civil cause now pending and
11	undetermined in the County of St. Louis, State of
12	Missouri.
13	The said witness, being of sound mind and being
14	by the grand jury first carefully examined and duly
15	cautioned and sworn to testify to the truth, the
16	whole truth, and nothing but the truth in the case
17	aforesaid, thereupon testified as is shown in the
18	foregoing transcript, said testimony being by me
19	reported in shorthand and caused to be transcribed
20	into typewriting, and that the foregoing page
21	correctly sets forth the testimony of the
22	aforementioned witness, together with the questions
23	propounded by counsel and grand jurors thereto, and
24	is in all respects a full, true, correct and
25	complete transcript of the questions propounded to
1	

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Page 252
     and the answers given by said witness.
 1
 2
               I further certify that the foregoing pages
     contain a true and accurate reproduction of the
 3
     proceedings.
 4
 5
          I further certify that I am not of counsel or
 6
     attorney for either of the parties to said suit, not
     related to nor interested in any of the parties or
 7
     their attorneys.
 9
10
11
            XXXXXXXXXXXX
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Page 253
     COURT MEMO
 1
 2
 3
 4
 5
     State of Missouri v. Darren Wilson
 6
 7
     CERTIFICATE OF OFFICER AND
 9
     STATEMENT OF DEPOSITION CHARGES
10
11
     DEPOSITION OF Grand Jury, Volume XVII
12
     10/28/2014
13
    Name and address of person or firm having custody of
14
     the original transcript:
15
16
17
     St. Louis County Prosecuting Office
     100 South Central, 2nd floor
18
     Clayton, MO 63105
19
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21
22
23
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25
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Page 254
 1
     ORIGINAL TRANSCRIPT TAXED IN FAVOR OF:
 2
 3
     St. Louis County Prosecuting Office
     100 South Central, 2nd floor
 4
     Clayton, MO 63105
 5
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     Total:
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	Page 255
1	Upon delivery of transcripts, the above
2	charges had not been paid. It is anticipated
3	that all charges will be paid in the normal course
4	of business.
5	GORE PERRY GATEWAY & LIPA REPORTING COMPANY
6	515 Olive Street, Suite 700
7	St. Louis, Missouri 63101
8	IN WITNESS WHEREOF, I have hereunto set
9	STATEMENT OF DEPOSITION CHARGES
10	my hand and seal on this day of
11	Commission expires
12	
13	Notary Public
14	
15	
16	
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