

9 (This is the interview of .)
10 : Today is September 24th, it
11 is 10:10 a.m. This is Special Agent ,
12 I'm here with DOJ trial attorney and USA
13 . And would you state your name, sir?
14
15 : , okay.
16 : , I met you before.
17 (inaudible) My name is and I am with the
18 Civil Rights Division of the Department of Justice,
19 and is a prosecutor here, federal prosecutor
20 based here in St. Louis. So we are working on this
21 investigation with the FBI, and because we know you
22 gave an interview with the County Police, we didn't
23 get a chance to meet you and we wanted to meet you,
24 okay?
25 : Okay.

1 : So all your answers need to be
2 out loud because this is being recorded, but if you
3 nod your head or shake your head I'll remind you.

4 I understand.

5 : And I'm sure you know this, and
6 I have no doubt that we just want you to know that
7 if you talk, some type of false statement or lie or
8 embellish or exaggerate, it's a crime to make false
9 statements to federal agents, we want you to know
10 that.

11 : I understand.

12 : Okay. And we want what you
13 know versus what you assume. So if there is a
14 distinction when you talking about something and you
15 assume it, we want to know what you assumed versus
16 what you, yourself, know, what you heard and saw
17 that today.

18 : Okay.

19 : It is natural that you've heard
20 other names and we may need to ask you about that as
21 well, but we want your observation. It is important
22 not to guess, if you guess, let us know.

23 : Okay.

24 : If I ask a question, and you
25 answer a question that seems confusing, let us know

1 because if you answer, we'll assume that you
2 understand.

3 Okay.

4 : Okay?

5 : Uh-huh.

6 : And you know you're at the FBI,
7 and you came through security, but we want to make
8 that you know it is voluntary. So at any point you
9 have had enough, you want to leave, you let us know.

10 Okay.

11 : We are not going to force you
12 to stay here.

13 No problem.

14 : Do you have any questions of
15 us?

16 : No.

17 Just real quick, I want to
18 make sure I have your name spelled right. Can you
19 spell it for me?

20 : .

21 : Okay.

22 :

23 : Okay, thank you.

24 : you spoke to County
25 Police back on August 12th. Do you remember

1 speaking to them?

2 : Yes.

3 : Okay. So we are, I'm not going
4 to go through your whole account because I know that
5 you are, you already gave that and going to the
6 state grand jury tomorrow, right?

7 Yes.

8 : I don't want to make you rehash
9 the whole thing.

10 Okay.

11 : and I are with the
12 federal prosecutor's office, we are prosecutors. So
13 we won't have the opportunity to see you tomorrow,
14 so that is why we listened to your recorded
15 statement, we have read the transcript. We just
16 have some specific questions that don't jump out at
17 the recording because we can't see you.

18 Okay.

19 : That is what we want to focus
20 on.

21 : All right.

22 : There were certain things that
23 you, um, you talked about and when you talk about,
24 you said do this or do that. Do this and do that
25 doesn't come across in a recording and it,

1 obviously, won't come across on this recording. But
2 in the beginning when you saw the, the tussle in the
3 car, can you describe for me or show me what you
4 actually saw Michael Brown do and what the police
5 officer were doing?

6 Well, actually, as I just
7 stated to them, from my porch I can only see from
8 the passenger side.

9 : Okay.

10 : I don't know if he had
11 grabbed him or what, but you could see them tussling
12 in the car, they were moving around.

13 : When you say he grabbed him --

14 I don't know who grabbed who.

15 : I know. When you say he?

16 The police officer.

17 : Okay.

18 Because he was walking, he
19 must have said something to him and he was
20 approaching the truck. Then we saw the tussling.

21 : Let me ask you, you said he
22 must have said something to him, you mean --

23 : I think the officer said
24 something to him because Michael started walking
25 towards the truck.

1 : Okay. That's what I was going
2 to ask you, what made you say, when you say he, I'm
3 trying to figure out.
4 I'll make sure I state it.
5 Okay. I know when you use the
6 expression he must have said something, that's one
7 of those assumptions. When you say that, I want to
8 you to explain that's why you are making that
9 assumption.
10 Well, I'm assuming he said it
11 because he was approaching the car. I mean, if the
12 officer tells me to stop and come here, I'm coming
13 there, okay.
14 : Okay.
15 : I'm going to approach you, I
16 want to talk to you. I'm going to find what is
17 going on.
18 : That's fine, that makes sense.
19 But I could see them
20 tussling, you know, and after that is when the first
21 shot rang out.
22 : Let me ask you about the
23 tussling specifically. I know you said from what
24 your vantage point was, can you describe from your
25 vantage point what Michael Brown's position was?

1 He was outside the car door.

2 : Okay.

3 : Outside the truck door. He

4 was in one of those big 4x4, not 4x4, SUVs.

5 : Right.

6 He was on the outside and the

7 officer was still in the truck.

8 : And how is Michael Brown's

9 body?

10 : He was like, he was, I could

11 see the top of his head, he had a hat on.

12 : Okay.

13 : I could see the top of his

14 head, and then he dropped down and he disappeared

15 for a minute. Next time I saw his head is when I

16 heard the shot, that's when he popped up.

17 : Okay.

18 Okay.

19 : Were you able to see from your

20 vantage point whether Michael Brown's body was bent

21 over --

22 : From my vantage point I can

23 say clearly he was not inside that truck. He was

24 partially, maybe his head, was right there at the

25 officer's head.

1 : Okay.

2 But so for his body being in,
3 no, I couldn't say with 100 percent accuracy that
4 his body was, but I'm quite sure it wasn't.

5 : Okay. So you don't know for
6 sure?

7 : No.

8 : What about his hands?

9 : They were inside.

10 : Okay.

11 : Uh-huh.

12 : So his hands were inside, just
13 correct me if I say this wrong. Michael Brown hands
14 were inside the car?

15 : I believe so.

16 : Okay. You couldn't tell if any
17 part of his like shoulders or anything were in it,
18 is that fair?

19 : No, no.

20 : No, you couldn't tell or no
21 they weren't?

22 I can't tell.

23 : Okay. Can you tell, you said
24 his head disappeared from view. So do you not know,
25 can you tell whether any part of his head was inside

1 the car?

2 : No.

3 : No, it didn't or you can't

4 tell?

5 : No, I can't tell.

6 Okay, fair enough. Were you

7 able to see any movement that the police officer was

8 making inside the car?

9 I could see him jerking

10 around.

11 : Okay.

12 I could see his body, see his

13 torso, I could see maybe from like the shoulders up,

14 jostling around like they are moving back and forth

15 like this, just like some kind of tug of war or

16 something was going on.

17 : Okay. Just for the recording

18 won't pick up what you are. You are kind of leaning

19 back and forth in your chair?

20 Right, they are kind of

21 rocking back and forth, like they were in some type

22 of struggle.

23 : Okay.

24 Okay. That you could clearly

25 see that they were struggling, but I could not tell

1 how much of his body was in the truck.
2 : Okay.
3 I can't say for certain how
4 much of his body was in the truck.
5 : That's fair.
6 : You are referring to Michael
7 Brown?
8 : Huh?
9 : How much of Michael Brown's
10 body was in --
11 How much of Michael Brown's
12 body was in the truck?
13 : The officer was in the truck
14 at the time?
15 : Officer the truck.
16 : When you say we, we saw,
17 are you referring to?
18 : Had some family members
19 there on the porch with me.
20 : Is that your brother and
21 sister-in-law?
22 : Yes.
23 : Was there too?
24 : Yes.
25 : Okay. And so once the shot

1 rang out and Michael Brown started running, how soon
2 after did the police officer get out of the car?
3 A matter of seconds.
4 : Okay. Was it instantly or was
5 there a slight pause?
6 There was like a slight
7 pause. I would say within two or three seconds, he
8 was coming out.
9 Okay.
10 As Michael was running away,
11 the other gentleman, Mike went one way, the other
12 gentleman went the opposite direction.
13 : The other gentleman was Michael
14 Brown's friend?
15 Michael Brown's friend.
16 : Do you know his name?
17 No, I don't, I don't know
18 him.
19 : Okay.
20 : I've seen Michael Brown in
21 the neighborhood, he passed me. Myself and the
22 other lady, we always sit out. I'm collecting
23 Social Security, she's retired, we just sit out and
24 we talk, watch around. And I seen him walk past
25 because he has a friend who stays in an apartment

1 who is just beyond me.

2 And he would always come by and say, how
3 you doing, sir, how you doing, ma'am, how you all
4 doing, you know, everything else. That's the only
5 contact I had. Other times I may have seen him at
6 the stores in the neighborhood.

7 : Okay. We are veering off a
8 little bit. Just so I can ask you, you have a
9 friend that, Michael Brown has a friend that lives
10 in the apartment complex?

11 : I have no idea.

12 : I thought you just said.

13 Oh, Michael Brown has a
14 friend that stays, not the one that was with him, I
15 don't know him. Him, I know nothing about.

16 : I understand that. I just ask
17 you the friend that Michael Brown stays with in the
18 apartment complex, do you know that friend's name?

19 : It is a female, no, I don't.

20 : Do you know in which building
21 she lives in?

22 : Uh --

23 Here is a map if that helps.

24 I believe it's, it is

25 : Okay.

1 I think so.

2 : Do you know which level?

3 No. Because she was on third

4 floor. I think she moved down, I'm not sure.

5 : Okay.

6 I can't say for certain.

7 : Okay. So back to what we were

8 just talking about, the friend that Michael Brown

9 was with that day, we'll just refer to him as the

10 friend, would that be easier?

11 : Okay.

12 : Okay. You said Michael Brown

13 took off running and there was a pause, police

14 officer chased. What was that friend doing?

15 : After he ran, he disappeared,

16 you couldn't see him. You don't know, we thought he

17 had ran around to the side of the building, but

18 someone is saying and other people was saying one of

19 the reason that I heard and read that he was

20 actually behind the other police truck that was

21 there, he ran behind this other car.

22 : So not straight?

23 : So I didn't see him.

24 : I want to just know, just tell

25 us initially you saw him with Michael Brown,

1 correct?

2 Right.

3 : I'm talking about the friend.

4 Right.

5 : During the tussle that you

6 described, where was the friend?

7 Practically on the sidewalk.

8 : Okay. What was the friend

9 doing?

10 Just standing there watching

11 what was going on between officer.

12 : From your vantage point where

13 Michael Brown took off running, what did the friend

14 do?

15 He ran the opposite way.

16 Did you see him again?

17 No.

18 : So when the police officer took

19 off running after Michael Brown, can you describe,

20 were you able to see his gun?

21 Let me stop you.

22 : Sure.

23 : He did not take off running

24 after Michael.

25 : Okay.

1 Excuse me.

2 : You okay?

3 I'm having spasms, okay.

4 This is not showing me anything, okay.

5 If you don't like this map,

6 we'll go with that one.

7 All right. You are looking

8 at, okay, all right. This is, I can't tell which

9 one is which right here.

10 : If this doesn't help you, you

11 can --

12 This is Canfield.

13 Coming from West Florissant.

14 Uh-huh.

15 Coming around. This is the

16 last driveway, okay.

17 : Okay.

18 : This is one right here. This

19 driveway right here, okay, his friend went toward

20 West Florissant. Michael ran towards the first

21 driveway which is located where the memorial is on

22 the post.

23 The officer got out of the truck, came

24 around to the back of the truck.

25 : Okay.

1 Assumed his position like
2 this. (indicating)
3 : And you are showing, was the
4 gun out in the front of you?
5 : The gun was out like this, he
6 had his hand out, he was in his position and he
7 told, that was after the shot he got out, when he
8 got shot he ran. By the time he got to the edge of
9 the driveway after he crossed the sidewalk, he got
10 on the black part of the driveway he stopped,
11 Michael stopped. He was looking at himself to see
12 where he was hit, he was doing this, but he had
13 stopped.
14 The officer, at that time, he had come
15 around to the back, Michael had his back turned to
16 him. He told him stop, but he had already stopped.
17 Michael turned around to face him and he
18 had his hands shoulder high, just a little bit above
19 his shoulders, but they were out away from his body.
20 : Okay. Let me just stop you for
21 one second. So you are saying when the officer got
22 out of the vehicle, you are saying he ran around his
23 car and stopped and did not chase after Michael?
24 : No.
25 : And when Michael was running

1 away, the officer was not shooting at him; is that
2 correct?

3 : No, he didn't shoot then.

4 : Okay.

5 : He didn't fire, he already
6 had fired one shot when he came around to the back
7 and assumed the position. He yelled at him to stop,
8 which Michael had already stopped, when Michael
9 turned around, he told him again, stop.

10 : Okay.

11 Michael took a step off the
12 sidewalk. As soon as his foot hit the street, the
13 officer let loose, wham, wham, wham.

14 : Okay.

15 Right.

16 : So that initial shot though
17 occurred inside the vehicle, correct?

18 : Correct.

19 : Okay. So you're saying that
20 the next time any shots were fired was when Michael
21 Brown was facing the officer; is that correct?

22 : Correct.

23 : And that was after the officer
24 said stop?

25 : Right.

1 : And then he didn't shoot until
2 Michael Brown made a movement?
3 : Made a movement.
4 : And the movement was totally
5 opposite, correct?
6 Right. He took a step to the
7 street. It looked like he was giving up. Because
8 that is what we were saying. He is giving up, he is
9 giving up, you know, we're looking at him, he's
10 giving up. But then as soon as he took a step, he
11 got his foot in the street, he fired three shots.
12 : All right. Let me ask you
13 about when you said he had his hand up. You had
14 described previously that he was standing, as you
15 said, his hands up around where the shoulders were,
16 his palms were facing him.
17 : No, they were like this.
18 Palms are facing the officer, they were like this.
19 Indicating)
20 : Okay.
21 : You are the police officer, I
22 turned around and I did like this.
23 : Okay. Show your palms are out?
24 Right, right.
25 : Okay. Just so I can

1 understand. From my understanding when the police
2 were interviewed by the County Police, you described
3 he kind of stopped and looked down to his right?

4 When he stopped at this time,
5 yes. He kind of, when he stepped off, he was still
6 like this, but he had his hands up, he was still
7 trying to find out where he was shot to me.

8 : And then tell me what makes you
9 say that?

10 : Because he looked down to his
11 side.

12 : Okay. You said his right side?

13 : Yeah, this side, yeah,
14 looking on this right side and then he took a step
15 out. And he had his hands up and as soon as he took
16 that step and got to street, maybe about to, he is a
17 big guy, he could have made it about three steps.

18 : Let me ask you this, when he's
19 running, he stops in front of the driveway. Based
20 upon your vantage point, you think that he stopped
21 because he was looking at to see where he was shot?

22 : Yes.

23 : Okay. So when he did that, at
24 that moment he stopped, where were his hands
25 initially?

1 Like this, he had them like
2 this. He took them away from his body to see, he
3 was like looking, he was looking.
4 : All right. That's a little bit
5 different --
6 No, I told it before, I said
7 when he stopped he was looking, he was like this,
8 his hands were not steady like this, but he had them
9 up to look at because he's a big guy, he had to look
10 and see what was up.
11 : He was like moving his arms.
12 Moving his arms to see what
13 was going on.
14 : You have your palms sort of
15 facing you like he was checking --
16 Right, he's checking out his
17 own body.
18 : Okay.
19 Okay. But when he turned to
20 face the officer he was like this. He had his hands
21 up, palm facing the officer like, okay, you got me.
22 He had already told him to stop.
23 : All right. I need to just go
24 back and try and (inaudible) a little bit. When he
25 was checking out his body, were you able to see?

1 I can't tell.

2 : Is there anything that stood
3 out to you?

4 : Nothing stood out to me.

5 : Okay.

6 You know.

7 : And so when he turned around
8 and took that step is when he had his palms out?

9 Right.

10 : So right after that when the
11 officer started shooting, what did Michael Brown do?

12 : After he fired that first
13 round, that first volley. He hit him, he started
14 staggering, he first kind of went back like, pow,
15 from the impact.

16 : Okay.

17 And then he started
18 staggering. And he was looking at the officer as he
19 brought his head up, he looked down, oh, God, I've
20 been shot. He looked up at the officer and he was
21 looking at him and he was staggering, he was trying
22 to stay on his feet. And myself and my family is
23 telling him stop, dude, stop, stop, stop.

24 : Were you actually saying that
25 out loud?

1 : Yes, he couldn't hear us, you
2 know, from where we live.

3 : I know he couldn't hear you,
4 but were you actually yelling it in hopes?

5 : Hoping that he would hear but
6 he was staggering. We could see that he was
7 staggering and he took about, I don't know, three or
8 four more steps, but as he was taking his steps
9 forward at that time, the officer took a few steps
10 back, he was still in his spot. When Michael took
11 the other steps and he was staggering, his body was
12 like -- can I stand up, please?

13 Yeah, absolutely.

14 Okay. He was standing up, he
15 was shot. He was leaning like this, but his head
16 was like this. And he was standing up staggering,
17 he was trying to stay up on his feet like this.

18 : Okay.

19 And he was definitely, we
20 were yelling at him stop, stop, stop. My
21 sister-in-law and said, oh, God, he's
22 getting ready to kill him, he's getting ready to
23 kill him. And no sooner than he said that, no
24 sooner those words came out of their mouth, he was
25 going down, it looks like he was going down. And he

1 let off four more shots pow, pow, pow, pow.
2 : Okay. When the officer was
3 shooting was when Michael Brown was coming towards
4 him; is that right?
5 Yeah, he was not charging
6 him, he was defenseless, hands up, he was trying to
7 stay on his feet and you could see that his knees
8 was beginning to buckle, he was going down. When he
9 shot him as he was going down, he hit face first,
10 splat.
11 Where were his arms when he
12 fell to the ground? You are showing arms at either
13 side of his head?
14 When his body hit is when I
15 ran up there his arm, one was like, I can't exactly
16 tell on the body, one was like this when he hit
17 down. I guess they moved when he hit the ground,
18 but he was dead on the way down.
19 Can you picture where his arms
20 were on the ground?
21 Kind of like.
22 : I don't want you to guess if
23 you don't know.
24 No, I can't say for sure.
25 I'm trying to picture it, but to tell you the truth,

1 I didn't really want to see it, you know, because
2 when I ran up there and I saw who it was, I'm like,
3 oh, my God. I just saw him earlier this morning.
4 : I'll get to that in a second,
5 but let me just clarify. So you saw two additional,
6 two volleys of shots --
7 : Right.
8 : Correct?
9 : Right.
10 : Each time the officer was
11 firing, Michael Brown was coming towards him?
12 : Yes.
13 : Okay. And at no time did
14 Michael Brown say anything, correct?
15 : I could not tell or hear if
16 he did say anything.
17 : You didn't hear him yell, don't
18 shoot?
19 No, I didn't.
20 : Were you able to hear the
21 officer say stop?
22 Oh, yeah, he was very loud.
23 : You didn't hear Michael Brown
24 say anything like okay, okay, okay?
25 No, I didn't hear that.

1 : Okay.

2 : Listen, I'm dealing with two
3 very excited . One is , and this is the
4 first time seen anything like that and
5 right here.

6 : Talking in your ear?

7 Right.

8 You were able to hear the
9 officer?

10 : Oh, yeah.

11 : You didn't hear anything from
12 Michael Brown?

13 No.

14 : From your vantage point, you
15 didn't see his mouth moving as though he was saying
16 anything?

17 My eyes was really focused on
18 the officer because when he started moving,
19 staggering forward, I wanted to see what he was
20 getting read to do cause everybody was like, he is
21 getting ready to kill him.

22 : Okay.

23 So I wanted to see what he
24 was getting ready to do, but Michael was staggering.
25 You could see him clearly staggering, you know. And

1 then when he started like he was going down, he
2 fired again and that's when I said, oh, my God, he
3 just killed him.

4 : Okay. So I just want to
5 (inaudible), when this was all happening, your
6 attention shifted to the officer, correct?

7 : I could still see Michael, I
8 wanted to see what he was going to do. I had both
9 of them in line of sight.

10 : Okay. Is it fair to say that
11 Michael was more, just based on how you are
12 describing it and the visual you just gave me, is it
13 fair to say that Michael was more in your peripheral
14 vision at that point?

15 : Both of them, both of them.
16 From my vantage point, I can see both, okay. But to
17 say, now I'm trying to make this as clear as I can.
18 I can see both of them, but as Michael was
19 staggering toward him, you know, trying to keep his
20 balance, as he was moving forward, you could see, I
21 could see the officer stepping back.

22 When he took those steps back and Michael
23 was staggering forward, I thought, oh, my God,
24 that's when they said he is getting ready to shoot
25 him. Sure enough, as soon they said that, he let

1 loose.

2 : That's when you all are
3 yelling stop, stop, stop, you wanted Michael to
4 stop?

5 Yeah, we wanted Michael to
6 stop. They anticipated in a split second,
7 , he's getting ready to kill him.

8 : Let me ask you this,
9 . On August 12th, I want to take you
10 through what you said at that time.

11 You said as he faces the officer, this is
12 Detective asking you this, as he faces the
13 officer, you say that his hands go up to a point
14 where you said about to his shoulders almost.

15 Right.

16 : That's when he has his palms
17 sort of facing himself and he's looking over his
18 body?

19 When he got first shot and he
20 got to the driveway, his hands were up facing
21 himself because he was looking like at himself.

22 : Right, let me --
23 When he turned around.

24 : Uh-huh.

25 He gave up, his hands was up

1 to the shoulder, that's when he went up facing the
2 officer.

3 : Okay. You went on to say
4 back on August the 12th, Detective says, your
5 arms are like palms up and hands and fingers are
6 roughly shoulder height, is that fair enough to say?
7 You say yeah, about close to his shoulder.
8 Do you agree with that?
9 Yeah, yes.

10 : With his palms facing
11 towards himself like this?
12 No, not turned, his hands are
13 like this.

14 : No, I'm talking about --
15 They're not, excuse me, what
16 you are saying, the hands are pointed toward him,
17 they were not, I didn't say they were pointed toward
18 him. I said his hands were like this. I described
19 it. I didn't say they were pointed toward him. The
20 only time I said his hands was anywhere near is when
21 he first got shot.

22 When he turned, they were this way.

23 : All right. Let me just take
24 you through this, okay, and just see if you agree
25 with this. On August 12th, Detective asked

1 you, your arms are like palms up, and hands and
2 fingers are roughly shoulder height, is that fair
3 enough to say?
4 You say, yeah, close to his shoulder,
5 right?
6 Uh-huh.
7 : And he asked you at somewhat
8 of angle? You say at 35 to 45 degree angle from the
9 body. About like this, and you have the palms up,
10 right?
11 : Oh, yeah.
12 : And you say he is standing
13 there, he looks, he looks down looking at his body.
14 That's where you're saying you thought he was
15 looking to see if he was shot?
16 : Right.
17 : Okay. And then after that,
18 you go on to say that Detective asked you,
19 Michael Brown is standing facing the officer at this
20 point with his hands at his rib cage. And you say,
21 yeah.
22 And Detective says hands, palms up,
23 like at his rib cage.
24 And you say, uh-huh. Does that sound
25 right?

1 Right, he wasn't that far
2 from me.

3 : Okay.

4 His friend was still, when he
5 looped around, Mike was still in the street, his
6 friend had backed up. His friend had actually --

7 : That's when he goes to the
8 sidewalk?

9 Yeah, he steps back, you
10 know.

11 : Let me ask you this. [REDACTED]
12 had asked you this a little while ago about, and you
13 sort of were very clear about where everyone was.
14 But she had asked you about when the officer went
15 after Michael, where was his gun at that time, or
16 could you see it. And you corrected her and said,
17 well, he just went to the back of the vehicle and
18 assumed his stance.

19 : When he came out from around,
20 he must of already pulled it out of his holster as
21 he was coming around.

22 : And that's what I'm
23 wondering. Could you see that, could you see where
24 the gun was before he assumed his stance?

25 It was in his hand and he

1 brought it up.

2 : Okay. Before he brought it
3 up in a stance, it was in his hand.

4 : It was in his hand.

5 : You are directing like out
6 by itself?

7 Right. He's pulling it out
8 and as he came around so he could get a line sight
9 on Michael, he whipped his hand up, gun is already
10 in his hand, put it in his palm and aimed.

11 : Shortly after that he said
12 stop?

13 : He said stop. When he said
14 stop, Michael had already stopped.

15 : Uh-huh.

16 When he turned around, he
17 said stop again. When Michael took another step, he
18 said stop. As he hit the street, after he said
19 stop, he fired. That's when he started staggering
20 around. You could tell he got hit the way his body
21 jerked, okay. And as he was coming forward, trying
22 to keep his balance, I guess keep from falling, he
23 couldn't stand. He was trying to get himself in a
24 position, I believe, so that he could stand up.

25 As he took those steps, the officer took

1 about two, three steps back. As he did that at the
2 same time, he yelled stop again. Michael was then,
3 you could tell he was about ready to fall. At the
4 angle of his body, torso practically straight, knees
5 wobbly, but the torso was almost at a 45 degree
6 angle, his hands are slowly coming down.

7 : His hands were coming down?

8 : Right, coming down.

9 : And he was bent toward the
10 officer?

11 : He was bent toward the
12 officer.

13 : Let me stop you there real
14 quick. On August 12th, again, I want to take you
15 back to what you said. Detective asked you
16 where you describe exactly this point, Detective
17 asked you, and where are his hands at this
18 point.

19 And you say, after he hit him with the
20 three shots, they were down.

21 Right.

22 : Detective says, okay,
23 where at?

24 You say, down beside his body like this.
25 And then he says, you were basically putting your

1 hands down at your side.

2 And you said, yeah, they, like they were
3 down.

4 : Right.

5 : Is that the way you recall
6 it today?

7 : Right.

8 : That was after three shots?

9 : After the three shots.

10 : Because he was going down?

11 : Yeah, he was hit. As he was
12 coming forward, he was trying to maintain his
13 balance.

14 And I know this, I've been shot, all
15 right. I've been shot in the leg, so I know how it
16 is to try to get your balance.

17 And as I try to make this perfectly clear,
18 his torso was straight, knees wobbly, but his upper
19 torso was bent and he was still, kept his focus on
20 the officer.

21 : So to be clear, from your
22 vantage point, and I don't want you, I know you were
23 shot so you know how it feels to be wobbly. From
24 what you could actually see, Michael Brown was
25 focused on the officer, correct?

1 : Uh-huh.

2 [REDACTED] He was bent forward, correct?

3 : Uh-huh.

4 [REDACTED] : Is that yes?

5 Yes.

6 [REDACTED] : Okay. His arms were at his

7 side at this point?

8 : Right, right.

9 : He was moving toward the

10 officer?

11 Right, very slowly and

12 wobbly.

13 [REDACTED] And the officer had said stop?

14 Right.

15 [REDACTED] : At that point, Michael Brown

16 hadn't stopped; is that correct?

17 : It looks like he was falling.

18 He was staggering, he was staggering, trying to stay

19 up. Okay.

20 He was shot, he was hurt. He was trying

21 to keep up on his feet. He wasn't going toward the

22 officer to try to get to him. He was trying to

23 stand up. He was trying to maintain himself, but

24 you could see his body was giving out. And the

25 angle his body was, when he told him to stop that

1 last time when he's looking at him and that's when
2 the comments were made, he's getting ready to kill
3 him.

4 And no sooner than they said that he was
5 going like this, his body was coming like this
6 because he wasn't even looking and he fired. That's
7 the only way he could have hit him in the head, the
8 only way. He was already on his way down. The man
9 was unarmed, you had already put three to four shots
10 in his body.

11 Granted, he is a big boy, but he was hurt,
12 he was hurt.

13 : And this is the point right
14 before that, that final shot you refer to --

15 : Right.

16 : -- trying to tell him to
17 stop?

18 Right, right. When he fired
19 off that last volley, he hit down face first. I've
20 got a very hysterical who has never seen
21 anything like that in her life. My sister-in-law is
22 going berserk. My brother and I look, we didn't
23 even see the other officer, he had just moved away.

24 Our focus, our focus is So when I
25 got , he got his wife and got them, took in

1 the apartment, got them calmed down, I came back
2 out, I left and I ran up the street because I wanted
3 to see what happened, not what happened, but to see
4 him, you know, just some visible reason I wanted to
5 see the body. As I got there and close and I saw
6 his face, I knew who it was.

7 : You talked before too about
8 at that point people started coming out from
9 everywhere?

10 From everywhere.

11 : Can you tell us about that,
12 what was going on at that time?

13 They all, they running out,
14 from my vantage point I can see every apartment on
15 the opposite side of the street. The gentlemen who
16 were working, my apartment, my bedroom, I can see
17 them and the apartment that they are working on and
18 I'm watching them. They are making a lot of noise,
19 but anyway, from the front of my house, I couldn't
20 see them. I knew they were there, I knew they were
21 there. People on my side and my street, no one was
22 there.

23 The immediate apartment building where he
24 was shot, I couldn't tell if anybody was up there.
25 The apartments that are already in the back of the

1 driveway where he was stopped at, where the memorial
2 is, I didn't see anyone on this side of the street
3 in my sight.

4 The other part I can't see that.

5 : Just tell me about when you
6 went out there, you know, you mention people coming
7 out from sort of everywhere from the back of the
8 complex.

9 : From the back of the complex,
10 from everywhere.

11 : And you talk about
12 August 12th, the one reason you came forward is in
13 your own conscious you wanted to make sure the
14 family got the truth about what really happened,
15 that is why you decided to come forward?

16 Yes.

17 : You were concerned about
18 what other people were saying. What were you
19 concerned about?

20 You have to understand out
21 there, they were looking for anything. Majority of
22 them that came running out from the other sides and
23 the back, those three or four gentlemen that run up,
24 oh, he had his hands up like this.

25 : Like straight up in the air?

1 whole time I've been out there, came up, you all
2 better not say nothing. You all snitching and all
3 of this and that upset .
4 : They said this to you
5
6 They were talking. I was
7 looking at the officers. was down there and I
8 happen to turn when said like what, what. You
9 know, I was like, wait a minute, I said turn around,
10 everybody was still doing this. But she and this
11 other girl had made a point to say something to .
12 To ?
13 Right.
14 : About not snitching?
15 About not snitching.
16 Two females?
17 Yeah, I'm like what? And I
18 told the girls, I tell you what, you all used a very
19 derogatory term, turn around. Everyone is pointing
20 that way, you know. For three days I had to deal
21 with because that shook to the core, just
22 not use to anything like that.
23 : Can you explain this, what
24 prompted these girls to come over to ?
25 Because everybody was

1 pointing, you know, when they heard the shot. I was
2 pointing. Where did it come from. I said right up
3 there.

4 : Because you were telling the
5 police where the shot came from?

6 Right, but the thing was, the
7 whole crowd was pointing up to the top of the hill.
8 And I'm like, wait a minute, they single out and
9 wasn't even pointing.

10 I understand, okay.

11 : Okay. So the thing is, I
12 live there, when it comes to saying certain things,
13 I've got to protect I don't care. I'm sorry
14 that happened to Michael Brown, I'm sorry for his
15 family's loss, but I have a ,
16 that's number one. I don't care about nothing. I
17 really wasn't going to say anything. I really
18 wasn't because I got to protect and
19 scared, was scared for three weeks, she was
20 scared.

21 : Let me ask you this, before
22 whenever we was talking about people coming out and
23 hands up in the air, you said there were workers
24 nearby who were saying hands in the air?

25 No, no, no, they didn't say

1 that.

2 : What did they say?

3 : They said the same thing I

4 said and my brother did. His arms were shoulder

5 length, just above his shoulders.

6 : Can you describe these workers?

7 : They working, they are

8 plumbing, some plumbers.

9 What they look like

10 physically?

11 : Younger, white hair gentleman

12 and --

13 Both white?

14 Uh-huh.

15 : But they were actually there

16 with you correcting all of these other younger

17 people?

18 No, everyone did that. It

19 wasn't until a couple days later, because I saw him

20 when I was out there watching everything going on.

21 I saw him talking to a couple officers, but he was

22 talking to a plain clothes detective and a Ferguson

23 officer, I think, I'm not sure. I couldn't see, but

24 I know he had a blue shirt on, Ferguson wears blue

25 shirts. I assume it was a Ferguson officer and the

1 other gentleman was in a suit.

2 And he was talking to him. The younger
3 guy, he was like, oh, he was going nuts, you know,
4 but the older gentleman was talking about what he
5 saw.

6 A few days later because he was coming
7 around and doing something on every building. And
8 he gets out, eventually said, yeah, everybody out
9 there talking about the poor man had his hands up in
10 the air. He said, I didn't see that, he said, did
11 you see that? I said, no, I didn't see that. So
12 the young guy say, he was with him, I didn't see it
13 either.

14 : These are the two white
15 workers that you are talking about?

16 : Yeah, right.

17 : They were back there a few
18 days later and talked to you personally?

19 : They didn't talk to me, just
20 in the course of conversation they were working on
21 our building.

22 : You were there and had that
23 conversation?

24 : Right, right. I'm standing
25 there, he come down there and working on the pipe.

1 I was barbecuing, that's how the conversation
2 started. And we got, he said, man, I'm so shook up
3 and everything else about this and that. He said,
4 well, it got crazy all of these guys over there,
5 everybody running around, they're talking about the
6 man had his hands all the way up in the air, he
7 didn't. Did you see that? I know you saw it,
8 didn't you? I said, yeah. He said, did you see
9 what I see? I said, yes. He didn't have them all
10 the way up. And we both, at the same time, same
11 position, okay. Young guy quit after that. He
12 said, I'm not coming out here.

13 : You said there was a lady with
14 you during this conversation?

15 Older lady, she didn't see
16 the incident though.

17 : Who is she?

18 : She's the downstairs lady.

19 : Was there any other
20 conversation within that day about this?

21 : No, uh-huh. All he had to do
22 was connect the pipe. They had missed a connection
23 on the pipe and then we got to talking about
24 barbecuing, talking about, started talking about
25 other things. He lived in Jefferson County. He

1 said how bad it is down there, you know. Now I have
2 to come here, stuff happens everywhere.
3 : Everywhere.
4 You know, he said, this was
5 crazy, you know.
6 : Did he have anything else to
7 say about it, anything crazy about it?
8 No, that's just the way the
9 people reacted.
10 : Let's go back to that. You
11 first started talking about the two white workers
12 that were there when you first came down.
13 : Uh-huh.
14 : People were coming out and
15 saying all kind of things. And you talked about
16 people talking about him having his hands straight
17 up in the air you kind of said, no, that's not what
18 I saw.
19 Uh-huh.
20 : Maybe I misunderstood. Did
21 you say also that the workers were down there at the
22 same time saying, no, we didn't see that either at
23 that time?
24 No, he didn't say that at
25 that time. When I came down after the shots were

1 fired and everything else, I came back down because
2 the crowd was big, it grew in a split second. I
3 walked down to the edge of my driveway and I looked
4 over to see the building, I can see the building
5 they are working on from my bedroom window.

6 He was talking, as I said, he was talking
7 to a detective because his car was parked up on the
8 grass on my side of street. And another officer in
9 uniform had on a blue shirt. I didn't see the
10 insignias, but I'm just saying that because Ferguson
11 wear that types of collar, that may be a Ferguson
12 officer that I had not talked to that man at all
13 that day.

14 : Okay.

15 : I did not speak to him.

16 : All right. Let's back up a
17 little bit then. When you come down and there are
18 people saying things that you didn't see, how
19 quickly after those last shots were fired was that
20 happening? I mean, where people were actual
21 actually saying things like that?

22 : After he hit the ground, I
23 would say it took at least about a minute.

24 : That's when the crowd starts
25 to gather, it was like an instant?

1 In a minute, maybe 20, 30,
2 two, three minutes, at least be about 70 or 80, it
3 grew.

4 : Not just the crowd, but
5 people talking about saying things that didn't
6 happen?

7 : Right, right. They start
8 embellishing it when the stepfather showed up.

9 : When, I'm sorry?

10 The stepfather.

```
11           : The stepfather.
```

12 He's the first one that I
13 later found out, I didn't know it was the stepfather
14 until a few minutes later when he approached. They
15 had started the tape up and he was trying to get to
16 him. Oh, you know, my God, yeah, he was screaming
17 and hollering. And the officer is trying to calm
18 him down.

19 And then I saw his cousin, a little girl,
20 she has blond hair, she ran up the street. They all
21 came from Northwinds. That's where the majority of
22 the crowd came from.

23 When you say they started
24 embellishing, what did you hear?

25 Oh, the officer ran up behind

1 and shot him in the back.

2 : That's not true?

3 Not true.

4 What else?

5 : He had his hand straight up

6 in the air, not true. Then some guy, I don't know

7 who the heck it was, I had never seen him before, he

8 came out of the blue. He was coming out saying that

9 Mike had reached in and got the gun out of his hand,

10 not true.

11 : You mention on August 12th

12 that after that it was everyone started coming from

13 the back saying, oh, my God, he had his hands up in

14 the air telling him don't shoot, don't shoot, don't

15 shoot. And you said he never uttered a word, right?

16 : Right.

17 : Referring to Michael Brown?

18 I said that I could hear.

19 : Right, right. Just what you

20 saw and heard.

21 That I could hear.

22 : And you went on to say,

23 that's when everyone come back and all of them

24 started saying things, oh, he was on his knees.

25 Yeah.

1 : When he shot him, he shot
2 him on his knees?
3 : Right.
4 : And then he came by and they
5 said he was lying down and the officer came and shot
6 him in the head.
7 That was false.
8 : None of those things
9 happened?
10 None of those things
11 happened, none of those things.
12 : I also want to ask you, you
13 said early on when we were talking you saw Michael
14 Brown earlier in the day?
15 Uh-huh.
16 : Can you describe your
17 interaction of what you saw?
18 : Me and the lady was sitting
19 outside, sitting on the step. She was sitting in
20 her chair on the lower level and he come up, instead
21 of going through the driveway, they cut across the
22 grass right there.
23 : When you say that was he with
24 his friend that he was there during the incident?
25 : No, he was with some girl. I

1 never seen her before either. And he came through
2 and he say, how you doing, sir, how you doing,
3 ma'am. I said, how you doing. I said, you all
4 doing okay? Yeah. He said all right, looks like it
5 is going to be a good day. All right. And he
6 walked up.

7 : About what time was that.

8 About, it was early. It was
9 early. I don't know, probably around 8:00,
10 somewhere after 8:00.

11 Did you see him at all that
12 morning.

13 : Next time I saw Michael he
14 was laying on the ground, or the street.

15 : Have you seen that girl he was
16 walking with, have you seen her since.

17 : I think I have. I can't say
18 100 percent sure. I wasn't paying too much
19 attention to her. He was talking to me. You
20 talking to me, I'm looking at your face.

21 : Do you know her name?

22 No, no, I don't know.

23 Let me ask you.

24 : I don't want to know anybody
25 else.

1 there in front of you and roll that stuff up.

2 I had to run two of them off my porch who
3 and came and sit on my porch while and
4 grandkids are inside, I'd been to the doctor's
5 office. (inaudible) They are sitting on my porch,
6 on my chairs rolling up their blunts. That's how it
7 is.

8 And if they strong enough to do that and
9 they feel you are going up against them, huh-uh,
10 never, I've got I have to protect.

11 : What would happen to somebody
12 like that?

13 Oh, shoot, they'll jump you,
14 they'll jump you.

15 : Do you think that's the general
16 feeling there if someone say something to either us
17 or the local police, goes against what they want,
18 that they will go against them.

19 I think now as it is getting
20 longer in time, the majority of them in our
21 neighborhood, my community, want the truth. It is
22 that outside forces that are coming in. When they
23 burnt that thing down yesterday, 80 percent of the
24 people were from the city, not from there. Cars
25 were coming in, the parking lots were full. That

1 lets us know immediately this is not Canfield, this
2 is not Ferguson.

3 : You mention the burning down
4 issue, the memorial?

5 Yes.

6 : Did you see that?

7 Oh, yes.

8 : What did you see?

9 : I was standing outside in the
10 morning, I come out every morning, step out, try to
11 smoke a cigarette outside. I stepped outside, there
12 was a gray car and a red car, I mean, a white and
13 black car, sorry, sitting there. A gray, dark gray,
14 charcoal gray car pulled up there, now there's three
15 of them.

16 The first two, they were taking pictures.
17 In fact, a girl was in the white car, she got out
18 and stood on the driver's side, took a couple
19 pictures, got in. And I saw those two drive off.

20 The charcoal gray car pulled up beside it.
21 I said, oh, I forgot my cigarette butt, I left it on
22 the kitchen counter. So I walked in, I got it, I
23 came back out, I left and I walked to the other side
24 of the porch, just look around, I like to look
25 around, see the cars and see who is out and

1 everything else. By the time I reach my door step,
2 my front door, he gunned it or she gunned it or they
3 gunned it and the car peeled off.

4 Next thing I know, whoosh.

5 : It shot up?

6 It just blew up and there
7 wasn't no slow flame, it just whoosh.

8 : You talking about the memorial?

9 Yes.

10 : Did you see anybody go other
11 and do anything?

12 : I didn't see anybody. They
13 could have done anything from the car window. They
14 could have threw something out of the window. But
15 that was definitely to me an accelerant because the
16 way the fire went up, it just went whoosh. It
17 wasn't a slow burn. I mean, they talking about a
18 candle, candle, most of that stuff was wet.

19 : Okay.

20 : Most of it was wet.

21 All right. We are going to
22 leave this running.

23 I'll talk to myself.

24 Okay.

25 : We'll be back in just a

1 minute, thank you.

2

.

5 : All right. , I
6 don't think we have much. We don't want to take up
7 a lot of more of your time. We just have a few more
8 questions for you, okay.

9 My understanding is before we took the
10 break, you talk about one concern you had,
11 obviously, after this shooting occurred, people
12 coming out and saying things that were not true
13 based on what you saw, correct?

14 Yes.

15 : One of those things these
16 young men coming out saying that Michael Brown had
17 his hands all the way up in the air like
18 surrendering at the time that the shooting was going
19 on; is that correct?

20 : Right.

21 : You didn't see that?

22 : I did not see that.

23 : Okay. I just want to
24 clarify that. If I could, I referred you to some of
25 your statement on August 12th and I just want to

1 make sure that I understand your statement then and
2 now, okay. And if you like, I have another copy
3 here, you can refer to if you want to or I can read
4 you these portions, is that fine?

5 : That's fine.

6 : Okay. At the bottom of page
7 seven it said, you are referring to Michael Brown,
8 you said that he had like one foot on the grass and
9 one foot on the driveway, which you told us today.
10 And then he turned around and he was like this. So
11 that is why people thought he raised his hands, and
12 I think you are talking there about people claiming
13 that he had his hands raised. You said he did
14 something like this, is that what you are referring
15 to him looking at his body?

16 Looking at his body. And I
17 stated there they embellish, they embellish.

18 : Okay.

19 He had them up, to make it
20 clearer that he was giving up, they went from one,
21 which is what I saw to something that they probably,
22 they assumed he did and stuck them straight up in
23 the air.

24 : Right, okay.

25 Okay.

: And so when you were
2 demonstrating that he turned around and he had his
3 hands like this, that is why people thought he
4 raised his hands, you're talking about when he was
5 looking at himself to try to determine whether he
6 was injured?

7 Right.

8 Okay. And you said you went
9 on page eight, you said he looked down and then he
10 did this, and he looked at the officer and he walked
11 and he took about three to five steps. He hit him
12 again, pow, pow, pow. So you were demonstrating
13 there again and then as you went on, Detective
14 made an effort to kind of narrate the way you
15 were demonstrating on the tape, do you recall that?
16 Back on August 12th, when you were demonstrating for
17 him he was kind of narrating back to you so it would
18 show up on the tape, do you recall that?

19 I believe so.

20 : Okay. On page 17 of your
21 statement you said as he faces the officer, strike
22 that.

23 Detective asked you as he faces the
24 officer. You say, uh-huh. You say that his hands
25 go up to a point. Where? And you say about to his

1 shoulders almost.

2 And then you go on to page 18, and you say
3 like this. And Detective says, kind of
4 raised? And you say he had his hands up like this.

5 And, of course, you can't see that on the
6 tape so the detective narrates and he says, your
7 arms are like palms up, and hands and fingers are
8 roughly shoulder height, is that fair enough to say?

9 You say, yeah, about close to his
10 shoulder, yes, uh-huh.

11 Not in the position that you
12 got.

13 : Okay.

14 : When I said it, I said like
15 this, not like this. They were close to the
16 shoulder, yeah, about shoulder height.

17 : About shoulder height?
18 About shoulder height.

19 : With palms up?
20 His hands were out, his arms
21 out away from the body, not like this. His were out
22 like this. Away, they are away from his body.

23 : Okay.

24 : Not like this, not like this,
25 not like this, they are away from his body. This is

1 my shoulder, this is exactly how I showed him.

2 Okay. With the palms up?

3 : Palms are up.

4 : All right.

5 : Nothing, I got nothing, I'm

6 giving up.

7 : Okay. You say that they are

8 about close to his shoulder and Detective

9 says they are at about somewhat of an angle. And

10 you say, what would you say, a 35 or 45 degree angle

11 from the body.

12 And you go on to say on page 18, he's

13 standing there and he's looking, he's looking down

14 at his body. And he looks up at the officer and you

15 say, he looks up at the officer and by this time he

16 was standing facing him after he turned around in

17 this position.

18 On page 19 you say, Detective asked

19 you, Michael Brown is standing facing the officer at

20 this point with his hands at his rib cage. So now

21 his arms are further down, his hands are at his rib

22 cage?

23 After the shots.

24 : Okay.

25 : Someone left out it was after

1 the shots.

2 : I just want to make sure.

3 The first volley of shots?

4 After the first volley of

5 shots, his arms came down because he was staggering.

6 Like he was coming, as he got hit like, oh, shoot,

7 he was staggering around, all right.

8 They had to come down a little bit, they

9 were coming down. Like I said, when they weren't at

10 his body, I didn't say they were next to his body.

11 He asked me a question, I demonstrated and he said

12 something that his narration is not what I showed,

13 okay.

14 : The narration is not?

15 : Whatever he wrote, I don't

16 know, he just stated, yes, but his depiction of what

17 I said of what I showed him is incorrect.

18 : Let me just finish running

19 through it, okay, and we can talk about it.

20 Okay.

21 : Bottom of page 19, Detective

22 says, Michael Brown is standing, facing the

23 officer at this point with his hands at his rib

24 cage. And you say, yeah.

25 And Detective says, hands, palms

1 up, and so they're at his rib cage, palms up.

2 And then you say well, they weren't up
3 against his rib cage, it was out because he was
4 looking down, slightly away from his body.

5 : Uh-huh.

6 : And Detective says
7 that he was looking down at his body at some point.
8 And you say, right, right, uh-huh.

9 And then you go on to say on page 20.
10 Detective says, is anybody saying anything at
11 this point?

12 And you say the officer as he raised his
13 head, he told him to stop. As Michael Brown raised
14 his head, the officer told hold to stop; is that
15 right?

16 Right.

17 : And he says, as Michael
18 Brown raises his head? And you said, as he raises
19 his head, he says stop right there. He asked you,
20 the officer says this? And your response was, yeah,
21 he did say stop. And when he left from that fixed
22 spot, then he was walking toward him.

23 And he asked you, towards the officer?
24 And you say, towards the officer. When he, as soon
25 as he put his foot on the street, he hit him three

1 times.

2 And he asked you like, how many steps do
3 you think he took before the officer fired? He
4 said, big boy, he didn't take that many steps, I
5 really couldn't count, yeah.

6 And so that's the first volley that he has
7 his hands down near his ribs at the time of the
8 first volley?

9 : Right.

10 : Okay. I just wanted to make
11 sure of that. That's why I wanted to ask you about
12 this, sir. You know, there were three or four times
13 where Detective , or you went back to when
14 Michael Brown turned around and where his hands
15 were. And on August 12th, I mean, there wasn't even
16 any mention with him having his hands up with his
17 palms facing the officer or all the way up.

18 : I didn't say, when he turned,
19 his hands was up, he was looking down to see where
20 he was hit.

21 : Uh-huh.

22 : His back was turned like
23 this. As he was turning around, still looking, when
24 he faced the officer, there they were.

25 Above his shoulders now?

1 No, they are right by his
2 shoulders, right by his shoulders.
3 : On the 12th you only
4 describe him as having his palms up toward the sky,
5 right?
6 No, I did not say that they
7 were pointing up. I said, his hands were up like
8 this. I didn't state palms towards the sky.
9 : All right.
10 If you go say that, no, no,
11 no, no, I never said pointed up.
12 : This isn't something he
13 wrote.
14 I didn't say pointed up
15 toward the sky.
16 : Detective asked you,
17 your arms are like palms up and hands --
18 : Palms up?
19 : -- with hands or fingers are
20 shoulder height?
21 Isn't this up?
22 : Palms up, right?
23 Is this up? I've got them
24 down like this now, this is my depiction of up, not
25 like this, this is my depiction.

1 : All right. One thing that
2 concerned me though is that people are coming
3 forward and saying that he had his hands up.
4 : Above his head.
5 : Above his head.
6 : Like this, all the way up.
7 : All right.
8 He didn't.
9 : But consistently as it is
10 described on August 12th, you have your palms up,
11 right? And not facing towards the officer, but
12 palms up, correct?
13 Right. When he turned to
14 face the officer, his hands were in this position.
15 : Okay. With his palms facing
16 out, sir, or were the palms facing up?
17 This is what I consider up.
18 So you consider this up?
19 : We need to be able to
20 describe this for the tape, that's --
21 This is facing forward, to
22 clarify?
23 Well, he was facing up then
24 facing forward.
25 Okay.

1 : Not like this. They were
2 facing him, hands u like this is my hands palms
3 facing the officer they weren't like this pointed
4 towards the sky. They were pointed toward him.
5 : That's what I wanted to ask
6 you is because on August 12th, I mean, you never
7 said anything at any time about his palms actually
8 facing the officer.
9 I said his hands were up. I
10 never said his palms were facing the sky. I said
11 his hands were up, about shoulder length, arms out
12 away from the body, that's what I said. I'm going
13 to stick with that because that's what I saw.
14 : Before the first volley
15 though, his hands were coming down towards his rib
16 cage?
17 Yeah, he was looking for
18 them, he's still looking like. He's searching to
19 see where he was shot. His arms were like this.
20 : All right. Now you have
21 your palms sort of facing --
22 Right, like this. He is
23 searching his body and looking at his arms and
24 everything to see where he was shot.
25 : All right.

1 : When he turned around and
2 faced the officer, I'm going to say it again, this
3 is what I saw. His hands was up shoulder length,
4 palms facing the officer, not up toward the sky.
5 That is my definition of palm, hands up, okay.

6 Now, when the people down the street
7 demonstrate they say hands up, they are like this.
8 Not like that, but like this.

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9           : Hands straight up in the
10  air?
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11 Right.

12 : And that didn't happen?

13 : No.

14 And just to clarify there,
15 you were then demonstrating that after he turned
16 around, his hands come back down towards his rib
17 cage and you were demonstrating, I want to make sure
18 this is clear for the tape. If you don't agree with
19 what I say, correct me, and I know that you will.

20 Uh-huh.

21 : When his hands come back
22 down, you're demonstrating that his palms are then
23 sort of facing towards himself as he is looking at
24 his body seeing if he is injured?

25 : Right, still looking, he's

1 looking again.

2 That was immediately before
3 that first volley of shots?

4 Right.

5 : And that was at the time
6 that the Officer Wilson was staying stop.

7 He had already stopped. He
8 was looking, he was turning around, still looking.
9 The officer said stop, he was turning. Okay. He's
10 doing this, my back is to the officer. He is
11 looking at his body like this. And just as he
12 started turning, the officer said stop and he was
13 still looking.

14 And then he looked up, and when he was
15 caught looking at the officer, his arm proceeded to
16 go out like this. Palms away from, facing the
17 officer, arms away from the body, palms facing in I
18 give up stance, I give up.

19 The officer again says stop. He wasn't
20 moving, he took a step up. He stepped out on the
21 street, his hands were still in the exact same
22 position, palms facing up, arms away from the body
23 and he shot him.

24 : Now, you just said though
25 that before he shot, before that volley, his hands

1 had come back down towards the rib cage.

2 He came down, right. He
3 still turned around before the shots, he looked up
4 and as he faced the officer, his hands went up. He
5 was still doing this as he was turning, looking at
6 himself. He was checking his body out to see what
7 was going on it.

8 As he turned, I'm looking, I'm turning,
9 I'm looking, his hands like this.

10 : You have your hands and your
11 arms --

12 Right, like this. It was
13 away from the body, palms are facing like this.

14 : Palms are facing towards his
15 own body?

16 Okay. I'm looking up, I see
17 you, you're the officer. His arms went up. That's
18 when I demonstrated to him as I was standing there,
19 okay.

20 Now, he asked me a question, yes. Hands
21 were up, that's it. This is what I say hands were
22 up. Not this. Every depiction of everything that
23 these people are doing out in the street so far,
24 photographs and T-shirts, hands up. Not palms up,
25 hands up.

1 : The hands straight up.
2 Right.
3 : That's what they are saying.
4 My definition what I saw his
5 hands were up like this, same way.
6 : Shoulder height?
7 But only they were here.
8 All right. But if I
9 understand correctly, what you said today and what
10 you said on August 12th is, he then takes a step or
11 two forward off that curb.
12 Uh-huh.
13 : The officer was saying stop
14 again.
15 : Uh-huh.
16 : And at the time of that
17 first volley, his hands had come back down towards
18 his rib cage where again he is looking to see if he
19 had been shot.
20 I have to say he already had
21 them down. As he turned, he started to face the
22 officer, his hands were up. They didn't come back
23 down again until after the volley was fired.
24 : The first volley?
25 : The first volley.

1 : I know we went over that at
2 length. So now, so tell me (inaudible) if so he's
3 running away, he stops.
4 : Uh-huh.
5 : I'm looking around, seeing
6 what's going on. He turns over this shoulder?
7 No, turn your back, you are
8 looking at yourself.
9 : I'm looking at myself, okay.
10 : All right. Now slowly turn
11 to me during the same thing.
12 : Over this shoulder?
13 : Whatever. And then as you
14 turn and you turn around and face me, then your
15 hands go like this.
16 I go like this. A round of
17 shots go off, his hands are still here.
18 His hands are here and then
19 he steps forward, stop.
20 As he's turning around, you
21 said going like this, does he take a step forward?
22 : As he did that, he took a
23 step forward, he said stop, but his hands was up by
24 the time he said stop.
25 Stop.

1 : He took a step, he was out in
2 the street. When his foot hit the street, bam, bam,
3 bam.
4 : So that's the first. So then
5 where do his hands go?
6 He is like this, he is like
7 this, they moving down.
8 He started doing this?
9 He didn't really tell, but he
10 got hit.
11 You show it was kind of like
12 a round.
13 It was like, oh, and then he
14 stopped. And then he was staggering to stay on his
15 feet, I'm staggering to stay on my feet, you're the
16 officer.
17 Yes.
18 I'm staggering to stay on my
19 feet and then I raise up like this, my hands are
20 still in this position.
21 Okay.
22 All right. I'm staggering,
23 I'm like this, I'm falling forward, I'm just
24 staggering towards you, I'm coming towards you.
25 : Okay.

1 : He takes three steps back as
2 he started staggering. He's still in the position.
3 When he started staggering forward, he let loose
4 again.
5 But he is staggering forward.
6 That's how he was. He was
7 barely up. He was trying to keep focus on the
8 officer.
9 : When you say he fell, he
10 didn't hit his knees, he fell face first.
11 : No, face first.
12 : The whole time he never moved
13 his hands down like this?
14 They were coming down as he
15 was falling.
16 : His hands could have been at
17 his side when he fell?
18 It could have been.
19 Okay.
20 : Let me ask you one more
21 time, they weren't --
22 : They weren't up under his
23 body.
24 : You say on August 12th, you
25 said Michael Brown standing facing the officer at

1 this point with his hands at his rib cage or

2 Detective says that and you say, yeah. And
3 he says, hands, palm up and you say uh-huh.

4 And he was looking, he says he was looking
5 down at his body at some point and you say, right,
6 right.

7 You said the officer as he raised his head
8 he told him to stop. He asked you, as Michael Brown
9 raised his head. You say as he raises his head, he
10 says stop right there. You say the officer said
11 this. And you say, yeah, he did say stop and he
12 left from that big spot that he was walking towards
13 him.

14 And he asked you, towards the officer?
15 And you say, toward the officer when he, as soon as
16 he put his foot on the street, he hit him three
17 times.

18 How many steps do you think he took before
19 the officer fired? You told him you didn't count
20 it.

21 So what you indicated there was at the
22 time he takes the steps toward the officer, and the
23 officer says stop right there, and then fires that
24 first volley, you say that just before that, Michael
25 Brown is standing, facing the officer at this point

1 with his hands at his rib cage, hands, palms up. So
2 this is while he is looking?
3 : They are about like this.
4 Yeah, but they're not, they are like this, they are
5 up.
6 That's fine. On August 12th
7 you said that at the time --
8 : Right.
9 : -- the first volley
10 happened, he was facing the officer with his hands
11 at his rib cage hands, palms up. Is that accurate?
12 Is that accurate what you said?
13 Yes, uh-huh.
14 : And then that's the first
15 volley of shots?
16 : First volley.
17 : Okay, I think I understand.
18 Hands up, no matter how you
19 say it, hands up.
20 : At his rib cage.
21 Right, about right in here.
22 He's a big boy.
23 : Right.
24 : All right. He had definitely
25 given up.

1 : The hands are at his rib
2 cage at the time of the first volley of shots?
3 Right.
4 : And with his hands, with his
5 hands --
6 Away from his rib cage, away.
7 Not at his rib cage, away, his arms are still
8 extended.
9 : Okay. So you have your hands
10 kind of out by your sides now.
11 Is this my rib cage?
12 I'm just trying to understand
13 for the tape. Your hands are now, they are lower
14 now, hands down by the side.
15 All right. (inaudible) The
16 ribs.
17 : Is it fair to say that at
18 the time of that first volley, Michael Brown is
19 standing, facing the officer, with his hands at his
20 rib cage, hands, palms up. Is that yes?
21 : I don't like the phrase palms
22 up because when you say palms up, I'm saying his
23 hands are like this.
24 : all I'm doing is
25 asking about your statement on August 12th.

1 Okay. I didn't say palms up.

2 Hands up. I never said palms up.

3 : Okay. Well, repeatedly on
4 August 12th it was palms up.

5 No, I said hands up, I never
6 said palms up.

7 : All right, that's fine.

8 I said hands.

9 : I don't think we have
10 anything else. I just wanted to clarify that and
11 make sure what we have here, but what you've
12 indicated though is what you said on August 12th was
13 accurate and that is at the time of the first volley
14 he had his hands at his rib cage; is that right?

15 Yes.

16 : Okay.

17 Okay. So the interview is
18 completed 11 (inaudible).