

OHIO BUREAU OF CRIMINAL INVESTIGATION

INTERVIEW OF

James Hummel

CASE NUMBER: SI-18-12-82-1493

EXHIBIT: 23

DATE OF INTERVIEW:

AGENTS ASSIGNED:

**Eric Lehnhart
Jean-Philippe Rigaud**

Legend:

**EL = (Eric Lehnhart)
JP = (Jean-Philippe Rigaud)
JH = (James Hummel)
SK = (Steve Kinas)
PD = (Patrick D'Angelo)**

(Inaudible) = unintelligible, undistinguishable

****** = Pause**

Transcribed by: Deena Gray

(Miscellaneous talking, shuffling of chairs and introductions and exchange of business cards, etc....)

JP: My name is JP and I'm a Special Agent with BCI and this is Eric who is a Special Agent who works with me. The purpose for us today is to just to gather a statement from you, um, that's our job is to collect the facts in regards to this. This is not a decision to, to um look at this and critique what policy or um, or type of possible criminal matters that's being looked at...that's not our job. Ours is to collect information. Um, as we get your statement we just continue encourage honesty. And uh, you're here voluntarily so the first thing we do is we do, since this is a criminal investigation we do go and read you Miranda warnings, ok? So...can you give me your first name again, please?

JH: James

JP: James, ok and it's J-a-m-e-s, and Hummel is spelled...

JH: H-u-m-m-e-l

JP: Ok, great. Thank you, James. James, you do have the right to remain silent, anything you say can and will be used against you in court; you have the right to consult with an attorney and have an attorney present during questioning. If you cannot afford an attorney, one can be provided to you before questioning at no cost. Do you understand these rights?

JH: Yes.

JP: Ok. With these rights in mind, do you wish to speak with us now?

JH: Yes.

JP: Thank you. (inaudible) James, how are you, um, doing, um how are you holding up after all this?

JH: Good.

JP: Good...um. You will let us know if there's something, if you're having an issue or something like this during this time? What is your current assignment?

JH: Basic patrol, Cleveland Police Department.

JP: Ok. And how long have you been with the Cleveland Police?

JH: Twelve years

JP: Ok. Do you have any prior experience with law enforcement before that?

JH: Six years in the Cleveland EMS before I went to the police department but law enforcement, no.

JP: So twelve years and have you been assigned to patrol for those full twelve years...

JH: Yes.

JP: Ok. Um and what is your shift?

JH: Uh, night shift, 20:30 to 6:30.

JP: Ok. Your supervisor?

JH: Um it varies, um Sgt Brandts (sp?), Sgt Donagan, Sgt (inaudible), Lt. Sosha, uh.....a couple others...

JP: Ok...before the day in question, November 29th, do you remember who your supervisors were?

JH: Um...Sgt Martinez and I remember Martinez for sure because I seen him (in audible)....

JP: Ok. And what are your days off?

JH: I'm in uhh....R class, changes week to week.

JP: Ok...ok...do you have any extra duties or (inaudible) second jobs that you had within the 48 hours before the 29th?

JH: Uh. No.

JP: At this moment are you rested?

JH: Yes.

JP: Ok...um....do you use or take any drugs or prescriptions?

JH: No.

JP: On the night of the incident, the 29th, had you used and drugs, alcohol or any...

JH: No...

JP: prescriptions?...Ok. Do you wear any corrective lenses or contacts?

JH: Glasses just for reading.

JP: Ok. So I'm assuming on the 29th you weren't using any....

JH: No.

JP: (inaudible). Ok...What is your normal uniform?

JH: Class B uniform, uh, six pocket cargo pants, long sleeve shirt, duty belt, boots, uh, vest carrier.

JP: Ok. And your duty belt, can you go over your equipment that's on your duty belt?

JH: Uh...Glock Model 19, 9mm, uh, 2 extra rounds of mags..uh, 2 extra magazines, pepper spray, flashlight, handcuffs, radio.

JP: And were your magazines full?

JH: Yes.

JP: Ok...how many are carried in your magazines?

JH: 15

JP: But I assume there's one in the chamber?

JH: Yes.

JP: Ok....uh on the night, on the day of the 29th of November, did you have any personal recording devices, audio or visual with you?

JH: No.

JP: Ok. For your vehicle, what vehicle were you in?

JH: 243 A

JP: And is there a call sign for your vehicle?

JH: Nah, we're 2 Adam 31

JP: Ok...and who else was in the vehicle with you?

JH: Dave Siefer.

JP: Who was the driver?

JH: I was.

JP: Ok...and is, in your 240....3???

JH: 243 A

JP: 243 A, is your vehicle equipped with any cameras?

JH: No.

JP: (inaudible)

JH: Uh...no.

JP: Vehicle locator?

JH: No.

JP: Um. Were your.....um, do you have a spotlight?

JH: Yes.

JP: Emergency sirens?

JH: Yes.

JP: Lights?

JH: Yes.

JP: Ok..and you have an operating radio?

JH: Yes.

JP: Who was primary operator of the radio?

JH: Dave was.

JP: James, do you have any specialized training, uh, such as SWAT, defensive tactics, sharp shooter, military....

JH: No.

JP: Experience?.....ok...Are you...do you remember when your last use of force training was?

JH: October

JP: 2012?

JH: Yes.

JP: And, uh, are you current with your OPOTA, Peace Officers Certification?

JH: Yes.

JP: In your 12 years, James, have you been involved in any prior shooting incidents?

JH: Yes.

JP: Can you tell us about it?

JH: I was in a shooting in January of 20...10. Uhhh, you want the whole....

JP: Could you please?

JH: Um, we had a sergeant that, uh, from the 1st District, was following up on an earlier assignment of a stolen car where there was 2 people that bailed out, (intercom talk over the interview), seen a suspicious person and he wasn't sure if he was involved, uh, as he approached the, the guy, he fired a round at him. Uh he took off after him (inaudible) on foot, the battery died in his radio, 1st District let 2nd District know and had officers respond to the area, uh...when he was flushed out, uh, we confronted him in the driveway, uh, he had a Tech 9, he fired a few rounds at us...he shot the guy next to me, Anthony (unaudible), um I returned fire and that was pretty much it.

JP: Ok....From the incident of the 29th, can you please give us a picture from beginning to end of how you were involved and how it ended?

JH: We were at about 45th and Detroit when we heard, u,h Officer Nan broadcast a uh someone firing a gun out of an old Chevy. Said he lost the Chevy near the area of Prospect and Huron. Uh, Dave and I went ahead and started that way as we were cresting the Detroit Superior Bridge, I seen the car going westbound on the Detroit Superior Bridge, uh, immediately activated our lights and sirens, turned around and got behind them. He never made an attempt to stop so the pursuit started there...um pursued them down Detroit to 45th and he went southbound on west 45th down to Detroit, er Lorain, went westbound on Lorain as he went around Lorain we were kinda behind him because I was slowing down for intersections, but we caught back up with them at about....somewhere between

65th and 73rd and Lorain and pretty much stayed on their bumper from there. Uh, 85th, south on 85th as we got to Clark, he made an attempt to get onto I-90 Eastbound, then changed his mind and went down Clark, Clark all the way down to Quigley. Uh, we got down to Quigley, made that sharp turn to the right, um was the first time we had seen the passenger turn around and, you know, was pointing at us from back of the car, through the back window. Um..I remember hitting my brakes like really quick and moving over, my partner moved over, it was an “oh shit” move, it was....Dave was doing all the broadcasting, uh, Dave put it out there what we had seen. Uh, somebody had yelled at me to put the spotlight on em, put the spotlight on em and turned right back around in the seat, uh... continued to go down 14th, 14th jumped onto I-90 Eastbound onto the Inner-belt, um, down around the Inner-belt to uh, the Shoreway, Shoreway eastbound to east 72nd, lost control on east 72nd up on the hill and then came back down onto 72nd and took off again. I thought it was over then (sniff) uh down through the streets of the 5th District over there and 79th (inaudible) up in through Euclid, down Euclid to...um....the street that took us up into the school. We followed the car up into the school and got into the parking lot. There was a couple of islands with lights on them.

EL: Stop...can you pull a picture up for me?

JH: Yes.

EL: (cough) Um we're just going to get visuals so...

JH: Ok...

JP: I'll help you out here....

JH: Ok....

EL: Ok....I wasn't out there..I haven't been out there so....(inaudible)

JH: Makes it a lot easier to (inaudible)

(multiple people talking over one another)

JH: Came into the driveway, the Chevy went this way, uh, the Chevy went that way, and I think it was Diaz and O'Neil followed directly behind them. Dave and I went this way and there was another car, I just can't remember which one, but we came in...he came around this way, spun out and did like a 180 and was facing this way, up into the island. We came around here and were parked about right here and O'Neil and Diaz came right about here. We thought it was over, I was throwing the car into park, right as I was throwing the car into park, I threw it up into park and as I looked up I seen Diaz get out of his car and he as standing right next to his car and was heading over towards the Chevy...the Chevy gunned its

engine again and jumped up over the curb and went a at Diaz. Um, I seen Diaz fire a round. I only remember hearing one, um...the car continued up over the curb and started heading out. We came back around and started to head out. As we were going out, um, Gonzalez and Cruz came in and we were head to head with Gonzalez and Cruz like right here so we couldn't go any further. Um...seen an unmarked car come up next to us over here. I went to jump out of the car um, I should back up...I remember hearing the uh, I remember hearing O'Neil and my partner yell "shots fired" over the radio, here. Drove back around and got caught here, and then we heard..I could hear the car crash so I knew it was over, went to jump out of the car to run up, before I could even get completely out of the car, I mean the, the gunfire started and it was so...it was so loud, intense, fast, ya know, I mean I knew that it sounded like a machine gun going off, ya know, I was just...ya know I was like "wow", ya know, I just pictured this guy spraying bullets, ya know I was like I dropped right back down behind the door of the car. I thought I heard something hit the car, scared the shit out of me and I jumped back to the back of the car and was behind the trunk. Uh I waited back there until I heard the firing slow down a little bit and started making my way up, uh, started at Gonzalez and Cruz's car and uh.....as I came up thru there, I seen some vice guys coming down the hill, and they were still shooting from up here on the hill and I came over behind a vice car and I was behind that vice car until the shooting completely stopped. Then I walked up to the car...uh I THINK it was Diaz, uh I can't be sure was actually uh on, I think it was the hood of 238 and I think he was checking for a pulse on the passenger of the car and then I helped him off the car, walked around the other side and just kinda looked in the car, and then turned around and just made sure everybody was ok and by that time East Cleveland was already there, ya know, just kinda pushing everybody away from the car.

JP: Ok...I need to ask you...this one is a picture I think you may find, on this one, your vehicle and if you can (inaudible) numbered here, if you can find which one is your vehicle...

JH: This one is mine.

JP: Ok.

EL: Why don't you circle it for me?

JP: Yeah.

(inaudible)

JH: Yeah, I'm pretty sure (inaudible)...this is Tony and...

(inaudible – multiple people talking – can't distinguish)

EL: 243

JH: Yeah, it's me....

(inaudible)

JP: Can you just put your initials by that too, ok...um....and on this one here, it's the guys in the other interviews we were doing, if you can just um, kinda draw a diagram as to where your route was, um....

(inaudible – and long pause)

JP: Ok...I'm just going to have you put your signature here. Ok. Um.. what was the, uh, atmosphere after all the shooting had stopped and you had helped Diaz off the car, what, what was the overall atmosphere?

JH: Uh...everybody checking to make sure everybody was ok...um...just different people talking about different aspects of different parts of the chase, ya know, parking lots, where the curbs, er...um..more or less a lot of people letting Dave know he called out an excellent chase ya know that everybody knew where he was and knew where they were going and what was going on. Um..it was just kinda...I mean it was, it was, it was significant I mean I was just kinda, I was in my own little world. I mean I was just kinda...it was the second time in a couple of years that you know that something like this has happened like close to me and I was just, ya know, I was amazed that nobody got hurt, that I didn't get hurt.

JP: Lets go back when you were describing what you saw from the suspect vehicle, um, you mentioned at some point that the passenger came back to the back window, can you tell me when was the first time you saw that?

JH: Quigley.

JP: Quigley.

JH: Quigley was the first time I seen it, um. I mean it was a turn like this and then turned back and then all the way up on their knees and hands up towards the top of the car, I mean I couldn't see what was being pointed, but I mean I just ya know automatically perceived, ya know, with the initial call and them not wanting to stop, I mean I believed it was a gun.

JP: Ok.

JH: So I mean, that's, I mean I seriously thought someone was getting ready to shoot, ya know, I mean it was, I mean it was, it made me duck in the car.

JP: Ok. You mentioned an order that you got about putting your spotlight on the car, do you remember where that came from?

JH: Ummm...It sounded...it either sounded like John Graves or Kevin Fairchild, or somebody (inaudible) cuz they...everybody seem the person turn around in the car and ya know, put your spotlight on em, ya know...uhhh...so I put the light on like I said, ya know like immediately they turned around and sat back down in the seat.

JP: Did that happen only one time?

JH: Uhh there were several times that, I mean that they turned around, but I mean as far as pointing that I seen from my perspective, just the one time.

JP: And that's near Quigley?

JH: Quigley and Clark, between...on Quigley Hill on the way up to 14th at the roundabout.

JP: You said you looked in the car, did you recognize any of the 2 suspects in the car?

JH: No.

JP: James, from your experience and everything, you were basically the lead, the lead vehicle? Was there ever a time you were not the lead vehicle?

JH: Uhh there was moments in the, in the area between, when we left 72nd and St. Clair and until when we got up onto Euclid, that I know, uh 2 of the vice cars had gotten in front of us, um..I think Fairchild was in one and I think Sgt Coleman and Miranda were in the other one

JP: How did they get between you and the suspect car?

JH: Uhh I, I, I think maybe when we were in the neighborhood that was one of the times that uh they drove up over the curb, over uh like a corner lot. I stayed on the street and they followed directly over.

JP: Do you know where your partner was, this is going back to the parking lot at the school that the shooting occurred. Do you remember anything about what was happening with your partner (inaudible)?

JH: No, from the time we both exited the car, I didn't see him again until after the shooting.

JP: Ok.

JH: 'Cause I actually went, ya know, I came this way and, ya know, I just wound up retreating rather than going forward and I believe he probably went forward 'cause he wasn't anywhere around when I was back by the car.

JP: Did you observe where any other officers were when you were at your car?

JH: Uh, no other than the vice guys I seen coming down the hill, I didn't see anybody...

JP: Which do you remember, do you remember which of the vice guys it was?

JH: Ummm.....I think it was uh, they weren't our vice guys, I think one of them was uh the guy with the ponytail and his female partner. I thought I saw a third person, but I don't know who that was.

JP: Ok. And this ponytail guy and his female partner, were they both shooting?

JH: Umm I mean they had their guns up, I mean there was a lot of shooting, so I mean I was assuming they were shooting, I mean they were running, their guns were out forward, ya know, it was very, it very real quick and it was real intense so I mean its.

JP: And I know I'm asking (inaudible) questions, these are set questions.

JH: That's fine.

JP: I realize we are diving into a very intense moment so, um....

JH: I'm just trying to make it as clear for ya as I can.

JP: And you're doing a good job too, we appreciate it. Um...(long pause) at any point had you taken your gun out of the holster?

JH: It was out the whole time.

JP: The whole time. Ok...you did not get out of the car when it first stopped here, right?

JH: No, I was going to, I thought it was over, I thought he was trapped in here up against the curb. So I mean I was throwing the car in park and getting ready to get out when I seen Diaz and then that whole thing happened and I threw it back in drive and ya know went back after them.

JP: Ok. Was there anyone else...was there anyone hurt other than the, obviously the two, passenger and driver of the suspect vehicle were both deceased, but was there anyone else hurt that you observed?

JH: I didn't...I think Randy Patrick may have had a scratch or a cut on his head...I don't know where that came from.

JP: Ok. And were you hurt in any way?

JH: No.

JP: Do you remember if any medical, EMS or anyone called to the scene?

JH: Not for any of us. I know East Cleveland Fire and EMS had shown up.

JP: Have you, James, since the incident, spoken to anyone else regarding, regarding or shared with anyone else?

JH: I mean it's pretty much a bad topic of conversation for everybody ever since.

JP: Ok.

EL: More particularly did you have a conversation with anybody from East Cleveland, any of the sergeants, or....

JH: I've talked to Matt (inaudible)

EL: What was that, uh, in reference to? Do you remember?

JH: Umm, well I had called him that night or sent him a text that night to see if he was working 'cause we were there in East Cleveland. I didn't see him around and (inaudible).

EL: Was it just primarily about the incident in itself or was there, did you have concerns about that (inaudible) or that lead you to, uh, did you initiate the conversation or did he initiate it with you, do you remember?

JH: I don't remember how the conversation....

EL: Started...

JH: Started, but I had had a conversation about one of the things that happened during the chase was, uh, as we were getting ready to round dead man's curve, we had heard a loud bang and we thought that uh, I thought it was a shot and I asked my partner he, ya know if he heard it and he says "yeah, I think they blew out a tire", so I think he broadcasted the fact that he blew out the tire and then uh, as we rounded the turn and was headed down the Shoreway, uh and we're gunning pretty good, it was probably a buck 25, a buck 30 and uh, then the suspect vehicle had backfired and then as the car was exiting off of uh, 72nd, when we thought it

was over and the car partially stalled out and backfired again and took off but that was the end of that. Ya know, I thought that, ya know, I even made the comment to my partner it was like he's, he's pushing that thing to the brink man, that old car can't handle it.

JP: There are two particular incidents you remember the car backfires, that the suspect vehicle backfires, 'cause when it got stuck on 72nd and right before that...

JH: Uh, probably right about the (inaudible) plant.

JP: Ok. I know this obvious question, but did you ever fear for your safety?

JH: The whole time

JP: Do you think your actions, James, were consistent with the training you received?

JH: Yes.

JP: And do you believe that the actions of all the officers involved were consistent with the training?

JH: Absolutely.

JP: Um. Did you use your cell phone at all at the scene?

JH: Yes.

JP: Can you tell us why?

JH: Uh, I text my wife immediately after. Let her know what had happened and let her know that I was okay.

JP: Ok. Anything else?

JH: Um...I took pictures.

JP: Of what?

JH: The scene.

JP: Ok. Uh, do you still have these pictures on your phone?

JH: Yes.

JP: Um. Did you see anyone else taking any pictures at the scene?

JH: No.

JP: Ok. Did you see anyone else recording in any type of way, I mean, pictures, video, capabilities on cell phones?

JH: No.

JP: Eric do you have any questions?

EL: I do...um...I'm gonna be the one reducing this to writing so let's go back over a couple things here just so I'm clear. Uhhh, we went over your vehicle number, which was twenty...243 A and we went over your call sign 2-831. What kind of car was it, was it a Dodge, Chevy,...

JH: Crown Vic

EL: A Crown Vic...Ford. That was one thing I wanted to clarify.

(Unknown voice and laughing)

EL: Most of the radio traffic was issued by you guys, right, or your partner because you were primarily the lead this whole, most of it, other than when vice came...

JH: Right...right...

EL: You covered the averted movement that I was going to ask you to show us, but you've already showed how that appeared to you, but uh...um...it was the front passenger, right, that turned, turned around...

JH: Yes.

EL: Any movement you see from the driver at all?

JH: No...no (inaudible).

EL: What, uh, do you remember what type of lighting was out there at the school? At the end? Was it pretty well lit, was it not lit so well...

JH: I mean it seemed pretty well lit. I mean...

EL: Do you remember what kind of lighting other than what was coming, being emitted from the vehicles? I mean...

JH: Uh,, the tall lights that were in the parking lots, on the islands. I can't remember if there were any down through the driveway.

EL: Visibility? Uh, how would you rate visibility?

JH: I mean it was, I mean it was ok...I mean it wasn't ya know, it wasn't sunlit, but it was...

EL: Most (inaudible), most of the officers work nights anyhow so (inaudible) eye adjustments are a little bit better for you guys than...

JH: I mean I know my vision's ok. I can't account for....

EL: Did you, and I think maybe JP covered this, uh, I think you mentioned that you didn't know that um, at the time who, who the two were in the vehicle, is that right, during the pursuit?

JH: No, I didn't know.

EL: How soon after the, the incident did you find out uh, the identities of them?

JH: Um...

EL: The sexes of them and all that...

JH: Umm...sex I didn't know until the next day when it was put in the media that the, uh, other one was a female, I mean I was under the assumption that the other one was male.

EL: Did you hear any verbal commands through the incident, other than what you guys were putting out or hearing out over the radio?

JH: I mean, verbal commands no.. I remember there was a time that I was cautioned by Sgt Coleman as we were ya know advancing on the car to be careful and that was right before 72nd. Nobody actually gave us any orders at all...it's pretty much standard chase.

EL: Any verbal commands by officers as far as you had mentioned that there was uh...the gunfire sounded pretty rapid and it was pretty loud, could you hear any, any officers ordering commands to the vehicle or anything like that?

JH: No, I didn't hear any of that from where I was.

EL: [To JP]: You gonna go over the phone or you want me to go over the phone?

JP: You go over the phone, I gotta get the form, right?

EL: Yes.

JP: I didn't get the form. Also one other question too?

JP: Did you ever receive, was there ever any, that you remember, James about ending the pursuit, any standard command about ending the pursuit?

JH: Nah. Not on Channel 2.

EL: That was one thing I had to learn, I think the hard way I didn't realize that, and I know, that (inaudible) several hundred or thousands of officers, but I didn't realize you guys were split up in channels like...

JH: 5 Districts, 5 Channels...

(multiple people talking)

SK: 3 Channels per District

EL: Is that what it is? So I, I...that was...

SK: Main Channel, All Channel, Tactical Channel

EL: I think it wasn't until I spoke with maybe the county guys that they explained it to me that there was, 'cause they were at one point listening to a channel and was trying figure out (inaudible) closer and, uh, like I think the one was on one of the wrong channels and he was getting feed from (inaudible) so I'm learning a little bit too. Um...what we've been doing with cell phones is if you, if you use your cell phone or have any images on it, we're asking for consent to pull those images off (inaudible) and we can do that today. I know Natasha's over there, she'll do it right now and you'll get your phone back...

JH: Ok.

EL: That is if you uh agree to give us consent to do that. If you choose not to, then we're being asked to hold the phone, get the search warrant, execute the search warrant...

JH: I got no problem with it.

EL: But I, I feel like I gotta explain it to you, so I don't wanna pin you in a corner so...um...JP can get the form and we can take you over there and she can download it and get your phone right back to you and...

JH: Ok...

EL: And uh...since we're not Verizon, you shouldn't lose any of your contacts or anything...

SK: How big is your phone?

JH: What's that?

SK: How many gigs?

JH: Smartphone...it's a smaller one

SK: How many gigs?

JH: I'm not sure. I just got it the day before that day, I can't remember...

SK: Is it 16?

JH: What's that?

SK: The newer ones are 16 gig (inaudible)

JH: This is the 5, whatever the smaller ones are...

EL: Did take an...did one take a while this week?

SK: You're right cuz it's an iPhone so (inaudible)

JH: Well there's not much in mine, mine's brand new so...

SK: (inaudible)

EL: Well I still have a dumb phone. (laughing)

JH: We're walking me into the 20th Century, part way anyway....

PD: Why don't you show 'em the three images so (inaudible)

JH: It's four, um...actually the first ones I took outside of the one my daughter took of herself. Um. This was the first one, there was these Cleveland (inaudible) Investigators there, I mean I know the seen me take the picture and didn't say anything to me. Uh, I moved over a little bit took a shot there. I was trying to get a shot of the windshield here, um...this one here was, it's the lighting, um, but I couldn't quite get my flash to work right, so I took four as I was trying to figure out how to use this phone. That's it. And this is a copied picture of the media's picture, it's not mine, it was on like the Channel 19 thing and I just kinda saved it.

SK: (inaudible) Channel 2?

JH: What's that?

SK: Recovery was on Channel 2?

JH: Yes.

SK: You have a portable? Both have portables, you and your partner?

JH: Yes.

SK: Also both on Channel 2?

JH: Yeah, but I don't think my portable was on yet. I don't usually turn it on until I jump out of the car 'cause, ya know (inaudible).

EL: What's your middle initial James?

JH: L

EL: H-U-M-M

JH: Yes,

EL: E and one L?

JH: Yes.

JP: James I forgot to get some things from you too. Date of birth?

JH: [REDACTED]

JP: And your address please...

JH: [REDACTED]

JP: And a phone number please

JH: [REDACTED]

JP: Great, thank you.

EL: iPhone?

JH: 5

EL: iPhone 5. You say it's a 16?

JH: I don't know, whatever the small one is. I just...the only reason I wanted it was for the flying apps.

JP: It, it might be 8 gig...

EL: Well instead of...what I'll do is when we go over there I'll let Natasha, 'cause I'm not updated on like (inaudible) phone, so as long as it texts and calls, I'm good. Um we'll let her get the serial number and, and (inaudible) and all that stuff so....um....

(long pause)

EL: Uh, just print your name up here and you'll sign your name over here and then we'll do the witness (inaudible), uh, address over here and date of birth. I wanted. I can print...type these out ahead of time but (long pause).....

JH: You say you wanted my address?

(long pause)

EL: And your date of birth.

(long pause)

EL: Did they have you guys witness these at all, or...what we'll do is we'll go over there, let her fill out the serial number and all that stuff, I'll make you a copy so have all that and uh...

JP: (inaudible)

JH: I've never even had it out of this thing....

(miscellaneous people talking over one another)

EL: She might be able....once she does the download, or the pull down, she might be able (inaudible). JP, (inaudible)

SK: (inaudible) if you go to Settings, General info, it can tell you all the information on the phone, serial number...

JH: Oh you need that now? What do you want me to hit?

SK: It's under Settings, General, and the word About, scroll down about half way down and it'll say Serial Number.

JH: Try that with your dumb phone

EL: Yeah, no shittin...

(misc people talking over one another, misc chatting, can't distinguish)

JH: Don't have to pull the cover off, pull the battery out...

SK: Can't take the battery out of an iPhone....

JH: Nah, I was talking about his.

EL: Yeah, I never...uh...yeah.

JH: Magnifying glass

EL: Jeez o petes, how many letters these things gotta have? Awesome.

JP: Is he going with us, just have him come over with us?

EL: Yeah. We'll go over there. I think it's uh...and that way we can get them a copy of that stuff and I can get cards for everybody, so. Who's been the primary point of contact for you? Has it been Mark or..Koller???

SK: Uh I think it's been John.

EL: John's been doing it, ok.

PD: (inaudible) in terms of who next.

EL: Ok...very good. I don't wanna get involved in any of that (inaudible) Ok...lets go over there and that way you can get your phone and get out of here...

PD: Oh, I think the (inaudible) the last general question is anything else?

EL: Well, yeah. I mean....

PD: Do we need to come back for anything so we get it done now??

EL: Well let's get, we want her to start that and then we'll come back.

PD: Oh you still have more questions?

EL: to JP – are you good?

JP: I'm good.

EL: I mean do you have anything else you wanna....

JH: I mean it's whatever you guys need to know, I'm here to answer ya know I mean...(inaudible) pursuit.

JP: (inaudible) Anything else?

EL: You know I think the big thing I was specifically asked yesterday was to talk about, was the perceived tire blowout, which um...I've already listened to the radio traffic and you know, I'm familiar with that, so....uh the cell phone thing, we went over, the pictures...

JP: Your speed indicated that you were up to??

JH: It was about 125, 130 miles an hour on the Shoreway.

JP: Ok. Um what would you say, 'causethere were so many places you were, what would you say was the slowest you guys were going?

JH: Uh...

JP: (chuckle) Unfair question.

JH: Yeah, you know what, I mean the one thing, the only reason that I knew how fast we were going on the Shoreways was I was getting concerned at that point about our speed, ya know, I mean its...we blow a tire or something, a high rate of speed, be ugly. So I mean, I just remember looking down at my speed, ya know for that. So, uh, normally it's your partners job to kinda peek over and see what our speeds are and let the supervisor know.

PD: The slowest maybe would've been when you actually said that at one point you were able to catch up....

JH: Ahh you know (inaudible) probably about 25 or 30 miles an hour back down in there. I mean he did a nice little fishtail and moved (inaudible) end of Clark and took off out Quigley and ya know that's when we positioned ourselves like directly behind, ya know and started accelerating again from there up the hill.

EL: No, I think I'm good for what I need.

JP: Do you have anything?

PD: Oh, we're, we're fine, just like when they're done with the phone that he's free to go and we're not coming back in?

JP & EL: (both saying yeah, absolutely, etc...)

EL: Where did you end up parking? Front or....?

JH: Uuuuhhhh....outside the evidence collection.

EL: Alright, we can walk him back through there so he doesn't have to...I'm used to
(inaudible)

(inaudible)

JP: Did I get a card from you?

(inaudible)

(Miscellaneous talking.....)

End of interview.