

IN THE CIRCUIT COURT IN THE  
EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR BREVARD COUNTY,  
FLORIDA

CASE NUMBER: 05-2012-CF-035337-AXXX-XX

Case # 05-2012-CF-035337-AXXX-XX  
Document Page # 420



STATE OF FLORIDA,

Plaintiff,

versus

BRANDON LEE BRADLEY

Defendant,

**ORIGINAL**

FILED IN T.V. - 011  
CLERK OF CIR. CT.  
BREVARD CO. FL.

2014 JUL 25 A 11:43

SCOTT ELLIS

VOLUME V OF XV

TRANSCRIPT OF DIGITAL RECORDED JURY TRIAL,

SPENCER HEARING AND SENTENCING

The transcript of the Digital Recorded  
Proceedings taken in the above-styled cause, at the Moore  
Justice Center, 2825 Judge Fran Jamieson Way, Viera,  
Florida, on the 18th, 19th, 20th, 21st, 26th, 27th, 28th  
and 31st day of March, the 1st, 3rd, 4th and 8th day of  
April, 2014 (Trial), the 5th day of June, 2014 (Spencer  
Hearing), and the 27th day of June, 2014 (Sentencing),  
before the Honorable Morgan Reinman.

RYAN REPORTING  
REGISTERED PROFESSIONAL REPORTERS

1670 S. FISKE BOULEVARD

A P P E A R A N C E S

1  
2 THOMAS BROWN, ESQ.,  
3 and  
4 JAMES MCMASTER, ESQ.,  
5 Assistant State Attorneys  
6 State Attorney's Office  
7 2725 Judge Fran Jamieson Way  
8 Building D.  
9 Viera, Florida 32940

Appearing for  
Plaintiff

10 J. RANDALL MOORE, ESQ.,  
11 MICHAEL PIROLO, ESQ.,  
12 and  
13 MARK LANNING, ESQ.,  
14 Assistant Public Defender  
15 Public Defender's Office  
16 2725 Judge Fran Jamieson Way  
17 Building E  
18 Viera, Florida 32940

Appearing for  
Defendant

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Brandon Lee Bradley, Defendant, present

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## I N D E X

## PROCEEDINGS:

March 18, 2014	22
March 19, 2014	275
March 20, 2014	465
March 21, 2014	755
March 26, 2014	990
March 27, 2014	1293
March 28, 2014	1479
March 31, 2014	1570
April 1, 2014	1899
April 3, 2014	2076
April 4, 2014	2475
April 8, 2014	2651
June 5, 2014	2860
June 27, 2014	2876

## MOTION TESTIMONY:

## PLAINTIFF'S WITNESSES:

## ROBERT MARKS: (Proffer)

Direct Examination by Mr. McMaster	24
Cross Examination by Mr. Moore	35

## ANDRIA KERCHNER: (Proffer)

Direct Examination by Mr. McMaster	43
Cross Examination by Mr. Moore	51

## JEFFREY DIEGUEZ: (Proffer)

Direct Examination by Mr. McMaster	58
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9	ROBERT MARKS:	
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11	JAMES SEATON:	
12	Direct Examination by Mr. McMaster	249
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16	Direct Examination by Mr. McMaster	260
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18	Direct Examination by Mr. Brown	290
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## AGENT CRAIG CARSON:

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Cross Examination by Mr. Moore	435
Redirect Examination by Mr. McMaster	437

## SERGEANT DARRYL OSBORNE:

Direct Examination by Mr. McMaster	438
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## MAJOR BRUCE BARNETT:

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## AGENT BRIAN STOLL:

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## DEFENSE WITNESSES:

## DAVID MCGUINNESS:

Direct Examination by Mr. Moore	1426
Cross Examination by Mr. Brown	1429

## LINDA SULLIVAN:

Direct Examination by Mr. Moore	1430
Cross Examination by Mr. McMaster	1452
Redirect Examination by Mr. Moore	1455
Recross Examination by Mr. McMaster	1457

## OFFICER CASSANDRA WORONKA:

Direct Examination by Mr. Lanning	1503
Cross Examination by Mr. Brown	1505
Redirect Examination by Mr. Lanning	1505

## DR. SUSAN SKOLLY-DANZIGER:

Direct Examination by Mr. Moore	1509
Cross Examination by Mr. McMaster	1544
Redirect Examination by Mr. Moore	1553

## DR. JACQUELYN OLANDER:

Direct Examination by Mr. Moore	1593
Cross Examination by Mr. Brown	1672
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16	By Ms. McMaster	1973
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## DEFENSE WITNESSES:

## DR. JOSEPH WU:

Direct Examination by Mr. Moore	2347
Cross Examination by Mr. McMaster	2431
Redirect Examination by Mr. Moore	2466

## DR. JACQUELYN OLANDER:

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## DEFENSE RESTS:

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## CHARGE CONFERENCE:

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18	Direct Examination by Mr. McMaster	2871
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## I N D E X

## PLAINTIFF'S EXHIBITS:

NUMBER	DESCRIPTION	MARKED FOR ID	RECEIVED
1	Arrest Warrant	A	232
2	Arrest Warrant	B	232
3	Arrest Warrant	C	232
4	Amended Arrest Warrant	D	234
5	Amended Arrest Warrant	E	234
6	Copy of Driver's License	F	236
7	Application	FZ	257
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10	Diagram	J	306
11	Registration Documents	AL	307
12	Photograph	DD	313
13	Photograph	DE	313
14	Photograph	K	322
15	Photograph	L	322
16	Photograph	M	322
17	Photograph	N	322
18	Photograph	O	322
19	Photograph	P	326
20	Photograph	Q	326
21	Photograph	R	326
22	Photograph	S	326
23	Photograph	T	326
24	Photograph	U	326
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27	Photo Lineup	AH	339
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30	Photo Lineup	AB	368
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33	Photo Lineup Instructions	AI	396
34	Photo Lineup	AJ	396
35	Photo Lineup	AK	396
36	Photograph	GA	435
37	Photograph	AN	458
38	Photograph	AO	458

I N D E X



## I N D E X

## PLAINTIFF'S EXHIBITS:

NUMBER	DESCRIPTION	MARKED FOR ID	RECEIVED
39	Photograph	AP	458
40	Photograph	AQ	458
41	Aerial Diagram	G	507
42	DVD	AT	531
43	DVD	AU	531
44	Photograph	FI	532
45	Phone Record	BJ	558
46	Diagram	AX	562
47	Photograph	AW	672
48	DISC	GB	672
49	Driver's License Photo	AM	785
50	Photograph	AY	788
51	Photograph	AZ	788
52	Photograph	BA	788
53	Photograph	BB	788
54	Photograph	BC	788
55	Photograph	BD	788
56	Photograph	BE	788
57	Photograph	BF	788
58	Photograph	BG	788
59	Photograph	BH	788
60	DVD	BL	841
61	DVD	BK	883
62	Medical Records	FG	893
63	Diagram	BZ	897
64	Diagram	BM	907
65	Photograph	BN	909
66	Photograph	BO	909
67	Photograph	BP	909
68	Photograph	BQ	909
69	Photograph	BR	909
70	Photograph	BS	909
71	Photograph	BT	909
72	Photograph	BU	909
73	Photograph	BV	909
74	Photograph	BW	909
75	Photograph	BX	909
76	Photograph	BY	909

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## I N D E X

## PLAINTIFF'S EXHIBITS:

NUMBER	DESCRIPTION	MARKED FOR ID	RECEIVED
77	Photograph	CC	922
78	Photograph	CD	922
79	Photograph	CE	922
80	Photograph	CF	922
81	Photograph	CG	922
82	Photograph	CH	922
83	Photograph	CI	922
84	Photograph	CJ	922
85	Photograph	CK	922
86	Photograph	CL	922
87	Photograph	CM	922
88	Photograph	CN	922
89	Photograph	CO	922
90	Photograph	CP	922
91	Photograph	CQ	922
92	Photograph	CR	922
93	Photograph	CS	922
94	Photograph	DC	938
95	Photograph	DF	938
96	Photograph	DG	938
97	Photograph	DH	938
98	Photograph	DI	938
99	Photograph	DJ	938
100	Photograph	DK	938
101	Photograph	DL	938
102	Photograph	DM	938
103	Photograph	DN	938
104	Photograph	DO	938
105	Photograph	DP	938
106	Photograph	DR	938
107	Photograph	DS	938
108	Photograph	DT	938
109	Photograph	DU	938
110	Photograph	DV	938
111	Photograph	DW	938
112	Photograph	DY	938

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## I N D E X

## PLAINTIFF'S EXHIBITS:

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113	Photograph	DZ	938
114	Photograph	EA	938
115	Photograph	EB	938
116	Photograph	EC	938
117	Room Key	FE	948
118	Room Key Sleeve	GC	952
119	Cartridge	EE	958
120	Cartridge	EG	958
121	Magazine	EH	958
122	Cartridges	EI	958
123	Cartridge	EJ	958
124	Firearm	ED	964
125	Ammunition Box w/ Cartridges	EN	966
126	Fingerprint Cards	GD	970
127	Fingerprint Cards	GE	970
128	Cell Phone	BI	1023
129	Magazine	EF	1029
130	Fired Bullet	CT	1033
131	Fired Bullet	FA	1035
132	Fired Bullet	FC	1037
133	Fired Bullet	FH	1038
134	Fired Bullet Jacket	EL	1039
135	Jacket Fragment	FB	1043
136	Jacket Fragment	CU	1045
137	Piece of Lead	EM	1048
138	Fired Cartridge Case	EK	1050
139	Fired Cartridge Case	CV	1050
140	Fired Cartridge Case	CW	1050
141	Fired Cartridge Case	CX	1050
142	Fired Cartridge Case	CY	1050
143	Fired Cartridge Case	CZ	1050
144	Fired Cartridge Case	DA	1050
145	Fired Cartridge Case	DB	1050
146	Fingerprint Exemplars	GF	1063
147	Fingerprint Images	GI	1065
148	Fingerprint Images	GH	1065

I N D E X

## I N D E X

## PLAINTIFF'S EXHIBITS:

NUMBER	DESCRIPTION	MARKED FOR ID	RECEIVED
149	Chart	GG	1067
150	Photograph	FJ	1110
151	Swab	FK	1110
152	Swab	FL	1110
153	Fingernail Clippings	FM	1110
154	Fingernail Clippings	FN	1110
155	Photograph	FO	1110
156	Photograph	FP	1110
157	Photograph	FQ	1110
158	Photograph	FR	1110
159	Photograph	FS	1110
160	Photograph	FT	1110
161	Photograph	FU	1110
162	Photograph	FV	1110
163	Photograph	FW	1110
164	Photograph	FX	1110
165	DVD	GJ	1149
166	Buccal Swab	CA	1353
167	Buccal Swab	CB	1353
168	DNA Card	FD	1353
169	Swab	EU	1354
170	Swab	EW	1354
171	Swab	ET	1357
172	Swab	EV	1357
173	Swab	EX	1357
174	Swab	EY	1357
175	Swab	EZ	1357
176	Swab	EO	1358
177	Swab	EP	1358
178	Swab	ES	1361
179	Swab	ER	1365
180	Swab	EQ	1366
181	Certified Conviction	GK	1851
182	Certified Conviction	GL	1851
183	Certified Conviction	GM	1851
184	Certified Judgment	GN	2305

I N D E X

## I N D E X

## PLAINTIFF'S EXHIBITS:

NUMBER	DESCRIPTION	MARKED FOR ID	RECEIVED
185	Certified Judgment	GP	2305
186	Certified Judgment	GO	2305
187	Photograph	GQ	2323

## DEFENDANT'S EXHIBITS:

NUMBER	DESCRIPTION	MARKED FOR ID	RECEIVED
1	Vials of Blood	A	1444
2	Litigation Package	B	1477
3	DVD	I	2360
4	Power-point Presentation	J	2373
5	Photograph	F	2691
6	Photograph	G	2691
7	Photograph	H	2691

\* \* \* \* \*

1           A        There was an officer from Melbourne and I  
2 believe a sheriff's deputy in the area of the intersection  
3 of Careywood and Turtle Mound, or I'm sorry, Careywood and  
4 Carolwood and then there was another Melbourne police  
5 officer, I believe it was Chad Cooper, who was positioned  
6 right here on Turtle Mound Road in the area of I guess  
7 it's Tranquility.

8           Q        All right. Did you notice any at the  
9 intersection of Carolwood and Turtle Mound?

10          A        I believe there was somebody there, I don't  
11 recall who.

12          Q        I take it your attention was focused on getting  
13 the vehicle?

14          A        Yes, it was.

15          Q        Do you know if the other units were making any  
16 efforts to stop the vehicle also?

17          A        When it went northbound Chad Cooper had set up  
18 some stop sticks in front of the vehicle.

19          Q        Tell us about when it started northbound on  
20 Turtle Mound, what happened, what speed you were going.

21          A        We proceeded northbound on Carolwood up to  
22 about fifty miles an hour I would say, the vehicle was  
23 obviously attempting to elude myself to escape capture.  
24 He continued northbound in the area of Lake Washington  
25 here. Once it reached Lake Washington it again ran over

1 several sets of stop sticks that had been placed out by  
2 other officers.

3 Q Did it stop at that time?

4 A No.

5 Q It continued on?

6 A Yes, it did.

7 Q Was it going in a straight line, was it taking  
8 evasive maneuvers to try to avoid the stop sticks?

9 MR. MOORE: Objection, leading.

10 THE COURT: Sustained.

11 THE WITNESS: It was driving northbound, when  
12 it went through this intersection here it was  
13 completely covered with stop sticks so there was  
14 really no way to avoid it. Once we got north of Lake  
15 Washington it began to travel northbound in the  
16 southbound lane kind of straddling I guess the center  
17 line. It's a two lane road, it was kind of taking up  
18 both lanes.

19 BY MR. MCMASTER:

20 Q And what was the speed at that time?

21 A About fifty miles an hour.

22 Q And what's the speed limit?

23 A I believe it's forty.

24 Q What did you do next?

25 A I continued to follow the vehicle. At that

1 time I confirmed over the police radio that the suspect  
2 did in fact shoot --

3 MR. MOORE: Objection, leading.

4 MR. MCMASTER: Leading?

5 MR. MOORE: Hearsay. Objection hearsay.

6 THE COURT: Sustained.

7 MR. MCMASTER: I do lead.

8 BY MR. MCMASTER:

9 Q Forget about what you were told over the radio,  
10 sergeant, just tell us what you did and where you ended  
11 up.

12 A After confirming facts I proceeded to set  
13 myself up to form a pursuit intervention technique which  
14 is commonly seen on television where a police car will  
15 come up behind a suspect vehicle and spin it around.

16 Q And you were going to try to do that technique?

17 A I was.

18 Q Were you able to actually do that?

19 A No, as I came -- as I positioned myself because  
20 I tried to position myself where I could do it, I noticed  
21 oncoming traffic where based through my training I know  
22 that when there's oncoming traffic you can't do it. So,  
23 at that point I backed up a little bit and continued to  
24 follow.

25 Q Where did it go? This whole time you had your



1 lights and sirens on?

2 A Yes. Yes, I did, active to try to stop them.  
3 When it reached Parkway Drive it attempted to make a right  
4 hand turn.

5 Q You can have a seat. We're past the area of  
6 the map?

7 A Yes.

8 (Thereupon, the witness resumed the witness  
9 stand.)

10 BY MR. MCMASTER:

11 Q What happened when you got up near the  
12 intersection of Parkway?

13 A When we reached Parkway Drive the vehicle  
14 attempted to turn right which would be eastbound on to  
15 Parkway Drive toward Wickham. However, due to the stop  
16 sticks that had been placed, the tires had started to  
17 deflate and it was unable to negotiate the turn and the  
18 vehicle struck a stop sign.

19 Q Did it come to a halt at that time?

20 A It did.

21 Q And what, if anything, did you do?

22 A I immediately exited my vehicle and drew my  
23 firearm in a felony stop position.

24 Q Were you ordering the occupants out of the  
25 vehicle at that point?

1 A I was.

2 Q Were they responding?

3 A No.

4 Q What happened?

5 A Then vehicle then backed up slightly maybe five  
6 feet at a slow rate of speed and then drove off eastbound  
7 again on Parkway Drive.

8 Q What did you do?

9 A I continued to -- I reentered my vehicle and  
10 continued to follow the vehicle at which point their  
11 vehicle had left the roadway on the south side of the road  
12 and flipped into a ditch.

13 Q What happened next?

14 A At that point we stopped our vehicles and there  
15 were numerous other officers that had come up behind me  
16 and I made the decision to work the situation as sort of a  
17 barricaded subject.

18 Q Did the occupants of the vehicle attempt to  
19 exit the vehicle at that point?

20 A Not at that time.

21 Q What did you do to try to get them out?

22 A I instructed Officer Romano to give several  
23 commands over the PA system for them to exit the vehicle.

24 Q Did they?

25 A No.

1 Q What did you do?

2 A I gave it another minute or two to see if we  
3 had received any response. Based on the way the vehicle  
4 was positioned, it was plausible that they were unable to  
5 get out of the car. So, at that point I sent a member of  
6 the sheriff's office around to the other side of the  
7 vehicle that could maybe see through the windshield to see  
8 what they were doing.

9 Q Was that successful?

10 A He could see them, yes.

11 Q He could see them inside?

12 A Yes.

13 Q Did they come out at that point?

14 A No.

15 Q What did you do next?

16 A At that point I assembled a contact team and  
17 worked them around to the south side of the ditch that the  
18 vehicle had flipped into and made further efforts to try  
19 to get them out of the vehicle. Again, based on the way  
20 the vehicle was positioned in the ditch --

21 MR. MOORE: I'm going to object to speculation  
22 about why and how (unintelligible).

23 THE COURT: Okay. Sustained.

24 BY MR. MOORE:

25 Q Just tell the ladies and gentlemen what you

1 observed.

2 A I observed the vehicle on its the -- the  
3 driver's side was down in the ditch, the passengers side  
4 was up and no one was coming out of the vehicle.

5 Q What did you do?

6 A At that point I decided to have someone throw a  
7 brick paver through the back window to try to create an  
8 avenue of escape for the occupants.

9 Q Was that done?

10 A Yes.

11 Q And did the occupants finally come out?

12 A Yes, they did?

13 Q And were they taken into custody?

14 A Yes, they were.

15 Q Mr. Bradley was one of the occupants?

16 A Yes, he was.

17 Q When he was taken into custody, was he  
18 mistreated in any form or fashion?

19 A In no way whatsoever.

20 Q Any threats made against him?

21 A None.

22 Q Any physical violence?

23 A None.

24 Q Just handcuffed and placed in the patrol car?

25 A That's correct.

1 MR. MCMASTER: No further questions.

2 THE COURT: Questions by the Defense.

3 MR. MOORE: No questions.

4 THE COURT: Okay. Sir, thank you for your  
5 testimony, you're free to step down.

6 (Thereupon, the witness exited the witness  
7 stand.)

8 MR. MCMASTER: State calls Officer Chad Cooper.

9 MR. BROWN: Can we approach, Judge?

10 THE COURT: Hold on just a second. Sir, if  
11 you'll step up to the clerk to be sworn.

12 THEREUPON,

13 DETECTIVE CHAD COOPER,

14 having been first duly sworn, was examined and testified  
15 upon his oath as follows:

16 THE COURT: Sir, please be seated in the  
17 witness chair.

18 (Thereupon, a benchside conference was had out  
19 of the hearing of the jury as follows:)

20 MR. MCMASTER: Judge, we have about a twenty  
21 minute video through this witness so I wanted to give  
22 the Court a heads up we're going to need the  
23 equipment.

24 THE COURT: Okay. Can we do that with everyone  
25 in the courtroom, is that a problem?

1 MR. BROWN: We can probably do that. I was  
2 just getting a little worried if there's an issue  
3 playing it.

4 THE COURT: If there is just let me know and  
5 then we'll take a break.

6 (Thereupon, the benchside conference was  
7 concluded and the proceedings were had as follows:)

8 THE COURT: Okay. Sir, if you will, scoot your  
9 chair forward. Do talk into that microphone, it help  
10 us hear your testimony, it also aids in recording  
11 your testimony. Mr. McMaster.

12 DIRECT EXAMINATION

13 BY MR. MCMASTER:

14 Q Good morning, sir.

15 A Good morning.

16 Q If you would, I'm going to ask you a series of  
17 questions, if you'd direct your responses to the ladies  
18 and gentlemen of the jury and let's start by telling them  
19 your name.

20 A My name is Detective Chad Cooper.

21 Q And how do you spell your last name?

22 A C-O-O-P-E-R.

23 Q How are you employed?

24 A With the City of Melbourne.

25 Q In what capacity?

1           A       Currently a detective with the police  
2 department.

3           Q       Law enforcement officer?

4           A       Yes.

5           Q       How long have you been with the Melbourne PD?

6           A       Approximately nine years.

7           Q       And on March 6th of 2012, were you employed  
8 with the Melbourne Police Department?

9           A       Yes.

10          Q       And what was your assignment at that time?

11          A       I was working patrol as a field training  
12 officer.

13          Q       And in the midmorning hours, did you have an  
14 occasion to become involved in the investigation into the  
15 shooting of Deputy Barbara Pill with the Brevard County  
16 Sheriff's Office.

17          A       Yes.

18          Q       Do you recall what you were doing at around  
19 11:00 o'clock in the morning that day?

20          A       I was working patrol in the south end actually  
21 on my meal break and that's when I overheard the call.

22          Q       What was the first call that you heard with  
23 respect to this.

24          A       Officer Smith which works for our agency was in  
25 the area of John Rodes and Eau Gallie and he had heard

1 some gunshots in that area.

2 Q Were you in a parked patrol car at that time?

3 A Yes.

4 Q Wearing a regular Melbourne police uniform?

5 A Yes.

6 Q What, if anything, did you do when you heard  
7 the dispatch from Officer Smith about shots fired?

8 A At that point it started to quickly evolve that  
9 we started hearing Brevard County sheriff deputies might  
10 have been involved and one of them might have been  
11 injured. So, we all, including myself, began responding  
12 to the area.

13 Q And where did you go?

14 A I made my way up to Turtle Mound and other  
15 officers were setting up a perimeter. The suspect vehicle  
16 was somewhere in the neighborhood to the west of Turtle  
17 Mound between Aurora and Lake Washington and I had found  
18 an open spot at Palomino Road I believe it is right at  
19 Turtle Mound and it appeared to be an empty spot for me to  
20 set up as a perimeter point.

21 Q Were there other officers visible to you also  
22 setting up perimeters?

23 A Yes, they were in that area, some a little bit  
24 north of me, some were to the west.

25 Q So, at the point that you sat up at Palomino



1 and Turtle Mound the vehicle had not yet been located?

2 A No, they were searching for it in that  
3 neighborhood.

4 Q Where it had already been spotted at one point  
5 but it still hadn't been firmly located?

6 A Correct.

7 Q You indicated you were at lunch when the call  
8 came out or on a lunch break, what area in the city were  
9 you in at the time?

10 A At that time I was right off of Bulldog and  
11 Babcock in that neighborhood.

12 Q Over behind Mel High?

13 A Yeah, in that area.

14 Q And what route did you take from that area over  
15 to Palomino and Turtle Mound?

16 A To be honest, I don't know, I do know I had  
17 in-car video going the whole way but I don't know.

18 Q What happened once you got set up there at  
19 Palomino and Turtle Mound?

20 A After getting set up there, they quickly  
21 located the suspect victim and initiated a pursuit of that  
22 vehicle.

23 Q Were you listening as to where the vehicle had  
24 been spotted and where it was going?

25 A Yes, they started advising us that it was

1 coming towards Turtle Mound which was my area.

2 Q What, if anything, did you do based on that  
3 information?

4 A At that point I retrieved my stop sticks from  
5 the trunk of my vehicle and deployed them on the opposite  
6 side of the road which is the west side of the road and  
7 stopped southbound traffic hoping and waiting for them to  
8 come on to Turtle Mound.

9 Q This may be fairly basic, but let's explain to  
10 the jury what stop sticks are and how they work.

11 A There's many different devices but essentially  
12 this device is a stretch of approximately six feet of a  
13 triangular tube that has -- inside of there are deflating  
14 devices, you know, spikes essentially that would puncture  
15 the tire and start to deflate it. So, those are deployed.  
16 The ones that we have, they're on a long string so we  
17 would deploy it, and the ideal situation is on the  
18 opposite side of the road out of the roadway and we would  
19 extend our string all the way across to the other side and  
20 we can just wait and pull it across the street as the  
21 suspect vehicle's coming?

22 Q What, if anything, happened after you heard the  
23 information that the vehicle was heading toward Turtle  
24 Mound?

25 A The vehicle came upon my sight about a hundred

1 yards to my south and it turned northbound towards me, it  
2 was being pursued by one other vehicle which was Sergeant  
3 Shaffer. So, at that point we had -- I had southbound  
4 vehicles stopped and the suspect vehicle, white I believe  
5 it was a Ford SUV, they had swerved and passed going into  
6 oncoming traffic, had passed the vehicle going northbound  
7 and as they passed that they're now approaching me  
8 probably about forty, fifty miles per hour. And so as  
9 they get closer I'm waiting towards essentially the last  
10 minute that I can pull these spikes across the road and  
11 that way they don't really see it coming. So, I did so, I  
12 pulled it across and was able to effectively use them.

13 Q Were you able to determine whether or not any  
14 of the tires ended up getting struck and if they  
15 deflated -- do they deflate immediately or does that take  
16 a period of time?

17 A Usually it's over a time, that way it's not a  
18 big explosion and a crash, but yes, at least one tire,  
19 they did -- the vehicle did run over the strip and at  
20 least one tire I could tell was affected.

21 Q Were you able to see Sergeant Trevor Shaffer's  
22 vehicle at that point?

23 A Yes, he was immediately behind it and actively  
24 pursuing it.

25 Q I take it that you moved the stop sticks enough

1 that Sergeant Shaffer wouldn't hit them?

2 A Yeah, he did not hit them, he was able to --  
3 usually when we set those up they know ahead of time that  
4 we're setting them so they kind of back off a little bit  
5 so they are able to move out of the way and he continued  
6 on without striking them and then I followed in behind.

7 Q How far behind Sergeant Shafer's vehicle was  
8 yours?

9 A Once I got in obviously I just had to catch up  
10 for a quick second, but I became right behind Sergeant  
11 Shaffer and the two of us began pursuing.

12 Q You were in a fully marked Melbourne police  
13 unit vehicle?

14 A Correct.

15 Q Insignia on the sides?

16 A Yes.

17 Q Light bar on the top?

18 A Yes.

19 Q Did you have your lights and siren activated?

20 A Lights and siren and video recording.

21 Q Did the vehicle stop at all?

22 A No, it did not.

23 Q What did you do?

24 A We continued to pursue it northbound. From  
25 where I was it was just another maybe half a mile up to

1 Lake Washington where there was other officers there. So,  
2 we continued driving that way northbound again  
3 approximately forty, fifty miles per hour. At that point  
4 you could tell the vehicle with at least one tire starting  
5 to deflate at least they were swerving a little bit,  
6 driving recklessly. We continued through Lake Washington  
7 where at least two officers had additional stop sticks  
8 there.

9 Q There's a stop sign at Lake Washington and  
10 Turtle Mound, is there not, for northbound and southbound  
11 traffic?

12 A It is a four way stop there, yes.

13 Q Did the vehicle come to a stop?

14 A No, it did not.

15 Q Did it slow its speed or anything through the  
16 intersection?

17 A I don't recall it slowing, if it braked at all  
18 it was -- again, other stop sticks were being deployed so  
19 they may have hit their brakes trying to find a way out,  
20 but they definitely continued through the stop sign, yes.

21 Q What happened after it passed Lake Washington?

22 A It again hit a set of stop sticks and you could  
23 tell that that again was successful and at that point  
24 either, either the one tire -- the tires began to  
25 definitely lose control, I believe one even came off, and

1 the vehicle started to lose control.

2 Q When you say the tire came off, it came off the  
3 rim?

4 A I believe at that point it was definitely  
5 deflated to almost on the rim, I don't recall exactly  
6 whether it completely came off, but more tires were  
7 deflated and they were losing control.

8 Q What happened as you proceeded northbound on  
9 Turtle Mound?

10 A We continued to proceed northbound maybe  
11 approximately thirty or forty-five miles per hour, the  
12 vehicle's swerving pretty much staying in the middle of  
13 the road and as we approached Parkway and Wickham, which  
14 is the next major intersection, it's not a four way stop,  
15 it's kind of offset, but the vehicle attempted to make a  
16 right hand turn onto Parkway to go eastbound. At that  
17 point it couldn't successfully make the turn and it went  
18 into the northeast corner of the intersection hitting the  
19 stop sign and hitting a guardrail there.

20 Q Did the vehicle come to a stop?

21 A At that point, yes, it crashed into the stop  
22 sign and guardrail, came to a brief stop when myself and  
23 Sergeant Shaffer got out of our vehicles to address the  
24 vehicle and the occupants.

25 Q And how did you try to address the vehicle and

1 occupants at that point?

2 A At that point when we got out it was just  
3 enough point to get out of our vehicle when we saw the  
4 vehicle starting to back up so we then got back into our  
5 vehicle. The vehicle began to back out and continue its  
6 right hand turn onto Parkway at which point it just kept  
7 going into the southeast direction across Parkway and  
8 rolling into a ditch.

9 Q What happened at that point?

10 A When it rolled into the ditch it fell on to its  
11 passengers side. The ditch is down pretty -- maybe ten  
12 feet or so. So, the whole vehicle is now inside below  
13 ground level pretty much and then we began just to set up  
14 a perimeter around the vehicle.

15 Q And were efforts being made now to order the  
16 occupants out of the vehicle?

17 A Yes.

18 Q How did you all do that?

19 A Through verbal commands we were setting up a  
20 perimeter around the vehicle as best we could given a very  
21 unique situation, but as we did that we then began giving  
22 verbal commands, we were trying to get those individuals  
23 to, you know, raise their hands and get out of the  
24 vehicle.

25 Q Did the occupants exit the vehicle immediately?

1 A Not immediately, no.

2 Q How long did it take before you were able to  
3 get them out?

4 A It was an extended period of time, I don't  
5 recall, it could have been twenty minutes until they were  
6 finally taken out.

7 Q And did you maintain your position on the north  
8 side of the ditch the entire time or did you go to the  
9 south side?

10 A I was on the north side the entire time.

11 Q And you referenced a couple of times earlier in  
12 your testimony that your in-car video system was  
13 operating, is that correct?

14 A Correct.

15 Q Did you activate it manually or is this one  
16 that automatically came on when you started using your  
17 lights?

18 A Automatically came on. So, it actually started  
19 when I began responding from the south end of the city.

20 Q And at my -- did you provide a copy of your  
21 in-car video images to the State?

22 A Yes.

23 Q And at my request did you look at a DVD  
24 containing the in-car video from that morning?

25 A Yes.



1 MR. MCMASTER: May I approach the witness,  
2 Judge?

3 THE COURT: Yes, you may.

4 BY MR. MCMASTER:

5 Q Showing you what has been marked for  
6 identification as Exhibit I believe it's BL.

7 THE COURT: It is BL. Okay.

8 BY MR. MCMASTER:

9 Q Would you look at that and tell me if you can  
10 identify it?

11 A Yes, that's it, I initialed and dated it when I  
12 reviewed it.

13 Q And does that CD contain the images that were  
14 captured on your in-car video camera from the morning  
15 hours of March 6th, 2012, involving your investigation  
16 into Deputy Pill's shooting?

17 A Yes.

18 MR. MCMASTER: State would move Exhibit BL as  
19 its next exhibit.

20 THE COURT: Response from the Defense.

21 MR. PIROLO: No objection.

22 THE COURT: Okay. It will be received as  
23 State's Exhibit Number 60.

24 (Thereupon, State's Exhibit Number 60 was  
25 marked and received in evidence.)

1 MR. MCMASTER: Request permission to publish,  
2 Judge. We need to set the equipment up.

3 THE COURT: Okay. If you could do so.

4 (Thereupon, a pause was taken in the  
5 proceedings.)

6 THE COURT: If the Defense needs to move to be  
7 able to see the video, they're welcome to do that.

8 (Thereupon, State's Exhibit Number 60 was  
9 published to the jury.)

10 BY MR. MCMASTER:

11 Q Detective Cooper, are you able to see the  
12 video?

13 A Yes.

14 Q This is the location over by Mel High?

15 A Yeah, Mel High is just over -- this is off of  
16 Pine Street. So, I'm coming up to Bulldog here and I'll  
17 make a left to head west.

18 Q There's not a lot of sound, right, is that  
19 correct?

20 A There probably won't be any sound, no.

21 Q Can you hear faintly once you activate the  
22 siren?

23 A Yeah.

24 Q Where are you headed now?

25 A I'm heading towards the area of Turtle Mound.

1 I'm not sure if I take Nasa and head out to Wickham or if  
2 I go Apollo to Sarno.

3 At this point we hear the initial -- the call  
4 of the officer hearing shots but it's not later until it  
5 starts to evolve. Because normally if an officer just  
6 here's shots they have enough individuals to handle it  
7 themselves so I wouldn't normally go from the south end,  
8 but as it begins to evolve and we hear that deputies are  
9 involved and somebody is injured you'll see me escalate my  
10 response to lights and sirens where I'm going through  
11 intersections and what not.

12 Q Now, when you were -- you said the system went  
13 on automatically?

14 A Yes.

15 Q In-car? When you activated your lights?

16 A Yeah, it would have come on automatically. At  
17 this point --

18 Q Does your system back up and capture some  
19 period of time before you turn the lights on?

20 A Yes. Yeah. So, generally it's set for two  
21 minutes or five minutes that it can actually begin  
22 recording even before the lights are on. We also have the  
23 ability to just go back and capture that video even if the  
24 lights weren't on.

25 Q You can just faintly hear the siren in the

1 background where you're chirping going through the  
2 intersections?

3 A Yeah.

4 Q So, you actually received a phone call about  
5 thirty seconds or -- not phone call, dispatch about thirty  
6 seconds into the video.

7 A Yeah, I would have heard it before, I don't  
8 know exactly when but at this point we're now escalating  
9 our response to get to that area. So, this is Apollo  
10 Boulevard so I would make a left here and go northbound  
11 once everybody moves.

12 Q I take it not everybody moves out of the way  
13 for sirens?

14 A No.

15 Q Another unit was coming up from the left?

16 A Yeah, may have been. So, this is Apollo  
17 Boulevard northbound, the airport's on the left.

18 Q Melbourne Police Department off on the left  
19 hand side?

20 A Correct, and we'll be approaching Sarno Road  
21 here and we'll make a left to go westbound on Sarno. This  
22 should be Croton Road right there, continuing west towards  
23 Wickham.

24 Q Now, it's not captured on your in-car video but  
25 I take it as you're proceeding towards that area you're

1 monitoring the radio traffic from the other units looking  
2 for the vehicle?

3 A Yes.

4 Q And are the sergeants on scene directing the  
5 units where to go as to set up perimeters or is everybody  
6 pretty much on their own picking where you were going to  
7 go?

8 A No, they'll begin -- and I believe Star is  
9 either on its way or already there as far as the  
10 helicopter for Brevard County Sheriff's Office so. But  
11 no, they'll have somebody in charge of attempting to set  
12 up some type of perimeter for the area.

13 I was coming from the south end and I was, I  
14 was getting in much later in the game and as I get there I  
15 pretty much just find a spot that looks open is how I made  
16 myself at Palomino and Turtle Mound.

17 Q You were northbound on?

18 A This is should be Wickham Road.

19 Q Wickham?

20 A And this should be Eau Gallie Boulevard here.  
21 I believe I go up to the next intersection is Aurora Road  
22 and I will go left and head westbound to Turtle Mound.  
23 The suspect vehicle had been spotted by I believe Officer  
24 Middendorf in that area between Aurora and Lake Washington  
25 west of Turtle Mound.

1 Q You had been notified of that as you're heading  
2 toward the area still?

3 A Yes. This is a Aurora Road and I'm heading --  
4 going to make a left and head westbound. And this should  
5 be Turtle Mound coming up here and I'll make a right hand  
6 turn to go northbound on Turtle Mound. There's one  
7 officer there set up and the next major intersection is  
8 Lake Washington so I'm going to stop just in the middle  
9 off to the right here which is Palomino Drive or Road, an  
10 entrance to a neighborhood?

11 Q Is that Carolwood you just passed?

12 A I believe it was, yes.

13 Q There's a Melbourne unit parked there.

14 A At some point they locate the vehicle and the  
15 vehicle begins to flee from them and you'll see me get out  
16 of the vehicle. I don't know if you'll see me right away  
17 because I'm going to my trunk, I'm going to deploy the  
18 stop sticks.

19 MR. LANNING: Objection.

20 THE COURT: Okay. Sustained. Wait for a  
21 question.

22 BY MR. MCMASTER:

23 Q Were you able to see the flashing lights down  
24 the roadway north on Turtle Mound?

25 A Yeah. You won't -- you may not see it from the

1 video but, you know, human eye you can see a little bit  
2 further.

3 Q I see that you're out of the vehicle at this  
4 point?

5 A Yes.

6 Q What are you doing there?

7 A I'm starting to deploy the stop sticks and pull  
8 them across the road.

9 Q Is that the SUV?

10 A Yes.

11 Q Is that Sergeant Shaffer?

12 A Yes. At that point he's asking for officers,  
13 he's alone and I immediately get in my vehicle to assist  
14 in the pursuit especially knowing that, you know, the  
15 vehicle's tires are going to deflate and likely come to a  
16 stop.

17 Q How fast are you going at this point?

18 A I don't recall, probably -- as I'm catching up  
19 I probably get up to ninety or a hundred. I could see  
20 them ahead and vehicles swerving and we're coming up to  
21 Parkway.

22 Q You can see the blue lights activated on  
23 Sergeant Shaffer's vehicle?

24 A Correct.

25 Q Where are you at now?

1           A        I would have jumped out of my vehicle, but then  
2 we quickly jump back in when we see the vehicle again  
3 start to flee.

4           Q        At this point are there commands being given to  
5 the occupants to get out of the vehicle?

6           A        Yeah, over the next I think it's going to be  
7 about fifteen, twenty minutes or so officers are  
8 responding, we're trying to set up a perimeter around it,  
9 we're giving verbal commands. It's a very unique  
10 situation with where we're at and them being in the ditch  
11 and what not so. But yes, I believe at some point, it's  
12 not myself, but somebody gets on the PA system in order to  
13 instruct them to get out of the vehicle.

14          Q        Detective Cooper, you have watched the entire  
15 in-car video?

16          A        Yes.

17          Q        It's a little over an hour long?

18          A        Yes.

19          Q        Are you ever actually able to see the occupants  
20 come out of the vehicle on the video?

21          A        Not really, no, given the shadows and the video  
22 you don't even really see but what happens which the team  
23 of officers go on to the opposite side of the ditch and  
24 they're removed from the vehicle, from there you don't you  
25 don't really see it at all.



1 Q And approximately thirty-one minutes into the  
2 incident is when flash bang you can actually hear and see  
3 on the video goes off and that's when the occupants have  
4 already been removed and the vehicle was cleared to make  
5 sure there was no one else in there?

6 A Correct.

7 Q So, this is basically the view we're going to  
8 have from now until at least a half hour into it?

9 A Yes.

10 MR. MCMASTER: State would stop it at this  
11 point, Judge.

12 (Thereupon, State's Exhibit Number 60 was  
13 concluded.)

14 THE COURT: Okay. Will all due respect, this  
15 would be the appropriate time to take a morning  
16 recess. So, we are going to break for fifteen  
17 minutes until 10:30. During this recess the members  
18 of the jury must continue to abide by the rules  
19 governing their service as a juror. All right.  
20 Court will be in recess for fifteen minutes. Thank  
21 you.

22 (Thereupon, the jury was escorted out of the  
23 courtroom by the court deputy and the proceedings were had  
24 as follows:)

25 THE COURT: Okay. Detective Cooper, you can be

1           seated. All can be seated. Detective Cooper, you  
2           can step down and I'll need you back here in fifteen  
3           minutes. Is there any other matters that we need to  
4           address?

5           MR. MOORE: No.

6           THE COURT: Okay. Court will be in recess for  
7           fifteen minutes. Thank you.

8           (Thereupon, a short recess was taken in the  
9           proceedings.)

10          THE COURT: Okay. We can bring Mr. Bradley  
11          back into the courtroom.

12          (Thereupon, the defendant was escorted into the  
13          courtroom by the court deputy.)

14          THE COURT: Okay. We're ready to bring the  
15          jury into the courtroom.

16          (Thereupon, the jury was escorted into the  
17          courtroom by the court deputy and the proceedings were had  
18          as follows:)

19          THE COURT: Please be seated. Okay. Other  
20          direct examination of this witness?

21          MR. MCMASTER: Yes, Judge.

22          BY MR. MCMASTER:

23           Q        Detective Cooper, once Mr. Bradley and Miss  
24           Kerchner were removed from the vehicle, did you have any  
25           direct contact with them?

1 A No.

2 Q How long did you remain at the scene before you  
3 were able to quit?

4 A Maybe twenty, thirty minutes, not long.

5 Q After they were removed?

6 A After they were already -- yeah.

7 MR. MCMASTER: No further questions.

8 THE COURT: Okay. Cross examination by the  
9 Defense.

10 CROSS EXAMINATION

11 BY MR. LANNING:

12 Q Detective Cooper, the vehicle was driver's side  
13 down in the ditch?

14 A Passengers side down, it flipped onto the  
15 passengers side.

16 Q Passengers side. Okay.

17 And presumably best case scenario, when they  
18 went into the ditch they were belted in and hanging by  
19 their seats, right?

20 A I don't know how they were, I didn't get a view  
21 of them so I'm not sure.

22 Q And -- well, if you go into a ditch and you're  
23 looking out the driver's window, you're either in a  
24 jumbled up mess or you're belted into your seat, one or  
25 the other, right?

1           A        Sure.

2           Q        Those are the two options. Can you think of  
3 another option?

4           A        I'm sure there's possible other options but I  
5 don't know how they were, I did not get a view exactly  
6 where they were in the vehicle.

7           Q        And it's pretty easy if you're sitting level to  
8 open a vehicle door, right?

9           A        Correct.

10          Q        That would become a little more problematic if  
11 you're under looking up at the vehicle?

12          A        Correct.

13          Q        That door would come -- you have no leverage,  
14 it would become very difficult to push up, right?

15          A        Correct.

16          Q        And eventually they used a some object to bust  
17 out the back window to allow egress and ingress to the  
18 vehicle, right?

19          A        I do know they busted out -- I'm not sure which  
20 window they busted out but I do know they busted out a  
21 window at some point. I think at one point it was a  
22 distractionary technique but.

23          Q        Did you see the individuals get out of the  
24 vehicle?

25          A        Yeah, they were eventually removed either from

1 the windshield or from I believe the driver's side window  
2 where they climbed out.

3 Q So, if other witnesses testified that they came  
4 out the back window where the agents had put the paver  
5 through that back window, they would be wrong?

6 A I'm not -- no, I'm not saying they're wrong, I  
7 don't know, they had probably a much better view if  
8 somebody themselves broke out the window, I did not break  
9 out a window so I'm not sure.

10 MR. LANNING: All right. Thank you.

11 THE COURT: Okay. Redirect.

12 MR. MCMASTER: Nothing further, Judge.

13 THE COURT: Okay. Sir, thank you for your  
14 testimony, you're free to step down.

15 THE WITNESS: Thank you.

16 (Thereupon, the witness exited the witness  
17 stand.)

18 MR. MCMASTER: State calls Officer Jeffrey Rau,  
19 Rau, R-A-U.

20 THE COURT: Sir, if you'll step up before the  
21 clerk to be sworn.

22 THEREUPON,

23 SERGEANT JEFFREY RAU,

24 having been first duly sworn, was examined and testified  
25 upon his oath as follows:

1 THE COURT: Okay. Sir, if you'll please be  
2 seated in the witness chair. Once seated do scoot  
3 your chair forward, do talk into that microphone,  
4 adjust that microphone to suit you. Okay.  
5 Mr. McMaster.

6 DIRECT EXAMINATION

7 BY MR. MCMASTER:

8 Q Good morning. Is it sergeant?

9 A Yes.

10 Q Congratulations.

11 A Thank you.

12 Q Would you please state your name for the  
13 record?

14 A Sergeant Jeff Rau.

15 Q And how do you spell your last name?

16 A R-A-U.

17 Q Sergeant Rau, if you would, I'm going to ask  
18 you a series of questions and direct your responses to the  
19 ladies and gentlemen of the jury and let's start by  
20 telling them how you're employed.

21 A I'm currently a sergeant night watch supervisor  
22 for night watch Alpha at the Melbourne Police Department.

23 Q And how long have you been employed with the  
24 Melbourne Police Department.

25 A Since January 1998.

1 Q Any prior to law enforcement experience?

2 A I was a security forces member in the United  
3 States Air Force since 1991.

4 Q Okay. Were you employed as a police officer  
5 within the City of Melbourne on March 6th of 2012?

6 A Yes, I was.

7 Q On that date did you have an occasion to become  
8 involved in the investigation into the shooting of Deputy  
9 Barbara Pill of the Brevard County Sheriff's Office?

10 A Yes, I did.

11 Q Where were you that morning when you first were  
12 notified about the case?

13 A I was in my marked patrol vehicle on Wickham  
14 Road approaching Eau Gallie Boulevard.

15 Q And which call was it that you heard first?

16 A Radio call from Officer Smith that said there  
17 were shots fired.

18 Q And when you heard the dispatch from, not  
19 dispatch but the transmission from Officer Smith, what, if  
20 anything, did you do?

21 A I continued a normal response towards the  
22 location, I continued northbound on Wickham Road.

23 Q And where did you go?

24 A At that time I turned left or west on Aurora  
25 Boulevard and started heading in westerly direction.

1 Q As you were proceeding toward that area of  
2 Turtle Mound and Aurora, were you receiving additional  
3 information about the case?

4 A Yes, information was relayed that an officer  
5 had been shot.

6 Q As a result of that information, what, if  
7 anything, did you do?

8 A I activated my emergency lights on my vehicle  
9 and proceeded to the area where the incident took place.

10 Q Did you actually go to the Elena Way crime  
11 scene?

12 A No, I did not.

13 Q Where did you go?

14 A Initially I went to Turtle Mound and Carolwood  
15 and took up a position.

16 Q And how long did you remain there?

17 A Just a few minutes.

18 Q And would it help to explain your testimony to  
19 the jury if we would a map up here?

20 A Yes.

21 Q Sergeant, if you would, would you step down  
22 here, get you oriented with the map.

23 (Thereupon, the witness exited the witness  
24 stand.)

25



1 BY MR. MCMASTER:

2 Q This is Aurora Road, Turtle Mound going north  
3 and Carolwood coming into, if you would tell the jury  
4 where it was you first went after leaving Wickham Road and  
5 heading on Aurora?

6 A I initially took a position right here at  
7 Turtle Mound and Carolwood.

8 Q Did you remain in your vehicle at that time or  
9 get out?

10 A I was out of my vehicle.

11 Q And did you have stop sticks or anything  
12 deployed at that time or just out looking?

13 A I was just out looking.

14 Q And what happened next?

15 A There was information received that the suspect  
16 vehicle may have been inside (unintelligible). So, I  
17 moved my position to Carolwood and Careywood.

18 Q And what did you do at that position?

19 A At that -- I blocked this intersection here and  
20 again I got out of my vehicle and was looking for the  
21 suspect vehicle.

22 Q Had you attempted to get stop sticks or  
23 anything at that point?

24 A I did have stop sticks in my vehicle.

25 Q Did you remain there?

1 A Yes.

2 Q At that location?

3 A Yes.

4 Q How long a period of time?

5 A Five minutes maybe, ten minutes.

6 Q Were you subsequently or did you -- at some  
7 point you were notified that the vehicle had been spotted?

8 A That's correct.

9 Q Where was your understanding of where it was  
10 spotted at?

11 A Somewhere back in this part of the  
12 neighborhood, I'm not exactly sure which part.

13 Q All right. What happened after you heard that  
14 the vehicle had been spotted?

15 A I just again was focusing my direction in this  
16 general direction here.

17 Q Did there come a time that you actually  
18 observed the vehicle?

19 A Yes.

20 Q Where was that?

21 A It was approaching my direction on Careywood.

22 Q Was it being followed at that point by anybody  
23 or was it just on its own?

24 A Initially when I saw it it was  
25 (unintelligible).

1 Q And was the Brevard County Sheriff's Office  
2 helicopter in the area at this point?

3 A I'm not sure (unintelligible).

4 Q Okay. Tell us what happened after you spotted  
5 it coming towards you on Careewood.

6 A As the vehicle approached my position here, I  
7 deployed the stop sticks in that position, the vehicle  
8 drove into the grass on the inside portion here and  
9 (unintelligible).

10 Q So, the vehicle was able to drive around the  
11 stop sticks?

12 A That's correct.

13 Q Did you take any other action to try to stop  
14 the vehicle at that point?

15 A No.

16 Q Did you pull your weapon?

17 A I had my weapon on after I deployed the stop  
18 sticks.

19 Q Did you give any verbal commands to the driver  
20 to stop?

21 A No.

22 Q Were you dressed as you are to do except for  
23 the sergeant's insignia?

24 A I had a class B uniform on.

25 Q It was a full uniform, gun belt, badge, the

1 entire thing?

2 A That's correct.

3 Q And with your patrol car blocking the  
4 intersection, did you have your lights activated?

5 A I did.

6 Q Did the vehicle stop for you?

7 A It did not.

8 Q Did it even slow down?

9 A No.

10 Q What did you do after the vehicle passed you?

11 A I put -- I notified that there was an officer  
12 here, that the vehicle was approaching the location and my  
13 stop sticks (unintelligible).

14 Q Now, as the vehicle came up to you and then  
15 swerved around into the yard way to avoid the stop sticks,  
16 were you able to observe the occupants of the vehicle?

17 A Yes.

18 Q And were you able to determine the sex and race  
19 of the individuals in the vehicle?

20 A Yes.

21 Q How many people were in the truck?

22 A I observed two people in the vehicle.

23 Q What were the two people you observed?

24 A The black male driver and a white female  
25 passengers.

1 Q Okay. If you can have a seat again, sir.

2 (Thereupon, the witness resumed the witness  
3 stand.)

4 BY MR. MCMASTER:

5 Q Sergeant, after the vehicle passed you and  
6 avoided the stop sticks, what did you do?

7 A I put my stop sticks back in my trunk and I  
8 proceeded to go to the location that I last observed the  
9 vehicle.

10 Q Okay. And where was that?

11 A It had taken a turn, a left turn off of  
12 Carolwood onto Turtle Mound and was heading north on  
13 Turtle Mound.

14 Q Were you aware at that point that Sergeant  
15 Shaffer was behind the vehicle?

16 A Yes.

17 Q And I take it at some point, we've seen the  
18 in-car video, that Officer Cooper, now Detective Cooper  
19 was behind Sergeant Shaffer.

20 A I'm not a hundred percent sure.

21 Q I was going to ask how many cars back you were.

22 A I was pretty far back.

23 Q Okay. Where did you go?

24 A When I got onto Turtle Mound Boulevard radio  
25 traffic had stated that the vehicle had crashed on Parkway

1 Boulevard.

2 Q Okay.

3 A So, I proceeded to that location.

4 Q I take it at the time that you arrived other  
5 officers were already there guarding the vehicle --

6 A That's correct.

7 Q -- or attempting to get the occupants out?

8 A That's correct.

9 Q What do you?

10 A I initially took up a position west of the  
11 suspect vehicle, at that point I was directed to go to the  
12 east side to cover that particular area.

13 Q Okay. And did you remain there until the  
14 occupants were ultimately removed from the vehicle?

15 A Yes, sir.

16 Q Did you have any contact with the defendant,  
17 Brandon Bradley, at the scene?

18 A I did not.

19 MR. MCMASTER: No further questions.

20 THE COURT: Questions by the Defense.

21 CROSS EXAMINATION

22 BY MR. MOORE:

23 Q Sergeant Rau.

24 A Yes, sir.

25 Q You observed Mr. Bradley being assisted up the

1 embankment, did you not?

2 A Yes.

3 Q And so how would you describe that embankment,  
4 how steep it is?

5 A It's a pretty good bank to get up.

6 Q How -- how high from the surface of the water  
7 to the top of the embankment, what is your estimate?

8 A Four, five feet.

9 MR. MOORE: Thank you. No further questions.

10 THE COURT: Okay. Redirect on behalf of the  
11 State.

12 MR. MCMASTER: No redirect, Your Honor.

13 THE COURT: Okay. Sir, thank you for your  
14 testimony, you're free to step down.

15 (Thereupon, the witness exited the witness  
16 stand.)

17 MR. MCMASTER: State calls Officer Jennifer  
18 Amneus.

19 THE COURT: Okay. Ma'am, if you'll step up  
20 before the clerk to be sworn.

21 THEREUPON,

22 OFFICER JENNIFER AMNEUS,  
23 having been first duly sworn, was examined and testified  
24 upon her oath as follows:

25 THE COURT: Ma'am, if you'll have a seat in the

1 witness chair. Once seated if you will scoot that  
2 chair forward. Do adjust that microphone, do talk  
3 into that microphone.

4 THE WITNESS: Okay.

5 DIRECT EXAMINATION

6 BY MR. MCMASTER:

7 Q Good morning.

8 A Good morning.

9 Q If you would, please state your name and spell  
10 your last name for the record?

11 A I'm Officer Jennifer Amneus, A-M-N-E-U-S.

12 Q And Officer Amneus, if you would, I'm going to  
13 ask you a series of questions, would you direct your  
14 responses to the ladies and gentlemen of the jury and  
15 let's start by telling them how you're employed.

16 A I'm employed with the Melbourne Police  
17 Department in Brevard County, Florida.

18 Q How long have you been with the Melbourne  
19 Police Department?

20 A I've been with Melbourne PD for seven years.

21 Q Any prior law enforcement experience?

22 A No.

23 Q And you're in uniform patrol?

24 A I am.

25 Q Have you been in uniform the entire seven year



1 period?

2 A Yes.

3 Q Were you so employed on the midmorning hours of  
4 March 6th of 2012?

5 A I was.

6 Q And did you have an occasion to become involved  
7 in the investigation into the shooting of Deputy Barbara  
8 Pill with the Brevard County Sheriff's Office?

9 A I did.

10 Q Where were you that day when you were first  
11 notified about the call?

12 A I was at Apollo Diner on Hibiscus Boulevard and  
13 Park Avenue.

14 Q And did you hear the original dispatch about  
15 the shots fired from the Melbourne Officer Smith?

16 A I did.

17 Q What, if anything, did you do when you heard  
18 that?

19 A I immediately left where I was at and got in my  
20 patrol vehicle to respond to the call.

21 Q And where did you go?

22 A I went directly to Lake Washington and Turtle  
23 Mound.

24 Q And once again would it help you to explain  
25 where you were and what you did when you there if you were

1 able to look at a map of the area?

2 A Yes.

3 Q Officer, if I could get you to step down here.

4 A Okay.

5 (Thereupon, the witness exited the witness  
6 stand.)

7 BY MR. MCMASTER:

8 Q For orientation, this is Aurora Road and Turtle  
9 Mound going north. All right. When you left the Apollo  
10 Diner and got in the area, where did you go?

11 A I took Wickham Road which would be over here to  
12 the east, I took Wickham Road to Lake Washington. I  
13 continued west on Lake Washington until I approached  
14 Turtle Mound and I stopped at the intersection on the  
15 northwest corner of that intersection.

16 Q At that point you were just helping to set up a  
17 perimeter?

18 A I was on perimeter point, yes, and I was  
19 stationed there.

20 Q Had you been directed there by somebody or did  
21 you choose that location?

22 A No, I chose that location just because I saw  
23 other officers were going to other points so I chose that.

24 Q Were you able to observe anything when you  
25 first arrived there?

1 A No.

2 Q What happened ultimately?

3 A I stayed there, I couldn't tell you the  
4 timeframe, and then I know they were searching for the  
5 vehicle and the subject, the subjects, and the next thing  
6 I heard was them saying that they had relocated the  
7 vehicle and that they were proceeding north on Turtle  
8 Mound and Sergeant Shaffer said that they were approaching  
9 Lake Washington which is where I was at. So, I knew that  
10 they were coming my direction.

11 Q And were you able to see the vehicle at some  
12 point?

13 A Eventually, yes.

14 Q What action, if any, did you take to try to  
15 stop the vehicle?

16 A I -- when I heard that they were northbound on  
17 Turtle Mound, I went to the rear of my vehicle and grabbed  
18 my stop sticks and I saw the vehicle approaching  
19 northbound to the intersection and I attempted to -- I  
20 deployed my stop sticks as the vehicle approached the  
21 intersection?

22 Q And how close was the vehicle when you deployed  
23 your stop sticks?

24 A I -- because of the speed of vehicle it was  
25 very last minute, I literally threw my stop sticks and I

1 jumped out of the way of the vehicle.

2 Q And what did you estimate the speed of the  
3 vehicle to be?

4 A I would say at least sixty miles an hour.

5 Q And were you able to determine whether or not  
6 the white SUV struck the stop sticks?

7 A He struck -- there was another officer who also  
8 had stop sticks on the east side of that intersection, he  
9 struck those and he swerved around mine. So, he did not  
10 strike them.

11 Q Okay. I take it he continued on?

12 A He continued northbound.

13 Q As I understand it, there is a four way stop  
14 there at the intersection of Turtle Mound --

15 A Yes.

16 Q -- and Lake Washington?

17 A Yes.

18 Q Was there any effort made by the white SUV to  
19 stop at the stop sign?

20 A Not at all.

21 Q Went straight through it?

22 A Yes.

23 Q What, if anything, did you do?

24 A I immediately got into my vehicle, I left the  
25 stop sticks in the road, I immediately got into my vehicle

1 and proceeded in the pursuit with the vehicle.

2 Q Now, as the vehicle was approaching you just  
3 before you deployed your stop sticks, were you able to  
4 get -- were you able to view the occupants of the vehicle?

5 A Yes, as he -- the vehicle approached me, I  
6 could see that there was a black male driver and a white  
7 female passenger as they passed me.

8 Q Okay. That's all.

9 (Thereupon, the witness resumed the witness  
10 stand.)

11 BY MR. MCMASTER:

12 Q How many police vehicles were behind the white  
13 SUV at the point that you had -- were there at the  
14 intersection deploying the stop sticks?

15 A I believe three. I believe I was the fourth  
16 one to follow in.

17 Q And what happened when you got in your vehicle  
18 and started to follow the other three police vehicles and  
19 the white SUV?

20 A Once I got behind the other vehicles, we  
21 proceeded northbound on Turtle Mound to Parkway which is  
22 the next main intersection and the white SUV attempted to  
23 make the turn to go eastbound onto Parkway but he struck,  
24 the driver struck the stop sign there at the intersection.  
25 At the time I jumped out of my vehicle because I didn't

1 know if the occupants would be exiting the vehicle and the  
2 vehicle proceeded to then reverse, the occupants did not  
3 get out, the vehicle proceeded to reverse at which time I  
4 jumped back into my vehicle and the SUV continued  
5 eastbound on Parkway and very shortly after ended up  
6 driving off the road on the south side of the road into  
7 the culvert and I positioned my vehicle facing east to  
8 where I could take cover from my vehicle.

9 Q Did you along with other officers attempt to  
10 get the occupants to leave the white SUV?

11 A At this time we were -- I -- we got out of our  
12 vehicles with our firearms drawn and we were just waiting  
13 I guess for more back up initially, yeah.

14 Q How long did you have to remain there before  
15 the occupants ultimately were able to be extracted from  
16 the vehicle?

17 A I don't recall the exact timeframe.

18 Q Just in general.

19 A Maybe fifteen, twenty minutes, maybe, at the  
20 most.

21 Q Did you have any contact with the defendant,  
22 Brandon Bradley, while you were there at the scene?

23 A No, I did not.

24 MR. MCMASTER: No further questions.

25 THE COURT: Okay. Questions by the Defense.

1 MR. PIROLO: No questions.

2 THE COURT: Okay. Ma'am, thank you for your  
3 testimony, you're free to step down.

4 THE WITNESS: Thank you.

5 (Thereupon, the witness exited the witness  
6 stand.)

7 THE COURT: Other witnesses?

8 MR. MCMASTER: The State calls Mike Ryle from  
9 the Brevard County Sheriff's Office aviation unit.

10 THE COURT: What's the last name?

11 MR. MCMASTER: Ryle, R-Y-L-E.

12 THE COURT: Sir, if you'll step up before the  
13 clerk to be sworn.

14 MR. LANNING: May we approach?

15 THEREUPON,

16 MICHAEL RYLE,

17 having been first duly sworn, was examined and testified  
18 upon his oath as follows:

19 THE COURT: Okay. Sir, please be seated and  
20 once seated if you'll scoot your chair forward. Do  
21 talk into that microphone, it helps us hear your  
22 testimony, it also aids in recording your testimony.

23 THE WITNESS: Okay.

24 (Thereupon, a benchside conference was had out  
25 of the hearing of the jury as follows:)

1 THE COURT: We have him right here.

2 MR. LANNING: You do?

3 THE COURT: Okay. All right. No problem.

4 (Thereupon, the benchside conference was  
5 concluded and the proceedings were had as follows:)

6 DIRECT EXAMINATION

7 BY MR. MCMASTER:

8 Q Good morning, sir.

9 A Good morning.

10 Q If you would, I'm going to ask you a series of  
11 questions, if you could direct your responses to the  
12 ladies and gentlemen of the jury and let's start by  
13 telling them your name and spelling your last name.

14 A My name's Michael Ryle, R-Y-L-E.

15 Q And how are you employed sir?

16 A I'm with the Brevard County Sheriff's Office.

17 Q In what capacity?

18 A I'm a helicopter mechanic, pilot and observer.

19 Q And how long have you been with the --

20 MR. LANNING: Judge -- I apologize. We need to  
21 approach.

22 THE COURT: Okay.

23 (Thereupon, a benchside conference was had out  
24 of the hearing of the jury as follows:)

25 THE COURT: I have another witness list, I'm



1 looking at that.

2 MR. LANNING: Here's --

3 MR. MCMASTER: He was a supplemental one.

4 MR. LANNING: Do you know which one?

5 MR. MCMASTER: It was in the last few months.

6 He's a substitute for Coppola.

7 THE COURT: I have it on both the ones I have  
8 but I don't have the ones from discovery, I just have  
9 the ones that I ask to be sent over.

10 (Thereupon, the benchside conference was  
11 concluded and the proceedings were had as follows:)

12 MR. MOORE: Judge, can we approach?

13 THE COURT: Yes, you may.

14 (Thereupon, a benchside conference was had out  
15 of the hearing of the jury as follows:)

16 MR. MOORE: None of us have the supplemental  
17 witness list that this witness is on. We're checking  
18 E-Facts. None of us have it.

19 THE COURT: Did State produce it?

20 MR. MCMASTER: I don't have all of my stuff  
21 here, Judge, I have another five boxes back in my  
22 office. We might have to do the same thing.

23 MR. MOORE: Right. So, we -- you know, we  
24 object unless it can be shown that this witness was  
25 disclosed and if they have disclosed it that resolves

1 it, but if they haven't then, you know, we would  
2 object, but none of us have it.

3 MR. MCMASTER: Judge, I think the witness we  
4 initially disclosed with respect to the helicopter  
5 was Frances Coppola or John Coppola and I think a  
6 fellow named Samms was my understanding is who the  
7 co-pilot who was operating the equipment. When we  
8 went to go over the testimony with them we discovered  
9 that Samms was not the individual, it was this  
10 witness, Michael Ryle. I believe my secretary  
11 supplemented the discovery with his name at that time  
12 and he's been on all the stuff including the witness  
13 list that was read to the jury panel when we started  
14 selecting the jury.

15 MR. MOORE: One name among two hundred plus  
16 names, that's not notice, that's all the State has  
17 done.

18 MR. MCMASTER: His testimony is purely to  
19 authenticate the helicopter video that was taken that  
20 day.

21 THE COURT: Do you want me to conduct a  
22 Richardson hearing?

23 MR. MOORE: Well, why don't we do that. I  
24 mean, assuming they may have but none of us have it  
25 and disclosed it, none of us have that supplemental

1 witness list. So, yes, we would like you to do that.  
2 The other expert or mechanic, I suppose, would be  
3 Detective Guillette and we deposed him, we wanted to  
4 know what his credentials were, what he did.

5 MR. MCMASTER: This witness is not an expert.

6 MR. MOORE: I don't know what he is.

7 THE COURT: They're just saying they need him  
8 to authenticate the helicopter DVD.

9 MR. MOORE: Well, that's sort of what Detective  
10 Guillette did. I mean, he didn't do anything that  
11 fell within the expert category, he took pictures and  
12 enhanced them which no, you know, it doesn't require  
13 expertise, but still we knew that he had hands on  
14 with pictures and, you know, we have -- since we  
15 apparently did not get notice of this gentleman, we  
16 didn't know what he did and if he's had any contact  
17 with any mechanism or reviewed pictures and is going  
18 to authenticate them.

19 I don't know what he's going to do. You know,  
20 maybe if Mr. McMaster says exactly what this  
21 gentlemen is going to do, then we know where we  
22 stand.

23 MR. MCMASTER: State's exhibit, I forget what  
24 the number is, in my -- disc number 73, the vehicle  
25 pursuit from the Star helicopter, this witness is the

1 one who actually was the co-pilot in the helicopter  
2 on March 6th of 2012 operating the filming equipment.  
3 He has reviewed this disc, has initialed it and dated  
4 it as of, I forget what date he initialed it, but  
5 being the accurate video taken that day of the chase.  
6 It's about seventeen minutes of the chase and then  
7 they did about two or three minutes of video at the  
8 Elena crime scene from an aviation aerial viewpoint  
9 and then a couple minutes of the crime scene at  
10 Janewood area trying to get the tire tracks.

11 MR. PIROLO: Your Honor, I'm checking on  
12 E-Facts in attorney view, I've gone backwards. On  
13 December 27th Deputy Samms was disclosed as part of  
14 the aviation but no --

15 MR. MCMASTER: Nothing since then?

16 MR. PIROLO: No, I've gone backwards from today  
17 back and on December 27th, 2013, supplemental  
18 discovery several witnesses were disclosed.

19 THE COURT: You know, I can't tell what that  
20 is. I see a bunch of names. What's it entitled and  
21 give us a date.

22 THE CLERK: Supplemental discovery  
23 (unintelligible) and it was filed on April 22nd of  
24 2013.

25 THE COURT: Okay. That may resolve the issue.

1 It's always nice when you direct someone today it and  
2 then they question it and it actually done because  
3 sometimes it's not actually done.

4 MR. PIROLO: I've pulled it up, Judge.

5 THE COURT: Okay. You want to keep that?

6 MR. PIROLO: Instead of killing trees.

7 THE COURT: It's already been killed. Okay.

8 Okay. Thank you.

9 (Thereupon, the benchside conference was  
10 concluded and the proceedings were had as follows:)

11 BY MR. MCMASTER:

12 Q I forgot where we were.

13 What do you do for the aviation unit with the  
14 sheriff's office, sir?

15 A My primary function is mechanic, I'm director  
16 of maintenance or in charge of the maintenance. I also  
17 fly as pilot and I'm also trained as a tactical flight  
18 observer and I'm an auxiliary deputy.

19 Q And tell us about the equipment on the  
20 helicopter that the sheriff's office utilizes particularly  
21 with respect to capability for recording images of  
22 investigations that you're assisting on.

23 A Well, we use a Flora systems camera, it's an  
24 infrared camera and a video camera and we have the ability  
25 to record obviously through the video or the infrared

1 camera.

2 Q And do you that on occasion while you're in the  
3 helicopter?

4 A Record wise?

5 Q Yes.

6 A On a chase or a pursuit or something that needs  
7 to be recorded.

8 Q And on March 6th of 2012, did you have an  
9 occasion to participate into the investigation of the  
10 shooting of the Deputy Barbara Pill?

11 A Yes.

12 Q And who was with you in the helicopter at that  
13 time?

14 A The pilot was John Coppola.

15 Q And what position did you occupy?

16 A I was in the left seat as the observer or we  
17 call it tactical flight officer.

18 Q Flight officer?

19 A Yes, sir.

20 Q And as a flight officer, would you be  
21 responsible for recording any images of anything that you  
22 thought would be necessary for court proceedings?

23 A Yes, sir.

24 Q And on that day do you recall where you and  
25 Officer Coppola were when you were first notified of the

1 request for assistance?

2 A I don't know if we got notified, he may have  
3 been notified, but I was in the hanger. I needed to speak  
4 to John about something and I walked in our office and he  
5 was on the phone and I sat at the desk and he had his pack  
6 set, which is a mobile radio, and it was -- I remember it  
7 was facing away from me and I heard a conversation on the  
8 radio.

9 Q That's when you all became involved?

10 A Yeah, I told John, I said -- can I explain what  
11 I heard?

12 MR. MOORE: Objection.

13 BY MR. MCMASTER:

14 Q Without saying what the conversation that you  
15 had with agent or Officer Coppola. Where's the hanger  
16 located?

17 A Merritt Island Airport.

18 Q That's where the helicopter --

19 A Yes, sir.

20 Q -- is basically stationed?

21 A Yes, sir. Well, the aviation unit's based out  
22 of Merritt Island Airport.

23 Q And what, if anything, did you all do after  
24 received the information about the request for assistance  
25 or Officer Coppola receiving the information about the

1 request for assistance?

2 A Well, we did it at the same time. I heard  
3 things on the radio and so I said John, are you listening  
4 to the radio and he was on the phone and he said yeah, I'm  
5 listening. So, it started getting more and more advanced  
6 and when the, when the suspect fled, then I said -- I ran  
7 out to the helicopter to get the helicopter out and John  
8 was behind me. So, if he was called by the comm center, I  
9 don't know because I didn't hear it.

10 Q Ultimately though you and Officer Coppola did  
11 get in the helicopter and attempt to assist in the  
12 investigation?

13 A Yeah, right after we heard that the suspect  
14 fled we got in the helicopter as fast as possible and came  
15 to the scene.

16 Q Approximately how long does take you to get  
17 from the Merritt Island Airport to the area that you went  
18 to?

19 A If I had to guess, about seven, eight minutes,  
20 maybe possibly a minute or two longer but.

21 Q Where did you go first?

22 A We went to the scene of where it happened  
23 first, the general location.

24 Q On Elena Way.

25 A I believe so.



1 Q All right. And what, if anything, did you do  
2 after that?

3 A Well, when we arrived on scene obviously the  
4 suspect was --

5 MR. MOORE: Objection, unresponsive.

6 THE COURT: Okay. Sustained.

7 BY MR. MCMASTER:

8 Q When did you do when you got on scene?

9 A We went to the original location where we were  
10 told to go and we were getting information that the  
11 suspect vehicle was no longer there.

12 Q Okay.

13 A So, it took a few minutes for us to get the  
14 information, we started a search grid in the immediate  
15 area, the diameter I don't know. We received information  
16 from Melbourne that the vehicle was last seen on a  
17 particular street that we ended up on which was --

18 Q Which was Carolwood?

19 A Was Carolwood Street. Well, I'll say it was in  
20 that location because they didn't give a street at the  
21 time.

22 Q Okay. And what, if anything, did you and  
23 Officer Coppola do at that point that you received the  
24 information that it was in that general area of Carolwood?

25 A Well, we started just a general search for the

1 area. The houses there are on about an acre property if I  
2 had to guess. So, we just searched the entire area  
3 probably a square mile or so, we were doing orbits and we  
4 happened to be doing orbits over Carolwood searching or  
5 trying to find the car.

6 Q Did there come a time that you became aware  
7 that the units on the ground had spotted the white SUV?

8 A The information I received was as we were  
9 looking for the vehicle someone --

10 MR. MOORE: Objection, unresponsive.

11 THE COURT: Okay. Sustained.

12 THE WITNESS: I'm sorry.

13 BY MR. MCMASTER:

14 Q Did you subsequently see the vehicle yourself?

15 A We did eventually.

16 Q Okay. And when you did, did you activate the  
17 camera equipment?

18 A That's when I turned the camera on.

19 Q And at my request, did you view a CD of the  
20 helicopter camera images that were captured --

21 A Yes.

22 Q -- on the morning of March 6th, 2012?

23 A Yes.

24 Q I show you what's been marked for  
25 identification as State's Exhibit BK, B as in boy, K,

1 would you look at that and tell me if you can identify it?

2 A Yes, I can.

3 Q How can you identify it?

4 A Well, I put MR for my initials and I put M.  
5 Ryle and then ID 605 which is my sheriff's ID number.

6 Q So, you've looked at that specific DVD --

7 A Yes.

8 Q -- is that correct?

9 A Yes.

10 Q And does that exhibit accurately portray the  
11 camera images that were captured by the helicopter on the  
12 morning of March 6th of 2012?

13 A Yes.

14 MR. MCMASTER: State would move the exhibits in  
15 Judge. Exhibit.

16 THE COURT: Response from the Defense.

17 MR. MOORE: No objection.

18 THE COURT: Okay. D, I'm mean, I'm sorry, BK  
19 will be State's Number 61.

20 (Thereupon, State's Exhibit Number 61 was  
21 marked and received in evidence.)

22 BY MR. MCMASTER:

23 Q Officer Ryle, in addition to the -- did you  
24 film the chase all the way up through the point where the  
25 vehicle went into the ditch?

1 A Yes.

2 Q And actually remained on scene for a period of  
3 time after that?

4 A Yes.

5 Q Did you also go to the other scenes and capture  
6 a little bit of the aerial views of those two crime scenes  
7 also, the one on Elena Way and the Carolwood area --

8 A Yes.

9 Q -- where the vehicle had been spotted?  
10 And those are likewise accurate images of what  
11 you saw that day?

12 A Yes.

13 MR. MCMASTER: State would request permission  
14 to publish Exhibit 61 to the jury, Judge.

15 THE COURT: Yes, you may. Mr. Brown, you're  
16 the tech guy.

17 MR. BROWN: Pretty scary when I'm the tech guy.

18 (Thereupon, State's Exhibit Number 61 was  
19 published to the jury.)

20 MR. MOORE: Can we approach?

21 THE COURT: Okay. If we could pause it.

22 (Thereupon, State's Exhibit Number 61 was  
23 paused. Thereafter, a benchside conference was had out of  
24 the hearing of the jury as follows:)

25 MR. MOORE: I request that the sound be muted.

1 THE COURT: Response from the State.

2 MR. MCMASTER: Judge, none of it's coming in  
3 for the truth of it. It's not hearsay, it's  
4 certainly spontaneous. It explains the events that  
5 were going on at the time.

6 MR. MOORE: It's a pictorial. I mean, we  
7 already had several witnesses explain what's going on  
8 but this is a pictorial and the jury can, you know,  
9 they're grownups, they know what movies look like,  
10 they can draw their own inferences from it, but any  
11 narrative in there is being offered for the truth  
12 value, they're saying this is what happened. And so  
13 the jury can see for themselves what's happening just  
14 from the audio. I mean, from video, not the audio.  
15 That's what we're objecting to is the audio portion  
16 of it.

17 THE COURT: Okay. I'm going to overrule the  
18 objection.

19 (Thereupon, State's Exhibit Number 61 was  
20 published to the jury.)

21 MR. MCMASTER: No further questions for this  
22 witness, Judge.

23 THE COURT: Okay. Cross examination by the  
24 Defense.

25 MR. MOORE: No questions.

1 THE COURT: Okay. Deputy Ryle, you're free to  
2 step down, thank you.

3 THE WITNESS: Thank you.

4 (Thereupon, the witness exited the witness  
5 stand.)

6 MR. MCMASTER: Can we approach, Judge?

7 THE COURT: Yes, you may.

8 (Thereupon, a benchside conference was had out  
9 of the hearing of the jury as follows:)

10 MR. MCMASTER: That's all the witnesses for  
11 this morning, Judge. We do have a bunch lined up for  
12 this afternoon for the crime scene folks.

13 THE COURT: Crime scene folks right after  
14 lunch. Okay. You couldn't do just a couple of them  
15 before lunch. All right. Then we'll break for lunch  
16 and we'll be back at 1:00.

17 (Thereupon, the benchside conference was  
18 concluded and the proceedings were had as follows:)

19 THE COURT: Okay. At this time we are going to  
20 break for lunch. I'm going to ask you to be back at  
21 1:00 p.m. Report to the jury assembly room at 1:00  
22 p.m. Once again, during this break you must continue  
23 to abide by your rules governing your service as a  
24 juror. Specifically do not discuss this case among  
25 yourselves or with anyone else. Avoid reading

1 newspaper headlines and articles about this trial.  
2 Avoid seeing anything that's on TV, radio or  
3 Internet, see or hear anything, and do not conduct  
4 any research yourself. Okay. Court will be in  
5 recess until 1:00 p.m.

6 (Thereupon, the jury was escorted out of the  
7 courtroom by the court deputy and the proceedings were had  
8 as follows:)

9 THE COURT: Okay. Please be seated.

10 Mr. Brown, did I miss something?

11 MR. BROWN: No, no, I didn't want the Court to  
12 go off. We do need to clear the firearm. I don't  
13 know how we can do that on the record. Court  
14 deputies are going to be addressing that this  
15 afternoon.

16 THE COURT: Okay. Let's do that at 1:00 p.m  
17 that means we'll be back and we'll have enough  
18 deputies here to do that. I don't think we have  
19 enough deputies in the courtroom right now to do  
20 that. Do you want to do it now?

21 THE COURT DEPUTY: I can do it now.

22 THE COURT: Okay. Then we can do it right now,  
23 but otherwise Court will be in recess until 1:00 p.m.  
24 Why don't you set it out on the table.

25 (Thereupon, a pause was taken in the

1 proceedings.)

2 MR. MCMASTER: For the record, Deputy  
3 Blankenship has cut through the seal, it was sealed  
4 prior to opening it up and checking the safety 0.

5 THE COURT: Okay. I can see that it was sealed  
6 prior to the time that he opened it up. Okay. The  
7 weapon has been cleared and court is in recess until  
8 1:00 p.m. Thank you.

9 (Thereupon, a lunch recess was taken in the  
10 proceedings.)

11 THE COURT: Okay. We can bring out  
12 Mr. Bradley.

13 (Thereupon, the defendant was escorted into the  
14 courtroom by the court deputy.)

15 THE COURT: Are we ready to bring the jury in?

16 MR. MCMASTER: Yes.

17 THE COURT: Okay.

18 (Thereupon, the jury was escorted into the  
19 courtroom by the court deputy and the proceedings were had  
20 as follows:)

21 THE COURT: Please be seated. Ladies and  
22 gentlemen of the jury, has anyone read or been  
23 exposed to reading newspaper headlines and/or  
24 articles related to this trial or its participants?

25 THE JURY PANEL: No.



1 THE COURT: Has anyone seen or heard  
2 television, radio or Internet comments about this  
3 trial?

4 THE JURY PANEL: No.

5 THE COURT: Have you read any news headlines or  
6 articles relating to this trial or its participants?

7 THE JURY PANEL: No.

8 THE COURT: Have you conducted or been exposed  
9 to any research regarding any matters concerning this  
10 case?

11 THE JURY PANEL: No.

12 THE COURT: And have you discussed this case  
13 among yourselves or with anyone else or allowed  
14 anyone to discuss it in your presence?

15 THE JURY PANEL: No.

16 THE COURT: Okay. Who would be the next  
17 witness on behalf of the State?

18 MR. BROWN: State would call Andrea Ziarno.

19 THE COURT: Ma'am, if you'd step up before the  
20 clerk to be sworn.

21 THEREUPON,

22 ANDREA ZIARNO,  
23 having been first duly sworn, was examined and testified  
24 upon her oath as follows:

25 THE COURT: Okay. If you'll have a seat in the

1 witness chair. Once seated if you'll scoot your  
2 chair forward. Do adjust that microphone and do talk  
3 into that microphone, it helps us hear your  
4 testimony, it also aids in recording your testimony.

5 DIRECT EXAMINATION

6 BY MR. BROWN:

7 Q Ma'am, could you please state your name and  
8 spell your first and last name?

9 A Andrea Ziarno, A-N-D-R-E-A, Z-I-A-R-N-O.

10 Q And how are you employed?

11 A I'm a firefighter/paramedic with Brevard County  
12 Fire Rescue.

13 Q And how long have you been so employed?

14 A Fifteen years.

15 Q Miss Ziarno, can you tell the jury what is a  
16 paramedic?

17 A A paramedic is someone who's trained and able  
18 to perform advanced life saving in a pre-hospital setting.

19 Q Were you on duty on March 6th, 2012?

20 A Yes.

21 Q Were you dispatched to a location on Elena Way  
22 off of John Rodes Boulevard?

23 A Yes, sir.

24 Q And when you were dispatched there, can you  
25 tell the jury what the scene was when you arrived?

1           A           When I arrived there were officers standing  
2 over Deputy Pill, Melbourne Fire Department and my crew  
3 were the first to contact -- to make patient contact with  
4 Deputy Pill.

5           Q           Do you know approximately what time it was when  
6 you arrived?

7           A           No.

8           Q           Okay. Did you do -- when you arrive to a  
9 patient, do you do an assessment on that patient?

10          A           Yes, sir.

11          Q           And did you do an assessment on Deputy Pill?

12          A           Yes, sir.

13          Q           Can you tell the jury what that assessment was.

14          A           You're able to distinguish a patient, if you  
15 have time to stay on scene or if it's a load and go  
16 situation, if the patient is critical. At the time Deputy  
17 Pill was critical and we knew we needed to get her to an  
18 appropriate trauma facility fast.

19          Q           And when you observed Deputy Pill, was her gun  
20 still in her holster?

21          A           Yes, sir.

22          Q           And did you in fact transport Deputy Pill?

23          A           Yes, sir.

24          Q           And where was she transported to?

25          A           Holmes Regional Medical Center.

1 Q And as far as the time, would your records  
2 indicate the time of your assessment?

3 A Approximately.

4 MR. BROWN: Your Honor, may I approach the  
5 witness?

6 THE COURT: Yes, you may.

7 BY MR. BROWN:

8 Q After reviewing your record, do you know  
9 approximately what time it was that you performed the  
10 assessment on Deputy Pill?

11 A 11:21.

12 MR. BROWN: No further questions.

13 THE COURT: Okay. Cross examination by the  
14 Defense.

15 MR. MOORE: No questions.

16 THE COURT: Okay. Ma'am, thank you for your  
17 testimony, you're free to step down.

18 (Thereupon, the witness exited the witness  
19 stand.)

20 THE COURT: Okay. Other witnesses on behalf of  
21 the State.

22 MR. BROWN: Your Honor, the next item we'd like  
23 to address is Exhibit FG, the Health First records.

24 MR. MOORE: No objection.

25 THE COURT: Okay. And you want to introduce

1 those into evidence?

2 MR. BROWN: Yes, these are the medical records  
3 from Health First.

4 THE COURT: Okay FG will be received as State's  
5 Exhibit Number 62.

6 (Thereupon, State's Exhibit Number 62 was  
7 marked and received in evidence.

8 MR. MCMASTER: State calls Lisa Connors.

9 THE COURT: Connors with a C?

10 MR. MCMASTER: Yes.

11 THE COURT: Ma'am, if you'll step up before the  
12 clerk to be sworn.

13 THEREUPON,

14 CSI LISA CONNORS,  
15 having been first duly sworn, was examined and testified  
16 upon her oath as follows:)

17 THE COURT: Please be seated in the witness  
18 chair. Once seated if you'll scoot that chair  
19 forward. Do adjust that microphone and talk into  
20 that microphone, it helps us hear your testimony, it  
21 also aids in recording your testimony.

22 DIRECT EXAMINATION

23 BY MR. MCMASTER:

24 Q Afternoon, ma'am.

25 A Good afternoon.

1 Q Would you please state your name and spell your  
2 last name for the record?

3 A My name is Lisa Connors, C-O-N-N-O-R-S.

4 Q And how are you employed?

5 A I'm a crime scene investigator with the Brevard  
6 County Sheriff's Office.

7 Q And what are your essential duties as a crime  
8 scene investigator for BCSO?

9 A As a crime scene investigator I investigate  
10 homicides, burglaries, robberies, we document the scenes,  
11 collect evidence and process them.

12 Q And were you so employed on March 6th of 2012?

13 A Yes, I was.

14 Q And on that date did you have an occasion to  
15 become involved in the investigation of the shooting death  
16 of Deputy Barbara Pill?

17 A Yes, I was.

18 Q What were you assigned to do?

19 A I was assigned with assisting with measurements  
20 of the scene, marking items of evidence with photo markers  
21 and then later recreating a formal diagram of the scene.

22 Q We've heard earlier testimony that there are  
23 several different scenes associated with this case, which  
24 particular scene was it that you were assisting?

25 A I was at the scene of John Rodes and Elena Way.

1 Q And who was -- were the other crime scene  
2 officers present at that location?

3 A Crime Scene Investigator Stephannie Cooper and  
4 Sergeant Terry Laufenberg.

5 Q Who was the lead investigator?

6 A CSI Cooper.

7 Q You I believe testified you assisted in making  
8 measurements and things of that nature?

9 A Yes, I did.

10 Q Did you also prepare a diagram of the scene at  
11 Elena Way documenting where various items of evidentiary  
12 value were located?

13 A Yes, I did.

14 Q As well as the vehicle locations?

15 A Yes.

16 MR. MCMASTER: May I approach the witness,  
17 Judge?

18 THE COURT: Yes, you may.

19 BY MR. MCMASTER:

20 Q I'm showing you what has been marked for  
21 identification as State's Exhibit BZ, Bravo Zuma, could  
22 you look at that and tell me if you can identify it?

23 A This is the formal diagram that I created after  
24 we returned from the scene.

25 Q And is it an accurate diagram depicting the

1 location of the items of evidence that were collected at  
2 the scene as well as vehicles?

3 A Yes, it is.

4 Q Is it to scale or is it an approximation?

5 A It's approximately to scale, as close as we can  
6 within a certain give or take.

7 Q The exhibit consists of more than just the  
8 first page diagram, there's also a couple of pages of  
9 attachments to it, is that correct?

10 A Yes, sir.

11 Q Could you explain what the attachments are?

12 A The attachments explain what the photo markers  
13 are which are identifying items of evidence we collected  
14 at the scene and then the measurements that we took to  
15 those items of evidence and other items within the scene  
16 in order for this formal diagram to be recreated.

17 Q And does the diagram and attached documents  
18 accurately reflect the placement of the items that you  
19 found on March 6th of 2012 at the Elena scene?

20 A Yes, it does.

21 MR. MCMASTER: State would move it in as its  
22 next exhibit.

23 THE COURT: Response from the Defense.

24 MR. PIROLO: No objection.

25 THE COURT: Okay. BZ will be received as



1 State's Exhibit 63.

2 (Thereupon, State's Exhibit Number 63 was  
3 marked and received in evidence.)

4 MR. MCMASTER: Request permission to publish,  
5 Judge.

6 THE COURT: Yes, you may.

7 BY MR. MCMASTER:

8 Q While that's booting, let's just talk about the  
9 attachments to the diagram itself. If you could, just  
10 take it page by page and hold it up and show it to the  
11 jury and just explain what it is and I'll let you use  
12 those to explain the diagram.

13 A This page is just a list of the photo markers,  
14 they're represented in the diagram as a PM and then a  
15 number which is what we use to identify the items of  
16 evidence later. So, it's just a list corresponding the  
17 photo markers to what the actual item of evidence was.

18 The next two pages are all the items that we  
19 took measurements to in the scene, items of evidence,  
20 vehicles, driveways and a fixed reference point so we  
21 could go back if we ever needed to recreate where these  
22 items were at the scene. So, there's an east measurement  
23 and then either a north and south measurement which is  
24 what we use to create this diagram.

25 Q All right. If you would bring the attachments

1 down here and I guess use my pen as a pointer.

2 THE COURT: Do you want me to turn off the  
3 lights?

4 MR. MCMASTER: That might be helpful, Judge.

5 (Thereupon, the witness exited the witness  
6 stand.)

7 BY MR. MCMASTER:

8 Q Just kind of use the pen as a pointer and would  
9 you take the list of objects that are depicted on the  
10 diagram and take them one by one and explain what they are  
11 and where they're located on the diagram?

12 A Photo marker 57 which is here is a, I'm sorry,  
13 52 which is here is a piece of skull fragment. Photo  
14 marker 53 which is here is also a piece of skull fragment.  
15 Photo marker 54 here is a piece of skull fragment. Photo  
16 marker 55 is a fragment of copper jacketing. Photo marker  
17 56 over here is a lens from sunglasses. Photo marker 57  
18 is the frame of the sunglasses. Photo marker 58 is part  
19 of a vest. Photo marker 59 is clothing in a pool of RBS  
20 which is a reddish brownish stain. Photo marker 60 which  
21 is here is the left arm of the pair of sunglasses. Photo  
22 marker 61 which is here is a yellow metal cartridge  
23 casing. Photo marker 62 which is next to that is also a  
24 yellow metal cartridge casing. Photo marker 63 is the  
25 yellow metal cartridge casing. Photo marker 64 is a

1 yellow metal cartridge casing. Photo marker 65 is a  
2 yellow metal cartridge casing. Photo marker 66 is a  
3 yellow metal cartridge casing. Photo marker 67 is a  
4 yellow metal cartridge casing and photo marker 68 is a  
5 (unintelligible).

6 Q Were those items -- you can take a seat?

7 (Thereupon, the witness resumed the witness  
8 stand.)

9 BY MR. MCMASTER:

10 Q And were those items collected by Crime Scene  
11 Investigator Cooper?

12 A Yes, they were.

13 Q Did you also have an occasion in assisting in  
14 the investigation to collect a buccal swab, a DNA swab  
15 from the defendant, Brandon Bradley?

16 A Yes, I did.

17 Q What is a buccal swab?

18 A A buccal swab is basically a swab from the  
19 inside of your cheeks which is a representation of your  
20 DNA.

21 Q And how is that done?

22 A You take two swabs just like a Q-Tip and  
23 they're just rubbed on the inside of both your cheeks and  
24 they're jut put in a box and that's all that you need in  
25 order to get that sample of DNA.

1 Q What do you do with the box?

2 A The box is then sealed in an envelope and then  
3 it was turned over to CSI Cooper.

4 Q Do you know what would be done with the buccal  
5 swab once it's obtained?

6 A After a buccal swab's obtained it would get  
7 sent to the lab with any items of evidence that could be  
8 compared to unknown DNA profiles that are developed on  
9 items of evidence that are sent in the same case.

10 MR. MCMASTER: Can I approach the witness,  
11 Judge?

12 THE COURT: Yes, you may.

13 BY MR. MCMASTER:

14 Q Showing you what has been marked for  
15 identification as State's Exhibit CA, Charlie Alpha, if  
16 you would you look at that and tell me if you can identify  
17 that?

18 A Yes, I can, these are the buccal swabs I took  
19 from Brandon Bradley.

20 Q How can you identify them?

21 A Based on the case number, the item number and  
22 my handwriting on the package.

23 Q Is that the package that you put the buccal  
24 swabs in?

25 A Yes, it is.

1 Q Now, the buccal swabs themselves are in what  
2 inside that envelope?

3 A They're inside of a white cardboard box.

4 Q At the time that you put them in the white  
5 cardboard box and then into that envelope and sealed it up  
6 it just had your initials and your seal evidence tape on  
7 it, is that correct?

8 A Yes it is.

9 Q And the condition it's in today, has it  
10 apparently been opened by someone?

11 A Yes, it has.

12 Q Do you know what the reason for that was?

13 A This -- the yellow stickers and the other  
14 evidence and numbers on here are from the Florida  
15 Department of Law Enforcement Laboratory.

16 Q So, you would have sealed them up and they  
17 would have been transported to FDLE for further  
18 examination?

19 A Yes, that's correct.

20 MR. MCMASTER: No further questions.

21 THE COURT: Okay. Cross examination by the  
22 Defense.

23 CROSS EXAMINATION

24 BY MR. LANNING:

25 Q Obviously the -- obviously the -- when you got

1 there to begin your job, had the deceased already been  
2 transported?

3 A Yes, she was.

4 Q And the evidence as you found it, it was there  
5 at the point that you (unintelligible), right?

6 A I'm sorry, could you repeat that.

7 THE COURT: That's okay. Let's hold on just  
8 one second, they'll turn it off. That's okay. Just  
9 put it on silent. Okay.

10 BY MR. LANNING:

11 Q The locations where the various markers that  
12 you placed on your diagram, that's as it existed at the  
13 points that you got there and began your work?

14 A Yes, that's correct.

15 Q This is after fire rescue had been through, any  
16 other agents that were on scene, is that right?

17 A That's correct.

18 Q So, where the items were immediately at the  
19 point of the shooting you don't know?

20 A No, there's always a chance that they could be  
21 slightly off from -- for whatever reason, as you said BCFR  
22 coming in.

23 Q The buccal swabs, when you did the buccal swabs  
24 you also did gunshot residue tests?

25 A That's correct.

1 Q And could you describe that for the jury?

2 A A gunshot residue test, it basically consisted  
3 of two small stamps they call them, they're kind of just a  
4 sticky tube and there is a diagram within the gunshot  
5 residue kit that explains to you where you would stamp the  
6 tube on to the person's hand. There's different areas on  
7 the hand that they test. You push it on and then you just  
8 put a cap on it and it goes back in the envelope and  
9 seals. You do that on both hands of the person being  
10 tested.

11 Q And presuming that it was forwarded to FDLE --  
12 well, does the department do its own testing?

13 A No, everything that we collect for DNA, gunshot  
14 residue, something of that nature is sent off to a state  
15 or private laboratory to be tested.

16 Q Assuming it was, there would be a similar  
17 envelope sealed with the various parties initials?

18 A That's correct, it would be a white envelope  
19 because it's a kit issued by FDLE.

20 MR. LANNING: Nothing further.

21 THE COURT: Okay. Redirect by the State.

22 REDIRECT EXAMINATION

23 BY MR. MCMASTER:

24 Q Just to clarify something, Miss Connors, you  
25 indicated that you obtained the buccal swab, the DNA

1 sample from the defendant, is that correct?

2 A That's correct.

3 Q Do you do you see the defendant here in the  
4 courtroom today that you collected the buccal swabs from?

5 A Yes, I do.

6 Q Would you point to him and describe an article  
7 of clothing he's wearing?

8 A Sure, it's the male sitting at that table with  
9 a gray or black suit on with the white shirt.

10 MR. MCMASTER: Let the record reflect that the  
11 witness has identified the defendant. No further  
12 questions.

13 THE COURT: Okay. Recross by the Defense.

14 MR. LANNING: No, ma'am.

15 THE COURT: Okay. Ma'am, thank you for your  
16 testimony, you're free to step down.

17 (Thereupon, the witness exited the witness  
18 stand.)

19 THE COURT: Okay. Other witnesses.

20 MR. MCMASTER: State calls Jennifer Miller.

21 THE COURT: Ma'am, if you'll step up to the  
22 clerk to be sworn.

23 THEREUPON,

24 CSI JENNIFER MILLER,

25 having been first duly sworn, was examined and testified



1 upon her oath as follows:

2 DIRECT EXAMINATION

3 BY MR. MCMASTER:

4 Q Good afternoon, ma'am?

5 A Good afternoon.

6 Q If you would, please state your name for the  
7 record and spell your last name?

8 A Jennifer Miller, M-I-L-L-E-R.

9 Q How are you employed, Miss Miller?

10 A I'm a crime scene investigator with the Brevard  
11 County Sheriff's Office.

12 Q And how long have you been a crime scene  
13 investigator with BCSO?

14 A Over three years now.

15 Q And did you have any experience prior to the  
16 three years with Brevard County Sheriff's Office?

17 A I did not.

18 Q What type of training and education do you go  
19 through to become a crime scene investigator?

20 A I have a Bachelor's of Science in forensic and  
21 in investigative science from West Virginia University and  
22 after being hired on with the sheriff's office we go  
23 through a sixteen week training course specifically with  
24 the sheriff's office before ever being allowed to respond  
25 to any crime scenes for the sheriff's office.

1 Q And were you so employed on March 6th of 2012?

2 A Yes, I was?

3 Q On that date did you have an occasion to become  
4 involved in the investigation of the crime scenes  
5 involving the shooting death of Deputy Barbara Pill?

6 A Yes.

7 Q Which scene were you assigned to?

8 A I was assigned to the Parkway Drive and Turtle  
9 Mound Road scene.

10 Q That's where the vehicle ended up and the  
11 defendants were apprehended?

12 A Yes.

13 Q And what, if anything, did you do to preserve  
14 the scene or preserve the evidence at the scene?

15 A I documented the scene with photographs and  
16 video recording and also created a sketch and took  
17 corresponding measurements.

18 Q And did you prepare a diagram with the  
19 corresponding information on it?

20 A Yes, I did.

21 MR. MCMASTER: May I approach the witness,  
22 Judge.

23 THE COURT: Yes, you may.

24 BY MR. MCMASTER:

25 Q Showing you what has been marked as State's

1 Exhibit BM, Bravo Mike, for identification, would you look  
2 at that and tell me if you can identify it?

3 A Yes, I can identify it.

4 Q And does it accurately set forth those items of  
5 possible evidentiary value and the relative locations at  
6 that particular crime scene?

7 A Yes, it does.

8 MR. MCMASTER: State would move BM as its next  
9 exhibit.

10 THE COURT: Response from the Defense.

11 MR. PIROLO: May I see the exhibit, please?

12 MR. MCMASTER: Certainly.

13 MR. PIROLO: No objection.

14 THE COURT: Okay. BM will be received as  
15 State's Exhibit Number 64.

16 (Thereupon, State's Exhibit Number 64 was  
17 marked and received in evidence.)

18 BY MR. MCMASTER:

19 Q Investigator Miller, if you would, I'm going to  
20 put this up here on the...

21 THE COURT: You be want me to --

22 MR. MCMASTER: If the Court would dim the  
23 lights.

24 BY MR. MCMASTER:

25 Q If you could step down here, ma'am.

1                   (Thereupon, the witness exited the witness  
2 stand.)

3 BY MR. MCMASTER:

4           Q       Using my pen as a pointer, just describe the  
5 areas on the diagram and what they represent.

6           A       Right here is Parkway Drive and Turtle Mound  
7 Road. This vehicle with the number six by it was the Ford  
8 Explorer, the suspect vehicle. Vehicles five, four,  
9 three, two and one were the Melbourne PD units that had  
10 responded. JM5 was actually a beer bottle that I  
11 collected from the scene. And here is the stop sign that  
12 was hit during the chase.

13          Q       You can have a seat again, please.

14                   (Thereupon, the witness resumed the witness  
15 stand.)

16 BY MR. MCMASTER:

17          Q       Did you also document the scene with  
18 photographs?

19          A       Yes, I did.

20          Q       I'm going to show you a series of photographs  
21 identified for identification as BN, BO, BP, BQ, BR, BS,  
22 BT, BU, BV, BW, BX and BY, if you would, look at those to  
23 yourself and tell me if you can identify them?

24          A       Okay. Yes, I can identify them.

25          Q       Do each of those photographs accurately portray

1 that portion of the crime scene on Parkway Drive as you  
2 observed it on March 6th of 2012?

3 A Yes, they do.

4 MR. MCMASTER: State would move those in as its  
5 next numbered exhibits.

6 THE COURT: Okay. Response from the Defense.

7 MR. PIROLO: No objection, Your Honor.

8 THE COURT: Okay. BN will be received as  
9 State's Number 65, BO 66, BP 67, BQ 68, BR 69, BS 70,  
10 BT 71, BU 72, BV 73, BW 74, BX 75 and BY 76.

11 (Thereupon, State's Exhibit Numbers 65 through  
12 76 were marked and received in evidence.)

13 MR. MCMASTER: Request permission to publish.

14 THE COURT: Yes, you may.

15 BY MR. MCMASTER:

16 Q Investigator Miller, I'm going to put these up  
17 one by one and I'll give the exhibit number, if you would  
18 explain to the ladies and gentlemen of the jury what's in  
19 each photograph and we're going to start with Exhibit  
20 Number 65.

21 A This is a photograph of the tire marks you can  
22 see on the south side of Parkway Drive leading into the  
23 ditch and you can see the Ford Explorer there in the  
24 ditch.

25 Q And the little object that we see off to the

1 right hand side of the vehicle appears to be orange and  
2 blue, do you recall what that object was?

3 A Yes, it was a comforter.

4 Q Okay. Showing what has been admitted as  
5 State's Exhibit 66.

6 A This is more close up view of the vehicle as it  
7 was in the ditch, you can see the back end and the  
8 undercarriage of the vehicle.

9 Q Exhibit 67.

10 A This is just another view of the Ford Explorer  
11 from the opposite side of the ditch.

12 Q You can see in the video, or not the video, the  
13 photograph the tires apparently come off of the rim there  
14 on the front left of the vehicle?

15 A Yes.

16 Q Exhibit 68.

17 A This is another view of the Ford Explorer of  
18 more of the back end of the vehicle.

19 Q Exhibit 69.

20 A This is more close up view of the items that  
21 were partially out of the back of the vehicle that you saw  
22 in the previous photograph.

23 Q Did you all remove the vehicle from the ditch?

24 A Yes, the vehicle was removed from the ditch.

25 Q Exhibit 70.

1           A        That's the driver's side of the vehicle after  
2 it had been removed from the ditch.

3           Q        Now, you weren't present when the officers  
4 broke out the windows in order to extract the occupants,  
5 were you?

6           A        No, I was not.

7           Q        Exhibit 71.

8           A        This is a photograph of the back end of the  
9 vehicle after it had been removed from the ditch.

10          Q        Now, the items in the back of the vehicle that  
11 are observable there, that's the comforter you had  
12 mentioned previously?

13          A        Yes.

14          Q        Are you also able to see the front part of the  
15 air conditioning cover?

16          A        Yes.

17          Q        These items were actually physically taken into  
18 custody by the sheriff's office as well as documented in  
19 the photographs, is that correct?

20          A        Correct, it just wasn't by me.

21          Q        I understand.

22                    And does this photograph also display the  
23 license tag on the vehicle?

24          A        Yes, it does.

25          Q        Do you know whether that matches the same tag

1 number that was given by Mr. Malik the manager of the  
2 EconoLodge or that wasn't part of your investigation?

3 A That was not part of my investigation.

4 Q Exhibit 72.

5 A That's a view of the passengers side and the  
6 front of the vehicle after it had been removed from the  
7 ditch.

8 Q The shadow's a little bit difficult there but  
9 can you tell whether or not the front right tire and the  
10 back tire on this photograph, they came off of the rims  
11 also?

12 A I believe so. I can't really tell with that.

13 MR. MCMASTER: May I approach the witness,  
14 Judge?

15 THE COURT: Yes, you may.

16 THE WITNESS: Yes, it was.

17 BY MR. MCMASTER:

18 Q Now, as part of the processing of this scene,  
19 did you go inside the vehicle itself?

20 A I did not.

21 Q These are all photographs that you were able to  
22 take from outside of the vehicle?

23 A Correct.

24 Q Exhibit Number 73. Are you able to make out  
25 what that is?



1           A        Yes, in the center of that photograph is a  
2 pistol magazine.

3           Q        The object right here?

4           A        And it was actually against the passenger door.

5           Q        Exhibit 74.

6           A        It's kind of hard to see in this photograph,  
7 but in the center is actually a photograph of the firearm,  
8 and this photograph was actually taken before the vehicle  
9 was removed from the ditch.

10          Q        Now, this area here that appears to be open,  
11 can you just see the edge of the steering wheel coming  
12 this way?

13          A        Yes.

14          Q        What was that area?

15          A        That was the center dash.

16          Q        Apparently a piece had come out of the center  
17 dash?

18          A        Correct.

19          Q        And that's where you were able to observe the  
20 firearm?

21          A        Yes.

22          Q        Showing you what is Exhibit 75.

23          A        This is a photograph of the firearm again but  
24 this photograph was taken after the vehicle had been  
25 removed from the ditch.

1 Q But you were still taking the photographs from  
2 outside the vehicle?

3 A Correct, I was taking the photo from outside of  
4 the vehicle.

5 Q The vehicle itself was impounded and taken to  
6 the sheriff's pound yard or garage?

7 A Yes.

8 Q Was a search warrant subsequently obtained and  
9 searched by other agents?

10 A Yes.

11 Q Finally, Exhibit 76.

12 A That is an overall photograph of the front  
13 seats within the vehicle.

14 Q The shadow area is kind of hard to see, but you  
15 can see the little area of the dash and this area that has  
16 been broken and that's where the weapon was located?

17 A Yes.

18 MR. MCMASTER: You can turn the lights back on,  
19 Judge. No further questions.

20 THE COURT: Okay. Questions by the Defense.

21 CROSS EXAMINATION

22 BY MR. PIROLO:

23 Q CSI Miller, on March 8th you assisted CSI  
24 Cooper with the actual search of the inside of the  
25 vehicle, correct?

1 A Correct.

2 Q And do you remember locating a prescription,  
3 empty prescription bottle inside the car?

4 A I do not personally remember.

5 Q But CSI Cooper was the one who basically led up  
6 that search?

7 A Yes.

8 MR. PIROLO: Thank you.

9 THE COURT: Okay. Redirect on behalf of the  
10 State.

11 MR. MCMASTER: Nothing further.

12 THE COURT: Ma'am, thank you for your  
13 testimony, you're free to step down.

14 (Thereupon, the witness exited the witness  
15 stand.)

16 THE COURT: Okay. Other witnesses on behalf of  
17 the State.

18 MR. MCMASTER: State would call Stephannie  
19 Cooper.

20 THE COURT: Ma'am, if you'll step up before the  
21 clerk to be sworn.

22 THEREUPON,

23 CSI STEPHANNIE COOPER,  
24 having been first duly sworn, was examined and testified  
25 upon her oath as follows:

1 THE COURT: Please be seated in the witness  
2 chair. Once seated if you'll scoot that chair  
3 forward. Do adjust that microphone and do talk into  
4 that microphone. Mr. McMaster.

5 DIRECT EXAMINATION

6 BY MR. MCMASTER:

7 Q Good afternoon.

8 A Hi.

9 Q Would you please state your name for the record  
10 and spell your last name?

11 A Stephannie Cooper, C-O-O-P-E-R.

12 Q And how are you employed?

13 A Brevard County Sheriff's Office.

14 Q In what capacity?

15 A Crime scene investigator.

16 Q And how long have you been employed as a crime  
17 scene investigator with BCSO?

18 A About three years.

19 Q And what type of education and training have  
20 you had to become a crime scene investigator?

21 A I have Bachelor's degree from the University of  
22 Central Florida in forensic science, I also completed a  
23 sixteen week course within the sheriff's office and I  
24 continue taking classes.

25 Q Okay. And did you receive on-the-job training

1 from the sheriff's office also once you began employment?

2 A Yes.

3 Q Did you have an occasion to become involved in  
4 the investigation into the shooting death of Deputy  
5 Barbara Pill on March 6th of 2012?

6 A Yes.

7 Q Did you get involved that particular day?

8 A Yes.

9 Q What was your assignment?

10 A I was the crime scene investigator.

11 Q As lead crime scene investigator, did you  
12 determine which crime scene investigators went to which  
13 crime scenes to process them or was that done by Sergeant  
14 Laufenberg?

15 A That was done by Sergeant Laufenberg.

16 Q You were just in overall charge of collecting  
17 and processing the evidence that was seized at the various  
18 scenes by the different investigators?

19 A Yes.

20 Q Which scene did you process or which scenes did  
21 you process yourself and what exactly was it that you did?

22 A I responded to John Rodes and Elena Way and I  
23 documented the scene via photos and video recording and I  
24 marked items of evidence with photographic markers and  
25 collected those items of evidence.

1 Q As part of your duties that day, did you also  
2 have an occasion to collect a buccal swab from Andria  
3 Kerchner?

4 A Yes.

5 Q Where was that done at?

6 A At our office, the crime seventeen  
7 investigation -- or Criminal Investigation Division.

8 Q So, that was done later in the day?

9 A Yes.

10 MR. MCMASTER: May I approach the witness,  
11 Judge?

12 THE COURT: Yes, you may.

13 BY MR. MCMASTER:

14 Q Showing you what has been marked State's  
15 Exhibit CB, Charlie Bravo, for identification, would you  
16 look at that and tell me if you can identify it?

17 A Yes.

18 Q How can you identify it?

19 A My handwriting on the front and my initials and  
20 date on the back.

21 Q And what is the object?

22 A It is buccal swabs from Andria Kerchner.

23 Q Explain to the jury how you took the buccal  
24 swabs and what you did?

25 A Buccal swabs are two swabs like a Q-Tip and I

1 swabbed the inside of her cheeks and then I placed them in  
2 the box and sealed the package.

3 Q What kind of box do you put them in?

4 A It's a white -- it's a double box that holds  
5 both swabs.

6 Q Did you put both swabs into the box and put  
7 those inside that envelope?

8 A Yes.

9 Q Did you then seal the envelope up?

10 A Not on that particular day but it was placed  
11 into evidence.

12 Q You put it into evidence and sealed it at a  
13 later date?

14 A Yes.

15 Q When was it that you actually sealed it up?

16 A On March 10th.

17 Q And what was the reason for not sealing it  
18 between March 6th the date when you collected it and March  
19 10th when you actually sealed it?

20 A I just.

21 Q Had so many different things to process?

22 A Yeah.

23 Q Was it held in the custody of the Brevard  
24 County Sheriff's Office evidence room during that period?

25 A Yes.

1 Q So, no one else would have had access to it?

2 A No.

3 Q Now, when you sealed it up, do you know whether  
4 or not it was sent off for examination by experts or  
5 analysts with the Florida Department of Law Enforcement?

6 A Yes, it was.

7 Q How do you know that?

8 A By the seal, the tape on the evidence package.

9 Q And so FDLE actually opened up the envelope at  
10 another location and then resealed it when they were  
11 completed with their examination, is that correct?

12 A Yes.

13 Q During the time that it was in your possession,  
14 do you do anything to change or alter or do anything at  
15 all to the swabs?

16 A No.

17 Q Get that out of your way.

18 Did you also have an occasion to photograph the  
19 scene at Elena Way?

20 A Yes.

21 Q And was that for the purpose of preserving how  
22 the objects looked there at the scene?

23 A Yes.

24 Q At the time that you processed the scene,  
25 Deputy Pill's body had been removed from the scene, is



1 that correct.

2 A Yes.

3 Q Was there some residual medical items and some  
4 clothing from Deputy Pill left at the scene that had been  
5 removed by the paramedics?

6 A Yes.

7 Q I'm going to show you a series of photographs  
8 that have been marked CC through CS and ask if you can  
9 identify them.

10 MR. MCMASTER: Do you want me to cite each  
11 individual number, Judge?

12 THE COURT: You're good. It's good.

13 BY MR. MCMASTER:

14 Q And just look at them to yourself and then tell  
15 me if you can identify them when you're completed. Okay?  
16 Have you had an opportunity to look -- Investigator, if  
17 you would, just look through those to yourself and then  
18 I'll ask you questions.

19 A Yes.

20 Q And can you identify those?

21 A Yes.

22 Q And do those photographs accurately portray  
23 those portions of the crime scene that are depicted in the  
24 photograph as you saw it on March 6th of 2012?

25 A Yes.

1 MR. MCMASTER: State would move those in as its  
2 next numbered exhibits.

3 THE COURT: Response from the Defense?

4 MR. PIROLO: No objection.

5 THE COURT: Okay. I believe it starts with CC.

6 MR. MCMASTER: Correct, Judge.

7 THE COURT: CC will be received as State's  
8 Exhibit 77, CD 78, CE 79, CF 80, CG 81, CH 82, CI 83,  
9 CJ 84, CK 85, CL 86, CM 87, CN 88, CO 89, CP 90, CQ  
10 91, CR 92, CS 93.

11 (Thereupon, State's Exhibit Numbers 77 through  
12 93 were marked and received in evidence.)

13 MR. MCMASTER: Request permission to publish  
14 the photos, Judge.

15 THE COURT: Yes, you may.

16 MR. MCMASTER: Can the Court turn the lights  
17 down?

18 BY MR. MCMASTER:

19 Q Investigator Cooper, I'm going to put the  
20 photographs up one by one and refer to them by exhibit  
21 number and if you would just describe what in the  
22 photograph for the ladies and gentlemen of the jury. I'm  
23 going to start with Exhibit 77.

24 A This is the overall scene looking west, John  
25 Rodes is behind me. There's two deputy cars, one

1 belonging to Deputy Pill and one belonging to Deputy  
2 Troup. And then in the center of the photo are items on  
3 the street.

4 Q Would those be the clothing items and the  
5 medical items that they left?

6 A Yes.

7 Q Exhibit 78.

8 A This is looking from the other direction facing  
9 east and all of the items of evidence have photographic  
10 markers placed by them.

11 Q Explain what the photographic markers are and  
12 what they depict?

13 A It's a numbering system that we use for items  
14 of evidence that we collect. It's just easier to see them  
15 in the large space with the photographic markers.

16 Q Some of the items are quite small?

17 A Yes.

18 Q For example, in this particular photograph a  
19 number of those photo markers are placed next to the spent  
20 shell casings from the weapon?0?

21 A Yes.

22 Q Yes. Showing you what is Exhibit 79.

23 A This is the same picture of the street looking  
24 to the west and you can see the medical intervention  
25 equipment on the ground and the photo markers placed by

1 the evidence.

2 Q Exhibit 80.

3 A This is a picture of the street with  
4 photographic markers and clothing.

5 Q Now, at this point the medical equipment had  
6 been reclaimed by the paramedics, is that correct?

7 A Yes.

8 Q So, these are taken over a course of time and a  
9 period of time while you were there at the scene?

10 A Yes.

11 Q Do you recall approximately how long you were  
12 there processing the scene?

13 A I don't recall exactly how long.

14 Q Exhibit 81.

15 A This is just a closer view of the previous  
16 photo.

17 Q Does it show part of Deputy Pill's armored vest  
18 off to the left hand side?

19 A Yes.

20 Q Had it been removed by the paramedics?

21 A Yes.

22 Q Exhibit 82.

23 A This is a close up photo of the front piece of  
24 Deputy Pill's vest.

25 Q And what is in this area over here?

1 A That is a defect from a bullet.

2 Q Exhibit 83.

3 A This is just a close up photograph of the  
4 defect in the vest.

5 Q Exhibit 84.

6 A It's another photograph of the front piece of  
7 Deputy Pill's vest with the photographic marker next to  
8 it.

9 Q Exhibit 85. I'm not sure if you can see.

10 A This is a photo of the computer screen in  
11 Deputy Pill's vehicle when I arrived.

12 Q That was the condition that was what showed as  
13 the last call she was assisting on?

14 A Yes.

15 Q You can see down here it's referring to the  
16 stolen property case?

17 A Yes.

18 Q Exhibit 86.

19 A This is a close up photograph of a cartridge  
20 casing with photographic marker 61.

21 Q Now, the 61, would that correspond to the  
22 diagram that was made by Officer Connors I believe it was  
23 of Elena Way and the markings that she put on the little  
24 diagram?

25 A Yes.

1 Q So, if you find a little number 62 on her  
2 diagram, that's what was located at that particular  
3 location is this casing?

4 A Number 61, yes.

5 Q 61. Photograph Exhibit Number 87.

6 A This a close up photograph of another cartridge  
7 casing with photographic marker 62.

8 Q And that's a different casing than 61?

9 A Yes.

10 Q Each of those with a different number would be  
11 a different casing?

12 A Yes.

13 Q Showing you what is Exhibit 88.

14 A It's a close up photograph of cartridge casing  
15 with photographic marker 63.

16 Q Exhibit 89.

17 A It's a cartridge casing with photographic  
18 marker 64.

19 Q Exhibit 90.

20 A It's a cartridge casing with the photographic  
21 marker 65.

22 Q Now, the red marking there, that's markings  
23 that you all made to locate, I'm trying to, display the  
24 items so you could put the photo markers there?

25 A Yes.

1 Q 91.

2 A It's a cartridge casing with photographic  
3 marker 66.

4 Q 92.

5 A It's a cartridge casing with photographic  
6 marker 67.

7 Q You found a total of seven casings there at the  
8 scene at Elena Way?

9 A Yes.

10 Q All spent?

11 A Yes.

12 Q And finally, 93.

13 A This a piece of copper jacketing with  
14 photographic marker 55.

15 Q And that likewise would be located on Miss  
16 Connors diagram of the scene as to where it was and the  
17 overall location and placement of the vehicles and other  
18 items?

19 A Yes.

20 MR. MCMASTER: You can turn the lights back on.

21 Judge.

22 BY MR. MCMASTER:

23 Q In addition to photographing the items, did you  
24 also collect them?

25 A Yes, I did.

1 Q What's the purpose of collecting the items?

2 A I collected the items so that I could process  
3 them back in our laboratory.

4 Q Investigator Cooper, I'm going to show you  
5 items that have been marked for identification as CT,  
6 that's is Charlie Tango, through DB, which is Delta Bravo,  
7 and ask you to look at each item in turn and once you're  
8 finished I'll ask you if you can identify them.

9 A Just the package or?

10 Q Can you identify them?

11 A Yes.

12 Q How can you identify them?

13 A My handwriting on the front of the packaging  
14 and my initials and date on the back, on the seal.

15 Q And with respect to each of those exhibits,  
16 what was it that you did with them?

17 A I collected them from the scene and then  
18 processed them in the laboratory.

19 Q Describe the process how you go about  
20 collecting them from the scene and the processing at the  
21 lab.

22 A From the scene I put them in packaging and  
23 transport them to the lab and then in the laboratory I  
24 process the items for DNA and fingerprints.

25 Q How do you do that?



1           A           I swab the -- in a cartridge casing, for  
2 example, I swab the end where the rim is with the swabs  
3 and place them in packaging and then I process them for  
4 fingerprints by using cyanoacrylate ester fumes or super  
5 glue fumes and then I use a dye stain and then black  
6 powder.

7           Q           Explain the process for trying to process for  
8 fingerprints using the super glue fumes.

9           A           The super glue fumes adhere to the oils by your  
10 skin that's left with the fingerprint.

11          Q           Do you have to place them in some sort of tank  
12 or box or something to digest the fumes, insert the fumes  
13 into it?

14          A           Yes, we have a large super glue chamber.

15          Q           Okay. Now, if we could, let's start with item  
16 CT, if you could find that one for me. Of course it's the  
17 last one.

18                      With respect to that particular item, when you  
19 packaged it up at the completion of your processing, how  
20 did you package it?

21          A           It's in a small cartridge box and then placed  
22 in an envelope.

23          Q           And then you sealed the envelope?

24          A           Yes.

25          Q           And was the envelope sent off anywhere for

1 additional processing or testing?

2 A It was sent off to the Florida Department of  
3 Law Enforcement.

4 Q And that was for a firearms analyst to examine  
5 the object?

6 A Yes.

7 Q What is the object that's contained within the  
8 envelope that's marked CT?

9 A It's a projectile from Deputy Pill's vest.

10 Q Is that the one that was left on scene?

11 A Yes.

12 Q So, the projectile that was removed out of the  
13 defect that we saw in the photograph is in a package  
14 inside that sealed envelope?

15 A Yes.

16 Q Now, at the time that you sealed it, it was  
17 still in the same condition as it was when you obtained it  
18 on March 6th of 2012 with the exception of anything that  
19 got on it from the super glue processing or the processing  
20 for DNA, is that correct?

21 A I actually didn't process this one, it just got  
22 sealed.

23 Q So, that one just got sealed up?

24 A Yes.

25 Q Did that one get sent off to FDLE?

1 A Yes.

2 Q Okay. Set that aside.

3 And you can tell it was sent off to FDLE how?

4 A The tape with FDLE.

5 Q They opened it up and did what they did with it  
6 and then sealed it back up again?

7 A Yes.

8 Q So, Exhibit CT is in the same condition as it  
9 was when FDLE sealed it up at the conclusion of their  
10 examination at this point?

11 A Yes.

12 Q Okay. CU, can you tell us what the item is  
13 that's inside the envelope marked CU?

14 A It's the copper jacketing that was at photo  
15 marker 55.

16 Q That was found on the ground at Elena Way?

17 A Yes.

18 Q And that's sealed up also?

19 A Yes.

20 Q Was that one sent off to FDLE?

21 A Yes?

22 Q And FDLE's seal is still intact?

23 A Yes.

24 Q All right. Set that one off to the side. CV.

25 A It's yellow metal cartridge casing stamped PMC

1 forty Smith and Wesson at photo marker 61.

2 Q That's the casing that we saw in the photograph  
3 where the photo marker 61 was displayed, is that correct?

4 A Yes.

5 Q What did you do specifically to process the  
6 casing?

7 A I swabbed the end with DNA and then I processed  
8 it for fingerprints using the super glue, the dye stain  
9 and the powder.

10 Q Did you find any fingerprints or latents of  
11 value?

12 A No.

13 Q And was that sent off to FDLE for testing?

14 A Yes.

15 Q Is that still sealed up with FDLE's seal?

16 A Yes.

17 Q Set that one off to the side. CW.

18 A It's a yellow metal cartridge casing stamped  
19 forty Smith and Wesson found at photo marker 62.

20 Q And is that one sealed up and was that sent to  
21 FDLE also?

22 A Yes.

23 Q Set that off to the side.

24 Now, for all of these, the cartridge itself is  
25 in a cartridge box on the inside of the envelope, is that

1 correct?

2 A Yes.

3 Q And you processed all of them in the same  
4 manner?

5 A Yes.

6 Q Were you able to it find latent fingerprints of  
7 value on any of the casings?

8 A No.

9 Q CX.

10 A Yellow metal cartridge casing stamped PMC forty  
11 Smith and Wesson from photo marker 63.

12 Q And likewise is that sealed and been sent off  
13 to FDLE and been opened by them?

14 A Yes.

15 Q Set it off to the side. CY.

16 A Yellow metal cartridge casing stamped forty  
17 Smith and Wesson found at photo marker 64.

18 Q Likewise, sent to FDLE and resealed by them?

19 A Yes.

20 Q CZ.

21 A Yellow metal cartridge casing stamped forty  
22 Smith and Wesson from photo marker 65.

23 MR. MOORE: What was that number?

24 THE WITNESS: 65.

25

1 BY MR. MCMASTER:

2 Q Sealed by FDLE?

3 A Yes.

4 Q And I think we're at DA?

5 A Yes. Yellow metal cartridge casing stamped  
6 forty Smith and Wesson from photo marker 66.

7 Q Once again, sealed by you and then opened by  
8 FDLE and resealed?

9 A Yes.

10 Q And last one, DB.

11 A Yellow metal cartridge casing stamped forty  
12 Smith and Wesson from photo marker 67.

13 Q So, you had a total of seven cartridge casings,  
14 one copper jacket and one then one full projectile that  
15 was removed from the (unintelligible)?

16 A Yes.

17 Q Get these out of your way.

18 When you were completed with the collection and  
19 the documentation of the evidence at Elena Way, did you at  
20 a later time assist in executing a search warrant on the  
21 white SUV vehicle that had been seized at the Parkway  
22 crime scene?

23 A Yes.

24 Q Where was the search conducted at?

25 A At our vehicle processing building.

1 Q And when was that done?

2 A That was done on March 8th.

3 Q And did you do that by yourself or did you have  
4 help?

5 A I had people assisting.

6 Q And like you did at the crime scene at Elena  
7 Way, did you document the search that was conducted of the  
8 vehicle at the sheriff's office impound garage by  
9 photographing the items?

10 A Yes.

11 Q In a few minutes I'm going to show you a series  
12 of photographs and I'll ask you once again to take a look  
13 at them yourself and I'll ask you if you can identify  
14 them.

15 (Thereupon, a pause was taken in the  
16 proceedings.)

17 BY MR. MCMASTER:

18 Q Miss Cooper, I'm going to show you what have  
19 been marked for identification as Exhibits DC through DP.

20 MR. MOORE: What was that?

21 MR. MCMASTER: Delta Charlie through Delta  
22 Papa.

23 THE COURT: I show that DD and DE have already  
24 been entered into evidence.

25 MR. MCMASTER: That's correct, Judge. Let me

1 make sure that they're not in the pile. So, it will  
2 be Exhibit DC and DF, Delta Foxtrot, through Delta  
3 Papa.

4 THE COURT: Okay.

5 MR. MCMASTER: And then DR, Delta what the heck  
6 is R, Romeo, Delta Romeo through EC, Echo Charlie.

7 THE COURT: Okay. Wait a second. I've got DC.

8 MR. MCMASTER: DX has already been admitted  
9 also.

10 THE COURT: So, I've DF thought DP.

11 MR. MCMASTER: That's correct. DR through DW.

12 THE COURT: Okay.

13 MR. MCMASTER: To DY thought EC?

14 THE COURT: DW. And then tell me again, what's  
15 the rest?

16 MR. MCMASTER: DY through EC.

17 THE COURT: Okay. And DX and DE and DP have  
18 already been introduced.

19 MR. MCMASTER: That's correct, as Exhibits 7,  
20 12 and 13.

21 THE COURT: Exhibit 8, 12 and 13?

22 MR. MCMASTER: I believe it's 7. Maybe I've  
23 got it wrong. I'm trying to keep when I'm standing  
24 and it's not that easy.

25 THE COURT: DX is 8 they're telling me.



1 MR. MCMASTER: We're all on same page now?

2 THE COURT: Yeah, we are.

3 BY MR. MCMASTER:

4 Q If you would, take a look at those, ma'am. All  
5 right. Have you had an opportunity to look at each of the  
6 photographs?

7 A Yes.

8 Q And do each of those photographs truly and  
9 accurately portray that portion of the vehicle crime scene  
10 items that are depicted in the photographs as you saw them  
11 on March 8th of 2012?

12 A Yes.

13 MR. MCMASTER: State would move those in as its  
14 next numbered exhibits.

15 THE COURT: Response from the Defense.

16 MR. PIROLO: No objection.

17 THE COURT: Okay. DC will Be States Number 94,  
18 DF will be 95, DG -- oh, no, wait a second. Okay.  
19 That's right. DF 95, DG 96, DH 97, DI 98, DG 99.

20 MR. MCMASTER: It's DJ.

21 THE COURT: I mean DJ 99, DK 100, DL 101, DM  
22 102, DN 103, DO 104, DP 105, DR 106, DS 107, DT 108,  
23 DU 109, DV 110, DW 111, DY 112, DZ 113, EA 114, EB  
24 115 and EC 116. I trust if I did that wrong  
25 someone's going to let me know.

1 MR. MCMASTER: Looked good to me, Judge. I  
2 think I've been wrong about four or five times today  
3 already

4 THE COURT: No, it's just (unintelligible).  
5 (Thereupon, State's Exhibit Numbers 94 through  
6 116 were marked and received in evidence.)

7 MR. MCMASTER: Request permission to publish  
8 the photos, Judge.

9 THE COURT: Yes, you may.

10 BY MR. MCMASTER:

11 Q Once again, I'm just going to put them up on  
12 the projector and then if you could explain to the ladies  
13 and gentlemen of the jury what's depicted in the photos.  
14 We'll start with Exhibit 94.

15 A This is the front of the Ford Explorer.

16 Q And that's parked inside the sheriff's office  
17 impound garage?

18 A Yes.

19 Q Where's that located?

20 A 850 Camp Road in Cocoa.

21 Q At the Brevard County Jail complex?

22 A Yes.

23 Q Exhibit Number 95.

24 A This is a photo of the front passengers side of  
25 the vehicle.

1 Q We saw through one of the other crime scene  
2 agents, I believe it was Agent Connors, at the Parkway  
3 scene she had taken various photographs and had actually  
4 been able to see a weapon and where it was located?

5 A Yes.

6 Q Was that here in this little front dash area  
7 you can see that the cover has been pulled off? I guess  
8 this was a result of the accident?

9 A Yes.

10 Q Exhibit 96.

11 A This is a photo of the rear passengers side of  
12 the vehicle.

13 Q The middle seat area?

14 A Yes.

15 Q With the cargo area in the back and the middle  
16 seat and the front passenger seats?

17 A Yes.

18 Q Driver and passenger seat?

19 A Yes.

20 Q And what were the items that were that are  
21 displayed in this area, if you recall?

22 A I don't recall.

23 Q Exhibit 97.

24 A This is the rear driver's side of the vehicle.

25 Q Of that same middle seat?

1 A Yes.

2 Q Exhibit 98.

3 A This is the just a close up picture of that  
4 middle seat.

5 Q And does it depict the pillows that had been  
6 taken from the hotel, or at least pillows?

7 A Yes.

8 Q Exhibit 99.

9 A You can't see it in the photograph very well  
10 but --

11 Q Supposed to be this way?

12 A No, you were right the first way.

13 Q This way?

14 A Yes. That's the top of the interior driver's  
15 side door, there's reddish brown stains on the top.

16 Q Exhibit 100.

17 A This a close up photo of the stains.

18 Q Did you process the vehicle for the stains?

19 A Yes.

20 Q And how did you process them?

21 A I swabbed the stains.

22 Q Did you send those off to FDLE also?

23 A Yes.

24 Q Exhibit 101.

25 A This is the bottom corner of the front driver's

1 side door on the inside.

2 Q And was there anything of particular  
3 significance that you observed that you took that  
4 photograph?

5 A To the left of the black spot is a small blood  
6 stain.

7 Q Exhibit 102.

8 A This is a close up photo of the blood stain.

9 Q Exhibit 103.

10 A This is the front driver's side door of the  
11 interior, there's a defect right above the arm rest.

12 Q And when you say defect, you're talking about a  
13 bullet hole?

14 A Yes.

15 Q Exhibit 104.

16 A This is the center console where the radio  
17 would be and there's a firearm sticking out of it on the  
18 right.

19 Q That's this object over here?

20 A Yes.

21 Q And that would be the area where the clip would  
22 be inserted an it's upside down and this would be the  
23 bottom of the trigger guard?

24 A Yes.

25 Q Did you seize the weapon?

1 A Yes.

2 Q Once you documented everything?

3 A Yes.

4 Q Exhibit 105.

5 A This is the trunk portion of the vehicle.

6 Q What I refer to as the cargo portion?

7 A Yes.

8 Q Can you tell if this is the comforter by the  
9 edging?

10 A Yes.

11 Q Exhibit 106.

12 A This is a prescription bottle that was located  
13 within the vehicle.

14 Q Exhibit 107.

15 A That is an EconoLodge room key slip.

16 Q Originally showing room 106 or 108 and then  
17 crossed out and it's room 268?

18 A Yes.

19 Q Do you recall what portion of the vehicle that  
20 was located in?

21 A It was located in a red -- a small red makeup  
22 bag that was in the back seat.

23 Q Exhibit Number 108. I guess it's laying on the  
24 side there.

25 A That is a towel rack.

1 Q Exhibit 109.

2 A That's the front piece of the air conditioning  
3 unit.

4 Q Exhibit 110.

5 A That's the comforter that was in the trunk once  
6 it was laid out.

7 Q Exhibit 111.

8 A That's a photo of pillows, sheets and the air  
9 conditioning cover.

10 Q These were all items that were in the rear  
11 cargo compartment of the vehicle?

12 A Within the vehicle, yes.

13 Q Exhibit 112.

14 A That is a brown trashcan and then an EconoLodge  
15 ice bucket.

16 Q Exhibit 113.

17 A This is a suitcase that was located in the  
18 trunk of the vehicle and that's a picture of the inside of  
19 the suitcase.

20 Q And what is the object that's down in this  
21 area?

22 A Up a little towards the top is --

23 Q I'm sorry, didn't reach quite far enough.  
24 Right up in there.

25 A It's a box of cartridges.

1 Q And did the items, the clothing items inside  
2 the suitcase that's in Exhibit 113 appear to be male  
3 items?

4 A Yes.

5 Q Exhibit 114.

6 A That's a close up photo of the box of  
7 ammunition.

8 Q Exhibit 115.

9 A That's a photo of the box of ammunition and  
10 then the tray that was inside of it.

11 Q Did you examine the ammunition that was in the  
12 box?

13 A Yes.

14 Q And was it the same caliber and type as the  
15 ammunition casings that you had recovered at Elena Way?

16 A It wasn't the same of all the casings but it  
17 was of a couple of them.

18 Q And Exhibit 116.

19 A This is just a photograph of the cartridges  
20 that were inside the trunk.

21 Q What, if anything, did you do to process those  
22 particular items, the tray and the ammo?

23 A The tray I used the super glue fumes, the dye  
24 stain and a dust use powder, and the cartridges I swabbed  
25 for DNA and did the super glue, the dye stain and the



1 powder.

2 Q And did you obtain any results when you  
3 processed the tray?

4 A Yes, I did.

5 Q When did you obtain?

6 A I obtained friction ridge detail.

7 Q How do you process the plastic ammo tray for  
8 fingerprints?

9 A I used the super glue, the dye stain and  
10 powder.

11 Q And how do you preserve anything that you  
12 develop?

13 A I photographed the detail that I saw.

14 Q And what do you do with the photographs?

15 A I turn them over to our identification unit.

16 Q And with respect to the items that were  
17 displayed in the photographs, the bedspread and the ice  
18 bucket, the trashcan, the air conditioning cover, the  
19 comforter, the sheets, the pillows, all of those items,  
20 were they all taken into custody?

21 A Yes.

22 Q Did you actually package them all up and keep  
23 them at the evidence room at the sheriff's office?

24 A Yes.

25 Q Did Mr. Brown and I meet with you at the

1 evidence room some time ago and look at them and see if we  
2 should be bringing them into court?

3 A Yes.

4 Q Was a determination made not to bring the  
5 physical items to court?

6 A Yes.

7 Q Why's that?

8 A Because they're muddy and they probably smell.

9 Q But you do still have physical custody of those  
10 items and they're the same as shown in the photographs?

11 A Yes.

12 MR. MCMASTER: May I approach the witness,  
13 Judge?

14 THE COURT: Yes, you may.

15 BY MR. MCMASTER:

16 Q I'm showing you what has been marked for  
17 identification as Exhibit FE for identification, would you  
18 look at that and tell me if you can identify it?

19 A Yes.

20 Q And how can you identify it?

21 A My handwriting on the front and my initials and  
22 date on the back.

23 Q And what, if anything, is put inside the  
24 envelope marked FE?

25 A It's an EconoLodge room key from a wallet.

1 Q And where was the wallet found?

2 A The interior of the vehicle.

3 Q Is that -- do we have a photograph of the room  
4 key itself or just the sleeve?

5 A Just the sleeve.

6 Q And is the envelope still sealed up as you  
7 sealed it when you packaged the item?

8 A Yes.

9 Q Go ahead and open it. You need a pair of  
10 scissors?

11 A Not for this one.

12 Q If you would, just look inside to yourself.  
13 Can you identify that the object inside is the same item  
14 that you collected from the vehicle and the persons out of  
15 the vehicle on March 8th of 2012?

16 A Yes.

17 Q Is it essentially in the same condition today  
18 as it was on the date that you collected it?

19 A Yes.

20 MR. MCMASTER: State would move exhibit FE into  
21 evidence.

22 THE COURT: Response from the Defense.

23 MR. PIROLO: No objection.

24 THE COURT: Okay. FE will be received as  
25 State's Exhibit 117.

1                   (Thereupon, State's Exhibit Number 117 was  
2 marked and received in evidence.)

3 BY MR. MCMASTER:

4           Q       Showing you what has been marked for  
5 identification as Exhibit FF, take a look at that and tell  
6 me if you can identify it.

7           A       Yes.

8           Q       And how can you identify it?

9           A       My initials and date are on the seal.

10          Q       All right. And does that constitute items that  
11 you likewise seized that day, I guess the purse itself or  
12 a number of different items in it?

13          A       Yes.

14          Q       Does it also contain the room sleeve that we  
15 did see a photograph of?

16          A       Yes.

17          Q       Is the room sleeve still inside the item?

18          A       Yes.

19          Q       If we can get you to open that. You need  
20 scissor for that?

21          A       Yes.

22          Q       Do you need to remove the entire object in  
23 order to get to the sleeve?

24          A       Yes.

25          Q       You want gloves for that?

1 A Yes. I can take it out of the bag?

2 Q Yes.

3 MR. MCMASTER: Okay. Judge, do we need to  
4 remark that one as a separate exhibit? I don't need  
5 to introduce the entire purse.

6 THE COURT: You just want to introduce the?

7 MR. MCMASTER: Room sleeve. The key sleeve.

8 THE COURT: It's marked as EconoLodge key  
9 sleeve.

10 MR. MCMASTER: Yes, but it was packaged in with  
11 a number of the other items with the purse.

12 THE COURT: Do we want that to be a separate  
13 exhibit?

14 MR. MCMASTER: Do you all have any objection if  
15 it all goes in? Just keep it as one exhibit, Judge.

16 THE COURT: It can be FF and it will be the bag  
17 and the sleeve.

18 MR. MOORE: Could we examine it?

19 THE COURT: Can you examine it?

20 MR. MOORE: Yes.

21 THE COURT: Yes.

22 MR. MOORE: Now?

23 THE COURT: Let's go ahead and take a break  
24 because we need to take a break. So, we're going to  
25 take a fifteen minute break. Wheel say it's ten til,

1 so be back at five after 3:00. During this break you  
2 must continue to abide by the rules governing your  
3 service as a jury, juror being part of the jury.

4 Okay. Thank you.

5 (Thereupon, the jury was escorted out of the  
6 courtroom by the court deputy and the proceedings were had  
7 as follows:)

8 THE COURT: Okay. Please be seated and I'll  
9 give the Defense an opportunity to review that  
10 exhibit.

11 Ma'am, if you'll stay there until they have  
12 reviewed it and then we'll put it back in the bag and  
13 then you can take your break as well. So, court will  
14 be in recess.

15 (Thereupon, a short recess was taken in the  
16 proceedings.)

17 THE COURT: Please be seated. Okay. We can  
18 bring out Mr. Bradley.

19 MR. MOORE: Mr. Lanning's on his way.

20 THE COURT: Okay.

21 (Thereupon, the defendant was escorted into the  
22 courtroom by the court deputy.)

23 THE COURT: Let me know when we're done with  
24 the screen. You think we're done?

25 MR. MCMASTER: All the rest of them are

1 physical evidence, Judge.

2 THE COURT: Can we put all this up?

3 MR. BROWN: Yeah, the screen can go up.

4 THE COURT: And we can put that away?

5 MR. BROWN: Sure.

6 MR. MOORE: Well, you might want to see if Mr.  
7 Lanning wants to keep it down.

8 THE COURT: Okay. I'll wait until I see him.  
9 It just takes away the seating area over on the side.

10 MR. MOORE: If he doesn't need it, it can go  
11 up.

12 THE COURT: We can -- okay. We'll wait for  
13 Mr. Language.

14 (Thereupon, a pause was taken in the  
15 proceedings.)

16 THE COURT: Mr. Lanning, for purposes of cross  
17 examination, are you going to need the screen, this  
18 screen?

19 MR. LANNING: No, ma'am.

20 THE COURT: Okay. I think we're ready to bring  
21 the jury in.

22 (Thereupon, the jury was escorted into the  
23 courtroom by the court deputy and the proceedings were had  
24 as follows:)

25 THE COURT: Please be seated. Mr. McMaster,

1           you may continue with your examination.

2           MR. MCMASTER: Thank you, Your Honor.

3 BY MR. MCMASTER:

4           Q       Miss Cooper, we finished under up we ended up  
5 repackaging the room key sleeve which is Exhibit GC, is  
6 that correct?

7           A       Yes.

8           Q       That exhibit number now, a new exhibit, is that  
9 key sleeve in essentially the same condition today as it  
10 was the date that you seized it out of the vehicle on  
11 March 8th of 2012?

12          A       Yes.

13          MR. MCMASTER: State would move GC is it?

14          THE COURT: GC?

15          MR. MCMASTER: As its next numbered exhibit.

16          THE COURT: Response from the Defense.

17          MR. PIROLO: No objection.

18          THE COURT: GC will be received as State's  
19 Exhibit 118.

20                 (Thereupon, State's Exhibit Number 118 was  
21 marked and received in evidence.)

22          MR. MCMASTER: Request permission to publish  
23 117 and 118 to the jury.

24          THE COURT: Yes, you may.

25                 (Thereupon, State's Exhibit Numbers 117 and 118



1 were published to the jury.)

2 BY MR. MCMASTER:

3 Q Investigator Cooper, the items that you  
4 observed and you documented with photographs inside the  
5 vehicle that you searched on March 8th of 2012, did you  
6 actually seize the items of evidence relating to the  
7 firearm and the casings and projectiles that you located  
8 in the vehicle?

9 A Yes.

10 Q I've placed in front of you exhibits EE through  
11 EM. So, Echo Echo through Echo M, whatever that is.  
12 Would you look at each of those items and tell me if you  
13 can identify them?

14 THE COURT: Mr. McMaster, EE through EM?

15 MR. MCMASTER: That's correct, Judge.

16 THE COURT: Okay.

17 MR. MCMASTER: I've separated ED and EN.

18 BY MR. MCMASTER:

19 Q Have you had an opportunity to look at those?

20 A Yes.

21 Q Can you identify each of those exhibits?

22 A Yes.

23 Q Are they all items of evidence that you  
24 packaged from the vehicle itself?

25 A Yes.

1 Q Now, can you tell from looking at the envelope  
2 if all or some of those were sent to FDLE?

3 A Yes.

4 Q Were they all sent that are in front of you or  
5 were there a couple that were not?

6 A There is a few that weren't.

7 Q All right. Let's take them one by one. With  
8 respect to Exhibit EE, is that -- what is that object?  
9 What's inside the envelope marked EE?

10 A Yellow metal cartridge stamped forty Smith and  
11 Wesson from the chamber of the gun.

12 Q Now, that's the gun that you saw in the console  
13 area of the dashboard?

14 A Yes.

15 Q Did you actually remove a cartridge from inside  
16 the weapon?

17 A Yes.

18 Q Was that sent to FDLE?

19 A No.

20 Q Set that one off on the left hand side. Your  
21 right, my left. Exhibit EF.

22 A Is a Glock forty caliber magazine ten capacity  
23 from the dashboard.

24 Q Okay. And was that sent to FDLE?

25 A Yes.

1 Q Set that one off on your left, my right. And  
2 EG.

3 A Yellow metal cartridge stamped forty Smith and  
4 Wesson from the magazine, the previous magazine.

5 Q Was that sent to FDLE?

6 A No.

7 Q Okay. Set that one off to the side. EH.

8 A It's a Glock forth caliber magazine, nine  
9 capacity.

10 Q And was that sent to FDLE?

11 A No.

12 Q Put that aside. EI.

13 A It's nine yellow metal cartridges stamped PNC  
14 forty Smith and Wesson from the nine capacity magazine.

15 Q That was not sent to FDLE?

16 A No.

17 Q Okay. Put that there. EJ.

18 A It's one metal cartridge stamped forty Smith  
19 and Wesson from the front passengers door.

20 Q Was that sent to FDLE?

21 A No.

22 Q Okay. EK.

23 A Yellow metal cartridge casing stamped forty  
24 Smith and Wesson from the front passengers side  
25 floorboard.

1 Q That was sent to FDLE?

2 A Yes.

3 Q Put that one on the other side, please. EL.

4 A It's a copper jacketing from the interior front  
5 driver's side door.

6 Q That was sent to FDLE also?

7 A Yes.

8 Q And EM.

9 A It's a projectile from the front driver's side  
10 door.

11 Q That was sent to FDLE also?

12 A Yes.

13 Q With respect to the items that were sent to  
14 FDLE which I are Exhibit EE, EF and then EK, EL and EM, is  
15 that correct, five different items?

16 A Four.

17 Q Oh, the cartridge was not sent that was in the  
18 chamber?

19 A No.

20 Q With respect to those four items, the gun  
21 magazine, the ten shot one, and the casing and the  
22 jacketing and the projectile from inside the door, are the  
23 items that you packaged into those evidence items, had you  
24 altered them in any form or fashion when you sealed them  
25 up in the evidence envelopes?

1 A No.

2 Q And did you then seal the envelopes and send  
3 them off to FDLE for further testing?

4 A Yes.

5 Q Are the envelopes that have been returned to  
6 you sealed by FDLE?

7 A Yes.

8 Q Has anybody at the sheriff's office opened them  
9 or done anything to them since receiving them from FDLE?

10 A No.

11 Q Let me have those exhibits.

12 THE COURT: Those are EE, EF?

13 MR. MCMASTER: EM, EL and EK and EF.

14 THE COURT: Okay.

15 MR. MCMASTER: That's what I've got.

16 BY MR. MCMASTER:

17 Q With respect to the remaining envelopes, those  
18 you packaged up when you seized them and finished  
19 processing them?

20 A Yes.

21 Q Did you do any processing on these items?

22 A Yes, I did.

23 Q What processing did you do?

24 A I used the super glue fumes, the dye stain and  
25 the powder.

1 Q Did you process the other items that you sent  
2 to FDLE also?

3 A Yes.

4 Q Did you find any latent fingerprints of value  
5 on any of those items that you processed in this batch of  
6 exhibits?

7 A No.

8 Q With respect to the items that remain in front  
9 of you, EE, EG, EH, EI, EJ, are those items in  
10 substantially the same condition today as the date that  
11 you seized them from the vehicle on March 8th of 2012 and  
12 packaged them up?

13 A The packaging is closed.

14 Q It hasn't been open. So, as far as you know,  
15 it's the same condition, is that correct?

16 A Yes.

17 MR. MCMASTER: State would move those in as its  
18 next numbered exhibits, Judge.

19 THE COURT: Any objection?

20 MR. PIROLO: No objection.

21 THE COURT: Okay. EE will be State's 119, EG  
22 will be State's 121, EH will be State's 121, EI will  
23 be State's 122 and EJ will be State's 123.

24 (Thereupon, State's Exhibit Numbers 119 through  
25 123 were marked and received in evidence.)

1 BY MR. MCMASTER:

2 Q I'm going to ask you to take these exhibits one  
3 at a time, refer to the exhibit number, describe what the  
4 exhibit is inside, go ahead and unseal it and open it up.

5 MR. MCMASTER: And request permission to  
6 publish to the jury from the witness stand.

7 THE COURT: Yes, you may.

8 BY MR. MCMASTER:

9 Q Go head. Which exhibit number is it first?

10 A 121.

11 Q And what is Exhibit 121?

12 A It's a Glock forty caliber magazine, nine  
13 capacity.

14 Q Would you remove it from the envelope and  
15 display it to the jury so they can see it?

16 A (Witness complies.)

17 Q Was that located in the weapon that was found  
18 in the dashboard?

19 A No.

20 Q Just found in the vehicle?

21 A Yes.

22 Q Put that back in. Take another exhibit and  
23 tell us what exhibit number it is.

24 A 123.

25 Q Okay.

1           A        It's a cartridge stamped forty Smith and  
2           Wesson.

3           Q        And where was that located?

4           A        The front passengers side door.

5           Q        Just hold it up so the jury members can see it.

6           A        (Witness complies.)

7           Q        Now, that's a complete cartridge, is that  
8           correct?

9           A        Yes.

10          Q        Just a fully unspent cartridge on the floor of  
11          the vehicle.

12                    Now, the box that that is in, is that similar  
13          to the boxes that you testified to that you put the other  
14          casings into and sent off to FDLE that we have not had you  
15          open so far?

16          A        Yes.

17          Q        Go ahead and put that back. Next item?

18          A        122.

19          Q        122. And if you could, please keep your voice  
20          up.

21          A        Nine cartridges stamped PNC forty Smith and  
22          Wesson from the magazine.

23          Q        Those are nine live cartridges?

24          A        Yes.

25          Q        Okay.



1           A       120 is a cartridge stamped forty Smith and  
2 Wesson.

3           Q       Where did that come from?

4           A       Came from --

5           Q       The other magazine that I took away from you?

6           A       Yes.

7           Q       So, there was a ten shot magazine, there was  
8 one live round in the weapon and one round left in the ten  
9 shot magazine, is that correct?

10          A       Yes.

11          Q       So, there were eight cartridges missing?

12          A       Yes.

13          Q       So, the same number of spent casings that you  
14 found between Elena Way and then one additional in the  
15 vehicle?

16          A       Yes.

17          Q       Last exhibit.

18          A       119, it's a cartridge stamped forty Smith and  
19 Wesson from the chamber of the gun.

20          Q       Okay. Put that back in the envelope.

21                   I'm going to show you what has been marked for  
22 identification as State's Exhibit ED, Echo Delta, would  
23 you look at that and tell me if you can identify it while  
24 I get these out of your way?

25          A       Go ahead and open it?

1 Q Pardon me?

2 A Open it?

3 Q Yes, you can open it. I believe it's already  
4 been opened. Can you identify the exhibit?

5 A Yes.

6 Q How can you identify it?

7 A I collected it.

8 Q And did you put any markings or anything on it  
9 such that you could identify it?

10 A No.

11 Q On it or in the box or on the box?

12 A On the box.

13 Q Tell the ladies and gentlemen of the jury how  
14 it was that you packaged the item?

15 A I packaged the item in the box.

16 Q So, you just put it in the firearm box and then  
17 sealed it up with the evidence tape?

18 A Yes.

19 Q You delivered that here to the courthouse  
20 previously for use in evidence, is that correct?

21 A Yes.

22 Q At the time that you delivered it, it was  
23 sealed?

24 A Yes.

25 MR. MCMASTER: Judge, could the court reflect

1           that we opened the box in open court outside the  
2           presence of the jury so that we could safety the  
3           weapon with the deputy.

4           THE COURT: Okay. The box was previously  
5           opened before the Court in the presence of the  
6           attorneys and the defendant in order to -- and that  
7           was outside the presence of the jury in order to  
8           secure the weapon.

9 BY MR. MCMASTER:

10          Q       This is an item that was in fact forwarded to  
11          Florida Department of Law Enforcement for further testing,  
12          is that correct?

13          A       Yes.

14          Q       For comparison against the casings and the  
15          projectiles that had been seized by you and all the  
16          different crime scenes?

17          A       Yes.

18          Q       Normally I would have you identify it and  
19          display it, but in this particular situation is the weapon  
20          inside in substantially the same condition today as it was  
21          on the date that you seized it on March 8th of 2012 with  
22          the exception of the large cable safety that's been  
23          inserted in it?

24          A       Yes.

25          MR. MCMASTER: State would move Exhibit ED in

1 evidence at this time.

2 THE COURT: Response from the Defense.

3 MR. PIROLO: No objection.

4 THE COURT: Okay. Ed will be received as  
5 State's Exhibit 124.

6 (Thereupon, State's Exhibit Number 124 was  
7 marked and received in evidence.)

8 MR. MCMASTER: Request permission for the  
9 investigator to display it to the jury.

10 THE COURT: Okay. It maybe displayed by the  
11 investigator.

12 (Thereupon, State's Exhibit Number 124 was  
13 published to the jury.)

14 BY MR. MCMASTER:

15 Q Can you see a serial number on that?

16 A Yes.

17 Q What is the serial number?

18 A It's RFX856.

19 Q I'm showing you what has previously been  
20 admitted as exhibit -- now State's 8 in evidence, can you  
21 identify that as a photograph that you took of the weapon  
22 when you processed the vehicle?

23 A Yes.

24 Q And that's the same weapon?

25 A Yes.

1 Q That's what it looks like without the cable  
2 running through it?

3 A Yes.

4 MR. MCMASTER: Request permission to publish  
5 that, Judge.

6 THE COURT: Yes, you may.

7 (Thereupon, State's Exhibit Number 8 was  
8 published to the jury.)

9 BY MR. MCMASTER:

10 Q Showing you what has been marked for  
11 identification as State's Exhibit EN, Echo November, would  
12 you look at that and tell me if you can identify it?

13 A Yes.

14 Q How can you identify it?

15 A My initials and date on the seal.

16 Q Now, what was it that you collected and put  
17 into that exhibit?

18 A It's the ammunition box with three yellow metal  
19 cartridges that were found inside of the vehicle.

20 Q That's the one with the cardboard ammo box, the  
21 plastic tray and then the three cartridges inside of it?

22 A Yes.

23 Q Did you seal it up when you seized it on March  
24 8th of 2012?

25 A Yes.

1 Q Is it still sealed in the same condition today  
2 as it was when you first seized it?

3 A Yes.

4 Q Would you open it up?

5 A (Witness complies.)

6 Q And if you look inside, can you tell me if the  
7 objects inside are in essentially the same condition today  
8 as they were on March 8th of 2012 when you seized it?

9 A Yes.

10 MR. MCMASTER: State would move Exhibit EN as  
11 it's next numbered exhibit.

12 THE COURT: Response from the Defense.

13 MR. PIROLO: No objection.

14 THE COURT: Okay. EN will be received as  
15 State's Number 125.

16 (Thereupon State's Exhibit Number 125 was  
17 marked and received in evidence.)

18 MR. MCMASTER: Request permission to publish by  
19 the witness.

20 THE COURT: Yes, you may.

21 BY MR. MCMASTER:

22 Q Showing you what has now been admitted into  
23 evidence as State's Exhibit 125, if you would,  
24 Investigator Cooper, remove the items from the packaging  
25 and display it to the jury and explain what it is?

1           A       This is the box that held the tray and the  
2 cartridges.

3           Q       Okay.

4           A       This is the tray and the three cartridges that  
5 were in the tray.

6           Q       Now, what, if anything, did you do to process  
7 those items?

8           A       The cartridges I swabbed for DNA and then I  
9 used the super glue, the dye stain and the powder.

10          Q       And did you locate any fingerprints, latent  
11 fingerprints of value off of the cartridges?

12          A       I did on one.

13          Q       You did on one?

14          A       One of them.

15          Q       Okay. And what did you do with that?

16          A       Turned it over to our identification unit.

17          Q       Okay. Next?

18          A       The tray I used super glue, dye stain and black  
19 powder.

20          Q       Did you attempt to get a DNA profile off of  
21 that one also or just the fingerprints?

22          A       Just the fingerprints.

23          Q       And were you successful in getting latents of  
24 value off of the plastic tray?

25          A       Yes.

1 Q How did you do it? As you said, you used the  
2 super glue and located some areas that you believed to be  
3 latent prints of value, is that correct?

4 A Yes.

5 Q What's the process that you use for capturing  
6 those latents?

7 A The particular latents I got were from the dye  
8 stain. So using an alternate light source I photographed  
9 the...

10 Q Because of the nature of the surface here and  
11 the way you lifted the prints, you don't take the like we  
12 see in the crime scene movies, especially the older ones  
13 where they take like the scotch tape and actually  
14 physically put it on the object and lift the fingerprint  
15 off?

16 A I didn't on this particular one.

17 Q This one you photographed it instead?

18 A Yes.

19 Q And that's based on your training and  
20 experience as a valid method of attempting to preserve the  
21 fingerprints?

22 A Yes.

23 Q And what did you do with the images that you  
24 captured?

25 A I put them on a disc and sent them to the



1 identification unit.

2 Q Showing you what has been marked for  
3 identification as State's Exhibit GD and GE, would you  
4 look at those and tell me if you can identify them?

5 A Yes.

6 Q How can you identify them?

7 A I took them.

8 Q And is that your writing on the back?

9 A Yes.

10 Q These are hard copies of some of the images of  
11 the fingerprints that you obtained on the tray, is that  
12 correct?

13 A Yes.

14 Q These are just the physical copies printed out?

15 A Yes.

16 Q Same images that were submitted to the  
17 sheriff's office ID section on CD?

18 A Yes.

19 MR. MCMASTER: State would move those in as its  
20 next exhibits.

21 THE COURT: Response from the Defense.

22 MR. PIROLO: No objection.

23 THE COURT: Okay. DE --

24 MR. MCMASTER: No, it's GD.

25 THE COURT: I'm sorry. GD will be received as

1 State's Number 126, GE will be received as State's  
2 127.

3 (Thereupon, State's Exhibit Numbers 126 and 127  
4 were marked and received in evidence.)

5 MR. MCMASTER: Request permission to publish  
6 them.

7 THE COURT: Yes, you may.

8 (Thereupon, State's Exhibit Numbers 126 and 127  
9 were published to the jury.)

10 BY MR. MCMASTER:

11 Q Investigator Cooper, I've put in front of you  
12 several evidence envelopes labeled for identification as  
13 Exhibits EO, Echo Oscar through EZ, Echo Zulu, would you  
14 look at each of those and tell me if you can identify  
15 them?

16 A Yes.

17 Q How can you identify them?

18 A My initials and date are on the seal.

19 Q Okay. And what are those exhibits?

20 A Swabs.

21 Q Each one contains a set of swabs from one of  
22 the evidence items that you processed from the different  
23 crime scenes?

24 A Yes.

25 Q Were these all sent off to FDLE?

1 A Yes.

2 Q You packaged them first and sealed them up  
3 yourself and then sent them off to FDLE?

4 A Yes.

5 Q On the back they have additional seals from the  
6 Florida Department of Law Enforcement each of them?

7 A Yes.

8 Q So, we won't open those at this time, but with  
9 respect to the exhibits, if we could go through them one  
10 at a time and can you tell us where it was you took that  
11 particular swab from. Start with EO.

12 A EO is a set of swabs from stain from photo  
13 marker 1.

14 Q Where was that?

15 A That was on the vehicle.

16 Q Okay.

17 A On the door.

18 Q The ones we saw the photographs of when we went  
19 through the photos that you took at the garage?

20 A Yes.

21 Q How about EP?

22 A It's a set of swabs from stain photo marker 9  
23 which was from the bottom portion of the vehicle door.

24 Q Okay. EQ.

25 A Swabs from the textured areas and trigger of

1 the firearm.

2 Q So, the firearm we actually have in evidence  
3 now, you swabbed the trigger area. And what are the  
4 textured areas?

5 A The grip and the safety.

6 Q Okay. ER.

7 A It's swabs from the muzzle of the gun.

8 Q Okay. ES.

9 A Swabs of reddish brown stains and yellow stains  
10 that were on the firearm.

11 Q ET?

12 A Swabs from the rim and head stamp of the  
13 cartridge.

14 Q All right. EU.

15 A Swabs from the top and bottom portion of the  
16 magazine.

17 Q EV.

18 A Swabs from the rim and head stamp of the  
19 cartridge.

20 Q EW.

21 A Swabs from the top and bottom of the magazine.

22 Q Okay. EX.

23 A Swabs from the rim and head stamp of a  
24 cartridge.

25 Q EY.

1           A       Swabs from the rim and head stamp of a  
2 cartridge.

3           Q       And EZ.

4           A       Swabs from the rim and head stamp of a  
5 cartridge I believe.

6           Q       Okay. Now, after you seized and processed  
7 those items, doing the swabbing, doing whatever testing  
8 you do for fingerprints, did you seal them up and send  
9 them to the Florida Department of Law Enforcement?

10          A       Yes.

11          Q       And when they returned from FDLE, were they  
12 sealed as they are today in this condition?

13          A       Yes.

14          Q       I'll save those for the FDLE folks.

15                 MR. MCMASTER: May I have a moment?

16                 THE COURT: Yes, you may.

17                         (Thereupon, a pause was taken in the  
18 proceedings.)

19 BY MR. MCMASTER:

20          Q       Investigator Cooper, on the various evidence  
21 envelopes that you just showed to us, inside as well as on  
22 the outside you have the specific location that the swabs  
23 were taken from, do you not?

24          A       Yes.

25          Q       Like on this particular one a set of swabs of

1 stain from PM1?

2 A Yes.

3 Q And then the others it would be a specific  
4 casing so you'd know which casing or cartridge it was  
5 from?

6 A Yes.

7 Q That's inside and outside the envelope?

8 A Yes.

9 Q Showing you now what have been marked for  
10 identification as State's Exhibits FA, FB, FC and FD,  
11 would you look at those and tell me if you can identify  
12 them?

13 A Yes, by my handwriting and initials.

14 Q And where did you collect those items from?

15 A The medical examiner's office.

16 MR. LANNING: I'm sorry?

17 THE WITNESS: The medical examiner's office.

18 BY MR. MCMASTER:

19 Q As part of your duties in this investigation,  
20 did you attend the autopsy of the remains of Deputy  
21 Barbara Pill?

22 A Yes.

23 Q And at that time did you obtain certain items  
24 of evidence from the medical examiner as he performed his  
25 autopsy?

1 A Yes.

2 Q And are these the items that you seized?

3 A Yes.

4 Q Did you seal them up and package them at the  
5 time that you obtained them from the medical examiner?

6 A It wasn't on that specific date that I sealed  
7 them.

8 Q But you did receive them, kept them in your  
9 custody and ultimately packaged them up and sealed them,  
10 is that correct?

11 A Yes.

12 Q Did you do any processing on those particular  
13 items?

14 A No.

15 Q These items you just packaged, sealed and  
16 ultimately sent off for further testing by FDLE?

17 A Yes.

18 Q Take the items one at a time and would you tell  
19 us what the item was that you packaged up and sent off to  
20 the FDLE and then we'll give them to the FDLE folks.  
21 Starting with Exhibit FA, if you can get that one.

22 A It's a projectile from the left posterior  
23 lateral chest wall underneath her skin.

24 Q FB.

25 A Box of projectile fragments from head.

1 Q Keep your voice up please.

2 A Projectile from under skin of right side upper  
3 back.

4 Q And FD?

5 A FTA DNA card.

6 Q What is an FTA DNA card?

7 A The medical examiner takes a sample of blood  
8 and puts it on a card.

9 Q That's Deputy Pill's DNA card or DNA sample?

10 A Yes.

11 Q And these again were all packaged up by you and  
12 sent to the Florida Department of Law Enforcement for  
13 further testing?

14 A Yes.

15 Q And received back by you in the condition that  
16 they're in today still sealed?

17 A Yes.

18 MR. MCMASTER: Okay. Can I have a minute,  
19 Judge?

20 THE COURT: Yes, you may.

21 (Thereupon, a pause was taken in the  
22 proceedings.)

23 MR. MCMASTER: No further questions of the  
24 witness, Judge.

25 THE COURT: Okay. Cross examination by the



1 Defense.

2 CROSS EXAMINATION

3 BY MR. LANNING:

4 Q In searching the car, the Ford Explorer, you  
5 checked the gas gage and the side windows for operability,  
6 right?

7 A Yes.

8 Q The purpose in checking the gas gage?

9 A I was just told to check it by an agent.

10 Q Was that Laufenberg?

11 A I can't recall who it was.

12 Q Now, who was present during the search of the  
13 vehicle?

14 A Sergeant Laufenberg, CSI Miller and Agent Saro.

15 Q And did you search the glove box?

16 A Yes.

17 Q And is that for anything, anything of  
18 evidentiary value?

19 A I always check the glove box when searching  
20 vehicles.

21 Q During the search of the glove box of the Ford  
22 Explorer, did you find any identifying paperwork?

23 A I'd have to refer to my photos.

24 Q I'm sorry.

25 A I'd have to refer to my photos, I can't recall.

1 Q Okay. Do you have them?

2 A My photos, no.

3 Q Yes, ma'am.

4 A Not on me.

5 Q How about in your report?

6 A I don't think I mentioned anything about  
7 anything in the glove box.

8 Q Okay. If there were anything within the glove  
9 box connecting the vehicle to Brandon Bradley, would you  
10 have noted that within your report.

11 A I probably would have just took a photo of it.

12 Q Okay. It's not something you would note in  
13 your report?

14 A I usually don't, no.

15 Q You -- in your report you talk about some items  
16 that we haven't spoken about today, item FE17 was -- do  
17 you recall what that was? Probably not, do you?

18 A Can I refer to my report?

19 Q Yes, ma'am, if you need to. Did you look at  
20 it?

21 A Yes.

22 Q And what FE17?

23 A It's an envelope containing currency totaling  
24 Three Hundred and Thirty-three Dollars and Sixty-nine  
25 Cents.

1 Q And where was that currency located? You  
2 discuss it on page 40 of your report.

3 A There was currency in two locations in the car.

4 Q I'm sorry?

5 A There was currency in two locations of the  
6 vehicle.

7 Q Were they combined into one envelope? You  
8 indicate Three Hundred and Three Dollars and Sixty-nine  
9 Cents were in an envelope, is that the total amount of  
10 currency from the vehicle or is that Three Hundred and  
11 Three Dollars in one location? You indicate two  
12 locations, what locations were they discovered.

13 A From the dash of the vehicle.

14 Q Okay. That's one location.

15 A And then in a wallet.

16 Q And the wallet was where?

17 A In the front passengers side.

18 Q How much was within the wallet?

19 A I believe it was just coins.

20 Q So, folded money or paper money was in the  
21 dash?

22 A Yes.

23 Q And change in the wallet?

24 A Yes.

25 Q And the money was right under the gun, right?

1 A Yes.

2 Q That space, you indicated it appeared to be  
3 where the radio was?

4 A Yes.

5 Q The radio wasn't in the vehicle, was it?

6 A No.

7 Q The -- did you find any kind of cover for that  
8 area in the vehicle that matched, you know, that would  
9 cover it or was it just -- it appeared to be an open area?

10 A Just appeared to be opened.

11 Q Not something that occurred from the accident?

12 A I'd have to refer to a photo.

13 Q I'm sorry?

14 A I'd have to refer to a photo.

15 Q Look at this exhibit.

16 A These ones aren't my photographs.

17 Q Have you see your photographs?

18 A Yes.

19 Q Today?

20 A Yes.

21 Q Do you have them available that you could  
22 locate it?

23 A You have them.

24 Q (Hands photograph.)

25 A Okay.

1 Q Does that help?

2 A Yes.

3 Q And what would your answer be?

4 A It's just open.

5 Q No indication that it had been covered and  
6 hidden from view?

7 A No.

8 Q Thank you.

9 Item number 21, FE21, could you tell me what  
10 that was?

11 A Can I refer to my report?

12 Q Yes, ma'am, unless you recall off the top of  
13 your head.

14 A FE21 is a small bag with white residue, another  
15 small bag containing five white round tablets, and a  
16 plastic Ziploc bag containing miscellaneous pills.

17 Q Was that something that was forwarded to  
18 Florida Department of Law Enforcement?

19 A No.

20 Q And that's -- in terms of forwarding items to  
21 FDLE, who makes that call, do you or do the agents.

22 A The agents and I discuss it together.

23 Q Okay. Was there any discussion of FE21  
24 forwarding to FDLE?

25 A No.

1 Q The -- we got white residue, five pills and  
2 what you describe as a plastic Ziploc bag containing  
3 miscellaneous pills, is that separate from those five  
4 white round tablets that you're talking about?

5 A Yes.

6 Q Item FE23, can you tell me what that was?

7 A A blue prescription bottle labeled hydroxyzine  
8 prescribed to Dale Woodby. It was empty.

9 Q I'm sorry?

10 A It was empty.

11 Q And what, what was contained in FE24, a bottle  
12 prescription to Jeffrey Dieguez?

13 A It contained a yellow -- a small plastic bag  
14 with various white round pills and white residue.

15 Q And the pills in FE24, were they the -- did  
16 they have the same descriptions on the pills or different  
17 prescriptions -- or different descriptions for different  
18 pills? I'm talking about, you know, like what's stamped  
19 on the pill or markings.

20 A I didn't specify it on my report so I couldn't  
21 see the stampings.

22 Q Well, would -- could you take a look at page 43  
23 of your report? I believe you did make some  
24 specifications, is that right?

25 A Yes.

1 Q And how many different types of pills were  
2 within FE24?

3 A It was two white tablets marked RN551, one  
4 white tablet -- a half of a white tablet marked WA369.

5 Q What else was contained within it?

6 A A piece of foil and white residue.

7 Q In FE22, what was contained within FE22?

8 A A pipe from within the bag containing white  
9 residue.

10 Q We saw that pipe earlier today in a bag, right?

11 A Yes.

12 Q That was a glass pipe with a burn, or what  
13 appeared to be burn marks and a white residue in a plastic  
14 bag, is that right?

15 A Yes.

16 Q Commonly a crack pipe?

17 A Yes.

18 Q I'm sorry?

19 A Yes.

20 Q And also within that I believe were a clump of  
21 pills that due to moisture they attached themselves to  
22 some other object, is that right?

23 A Yes.

24 Q Any of those items sent to FDLE?

25 A No.

1 Q Do you know who made that call?

2 A I don't.

3 Q Did you forward any of the gunshot residue  
4 tests from either Andria Kerchner or Brandon Bradley to  
5 FDLE?

6 A No.

7 Q Who made that call?

8 A No one in particular.

9 Q So, is it a joint decision?

10 A Yes.

11 Q I'm sorry?

12 A Yes.

13 Q In your report you noted that you checked the  
14 gas gage and the side window for operability, right?

15 A Yes.

16 Q But you don't indicate that you checked the  
17 dash for any paperwork, isn't that true?

18 A I usually don't indicate when I search the  
19 dash, it's just part of searching the vehicle.

20 Q So, a search of the -- or checking the gas gage  
21 was something special?

22 A Yes.

23 Q Did you run the tag or VIN number of the  
24 vehicle?

25 A I don't personally do that.



1 Q Okay. That's not a standard practice to check  
2 and find out if it's a stolen vehicle?

3 A It is but it's not part of my duties.

4 MR. LANNING: Thank you.

5 THE COURT: Okay. Redirect on behalf of the  
6 State.

7 REDIRECT EXAMINATION

8 BY MR. MCMASTER:

9 Q Investigator Cooper, are you aware that the  
10 Florida Department of Law Enforcement no longer does GSR  
11 testing, gunshot residue testing?

12 A Yes.

13 Q Is that because of the difficulty in getting  
14 any meaningful information out of a confined space?

15 A I'm not sure on the exact reason why.

16 Q Mr. Lanning showed you a photograph of the  
17 interior of the front area where the weapon was seized and  
18 said it just was an open area, it did not appear to have a  
19 cover, is that correct?

20 A Yes.

21 Q Showing you the same exhibit, Exhibit Number  
22 95, can you tell me what this is object is that's hanging  
23 from the roof?

24 A To me that appears from something from the  
25 roof.

1 Q Can you tell whether that's the same shape and  
2 size as the opening in the dashboard?

3 A It's the same shape.

4 Q Does it not appear as if it had popped off of  
5 the dashboard and it's hanging by the wire?

6 A It's hanging by the wires, I don't know if it  
7 popped off.

8 Q I take it you don't have any particular  
9 recollection about this when you searched the vehicle?

10 A No.

11 MR. MCMASTER: Request permission to publish  
12 Exhibit 95 to the jurors.

13 THE COURT: Yes, you may.

14 (Thereupon, State's Exhibit Number 95 was  
15 published to the jury.)

16 BY MR. MCMASTER:

17 Q Investigator Cooper, when you were requested to  
18 go back to the vehicle and check the gas -- level of the  
19 gas tank level and the operability of the driver's window,  
20 did you do that?

21 A Yes.

22 Q What were the results?

23 A The gas tank was between a quarter and empty  
24 and the window was not operable.

25 MR. MCMASTER: Thank you very much, no further

1 questions.

2 THE COURT: Okay. Recross by the Defense.

3 RECROSS EXAMINATION

4 BY MR. LANNING:

5 Q When you got the buccal swabs from Andria  
6 Kerchner, did you also get a urine or blood sample?

7 MR. MCMASTER: Objection, outside the scope.

8 THE COURT: Okay. Response. Do we want a  
9 bench conference?

10 MR. LANNING: Judge, I failed to ask it during  
11 the first cross.

12 THE COURT: Okay.

13 BY MR. MCMASTER:

14 Q You can answer.

15 A I did not, no.

16 Q Did you -- you were the lead CSI, right?

17 A Yes.

18 Q In this case did you receive any urine samples  
19 or blood samples identified as either Andria Kerchner or  
20 Brandon Bradley?

21 A No.

22 Q So, obviously no such samples were forwarded to  
23 FDLE for testing?

24 A No.

25 Q If those samples existed would you forward them

1 to FDLE?

2 A I could, yes.

3 Q As the lead CSI would you?

4 A I'd have to discuss it with the agent.

5 MR. LANNING: Thank you.

6 THE COURT: Okay. Ma'am, thank you for your  
7 testimony, you're free to step down.

8 (Thereupon, the witness exited the witness  
9 stand.)

10 THE COURT: Okay. Other witnesses on behalf of  
11 the State.

12 MR. MCMASTER: None available until Wednesday  
13 morning, Judge.

14 THE COURT: Okay. As I announced during the  
15 jury selection process, there will be no court on  
16 Monday the 24th and Monday -- and Tuesday the 25th.  
17 So, we will be in recess until that time. I'm going  
18 to ask you to return back here on Wednesday the 26th.  
19 Return at 8:30. Report to the jury assembly room.

20 Now, during this break you must continue to  
21 abide by the rules governing your service as a juror.  
22 Specifically, do not discuss this case among  
23 yourselves or with anyone else or allow anyone to  
24 discuss it in your presence. Do not speak to the  
25 lawyers, the parties or the witnesses about anything.

1 You must avoid reading newspaper headlines and/or  
2 articles relating to this trial or its participants.  
3 Avoid seeing or hearing television, radio or Internet  
4 comments about this trial, and do not conduct any  
5 research yourself regarding any matters concerning  
6 this case. Okay. We will be in recess until  
7 Wednesday the 26th at 8:30 a.m. Okay. Thank you.

8 (Thereupon, the jury was escorted out of the  
9 courtroom by the court deputy and the proceedings were had  
10 as follows:)

11 THE COURT: Okay. Please be seated. Now, is  
12 there any matters that we need to address before we  
13 recess until Wednesday?

14 MR. MOORE: Not from the Defense.

15 MR. MCMASTER: I don't believe so, Judge. I  
16 will tell the Court it looks like we're on track to  
17 finish our case-in-chief on Thursday.

18 THE COURT: Okay.

19 MR. MCMASTER: Well, we do have the proffer  
20 still to do on Amanda Ozburn. I'm still checking on  
21 her availability.

22 THE COURT: Okay. All right. If you could let  
23 me know maybe on Wednesday when you think that might  
24 happen.

25 MR. LANNING: Would you expect it to take the

1 majority of the day or no?

2 MR. MCMASTER: The proffer?

3 MR. LANNING: No, no, to finish the case.

4 MR. MCMASTER: Wednesday and Thursday, yes.

5 THE COURT: You should schedule one extra  
6 witness.

7 MR. MCMASTER: You want us to go to Friday?

8 THE COURT: No, I'm just saying the way its  
9 been going we've been getting done a little early.  
10 We could squeeze one more witness in there. Okay.  
11 We'll be in recess until Wednesday at 8:30. Thank  
12 you.

13 (Thereupon, court was in recess for the day,  
14 3/21/2014. Thereafter, court was reconvened on 3/26/2014  
15 and the proceedings were had as follows:)

16 THE COURT: Okay. Give me just a minute  
17 because someone was sitting at my desk.

18 (Thereupon, a pause was taken in the  
19 proceedings.)

20 THE COURT: Okay. We can bring in Mr. Bradley.

21 (Thereupon, the defendant was escorted into the  
22 courtroom by the court deputy.)

23 THE COURT: Okay. Any preliminary matters on  
24 behalf of the State?

25 MR. BROWN: No, Your Honor.

1 THE COURT: Any preliminary matters on behalf  
2 of the Defense?

3 MR. MOORE: May I have a moment?

4 THE COURT: Yes, you may.

5 (Thereupon, a pause was taken in the  
6 proceedings.)

7 MR. MOORE: Nothing. Nothing.

8 THE COURT: Okay. Then we'll -- is the jury  
9 up?

10 THE COURT DEPUTY: They are.

11 THE COURT: Okay. Well bring them into the  
12 courtroom.

13 (Thereupon, the jury was escorted into the  
14 courtroom by the court deputy and the proceedings were had  
15 as follows:)

16 THE COURT: Please be seated. Good morning,  
17 ladies and gentlemen of the jury.

18 THE JURY PANEL: Morning.

19 THE COURT: Has anyone read or been exposed to  
20 reading newspaper headlines and/or articles relating  
21 to this trial or its participants?

22 THE JURY PANEL: No.

23 THE COURT: Have you seen or heard television,  
24 radio or Internet comments about this trial?

25 THE JURY PANEL: No.

1 THE COURT: Have you read any news headlines or  
2 articles relating to the trial or its participants?

3 THE JURY PANEL: No.

4 THE COURT: Have you conducted or been exposed  
5 to any research regarding any matters concerning this  
6 case?

7 THE JURY PANEL: No.

8 THE COURT: And have you discussed this case  
9 among yourselves or with anyone else or allowed  
10 anyone to discuss it in your presence?

11 THE JURY PANEL: No.

12 THE COURT: Okay. Who would be the next  
13 witness on behalf of the State?

14 MR. MCMASTER: State calls Agent Dan Ogden.

15 THE COURT: Sir, if you'll come forward and  
16 step up to the clerk to be sworn.

17 THEREUPON,

18 AGENT DANIEL OGDEN,  
19 having been first duly sworn, was examined and testified  
20 upon his oath as follows:

21 THE COURT: Okay. Sir, please be seated in the  
22 witness chair. Okay once seated if you'll scoot your  
23 chair forward. Do adjust that microphone, do talk  
24 into that microphone, it helps us hear your  
25 testimony, it also aids in recording your testimony.



1 THE WITNESS: Yes, ma'am.

2 THE COURT: Okay. Mr. McMaster.

3 MR. MCMASTER: Thank you, Judge.

4 DIRECT EXAMINATION

5 BY MR. MCMASTER:

6 Q Good morning, sir. If you would, please state  
7 your name for the record and spell your last name?

8 A My name is Agent Daniel Ogden, O-G-D-E-N.

9 Q And how are you employed?

10 A I work with the Brevard County Sheriff's  
11 Office.

12 Q And how long have you been employed at the  
13 sheriff's office?

14 A Since 2002.

15 Q And in what capacity?

16 A I'm an agent with the SORT Unit.

17 Q Sworn law enforcement officer?

18 A Yes, I am.

19 Q Were you so employed on the day of March 6th,  
20 2012?

21 A Yes, I was.

22 Q And on that date did you have an occasion to  
23 become involved in the investigation into the shooting of  
24 Deputy Barbara Pill?

25 A Yes, I did.

1 Q What was your participation?

2 A I was at the hospital in the emergency room  
3 when she was --

4 Q I'm sorry, I didn't mean to cut you off.

5 A When I arrived there she was already in the  
6 emergency room.

7 Q And did you have an occasion to take into  
8 custody any evidence there at the hospital?

9 A Yes, I did.

10 Q What did you take into custody?

11 A A metal fragment that was located underneath  
12 her body.

13 Q Show you --

14 MR. MCMASTER: May I approach the witness,  
15 Judge?

16 THE COURT: Yes, you may.

17 BY MR. MCMASTER:

18 Q I'd like to show you what's been marked for  
19 identification as State's Exhibit FH, Foxtrot Hotel, and  
20 ask if you can identify that?

21 A Yes I can.

22 Q How can you identify it?

23 A It is the -- it has my initials on it.

24 Q What did you do with the projectile once you  
25 received it at the hospital?

1           A        I placed it in a bag, I wrote the nurse's name  
2 on it, the time I collected it and then I transported it  
3 to the CID building where I placed it in this envelope.

4           Q        Did you seal it up at the time that you took it  
5 to the CID office?

6           A        Yes, I did, then I initialed the evidence tape.

7           Q        And does the package in front of you, Exhibit  
8 FH, contain your initials and the date that you sealed it  
9 up?

10          A        Yes, it does.

11          Q        Now, the packaging's a little bit different  
12 today than it was when you sealed it up, is that correct?

13          A        That is correct.

14          Q        Does it indicate that its been sent off to FDLE  
15 and was further examined by them?

16          A        I don't know if it says it was sent off to FDLE  
17 on it.

18          Q        I take it all you can tell is that there are  
19 additional seals on it?

20          A        Yeah, it's been cut open and then there's other  
21 markings that were put on it and other initials, but where  
22 I sealed it which is the opening of the envelope it has my  
23 initials and my date, my handwriting on it.

24          Q        And on -- did you seal it up on March 6th of  
25 2012?

1 A Yes, I did.

2 Q On that date was it in the same condition as  
3 you received it at the hospital earlier that day?

4 A Yes, it was.

5 Q No changes to it, no alterations or anything.

6 A No.

7 MR. MCMASTER: No further questions of this  
8 witness.

9 THE COURT: Cross examination by the Defense.

10 MR. PIROLO: No questions, Your Honor.

11 THE COURT: Okay. Sir, thank you for your  
12 testimony, you're free to step down.

13 THE WITNESS: Thank you.

14 (Thereupon, the witness exited the witness  
15 stand.)

16 MR. MCMASTER: State would call Ron Streiff.

17 THE COURT: Okay. Sir, if you'll come forward,  
18 step up to the clerk to be sworn.

19 THEREUPON,

20 OFFICER RON STREIFF,

21 having been first duly sworn, was examined and testified  
22 upon his oath as follows:

23 THE COURT: And please be seated in the witness  
24 chair. Once you're seated if you'll scoot that chair  
25 forward. Do adjust that microphone and do talk into

1           that microphone.

2           THE WITNESS: Yes, ma'am.

3           THE COURT: Thank you, sir.

4                                 DIRECT EXAMINATION

5 BY MR. MCMASTER:

6           Q        Good morning, sir.

7           A        Good morning.

8           Q        If you would, please state your name and spell  
9 your last name for the record.

10          A        Ron Streiff, S-T-R-E-I-F-F.

11          Q        And how are you employed?

12          A        With the Melbourne Police Department Crime  
13 Scene Unit.

14          Q        And how long have you been with the crime scene  
15 unit at the Melbourne Police Department?

16          A        With the crime scene unit seven years.

17          Q        Any prior law enforcement experience?

18          A        Seventeen years.

19          Q        Where was that?

20          A        At the Melbourne Police Department as well as  
21 the Cocoa Beach Police Department.

22          Q        Okay. Were you employed at the Melbourne  
23 Police Department in the crime scene unit on or about  
24 March 6th of 2012?

25          A        Yes, sir.

1 Q On that date did you have an occasion to become  
2 involved in the investigation into the shooting of Deputy  
3 Barbara Pill?

4 A Yes, sir, I did.

5 Q When was your participation?

6 A I was notified of the shooting that occurred on  
7 John Rodes Boulevard and responded out to John Rodes  
8 Boulevard where I made contact with other members of the  
9 Melbourne Police Department and Brevard County Sheriff's  
10 Department.

11 Q Were you ultimately directed to participate in  
12 an examination or a search of a garage area or a residence  
13 on Janewood in the nearby neighborhood?

14 A Yes, I was.

15 Q And did you in fact do that?

16 A Yes, I did.

17 MR. MCMASTER: Approach the witness, Judge?

18 THE COURT: Yes, you may.

19 BY MR. MCMASTER:

20 Q Showing you what has been admitted into  
21 evidence as Exhibits 50, 51, 52, 53, 54, 55, 56, 57 and  
22 58, would you look at those and tell me you if you can  
23 identify them?

24 A Yes, sir.

25 Q And how can you identify them?

1 A These are photos that I took of Janewood Drive.

2 Q Do they display the garage area that you  
3 performed your crime scene investigation on that day?

4 A Yes, sir, it does.

5 Q In particular, do the photographs reflect a  
6 cell phone that you located in the garage?

7 A Yes, it does.

8 Q And did you in fact take that cell phone into  
9 evidence?

10 A Yes, sir, I did.

11 Q Showing you what has been marked for  
12 identification as State's Exhibit BI, Bravo India, would  
13 you look at that and tell me if you can identify that?

14 A Yes, sir.

15 Q And how can you identify it?

16 A This is the package of the cell phone.

17 Q I take it that -- once you seized the cell  
18 phone, what did you do with it?

19 A It was placed in a marked evidence bag and  
20 secured in the crime scene van.

21 Q Did you place it into the marked evidence  
22 envelope that's in front of you now?

23 A No, sir.

24 Q Someone else actually packaged it up, you just  
25 seized it?

1 A Correct, yes, sir.

2 Q If I could get some scissors. The bag's  
3 currently sealed, is that correct?

4 A Yes, it is.

5 Q If you would, open it up and take a look inside  
6 to yourself?

7 A Okay.

8 Q Is that the cell phone that you seized out of  
9 the garage that's displayed in the photographs?

10 A That is actually the bag that -- the evidence  
11 bag that I filled out is inside.

12 Q And is the phone inside?

13 A I believe so, yes, it is.

14 Q Can you see it?

15 A No. Would you like me open that up some more?

16 Q Yes.

17 A Yes, sir.

18 Q And does the cell phone inside appear to be in  
19 substantially the same condition today as it was the date  
20 you sealed it up?

21 A Yes.

22 MR. MCMASTER: State would move Exhibit BI as  
23 its next numbered exhibit.

24 THE COURT: Response from the Defense.

25 (CONTINUED TO VOLUME VI)