

**In The Matter Of:**  
*STATE OF MISSOURI v.*  
*JEFFREY R. WEINHAUS*

---

*HENRY JAMES FOLSOM*  
*June 6, 2013*  
*Franklin County, MO No. 12AB-CR02409-01*

---

*Court Reporting Associates*  
*PO Box 440014*  
*Brentwood, Missouri 63144*  
*Phone (314) 275-4160*

Original File Eastwood--6-6-13(Folsom).txt  
Min-U-Script® with Word Index

Page 1

1 IN THE CIRCUIT COURT FOR THE COUNTY OF FRANKLIN  
2 20TH JUDICIAL CIRCUIT  
3 STATE OF MISSOURI

3 STATE OF MISSOURI, )  
4 Plaintiff, ) Cause No. 12AB-CR02409-01  
5 vs. )  
6 JEFFREY R. WEINHAUS, )  
7 Defendant. )

8  
9  
10  
11  
12  
13 DEPOSITION OF HENRY JAMES FOLSOM,  
14 Taken on Behalf of the Defendant  
15 June 6, 2013

16  
17  
18  
19  
20  
21 COURT REPORTING ASSOCIATES  
22 P.O. BOX 440014  
23 ST. LOUIS, MISSOURI 63144  
24 314-961-6306  
25 314-265-4602

25 Reported by: Jane M. Rich, RPR, CSR, CCR

Page 3

1 IN THE CIRCUIT COURT FOR THE COUNTY OF FRANKLIN  
2 20TH JUDICIAL CIRCUIT  
3 STATE OF MISSOURI

3 STATE OF MISSOURI, )  
4 Plaintiff, ) Cause No. 12AB-CR02409-01  
5 vs. )  
6 JEFFREY R. WEINHAUS, )  
7 Defendant. )

8  
9 DEPOSITION OF HENRY JAMES FOLSOM, taken on behalf of  
10 the Defendant, on the 6th day of June, 2013, between the  
11 hours of eight o'clock in the forenoon and six o'clock in  
12 the afternoon of that day, in the offices of the Franklin  
13 County Prosecuting Attorney's office, 15 S. Church Street,  
14 Union, Missouri, before Jane M. Rich, a Missouri Certified  
15 Court Reporter, license number 411.

16 A P P E A R A N C E S

17 The Plaintiff was represented by Mr. Robert H.  
18 Parks, II, Franklin County Prosecuting Attorney, 15 S.  
19 Church, Room 204, Union, Missouri 63084.

20 The Defendant was represented by Mr. Hugh  
21 Eastwood, Attorney at law, 7777 Bonhomme, Suite 1603,  
22 Clayton, Missouri 63105.

23  
24  
25

Page 2

1 I N D E X

2 DEPOSITION EXHIBITS:

3

4 Plaintiff's Exhibits 1 and 2	24
5 Plaintiff's Exhibit 3	87
6 Plaintiff's Exhibit 4	88
7	
8 EXAMINATIONS:	
9 Direct Examination by Mr. Eastwood	4
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	

Page 4

1 -oOo-

2 HENRY JAMES FOLSOM,  
3 of lawful age, having been first duly sworn to testify the  
4 truth, the whole truth, and nothing but the truth, deposes  
5 and says on behalf of the Defendant as follows:

6 DIRECT EXAMINATION

7 QUESTIONS BY MR. EASTWOOD:

8 Q Good morning. We're here on the case of the  
9 State of Missouri versus Jeffrey Weinhaus.

10 My name is Hugh Eastwood, and I'm an attorney  
11 for the defendant. We're taking the deposition of  
12 Sergeant Folsom.

13 Sir, have you been deposed before?

14 A Yes, sir.

15 Q So you're familiar with kind of the ground  
16 rules?

17 A Yes, sir.

18 Q And it's easier to say yes and no so Jane can  
19 get it down, rather than shaking your head, or nodding,  
20 or whatnot.

21 A Yes, sir.

22 [Whereupon, the court reporter's tripod  
23 collapsed and machine hit the floor].

24 Q So just for the record, we've just been going  
25 over the ground rules, we're back on the record now

Page 5

1 after our little excitement there.  
2 And could you state your full name, please, for  
3 the court reporter?  
4 **A Henry James Folsom.**  
5 Q And where are, or what troop are you stationed  
6 with, sir?  
7 **A Troop I.**  
8 Q Where is that?  
9 **A It's primarily based out of Rolla.**  
10 Q How old of a man are you, sir?  
11 **A I'm 42 years old.**  
12 Q Okay. And what's your DSN?  
13 **A My badge number is 557.**  
14 Q And what's the highest level of education  
15 you've achieved?  
16 **A I have a college, a Bachelor's degree in**  
17 **criminal justice.**  
18 Q Where is that from?  
19 **A Adam Smith University. It's a military**  
20 **extension university when I was in.**  
21 Q Have you served in the military?  
22 **A Yes, sir.**  
23 Q What did you serve in?  
24 **A I served in the United States Army for seven**  
25 **years.**

Page 6

1 Q Okay. And how long have you been employed by  
2 the Missouri State Highway Patrol?  
3 **A Since January 1st, 1997, so 16-plus years.**  
4 Q Okay. And what is your current rank or  
5 position?  
6 **A I am a sergeant.**  
7 Q Okay. How long have you had that rank?  
8 **A I'd say the last eight or nine years.**  
9 Q Okay. And I have to ask you some of these  
10 questions: Have you ever been formally disciplined or  
11 reprimanded?  
12 **A No.**  
13 Q Okay. By any -- By this employer, or by any  
14 other employer?  
15 **A No.**  
16 Q Okay. Have you ever been convicted of a  
17 crime?  
18 **A No, sir.**  
19 Q And have you ever been a party to civil  
20 litigation?  
21 **A Yes, sir.**  
22 Q And can you tell me about that briefly? You  
23 don't have to go into the details.  
24 **A In 19, or excuse me, in 2001 I was involved in**  
25 **a shooting incident in Maries County, and that resulted**

Page 7

1 in a lawsuit where myself and the other officers present  
2 were sued.  
3 Q Okay. And what was the outcome of that  
4 lawsuit?  
5 **A It was basically dropped.**  
6 Q Okay. And are you -- Do you feel that you are  
7 competent and of sound mind and body to testify here  
8 today?  
9 **A Yes, sir.**  
10 Q Okay. What did you review to prepare for  
11 today?  
12 **A I reviewed my reports that I'd written, as**  
13 **well as the videos and some of the audio recordings.**  
14 Q When you say the video, do you mean the wrist  
15 watch video?  
16 **A Yes. I reviewed the wrist watch video, my**  
17 **reports that I wrote, as well as my audio recorded**  
18 **interview.**  
19 Q Okay. Did you also review the audio that,  
20 that either Jeff Weinhaus, or his ex-wife Val recorded?  
21 **A I have seen it, yes.**  
22 Q Okay. And who did you talk to in order to  
23 prepare for today?  
24 **A I talked to Bob a couple weeks ago.**  
25 Q Okay. And then could you briefly describe

Page 8

1 your training in the use of force at the Missouri State  
2 Highway Patrol?  
3 **A As far as the use of force, you're talking**  
4 **about like a force continuum, or --**  
5 Q Yes, sir. Yes, sir.  
6 **A Of course the use of deadly force, I mean, I**  
7 **received hundreds of hours of training over the years in**  
8 **my military service, as well as with the Highway Patrol.**  
9 **So, you know, each year we qualify with our firearms and**  
10 **we go over the steps involved in deadly force, unarmed**  
11 **self-defense, ASP baton, other things that can be used.**  
12 Q Can you tell me about your training in terms  
13 of dealing with a suspect who is armed?  
14 **A I have extensive training in that. I mean, I**  
15 **served in the Army on the SWAT teams and some other**  
16 **things, and I've dealt with numerous armed people over**  
17 **my career.**  
18 **On the highway patrol, I graduated from the**  
19 **armed confrontation class, which is a -- I'm also a**  
20 **firearms instructor. I'm one of the only firearms**  
21 **instructors for the patrol that's in my area that's**  
22 **certified to teach the rifle, shotgun and the pistol.**  
23 **So as far as encountering people with weapons,**  
24 **I've had that type of training, as well as, you know,**  
25 **other training involving domestic disturbances, or**

Page 9

1 encountering people with CCW, legally carrying the weapon.  
 2 Q Okay. And how often do you encounter, in your  
 3 experience, people who are armed, in the course of your  
 4 duties?  
 5 A It depends a lot on the situation.  
 6 Q Okay.  
 7 A You know, if I'm called out to a violent  
 8 crime, of course I'm going to encounter someone that  
 9 had -- well, typically, my day-to-day activities, it's  
 10 pretty rare.  
 11 Q Does your training teach you to escalate, or  
 12 de-escalate a situation where someone is armed?  
 13 A It just trains me to assess the situation and  
 14 react.  
 15 Q Okay. When you are confronted by someone who  
 16 is armed, is it your, is it your training to try to  
 17 de-escalate the situation?  
 18 A If you can. I mean, I guess it depends on  
 19 what you mean by confronted by someone that's armed.  
 20 There's a difference between carrying a weapon and  
 21 someone has a weapon in their hand, or -- A lot of it  
 22 depends on actual circumstance.  
 23 Q Okay. And I guess we're here today in some  
 24 ways originally because of a complaint made by Judge  
 25 Kelly Parker about my client, Jeff Weinhaus.

Page 10

1 Did you see the YouTube video that is the  
 2 subject of Judge Parker's complaint?  
 3 A Yes, sir, I did.  
 4 Q Okay. And when did you first see that?  
 5 A I first saw it, it was on a Saturday, I have  
 6 the actual date written in the file, but I first saw it  
 7 on the day that Judge Parker called me and asked me to  
 8 look at it. It was on a Saturday.  
 9 Q And were you the law enforcement officer to  
 10 whom Judge Parker formally made the complaint?  
 11 A Yes.  
 12 Q Okay. And did you talk to other people named  
 13 in the video? For example, did you talk to Lieutenant  
 14 Satterfield?  
 15 A Yes, sir, I did.  
 16 Q And do you know why other people in the video  
 17 did not make a complaint?  
 18 A I do not know why.  
 19 Q Okay. And what did you do after receiving  
 20 this complaint?  
 21 A After I received the complaint, I reviewed the  
 22 video.  
 23 Q Uh-huh.  
 24 A And then I had a meeting with some people that  
 25 I work with, the prosecutor and some other people and we

Page 11

1 reviewed the video.  
 2 We believed the video was at first made in  
 3 Crawford County, and so we had FBI and some other people  
 4 look at the video with us. We had pulled recordings of  
 5 the video.  
 6 During that time period -- or the first video I  
 7 saw had no subtitles and the second video I saw had  
 8 subtitles, so we kind of reviewed those and looked at  
 9 everything and went from there.  
 10 I talked to Shawn Satterfield after I talked to  
 11 Judge Parker, and I talked to Sheriff Randy Martin from  
 12 Crawford County.  
 13 Q Who was the prosecutor you met with?  
 14 A Camm Seay from Crawford County.  
 15 Q And how did you figure out the video was not  
 16 made in Crawford County?  
 17 A I eventually, 100 percent figured out it  
 18 wasn't made in Crawford County was when I served a  
 19 search warrant and saw the place where I believed the  
 20 video had been made there in the basement in Park Hills,  
 21 at the office, or the headquarters set up with  
 22 everything, and the backdrop that was visible.  
 23 Q But the first time you went to that house, did  
 24 you have a search warrant?  
 25 A No, sir.

Page 12

1 Q Okay. And so tell me about how you first came  
 2 to that house?  
 3 A First was sent to contact Jeff to find out  
 4 whether or not he was a danger to himself or others, and  
 5 was trying to contact him in person. I had gone to a  
 6 couple places in Crawford County, and I could not find  
 7 them.  
 8 I had been given a picture of a green Subaru  
 9 vehicle that he allegedly drove. In that picture was the  
 10 license plate.  
 11 Sheriff Randy Martin gave me that picture. I  
 12 ran that license plate and determined it was registered to  
 13 a woman who lived in Franklin County, Judy, and so I just  
 14 thought he might be at that address, so I decided to drive  
 15 over here to Franklin County, and that was how I  
 16 eventually contacted him at that address.  
 17 Q And is Crawford County normally part of the  
 18 Troop I area?  
 19 A Yeah. Crawford County is, Franklin County is  
 20 not.  
 21 Q Okay. And what happened when you went to --  
 22 When you say Judy, do you mean mean Judy Kroft?  
 23 A Yes. Kroft-Weinhaus, or I don't know if it's  
 24 just Kroft, but it's Judy.  
 25 Q And what happened when you got to Judy's house

Page 13

1 the first time?  
 2 A When I arrived at the house I knocked on the  
 3 door and the person I later determined to be  
 4 Mr. Weinhaus opened the door and stepped out and talked  
 5 to me.  
 6 Q And what did you talk about?  
 7 A I introduced myself and my parter, Scott  
 8 Mertens, who was with me, and I basically explained that  
 9 I came there to talk to him about the YouTube video.  
 10 Q And what did he say to you about the video?  
 11 A He acknowledged that he had made the video,  
 12 and we had quite the conversation. We ended up talking  
 13 about it for about 30, 35 minutes, about his views, and  
 14 the things that he put in the video and why.  
 15 Q Did you tell him that Judge Parker had made a  
 16 complaint?  
 17 A I told him that there were people who were --  
 18 I don't think I mentioned the judge by name, but I told  
 19 him there were people who were concerned.  
 20 Q Did you tell him that he was under arrest?  
 21 A No, sir.  
 22 Q Okay. And what happened next?  
 23 A I basically talked to him and determined that  
 24 he, according to his own words, was not a threat to  
 25 anyone, didn't plan on using any violence, or resorting

Page 14

1 to violence, or doing anything of that nature.  
 2 And I was getting ready to leave when, in the  
 3 very initial stages when I met him, I had smelled  
 4 marijuana on his breath and coming from the residence, so  
 5 at that point I talked to him about the odor of marijuana  
 6 that I smelled.  
 7 Q So you smelled it both on him and from inside  
 8 the house?  
 9 A Yes.  
 10 Q Where were you talking at the time?  
 11 A When I first noticed it, it was when he opened  
 12 the front door, I was standing right on the porch, it's  
 13 a real narrow porch with the staircase leading down.  
 14 And when he stepped out of the house we were almost  
 15 face-to-face, like less than a foot apart when I first  
 16 noticed the odor of marijuana.  
 17 Q And so what did you do next?  
 18 A I had talked to him and asked if we could step  
 19 down from the porch because it was so close quarters,  
 20 and he agreed, and he led us over to an area next to his  
 21 house under the carport where we continued our  
 22 conversation about the video.  
 23 Q Okay. And do you know who else lives in that  
 24 house?  
 25 A His wife, Judy, I believe resides in the home.

Page 15

1 Q Okay. Anyone else, to your knowledge?  
 2 A There may have been one of his children or her  
 3 children that possibly stayed there from time-to-time,  
 4 but they weren't there while we were there.  
 5 Q Okay.  
 6 A But I did have some information that they  
 7 possibly stayed there sometimes.  
 8 Q And so the end of your conversation then did  
 9 you and Jeff just go your separate ways and that was it?  
 10 A At the end of the conversation is when I  
 11 informed him that I had smelled the marijuana. And at  
 12 that point he wanted to access his residence, I told him  
 13 he couldn't access his residence. He was free to leave,  
 14 but he could not access the residence.  
 15 Q And why was that?  
 16 A Because I had intentions to apply for a search  
 17 warrant for the residence and I didn't want him to enter  
 18 back into the residence until I had applied for the  
 19 search warrant.  
 20 Q And what was the purpose of the search  
 21 warrant? What were you searching for?  
 22 A Was going to search primarily for the  
 23 marijuana that I smelled when he opened the door.  
 24 Q Okay. Anything else?  
 25 A Also, any evidence of the computer and the

Page 16

1 videos being made there.  
 2 Q Okay. And so you applied for the warrant.  
 3 Did you get it?  
 4 A Yes, sir, I did.  
 5 Q Okay. And then tell me about your search of  
 6 the house when you came back.  
 7 A When I came back, again, I explained to  
 8 Mr. Weinhaus that I obtained the search warrant, gave  
 9 him a copy of the search warrant, I explained to him  
 10 again that he was free to leave, did not have to stay.  
 11 Q Uh-huh.  
 12 A And he advised me that he wanted to remain  
 13 there, and so we, Scott Mertens and myself began to  
 14 search the residence.  
 15 We had several other officers that were there,  
 16 however, they stayed outside and maintained security with  
 17 Mr. Weinhaus, and Scott Mertens and I began to photograph  
 18 and search the residence.  
 19 Q Where did you look inside the residence?  
 20 A We started down in the basement of the  
 21 residence, and we, upon entering the basement is when we  
 22 noticed the back-drop where the video had been made, and  
 23 all the flags, and the different signs and things, so we  
 24 started over in the right corner of the basement near  
 25 where the video back-drop was.

Page 17

1 Q Okay. Did you search the whole house?  
2 A Yes, sir, we did search the whole house.  
3 Q Okay. Did you search for only things that  
4 were in plain view, or did you also open drawers and --  
5 A No. I opened drawers, yes, sir.  
6 Q And I want to hand this to you. This is, this  
7 is the -- Just for the record, Mr. Parks and I had a  
8 conversation just before we started the deposition about  
9 the getting color photographs for the record.  
10 I'm handing the witness black and white  
11 photographs. I'm also going to show them to him in color  
12 on my laptop computer. We're just dealing with a couple  
13 photographs here.  
14 Do you recognize this photo, sir?  
15 A Yes.  
16 Q And what is it?  
17 A It's a photo that I took of the dresser drawer  
18 in the main residence on the top floor of the Weinhaus  
19 residence there. It's in the bed, what I would consider  
20 the master bedroom area.  
21 Q Do you believe that to be Jeff's bedroom?  
22 A Jeff and his wife's, yes.  
23 Q Okay. And what is, what is this green object  
24 in the middle of the picture?  
25 A It appears to be a U.S. military type issued

Page 18

1 holster.  
2 Q Okay. And do you know what weapon is inside  
3 the holster?  
4 A I believe it was a Hi-Point nine millimeter,  
5 but I'm not sure. I later took it out and examined it  
6 and took photographs of it, but I believe it was a  
7 Hi-Point nine millimeter.  
8 Q Was there any kind of criminal or legal  
9 problem with the gun, to your knowledge?  
10 A No, sir.  
11 Q Okay. Was this the gun that was later at the  
12 scene of the MFA gas station incident?  
13 A I'm not 100 percent sure on that, because I  
14 never saw the gun after they seized it, but I was told  
15 that it was the same gun.  
16 Q Okay.  
17 A However, I've never seen any support, you  
18 know, other than spoken word, I've never seen whether  
19 the serial number on the gun taken from the gas station  
20 matched the serial number on this gun.  
21 Q Did you find any other guns in the residence  
22 that day?  
23 A No, sir.  
24 Q Okay. And this holster here, does it have the  
25 ability to clip on either side of the holster?

Page 19

1 A Yes, sir. It has the ability to clip, but you  
2 can also, you see these two black springs there, you  
3 press those in and remove that, and you can rotate it  
4 180 degrees and place the springs on the other side so  
5 it becomes ambidextrous. You can change the way the  
6 flap goes. It goes left or right.  
7 Q And do you know whose gun this is?  
8 A I believe that the gun in that picture matched  
9 the receipt that was in the drawer below there that was  
10 purchased by Judy.  
11 Q And did Judy, or Jeff, or anyone else make a  
12 statement to you about whose gun it was?  
13 A Not that I recall.  
14 Q Okay. And what else did you find in the  
15 course of your search?  
16 A Down near the basement, near the back-back  
17 area where the videos had been made, found some various  
18 marijuana paraphernalia, some marijuana in drawers,  
19 scales, and a little tin containing some pills that was  
20 with the marijuana.  
21 Q What type of tin was it?  
22 A It was like a camel, a small tin.  
23 Q It wasn't a drugstore prescription type --  
24 A No. No, sir.  
25 Q -- container?

Page 20

1 A No, sir.  
2 Q Okay. Did you try to determine whether or not  
3 there was a prescription for these pills?  
4 A I photographed the pills and sent them to the  
5 laboratory --  
6 Q Okay.  
7 A -- to determine what they were.  
8 Q Okay. And do you know what they were?  
9 A Morphine.  
10 Q Do you know whether Jeff made YouTube videos  
11 subsequent to your visit to the house?  
12 I'm going to back up. Strike that.  
13 Did you seize anything else in the course of  
14 your search of the house?  
15 A I seized some various marijuana that was  
16 laying around in bags. Like there was some, still leaf  
17 vegetable type marijuana that was drying in a brown  
18 paper bag. Me and my partner seized a big mason jar of  
19 what was later determined to be potpourri.  
20 Q But you thought it might --  
21 A We thought it might be a controlled substance,  
22 you know, K2, or something of that nature and we also  
23 seized some computers and video cameras.  
24 Q Okay. And why did you seize the computer and  
25 video cameras?

Page 21

1 A I wanted to see if those computers were the  
2 ones, or video cameras were the ones that were used to  
3 make the podcast that had been broadcast, as well as see  
4 if they contained any other podcasts that might concern  
5 threats to government officials, or other people.  
6 Q Okay. And do you know whether Jeff made  
7 additional YouTube videos after your search of the  
8 house?  
9 A Yes, sir, he did.  
10 Q Okay. Did he make any YouTube videos that  
11 mentioned you?  
12 A Yes, sir, he did.  
13 Q And what did he say? Just generally. I'm  
14 going to try -- I understand you're going to paraphrase,  
15 but what types of things did he say?  
16 A I saw several videos back at the time. There  
17 was videos where he, you know, was demanding his  
18 computers. There was videos covering his rate of  
19 replevin. There were videos concerning him calling my  
20 supervisor. There were videos concerning him asking I  
21 be fired for stealing his medication.  
22 There were videos where he threatened to shoot  
23 me in the head and that had he been 10 years younger, he  
24 would have shot me in the head.  
25 There was just a ration of different videos.

Page 22

1 He made videos in his car and his home after  
2 that incident, and were posting new videos every couple of  
3 days on his website, The Bulletin Man.  
4 Q Did you personally feel threatened by Jeff?  
5 A I did not feel personally threatened until he  
6 started talking about putting a bullet in my head. At  
7 that point I did feel threatened in a way by him.  
8 However, I just didn't initially believe that he was  
9 that type of person that would use violence.  
10 Q Sure. And did Jeff ever contact you  
11 individually?  
12 A Yes, sir. He sent e-mails to my patrol. I'm  
13 required to give him my business card, and so I gave him  
14 my business card and he sent e-mails to my work address,  
15 which, you know, I printed out and attached to the  
16 report, talking about filing a lawsuit against me and  
17 the writ of replevin, and some other things.  
18 Q Okay. When you say the writ of replevin, do  
19 you mean this writ application that he filed with the  
20 Missouri Supreme Court?  
21 A Yes, sir.  
22 Q That, I understand, was denied --  
23 A Yes.  
24 Q -- for being improperly filed.  
25 Jane, just as a housekeeping matter, the

Page 23

1 photographs I showed to the witness, let's mark them as  
2 Exhibit 1, it's two pages of photographs, Mr. Parks has  
3 provided color copies.  
4 This is Exhibit 2, so this appears to be an  
5 e-mail dated September 2nd from Jeff Weinhaus to your  
6 e-mail address inviting you to join Google circles.  
7 Is this an example? Do you recognize this?  
8 A Yes, I do recognize it.  
9 Q Okay. And this is an example of the type of  
10 personal communications that Jeff sent to your e-mail  
11 address?  
12 A It is one of the communications he sent to my  
13 e-mail address, yes.  
14 Q Did he attempt to contact you using other  
15 social medias, sites, such as Facebook, or YouTube, or  
16 anything else?  
17 A Not to my knowledge.  
18 Q Okay. Do you participate on those sites?  
19 A No, sir, I do not.  
20 Q Okay. And did you feel threatened by, by  
21 requests such as this to join Google circles?  
22 A No. I actually didn't know if that was done  
23 automatically by Google.  
24 Q Oh.  
25 A You know, sometimes you, on Google circles, if

Page 24

1 you're a member of Google, or have a g-mail address,  
2 they'll invite the other people who send you mail that  
3 have a g-mail address to be like part of your frequent  
4 mailing list, or things.  
5 So I didn't know if, because he had, had my  
6 e-mail address, if Google, if the computer did it on its  
7 own, wanted me to join. So I just kind of disregarded it  
8 and printed out a copy of it and kept it.  
9 I didn't know if he actually sent this, or if it  
10 was something that Google sent.  
11 Q But you did not feel threatened by requests  
12 such as this?  
13 A I did not feel threatened by this request, no.  
14 Q You felt threatened by the statement,  
15 essentially, that he wanted to put a bullet in your  
16 head?  
17 A Yeah. And that he was going to sue me, and  
18 try to get me fired, and some other things.  
19 Q Okay. But did you see a distinction between  
20 the threat to sue you, and the threat to shoot you?  
21 A Yes, I did.  
22 Q Okay. And what was that distinction?  
23 A Obviously, one's physical and one's monetary,  
24 but --  
25 [Reporter marked Defendant's Exhibits 1 and 2].

Page 25

1 Q What medium did Jeff use to make the statement  
2 that he should have shot you in the head?  
3 A It was on his Bulletin Man account and his  
4 YouTube account.  
5 Q So this was publically broadcast?  
6 A Yes. It was publically broad -- Got a lot of  
7 phone calls.  
8 Q Did he ever send communications directly to  
9 you, personally to you, that made threatening  
10 statements?  
11 A Just to my e-mail address about, you know, the  
12 lawsuit, and where did I want to be served, and things  
13 of that nature.  
14 Q Okay. And then we're also here today because  
15 of an arrest warrant that you sought to execute on  
16 September 11th; is that correct?  
17 A Yes, sir.  
18 Q Okay. And I want to learn a little more about  
19 that warrant. Who issued that warrant?  
20 A The courts here in Franklin County issued one.  
21 Q Okay. And how did you obtain that warrant?  
22 A I obtained the warrant by contacting Bob Parks  
23 and submitting the probable cause affidavit, and he  
24 prepared the paperwork and had the judge sign it.  
25 Q And why did you make a probable cause

Page 26

1 statement?  
2 A I made a probable cause statement in order to  
3 obtain an arrest warrant, because I was ordered by my  
4 supervisors to try to place Jeff into custody before the  
5 17th when he was allegedly going to occupy the  
6 Courthouse.  
7 Q Okay. And let's back up to this, to this  
8 occupy. When did Jeff make this statement that he  
9 wanted to occupy the Courthouse?  
10 A I don't remember the exact date, but it was  
11 sometime in September when he ran his initial video.  
12 The Party's Over, I believe is what it was called.  
13 Q This is the video that threatened judge  
14 Parker?  
15 A Yes.  
16 Q And what did you take the phrase or word  
17 occupy to mean?  
18 A To have a physical presence.  
19 Q Okay. And why was that threatening?  
20 A He, during the video, of course, he had talked  
21 about executing people and the right to bear arms, and I  
22 believe he said something to the effect of, march right  
23 in there and blast you mother fuckers out of here.  
24 So it seemed to be slightly threatening to me.  
25 Q Okay. Generally speaking, to occupy a public

Page 27

1 building isn't necessarily a threat; would you agree  
2 with that statement?  
3 A I agree.  
4 Q You've heard of the occupy Wall Street  
5 movement, for example?  
6 A Yes, sir.  
7 Q And to your knowledge, that is mostly a  
8 non-violent movement?  
9 A Yes, sir.  
10 Q Okay. And who did you notify about this  
11 arrest warrant?  
12 A Who did I --  
13 Q Notify. Right. After you got the arrest  
14 order from Mr. Parks, did you notify anyone?  
15 A I notified several people after I received the  
16 arrest warrant.  
17 Q Who were they?  
18 A I notified my superiors, Lieutenant George  
19 Knowles, Lieutenant Shawn Satterfield, notified my  
20 partner who was with me when I obtained the warrant.  
21 Q And who's your partner?  
22 A Scott Mertens.  
23 Q Okay.  
24 A I also notified FBI agents.  
25 Q Why did you, did you notify the FBI?

Page 28

1 A They had initially reviewed the videos with me  
2 and they knew we were going to do some actions against  
3 Jeff.  
4 And initially I had notified them I had the  
5 arrest warrant to, to let them know that we would be  
6 trying to effect an arrest, and later I ended up having to  
7 ask them to come and assist me.  
8 Q Had the FBI been involved in the investigation  
9 earlier?  
10 A Yes, sir, they had.  
11 Q Who brought them in, do you know?  
12 A I did.  
13 Q And why?  
14 A When I first viewed the video, The Party's  
15 Over, I didn't feel like there was a specific enough  
16 threat, in my opinion I had some other people look at  
17 it.  
18 After Camm Seay looked at it he felt like the  
19 video on itself, stand alone, was not a reason to effect  
20 an arrest, or detain, or bother Mr. Weinhaus in any way.  
21 I had the FBI look at the video just to see if  
22 under their federal statutes, or other, if maybe it  
23 involved any of their judges, or any federal officers, or  
24 the court, or anything, and to get their opinion of it, of  
25 the video.



1 Q Did the -- Do you know what the results of the  
2 federal investigation was?

3 A I just talked to Special Agent Maruschak and  
4 he sent it up to his SAC in St. Louis, and their opinion  
5 was that they thought the video to be threatening,  
6 however, they didn't believe that the video in, itself,  
7 was criminal.

8 Q Okay. And did you notify the Franklin County  
9 sheriff about the arrest warrant?

10 A On the arrest warrant, yes. I notified, after  
11 the judge signed it, I came downstairs outside the other  
12 Courthouse and I called the sheriff's department to  
13 inform them that we had obtained an arrest warrant and  
14 asked them to assist me in the arrest.

15 Q Did they assist you in the arrest?

16 A No. They stated that they had other calls  
17 pending and were not available to assist me.

18 Q Okay.

19 A However, they felt like I could go ahead and  
20 serve the warrant on my own.

21 Q Who did you talk to at the sheriff's  
22 department?

23 A It was one of their majors.

24 Q Do you remember his name?

25 A I don't remember his name.

1 Q And then how did you make contact with Jeff,  
2 too?

3 A I called him on his phone.

4 Q Okay. And did you tell him that you were  
5 going to arrest him?

6 A No, sir, I did not.

7 Q Why not?

8 A I wanted to not tell Jeff that I was, you  
9 know, going to arrest him, because I didn't think that  
10 he would want to turn himself in, or I didn't want to  
11 have any problems with that.

12 I felt like if I would come up with a ruse to  
13 meet him and return some of his equipment, I could explain  
14 to him in person that I had an arrest warrant, versus  
15 doing it over the phone and possibly, you know, getting  
16 into more trouble.

17 Because if I'd of told him there's an arrest  
18 warrant, and maybe he'd try to flee the area, or barricade  
19 himself, or do a number of things, so I just told him that  
20 I needed to meet with him to give him his computers back.

21 Q Did you believe Jeff was dangerous?

22 A At that point, not really.

23 Q Okay. And where did you arrange to meet Jeff?

24 A Originally we had, we had set up to have him  
25 meet us at the MFA station, however, when I talked to

1 him he even said a public place, and I logically  
2 suggested that, since we were sitting there, and he said  
3 it was okay, that he would meet us there.

4 So we ended up meeting on the MFA station on K  
5 highway just up the road from his house a little ways.

6 Q Why did you choose that location?

7 A It was public, it was private. It was not a  
8 lot of traffic there, and it was a location that he knew  
9 fairly well.

10 It was also, tactically, one road in and one  
11 road out, I would be able to secure each end of the road  
12 with a marked unit, so it provided the best opportunity.

13 You know, and I did not want to return to his  
14 house in any way, because he'd made a video saying that he  
15 was on death con four, and carrying guns, and I just felt  
16 like to go back to his house would spark an incident.

17 Q Why didn't you choose an alternate location,  
18 such as Troop C, or Troop I for him to meet with you?

19 A Like I said, we wanted an isolated place where  
20 there weren't a lot of entrances and exits, where no one  
21 could get -- could be possibly hurt if anything went  
22 wrong.

23 Q You think would it be more dangerous for him  
24 to come to a highway patrol troop station?

25 A Well, typically, I wouldn't have him go to

1 Troop C, that's an hour and a half away, I've only been  
2 there once in my career, I would just have him meet me.

3 Since it was a Franklin County warrant, I would  
4 normally have the people meet me somewhere in Franklin  
5 County and take them down to the department.

6 Q Okay. Were you concerned about your safety at  
7 the gas station, at the MFA station?

8 A Initially, no. I mean, we were well -- we  
9 brought several firearms. We had several, you know, our  
10 safety equipment with us and things. The only thing  
11 that concerned me was that day, when I spoke to Jeff on  
12 the phone he was agitated, and he hadn't been agitated  
13 the times when I dealt with him before.

14 He was not happy about things that occurred, but  
15 he didn't seem agitated, and that day he seemed agitated.

16 Q How so? Can you just tell me, when you use  
17 the word agitated, what statements or behaviors did  
18 he --

19 A Just his tone of voice. He was talking real  
20 fast, he was real curt, and he, he -- I don't think he  
21 trusted me, and he told me he didn't trust me, so he was  
22 on edge as well.

23 Q Okay. Were you concerned about the presence  
24 of gas pumps, fuel pumps at this location?

25 A I wasn't initially, because we parked our cars

Page 33

1 so far away, I thought he would pull up.  
2 This, this gas station kind of has a big parking  
3 lot on the left, I mean, where semi-trucks can park, so we  
4 parked as far away from the gas pumps as we could get,  
5 over right off the main road, just a few feet from the  
6 road where he could see our car.  
7 And the area where the arrest was going to take  
8 place was completely void of any buildings or structures.  
9 It was an open gravel parking lot.  
10 So I had not considered that it would end up  
11 being intertwined amongst the gas pumps.  
12 Q And you mentioned earlier the vantage of  
13 Highway K being that you could secure the road on both  
14 sides?  
15 A Yes, sir.  
16 Q Or the highway on both sides. Did you  
17 actually do that with the patrol car?  
18 A Yes, I did.  
19 Q And did you bring backup to the scene to the  
20 MFA station itself?  
21 A Yes, sir. I was accompanied by my partner, as  
22 well as two FBI agents.  
23 Q And what was the role of the FBI agents?  
24 A My partner and I were going to -- Of course we  
25 positioned ourself in the parking lot in a high place of

Page 34

1 visibility, we're going to contact Jeff, explain to him  
2 that we had this arrest warrant, take him into custody.  
3 The FBI guys were kind of covert, their vehicle  
4 was plain, it was unmarked, and they were there to assist  
5 us if we needed assist to make the arrest, or perhaps  
6 dealing with other persons that might have shown up.  
7 But they weren't present and up with us, they  
8 were more blended into the store environment.  
9 Q Okay. Where were they?  
10 A They were parked on the other side of the  
11 store.  
12 Q Okay.  
13 A You know, the other side of the parking lot.  
14 I guess, if you want to say, acting like they were store  
15 patrons.  
16 Q How far away was that?  
17 A Probably about 60, 70 yards.  
18 Q Okay. And was there a view of you obstructed,  
19 or unobstructed?  
20 A I couldn't answer that. I mean, it's a line  
21 of sight parking lot, but I couldn't answer what their  
22 view would be.  
23 Q Is it unusual for federal agents to assist in  
24 executing an arrest warrant for a state crime?  
25 A No, sir. Those two FBI agents are, are --

Page 35

1 have assisted me dozens of times, and I -- it's not  
2 uncommon for me to assist them.  
3 Q Okay.  
4 A And so they are actually both stationed in  
5 Rolla, and I've known them for years, and it's not  
6 uncommon to, because of their wide jurisdiction and our  
7 wide jurisdiction in the State of Missouri, that we help  
8 each other.  
9 Q Were you wearing a bullet resistant vest?  
10 A I had it with me, however, I did not put it  
11 on.  
12 Q Why were you not wearing it?  
13 A I had it with me with the intention of putting  
14 it on, however, I was being lazy, and it was hot, and me  
15 and my partner were riding in the car, and at the point  
16 when I talked to Jeff he said he was going to have some  
17 people show up with him, there were some people that  
18 showed up in the gas station, I had every intention of  
19 putting on my vest, but -- And a matter of fact, I  
20 mentioned to my partner we need to go ahead and put on  
21 our vests, and he mentioned to me, you know, if we do  
22 that, and if these people are with him, they're going to  
23 see us jump out and put on bulletproof vests just before  
24 he shows up, so I hate to spook him, and I said, well,  
25 you know, you're right.

Page 36

1 And we had a short conversation about that, and  
2 we both didn't see Jeff as that kind of a person, or a  
3 threat, so we both left them in the back seat, which was,  
4 you know, just a bad judgment call.  
5 Q When you say bring people with Jeff, what led  
6 you to believe that Jeff might bring people with him?  
7 A When I talked to him he explained to me that  
8 he was not coming alone.  
9 Q Okay. That he was going to bring people with  
10 him, that we're going to show up there to accompany him,  
11 to make sure everything was on the up and up.  
12 Q And did Jeff know he was going to be arrested?  
13 A No, sir, he did not.  
14 Q So what would -- Do you know what Jeff's  
15 belief was, why he was going to the station?  
16 MR. PARKS: Well, I'm going to object to that,  
17 because that calls for speculation on the part of the  
18 witness. However, if you can answer that, go ahead and  
19 answer it.  
20 Q (By Mr. Eastwood) Yeah. And I don't want you  
21 to speculate. I'm only asking if you know.  
22 A I do not know any reason, other than the one I  
23 provided, which was to give him his computers back.  
24 Q Okay. And when Jeff said he would bring  
25 people, did you take that as a threat?

1 A I didn't take it as a threat. I just took it  
2 that it was going to be complications if he had more  
3 people show up to try to explain to him that he was  
4 under arrest.

5 Q Did it elevate your concerns for your safety  
6 and that of your partner?

7 A It elevated enough where I informed everyone  
8 and the FBI agents and some other people, there may be  
9 some civilians, but I still did do not expect any  
10 violence.

11 Q Were there other people at the gas station  
12 before Jeff got there?

13 A Yes, sir.

14 Q When I say other people, I mean, people other  
15 than you and the FBI agents and your partner.

16 A When we originally set up, there was no one  
17 there but us. After my phone call with Jeff, some  
18 people pulled in, patrons of the gas station pulled in  
19 prior to Jeff's arrival.

20 Q Okay. And were they inside or outside of the  
21 gas station when Jeff pulled in?

22 A There were two guys in a flatbed truck that  
23 were out messing with the gutters. There was an A & W  
24 Root Beer man that had A & W Root Beer stuff on, and was  
25 going in the store and coming out, and there was some

1 other people that pulled in in a different type of  
2 truck.

3 Later I found out one of them was from  
4 Australia. So there was a small group of people that kind  
5 of pulled in during the time we were waiting on Jeff.

6 Q At the time, I'm only asking you for your  
7 knowledge at the time, not now here today, did you have  
8 concerns that any of those people might be with Jeff?

9 A Yes, I did.

10 Q Okay. That they might be undercover, so to  
11 speak?

12 A I just figured they were supporters of his and  
13 were friends of his.

14 Q Did they elevate your concerns for your  
15 safety?

16 A Not at that point, no. Other than the fact  
17 that I wanted everyone to know that they may possibly be  
18 involved.

19 Q Okay. Were you communicating with the FBI  
20 agents who were parked away by use of radios, or  
21 signals, or anything else?

22 A I believe we just walked over there and told  
23 them.

24 Q Oh.

25 A It was like 60, 70 yards. I think I just

1 walked over there and told them.

2 Q Did these gutter repairmen, or any of the  
3 other people in the area, did they interact with you  
4 prior to Jeff's arrival?

5 A No.

6 Q Did they interact with the FBI agents, to your  
7 knowledge?

8 A I believe the FBI was asked to move their  
9 vehicle by one of the people working on the gutters, so  
10 I believe there was some interaction there, but not with  
11 us.

12 Q Was the interaction confrontational, to your  
13 knowledge?

14 A I don't believe it was.

15 Q They just said, can you move your car, and --

16 A Yes. We just happened to be in the way.

17 Q Okay. Did you know that at the time that Jeff  
18 was recording the meeting, or planning to record the  
19 meeting?

20 A You know, I knew he recorded a lot of things,  
21 and I knew that he was a member of the Cop Block  
22 organization, and they, you know, they, they like for  
23 all their meetings and contacts with law enforcement to  
24 be recorded, but I did not know for sure that he was  
25 recording anything.

1 Q Okay. And so tell me a little more about  
2 where you and Corporal Mertens parked to wait for Jeff.

3 You said earlier that it was a high place, a  
4 public place?

5 A Yes. We parked on, you know, the parking lot  
6 was kind of sloped in a downward angle.

7 Q Okay.

8 A And we parked on the high part just right off  
9 the road, just -- I mean, just in the best visible place  
10 we could get, isolated, just me and him and our vehicle  
11 out front.

12 Q Isolated from what?

13 A From the store and the gas pumps. Like I  
14 said, it was 50, 60 yards in between us and the store  
15 and everything.

16 Q Was it -- When you say elevated, was that at  
17 the top of an incline?

18 A The store's at the bottom of the incline. Our  
19 car was parked at the top of the incline.

20 Q That's what I was getting at. Were there any  
21 houses near you?

22 A There were some houses, you know, around in  
23 the area next, adjacent to the store on each side, I  
24 believe.

25 Q Okay. And then how long did you wait between

Page 41

1 calling Jeff and Jeff's arrival?  
2 **A I do not recall the specific time. I know I**  
3 **wrote it in the report, but it was not -- it was less**  
4 **than an hour, whatever it was.**  
5 **Q Okay. And what happened when Jeff arrived at**  
6 **the, at the station?**  
7 **A When Jeff arrived at the station he pulled**  
8 **into the parking lot and drove around behind our**  
9 **vehicle.**  
10 **The way we had positioned our car, I was**  
11 **anticipating that he would pull up and stop beside us and**  
12 **talk to us like you normally do when you stop to talk to a**  
13 **friend, or stop and talk to someone.**  
14 **However, he drove past our location and circled**  
15 **behind us in the -- on the edge of the parking lot, and**  
16 **then sped past our vehicle and kind of slowed to a stop,**  
17 **almost skidded on the gravel, thereafter he passed our**  
18 **vehicle and was in front of us.**  
19 **Q So is it fair to say he did a circle around**  
20 **you?**  
21 **A He did a circle adjacent to us. He couldn't**  
22 **get all the way behind us, but he did like a loop**  
23 **adjacent to us.**  
24 **Q And what kind of a car was he driving?**  
25 **A He was driving a green Subaru wagon.**

Page 42

1 **Q And about how high was the top of that car?**  
2 **A I would have no idea. As high as a normal**  
3 **car, I guess.**  
4 **Q It's not like a Jeep, or an SUV, or a truck**  
5 **that's higher?**  
6 **A It might have been slightly higher. It was**  
7 **kind of a wagon, stationwagon type thing, hatchback, but**  
8 **I couldn't speculate on the height of it. I know it's**  
9 **taller than the normal car. It's taller than the roof**  
10 **of our car.**  
11 **Q And when Jeff came to stop, how was he**  
12 **positioned relative to you? When I say "he," I mean his**  
13 **car.**  
14 **A His car was positioned with, the rear of his**  
15 **vehicle was facing the front of our vehicle at an angle,**  
16 **and basically, his car was positioned in front of our**  
17 **vehicle between us and the exit.**  
18 **Q Did the positioning of his car elevate your**  
19 **concern for your safety?**  
20 **A It did.**  
21 **Q And why is that?**  
22 **A The way he drove in and the fact that, you**  
23 **know, as he drove around us, I initially thought, you**  
24 **know, maybe he was going to ram, ram us, the way he**  
25 **accelerated, and I saw him taking off his seat belt, and**

Page 43

1 that just struck me odd, and then when he kind of slid  
2 to the stop and got out, it just struck me as odd the  
3 way he pulled in like that.  
4 **You know, if you were going to meet the**  
5 **police -- I worked narcotics for several years, and**  
6 **typically, like a lot of things that people will do is, if**  
7 **you're going to go buy drugs at Taco Bell, they'll pull in**  
8 **the parking lot and burn out and try to see if there are**  
9 **any other cops, or get someone to take action, or do**  
10 **whatever, or maybe pull in and do a minor traffic**  
11 **violation and drive off to try to draw attention.**  
12 **So I wasn't sure what he was doing, if he was**  
13 **trying to maybe see if there was anyone with us, to notice**  
14 **any surveillance, or if he was just aggressive. But I was**  
15 **already alarmed that something wasn't right.**  
16 **It certainly isn't the way you would pull into**  
17 **the parking lot to meet two policemen.**  
18 **Q Sure. And now you said, though, you were at**  
19 **the top of an incline, so a car would need to accelerate**  
20 **a little bit, wouldn't it, to get up the incline?**  
21 **A Well, there's not much of an incline behind**  
22 **us.**  
23 **Q Okay.**  
24 **A He was driving -- The incline would be north**  
25 **to south, he was driving east to west, so.**

Page 44

1 **Q So he didn't go up an incline?**  
2 **A A little bit. A little bit of a grade, yeah.**  
3 **Q Okay. And if, if Jeff was there to pick up**  
4 **computers, would it be fair for him to have the back of**  
5 **the hatchback facing towards you?**  
6 **A Could be.**  
7 **Q To put the computers in the back of the car?**  
8 **A Could be.**  
9 **Q Okay. So it's possible there's a more**  
10 **innocent explanation for his parking --**  
11 **A Oh, yes.**  
12 **Q -- than bad intent?**  
13 **A It is possible.**  
14 **Q Okay. And then you said Jeff took his seat**  
15 **belt off. When did he take his seat belt off? Was his**  
16 **car still in motion, or was he at a stop?**  
17 **A As he entered the parking lot and drove past**  
18 **us he was already removing his seat belt, he was already**  
19 **taking his seat belt off.**  
20 **Q Was his window opened, or closed?**  
21 **A I can't remember if it was partially opened,**  
22 **or closed. I could just see the belt, him taking the**  
23 **belt over the top of his head and removing it.**  
24 **Q Did he make any statements to you as he was**  
25 **pulling in?**

Page 45

1 A Not that I could see.  
2 Q Did he wave, or gesture?  
3 A Not that I remember. I just remember  
4 observing him taking off the seat belt as he drove past  
5 us.  
6 Q Was he looking at you, or looking elsewhere?  
7 A He was fixed right on our car. Appeared to me  
8 he was looking at us.  
9 Q Did he look at the gas station?  
10 A I don't know if he did, or he didn't. I just  
11 know he looked at me.  
12 Q Do you know if he looked at the FBI agents?  
13 A I do not know.  
14 Q And then what happened next?  
15 A Once he came to a stop he exited the door of  
16 his car and we exited our door. I'd kind of noticed he  
17 was already standing up before we even got out of the  
18 car, he was standing up, and in my law enforcement  
19 training I was always taught to beat the person out of  
20 the car on a traffic stop. If a person is out of their  
21 car before you're out of your car, they may possibly  
22 have bad intentions, so I found it peculiar that he was  
23 already out of the car waiting on us.  
24 And I had some papers in my hand, and I had been  
25 discussing with my partner about how we were going to do

Page 46

1 it prior to the arrival, and my goal was to tell him that  
2 we had some papers for him to sign, I was going to give  
3 him back his computer equipment, then we were going to  
4 kind of explain to him that we had the arrest warrant. By  
5 then the FBI guys would be there, and we'd kind of have  
6 him in a perimeter out numbered four-to-one.  
7 As I started walking towards the car this was  
8 all running through my mind, and I looked up and he was  
9 just standing there staring at me.  
10 Q He was out of the car?  
11 A Yes.  
12 Q Standing up, staring at you?  
13 A Yes.  
14 Q And was there anything about his behavior that  
15 elevated your concern for your safety?  
16 A I just knew that I was trying to engage him in  
17 conversation, and I was walking towards the vehicle and  
18 he never moved.  
19 Q And what type of -- And how long was he  
20 standing there not moving?  
21 A A few seconds.  
22 Q How long? Would you say few, like three  
23 seconds, 10 seconds?  
24 A I couldn't tell you. It was just enough time  
25 for me to notice that me and Corporal Mertens were

Page 47

1 moving, and he had never moved from the location where  
2 he exited the vehicle.  
3 Q Did you say anything to Jeff?  
4 A Yeah. I talked to him.  
5 Q Okay. What did you say?  
6 A I, I can't recall in the beginning what I  
7 said. I know I've seen the recording, but I thought  
8 before I got close enough that I had mentioned something  
9 about the papers, or maybe he just didn't hear me, and  
10 it was at that point when I said hello to him, or did  
11 some kind of greeting and he answered me back, but I  
12 don't remember the exact words.  
13 If I could look at the report, I could remember.  
14 I know we exchanged words in the beginning.  
15 Q Were they pleasantries?  
16 A At first, yes.  
17 Q Okay. And is part of your training, are you  
18 taught to use conversation as a way of de-escalating a  
19 potentially dangerous situation?  
20 A Yes, sir.  
21 Q Okay. And was that what you were doing in  
22 this instance?  
23 A I was just attempting to engage him in  
24 conversation to distract him long enough for the other  
25 officers to move in on the perimeter.

Page 48

1 Q Okay. And what did Jeff say to you, do you  
2 recall?  
3 A I don't recall from memory exactly what he  
4 said. I'd like to reference the report if I can.  
5 Q Okay. We'll get to that in a minute. We'll  
6 get to that in a minute.  
7 And what was the tone and cadence of your  
8 speech?  
9 A I was trying to be mellow, you know,  
10 nonthreatening.  
11 Q Uh-huh.  
12 A As best as I could in the beginning.  
13 Q And do you recall, generally speaking, the  
14 tone and cadence of Jeff's speech?  
15 A I know it was quick. But I don't, I don't  
16 remember much, other than, you know, with that brief  
17 comment we had, and then I noticed the gun.  
18 Q And then what happened next? You noticed this  
19 gun.  
20 Well, first of all, let's back up a bit. Where  
21 was the gun?  
22 A The gun was positioned, if we're backing up a  
23 bit, when he didn't advance prior to that, Scott  
24 Mertens, my partner, he actually works for me, but I  
25 call him a partner, he was in front of me.

1 Q Okay.  
2 A I did not like the fact that he was in between  
3 me and Mr. Weinhaus, and I did not know if he had  
4 observed the fact that Mr. Weinhaus was standing still  
5 beside his vehicle and Scott Mertens was getting ready  
6 to walk out and expose himself on the side of the  
7 vehicle towards Mr. Weinhaus, and I had a suspicion that  
8 wasn't something right.  
9 So I grabbed Mr. Mertens by the back of his  
10 shirt and I told him to go to the car and open the trunk.  
11 And he said, "Are you sure?" And I said, "Go to the car  
12 and open the trunk."  
13 And then I went to the edge of Mr. Weinhaus' car  
14 and I kind of did a quick peek is what we would call it,  
15 and I looked around the corner and I saw both of his hands  
16 and I didn't see anything in his hand, and I saw Scott  
17 going back and opening up the trunk like I told him.  
18 Q Why did you tell Scott to go -- Why did you  
19 tell Corporal Mertens to go to the trunk?  
20 A Because he's got four kids, he works for me,  
21 and I didn't want nothing to happen to him. If I -- we  
22 both thought something was wrong, you know, I've been  
23 doing this 23 years and I've lost people that I work  
24 with, and that's just my nature, I'm always going to  
25 take the, take the lead. I'm always going to go, you

1 know, if I can shield someone that I work with and not  
2 have them go through something, I will.  
3 But my instinct was to protect him because he's  
4 my friend, and I knew that something wasn't right.  
5 Q What were you protecting him from at that  
6 time? Did you know there was a gun?  
7 A No. I just didn't -- I did not like the  
8 manner in which Mr. Weinhaus was staring at me and  
9 standing there, and his posture seemed aggressive, he  
10 seemed agitated, and I just had this feeling that  
11 something wasn't right. And I grabbed ahold of  
12 Mr. Mertens and I told him to go back to the trunk of  
13 the car.  
14 Q And then you saw this gun. Where was the gun?  
15 A When I first saw the gun it was on his right  
16 front area of his hip, and --  
17 Q So could you stand up, sir, and just point  
18 generally where it was?  
19 A When I first encountered him he was standing  
20 like this and his arms were here. [Indicating]. When I  
21 peeked around the corner, I see both his hands are  
22 visible --  
23 MR. EASTWOOD: Just pause for a minute. Let  
24 the record reflect that the witness has his hands in  
25 front of him at about waist level.

1 Q Continue, sir.  
2 A His left foot was forward of his right foot,  
3 he was at an angle, what we call bladed. He was bladed  
4 towards me. I could see both his hands. And I stepped  
5 out from behind his vehicle.  
6 Q Okay. Stop there for one second. When you  
7 say bladed, from a side angle, or from a front angle?  
8 A Just like I'm standing this way, he's bladed.  
9 [Indicating].  
10 Q Okay.  
11 A You know, instead of being square.  
12 Q Uh-huh.  
13 A You know, we call this a bladed stance.  
14 Q He has one foot forward of the other at a  
15 slight angle?  
16 A Yes.  
17 Q The left foot in front of the right?  
18 A Yes. So when I observed him in that stance  
19 and I could see both his hands are empty, I went ahead  
20 and stepped out. I still had the paperwork in my hand.  
21 At that point is when he kind of closed the  
22 door.  
23 Q Okay.  
24 A Because he had left that door open, he was  
25 standing in view of the door.

1 Q Let me stop you there. During this period of  
2 time that he was standing still, the door was open?  
3 A Yes. He's standing, and that's what alarmed  
4 me, because he's standing in the view of the door.  
5 He has not got out and closed the door like a  
6 normal person would. He is standing in the V. of that  
7 door and is not advancing, he's just standing there  
8 staring over the back of his car with the door open.  
9 Q Okay. And that's when you first noticed the  
10 gun and you pointed it was here on his right --  
11 A Yes. When I stepped --  
12 Q -- waist level?  
13 THE REPORTER: You are both talking at the same  
14 time.  
15 MR. EASTWOOD: And I apologize. I'm equally as  
16 guilty.  
17 Q So the gun was on the right-hand side?  
18 A It was on the right-hand side slightly to the  
19 front.  
20 Q Slightly to the front?  
21 A Yes.  
22 Q So about the front of the hip bone, right hip  
23 bone there?  
24 A Just right in front, you know, where it would  
25 rest in front of the hip bone.

Page 53

1 Q And was the gun in a holster?  
2 A Yes, it was in a holster.  
3 Q Okay. And what type of holster was it? Was  
4 it a holster that had a cover that went over the grip of  
5 the gun?  
6 A It was in a holster identical to the one he  
7 showed me in Exhibit I, the green military style  
8 holster.  
9 Q And was the flap of the holster over the gun?  
10 A Yes, it was, and it was secured.  
11 Q And which way was the grip of the gun, or the  
12 butt of the gun facing? Forward or backwards?  
13 A It's facing backwards, the way it should be.  
14 Not in a cross-draw position.  
15 Q Not in a cross-draw position, just a regular  
16 type position. Okay.  
17 A Just a regular position on the right hip, or a  
18 strong hand right person.  
19 Q Do you know if Jeff's right- or left-handed?  
20 A Don't know.  
21 Q And do you know what action must be taken to  
22 open a holster of this nature?  
23 A Yes, sir, I do.  
24 Q Okay. And what action is that, generally  
25 speaking?

Page 54

1 A On the holster, if it's in condition it can be  
2 altered, but on the holster at the bottom of the flap  
3 there's a tab, or a metal ring, and a person has to grab  
4 onto that, pull that straight down, until a bar that's  
5 inside the top of the flap releases. Once, once, or in  
6 the bottom of the flap, until the bar clears the plastic  
7 housing, then once you have that pulled straight down,  
8 so the first thing you have to do is grab ahold of this  
9 holster and the tab that's on the side of it and yank it  
10 straight down. Once you have it down and all the way,  
11 and the plastic has cleared the bar that you're pulling  
12 on, it's a metal tab that controls a metal pen,  
13 basically, a bar, once you have that down all the way,  
14 then you have to lift the flap all the way up.  
15 And a lot of people will tuck the flap in, or at  
16 least lift the flap all the way up and then release it and  
17 come back inside to get your hand grip.  
18 You cannot, you cannot grip the gun on the stock  
19 or the butt and release the flap at the same time. You  
20 have to use, you have to use your strong arm to undo the  
21 flap.  
22 Q So if you're a left-handed person, it would be  
23 difficult to remove a gun on the right-hand side of your  
24 body that was holstered in such a way; is that a fair  
25 statement?

Page 55

1 A I wouldn't say so. I'm left-handed and I  
2 mean, I carried that exact holster, and I can remove it  
3 left or right-handed. You just have to know how to  
4 operate the holster.  
5 Q But it does require some strength and a  
6 downward force, and then an upward force just to open  
7 the holster?  
8 A Just to expose the weapon that he would be  
9 able to access it to draw it. Because it's designed to  
10 be a retention holster. I mean, that's what the issue  
11 airborne troops that jump out of planes, so that the  
12 flap does not open and the weapon does not disengage.  
13 Q So it's difficult or impossible for the weapon  
14 to accidentally fall out?  
15 A It's very difficult for it to accidentally  
16 fall out, yes.  
17 Q And I suppose it's difficult, or almost  
18 impossible for, say, a passer by with bad intentions to  
19 snatch the gun out of your holster?  
20 A It would be difficult if they didn't know how  
21 the holster opened, yes.  
22 Q Okay. And let's go back to the situation  
23 here. You saw the gun, what happened next?  
24 A I said something to the effect of, Jeff, what  
25 are you doing with that gun?

Page 56

1 Q And what did he say?  
2 A He said something to the effect to me of, what  
3 are you doing with your gun?  
4 Q Did you -- How did you take that statement?  
5 A I just took it he was being a smart alec, you  
6 know. I knew Jeff was --  
7 Q Like a kid almost?  
8 A No, not like a kid. Like a smart ass, like a  
9 jerk. I mean, I'm not going to throw punches like a  
10 kid, he was just being antagonistic about it the way he  
11 said it.  
12 Q It was an obnoxious comment?  
13 A Yes.  
14 Q Did you feel it was a threatening comment?  
15 A Not particularly. I just -- I know that he's  
16 a big Fourth Amendment, First Amendment type person, and  
17 that he believes in the right to carry and everything,  
18 and, you know, I knew what that statement meant, you  
19 know, I have a gun the same as you do.  
20 Q In your experience as a trooper, do you  
21 encounter a lot -- Do you encounter significant number  
22 of civilians who carry firearms legally?  
23 A I have, yes.  
24 Q And some of them are Second Amendment gun  
25 right types?

Page 57

1 A Yes. Some of them are, you know.  
 2 Q And they're not inherently threatening just  
 3 because they're carrying a firearm?  
 4 A No, not at all.  
 5 Q Okay. And then what happened next?  
 6 So you asked Jeff why he was carrying a firearm,  
 7 Jeff kind of made this obnoxious, smart alec response to  
 8 you, and then what happened next?  
 9 A At that point when I asked him the question, I  
 10 was trying to alert everyone that he had a gun without  
 11 screaming out gun, so I had asked him the question.  
 12 At the same time I asked him the question I was  
 13 getting my gun out of my holster and into the low, what  
 14 you call the low ready position.  
 15 Q Could you stand up, please, and just show me  
 16 what a low ready position generally looks like?  
 17 A I had my gun on my left hip, and so when I say  
 18 what are you doing with that gun, I automatically have  
 19 my hand on my gun, he said what are you doing with your  
 20 gun, and we were staring face-to-face, and I pulled my  
 21 gun out and dropped it right here on my side, just here  
 22 at a low ready.  
 23 Q So when you say a low ready --  
 24 A I'm here.  
 25 Q Let the record reflect that your hand is at

Page 58

1 about your waist level, --  
 2 A Yeah.  
 3 Q -- just about the front of your left hip bone.  
 4 And where was the gun pointing?  
 5 A The gun's pointing at the ground.  
 6 Q Okay. And -- Thank you. And what happened  
 7 next?  
 8 A At that point I've drawn my weapon, I'm in the  
 9 low ready position, I ordered -- He said, what are you  
 10 doing with your gun?  
 11 When I drew my weapon and got it in the low  
 12 ready position, I was just pointing to the ground, I had  
 13 dropped those papers that I had in my hand, right about  
 14 the same time I went to pull my gun out and put it at the  
 15 low ready, I dropped those papers and started pointing at  
 16 the ground with my right hand and issuing Jeff a verbal  
 17 command to get down on the ground.  
 18 Q And why did you issue the command to get down  
 19 on the ground?  
 20 A Because when I dropped, at the same time  
 21 simultaneously, even though it's just a few seconds,  
 22 when I'm dropping the papers and trying to get my gun  
 23 out and he's answering me back and says, what are you  
 24 doing with your gun, he's now trying to open the flap on  
 25 his gun. He's now reaching --

Page 59

1 Q That's a new action; right?  
 2 A He's now reaching and trying to open the flap  
 3 on his gun, and, of course, simultaneously, I'm  
 4 positioning my gun at the low ready --  
 5 Q This is with his right hand that he's trying  
 6 to --  
 7 A Yes.  
 8 Q Was he pulling down?  
 9 A He had pulled down, completely down and turned  
 10 the flap loose.  
 11 Q And did he pull up?  
 12 A Yes.  
 13 Q Okay.  
 14 A And his hand, at this point his hand was now  
 15 resting completely on the, the --  
 16 Q Grip?  
 17 A The grip of the pistol, with the flap over the  
 18 top of his hand.  
 19 Q What was his left hand doing?  
 20 A I don't remember. I remember at some point he  
 21 was standing like this. [Indicating].  
 22 Q Okay. So just, we have to go slow here  
 23 because of the record, so his hands were in front of him  
 24 about waist level --  
 25 A His hands were in front of him about waist

Page 60

1 level.  
 2 Q Okay.  
 3 A And I said, "What are you doing with your  
 4 gun?" He said, "What are you doing with your gun?"  
 5 When I came to the low ready he pushed this  
 6 down, pulled this down and let it go.  
 7 Q So just pause there. So his right hand went  
 8 to his waist to where the holster was on his right waist  
 9 level, okay. And then?  
 10 A And his left hand was just kind of, you know,  
 11 just right here. [Indicating].  
 12 And then as he put his hand on the gun here, you  
 13 know, it was just a few tenths of a second later when I  
 14 said, you know, get on the ground again, or whatever, and  
 15 he said you're going to have to shoot me.  
 16 And it was at that point when he started to pull  
 17 that gun out and almost, what we call marrying up the  
 18 grip, meaning that hand started this hand to come across,  
 19 you know, to go over and assist.  
 20 Q So the left hand came over?  
 21 A Yes. Like when I draw my gun, normally if I  
 22 draw my gun, I'm left-handed, I'm going to draw here,  
 23 and I'm going to meet here and come up and assist.  
 24 Q Because ideally, to use a weapon, it's better  
 25 to have two hands on the grip of the gun?



1 A Yes.  
2 Q And so Jeff's left hand sort of swept across  
3 his waist --  
4 A It's starting to go --  
5 Q Across his waist level to go and join up with  
6 his right?  
7 A Yeah. To assist him in removing the gun from  
8 the holster.  
9 Q And do you recall whether he got the gun out  
10 of the holster, or not, or partially out of the holster,  
11 or --  
12 A I watched that gun come out, and I watched the  
13 entire handle clear, the trigger guard clear, and I  
14 could see where the barrel was, I could see air  
15 between -- I could see down in the holster. We were  
16 very close, I could see down the holster and I could see  
17 that the gun was maybe, you know, an inch from being  
18 able to, to rotate forward and be aimed, but I could see  
19 the gun, the gun had physically come, you know, I'd say  
20 about five inches up, and had not started to break the  
21 plane and come forward when I fired my first round.  
22 Q And how far -- You said you were very close,  
23 approximately how many feet?  
24 A I'd say seven.  
25 Q Okay. Or less even?

1 A Could be less. I was moving.  
2 Q Sure. Were you moving forward, backwards, to  
3 the side?  
4 A Like I said, there's a lot going on at that  
5 time period. When Jeff, when Jeff first started  
6 manipulating the holster, and I was at the low ready,  
7 that was the first time that I anticipated that I  
8 actually might have to use deadly force, and I may have  
9 to actually shoot him.  
10 Q Uh-huh.  
11 A And I looked behind me and all I could see was  
12 a big huge cage full of propane tanks, gas pumps, people  
13 standing there.  
14 And I was kind of -- I had kind of moved at that  
15 point, moved back closer to his vehicle to use his vehicle  
16 for cover, and at that point, while he's still  
17 manipulating the flap, I knew that I couldn't fire a shot,  
18 and I knew that I would not be able to shoot in that  
19 direction, so I made a tactical choice to step out and to  
20 change the angle. I didn't want him to chase me around  
21 the car, or follow me around the car, I wanted to be the  
22 one that set the distance, so I stepped left and stepped  
23 out from behind the car, and stepped at an angle, like I  
24 was trained, to put distance between me and him and step  
25 left.

1 Q And what was Mr. Mertens doing at this time,  
2 do you know?  
3 A I can't even see Mr. Mertens. I can hear him.  
4 At that point I heard him say get down on the ground,  
5 Jeff, but I can't see him at all.  
6 Q Okay. Now when you said get down on the  
7 ground, did Jeff attempt to comply with your command in  
8 any way?  
9 A No.  
10 Q Did he, did he start to kneel?  
11 A No.  
12 Q Did he turn his body left or right in any way?  
13 A No. He stood there with both his hands out in  
14 front of him. When I said get on the ground, he said  
15 you're going to have to shoot me, and that's when he  
16 started to try to pull the gun out.  
17 Q Did he put one or both of his hands in the  
18 air?  
19 A To tell you the truth, at that point I knew  
20 his hands went -- One, I couldn't tell you what the left  
21 hand was doing, I'll tell you the right hand was on the  
22 gun, that was the only hand I was looking at, at that  
23 point. I started staring, my vision closed in, I  
24 started fixating on that gun coming out of the holster.  
25 Because to be honest with you, I couldn't

1 believe he was doing it. I mean, I could not believe that  
2 he was taking that gun out of the holster. I couldn't  
3 believe it.  
4 Q You thought it was breathtakingly stupid?  
5 A I just thought he was a man of God, and I  
6 didn't, I didn't anticipate that he would resort to  
7 deadly force like that. I knew that he was, most people  
8 are pro gun, you know, when confronted with a deadly  
9 situation aren't going to use their gun, they're going  
10 to talk and be friendly. I just couldn't believe that  
11 it had escalated to that level and he was actually  
12 willing to shoot me.  
13 And I mean, it, it shocked me that he was so  
14 serious and so angry. I mean, because at the time when  
15 he's drawing the gun out, I mean, he's, he's crouched in a  
16 defensive position, I mean, he's staring right at me. His  
17 eyes never left my face.  
18 And so I mean, he's not fixated on the gun  
19 trying, he's staring me down, staring at me, and it was at  
20 that point when he started bringing the gun up that I  
21 fired.  
22 But I never thought that he would take the gun  
23 out of the holster.  
24 I thought he would just antagonize me with it,  
25 open the flap, put his hand back and forth on it, try to

Page 65

1 get me to do something.  
 2 And when he started -- When he said you're going  
 3 to have to shoot me and started to exit that gun from the  
 4 holster and remove it, and in that posture, I had no  
 5 choice but to fire.  
 6 Q Okay. Where were his eyes looking at the  
 7 time?  
 8 A They're staring right at my face.  
 9 Q Was he looking at Mr. Mertens?  
 10 A He was staring right at me.  
 11 Q And were you looking more at his face, or at  
 12 his hands?  
 13 A I was looking more at his hands, you know,  
 14 until I fired the first round.  
 15 Q Okay. And you said Jeff said you're going to  
 16 have to shoot me?  
 17 A Yeah.  
 18 Q Are you sure that's what he said?  
 19 A I'm relatively sure. I mean, it's recorded,  
 20 I've heard it.  
 21 Q Sure. Could he have said you don't have to  
 22 shoot me?  
 23 A No, that didn't happen.  
 24 Q Okay. And then how many shots did you  
 25 discharge in your weapon?

Page 66

1 A At that point when I fired my weapon, you  
 2 know, the totality of the circumstances hit me at the  
 3 point that when I actually saw that he had showed up  
 4 armed and was actually drawing the gun out of the  
 5 holster, I didn't know if those other people were  
 6 involved, and to be honest, I was already looking past  
 7 him and trying to scan and see if there were any more  
 8 people back there that were threats. And when I first  
 9 pulled my gun out, I fired two to the chest, I saw both  
 10 of them hit.  
 11 He had on a lime, like a lime green shirt, I saw  
 12 both those rounds hit. And on the way up I fired one to  
 13 his head and I saw it hit his head.  
 14 And at that point --  
 15 Q Let me stop you there, sir. Where were you  
 16 aiming?  
 17 A Just his chest and his head. I fired,  
 18 purposely fired two to the chest and one to the head.  
 19 Q And where does your training teach you to aim?  
 20 A To engage a person threatening like that with  
 21 multiple shots to the chest or head.  
 22 Q Cardiothoracic or the brain?  
 23 A Yes.  
 24 Q And do you recall how many shots, I asked you  
 25 that, but we were sort of talking through that before I

Page 67

1 cut you off.  
 2 A I fired two to the chest and one to the head,  
 3 and I immediately scanned left. I knew that I had  
 4 eliminated him as a threat. I saw his eyes roll up in  
 5 his head and it was just the whites of his eyes were  
 6 showing.  
 7 Q This was when he was on the ground, or when he  
 8 was still up?  
 9 A No, he was standing up. It's not like in the  
 10 movies. When you get shot, he just stood there. I  
 11 mean, he didn't, he didn't go flying back or do  
 12 anything.  
 13 When those first two rounds hit him, he was just  
 14 standing there, almost like he was in amazement, and I saw  
 15 his eyes roll up in his head.  
 16 Q Did his body spin, or turn?  
 17 A Not yet. It had started to.  
 18 Q Okay.  
 19 A And that's when I, what we call scan left, I  
 20 actually looked to see if there was anybody else over  
 21 there with a gun, or anything else was going on, and I  
 22 heard a gunshot, and right when I heard that gunshot, I  
 23 didn't hear my gunshots, I just felt the recoil from my  
 24 pistol.  
 25 I did hear that gunshot, and man, it was loud,

Page 68

1 and I thought perhaps maybe Jeff had fired a round into  
 2 the ground, or gotten a gun out. I had already taken  
 3 another step forward and left. I'm taught to just always  
 4 step forward and left when I'm in a gun battle.  
 5 Q Okay.  
 6 A The reason why, most people are right-handed.  
 7 If I step forward and to the left, most people are going  
 8 to jerk the trigger and they're going to shoot to my  
 9 right. If I moving forward and to the left, I mean,  
 10 it's an Army tactic that's taught in specials  
 11 operations. You sustain a better chance of not being  
 12 mortally wounded.  
 13 So I'm stepping front and left, I'm moving,  
 14 moving target's harder to hit. I'm already looking for  
 15 other threats and other things.  
 16 Q For example, the gutter men?  
 17 A Yes. And I still see Jeff's got his hand on  
 18 the gun, and I heard that gunshot go off, and he started  
 19 to rotate, and right when he started to rotate, I just  
 20 choose my sight, went back on his head, I squeezed the  
 21 trigger again, and he was already starting to rotate and  
 22 fall. He fell, and when he fell, I mean, he fell  
 23 violently. I mean, he collapsed on his face, and just  
 24 piled up.  
 25 Q When you say rotate, rotate to the -- his

1 right, or his left? His right or his left?  
2 A His, his --  
3 Q If you want to stand up and kind of show me.  
4 A I was over here and he started to rotate like  
5 this, and he ended up going face forward just down in  
6 the --  
7 Q Just let the record reflect that the witness  
8 turned left in a counter-clockwise fashion, in terms of  
9 how -- in demonstrating how the defendant fell to the  
10 ground.  
11 Q What happened to the gun, Jeff's gun?  
12 A When he fell to the ground, he fell in this  
13 awkward position, his face was just burried in the  
14 gravel, and his butt was kind of arched in the air and  
15 both his hands were underneath him.  
16 Q So they were sort of underneath his waist?  
17 A They were both underneath the front of his  
18 waist near his groin area.  
19 Q Okay.  
20 A And his butt is kind of canted in the air and  
21 his face is just buried in the gravel. I mean, I  
22 remember seeing his glasses were broken, that's how hard  
23 he hit. I mean, when he hit, it just broke his glasses.  
24 And as soon as he hit, then I made sure there were no  
25 more threats, I mean, I know I hear myself on the tape,

1 I'm yelling for everybody to cover me, because there's  
2 still people around that parking lot and I know he still  
3 has -- I know he still has that gun, so I want that gun.  
4 So that's when I looked and Scott was covering  
5 my rear, and the FBI guy, once I made physical contact  
6 with him and told him to cover me, he was pointing his gun  
7 towards Jeff, I went up alongside the car and rolled Jeff  
8 over a little bit where I could see the gun, and that's  
9 when I saw the gun was still -- The gun was laying on the  
10 ground, out of the holster, underneath him, and his hand  
11 was -- the, the butt of the gun, his hand was like about  
12 an inch from being able to grasp the butt of the gun, but  
13 there were no fingers on the trigger guard.  
14 Q So his hand was partially off the gun?  
15 A His hand was just open and the gun was laying  
16 right here. [Indicating]. Just like this.  
17 Q So the record reflects, the gun was lying on  
18 the tips of his fingers?  
19 A Yeah. And it would be the butt.  
20 Q The butt of the gun?  
21 A Not anywhere near the trigger, or anything.  
22 Q And when you say he rolled over some, did he  
23 roll over onto his back, or onto his side?  
24 A I rolled him. I pushed him over.  
25 Q You rolled him on his left side, right side,

1 do you remember?  
2 A I pushed him over onto the left side, where I  
3 could see the holster on his right side and the gun, I'm  
4 standing directly above him.  
5 Q Okay.  
6 A And so my concern is that he's going to get  
7 the gun and start firing, I need to secure the gun, so  
8 I'm standing above him, I roll him to the left, I see  
9 the gun.  
10 At that point I'm starting to lose my fine motor  
11 skills. So I know, I know that I have some nerve damage,  
12 and so when I get excited, or I get an adrenaline dump, I  
13 tend -- I know this because I've been in shootings before,  
14 in incidents -- I know that one of the first things that  
15 leaves my body is my fine motor skills.  
16 Q Is this because you were shot, your fine motor  
17 skills?  
18 A No, I just have some nerve damage in the nerve  
19 that runs, the ulnar nerve that runs through my arms and  
20 so --  
21 Q Right and left arm?  
22 A Right and left arms.  
23 Q Okay.  
24 A So typically, if I get in a stressful  
25 situation, like my hands shake like I have Alzheimer's,

1 is that a good way to describe it?  
2 Q Or Parkinson's?  
3 A Or Parkinson's. So I knew I could feel that  
4 coming, the stress and adrenaline was coming, so at that  
5 point you don't want to be manipulating any type of  
6 weapons or guns. This is what happens when you get  
7 involved in a stressful situation, you lose your fine  
8 motor skills.  
9 And I rolled him over, I see that gun there, I  
10 just reached down and grabbed the gun and shoved it in  
11 that holster that was right there.  
12 Q Uh-huh.  
13 A And the reason why I did that is, I didn't  
14 want to take that gun and throw it, I didn't want to  
15 take that gun and stick it in my waist and shoot myself.  
16 I don't want to endanger anyone else.  
17 I know that holster, I took that gun and I  
18 shoved it down in the holster, and, you know, he's laying  
19 forward, and what's showing on to me is those two pins,  
20 and I just popped the pins, I grabbed the whole thing and  
21 I just threw it.  
22 Q So the gun inside the holster, toss it, free  
23 and clear so the defendant can't reach to grab it?  
24 A Well, I know that gun's protected with the  
25 trigger guard, and nothing's going to hit that trigger

1 and set it off. And I've seen --  
2 Q Stop there. When you say a trigger guard,  
3 what do you mean?  
4 A See, the trigger guard's not exposed. See,  
5 when the gun's in there, you can't possibly -- there's a  
6 bolt right there, you can't possibly access the trigger  
7 guard when that weapon's in the holster.  
8 Q Okay.  
9 A So I knew that was the safest place for it to  
10 be. I knew that the worst thing I could do is try to  
11 make it safe, or make it clear, or try to toss it  
12 somewhere, or set it somewhere, so I put it in that  
13 holster and I tossed it. I rolled him over on his left  
14 side, made sure he didn't have any other guns, and then  
15 I handcuffed him behind his back right there.  
16 Q And then what happened next?  
17 A I yelled and asked was anybody else hurt, and  
18 that's when I got up, and they -- I told Mike to call an  
19 ambulance, he said Scott had already called the  
20 ambulance, and you can kind of hear us going through the  
21 motions.  
22 I'm making sure that no one else has been  
23 injured, and I didn't even know Scott had fired until  
24 after I talked to him, and it's at that point after I made  
25 sure the scene was secure, me and Scott rolled Jeff over

1 onto his side and took a look at his injuries, and they  
2 looked, I mean, they looked severely life-threatening.  
3 And he had gone pale, gray, and there was just a pool of  
4 blood coming out of his head.  
5 And I mean, he was just laying there, we rolled  
6 him over on the side and I could hear Scott telling him,  
7 you know, stay with us, and talking to him a little bit.  
8 At that point I got my cell phone out and called  
9 my lieutenant to let him know what happened.  
10 Q Okay. Which lieutenant did you call?  
11 A Lieutenant George Knowles.  
12 Q And what did the FBI agents do, if anything?  
13 A They just covered -- They covered me while I  
14 was up there disarming him and securing the weapon. And  
15 then they went and secured the scene and made sure none  
16 of the witnesses left until we could get people there to  
17 talk to them.  
18 Q Did Jeff ever come to?  
19 A He did.  
20 Q Okay. And what happened then?  
21 A At first when I saw him and rolled him over,  
22 his body was just lifeless. I mean, I thought he was  
23 dead instantly when he hit the ground.  
24 Later, now that I look at it, maybe perhaps he  
25 blacked out or was unconscious and woke up, but for

1 several minutes he was lifeless. There was no -- I mean,  
2 when you picked his arm up or his leg, he was just limp,  
3 and I thought he was, he was already deceased.  
4 And we rolled him on his side and at that point  
5 he started kicking a little bit. And so they started, you  
6 know, keeping him on his side and talking to him, and then  
7 right when the paramedics pulled in we started trying to  
8 open up everything and give them access to Jeff, he sat  
9 right up.  
10 Q And you called the paramedics?  
11 A Yes. My partner, Scott, called the paramedics  
12 so I mean, he sat right up, still handcuffed, hands  
13 behind his back and just sat up, and it was kind of  
14 eerie.  
15 Q Wow. And do you know -- You said earlier you  
16 sort of weren't aware of your partner during the actual  
17 shooting itself; is that a fair statement?  
18 A That is, yes, sir.  
19 Q Okay. And so were you aware of whether or not  
20 your partner discharged his weapon?  
21 A Not until I asked him. I had to ask him, he  
22 had to look.  
23 Q Were you aware of whether or not he shot, how  
24 many bullets he shot?  
25 A I don't think he was aware, and I wasn't aware

1 that he'd fired any, so he had to look. You know, I,  
2 like I said, I could not see him. I heard a gunshot,  
3 but I didn't know who fired it. I didn't know that he  
4 had even shot.  
5 Q And then who investigated the shooting?  
6 A Of course we were Troop I, DDCC, and we are in  
7 Troop C, so they sent the troop C DDCC people to  
8 investigate the shooting.  
9 Q And who from Troop C was the investigator?  
10 A The whole unit practically. I couldn't name  
11 you anybody that wasn't there.  
12 Q Were you ever interviewed by a Sergeant Harry  
13 Smith?  
14 A Yes. Him and Corporal Ashby.  
15 Q Did they record the meetings?  
16 A Yes, they did.  
17 Q Did you ever talk to your to Lieutenant  
18 Knowles about the shooting?  
19 A A little bit, yes.  
20 Q Okay. Did you say -- Did you tell Lieutenant  
21 Knowles words to the effect of, Jeff jumped out of the  
22 car with a gun in his holster, said pull out a gun and  
23 shoot me, I shot him right there?  
24 A I've heard that, and that's not all of the  
25 conversation. I remember I said to George, I mean, I

1 was pretty upset, and what I said was, Jeff showed up,  
2 he had a gun in the holster, he tried to pull out his  
3 gun and shoot me.

4 And that's what I said to him, and I don't think  
5 whatever that recording device got all my words, but I  
6 honestly could not get over the fact that he tried to pull  
7 that gun out and shoot me. I mean, I just didn't think  
8 he'd do it.

9 And I underestimated him, and that is what I was  
10 hung up, and to this day, I still don't believe that he  
11 tried to pull the gun out and shoot me, but he did.

12 Q And this nerve issue that you've identified  
13 that interferes with your fine motor skills, when did  
14 that kick in? When you started shooting?

15 A It kicked in after I had fired the weapon.  
16 You know, it's normal for anyone who's involved in a use  
17 of force like that to have, when the adrenaline dumps to  
18 have loss of fine motor skills, or not hear a gunshot,  
19 or not see a muzzle flash. Stress and adrenaline, and  
20 being involved in critical incidents can change your  
21 perception.

22 I've known officers who had 300 Win mag rifles  
23 fired at them from 15 feet, never heard a gunshot, and  
24 those things shake the leaf off every tree within a half  
25 mile when they go off.

1 So I know from my personal self of being exposed  
2 to these type of situations, the first thing that my body  
3 starts to do is, I start to lose my fine motor skills.

4 So it is not something that, that occurs during  
5 training or anything, but during the life-threatening  
6 event, and I've been trained how to push through that, and  
7 recognize how not to manipulate a gun, or do something of  
8 that nature and cause a situation to be worse than it is.  
9 But I do have the partial paralyzation of nerve.

10 Q Do you know what caused that?

11 A It's not been determined. I mean, but I know  
12 my hands shake, and so when people ask me why my hands  
13 shake, I have nerve damage, and so...

14 Q If you just hold them up right now they can  
15 shake.

16 A Yeah.

17 Q Can you show me that?

18 A I don't know if they're going to shake, or  
19 not, but I do know they shake.

20 And when I have stress --

21 Q Your hands are twitching a little bit right  
22 now, --

23 A When I have stress, they're worse.

24 Q -- is that fair to say they're shaking a  
25 little bit?

1 A Yeah. I'm pretty shakey. You know, but like  
2 I said, I just know myself, and I know my body, and the  
3 first thing that happens to me is, I'm going to lose my  
4 fine motor skills.

5 Q Did this problem develop in the military, when  
6 you were in the military?

7 A I was trained that this problem, I was trained  
8 that this problem happens to everyone. However, because  
9 of my nerve damage, I notice it more rapidly and it can  
10 affect me greater than it would a normal person. But as  
11 far as losing fine motor skills, everyone does that.

12 I just noticed that it affects me, and to be  
13 honest about it, you know, I've even taken medication  
14 before for it, and, you know, I know that my fine motor  
15 skills are affected during that.

16 Q What medication do you take?

17 A I hadn't taken it in years, but the Army gave  
18 me some medication for the tremors to see if it would  
19 stop and it didn't work.

20 Q And you were not on this medication at the  
21 time of the shooting?

22 A No. So I had testing and I've been determined  
23 to have partial paralysis. I'm actually listed as a  
24 disabled veteran and receive compensation because of my  
25 my injury to my nerves. So I mean, it's well-documented

1 I do have this nerve --

2 Q In the line --

3 A -- injury.

4 Q -- of duty as a highway patrol trooper, have  
5 you shot anyone else before?

6 A Yes.

7 Q Can you tell me briefly about the  
8 circumstances of that?

9 A In October of 2001.

10 MR. PARKS: Excuse me. Just a minute. Before  
11 we get on here, we've been going for about an hour and a  
12 half, I have to use the restroom. Take a five-minute  
13 break here?

14 MR. EASTWOOD: Sure. That's fine.

15 [Whereupon, there was a short break].

16 Q (By Mr. Eastwood) So we're back on the record  
17 after a little short break, and we were discussing just  
18 other shootings you've been involved with within the  
19 state highway patrol.

20 I don't know if you've shot people before in the  
21 military, and I'm not going to get into that, but in terms  
22 of your obligations as a law enforcement officer, you have  
23 been involved in other shootings?

24 A Yes, sir.

25 Q Okay. Could you tell me about those briefly?

1 A The one in which I used deadly force was in  
2 October 28th of 2001, I was serving in Phelps and Maries  
3 County zone, which is in Rolla and Vienna area, I was on  
4 patrol, my zone was, we received a call of a man who had  
5 his family hostage, was armed with a gun and was  
6 threatening to kill his family, his wife and kids.

7 And when we responded to the house, of course we  
8 were driving, it's taking a while to get there, we receive  
9 additional information that he has a rifle and has plans  
10 to shoot any police officers that show up, or anything of  
11 that nature, and has left the house and is outside on the  
12 property. It's kind of a rural property.

13 Myself and my corporal at the time, Corporal  
14 Davis, pulled up, we went to the front, made our way to  
15 the front door of the house, knocked on the door where we  
16 contacted the wife and the two children.

17 She explained that her husband, Bradley Ross  
18 Davis had been drinking all day, and, you know, had been  
19 in trouble with the law before, and had tried to hang  
20 himself the week before, and had been just having some  
21 problems, and was, you know, not supposed to be in  
22 possession of a firearm, but he had borrowed a firearm  
23 from the neighbor, and had this firearm, and they got into  
24 the argument about the drinking, and one thing led to  
25 another and they got into a big domestic.

1 She said he left and was out in the area behind  
2 the house.

3 Q This is about as dangerous of a situation as  
4 possible.

5 A Yeah. And so me and Corporal Davis, we got  
6 the family together and Corporal Davis escorted them to  
7 the main road and I stayed behind until Davis got the  
8 family out of there, so I positioned myself between the  
9 house and the road.

10 Once Davis got the family out of there, of  
11 course -- I mean, they brought in helicopter and  
12 everything, and the gentleman was out in the woods, and he  
13 was firing the weapon and firing shoots while he was in  
14 the woods, and it's, you know, in the middle of the night,  
15 it's completely dark, and you can see him running back and  
16 forth firing the weapon.

17 Finally, we get some more patrol officers there  
18 and they establish a perimeter around his land.

19 He eventually gets tired of being out in the  
20 cold night and wants to come home, he comes home, gets in  
21 his house, and me -- I watch him go into the house with  
22 the rifle, me and Corporal Davis and a couple other  
23 officers watch him come out of the woods, walk back to his  
24 house, and it's obvious he's intoxicated, and he goes back  
25 in the house.

1 At that point the negotiator gets him on the  
2 phone and starts talking to him, and they talked for about  
3 30 minutes and he says he's going to give up.

4 Basically, we were in a tighter perimeter now  
5 around the house because he's gone in the house. At that  
6 point when they said that, I hear the front -- the side  
7 door, which is -- I was crouched behind the vehicle that  
8 was about 20 feet from this side door, I heard this side  
9 door open up and the gentleman started coming out of the  
10 house walking pretty briskly. And he had both his hands  
11 in the air, and I could tell that he wasn't armed and in  
12 his right hand he had a cordless phone.

13 And so I could hear him yelling about the lights  
14 and everything. As he started walking right towards me I  
15 stepped out, I had my gun and flashlight, and I did what  
16 in the Highway Patrol they teach us to do, I challenged  
17 him and said Highway Patrol, don't move, let me see your  
18 hands.

19 And he turned, showed me his hands and did  
20 everything he was supposed to, and then everybody started  
21 moving in to arrest him, and he was outside, looked like  
22 he was giving up.

23 And I remember he come, looked around at  
24 everybody, looked at all the officers, he looked right at  
25 me, and he looked back at the door that he had just come

1 out of, and he looked around at everybody, looked at me,  
2 and then he took off running, and he started running back  
3 towards this open door, and not complying with our  
4 request.

5 I was the closest one to him, so I started  
6 chasing him. He was wearing an Army BDU jacket, like a  
7 camouflage field jacket type thing, and so I caught up to  
8 him at the door before he got in the house and a struggle  
9 ensued, and I ended up dropping my flashlight and pretty  
10 much I ripped the coat off of him, he still pulled himself  
11 out of the coat, and he had laid that rifle right in the  
12 doorway.

13 When he came out he grabbed the rifle, I saw he  
14 had the rifle, I ordered him to put the rifle down, he  
15 wouldn't, him and I began to fight.

16 Q Physical fight?

17 A Yeah. Fight over the rifle. Now I'm behind  
18 him, he's in front of me with the rifle, he's trying to  
19 turn the rifle to shoot me, and there's a wall in the  
20 kitchen, there's no lights on, there's a wall right  
21 there, and I got people behind me, so I'm thinking if I  
22 can just push him against this wall, he won't be able to  
23 turn the rifle and shoot, and we'll get him and that  
24 will be the end of it.

25 So I started aggressively kind of pushing him

Page 85

1 towards the wall. I had even reholstered my weapon to  
2 have two hands to -- because I knew he couldn't shoot me  
3 as long as he couldn't turn around.  
4 He was a rather small individual, and I knew he  
5 couldn't shoot me, so I just fought him. And at one point  
6 the gun was here at my head and I had to duck, and at that  
7 point when I ducked there was a small island in the  
8 kitchen, I didn't know it, he stepped right, and I'm  
9 behind him, I'm trying to push him to the wall, he steps  
10 right. I don't step right. I ruptured my left testicle  
11 on the island.  
12 And I didn't know it at the time, I just felt  
13 some pain in my abdomen, and at that point I let go of  
14 him, he turned around and I told him to drop the gun, he's  
15 yelling no, at that point I did what I was trained to do,  
16 I slapped him as hard as I could in the chest and shoved  
17 him back and knocked him off balance, and I started  
18 backing up towards the door, and I was yelling, everybody  
19 he's got a gun, he's got a gun.  
20 And as I shoved him forward, he fell forward,  
21 and he got up and turned around, and he started to raise  
22 the rifle to shoot me, and I shot him and killed him.  
23 And so when I shot him, you know, I was still in  
24 the doorway of the, of the place where we'd come in, and  
25 he was in the kitchen pointing the rifle at me when I

Page 86

1 fired my weapon. And I shot five times and hit him all  
2 five, and he died at the scene.  
3 And so it was pretty dramatic thing. I had a  
4 coroner's inquest and everything, and was found to be a  
5 justifiable homicide.  
6 Later I was sued for \$10 million. They hired an  
7 expert to come in and determine what happened. The expert  
8 said what I said during my depositions, is the -- one of  
9 the only possible scenarios that could have happened, the  
10 placement where I shot everything, the lawsuit was  
11 dropped.  
12 Q Did you suffer from that nerve issue at the  
13 time then, too?  
14 A Yes.  
15 Q So that didn't play a role in the shooting?  
16 A No. Just never played a role in the shooting.  
17 I remember like after -- Same thing with him, I  
18 advanced, I handcuffed him, and I was trying to unload his  
19 weapon and I couldn't hardly get it unloaded, so I just  
20 laid it on the counter and walked out. But I had suffered  
21 from that same -- You know, typical police, they want to  
22 grab the gun and unload it, make it safe for everybody,  
23 and I remember I, I unloaded that rifle and I'd put  
24 another shell in it, so I just set it down and I told  
25 everybody, look, I can't do this, I'm going to set this

Page 87

1 down and walk out of here.  
2 Well, I didn't know about my testicle. I didn't  
3 know what had happened, so I just thought I had been shot  
4 or something, so I walked outside and I just left the  
5 rifle with everybody in there, so...  
6 Q Well, I'm sorry you had to go through that.  
7 [Reporter marked Plaintiff's Exhibit .  
8 Q (By Mr. Eastwood) I'm going to hand you now  
9 what I guess is Exhibit 3. This is -- Do you recognize  
10 this document?  
11 A Yes.  
12 Q This is your report on the Weinhaus incident;  
13 is that correct?  
14 A Yes, sir.  
15 Q And you reviewed this document in preparing  
16 for your deposition today?  
17 A Yes, sir.  
18 Q And do you believe this document's accurate?  
19 A Yes, sir.  
20 Q Would you change anything about the document  
21 if you could?  
22 A No.  
23 Q Okay. And then I'm going to hand you another  
24 document, which is an interview of you by Sergeant Perry  
25 Smith. You recognize this document?

Page 88

1 A Yes, sir.  
2 MR. EASTWOOD: Want to mark that as Exhibit 4.  
3 [Reporter marked Defendant's Exhibit 4].  
4 Q (By Mr. Eastwood) And I'm grateful to  
5 Mr. Parks providing these documents today, by the way.  
6 I didn't have clean copies.  
7 Do you recall this interview by Sergeant Smith?  
8 A Yes, sir.  
9 Q And do you feel that Sergeant Smith's report  
10 here accurately reflects your statements to him?  
11 A Yes.  
12 Q Is there anything in Sergeant Smith's report  
13 that you disagreed with?  
14 And take your time, please. I realize -- I  
15 know -- It's my understanding that you reviewed this  
16 document already, but I also understand that it's a  
17 multiple page document and you might want to --  
18 A I'd read it several times and I don't see  
19 anything that stands out that I disagreed with. I might  
20 have said something different, but I don't see anything  
21 that I disagree with, sir.  
22 Q Okay. Well, thank you. And then finally, I  
23 want to, I want to show you two documents, two  
24 recordings, rather, which I believe you reviewed  
25 already.

Page 89

1 One is the -- That's to play the audio first.  
 2 This is an audio recording by Valerie Weinhaus of Jeff  
 3 Weinhaus. I'm not going to start at the very beginning,  
 4 because you wouldn't have knowledge of that, I don't  
 5 believe, but --  
 6 [Video playing].  
 7 Q Do you recognize this to be -- I'm going to  
 8 pause. Do you recognize that to be Jeff Weinhaus'  
 9 voice?  
 10 A Yes. I've heard that recording.  
 11 Q Okay. So I'm going to start around, I'm going  
 12 to fast forward to about four, four minutes, 15 second,  
 13 four minutes, 15 seconds in the tape. And then I'm  
 14 going to start the recording.  
 15 [Video playing].  
 16 Q Who's that?  
 17 A That's me.  
 18 Q Okay.  
 19 [Video playing].  
 20 Q Is that Jeff?  
 21 A Yes, sir.  
 22 [Video playing].  
 23 Q So is that Jeff again and you talking?  
 24 A Yes, sir.  
 25 Q And then I'm going to go back just a wee bit.

Page 90

1 [Video playing].  
 2 Q And is that you saying I'm authorized to have  
 3 a gun?  
 4 A Yes, sir, it is.  
 5 Q Did you believe at the time that Jeff was not  
 6 authorized to have a gun?  
 7 A I knew that I was authorized to have a gun. I  
 8 mean, I'm there to arrest him for a felony drug arrest,  
 9 so in my mind I probably wasn't that comfortable with  
 10 it, but I knew I was authorized.  
 11 Q You never investigated Jeff for unlawful  
 12 possession of that gun, did you?  
 13 A No, sir, I did not.  
 14 Q You never made it, to your knowledge, Jeff was  
 15 never arrested for unlawful possession of a gun?  
 16 A No. No, sir, he was not.  
 17 Q It was, rather, the alleged use of the gun  
 18 that was at issue in this incident, not the mere  
 19 possession?  
 20 A Yes, sir.  
 21 [Video playing].  
 22 Q Is that you saying get down on the ground?  
 23 A Yes, sir.  
 24 [Video playing].  
 25 Q Now what did Jeff say there, just before you

Page 91

1 just heard --  
 2 A Said you're going to have to shoot me, man.  
 3 Q You're sure that -- It couldn't be, you don't  
 4 have to shoot me, man?  
 5 A No, it's not that.  
 6 [Video playing]  
 7 Q Okay. Who is that?  
 8 A Me.  
 9 Q Are you talking to Scott Mertens at that time?  
 10 A Yeah. That's when I rolled him over, and you  
 11 know, I see the gun underneath him in the sand.  
 12 [Video playing].  
 13 Q Who says got him?  
 14 A That's Mike Morris, FBI agent.  
 15 [Video playing]  
 16 Q Who is that?  
 17 A That's me and that's one of those guys fixing  
 18 the gutters saying you guys cops? I said we're police,  
 19 FBI, Highway Patrol.  
 20 Q You're identifying yourself as law  
 21 enforcement?  
 22 A Yes. Because I mean, you known, it probably  
 23 scared the tar out of them. I mean, the next thing you  
 24 know, the police just open up with gunfire.  
 25 Q And none of you were uniformed?

Page 92

1 A No. And I heard them screaming, too. I know  
 2 they were afraid.  
 3 Q None of you were in patrol cars?  
 4 A No.  
 5 Q So it's fair to say a reasonable person might  
 6 be uncertain who you were?  
 7 A Yes. And that's why I'm yelling out, you  
 8 know, that we're police, law enforcement.  
 9 [Video playing].  
 10 Q Is that you saying government?  
 11 A Yes, sir.  
 12 [Video playing].  
 13 Q Now can you see this counter here?  
 14 A Uh-huh.  
 15 Q At about 709 there's going to be a statement,  
 16 and after you listen to the statement, can you identify  
 17 whether it was you or someone else making the statement?  
 18 A Okay.  
 19 Q Thank you, sir.  
 20 [Video playing].  
 21 A That's me speaking, yes, sir. That's Scott  
 22 Mertens said I shot also.  
 23 Q I'm going to fast-forward a little bit on the  
 24 tape, just for the purpose of brevity.  
 25 And there's a statement around 847, so I just



Page 93

1 want to know if you can identify who's making that  
2 statement?  
3 A Could I hear it again? I'm sorry.  
4 [Video playing]  
5 Q Absolutely. Absolutely. It's -- You're  
6 making do with my laptop, so...  
7 A I know that's me saying Scott, and I think I'm  
8 pointing to the injuries, wherever, trying to put  
9 pressure.  
10 Q You don't hear that as Scott vests, v-e-s-t-s?  
11 We can listen to it again. And I don't know. I'm  
12 asking you.  
13 A I don't -- I know there's a section where I  
14 said I got him right here, and I can't tell if that's  
15 it.  
16 I know we did put -- We have these vests that we  
17 wear. If we're exposed in a public incident, we're  
18 supposed to put these vests on, they look like fishing  
19 vests, immediately, so where a road trooper has to put on  
20 his reflective vest if he's going to be on the highway,  
21 we're supposed to put on these vests that say who we are  
22 and everything, so I possibly could have been mentioning  
23 that.  
24 I thought that might have been the spot where I  
25 was telling Scott I got him right here and here, and we're

Page 94

1 trying to put pressure.  
2 Q And this was not a reference to, to a bullet  
3 proof, or bullet resistant vest?  
4 A No. It's a reference to a part of the uniform  
5 that, you know, a jacket that readily identifies that  
6 we're a state trooper, and says state trooper on the  
7 back, and it's got a big logo.  
8 I mean, we were wearing polo shirts with the  
9 same logo, but this says state trooper on the back, but  
10 any time we're sent to an incident or commanders want to  
11 know who the troopers are, the way they want to know who  
12 the troopers are is by seeing that thing on your back that  
13 says state trooper.  
14 Q So for your safety, ease of identification?  
15 A Yes. Any time we are in a public incident or  
16 anything, we're supposed to put that on.  
17 Q Does this audiotape, I know the sound quality  
18 is not perfect --  
19 A Yeah.  
20 Q But -- And we did not listen to the entire  
21 tape, but the portions of the tape to which you  
22 listened, do they accurately reflect the events as you  
23 recall them?  
24 A Yes, sir.  
25 Q Okay. And I submit to you this tape has not

Page 95

1 been altered in any way, or at least not to my  
2 knowledge.  
3 Okay. And then I finally just want to play a  
4 section of a video for you, and this is only about 16  
5 seconds. It's critical. Perhaps you might want to call  
6 the critical 16 seconds. Here we go.  
7 [Video playing].  
8 Q It's -- We possess a longer video tape, and I  
9 know Mr. Parks has given me, but does that section of  
10 the interaction, does that watch video, I know it's hard  
11 to see, it's jerky, but does that appear to accurately  
12 reflect the events of the shooting?  
13 A Yes, sir. I've seen that video before and it  
14 does reflect the events.  
15 MR. EASTWOOD: Okay. At this time I have no  
16 further questions.  
17 MR. PARKS: Do you wish to waive signature?  
18 THE WITNESS: Yes, sir.  
19 MR. EASTWOOD: Okay. Thank you very much for  
20 your time today, Sergeant.  
21 [SIGNATURE OF THE WITNESS WAIVED BY AGREEMENT  
22 OF COUNSEL AND CONSENT OF THE WITNESS].  
23  
24  
25

Page 96

1 CERTIFICATE  
2 I, JANN M. RICH, a Certified Court Reporter,  
3 within and for the State of Missouri, license #411, do  
4 hereby certify that pursuant to notice there came before  
5 me in the offices of Mr. Robert H. Parks, II, Franklin  
6 County Prosecuting Attorney, 15 S. Church, Room 204,  
7 Union, Missouri,  
8 HENRY JAMES FOLSOM,  
9 who was first duly sworn to testify to the truth and  
10 nothing but the truth of all knowledge touching and  
11 concerning the matters in controversy in this cause; that  
12 the witness was thereupon examined, and signature of the  
13 witness waived by agreement of counsel and consent of the  
14 witness, and that this deposition is a true and accurate  
15 record of the testimony given by the witness.  
16 I further certify that I am not of counsel, nor  
17 attorney for either of the parties to said suit, nor  
18 related, nor interested in any of the parties or their  
19 attorneys.  
20 IN WITNESS WHEREOF, I have hereunto set my hand  
21 this 11th day of July, 2013.  
22 \_\_\_\_\_  
23 Jane M. Rich, CCR No. 411.  
24  
25

1 IN THE CIRCUIT COURT FOR THE COUNTY OF FRANKLIN  
2 20TH JUDICIAL CIRCUIT  
3 STATE OF MISSOURI

4 STATE OF MISSOURI, }  
5 Plaintiff. ) Cause No. 12AB-CR02409-01  
6 vs. }  
7 JEFFREY R. WEINHAUS, }  
8 Defendant. }

9 CERTIFICATE OF OFFICER AND STATEMENT  
10 OF DEPOSITION CHARGES  
(Rule 57.03(g)(2)(A) & Section 492.590 RSMO 1985)  
11 DEPOSITION OF HENRY JAMES FOLSOM  
Taken on behalf of the Defendant  
June 5, 2013

12 Name and address of person having custody of the original  
transcript: Mr. Hugh Eastwood, 7777 Boshcama, Clayton,  
Missouri 63105.

13 TAXED IN FAVOR OF: Defendant  
14 97 pages original transcript.....\$363.75  
15 Attendance of Reporter..... 90.00  
TOTAL \$453.75

16 TAXED IN FAVOR OF: Plaintiff. Attorney for Plaintiff,  
17 Mr. Robert H. Parks, II, Franklin County Prosecuting  
Attorney, 15 S. Church, Room 204, Union, Missouri 63084.

18 97 pages copy of transcript.....\$169.75

19 Upon delivery of transcripts, the above charges had not  
yet been paid. It is anticipated that all charges will be  
20 paid in the normal course of business.

21 COURT REPORTING ASSOCIATES  
P.O. BOX 440014  
BRENTWOOD, MO 63144  
(314) 961-6306

22 IN WITNESS WHEREOF, I have hereunto set my hand on this  
23 11th day of July, 2013.

24 \_\_\_\_\_ Jane M. Rich, CCR #411  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

	<b>2nd (1)</b> 23:5	42:25	79:12	28:19;36:8
<b>S</b>		<b>access (6)</b> 15:12,13,14;55:9; 73:6;75:8	<b>affidavit (1)</b> 25:23	<b>alongside (1)</b> 70:7
<b>S10 (1)</b> 86:6	<b>3</b>	<b>accidentally (2)</b> 55:14,15	<b>afraid (1)</b> 92:2	<b>altered (2)</b> 54:2,95:1
<b>I</b>	<b>3 (1)</b> 87:9	<b>accompanied (1)</b> 33:21	<b>again (7)</b> 16:7,10;60:14;68:21; 89:23;93:3,11	<b>alternate (1)</b> 31:17
<b>[Indicating] (5)</b> 50:20;51:9;59:21; 60:11;70:16	<b>30 (2)</b> 13:13;83:3	<b>accompany (1)</b> 36:10	<b>against (3)</b> 22:16;28:2;84:22	<b>always (4)</b> 45:19;49:24,25;68:3
<b>[Reporter (3)]</b> 24:25;87:7;88:3	<b>300 (1)</b> 77:22	<b>according (1)</b> 13:24	<b>age (1)</b> 4:3	<b>Alzheimer's (1)</b> 71:25
<b>[SIGNATURE (1)]</b> 95:21	<b>35 (1)</b> 13:13	<b>account (2)</b> 25:3,4	<b>Agent (2)</b> 29:3;91:14	<b>amazement (1)</b> 67:14
<b>[Video (15)]</b> 89:6,15,19,22;90:1,21, 24;91:6,12,15;92:9,12, 20;93:4;95:7	<b>4</b>	<b>accurate (1)</b> 87:18	<b>agents (11)</b> 27:24;33:22,23;34:23, 25;37:8,15;38:20;39:6; 45:12;74:12	<b>ambidextrous (1)</b> 19:5
<b>[Whereupon (2)]</b> 4:22;80:15	<b>4 (1)</b> 88:2	<b>accurately (3)</b> 88:10;94:22;95:11	<b>aggressive (2)</b> 43:14;50:9	<b>ambulance (2)</b> 73:19,20
<b>1</b>	<b>4 (1)</b> 88:3	<b>achieved (1)</b> 5:15	<b>aggressively (1)</b> 84:25	<b>Amendment (3)</b> 56:16,16,24
<b>1 (3)</b> 23:2;24:25;53:7	<b>42 (1)</b> 5:11	<b>acknowledged (1)</b> 13:11	<b>agitated (6)</b> 32:12,12,15,15,17; 50:10	<b>amongst (1)</b> 33:11
<b>10 (2)</b> 21:23;46:23	<b>5</b>	<b>across (3)</b> 60:18;61:2,5	<b>acting (1)</b> 34:14	<b>angle (8)</b> 40:6;42:15;51:3,7,7, 15;62:20,23
<b>100 (2)</b> 11:17;18:13	<b>50 (1)</b> 40:14	<b>action (4)</b> 43:9;53:21,24;59:1	<b>ago (1)</b> 7:24	<b>angry (1)</b> 64:14
<b>11th (1)</b> 25:16	<b>557 (1)</b> 5:13	<b>actions (1)</b> 28:2	<b>agree (2)</b> 27:1,3	<b>answered (1)</b> 47:11
<b>15 (3)</b> 77:23;89:12,13	<b>6</b>	<b>activities (1)</b> 9:9	<b>agreed (1)</b> 14:20	<b>antagonistic (1)</b> 56:10
<b>16 (2)</b> 95:4,6	<b>60 (3)</b> 34:17;38:25;40:14	<b>actual (3)</b> 9:22;10:6;75:16	<b>AGREEMENT (1)</b> 95:21	<b>antagonize (1)</b> 64:24
<b>16-plus (1)</b> 6:3	<b>7</b>	<b>actually (12)</b> 23:22;24:9;33:17; 35:4;48:24;62:8,9; 64:11;66:3,4;67:20; 79:23	<b>ahead (4)</b> 29:19;35:20;36:18; 51:19	<b>anticipate (1)</b> 64:6
<b>17th (1)</b> 26:5	<b>70 (2)</b> 34:17;38:25	<b>Adam (1)</b> 5:19	<b>ahold (2)</b> 50:11;54:8	<b>anticipated (1)</b> 62:7
<b>180 (1)</b> 19:4	<b>709 (1)</b> 92:15	<b>additional (2)</b> 21:7;81:9	<b>aim (1)</b> 66:19	<b>anticipating (1)</b> 41:11
<b>19 (1)</b> 6:24	<b>8</b>	<b>address (10)</b> 12:14,16,22;14;23:6, 11,13;24:1,3,6;25:11	<b>aimed (1)</b> 61:18	<b>apart (1)</b> 14:15
<b>1997 (1)</b> 6:3	<b>847 (1)</b> 92:25	<b>adrenaline (4)</b> 71:12;72:4;77:17,19	<b>aiming (1)</b> 66:16	<b>apologize (1)</b> 52:15
<b>1st (1)</b> 6:3	<b>A</b>	<b>advance (1)</b> 48:23	<b>air (5)</b> 61:14;63:18;69:14,20; 83:11	<b>appear (1)</b> 95:11
<b>2</b>	<b>abdomen (1)</b> 85:13	<b>advanced (1)</b> 86:18	<b>airborne (1)</b> 55:11	<b>Appeared (1)</b> 45:7
<b>2 (1)</b> 23:4	<b>ability (2)</b> 18:25;19:1	<b>advancing (1)</b> 52:7	<b>alarmed (2)</b> 43:15;52:3	<b>appears (2)</b> 17:25;23:4
<b>2 (1)</b> 24:25	<b>able (6)</b> 31:11;55:9;61:18; 62:18;70:12;84:22	<b>advised (1)</b> 16:12	<b>alec (2)</b> 56:5;57:7	<b>application (1)</b> 22:19
<b>20 (1)</b> 83:8	<b>above (2)</b> 71:4,8	<b>affect (1)</b> 79:10	<b>alert (1)</b> 57:10	<b>applied (2)</b> 15:18;16:2
<b>2001 (3)</b> 6:24;80:9;81:2	<b>Absolutely (2)</b> 93:5,5	<b>affected (1)</b> 79:15	<b>alleged (1)</b> 90:17	<b>apply (1)</b> 15:16
<b>23 (1)</b> 49:23	<b>accelerate (1)</b> 43:19	<b>affects (1)</b>	<b>allegedly (2)</b> 12:9;26:5	<b>approximately (1)</b> 61:23
<b>28th (1)</b> 81:2	<b>accelerated (1)</b>		<b>almost (6)</b> 14:14;41:17;55:17; 56:7;60:17;67:14	<b>arched (1)</b> 69:14
			<b>alone (2)</b>	<b>area (13)</b> 8:21;12:18;14:20; 17:20;19:17;30:18;33:7; 39:3;40:23;50:16;69:18; 81:3;82:1

argument (1) 81:24	90:2,6,7,10	basically (6) 7:5;13:8,23;42:16; 54:13;83:4	black (1) 74:25	broken (1) 69:22
arm (3) 54:20;71:21;75:2	automatically (2) 23:23;57:18	baton (1) 8:11	bladed (5) 51:3,3,7,8,13	brought (3) 28:11;32:9;82:11
armed (10) 8:13,16,19;9:3,12,16, 19;66:4;81:5;83:11	available (1) 29:17	battle (1) 68:4	blast (1) 26:23	brown (1) 20:17
arms (4) 26:21;50:20;71:19,22	aware (5) 75:16,19,23,25,25	BDU (1) 84:6	blended (1) 34:8	building (1) 27:1
Army (5) 5:24;8:15;68:10; 79:17;84:6	away (5) 32:1;33:1,4;34:16; 38:20	bear (1) 26:21	Block (1) 39:21	buildings (1) 33:8
around (19) 20:16;40:22;41:8,19; 42:23;49:15;50:21; 62:20,21;70:2;82:18; 83:5,23;84:1;85:3,14,21; 89:11;92:25	awkward (1) 69:13	beat (1) 45:19	blood (1) 74:4	bullet (5) 22:6;24:15;35:9;94:2, 3
arrange (1) 30:23	<b>B</b>	becomes (1) 19:5	Bob (2) 7:24;25:22	Bulletin (2) 22:3;25:3
arrest (27) 13:20;25:15;26:3; 27:11,13,16;28:5,6,20; 29:9,10,13,14,15;30:5,9, 14,17;33:7;34:2,5,24; 37:4;46:4;83:21;90:8,8	Bachelor's (1) 5:16	bed (1) 17:19	body (8) 7:7;54:24;63:12; 67:16;71:15;74:22;78:2; 79:2	bulletproof (1) 35:23
arrived (3) 13:2;41:5,7	back (42) 4:25;15:18;16:6,7; 20:12;21:16;26:7;30:20; 31:16;36:3,23;44:4,7; 46:3;47:11;48:20;49:9, 17;50:12;52:8;54:17; 55:22;58:23;62:15; 64:25;66:8;67:11;68:20; 70:23;73:15;75:13; 80:16;82:15,23,24; 83:25;84:2;85:17;89:25; 94:7,9,12	bedroom (2) 17:20,21	bolt (1) 73:6	bullets (1) 75:24
Ashby (1) 76:14	back-back (1) 19:16	Beer (2) 37:24,24	bone (4) 52:22,23,25;58:3	buried (1) 69:21
ASP (1) 8:11	backdrop (1) 11:22	began (3) 16:13,17;84:15	borrowed (1) 81:22	burn (1) 43:8
ass (1) 56:8	back-drop (2) 16:22,25	beginning (4) 47:6,14;48:12;89:3	both (19) 14:7;33:13,16;35:4; 36:2,3;49:15,22;50:21; 51:4,19;52:13;63:13,17; 66:9,12;69:15,17;83:10	buried (1) 69:13
assess (1) 9:13	backing (2) 48:22;85:18	behalf (1) 4:5	both (19) 14:7;33:13,16;35:4; 36:2,3;49:15,22;50:21; 51:4,19;52:13;63:13,17; 66:9,12;69:15,17;83:10	business (2) 22:13,14
assist (11) 28:7;29:14,15,17; 34:4,5,23;35:2;60:19,23; 61:7	backup (1) 33:19	behavior (1) 46:14	bottom (3) 40:18;54:2,6	butt (8) 53:12;54:19;69:14,20; 70:11,12,19,20
assisted (1) 35:1	backwards (3) 53:12,13;62:2	behaviors (1) 32:17	Bradley (1) 81:17	buy (1) 43:7
attached (1) 22:15	bad (4) 36:4;44:12;45:22; 55:18	behind (15) 41:8,15,22;43:21; 51:5;62:11,23;73:15; 75:13;82:1,7;83:7; 84:17,21;85:9	brain (1) 66:22	<b>C</b>
attempt (2) 23:14;63:7	badge (1) 5:13	belief (1) 36:15	break (3) 61:20;80:13,17	cadence (2) 48:7,14
attempting (1) 47:23	bag (1) 20:18	believes (1) 56:17	break] (1) 80:15	cage (1) 62:12
attention (1) 43:11	bags (1) 20:16	Bell (1) 43:7	breath (1) 14:4	call (13) 36:4;37:17;48:25; 49:14;51:3,13;57:14; 60:17;67:19;73:18; 74:10;81:4,9;5:5
attorney (1) 4:10	balance (1) 85:17	below (1) 19:9	breath-takingly (1) 64:4	called (9) 9:7;10:7;26:12;29:12; 30:3;73:19;74:8;75:10, 11
audio (5) 7:13,17,19;89:1,2	bar (4) 54:4,6,11,13	belt (8) 42:25;44:15,15,18,19, 22,23;45:4	brevity (1) 92:24	calling (2) 21:19;41:1
audiotape (1) 94:17	barrel (1) 61:14	beside (2) 41:11;49:5	brief (1) 48:16	calls (3) 25:7;29:16;36:17
Australia (1) 38:4	barricade (1) 30:18	best (3) 31:12;40:9;48:12	briefly (4) 6:22;7:25;80:7,25	came (10) 12:1;13:9;16:6,7; 29:11;42:11;45:15;60:5, 20;84:13
authorized (4)	based (1) 5:9	better (2) 60:24;68:11	bring (5) 33:19;36:5,6,9,24	camel (1) 19:22
	basement (5) 11:20;16:20,21,24; 19:16	big (6) 20:18;33:2;56:16; 62:12;81:25;94:7	bringing (1) 64:20	cameras (3) 20:23,25;21:2
		bit (13) 43:20;44:2,2;48:20, 23;70:8;74:7;75:5; 76:19;78:21,25;89:25; 92:23	briskly (1) 83:10	Camm (2) 11:14;28:18
		black (2) 17:10;19:2	broke (1) 69:23	camouflage (1)

84:7	66:9,17,18,21;67:2; 85:16	94:10	container (1) 19:25	covered (2) 74:13,13
<b>can (29)</b> 4:18;6:22;8:11,12; 9:18;19:2,3,5;32:16; 33:3;36:18;39:15;48:4; 50:1;54:1;55:2;63:3; 73:20;77:20;78:14,17; 79:9;80:7;82:15;84:22; 92:13,16;93:1,11	<b>children (3)</b> 15:2,3;81:16	<b>comment (3)</b> 48:17;56:12,14	<b>containing (1)</b> 19:19	<b>covering (2)</b> 21:18;70:4
<b>canted (1)</b> 69:20	<b>choice (2)</b> 62:19;65:5	<b>communicating (1)</b> 38:19	<b>Continue (1)</b> 51:1	<b>covert (1)</b> 34:3
<b>car (38)</b> 22:1;33:6,17;35:15; 39:15;40:19;41:10,24; 42:1,3,9,10,13,14,16,18; 43:19;44:7,16;45:7,16, 18,20,21,21,23;46:7,10; 49:10,11,13;50:13;52:8; 62:21,21,23;70:7;76:22	<b>choose (3)</b> 31:6,17;68:20	<b>communications (3)</b> 23:10,12;25:8	<b>continued (1)</b> 14:21	<b>Crawford (7)</b> 11:3,12,14,16;12:6,17, 19
<b>card (2)</b> 22:13,14	<b>circle (2)</b> 41:19,21	<b>compensation (1)</b> 79:24	<b>continuum (1)</b> 8:4	<b>Crawnford (1)</b> 11:18
<b>Cardiothoracic (1)</b> 66:22	<b>circled (1)</b> 41:14	<b>competent (1)</b> 7:7	<b>controlled (1)</b> 20:21	<b>crime (3)</b> 6:17;9:8;34:24
<b>career (2)</b> 8:17;32:2	<b>circles (3)</b> 23:6,21,25	<b>complaint (7)</b> 9:24;10:2,10,17,20,21; 13:16	<b>controls (1)</b> 54:12	<b>criminal (3)</b> 5:17;18:8;29:7
<b>carport (1)</b> 14:21	<b>circumstance (1)</b> 9:22	<b>completely (4)</b> 33:8;59:9,15;82:15	<b>conversation (10)</b> 13:12;14:22;15:8,10; 17:8;36:1;46:17;47:18, 24;76:25	<b>critical (3)</b> 77:20;95:5,6
<b>carried (1)</b> 55:2	<b>circumstances (2)</b> 66:2;80:8	<b>complications (1)</b> 37:2	<b>convicted (1)</b> 6:16	<b>cross-draw (2)</b> 53:14,15
<b>carry (2)</b> 56:17,22	<b>civil (1)</b> 6:19	<b>comply (1)</b> 63:7	<b>Cop (1)</b> 39:21	<b>crouched (2)</b> 64:15;83:7
<b>carrying (5)</b> 9:1,20;31:15;57:3,6	<b>civilians (2)</b> 37:9;56:22	<b>complying (1)</b> 84:3	<b>copies (2)</b> 23:3;88:6	<b>current (1)</b> 6:4
<b>cars (2)</b> 32:25;92:3	<b>class (1)</b> 8:19	<b>computer (5)</b> 15:25;17:12;20:24; 24:6;46:3	<b>eops (2)</b> 43:9;91:18	<b>curt (1)</b> 32:20
<b>case (1)</b> 4:8	<b>clean (1)</b> 88:6	<b>computers (7)</b> 20:23;21:1,18;30:20; 36:23;44:4,7	<b>copy (2)</b> 16:9;24:8	<b>custody (2)</b> 26:4;34:2
<b>caught (1)</b> 84:7	<b>clear (4)</b> 61:13,13;72:23;73:11	<b>con (1)</b> 31:15	<b>cordless (1)</b> 83:12	<b>cut (1)</b> 67:1
<b>cause (4)</b> 25:23,25;26:2;78:8	<b>cleared (1)</b> 54:11	<b>concern (4)</b> 21:4;42:19;46:15;71:6	<b>corner (3)</b> 16:24;49:15;50:21	
<b>caused (1)</b> 78:10	<b>clears (1)</b> 54:6	<b>concerned (4)</b> 13:19;32:6,11,23	<b>coroner's (1)</b> 86:4	<b>D</b>
<b>CCW (1)</b> 9:1	<b>client (1)</b> 9:25	<b>concerning (2)</b> 21:19,20	<b>Corporal (9)</b> 40:2;46:25;49:19; 76:14;81:13,13;82:5,6, 22	<b>damage (4)</b> 71:11,18;78:13;79:9
<b>cell (1)</b> 74:8	<b>clip (2)</b> 18:25;19:1	<b>concerns (3)</b> 37:5;38:8,14	<b>COUNSEL (1)</b> 95:22	<b>danger (1)</b> 12:4
<b>certainly (1)</b> 43:16	<b>close (4)</b> 14:19;47:8;61:16,22	<b>condition (1)</b> 54:1	<b>counter (2)</b> 86:20;92:13	<b>dangerous (4)</b> 30:21;31:23;47:19; 82:3
<b>certified (1)</b> 8:22	<b>closed (5)</b> 44:20,22;51:21;52:5; 63:23	<b>confrontation (1)</b> 8:19	<b>counter-clockwise (1)</b> 69:8	<b>dark (1)</b> 82:15
<b>challenged (1)</b> 83:16	<b>closer (1)</b> 62:15	<b>confrontational (1)</b> 39:12	<b>County (17)</b> 6:25;11:3,12,14,16,18; 12:6,13,15,17,19,19; 25:20;29:8;32:3,5;81:3	<b>date (2)</b> 10:6;26:10
<b>chance (1)</b> 68:11	<b>closest (1)</b> 84:5	<b>confronted (3)</b> 9:15,19;64:8	<b>couple (5)</b> 7:24;12:6;17:12,22:2; 82:22	<b>dated (1)</b> 23:5
<b>change (4)</b> 19:5;62:20;77:20; 87:20	<b>coat (2)</b> 84:10,11	<b>CONSENT (1)</b> 95:22	<b>course (11)</b> 8:6;9:3,8;19:15;20:13; 26:20;33:24;59:3;76:6; 81:7;82:11	<b>day (6)</b> 10:7;18:22;32:11,15; 77:10;81:18
<b>chase (1)</b> 62:20	<b>cold (1)</b> 82:20	<b>consider (1)</b> 17:19	<b>court (4)</b> 4:22;5:3;22:20;28:24	<b>days (1)</b> 22:3
<b>chasing (1)</b> 84:6	<b>collapsed (2)</b> 4:23;68:23	<b>considered (1)</b> 33:10	<b>Courthouse (3)</b> 26:6,9;29:12	<b>day-to-day (1)</b> 9:9
<b>chest (6)</b>	<b>college (1)</b> 5:16	<b>contact (7)</b> 12:3,5;22:10;23:14; 30:1;34:1;70:5	<b>courts (1)</b> 25:20	<b>DDCC (2)</b> 76:6,7
	<b>color (3)</b> 17:9,11;23:3	<b>contacted (2)</b> 12:16;81:16	<b>cover (4)</b> 53:4;62:16;70:1,6	<b>dead (1)</b> 74:23
	<b>comfortable (1)</b> 90:9	<b>contacting (1)</b> 25:22		<b>deadly (6)</b> 8:6,10;62:8;64:7,8; 81:1
	<b>coming (8)</b> 14:4;36:8;37:25; 63:24;72:4,4;74:4;83:9	<b>contacts (1)</b> 39:23		<b>dealing (3)</b>
	<b>command (3)</b> 58:17,18;63:7	<b>contained (1)</b> 21:4		
	<b>commanders (1)</b>			

8:13;17:12;34:6 <b>dealt</b> (2) 8:16;32:13 <b>death</b> (1) 31:15 <b>deceased</b> (1) 75:3 <b>decided</b> (1) 12:14 <b>de-escalate</b> (2) 9:12,17 <b>de-escalating</b> (1) 47:18 <b>Defendant</b> (4) 4:5,11;69:9;72:23 <b>Defendant's</b> (2) 24:25;88:3 <b>defensive</b> (1) 64:16 <b>degree</b> (1) 5:16 <b>degrees</b> (1) 19:4 <b>demanding</b> (1) 21:17 <b>demonstrating</b> (1) 69:9 <b>denied</b> (1) 22:22 <b>department</b> (3) 29:12,22;32:5 <b>depends</b> (3) 9:5,18,22 <b>deposed</b> (1) 4:13 <b>deposes</b> (1) 4:4 <b>deposition</b> (3) 4:11;17:8;87:16 <b>depositions</b> (1) 86:8 <b>describe</b> (2) 7:25;72:1 <b>designed</b> (1) 55:9 <b>details</b> (1) 6:23 <b>detain</b> (1) 28:20 <b>determine</b> (3) 20:2,7;86:7 <b>determined</b> (6) 12:12;13:3,23;20:19; 78:11;79:22 <b>develop</b> (1) 79:5 <b>device</b> (1) 77:5 <b>died</b> (1) 86:2 <b>difference</b> (1) 9:20 <b>different</b> (4)	16:23;21:25;38:1; 88:20 <b>difficult</b> (5) 54:23;55:13,15,17,20 <b>DIRECT</b> (1) 4:6 <b>direction</b> (1) 62:19 <b>directly</b> (2) 25:8;71:4 <b>disabled</b> (1) 79:24 <b>disagree</b> (1) 88:21 <b>disagreed</b> (2) 88:13,19 <b>disarming</b> (1) 74:14 <b>discharge</b> (1) 65:25 <b>discharged</b> (1) 75:20 <b>disciplined</b> (1) 6:10 <b>discussing</b> (2) 45:25;80:17 <b>disengage</b> (1) 55:12 <b>disregarded</b> (1) 24:7 <b>distance</b> (2) 62:22,24 <b>distinction</b> (2) 24:19,22 <b>distract</b> (1) 47:24 <b>disturbances</b> (1) 8:25 <b>document</b> (7) 87:10,15,20,24,25; 88:16,17 <b>documents</b> (2) 88:5,23 <b>document's</b> (1) 87:18 <b>domestic</b> (2) 8:25;81:25 <b>done</b> (1) 23:22 <b>door</b> (23) 13:3,4;14:12;15:23; 45:15,16;51:22,24,25; 52:2,4,5,7,8;81:15,15; 83:7,8,9,25;84:3,8;85:18 <b>doorway</b> (2) 84:12;85:24 <b>down</b> (30) 4:19;14:13,19;16:20; 19:16;32:5;54:4,7,10,10, 13;58:17,18;59:8,9,9; 60:6,6;61:15,16;63:4,6; 64:19;69:5;72:10,18; 84:14;86:24;87:1;90:22	<b>downstairs</b> (1) 29:11 <b>downward</b> (2) 40:6;55:6 <b>dozens</b> (1) 35:1 <b>dramatic</b> (1) 86:3 <b>draw</b> (5) 43:11;55:9;60:21,22, 22 <b>drawer</b> (2) 17:17;19:9 <b>drawers</b> (3) 17:4,5;19:18 <b>drawing</b> (2) 64:15;66:4 <b>drawn</b> (1) 58:8 <b>dresser</b> (1) 17:17 <b>drew</b> (1) 58:11 <b>drinking</b> (2) 81:18,24 <b>drive</b> (2) 12:14;43:11 <b>driving</b> (5) 41:24,25;43:24,25; 81:8 <b>drop</b> (1) 85:14 <b>dropped</b> (6) 7:5;57:21;58:13,15, 20;86:11 <b>dropping</b> (2) 58:22;84:9 <b>drove</b> (7) 12:9;41:8,14;42:22, 23;44:17;45:4 <b>drug</b> (1) 90:8 <b>drugs</b> (1) 43:7 <b>drugstore</b> (1) 19:23 <b>drying</b> (1) 20:17 <b>DSN</b> (1) 5:12 <b>duck</b> (1) 85:6 <b>ducked</b> (1) 85:7 <b>duly</b> (1) 4:3 <b>dump</b> (1) 71:12 <b>dumps</b> (1) 77:17 <b>During</b> (9) 11:6;26:20;38:5;52:1; 75:16;78:4,5;79:15;86:8	<b>duties</b> (1) 9:4 <b>duty</b> (1) 80:4  <b>E</b>  <b>earlier</b> (4) 28:9;33:12;40:3;75:15 <b>ease</b> (1) 94:14 <b>easier</b> (1) 4:18 <b>east</b> (1) 43:25 <b>EASTWOOD</b> (12) 4:7,10;36:20;50:23; 52:15;80:14,16;87:8; 88:2,4;95:15,19 <b>edge</b> (3) 32:22;41:15;49:13 <b>education</b> (1) 5:14 <b>eerie</b> (1) 75:14 <b>effect</b> (6) 26:22;28:6,19;55:24; 56:2;76:21 <b>eight</b> (1) 6:8 <b>either</b> (2) 7:20;18:25 <b>elevate</b> (3) 37:5;38:14;42:18 <b>elevated</b> (3) 37:7;40:16;46:15 <b>eliminated</b> (1) 67:4 <b>else</b> (15) 14:23;15:1,24;19:11, 14;20:13;23:16;38:21; 67:20,21;72:16;73:17, 22;80:5;92:17 <b>elsewhere</b> (1) 45:6 <b>e-mail</b> (6) 23:5,6,10,13;24:6; 25:11 <b>e-mails</b> (2) 22:12,14 <b>employed</b> (1) 6:1 <b>employer</b> (2) 6:13,14 <b>empty</b> (1) 51:19 <b>encounter</b> (4) 9:2,8;56:21,21 <b>encountered</b> (1) 50:19 <b>encountering</b> (2) 8:23;9:1 <b>end</b> (5)	15:8,10;31:11;33:10; 84:24 <b>endanger</b> (1) 72:16 <b>ended</b> (5) 13:12;28:6;31:4;69:5; 84:9 <b>enforcement</b> (6) 10:9;39:23;45:18; 80:22;91:21;92:8 <b>engage</b> (3) 46:16;47:23;66:20 <b>enough</b> (5) 28:15;37:7;46:24; 47:8,24 <b>ensued</b> (1) 84:9 <b>enter</b> (1) 15:17 <b>entered</b> (1) 44:17 <b>entering</b> (1) 16:21 <b>entire</b> (2) 61:13;94:20 <b>entrances</b> (1) 31:20 <b>environment</b> (1) 34:8 <b>equally</b> (1) 52:15 <b>equipment</b> (3) 30:13;32:10;46:3 <b>erson</b> (1) 54:3 <b>escalate</b> (1) 9:11 <b>escalated</b> (1) 64:11 <b>escorted</b> (1) 82:6 <b>essentially</b> (1) 24:15 <b>establish</b> (1) 82:18 <b>even</b> (9) 31:1,45;17:58;21; 61:25;63:3;73:23;76:4; 79:13;85:1 <b>event</b> (1) 78:6 <b>events</b> (3) 94:22;95:12,14 <b>eventually</b> (3) 11:17;12:16;82:19 <b>everybody</b> (8) 70:1;83:20,24;84:1; 85:18;86:22,25;87:5 <b>everyone</b> (5) 37:7;38:17;57:10; 79:8,11 <b>evidence</b> (1) 15:25
---	--	---	---	--

exact (3) 26:10;47:12;55:2	64:17;65:8,11;68:23; 69:5,13,21	figure (1) 11:15	77:19	fuckers (1) 26:23
exactly (1) 48:3	Facebook (1) 23:15	figured (2) 11:17;38:12	flashlight (2) 83:15;84:9	fuel (1) 32:24
EXAMINATION (1) 4:6	face-to-face (2) 14:15;57:20	file (1) 10:6	flatbed (1) 37:22	full (2) 5:2;62:12
examined (1) 18:5	facing (4) 42:15;44:5;53:12,13	filed (2) 22:19,24	flee (1) 30:18	further (1) 95:16
example (5) 10:13;23:7,9;27:5; 68:16	fact (6) 35:19;38:16;42:22; 49:2,4;77:6	filing (1) 22:16	floor (1) 17:18	
exchanged (1) 47:14	fair (6) 41:19;44:4,54:24; 75:17;78:24;92:5	Finally (3) 82:17;88:22;95:3	floor] (1) 4:23	<b>G</b>
excited (1) 71:12	fairly (1) 31:9	find (4) 12:3,6;18:21;19:14	flying (1) 67:11	gas (14) 18:12,19;32:7,24; 33:2,4,11;35:18;37:11, 18,21;40:13;45:9;62:12
excitement (1) 5:1	fall (3) 55:14,16;68:22	fine (11) 71:10,15,16;72:7; 77:13,18;78:3;79:4,11, 14;80:14	follow (1) 62:21	gave (4) 12:11;16:8;22:13; 79:17
excuse (2) 6:24;80:10	familiar (1) 4:15	fingers (2) 70:13,18	follows (1) 4:5	gave (4) 12:11;16:8;22:13; 79:17
execute (1) 25:15	family (5) 81:5,6;82:6,8,10	fire (2) 62:17;65:5	FOLSOM (3) 4:2,12;5:4	generally (6) 21:13;26:25;48:13; 50:18;53:24;57:16
executing (2) 26:21;34:24	far (7) 8:3,23;33:1,4;34:16; 61:22;79:11	firearm (5) 57:3,6;81:22,22,23	foot (5) 14:15;51:2,2,14,17	gentleman (2) 82:12;83:9
Exhibit (7) 23:2,4;53:7;87:7,9; 88:2,3	fashion (1) 69:8	firearms (5) 8:9,20,20;32:9;56:22	force (11) 8:1,3,4,6,10;55:6,6; 62:8;64:7;77:17;81:1	George (3) 27:18;74:11;76:25
Exhibits (1) 24:25	fast (2) 32:20;89:12	fired (18) 21:21,24;18;61:21; 64:21;65:14;66:1,9,12, 17,18;67:2;68:1;73:23; 76:1,3;77:15,23;86:1	formally (2) 6:10;10:10	gesture (1) 45:2
exit (2) 42:17;65:3	fast-forward (1) 92:23	firing (4) 71:7;82:13,13,16	forth (2) 64:25;82:16	gets (3) 82:19,20;83:1
exited (3) 45:15,16;47:2	FBI (20) 11:3;27:24,25;28:8, 21;33:22,23;34:3,25; 37:8,15;38:19;39:6,8; 45:12;46:5;70:5,74:12; 91:14,19	first (31) 4:3;10:4,5,6;11:2,6, 23;12:1,3;13:1;14:11, 15;28:14;47:16;48:20; 50:15,19;52:9;54:8; 56:16;61:21;62:5,7; 65:14;66:8;67:13;71:14; 74:21;78:2;79:3;89:1	forward (15) 51:2,14;53:12;61:18, 21;62:2;68:3,4,7,9;69:5; 72:19;85:20,20;89:12	given (2) 12:8;95:9
exits (1) 31:20	feel (11) 7:6;22:4,5,7;23:20; 24:11,13;28:15;56:14; 72:3;88:9	fishing (1) 93:18	found (4) 19:17;38:3;45:22;86:4	giving (1) 83:22
expect (1) 37:9	feeling (1) 50:10	five (3) 61:20;86:1,2	four (5) 31:15;49:20;89:12,12, 13	glasses (2) 69:22,23
experience (2) 9:3;56:20	feet (4) 33:5;61:23;77:23;83:8	five-minute (1) 80:12	four-to-one (1) 46:6	g-mail (2) 24:1,3
expert (2) 86:7,7	fell (7) 68:22,22,22;69:9,12, 12;85:20	fixated (1) 64:18	Fourth (1) 56:16	goal (1) 46:1
explain (4) 30:13;34:1;37:3;46:4	felony (1) 90:8	fixating (1) 63:24	fourth (1) 56:16	God (1) 64:5
explained (5) 13:8;16:7,9;36:7; 81:17	felt (7) 24:14;28:18;29:19; 30:12;31:15;67:23; 85:12	fixed (1) 45:7	Franklin (7) 12:13,15,19;25:20; 29:8;32:3,4	goes (3) 19:6,6;82:24
explanation (1) 44:10	few (5) 33:5;46:21,22;58:21; 60:13	fixing (1) 91:17	free (3) 15:13;16:10;72:22	Good (2) 4:8;72:1
expose (2) 49:6;55:8	field (1) 84:7	flags (1) 16:23	frequent (1) 24:3	Google (7) 23:6,21,23,25;24:1,6, 10
exposed (3) 73:4;78:1;93:17	fight (3) 84:15,16,17	flap (17) 19:6;53:9;54:2,5,6,14, 15,16,19,21;55:12; 58:24;59:2,10,17;62:17; 64:25	friend (2) 41:13;50:4	government (2) 21:5;92:10
extension (1) 5:20		flash (1)	friendly (1) 64:10	grab (4) 54:3,8;72:23;86:22
extensive (1) 8:14			friends (1) 38:13	grabbed (5) 49:9;50:11;72:10,20; 84:13
ex-wife (1) 7:20			front (25) 14:12;40:11;41:18; 42:15,16;48:25;50:16, 25;51:7,17;52:19,20,22, 24,25;58:3;59:23,25; 63:14;68:13;69:17; 81:14,15;83:6;84:18	grade (1) 44:2
eyes (5) 64:17;65:6;67:4,5,15				graduated (1) 8:18
<b>F</b>				grasp (1) 70:12
face (7)				grateful (1) 88:4

<p><b>gravel (4)</b> 33:9;41:17;69:14,21</p> <p><b>gray (1)</b> 74:3</p> <p><b>greater (1)</b> 79:10</p> <p><b>green (5)</b> 12:8;17:23;41:25; 53:7;66:11</p> <p><b>greeting (1)</b> 47:11</p> <p><b>grip (8)</b> 53:4,11;54:17,18; 59:16,17;60:18,25</p> <p><b>groin (1)</b> 69:18</p> <p><b>ground (18)</b> 4:15,25;58:5,12,16,17, 19;60:14;63:4,7,14; 67:7;68:2;69:10,12; 70:10;74:23;90:22</p> <p><b>group (1)</b> 38:4</p> <p><b>guard (5)</b> 61:13;70:13;72:25; 73:2,7</p> <p><b>guard's (1)</b> 73:4</p> <p><b>guess (5)</b> 9:18,23;34:14;42:3; 87:9</p> <p><b>guilty (1)</b> 52:16</p> <p><b>gun (123)</b> 18:9,11,14,15,19,20; 19:7,8,12;48:17,19,21, 22;50:6,14,14,15;52:10, 17;53:1,5,9,11,12;54:18, 23;55:19,23,25;56:3,19, 24;57:10,11,13,17,18,19, 20,21;58:4,10,14,22,24, 25;59:3,4;60:4,4,12,17, 21,22,25;61:7,9,12,17, 19,19;63:16,22,24;64:2, 8,9,15,18,20,22;65:3; 66:4,9;67:21;68:2,4,18, 69:11,11;70:3,3,6,8,9,9, 11,12,14,15,17,20;71:3, 7,7,9;72:9,10,14,15,17, 22;76:22,22;77:2,3,7,11; 78:7,81:5;83:15;85:6, 14,19,19;86:22;90:3,6,7, 12,15,17;91:11</p> <p><b>gunfire (1)</b> 91:24</p> <p><b>guns (4)</b> 18:21;31:15;72:6; 73:14</p> <p><b>gun's (3)</b> 58:5;72:24;73:5</p> <p><b>gunshot (7)</b> 67:22,22,25;68:18; 76:2;77:18,23</p>	<p><b>gunshots (1)</b> 67:23</p> <p><b>gutter (2)</b> 39:2;68:16</p> <p><b>gutters (3)</b> 37:23;39:9;91:18</p> <p><b>guy (1)</b> 70:5</p> <p><b>guys (5)</b> 34:3;37:22;46:5; 91:17,18</p>	<p>35:24</p> <p><b>head (18)</b> 4:19;21:23,24;22:6; 24:16;25:2;44:23;66:13, 13,17,18,21;67:2,5,15; 68:20;74:4;85:6</p> <p><b>headquarters (1)</b> 11:21</p> <p><b>hear (12)</b> 47:9;63:3;67:23,25; 69:25;73:20;74:6;77:18; 83:6,13;93:3,10</p> <p><b>heard (13)</b> 27:4;63:4;65:20; 67:22,22;68:18;76:2,24; 77:23;83:8;89:10;91:1; 92:1</p> <p><b>height (1)</b> 42:8</p> <p><b>helicopter (1)</b> 82:11</p> <p><b>hello (1)</b> 47:10</p> <p><b>help (1)</b> 35:7</p> <p><b>HENRY (2)</b> 4:2;5:4</p> <p><b>high (5)</b> 33:25;40:3,8;42:1,2</p> <p><b>higher (2)</b> 42:5,6</p> <p><b>highest (1)</b> 5:14</p> <p><b>Highway (14)</b> 6:2;8:2,8,18;31:5,24; 33:13,16;80:4,19;83:16, 17;91:19;93:20</p> <p><b>Hills (1)</b> 11:20</p> <p><b>himself (6)</b> 12:4;30:10,19;49:6; 81:20;84:10</p> <p><b>hip (7)</b> 50:16;52:22,22,25; 53:17;57:17;58:3</p> <p><b>Hi-Point (2)</b> 18:4,7</p> <p><b>hired (1)</b> 86:6</p> <p><b>hit (13)</b> 4:23;66:2,10,12,13; 67:13;68:14;69:23,23, 24;72:25;74:23;86:1</p> <p><b>hold (1)</b> 78:14</p> <p><b>holster (44)</b> 18:1,3,24,25;53:1,2,3, 4,6,8,9,22;54:1,2,9;55:2, 4,7,10,19,21;57:13;60:8; 61:8,10,10,15,16;62:6; 63:24;64:2,23;65:4; 66:5;70:10;71:3;72:11, 17,18,22;73:7,13;76:22;</p>	<p>77:2</p> <p><b>holstered (1)</b> 54:24</p> <p><b>home (4)</b> 14:25;22:1;82:20,20</p> <p><b>homicide (1)</b> 86:5</p> <p><b>honest (3)</b> 63:25;66:6;79:13</p> <p><b>honestly (1)</b> 77:6</p> <p><b>hostage (1)</b> 81:5</p> <p><b>hot (1)</b> 35:14</p> <p><b>hour (3)</b> 32:1;41:4;80:11</p> <p><b>hours (1)</b> 8:7</p> <p><b>house (30)</b> 11:23;12:2,25;13:2; 14:8,14,21,24;16:6;17:1, 2,20;11,14;21:8;31:5,14, 16;81:7,11,15;82:2,9,21, 21,24,25;83:5,5,10;84:8</p> <p><b>housekeeping (1)</b> 22:25</p> <p><b>houses (2)</b> 40:21,22</p> <p><b>housing (1)</b> 54:7</p> <p><b>huge (1)</b> 62:12</p> <p><b>Hugh (1)</b> 4:10</p> <p><b>hundreds (1)</b> 8:7</p> <p><b>hung (1)</b> 77:10</p> <p><b>hurt (2)</b> 31:21;73:17</p> <p><b>husband (1)</b> 81:17</p>	<p>67:3;93:19</p> <p><b>impossible (2)</b> 55:13,18</p> <p><b>improperly (1)</b> 22:24</p> <p><b>inch (2)</b> 61:17;70:12</p> <p><b>inches (1)</b> 61:20</p> <p><b>incident (9)</b> 6:25;18:12;22:2; 31:16;87:12;90:18; 93:17;94:10,15</p> <p><b>incidents (2)</b> 71:14;77:20</p> <p><b>incline (8)</b> 40:17,18,19;43:19,20, 21,24;44:1</p> <p><b>individual (1)</b> 85:4</p> <p><b>individually (1)</b> 22:11</p> <p><b>inform (1)</b> 29:13</p> <p><b>information (2)</b> 15:6;81:9</p> <p><b>informed (2)</b> 15:11;37:7</p> <p><b>inherently (1)</b> 57:2</p> <p><b>initial (2)</b> 14:3;26:11</p> <p><b>initially (6)</b> 22:8;28:1,4;32:8,25; 42:23</p> <p><b>injured (1)</b> 73:23</p> <p><b>injuries (2)</b> 74:1;93:8</p> <p><b>injury (2)</b> 79:25;80:3</p> <p><b>innocent (1)</b> 44:10</p> <p><b>inquest (1)</b> 86:4</p> <p><b>inside (7)</b> 14:7,16;19:18,2; 37:20;54:5,17;72:22</p> <p><b>instance (1)</b> 47:22</p> <p><b>instantly (1)</b> 74:23</p> <p><b>instead (1)</b> 51:11</p> <p><b>instinct (1)</b> 50:3</p> <p><b>instructor (1)</b> 8:20</p> <p><b>instructors (1)</b> 8:21</p> <p><b>intent (1)</b> 44:12</p> <p><b>intention (2)</b></p>
<b>H</b>				
			<b>I</b>	



35:13,18	6:3	9:25	<b>later (9)</b> 13:3;18:5,11;20:19; 28:6;38:3;60:13;74:24; 86:6	<b>lifeless (2)</b> 74:22;75:1
<b>intentions (3)</b> 15:16;45:22;55:18	<b>jar (1)</b> 20:18	<b>kept (1)</b> 24:8	<b>law (7)</b> 10:9;39:23;45:18; 80:22;81:19;91:20;92:8	<b>life-threatening (2)</b> 74:2;78:5
<b>interact (2)</b> 39:3,6	<b>Jeep (1)</b> 42:4	<b>kick (1)</b> 77:14	<b>lawful (1)</b> 4:3	<b>lift (2)</b> 54:14,16
<b>interaction (3)</b> 39:10,12;95:10	<b>Jeff (69)</b> 7:20;9:25;12:3;15:9; 17:22;19:11;20:10;21:6; 22:4,10;23:5,10;25:1; 26:4,8;28:3;30:1,8,21, 23;32:11;34:1;35:16; 36:2,5,6,12,24;37:12,17, 21;38:5,8;39:17;40:2; 41:1,5,7;42:11;44:3,14; 47:3;48:1;55:24;56:6; 57:6,7;58:16;62:5,5; 63:5,7;65:15;68:1;70:7; 73:25;74:18;75:8; 76:21;77:1;89:2,8,20,23; 90:5,11,14,25	<b>kicked (1)</b> 77:15	<b>lawsuit (5)</b> 7:1,4;22:16;25:12; 86:10	<b>lights (2)</b> 83:13;84:20
<b>interferes (1)</b> 77:13		<b>kicking (1)</b> 75:5	<b>laying (5)</b> 20:16;70:9,15;72:18; 74:5	<b>lime (2)</b> 66:11,11
<b>intertwined (1)</b> 33:11		<b>kid (3)</b> 56:7,8,10	<b>lead (1)</b> 49:25	<b>limp (1)</b> 75:2
<b>interview (3)</b> 7:18;87:24;88:7		<b>kids (2)</b> 49:20;81:6	<b>leading (1)</b> 14:13	<b>line (2)</b> 34:20;80:2
<b>interviewed (1)</b> 76:12		<b>kill (1)</b> 81:6	<b>leaf (2)</b> 20:16;77:24	<b>list (1)</b> 24:4
<b>into (14)</b> 6:23;15:18;26:4; 30:16;34:2,8;41:8; 43:16;57:13;68:1;80:21; 81:23,25;82:21		<b>killed (1)</b> 85:22	<b>learn (1)</b> 25:18	<b>listen (3)</b> 92:16;93:11;94:20
<b>intoxicated (1)</b> 82:24	<b>Jeffrey (1)</b> 4:9	<b>kind (30)</b> 4:15;11:8;18:8;24:7; 33:2;34:3;36:2;38:4; 40:6;41:16,24;42:7; 43:1;45:16;46:4,5; 47:11;49:14;51:21;57:7; 60:10;62:14,14;69:3,14, 20;73:20;75:13;81:12; 84:25	<b>least (2)</b> 54:16;95:1	<b>listened (1)</b> 94:22
<b>introduced (1)</b> 13:7	<b>Jeff's (10)</b> 17:21;36:14;37:19; 39:4;41:1;48:14;53:19; 61:2;68:17;69:11	<b>kitchen (3)</b> 84:20;85:8,25	<b>leave (3)</b> 14:2;15:13;16:10	<b>litigation (1)</b> 6:20
<b>investigate (1)</b> 76:8	<b>jerk (2)</b> 56:9;68:8	<b>kneel (1)</b> 63:10	<b>leaves (1)</b> 71:15	<b>little (16)</b> 5:1;19:19;25:18;31:5; 40:1;43:20;44:2,2;70:8; 74:7;75:5;76:19;78:21, 25;80:17;92:23
<b>investigated (2)</b> 76:5;90:11	<b>jerky (1)</b> 95:11	<b>knew (20)</b> 28:2;31:8;39:20,21; 46:16;50:4;56:6,18; 62:17,18;63:19;64:7; 67:3;72:3;73:9,10;85:2, 4;90:7,10	<b>led (3)</b> 14:20;36:5;81:24	<b>lived (1)</b> 12:13
<b>investigation (2)</b> 28:8;29:2	<b>join (4)</b> 23:6,21;24:7;61:5	<b>knocked (3)</b> 13:2;81:15;85:17	<b>left (39)</b> 19:6;33:3;36:3;51:2, 17,24;55:3;57:17;58:3; 59:19;60:10,20;61:2; 62:22,25;63:12,20; 64:17;67:3,19;68:3,4,7, 9,13;69:1,1,8;70:25; 71:2,8,21,22;73:13; 74:16;81:11;82:1;85:10; 87:4	<b>lives (1)</b> 14:23
<b>investigator (1)</b> 76:9	<b>Judge (10)</b> 9:24;10:2,7,10;11:11; 13:15,18;25:24;26:13; 29:11	<b>knowledge (10)</b> 15:1;18:9;23:17;27:7; 38:7;39:7,13;89:4; 90:14;95:2	<b>leg (1)</b> 75:2	<b>location (6)</b> 31:6,8,17;32:24; 41:14;47:1
<b>invite (1)</b> 24:2	<b>judges (1)</b> 28:23	<b>Knowles (4)</b> 27:19;74:11;76:18,21	<b>legal (1)</b> 18:8	<b>logically (1)</b> 31:1
<b>inviting (1)</b> 23:6	<b>judgment (1)</b> 36:4	<b>known (3)</b> 35:5;77:22;91:22	<b>legally (2)</b> 9:1;56:22	<b>logo (2)</b> 94:7,9
<b>involved (11)</b> 6:24;8:10;28:8,23; 38:18;66:6;72:7;77:16, 20;80:18,23	<b>Judy (7)</b> 12:13,22,22,24;14:25; 19:10,11	<b>Kroft (2)</b> 12:22,24	<b>less (4)</b> 14:15;41:3;61:25;62:1	<b>long (7)</b> 6:1,7;40:25;46:19,22; 47:24;85:3
<b>involving (1)</b> 8:25	<b>Judy's (1)</b> 12:25	<b>Kroft-Weinhaus (1)</b> 12:23	<b>level (9)</b> 5:14;50:25;52:12; 58:1;59:24;60:1,9;61:5; 64:11	<b>longer (1)</b> 95:8
<b>island (2)</b> 85:7,11	<b>jump (2)</b> 35:23;55:11	<b>L</b>	<b>leg (1)</b> 75:2	<b>look (13)</b> 10:8;11:4;16:19; 28:16,21;45:9;47:13; 74:1,24;75:22;76:1; 86:25;93:18
<b>isolated (3)</b> 31:19;40:10,12	<b>jumped (1)</b> 76:21	<b>laboratory (1)</b> 20:5	<b>leg (1)</b> 18:8	<b>looked (18)</b> 11:8;28:18;45:11,12; 46:8;49:15;62:11;67:20; 70:4;74:2,2;83:21,23,24, 24,25;84:1,1
<b>issue (5)</b> 55:10;58:18;77:12; 86:12;90:18	<b>jurisdiction (2)</b> 35:6,7	<b>laid (2)</b> 84:11;86:20	<b>leg (1)</b> 75:2	<b>looking (10)</b> 45:6,6,8;63:22;65:6,9, 11,13;66:6;68:14
<b>issued (3)</b> 17:25;25:19,20	<b>justice (1)</b> 5:17	<b>land (1)</b> 82:18	<b>license (2)</b> 12:10,12	<b>looks (1)</b> 57:16
<b>issuing (1)</b> 58:16	<b>justifiable (1)</b> 86:5	<b>laptop (2)</b> 17:12;93:6	<b>Lieutenant (8)</b> 10:13;27:18,19;74:9, 10,11;76:17,20	<b>loop (1)</b> 41:22
<b>J</b>	<b>K</b>	<b>last (1)</b> 6:8		<b>loose (1)</b>
<b>jacket (3)</b> 84:6,7;94:5	<b>K2 (1)</b> 20:22			
<b>JAMES (2)</b> 4:2;5:4	<b>keeping (1)</b> 75:6			
<b>Jane (2)</b> 4:18;22:25	<b>Kelly (1)</b>			
<b>January (1)</b>				

59:10	<b>mark (2)</b> 23:1;88:2	35:20,21;47:8	68:12	83:1
<b>lose (4)</b> 71:10;72:7;78:3;79:3	<b>marked (4)</b> 24:25;31:12;87:7;88:3	<b>mentioning (1)</b> 93:22	<b>most (3)</b> 64:7;68:6,7	<b>neighbor (1)</b> 81:23
<b>losing (1)</b> 79:11	<b>marrying (1)</b> 60:17	<b>mere (1)</b> 90:18	<b>mostly (1)</b> 27:7	<b>nerve (10)</b> 71:11,18,19;77:12; 78:9,13;79:9;80:1;86:12
<b>loss (1)</b> 77:18	<b>Martin (2)</b> 11:11;12:11	<b>Mertens (16)</b> 13:8;16:13,17;27:22; 40:2;46:25;48:24;49:5, 9,19;50:12;63:1,3;65:9; 91:9;92:22	<b>mother (1)</b> 26:23	<b>nerves (1)</b> 79:25
<b>lost (1)</b> 49:23	<b>Maruschak (1)</b> 29:3	<b>messing (1)</b> 37:23	<b>motion (1)</b> 44:16	<b>new (2)</b> 22:2;59:1
<b>lot (22)</b> 9:5,21;25:6;31:8,20; 33:3,9,25;34:13,21; 39:20;40:5;41:8,15; 43:6,8,17;44:17;54:15; 56:21;62:4;70:2	<b>mason (1)</b> 20:18	<b>met (2)</b> 11:13;14:3	<b>motions (1)</b> 73:21	<b>next (12)</b> 13:22;14:17,20;40:23; 45:14;48:18;55:23;57:5, 8;58:7;73:16;91:23
<b>loud (1)</b> 67:25	<b>master (1)</b> 17:20	<b>metal (3)</b> 54:3,12,12	<b>motor (10)</b> 71:10,15,16;72:8; 77:13,18;78:3;79:4,11, 14	<b>night (2)</b> 82:14,20
<b>Louis (1)</b> 29:4	<b>matched (2)</b> 18:20;19:8	<b>MFA (5)</b> 18:12;30:25;31:4; 32:7;33:20	<b>move (4)</b> 39:8,15;47:25;83:17	<b>nine (3)</b> 6:8;18:4,7
<b>low (11)</b> 57:13,14,16,22,23; 58:9,11,15;59:4;60:5; 62:6	<b>matter (2)</b> 22:25;35:19	<b>may (5)</b> 15:2;37:8;38:17; 45:21;62:8	<b>moved (4)</b> 46:18;47:1;62:14,15	<b>nodding (1)</b> 4:19
<b>lying (1)</b> 70:17	<b>maybe (9)</b> 28:22;30:18;42:24; 43:10,13;47:9;61:17; 68:1;74:24	<b>middle (2)</b> 17:24;82:14	<b>movement (2)</b> 27:5,8	<b>none (3)</b> 74:15;91:25;92:3
<b>M</b>	<b>mean (47)</b> 7:14;8:6,14;9:18,19; 12:22,22;22:19;26:17; 32:8;33:3;34:20;37:14; 40:9;42:12;55:2,10; 56:9;64:1,13,14,15,16, 18;65:19;67:11;68:9,22, 23;69:21,23,25;73:3; 74:2,5,22;75:1,12;76:25; 77:7;78:11;79:25;82:11; 90:8;91:22,23;94:8	<b>might (15)</b> 12:14;20:20,21;21:4; 34:6;36:6;38:8,10;42:6; 62:8;88:17,19;92:5; 93:24;95:5	<b>movies (1)</b> 67:10	<b>nonthreatening (1)</b> 48:10
<b>machine (1)</b> 4:23	<b>meaning (1)</b> 60:18	<b>Mike (2)</b> 73:18;91:14	<b>moving (8)</b> 46:20;47:1;62:1,2; 68:9,13,14;83:21	<b>non-violent (1)</b> 27:8
<b>mag (1)</b> 77:22	<b>meant (1)</b> 56:18	<b>mile (1)</b> 77:25	<b>much (4)</b> 43:21;48:16;84:10; 95:19	<b>normal (5)</b> 42:2,9;52:6;77:16; 79:10
<b>mail (1)</b> 24:2	<b>medias (1)</b> 23:15	<b>military (8)</b> 5:19,21;8:8;17:25; 53:7;79:5,6;80:21	<b>multiple (2)</b> 66:21;88:17	<b>normally (4)</b> 12:17;32:4;41:12; 60:21
<b>mailing (1)</b> 24:4	<b>medication (5)</b> 21:21;79:13,16,18,20	<b>millimeter (2)</b> 18:4,7	<b>must (1)</b> 53:21	<b>north (1)</b> 43:24
<b>main (3)</b> 17:18;33:5;82:7	<b>medium (1)</b> 25:1	<b>million (1)</b> 86:6	<b>muzzle (1)</b> 77:19	<b>nothing's (1)</b> 72:25
<b>maintained (1)</b> 16:16	<b>meet (11)</b> 30:13,20,23,25;31:3, 18;32:2,4;43:4,17;60:23	<b>mind (3)</b> 7:7;46:8;90:9	<b>myself (8)</b> 7:1;13:7;16:13;69:25; 72:15;79:2;81:13;82:8	<b>notice (3)</b> 43:13;46:25;79:9
<b>majors (1)</b> 29:23	<b>meeting (4)</b> 10:24;31:4;39:18,19	<b>minor (1)</b> 43:10	<b>N</b>	<b>noticed (8)</b> 14:11,16;16:22;45:16; 48:17,18;52:9;79:12
<b>making (4)</b> 73:22;92:17;93:1,6	<b>meetings (2)</b> 39:23;76:15	<b>minute (4)</b> 48:5,6;50:23;80:10	<b>name (6)</b> 4:10;5:2;13:18;29:24, 25;76:10	<b>notified (6)</b> 27:15,18,19,24;28:4; 29:10
<b>man (9)</b> 5:10;22:3;25:3;37:24; 64:5;67:25;81:4;91:2,4	<b>mellow (1)</b> 48:9	<b>minutes (5)</b> 13:13;75:1;83:3; 89:12,13	<b>named (1)</b> 10:12	<b>notify (5)</b> 27:10,13,14,25;29:8
<b>manipulate (1)</b> 78:7	<b>member (2)</b> 24:1;39:21	<b>Missouri (5)</b> 4:9;6:2;8:1;22:20; 35:7	<b>narcotics (1)</b> 43:5	<b>number (5)</b> 5:13;18:19,20;30:19; 56:21
<b>manipulating (3)</b> 62:6,17;72:5	<b>memory (1)</b> 48:3	<b>monetary (1)</b> 24:23	<b>narrow (1)</b> 14:13	<b>numbered (1)</b> 46:6
<b>manner (1)</b> 50:8	<b>men (1)</b> 68:16	<b>more (13)</b> 25:18;30:16;31:23; 34:8;37:2;40:1;44:9; 65:11,13;66:7;69:25; 79:9;82:17	<b>nature (7)</b> 14:1;20:22;25:13; 49:24;53:22;78:8;81:11	<b>numerous (1)</b> 8:16
<b>many (4)</b> 61:23;65:24;66:24; 75:24	<b>mentioned (6)</b> 13:18;21:11;33:12;	<b>morning (1)</b> 4:8	<b>near (6)</b> 16:24;19:16,16;40:21; 69:18;70:21	<b>O</b>
<b>march (1)</b> 26:22		<b>Morphine (1)</b> 20:9	<b>necessarily (1)</b> 27:1	<b>object (2)</b> 17:23;36:16
<b>Maries (2)</b> 6:25;81:2		<b>Morris (1)</b> 91:14	<b>need (3)</b> 35:20;43:19;71:7	<b>obligations (1)</b> 80:22
<b>marijuana (10)</b> 14:4,5,16;15:11,23; 19:18,18,20;20:15,17		<b>mortally (1)</b>	<b>needed (2)</b> 30:20;34:5	<b>obnoxious (2)</b> 56:12;57:7
			<b>negotiator (1)</b>	<b>observed (2)</b>

<p>49:4;51:18 <b>observing (1)</b> 45:4 <b>obstructed (1)</b> 34:18 <b>obtain (2)</b> 25:21;26:3 <b>obtained (4)</b> 16:8;25:22;27:20; 29:13 <b>obvious (1)</b> 82:24 <b>Obviously (1)</b> 24:23 <b>occupy (6)</b> 26:5,8,9,17,25;27:4 <b>occurred (1)</b> 32:14 <b>occurs (1)</b> 78:4 <b>October (2)</b> 80:9;81:2 <b>odd (2)</b> 43:1,2 <b>odor (2)</b> 14:5,16 <b>off (17)</b> 33:5;40:8;42:25; 43:11;44:15,15,19;45:4; 67:1;68:18;70:14;73:1; 77:24,25;84:2,10;85:17 <b>office (1)</b> 11:21 <b>officer (2)</b> 10:9;80:22 <b>officers (9)</b> 7:1;16:15;28:23; 47:25;77:22;81:10; 82:17,23;83:24 <b>officials (1)</b> 21:5 <b>often (1)</b> 9:2 <b>old (2)</b> 5:10,11 <b>once (9)</b> 32:2;45:15;54:5,5,7, 10,13;70:5;82:10 <b>one (30)</b> 8:20;15:2;23:12; 25:20;29:23;31:10,10, 20;36:22;37:16;38:3; 39:9;51:6,14;53:6; 62:22;63:17,20;66:12, 18;67:2;71:14;73:22; 81:1,24;84:5;85:5;86:8; 89:1;91:17 <b>ones (2)</b> 21:2,2 <b>one's (2)</b> 24:23,23 <b>only (9)</b> 8:20;17:3;32:1,10;</p>	<p>36:21;38:6;63:22;86:9; 95:4 <b>onto (5)</b> 54:4;70:23,23;71:2; 74:1 <b>oOo- (1)</b> 4:1 <b>open (18)</b> 17:4;33:9;49:10,12; 51:24;52:2,8;53:22; 55:6,12;58:24;59:2; 64:25;70:15;75:8;83:9; 84:3;91:24 <b>opened (7)</b> 13:4;14:11;15:23; 17:5;44:20,21;55:21 <b>opening (1)</b> 49:17 <b>operate (1)</b> 55:4 <b>operations (1)</b> 68:11 <b>opinion (3)</b> 28:16,24;29:4 <b>opportunity (1)</b> 31:12 <b>order (3)</b> 7:22;26:2;27:14 <b>ordered (3)</b> 26:3;58:9;84:14 <b>organization (1)</b> 39:22 <b>originally (3)</b> 9:24;30:24;37:16 <b>others (1)</b> 12:4 <b>ourself (1)</b> 33:25 <b>out (79)</b> 5:9;9:7;11:15,17;12:3; 13:4;14:14;18:5;22:15; 24:8;26:23;31:11;35:23; 37:23,25;38:3;40:11; 43:2,8;45:17,19,20,21, 23;46:6,10;49:6;51:5, 20;52:5;55:11,14,16,19; 57:11,13,21;58:14,23; 60:17;61:9,10,12;62:19, 23;63:13,16,24;64:2,15, 23;66:4,9;68:2;70:10; 74:4,8,25;76:21,22;77:2, 7,11;82:1,8,10,12,19,23; 83:9,15;84:1,11,13; 86:20;87:1;88:19;91:23; 92:7 <b>outcome (1)</b> 7:3 <b>outside (6)</b> 16:16;29:11;37:20; 81:11;83:21;87:4 <b>over (35)</b> 4:25;8:7,10,16;12:15; 14:20;16:24;26:12;</p>	<p>28:15;30:15;33:5;38:22; 39:1;44:23;52:8;53:4,9; 59:17;60:19,20;67:20; 69:4;70:8,22,23,24;71:2; 72:9;73:13,25;74:6,21; 77:6;84:17;91:10 <b>own (3)</b> 13:24;24:7;29:20</p> <p style="text-align: center;"><b>P</b></p> <p><b>page (1)</b> 88:17 <b>pages (1)</b> 23:2 <b>pain (1)</b> 85:13 <b>pale (1)</b> 74:3 <b>paper (1)</b> 20:18 <b>papers (6)</b> 45:24;46:2;47:9; 58:13,15,22 <b>paperwork (2)</b> 25:24;51:20 <b>paralysis (1)</b> 79:23 <b>paralyzation (1)</b> 78:9 <b>paramedics (3)</b> 75:7,10,11 <b>paraphernalia (1)</b> 19:18 <b>paraphrase (1)</b> 21:14 <b>Park (2)</b> 11:20;33:3 <b>parked (8)</b> 32:25;33:4;34:10; 38:20;40:2,5,8,19 <b>Parker (6)</b> 9:25;10:7,10;11:11; 13:15;26:14 <b>Parker's (1)</b> 10:2 <b>parking (13)</b> 33:2,9,25;34:13,21; 40:5;41:8,15;43:8,17; 44:10,17;70:2 <b>Parkinson's (2)</b> 72:2,3 <b>Parks (9)</b> 17:7;23:2;25:22; 27:14;36:16;80:10;88:5; 95:9,17 <b>part (6)</b> 12:17;24:3;36:17; 40:8;47:17;94:4 <b>partier (1)</b> 13:7 <b>partial (2)</b> 78:9;79:23</p>	<p><b>partially (3)</b> 44:21;61:10;70:14 <b>participate (1)</b> 23:18 <b>particularly (1)</b> 56:15 <b>partner (15)</b> 20:18;27:20,21;33:21, 24;35:15,20;37:6,15; 45:25;48:24,25;75:11, 16,20 <b>party (1)</b> 6:19 <b>Party's (2)</b> 26:12;28:14 <b>passed (1)</b> 41:17 <b>passer (1)</b> 55:18 <b>past (5)</b> 41:14,16;44:17;45:4; 66:6 <b>Patrol (16)</b> 6:2;8:2,8,18,21;22:12; 31:24;33:17;80:4,19; 81:4;82:17;83:16,17; 91:19;92:3 <b>patrons (2)</b> 34:15;37:18 <b>pause (3)</b> 50:23;60:7;89:8 <b>peculiar (1)</b> 45:22 <b>peek (1)</b> 49:14 <b>peeked (1)</b> 50:21 <b>pen (1)</b> 54:12 <b>pending (1)</b> 29:17 <b>people (50)</b> 8:16,23;9:1,3;10:12, 16,24,25;11:3;13:17,19; 21:5;24:2;26:21;27:15; 28:16;32:4;35:17,17,22; 36:5,6,9,25;37:3,8,11,14, 14,18;38:1,4,8;39:3,9; 43:6;49:23;54:15;62:12; 64:7;66:5,8;68:6,7;70:2; 74:16;76:7;78:12;80:20; 84:21 <b>percent (2)</b> 11:17;18:13 <b>perception (1)</b> 77:21 <b>perfect (1)</b> 94:18 <b>perhaps (4)</b> 34:5;68:1;74:24;95:5 <b>perimeter (4)</b> 46:6;47:25;82:18;83:4 <b>period (3)</b></p>	<p>11:6;52:1;62:5 <b>Perry (1)</b> 87:24 <b>person (14)</b> 12:5;13:3;22:9;30:14; 36:2;45:19,20;52:6; 53:18;54:22;56:16; 66:20;79:10;92:5 <b>personal (2)</b> 23:10;78:1 <b>personally (3)</b> 22:4,5;25:9 <b>persons (1)</b> 34:6 <b>Phelps (1)</b> 81:2 <b>phone (8)</b> 25:7;30:3,15;32:12; 37:17;74:8;83:2,12 <b>photo (2)</b> 17:14,17 <b>photograph (1)</b> 16:17 <b>photographed (1)</b> 20:4 <b>photographs (6)</b> 17:9,11,13;18:6;23:1, 2 <b>phrase (1)</b> 26:16 <b>physical (4)</b> 24:23;26:18;70:5; 84:16 <b>physically (1)</b> 61:19 <b>pick (1)</b> 44:3 <b>picked (1)</b> 75:2 <b>picture (5)</b> 12:8,9,11;17:24;19:8 <b>piled (1)</b> 68:24 <b>pills (3)</b> 19:19;20:3,4 <b>pins (2)</b> 72:19,20 <b>pistol (3)</b> 8:22;59:17;67:24 <b>place (12)</b> 11:19;19:4;26:4;31:1, 19;33:8,25;40:3,4,9; 73:9;85:24 <b>placement (1)</b> 86:10 <b>places (1)</b> 12:6 <b>plain (2)</b> 17:4;34:4 <b>Plaintiff's (1)</b> 87:7 <b>plan (1)</b> 13:25</p>
---	---	--	---	---

plane (1) 61:21	16:48;22;82:8	62:12	94:17	3,13;61:9;66:24;88:7; 94:23
planes (1) 55:11	positioning (2) 42:18;59:4	property (2) 81:12,12	quarters (1) 14:19	receipt (1) 19:9
planning (1) 39:18	possess (1) 95:8	prosecutor (2) 10:25;11:13	quick (2) 48:15;49:14	receive (2) 79:24;81:8
plans (1) 81:9	possession (4) 81:22;90:12,15,19	protect (1) 50:3	quite (1) 13:12	received (4) 8:7;10:21;27:15;81:4
plastic (2) 54:6,11	possible (4) 44:9,13;82:4;86:9	protected (1) 72:24	<b>R</b>	receiving (1) 10:19
plate (2) 12:10,12	possibly (9) 15:3,7;30:15;31:21; 38:17;45:21;73:5,6; 93:22	protecting (1) 50:5	radios (1) 38:20	recognize (8) 17:14;23:7,8;78:7; 87:9,25;89:7,8
play (3) 86:15;89:1;95:3	posting (1) 22:2	provided (3) 23:3;31:12;36:23	raise (1) 85:21	recoil (1) 67:23
played (1) 86:16	posture (2) 50:9;65:4	providing (1) 88:5	ram (2) 42:24,24	record (12) 4:24,25;17:7,9;39:18; 50:24;57:25;59:23;69:7; 70:17;76:15;80:16
playing (15) 89:6,15,19,22;90:1,21, 24;91:6,12,15;92:9,12, 20;93:4;95:7	potentially (1) 47:19	public (6) 26:25;31:1,7;40:4; 93:17;94:15	ran (2) 12:12;26:11	recorded (5) 7:17,20;39:20,24; 65:19
pleasantries (1) 47:15	potpourri (1) 20:19	publicly (2) 25:5,6	Randy (2) 11:11;12:11	recording (7) 39:18,25;47:7;77:5; 89:2,10,14
please (3) 5:2;57:15;88:14	practically (1) 76:10	pull (14) 33:1;41:11;43:7,10, 16;54:4;58:14;59:11; 60:16;63:16;76:22;77:2, 6,11	rank (2) 6:4,7	recordings (3) 7:13;11:4;88:24
podcast (1) 21:3	prepare (2) 7:10,23	pulled (16) 11:4;37:18,18,21; 38:1,5;41:7;43:3;54:7; 57:20;59:9;60:6;66:9; 75:7;81:14;84:10	rapidly (1) 79:9	reference (3) 48:4;94:2,4
podcasts (1) 21:4	prepared (1) 25:24	pulling (3) 44:25;54:11;59:8	rare (1) 9:10	reflect (6) 50:24;57:25;69:7; 94:22;95:12,14
point (34) 14:5;15:12;22:7; 30:22;35:15;38:16; 47:10;50:17;51:21;57:9; 58:8;59:14,20;60:16; 62:15,16;63:4,19,23; 64:20;66:1,3,14;71:10; 72:5;73:24;74:8;75:4; 83:1,6;85:5,7,13,15	preparing (1) 87:15	pumps (6) 32:24,24;33:4,11; 40:13;62:12	rather (4) 4:19;85:4;88:24;90:17	reflective (1) 93:20
pointed (1) 52:10	prescription (2) 19:23;20:3	punches (1) 56:9	ration (1) 21:25	reflects (2) 70:17;88:10
pointing (7) 58:4,5,12,15;70:6; 85:25;93:8	presence (2) 26:18;32:23	purchased (1) 19:10	reach (1) 72:23	registered (1) 12:12
police (6) 43:5;81:10;86:21; 91:18,24;92:8	present (2) 7:1;34:7	purpose (2) 15:20;92:24	reached (1) 72:10	regular (2) 53:15,17
policemen (1) 43:17	press (1) 19:3	purposely (1) 66:18	reaching (2) 58:25;59:2	reholstered (1) 85:1
polo (1) 94:8	pressure (2) 93:9;94:1	push (3) 78:6;84:22;85:9	react (1) 9:14	relative (1) 42:12
pool (1) 74:3	pretty (6) 9:10;77:1;79:1;83:10; 84:9;86:3	pushed (3) 60:5;70:24;71:2	read (1) 88:18	relatively (1) 65:19
popped (1) 72:20	primarily (2) 5:9;15:22	pushing (1) 84:25	readily (1) 94:5	release (2) 54:16,19
porch (3) 14:12,13,19	printed (2) 22:15;24:8	put (21) 13:14;24:15;35:10,20, 23;44:7;58:14;60:12; 62:24;63:17;64:25; 73:12;84:14;86:23;93:8, 16,18,19,21;94:1,16	ready (12) 14:2;49:5;57:14,16, 22,23;58:9,12,15;59:4; 60:5;62:6	releases (1) 54:5
portions (1) 94:21	prior (4) 37:19;39:4;46:1;48:23	putting (3) 22:6;35:13,19	real (3) 14:13;32:19,20	remain (1) 16:12
position (11) 6:5;53:14,15,16,17; 57:14,16;58:9,12;64:16; 69:13	private (1) 31:7	<b>Q</b>	realize (1) 88:14	remember (17) 26:10;29:24,25;44:21; 45:3,3;47:12,13;48:16; 59:20,20;69:22;71:1; 76:25;83:23;86:17,23
positioned (7) 33:25;41:10;42:12,14,	pro (1) 64:8	qualify (1) 8:9	reason (4) 28:19;36:22;68:6; 72:13	remove (4) 19:3;54:23;55:2;65:4
	probable (3) 25:23,25;26:2	quality (1) 8:9	reasonable (1) 92:5	removing (3) 44:18,23;61:7
	Probably (3) 34:17;90:9;91:22		recall (10) 19:13;41:2;47:6;48:2,	repairmen (1) 39:2
	problem (4) 18:9;79:5,7,8			
	problems (2) 30:11;81:21			
	proof (1) 94:3			
	propane (1)			

replevin (3) 21:19;22:17,18	77:22	30:12	Seay (2) 11:14;28:18	44:15;62:22;73:1,12; 86:24,25
report (7) 22:16;41:3;47:13; 48:4;87:12;88:9,12	<b>right (67)</b> 14:12;16:24;19:6; 26:21,22;27:13;33:5; 35:25;40:8;43:15;45:7; 49:8;50:4,11,15;51:2,17; 52:10,22,24;53:17,18; 56:17,25;57:21;58:13, 16;59:1,5;60:7,8,11; 61:6;63:12,21;64:16; 65:8,10;67:22;68:9,19; 69:1,1;70:16,25;71:3,21, 22;72:11;73:6,15;75:7,9, 12;76:23;78:14,21; 83:12,14,24;84:11,20; 85:8,10,10;93:14,25	<b>S</b>	<b>second (5)</b> 11:7;51:6;56:24; 60:13;89:12	<b>seven (2)</b> 5:24;61:24
reporter (2) 5:3;52:13	<b>right-hand (3)</b> 52:17,18;54:23	<b>SAC (1)</b> 29:4	<b>seconds (7)</b> 46:21,23,23;58:21; 89:13;95:5,6	<b>several (8)</b> 16:15;21:16;27:15; 32:9,9;43:5;75:1;88:18
reporter's (1) 4:22	<b>right-handed (2)</b> 55:3;68:6	<b>safe (2)</b> 73:11;86:22	<b>section (3)</b> 93:13;95:4,9	<b>severely (1)</b> 74:2
reports (2) 7:12,17	<b>ring (1)</b> 54:3	<b>safest (1)</b> 73:9	<b>section (3)</b> 93:13;95:4,9	<b>shake (7)</b> 71:25;77:24;78:12,13, 15,18,19
reprimanded (1) 6:11	<b>ripped (1)</b> 84:10	<b>safety (7)</b> 32:6,10;37:5;38:15; 42:19;46:15;94:14	<b>secure (4)</b> 31:11;33:13;71:7; 73:25	<b>shakey (1)</b> 79:1
request (2) 24:13;84:4	<b>road (11)</b> 31:5,10,11,11;33:5,6, 13;40:9;82:7,9;93:19	<b>same (10)</b> 18:15;52:13;54:19; 56:19;57:12;58:14,20; 86:17,21;94:9	<b>secured (2)</b> 53:10;74:15	<b>shaking (2)</b> 4:19;78:24
requests (2) 23:21;24:11	<b>roll (4)</b> 67:4,15;70:23;71:8	<b>sand (1)</b> 91:11	<b>securing (1)</b> 74:14	<b>Shawn (2)</b> 11:10;27:19
require (1) 55:5	<b>rolla (3)</b> 5:9;35:5;81:3	<b>sat (3)</b> 75:8,12,13	<b>security (1)</b> 16:16	<b>shell (1)</b> 86:24
required (1) 22:13	<b>rolled (11)</b> 70:7,22,24,25;72:9; 73:13,25;74:5,21;75:4; 91:10	<b>Satterfield (3)</b> 10:14;11:10;27:19	<b>seeing (2)</b> 69:22;94:12	<b>Sheriff (3)</b> 11:11;12:11;29:9
residence (13) 14:4;15:12,13,14,17, 18;16:14,18,19,21; 17:18,19;18:21	<b>Root (2)</b> 37:24,24	<b>Saturday (2)</b> 10:5,8	<b>seem (1)</b> 32:15	<b>sheriff's (2)</b> 29:12,21
resides (1) 14:25	<b>Roos (1)</b> 81:17	<b>saw (22)</b> 10:5,6;11:7,7,19; 18:14,21;16:42,25; 49:15,16;50:14,15; 55:23;66:3,9,11,13;67:4, 14;70:9;74:21;84:13	<b>seemed (4)</b> 26:24;32:15;50:9,10	<b>shield (1)</b> 50:1
resistant (2) 35:9;94:3	<b>rot (1)</b> 42:9	<b>saying (6)</b> 31:14;90:2,22;91:18; 92:10;93:7	<b>seize (2)</b> 20:13,24	<b>shirt (2)</b> 49:10;66:11
resort (1) 64:6	<b>Root (2)</b> 37:24,24	<b>scan (2)</b> 66:7;67:19	<b>seized (4)</b> 18:14;20:15,18,23	<b>shirts (1)</b> 94:8
resorting (1) 13:25	<b>Ross (1)</b> 81:17	<b>scanned (1)</b> 67:3	<b>self (1)</b> 78:1	<b>shocked (1)</b> 64:13
responded (1) 81:7	<b>rotate (8)</b> 19:3;61:18;68:19,19, 21,25,25;69:4	<b>scared (1)</b> 91:23	<b>self-defense (1)</b> 8:11	<b>shoot (24)</b> 21:22;24:20;60:15; 62:9,18;63:15;64:12; 65:3,16,22;68:8;72:15; 76:23;77:3,7,11;81:10; 84:19,23;85:2,5,22,91-2, 4
response (1) 57:7	<b>round (3)</b> 61:21;65:14;68:1	<b>scales (1)</b> 19:19	<b>semi-trucks (1)</b> 33:3	<b>shooting (10)</b> 6:25;75:17;76:5,8,18; 77:14;79:21;86:15,16; 95:12
rest (1) 52:25	<b>rounds (2)</b> 66:12;67:13	<b>scan (2)</b> 66:7;67:19	<b>send (2)</b> 24:2;25:8	<b>shootings (3)</b> 71:13;80:18,23
resting (1) 59:15	<b>rules (2)</b> 4:16,25	<b>scanned (1)</b> 67:3	<b>sent (11)</b> 12:3;20:4;22:12,14; 23:10,12;24:9,10;29:4; 76:7;94:10	<b>shoots (1)</b> 82:13
restroom (1) 80:12	<b>running (4)</b> 46:8;82:15;84:2,2	<b>scenarios (1)</b> 86:9	<b>sent (11)</b> 12:3;20:4;22:12,14; 23:10,12;24:9,10;29:4; 76:7;94:10	<b>short (3)</b> 36:1;80:15,17
resulted (1) 6:25	<b>runs (2)</b> 71:19,19	<b>scene (5)</b> 18:12;33:19;73:25; 74:15;86:2	<b>self-defense (1)</b> 8:11	<b>shot (17)</b> 21:24;25:2;62:17; 67:10;71:16;75:23,24; 76:4,23;80:5,20;85:22, 23;86:1,10;87:3;92:22
results (1) 29:1	<b>ruptured (1)</b> 85:10	<b>Scott (19)</b> 13:7;16:13,17;27:22; 48:23;49:5,16,18;70:4; 73:19,23,25;74:6;75:11; 91:9;92:21;93:7,10,25	<b>September (3)</b> 23:5;25:16;26:11	<b>shotgun (1)</b> 8:22
retention (1) 55:10	<b>rural (1)</b> 81:12	<b>search (17)</b> 11:19,24;15:16,19,20, 22;16:5,8,9,14,18,17-1, 2,3;19:15;20:14;21:7	<b>Sergeant (8)</b> 4:12;6:6;76:12;87:24; 88:7,9,12;95:20	<b>shots (3)</b> 65:24;66:21,24
return (2) 30:13;31:13	<b>ruse (1)</b> 85:10	<b>searching (1)</b> 15:21	<b>serial (2)</b> 18:19,20	<b>shoved (4)</b> 72:10,18;85:16,20
review (2) 7:10,19		<b>seat (6)</b> 36:3;42:25;44:14,18, 19;45:4	<b>serious (1)</b> 64:14	<b>show (9)</b> 17:11;35:17;36:10; 37:3;57:15;69:3;78:17;
reviewed (9) 7:12,16;10:21;11:1,8; 28:1;87:15;88:15,24			<b>serve (2)</b> 5:23;29:20	
riding (1) 35:15			<b>served (5)</b> 5:21,24;8:15;11:18; 25:12	
rifle (15) 8:22;81:9;82:22; 84:11,13,14,14,17,18,19, 23;85:22,25;86:23;87:5			<b>service (1)</b> 8:8	
rifles (1)			<b>servicing (1)</b> 81:2	
			<b>set (9)</b> 11:21;30:24;37:16;	

81:10;88:23	<b>showed (6)</b> 23:1;35:18;53:7;66:3; 77:1;83:19	<b>showing (2)</b> 67:6;72:19	<b>shown (1)</b> 34:6	<b>shows (1)</b> 35:24	<b>side (26)</b> 18:25;19:4;34:10,13; 40:23;49:6;51:7;52:17, 18;54:9,23;57:21;62:3; 70:23,25,25;71:2,3; 73:14;74:1,6;75:4,6; 83:6,8,8	<b>sides (2)</b> 33:14,16	<b>sight (2)</b> 34:21;68:20	<b>sign (2)</b> 25:24;46:2	<b>signals (1)</b> 38:21	<b>signature (1)</b> 95:17	<b>signed (1)</b> 29:11	<b>significant (1)</b> 56:21	<b>signs (1)</b> 16:23	<b>simultaneously (2)</b> 58:21;59:3	<b>sites (2)</b> 23:15,18	<b>sitting (1)</b> 31:2	<b>situation (11)</b> 9:5,12,13,17,47;19; 55:22;64:9;71:25;72:7; 78:8;82:3	<b>situations (1)</b> 78:2	<b>skidded (1)</b> 41:17	<b>skills (10)</b> 71:11,15,17;72:8; 77:13,18;78:3;79:4,11, 15	<b>slapped (1)</b> 85:16	<b>slid (1)</b> 43:1	<b>slight (1)</b> 51:15	<b>slightly (4)</b> 26:24;42:6;52:18,20	<b>sloped (1)</b> 40:6	<b>slow (1)</b> 59:22	<b>slowed (1)</b> 41:16	<b>small (4)</b> 19:22;38:4;85:4,7	<b>smart (3)</b> 56:5,8;57:7	<b>smelled (5)</b> 14:3,6,7;15:11,23	<b>Smith (4)</b> 5:19;76:13;87:25;88:7	<b>Smith's (2)</b> 88:9,12	<b>snatch (1)</b> 55:19	<b>social (1)</b> 23:15	<b>someone (9)</b> 9:8,12,15,19,21;41:13; 43:9;50:1;92:17	<b>sometime (1)</b> 26:11	<b>sometimes (2)</b> 15:7;23:25	<b>somewhere (3)</b> 32:4;73:12,12	<b>soon (1)</b> 69:24	<b>sorry (2)</b> 87:6;93:3	<b>sort (4)</b> 61:2;66:25;69:16; 75:16	<b>sought (1)</b> 25:15	<b>sound (2)</b> 7:7;94:17	<b>south (1)</b> 43:25	<b>spark (1)</b> 31:16	<b>speak (1)</b> 38:11	<b>speaking (4)</b> 26:25;48:13;53:25; 92:21	<b>Special (1)</b> 29:3	<b>specials (1)</b> 68:10	<b>specific (2)</b> 28:15;41:2	<b>speculate (2)</b> 36:21;42:8	<b>speculation (1)</b> 36:17	<b>sped (1)</b> 41:16	<b>speech (2)</b> 48:8,14	<b>spin (1)</b> 67:16	<b>spoke (1)</b> 32:11	<b>spoken (1)</b> 18:18	<b>spook (1)</b> 35:24	<b>spot (1)</b> 93:24	<b>springs (2)</b> 19:2,4	<b>square (1)</b> 51:11	<b>squeezed (1)</b> 68:20	<b>St (1)</b> 29:4	<b>stages (1)</b> 14:3	<b>staircase (1)</b> 14:13	<b>stance (2)</b> 51:13,18	<b>stand (4)</b> 28:19;50:17;57:15; 69:3	<b>standing (22)</b> 14:12;45:17,18;46:9, 12,20;49:4;50:9,19;51:8, 25;52:2,3,4,6,7;59:21; 62:13;67:9,14;71:4,8	<b>stands (1)</b> 88:19	<b>staring (11)</b> 46:9,12;50:8;52:8; 57:20;63:23;64:16,19, 19;65:8,10	<b>start (6)</b> 63:10;71:7;78:3;89:3, 11,14	<b>started (32)</b> 16:20,24;17:8;22:6; 46:7;58:15;60:16,18; 61:20;62:5;63:16,23,24; 64:20;65:2,3;67:17; 68:18,19;69:4;75:5,5,7; 77:14;83:9,14,20;84:2,5, 25;85:17,21	<b>starting (3)</b> 61:4;68:21;71:10	<b>starts (2)</b> 78:3;83:2	<b>State (11)</b> 4:9;5:2;6:2;8:1;34:24; 35:7;80:19;94:6,6,9,13	<b>stated (1)</b> 29:16	<b>statement (16)</b> 19:12;24:14;25:1; 26:1,2,8;27:2;54:25; 56:4,18;75:17;92:15,16, 17,25;93:2	<b>statements (4)</b> 25:10;32:17;44:24; 88:10	<b>States (1)</b>	5:24	<b>station (17)</b> 18:12,19;30:25;31:4, 24;32:7,7;33:2,20; 35:18;36:15;37:11,18, 21;41:6,7;45:9	<b>stationed (2)</b> 5:5;35:4	<b>stationwagon (1)</b> 42:7	<b>statutes (1)</b> 28:22	<b>stay (2)</b> 16:10;74:7	<b>stayed (4)</b> 15:3,7;16:16;82:7	<b>stealing (1)</b> 21:21	<b>step (7)</b> 14:18;62:19,24;68:3, 4,7;85:10	<b>stepped (10)</b> 13:4;14:14;51:4,20; 52:11;62:22,22,23; 83:15;85:8	<b>stepping (1)</b> 68:13	<b>steps (2)</b> 8:10;85:9	<b>stick (1)</b> 72:15	<b>still (17)</b> 20:16;37:9;44:16; 49:4;51:20;52:2;62:16; 67:8;68:17;70:2,2,3,9; 75:12;77:10;84:10; 85:23	<b>stock (1)</b> 54:18	<b>stood (2)</b> 63:13;67:10	<b>stop (14)</b> 41:11,12,13,16;42:11; 43:2;44:16;45:15,20; 51:6;52:1;66:15;73:2; 79:19	<b>store (7)</b> 34:8,11,14;37:25; 40:13,14,23	<b>store's (1)</b> 40:18	<b>straight (3)</b> 54:4,7,10	<b>Street (1)</b> 27:4	<b>strength (1)</b> 55:5	<b>stress (4)</b> 72:4;77:19;78:20,23	<b>stressful (2)</b> 71:24;72:7	<b>Strike (1)</b> 20:12	<b>strong (2)</b> 53:18;54:20	<b>struck (2)</b> 43:1,2	<b>structures (1)</b> 33:8	<b>struggle (1)</b> 84:8	<b>stuff (1)</b> 37:24	<b>stupid (1)</b> 64:4	<b>style (1)</b> 53:7	<b>Subaru (2)</b> 12:8;41:25	<b>subject (1)</b> 10:2	<b>submit (1)</b> 94:25	<b>submitting (1)</b> 25:23	<b>subsequent (1)</b> 20:11	<b>substance (1)</b> 20:21	<b>subtitles (2)</b> 11:7,8	<b>sue (2)</b> 24:17,20	<b>sued (2)</b> 7:2;86:6	<b>suffer (1)</b> 86:12	<b>suffered (1)</b> 86:20	<b>suggested (1)</b> 31:2	<b>superiors (1)</b> 27:18	<b>supervisor (1)</b> 21:20	<b>supervisors (1)</b> 26:4	<b>support (1)</b> 18:17	<b>supporters (1)</b> 38:12	<b>suppose (1)</b> 55:17	<b>supposed (5)</b> 81:21;83:20;93:18,21; 94:16	<b>Supreme (1)</b> 22:20	<b>sure (19)</b> 18:5,13;22:10;36:11; 39:24;43:12,18;49:11; 62:2;65:18,19,21;69:24; 73:14,22,25;74:15; 80:14;91:3	<b>surveillance (1)</b> 43:14
-------------	--	----------------------------------	--------------------------	---------------------------	---	------------------------------	---------------------------------	-------------------------------	-----------------------------	-------------------------------	----------------------------	---------------------------------	---------------------------	---	------------------------------	----------------------------	---	-------------------------------	-----------------------------	---	-----------------------------	-------------------------	----------------------------	--	---------------------------	--------------------------	----------------------------	---------------------------------------	---------------------------------	---	---	-------------------------------	----------------------------	----------------------------	---	------------------------------	------------------------------------	---------------------------------------	--------------------------	-------------------------------	---	----------------------------	-------------------------------	---------------------------	---------------------------	---------------------------	--	----------------------------	------------------------------	-----------------------------------	------------------------------------	---------------------------------	--------------------------	------------------------------	--------------------------	---------------------------	----------------------------	---------------------------	--------------------------	------------------------------	----------------------------	------------------------------	-----------------------	---------------------------	-------------------------------	-------------------------------	--	--	----------------------------	--	--	--	---	--------------------------------	---	----------------------------	---	--	-------------------	------	--	----------------------------------	---------------------------------	------------------------------	-------------------------------	--	------------------------------	--	--	------------------------------	-------------------------------	---------------------------	---	---------------------------	---------------------------------	---	--	-----------------------------	----------------------------------	---------------------------	-----------------------------	--	------------------------------------	----------------------------	----------------------------------	-----------------------------	-------------------------------	-----------------------------	---------------------------	---------------------------	--------------------------	---------------------------------	----------------------------	----------------------------	--------------------------------	--------------------------------	-------------------------------	--------------------------------	----------------------------	-----------------------------	----------------------------	------------------------------	------------------------------	-------------------------------	--------------------------------	--------------------------------	-----------------------------	--------------------------------	-----------------------------	---	-----------------------------	--	----------------------------------

suspect (1) 8:13	60:13	44:14;56:5;72:17;74:1; 84:2	73:10,11	unit (2) 31:12;76:10	
suspicion (1) 49:7	terms (3) 8:12;69:8;80:21	top (8) 17:18;40:17,19;42:1; 43:19;44:23;54:5;59:18	trying (18) 12:5;28:6;43:13; 46:16;48:9;57:10;58:22; 24:59-2,5;64:19;66:7; 75:7;84:18;85:9;86:18; 93:8;94:1	United (1) 5:24	
sustain (1) 68:11	testicle (2) 85:10;87:2	toss (2) 72:22;73:11	tuck (1) 54:15	University (2) 5:19,20	
SUV (1) 42:4	testify (2) 4:3;7:7	tossed (1) 73:13	turn (6) 30:10;63:12;67:16; 84:19,23;85:3	unlawful (2) 90:11,15	
SWAT (1) 8:15	testing (1) 79:22	totality (1) 66:2	turned (5) 59:9;69:8;83:19; 85:14,21	unload (2) 86:18,22	
swept (1) 61:2	thereafter (1) 41:17	towards (10) 44:5;46:7,17;49:7; 51:4;70:7;83:14;84:3; 85:1,18	twitching (1) 78:21	unloaded (2) 86:19,23	
sworn (1) 4:3	thinking (1) 84:21	traffic (3) 31:8;43:10;45:20	two (16) 19:2;23:2;33:22; 34:25;37:22;43:17; 60:25;66:9,18;67:2,13; 72:19;81:16;85:2;88:23, 23	unmarked (1) 34:4	
<b>T</b>					
tab (3) 54:3,9,12	thought (17) 12:14;20:20,21;29:5; 33:1;42:23;47:7;49:22; 64:4,5,22,24;68:1;74:22; 75:3;87:3;93:24	trained (5) 62:24;78:6;79:7,7; 85:15	typical (1) 86:21	unobstructed (1) 34:19	
Taco (1) 43:7	threat (9) 13:24;24:20,20;27:1; 28:16;36:3,25;37:1;67:4	training (12) 8:1,7,12,14,24,25; 9:11,16;45:19;47:17; 66:19;78:5	types (2) 21:15;56:25	unusual (1) 34:23	
tactic (1) 68:10	threatened (9) 21:22;22:4,5,7;23:20; 24:11,13,14;26:13	trains (1) 9:13	typically (4) 9:9;31:25;43:6;71:24	up (74) 11:21;13:12;20:12; 26:7;28:6;29:4;30:12; 24:31;4:5;33:1,10;34:6, 7;35:17,18,24;36:10,11, 11;37:3,16;41:11;43:20; 44:1,3;45:17,18;46:8,12; 48:20,22;49:17;50:17; 54:14,16;57:15;59:11; 60:17,23;61:5,20;64:20; 66:3,12;67:4,8,9,15; 68:24;69:3,5;70:7; 73:18;74:14,25;75:2,8,9, 12,13;77:1,10;78:14; 81:10,14;83:3,9,22;84:7, 9;85:18,21;91:24	
tactical (1) 62:19	threatening (8) 25:9;26:19,24;29:5; 56:14;57:2;66:20;81:6	tree (1) 77:24	typical (1) 86:21	upon (1) 16:21	
tactically (1) 31:10	threats (4) 21:5;66:8;68:15;69:25	tremors (1) 79:18	upset (1) 77:1	upward (1) 55:6	
talk (12) 7:22;10:12,13;13:6,9; 29:21;41:12,12,13; 64:10;74:17;76:17	three (1) 46:22	tried (4) 77:2,6,11;81:19	used (3) 8:11;21:2;81:1	using (2) 13:25;23:14	
talked (16) 7:24;11:10,10,11; 13:4,23;14:5,18;26:20; 29:3;30:25;35:16;36:7; 47:4;73:24;83:2	threw (1) 72:21	trigger (10) 61:13;68:8,21;70:13, 21;72:25,25;73:2,4,6	<b>U</b>		
talking (13) 8:3;13:12;14:10;22:6, 16;32:19;52:13;66:25; 74:7;75:6;83:2;89:23; 91:9	throw (2) 56:9;72:14	tripod (1) 4:22	ulnar (1) 71:19	upset (1) 77:1	
taller (2) 42:9,9	tighter (1) 83:4	troop (11) 5:5,7;12:18;31:18,18, 24;32:1;76:6,7,7,9	unarmed (1) 8:10	upward (1) 55:6	
tanks (1) 62:12	times (4) 32:13;35:1;86:1;88:18	trooper (7) 56:20;80:4;93:19; 94:6,6,9,13	uncertain (1) 92:6	use (17) 8:1,3,6;22:9;25:1; 32:16;38:20;47:18; 54:20,20;60:24;62:8,15; 64:9;77:16;80:12;90:17	
tape (7) 69:25;89:13;92:24; 94:21,21,25;95:8	time-to-time (1) 15:3	troopers (2) 94:11,12	uncommon (2) 35:2,6	used (3) 8:11;21:2;81:1	
tar (1) 91:23	tin (3) 19:19,21,22	troops (1) 55:11	unconscious (1) 74:25	using (2) 13:25;23:14	
target's (1) 68:14	tips (1) 70:18	trouble (2) 30:16;81:19	under (4) 13:20;14:21;28:22; 37:4	<b>V</b>	
taught (4) 45:19;47:18;68:3,10	tired (1) 82:19	truck (3) 37:22;38:2;42:4	undercover (1) 38:10	Val (1) 7:20	
teach (4) 8:22;9:11;66:19;83:16	today (9) 7:8,11,23;9:23;25:14; 38:7;87:16;88:5;95:20	trunk (5) 49:10,12,17,19;50:12	underestimated (1) 77:9	Valerie (1) 89:2	
teams (1) 8:15	together (1) 82:6	trust (1) 32:21	underneath (5) 69:15,16,17;70:10; 91:11	vantage (1) 33:12	
telling (2) 74:6;93:25	told (16) 13:17,18;15:12;18:14; 30:17,19;32:21;38:22; 39:1;49:10,17;50:12; 70:6;73:18;85:14;86:24	trusted (1) 32:21	undo (1) 54:20	various (2) 19:17;20:15	
tend (1) 71:13	tone (3) 32:19;48:7,14	truth (4) 4:4,4,4;63:19	uniform (1) 94:4	vegetable (1) 20:17	
tenths (1)	took (9) 17:17;18:5,6;37:1;	try (13) 9:16;20:2;21:14; 24:18;26:4;30:18;37:3; 43:8,11;63:16;64:25;	uniformed (1) 91:25	vehicle (18)	

<p>12:9;34:3;39:9;40:10; 41:9,16,18;42:15,15,17; 46:17;47:2;49:5,7;51:5; 62:15,15;83:7 verbal (1) 58:16 versus (2) 4:9;30:14 vest (4) 35:9,19;93:20;94:3 vests (7) 35:21,23;93:10,16,18, 19,21 v-e-s-t-s (1) 93:10 veteran (1) 79:24 video (39) 7:14,15,16;10:1,13,16, 22;11:1,2,4,5,6,7,15,20; 13:9,10,11,14;14:22; 16:22,25;20:23,25;21:2; 26:11,13,20;28:14,19, 21,25;29:5,6;31:14;95:4, 8,10,13 videos (16) 7:13;16:1;19:17; 20:10;21:7,10,16,17,18, 19,20,22,25;22:1,2;28:1 Vienna (1) 81:3 view (5) 17:4;34:18,22;51:25; 52:4 viewed (1) 28:14 views (1) 13:13 violation (1) 43:11 violence (4) 13:25;14:1;22:9;37:10 violent (1) 9:7 violently (1) 68:23 visability (1) 34:1 visible (1) 40:9 visible (2) 11:22;50:22 vision (1) 63:23 visit (1) 20:11 voice (2) 32:19;89:9 void (1) 33:8</p>	<p>wagon (2) 41:25;42:7 waist (12) 50:25;52:12;58:1; 59:24,25;60:8,8;61:3,5; 69:16,18;72:15 wait (2) 40:2,25 waiting (2) 38:5;45:23 waive (1) 95:17 WAIVED (1) 95:21 walk (3) 49:6;82:23;87:1 walked (4) 38:22;39:1;86:20;87:4 walking (4) 46:7,17;83:10,14 Wall (6) 27:4;84:19,20,22; 85:1,9 wants (1) 82:20 warrant (28) 11:19,24;15:17,19,21; 16:2,8,9;25:15,19,19,21, 22;26:3;27:11,16,20; 28:5;29:9,10,13,20; 30:14,18;32:3;34:2,24; 46:4 watch (5) 7:15,16;82:21,23; 95:10 watched (2) 61:12,12 wave (1) 45:2 way (29) 19:5;22:7;28:20; 31:14;39:16;41:10,22; 42:22,24;43:3,16;47:18; 51:8;53:11,13;54:10,13, 14,16,24;56:10;63:8,12; 66:12;72:1;81:14;88:5; 94:11;95:1 ways (3) 9:24;15:9;31:5 weapon (20) 9:1,20,21;18:2;55:8, 12,13;58:8,11;60:24; 65:25;66:1;74:14;75:20; 77:15;82:13,16;85:1; 86:1,19 weapons (2) 8:23;72:6 weapon's (1) 73:7 wear (1) 93:17 wearing (4) 35:9,12;84:6;94:8</p>	<p>website (1) 22:3 wee (1) 89:25 week (1) 81:20 weeks (1) 7:24 Weinhaus (16) 4:9;7:20;9:25;13:4; 16:8,17;17:18;23:5; 28:20;49:3,4,7;50:8; 87:12;89:2,3 Weinhaus' (2) 49:13;89:8 well-documented (1) 79:25 weren't (4) 15:4;31:20;34:7;75:16 west (1) 43:25 whatnot (1) 4:20 what's (3) 5:12,14;72:19 wherever (1) 93:8 white (1) 17:10 whites (1) 67:5 whole (5) 4:4;17:1,2;72:20; 76:10 who's (4) 27:21;77:16;89:16; 93:1 whose (2) 19:7,12 wide (2) 35:6,7 wife (3) 14:25;81:6,16 wife's (1) 17:22 willing (1) 64:12 Win (1) 77:22 window (1) 44:20 wish (1) 95:17 within (2) 77:24;80:18 without (1) 57:10 witness (7) 17:10;23:1;36:18; 50:24;69:7;95:18,21 WITNESS] (1) 95:22 witnesses (1)</p>	<p>74:16 woke (1) 74:25 woman (1) 12:13 woods (3) 82:12,14,23 word (3) 18:18;26:16;32:17 words (5) 13:24;47:12,14;76:21; 77:5 work (5) 10:25;22:14;49:23; 50:1;79:19 worked (1) 43:5 working (1) 39:9 works (2) 48:24;49:20 worse (2) 78:8,23 worst (1) 73:10 wounded (1) 68:12 Wow (1) 75:15 wrist (2) 7:14,16 writ (3) 22:17,18,19 written (2) 7:12;10:6 wrong (2) 31:22;49:22 wrote (2) 7:17;41:3</p>	<p style="text-align: center;"><b>Z</b></p> <p>zone (2) 81:3,4</p>
<b>W</b>			<b>Y</b>	
			<p>yank (1) 54:9 yards (3) 34:17;38:25;40:14 year (1) 8:9 years (10) 5:11,25;6:3,8;8:7; 21:23;35:5;43:5;49:23; 79:17 yelled (1) 73:17 yelling (5) 70:1;83:13;85:15,18; 92:7 younger (1) 21:23 YouTube (7) 10:1;13:9;20:10;21:7, 10;23:15;25:4</p>	