Mag 15-709

STATE OF SOUTH DAKOTA	)	IN MAGISTRATE COURT
	)	
COUNTY OF PENNINGTON	)	SEVENTH JUDICIAL CIRCUIT

****

CITY OF RAPID CITY,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	AFFIDAVIT OF ELLIOTT HARDING
	)	
TRACE O'CONNELL D.O.B.: 12/24/1973	)	
	)	
Defendant.	)	

****

AFFIDAVIT OF ELLIOTT HARDING

Elliott Harding, being first duly sworn upon his oath, states as follows:

1. I am employed as a Detective with the City of Rapid City Police Department.

2. I was assigned to be part of the law enforcement team that investigated the January 24, 2015 incident at the Rush hockey game at the Rushmore Plaza Civic Center, wherein allegations were reported of beer spilling on, and racially charged and confrontational statements being directed toward a group of students and chaperones from American Horse School who were attending the game that night.

3. The Rushmore Plaza Civic Center is located within the limits of the City of Rapid City, Pennington County, South Dakota.

4. As part of the investigation, interviews of many of the Rush game attendees were conducted, including Justin Poor Bear and Consuelo Means who were two of the American Horse School chaperones present at the game.

5. Attached hereto as Exhibit A and incorporated herein by reference is a copy of the transcript of the recording of the interview I conducted with Consuelo Means on or about February 3, 2015.

6. Attached hereto as Exhibit B and incorporated herein by reference is a copy of the transcript of the recording of the interview law enforcement conducted with Justin Poor Bear on or about February 3, 2015.

7. During her interview with me, Consuelo Means stated that she had an interaction during the game with individuals who were seated in the sky box behind the American Horse School group. *See* Exhibit A, pages 11-12.

8. Ms. Means reported that one of the individuals stated words to the effect of "go back to the rez." *Id.*

9. Ms. Means also stated that she and others seated around her had liquid sprayed on them while at the game, which was believed to be beer. *Id.* at 15.

10. I have reviewed Exhibit B, the transcript of the interview of Justin Poor Bear that law enforcement conducted.

11. During his interview, Justin Poor Bear stated that he had an interaction during the game with individuals who were seated in the sky box behind the American Horse School group. *See* Exhibit B, page 12.

12. Mr. Poor Bear reported that after he asked who threw beer on the school children, in response one of the individuals stated words to the effect of "let's get it on." *Id.*

13. Also as part of the investigation into this matter, I interviewed the alleged suspect, Trace O'Connell.

14. A transcript of my conversations with Mr. O'Connell is not available at this time.

15. Mr. O'Connell admitted to me that he attended the Rush game at issue on January 24, 2015, was seated in a sky box, and that there was a group of school children seated in front of that sky box.

16. Mr. O'Connell admitted to me that he was drinking beer during the game, and that he did spill some beer that night.

17. Mr. O'Connell admitted to me that during the game he talked to an adult male from the school group.

18. Mr. O'Connell stated the conversation with the adult male from the school group was regarding beer that had been spilled on the children.

19. Mr. O'Connell admitted to me that during the aforementioned conversation, he said to the adult male: "If you want to talk about it, come on up here."

[THIS SPACE INTENTIONALLY LEFT BLANK]

The foregoing is true and correct to the best of my knowledge and belief. Further, your affiant sayeth not.

Dated this 18TH day of February, 2015.

Elliott N. Harding

Det. Elliott Harding
Rapid City Police Department

Subscribed and sworn to before me this 18th day of February, 2015.

(SEAL)

Notary Public, South Dakota

My Commission Expires: 4/7/17

Pennington County, SD
FILED
IN CIRCUIT COURT
FEB 18 2015
Ranae Truman, Clerk of Courts
By _____ Deputy

Pennington County, SD
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IN CIRCUIT COURT
FEB 18 2015
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By _____ Deputy
CANCELLED

Mag 15-709

INTERVIEW WITH Consuela Means
INTERVIEWED BY Elliott Harding
TRANSCRIBED BY Lisa Jenson

CR # 15-201159

02/11/15

EH: The start of recording right now. A'right. Can I call you Consuelo? A'right.
CM: Fine. Just don't get (inaudible) sickness.

EH: Oh are ya'?
CM: Yah.

EH: A cold?
CM: Yah.

EH: Now you might hear me coughing as well but it's not a cold I have allergies. I've had 'em for years.
CM: (laughs) (inaudible)

EH: Um, so let me just confirm the spelling of your name. Uh, c o n s u e l a, and then Means, m
CM: Yah.

EH: E at the end?
CM: Yes. No, huh-uh. That's fine, I mean, I usually, Yah, that's right.

EH: So, so you got, okay.
CM: Yah.

EH: And then m e a n s?
CM: Yes.

EH: What would be a good contact phone number for you Consuela?
CM: Um, here at work, 'cuz I'm always here so it's

EH: Ok.
CM: uh, [redacted].

EH: [redacted]?
CM: Yah.

EH: A'right. May I have your date of birth?
CM: [redacted].

EH: [redacted].
CM: Would it be in the daytime that you'd contact me?

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By _____ Deputy

EXHIBIT A

EH: Most likely.
CM: Okay. Yah, cuz' I'm

EH: (Inaudible)
CM: here, I work here so I'm here 'til, Tuesday Wednesday I'm here 'til like almost seven.

EH: And if, if I called and you weren't here, maybe they would be able to put me in touch with ya'?
CM: A cell phone, my cell phone, would uh [redacted]

EH: Let's see. [redacted]
CM: [redacted]

EH: [redacted] And, uh, may I have an address?
CM: Oh, [redacted],

EH: [redacted]
CM: [redacted]

EH: And, uh, what's the zip code here?
CM: [redacted]

EH: [redacted]
CM: [redacted]

EH: [redacted]? A'right. Um, so basically what I would like to do is just talk about, uh, what happened that night, maybe just have you start off giving me, uh,
CM: You mean first of all?

EH: Yup, like when you first
CM: Okay.

EH: arrived, and I'll kinda', I'll help direct you if we, uh, get off track, and then I'll have some specific questions.
CM: That's fine.

EH: Um and then we'll, uh, do a photo line-up looking at some pictures, but, most importantly, um, I, I, just want you to be comfortable talking to me.
CM: Yah I've been waiting to talk to you. (laughs)

EH: Okay. Good.
CM: I've been waiting 'cuz I, it's just too much to hold in.

EH: Absolutely. So we're gonna' take our time. I am not in any
CM: Yah.

EH: kinda' rush.
CM: Me neither.

EH: We're just gonna talk and, uh, we'll see where it takes us. Okay? And, again, you can call me Elliott.
CM: Okay.

EH: Um, so, let's start like this. Um, talk, okay, so let's talk about just when you arrived. Then what happened?
CM: Okay, so while we, usually when we go, when we go to the Rush hockey, we all stand outside because all of our chaperones have students that they need to watch, so we always wait outside by the gate before we go in so we were all standing there. Um, Jody hands out the tickets and she doesn't hand it out just however, it's you have to be with the chaperone. Your chaperone has to sit with you guys. So we go in that order. And, um, anyway, so we go in, when we go in, you know I see poli, you know, police people there.

EH: Mm-hm.
CM: You know, the security or whatever? Um, we just go in an' we go to our seats. As soon as we sit down, you know, that's the first thing we have to do. Take the kids to the bathroom. Go to concession because the game hasn't started yet 'cuz we're like twenty minutes early because we just come back from eating supper. So we go to, we go to go sit down and when we go sit down we all take our turns at taking our kids, you know, get what they want. We go get it and we sit back down and by then it's time for the game to start. And, um, I was really disturbed by the thing that they put on the Journal because, um, you know, we're Lakota kids, and we've, you know, we show respect and we stood, well, when they started the, they did the thing for the hockey players, they did the call outs, everything, um, when we did the call outs, then they did, it was a pink, what, rink and a pink night? It's breast cancer night?

EH: Yes ma'am.
CM: And um, we, we encouraged our students to wear pink that night because it was breast cancer night and, and they said if you wore pink, you know, there was special discounts that, you know, randomly you would get called or something for it, or if you went down to concession you'd get a discount or suh'um, so,

EH: Sure.

CM: um, majority of our students kinda', some, most of 'em kinda' wore pink but some of 'em didn't really bother, bother, but, um, so anyway, so we stood up, they sang the national anthem, we stood up, there was like two students that didn't stand, but they had ear plugs on and they were students of mine, my chaperoned people. So I asked 'em to take it off and stand and these were the ones that were right behind the, right below the thing there, so they took 'em off, they turned it off and they stood. And um, and it was a emotional, it was emotional thing because they had the lady that actually died this January that lost her life to cancer that sang the song. And our students are really respectful, you know, when she started singing and stuff, you know, I could see a couple of our students get teared up, but, you know, we kept our silence. We, we did everything. After we got done they there was a lady that come out and got to give the pe, the puck to whoever was gonna' start the game. So after that we sit down. And the, you know, it started, the game started. About the second quarter, round the second quarter, these men that, these men I could hear them because I was like the main chaperone there. I had students behind me. A chaperone was kind of further off, but I had myself, here's the, and I think I was in, I was in row seventeen I think it was 'cuz it ends at eighteen, but I was like literally right at the end.

EH: So let me do this, uh, let me, draw here

CM: I even have my ticket here.

EH: Do ya'?

CM: (laughs) no it's in my classroom (laughs).

EH: Now, let's see, 'cuz I went up there.

CM: The skybox.

EH: I had never been to a game before so I went up there, I think it was two days ago, just to kinda' get a visual of what it looked like. So this is how I remember it looking. Something like this. So this would be considered the skybox.

CM: Yah.

EH: And then right along that row here

CM: Were all our American Horse School students.

EH: Yup.

CM: Most of 'em are sitting and then I was sitting the last seat, there's the last seat and I was sittin' on the second seat in because I had a student on the outside of me.

EH: So this was a student here on the edge?

CM: Yes. And then I was like right there.

EH: (Inaudible)
CM: But I was in the second, I was a row down.

EH: Oh, not on the one that, okay.
CM: No, no, not, not the one against the wall. I was on the row right down

EH: (Inaudible)
CM: in the second seat.

EH: 'Cuz if I remember readin' correctly, I think, um, the group of students that went
CM: We had the first three, we had the top three rows and we've been there, you know, like in previous, we've been there, we've went to these games for five years and we've always sat in the same spot.

EH: Was anybody in the fourth row?
CM: No, I didn't have, no there was no, there was other people, I mean not with our group that were there and we didn't like fill up the whole third row because

EH: Yah.
CM: like towards the end there was a group, a different, I mean not the group with us.

EH: So this would be more correct?
CM: That would be, yup, that would

EH: Okay.
CM: be me right here.

EH: Yup Consuelo, okay. And then the skybox is.
CM: Yup.

EH: That gives me a visual.
CM: Yah.

EH: So, um, so again it's getting' near the second.
CM: It's kinda' Yah, it's kinda' like gettin' a second

EH: How many periods are in a
CM: There's three.

EH: There's three.
CM: Three. And there's like fifteen, I think, ten or fifteen, and it's about

EH: Okay.

CM: I mean I usually pay attention but like I, I couldn't, I, I couldn't like pay attention, because like I said upon, around the second period, kinda' like half the second period or sumpin', the guys, I heard them and I didn't look back. I, I heard them talking to one of my students.

EH: Sure.

CM: Asking I mean, you know, where they were fr, what school we were from and where, you know, where it was, where it was located, if it was on a Pine Ridge Indian Reservation and my student had answered him, you know, it's not on the Pine Ridge Indian Reservation, we're like thirty miles from Pine Ridge. We live on the Pine Ridge Reservation but we are not directly on Pine Ridge 'cuz the way I got the question was that he was thinking that we lived right on the Pine Ri, right in Pine Ridge.

EH: Okay.

CM: And so she answers him, she answers him, and then he goes, well, oh well we're from Phillip. And I thought it was inappropriate for him to even be talking to our students because, like I said, we've been there five years before and, you know, the people in the skybox they, you know, they, they have respect, they don't sit down there, they don't talk to our kids in any kinda' way, but like our students are really respectful so if somebody's gonna' talk to 'em, they'll talk back and by then I had turned around and I had, and I know what student was talking to him, but I had turned around and I told, I told her, I said, don't talk to them no more.

EH: And may I have

CM: (Inaudible) [redacted] is the one who was, who had replied to them.

EH: Sure.

CM: To the gentleman.

EH: And how do I spell her name?

CM: [redacted], wait now, [redacted].

EH: [redacted]. And you said

CM: [redacted].

EH: [redacted]?

CM: Yah. And she was one of my students that were

EH: What, what grade is she in?

CM: (Inaudible) she is eighth grade.

EH: Eighth grade?
CM: Yah.

EH: A'right. Okay, so
CM: So he, anyway, so he had asked her this question and she replied to him and after that I had kinda' reached back and I told her, I told her, you know, you need to sit down and don't talk to him no more because, you know, they had beer and it was like sittin' right there on the, on the stand there, and I had asked her not to talk to them no more. And she said, um,

EH: Was
CM: that was fine.

EH: Was she sittin' back along this?
CM: She was, she was sitting beside me but I had two students that couldn't, that kept messin' around and it's (laughs), it's a place ta'

EH: Got it.
CM: it's a place to be loud but these two students when they sit together, it's like, it's, they, they get louder (laughs) than they need to so

EH: (in)
CM: they were like messin' around, so I asked her and two other students to switch out with her but, um, so you have these two skybox seats here, I hada' two eighth grader, I had four eighth grade along this, this wall, these four seats right here.

EH: Okay. Let me jot that down here.
CM: And on this side there was two like a, a couple a, a white couple that were sittin'.

EH: And, uh, so, if I 'member, there's the (inaudible) seats
CM: (Inaudible)

EH: then there's the railing.
CM: Yah.

EH: Then there's the next section.
CM: Yah.

EH: Okay.

CM: But then these guys were sittin', it was the (Inaudible) where this skybox is, 'cuz at the skybox, the back against the wall,

EH: Mm-hm.
CM: the, the railings don't go all the way up. So it kinda' stops where I'm at, the railing stops where I'm at, so the back is just basically kinda' open.

EH: Okay.
CM: And right beside my two students I had, a, a a white couple that were beside 'em. I had a [redacted] here, a [redacted].

EH: Let me jot that down here. I'll do a number so I don't forget. So one, two, [redacted]?
CM: Yah. [redacted].

EH: What grade is she in?
CM: She's eighth grade. All the ones I'm gonna' name are eighth grade.

EH: Oh, I think I remember you sayin' that. So she was sittin' behind this student.
CM: Right, yup, right behind.

EH: And then behind you?
CM: Right behind me was [redacted]. Was [redacted]. [redacted], wait no,

EH: That's all right. I don't know either.
CM: [redacted] or after the [redacted] is a [redacted].

EH: Okay.
CM: [redacted] Hold on, I'm, I'm

EH: Yup take your time.
CM: (Inaudible) I've had these students for a couple years and I'm not

EH: That's okay, that's a lot of students to be remembering.
CM: [redacted]

EH: But nevertheless, [redacted] sat behind you.
CM: Yah and then right beside [redacted] was [redacted] oh, was, uh, [redacted].

EH: [redacted]?
CM: [redacted]

EH: [redacted]

CM: [redacted]. And then right beside [redacted] was [redacted]. And I should have brang my list because I basically know who all sat right underneath that skybox.

EH: [redacted].
CM: [redacted].

EH: [redacted]. So then there'd be three and then four. Okay, so, [redacted] responds and you tell her
CM: Yah I

EH: hey let's not talk to him.
CM: Yah, and I, Yah and I just kinda' reach my hand, reach my hand back and I told her, you know, don't talk to 'im, and then after that it was, I, I couldn't like literally like focus because I could hear the guys talking and I could hear the guys talking and, um, all of a sudden I see a Frisbee like go flying and I did it because I thought it was my students that did it because as we first come in, they were giving the first

EH: Yup.
CM: like so much, so much people that are there, they give 'em the Frisbees and a, the older cup, the older people, they give cup holders, the warmers, or to keep 'em cold or something.

EH: Oh, uh, the cozies?
CM: Yah. Yah. the cozies.

EH: For, uh, cans (Inaudible)
CM: Yah.

EH: So what color were those Frisbees?
CM: Red.

EH: Red?
CM: Yup, 'cuz all our students got red.

EH: And about how big were they would you say?
CM: Oh, they're probly'

EH: Okay, just little mini Frizbees?
CM: Yah they're, Yah they're not big big. They're just little tiny ones but it was just like, like I said it was the first, I think it was the first five hundred kids or first five hundred people that went in got them.

EH: So you saw one whizz by.
CM: Yah, I'd like see go, one like flying by

EH: (laughs)
CM: and it goes like to, 'cuz we're in section Q and right beside us is R

EH: Mm-hm.
CM: and I see one like go flying like down into, down there, and I see like the people were kinda' disturbed by it.

EH: Oh.
CM: So I turn around thinking it was my students and when I turn around to look these guys are asking my students to have their Frisbees.

EH: Okay.
CM: And I have other students that were, you know, kinda' talking to them and stuff and talking to them more than they should have but like that's the, um, I see one of 'em hand it up to him, hand it up to the guy and he goes and that's, that's the second one I seen go fly and it literally almost went, it went almost down to the hockey rink.

EH: Okay.
CM: And um

EH: Those things really go out there.
CM: Yah, if you, I mean, they must, they have to 'cuz, but, he, they were throw, he throws, he grabs it from the student, I mean the student gives it to him

EH: Mm-hm.
CM: and he throws it. And by then these guys are getting like loud.

EH: Yah.
CM: And it's like, okay, you know, I've told my kids not to talk to 'em. I'm kinda' observing you know what's going on and after then I just could not literally like watch the game. And then I

EH: Because you're so focused on what's goin' on.
CM: Yah on what's going on with the students and stuff and so I, so as I was sitting there I just kinda' kept my ears open and it, it gets loud there and there was other things that these students could probly' tell you because I couldn't hear everything

EH: Sure.
CM: that was going on.

EH: I heard it was a pretty loud, pretty exciting game,
CM: It was. It was a,

EH: for the most part.
CM: Yah, it was and um, so anyway, it gets almost down, it's almost the intermission of the second quarter and some of our students want to go to the bathroom and to the concession or whatever so we take 'em, and um, we take 'em, we sit back down and like by then I could hear the, the guy say um, 'cuz by then they made a goal, and that's, that's what they call it when they make the point or whatever. I think they call it a goal.

EH: Okay.
CM: They make the goal and by then it gets loud 'cuz I mean it's but by then it's beginning of, the beginning of third quarter because the intermission we went to the bathroom and did concession. We sit back down and our kids know when intermission comes we gotta' go and come back and some of 'em come back and some of 'em never been there before so they don't know or whatever.

EH: Mm-hm.
CM: So um, we go down to intermission, we come back third quarter, we stand there, we sit down and by then they made the the puck, or the the goal.

EH: Okay.
CM: They make the goal and it gets loud. It like gets loud and I hear, I hear the white, the white, and I know who he is if you show me a picture I know who but he goes and he says you guys need to go back to the rez and I'm like, I turn around and I hear, and I hear that and I, I when I look, when I turn around to look, this guy, this other guy he's like, they're literally like banging the skybox, the skybox, the wall, and he's like banging it real hard, and he's like, um, you guys should be loud, go Rush, you know, say go Rush, you guys should be loud, you guys are from the reservation. Tell your girlfriends to get loud. Tell your girlfriends to get loud. And um, by then it irritated me and, um, because a all the conversations that they were making to my students it had bothered me because you know like I said we've been there before, there's, I mean they haven't said, they've never talked to our kids and so when this guy does this and like I said I didn't, I didn't hear too much from there I heard racial slurs that I mean, basically go back to the rez,

EH: Mm-hm.
CM: and him saying, you know you guys need to be loud 'cuz you guys are from the reservation. You tell your girlfriends to get loud. But as he's doing this he's pounding that, that wall.

EH: Let me ask you this. Um (Inaudible) and periodically I'm gonna' have to ask you
CM: That's fine.

EH: it sounds like.
CM: That's fine.

EH: Okay.
CM: That's fine.

EH: 'Cuz I just wanta' make sure I have all your information
CM: Yah.

EH: correct. Um, so, as far as the the comments here, uh, one in, is it two separate individuals? One that said you needed to go back to the rez and a separate individual that's banging the side
CM: Yup.

EH: saying you need to get loud
CM: The two.

EH: because you're from the reservation?
CM: Yup. Yup.

EH: Okay.
CM: That's two of 'em 'cuz

EH: A'right.
CM: two of 'em both both of them said the two different um, the two of 'em said the different things 'cuz when I looked back the guy had said that and and when I look and I when I looked at him and stuff you know I knew and then the other guy that's when the other guy just starts pounding that wall and from my understanding I think one of our students got hit when he was doing the the wall banging.

EH: Do you know which student got hit?
CM: I think it's the um [redacted] and I, and I, and I need to, I need to 'cuz I was like the head chaperone and I know where like everybody sat and stuff and I'm pretty sure it's [redacted] that was sitting there when he got his when he like swiped the top of his hair or 'sun uh'.

EH: Okay. Um, a'right, just one second. And, um, just a little bit ago you said that you would most likely be able to recognize that person so

CM: I would I would.

EH: towards the end we'll definitely look
CM: Yes.

EH: at some of those pictures together.
CM: And um and so by then I got I got so irritated and it's like, you know, I've heard him say the comment go back to the rez, I've heard him say you know uh you guys are from the reservation, you guys should be loud and that, that right there was an insult because it's like not all Native American are loud and obnoxious, you know and stuff, and these are kids you're talking to. So by then I get up and I leave but I ask I had the chaperone in front of me and that's Chastity Shot With Arrow, she was just like, still was a student here, and she's probly' a little bit, hold on,

EH: That's a'right.
CM: And I think she was right, I think she was right here on the end.

EH: Uh, right here?
CM: Yah.

EH: And what was her name?
CM: Chastity Shot With Arrow.

EH: Now was that
CM: She was one of the chaperones.

EH: She was one of the chap er (Inaudible)
CM: Yah.

EH: (Inaudible)
CM: Mmkay, so I had asked her to watch the kids 'cuz I had enough but I didn't tell her, you know, I didn't like reach down to tell her and she she knew I was I was I was so pissed by then I had asked her, I said can you watch these kids I'm gonna' go find a cop.

EH: Okay.
CM: And she said Yah. So I go down, I go downstairs and we've never had to do protocol like this. We've never, you know, we've never had to experience this issue because we have never done it.

EH: Okay.
CM: And so I walk down, I, I get up and I leave and me personally I was looking for the people in a uniform that I seen when we first go into the building.

EH: Now when you say uniform, are
CM: Was police like the security suit on and the police, 'cuz I've seen a couple police officers there.

EH: Okay.
CM: And they had, and I, I think, if I remember I think they had the blue and then they had somebody with the white top with blue patch I think.

EH: Okay.
CM: Okay so and I

EH: I'm not sure, but (Inaudible)
CM: Yah, but anyways the security, anyways it was security people

EH: Yes.
CM: I don't know if it was a police officer or security, so when we go

EH: (Inaudible)
CM: and I see a lot of 'em. So me go, when I go downstairs and there's not a lot of people when I go out.

EH: Sure.
CM: Because they're all inside

EH: watchin' the game.
CM: Yah. And so when I come down, I see a, a crowd over here to R, section R, and it's like when you come down the steps and it's the concession area. But when I come down the steps I look over here and there's a crowd of people but you know I've we've been with kids so you know we don't go to that part so

EH: Mm-hm
CM: I walk over there because there's restrooms here and I walk over there but it's like people buying beer (laughs)

EH: (laughs)
CM: So I turn around and I walk, I keep walking, I walk all the way to past the two doors and I think it was almost section D but 'cuz you pass when you first come in you pass the two doors and I always say when we go to go get our snowcones (laughs) 'cuz that's where a lot of our kids like to go but it's a little bit further down right there and I think Subway or sumpin' was right there butu, um, I walk that far and I don't see anybody and you know my kids my students have already been being harassed, being harassed and stuff and I

don't feel, I don't feel that I need and I know that the Civic Center does have security but maybe they had a post out outside the thing 'cuz there wasn't

EH: Okay.

CM: so much people out? Or whatever so I didn't feel that I needed to go out the doors because my students were already being harassed and stuff.

EH: Mm-hm.

CM: And so I go back, I just turn around and I walk back

EH: (Inaudible)

CM: and I go up the steps and I, I go up the steps and when I go up the steps I sit back down and like Chas said well did you find one? And I said no, I didn't find anybody. And by then I was so pissed and you know I was worried about the kids you know what they were saying and stuff and so I sit down not even five minutes and then like we've the beer like goes on all of us (crying sound) and it's like, and I didn't, and I didn't even know it was beer. I didn't know it was beer but I felt something like like big drops.

EH: Some kind of liquid?

CM: Yes like big drops fall in my hair and I'm like, I turn around and every time I look, every time I turn back it was the same fucking guy that I looked at, same guy, because he knew I was irritated by what they were saying to the kids (crying sound continued), every time I look back he was I looked at him straight in the eye and he knew I knew it was wrong and, um, by then I turn around and he's like sittin' there smiling and he has that beer bottle and he has that beer bottle and he's like holding it up.

EH: Okay.

CM: I get up and I, I that's when I get up and I walk all the way to the end of the section where I was at.

EH: So you you get up here and you walk over here?

CM: I just walk all the way down

EH: Okay.

CM: and, um, Justin Poor Bear was sitting there with Christine.

EH: Where was Justin sittin' then?

CM: He was sittin' on the edge here. Then Christine his wife was sitting there.

EH: This would be Christine here?

CM: Poor Bear, yup. And then he was holding, she was holding her her kid and then she had her other kid there but I walked over and I asked 'em, I told Christine, I said, I told Christine I said, we need to get, we need to get outta' here (crying sound continued)

EH: (Inaudible)

CM: I said we need to get these kids outta' here now and she said, why, what's going on? And I said they just now spilled beer on these kids and I said I got some myself and we just I said we need to leave right now. These kids need to leave and I said they're saying racial things to these kids. We need to leave. She said, well, let's go and Justin's like, and I, and I wasn't aware that he was behind me, and I reached out because our bus drivers were just like on that third row like towards the end 'cuz there um some white couples that were sitting there and our bus drivers were kinda' closer to our students. But I reached down and I told 'em I said can you guys bring the buses around? I drove an Excursion myself too so there was two Excursions and a bus but I reached down and I told him, I said can you guys bring the buses down. I said we need to leave now. And they were like you know what's going on and I said no we need to leave now. And he's like well okay. By then I just, I had tears in my eyes and I didn't wanta' cry in front of my students (crying sounds continue)I and I walk back and I walk back and I see Justin behind me. I hear him and he's like, Who [redacted] spilled beer on these kids? Who [redacted] spilled beer on these kids? He said show some respect. These are students and the two guys were standing there and then that's when the guy goes and he says well come up here and we'll deal with it. Come up to the box, we'll deal with it. And Justin just kinda' laughed and turned around and we just got our kids, we got our kids and stuff and you know the ones that had the beer spilled on 'em kinda' already knew that we were leaving 'cuz I told Chas and Chas kinda' had 'em up and, um, and another chaperone sitting there, Julia Cunningham, she was down on, a little bit further down from Chas but when I walked by I told her that she needed to get the kids together and stuff so when we get the kids together, we stand up and we, you know, we don't bother nobody and like everybody is like looking at us and stuff, but we get up we go down the steps, we go down the stairs and by then I told, I told them you know, have them use the bathroom and stuff 'cuz we're trying to find somebody but I had T R FastWolf go to the concession and Justin was talking to a janitor over here to the side and by then I, I just started crying and just felt bad and I told 'em, you know, use the bathroom and stuff so we went in the bathroom and I didn't realize how much beer I had on me, (laughs) on me and stuff, and when I, I tol, you know, I'm gonna go wash my face up and stuff 'cuz by then T R said, you know, they're calling somebody down and so I go into the bathroom and when I go down like that it come like running down my forehead.

EH: Mm.

CM: So I, I just washed my face and stuff and I go back out and I don't in, I, like I said it just happened so fast I was so mad and I, a guy comes, two guys come and he's trying to talk

to me but I told him, I said, you know, he was talking but he's like, I can't hear, so right where they come down the section Q there's that concession and he took us in this, this room I think it looked like a janitor's room or whatever, a supply room, but me and him and Justin and there was two guys with him, a tall guy, the guy that I talked to was a bald headed guy. I don't remember his name but he was a skinny guy, but anyways he come in and he had asked me what had, you know, what was going on, I said, you know, and I said, um, I said I'm, I was trying to report this earlier, I said just a little while ago, I go and I try I try to find somebody because I said we were being harassed, my students and I were being harassed by these people in the skybox and he said well what was going on? Do you know, do we need to move, we can move you, and I said, no, I don't wanta' be fuckin' moved. I said because by then it's you know the third quarter and I'm like, you know, I don't wanta' move my group, I want my kids need to get the hell outta' here. And he's like, um, he said, well, you know, what happened? So I told him, I said these guys had made comments about us going back to the reservation and saying that our students need to be loud because we're from the reservation and he said, well, can you fill out this complaint, so they gave me this paper and I, and I don't even know if it makes sense (laughs), I wrote, I started writing and I know it didn't make sense but I was writing and stuff and Justin's talking to them and he's like, and, and, this guy, said, you know, I'm not gonna' be rude, but he said I need to, I need to know exactly where the skybox is because I need to go attend to them before they come outta' here. And I said, and I said, I'm not trying to be rude either but I need to get this paperwork done and I need to get my students outta' here before they decide to come by and he said, um, okay, okay, I said, a'right you know, so he leaves and I standing in there with the guy and the glasses and stuff and he asked me, you know, so I was writing and stuff and then he asked me for my name so I left my name but I, I knew it was a school issue and I wasn't, you know, I wasn't about to call the cops. I probly' should've but I didn't call the cops. I left the school phone number. And Justin was standing in the room with me and we had, before the guy took off, we had, I had explained to him we've been here for five maybe five years, we've never had problems like this and I said but I need to get my students outta' here. We need to leave right now. And he said, that's fine, but he said, I'm gonna go deal with this. And I said well I'm not waitin' for anything I'm getting' these kids outta' here and we're going home. By then we all go outside and we load up the buses and we get inside and I had two girls that got the worst of it because they were right underneath there and that's that [redacted] and [redacted]. I think her name is [redacted]. I'm just drawin' a blank on a

EH: That's okay.

CM: But they got the two, I mean they got, they literally got beer like dumped on 'em and they were with my group 'cuz I had eighth grade students and one, one fourth grader that don't listen to nobody but (laughs)

EH: Mm-hm. (laughs)

CM: but me (laughs). But 'em, we get in the vehicle and kind of felt bad and you know was radioing in and telling them, you know, we should stop at the store 'cuz they were wanting to stop at the concessions

EH: Sure, for sure.
CM: and buy stuff. (laughs)

EH: Yah. (laughs)
CM: I'm, like (laughs), but I told 'em I said, no, we, we need to get outta' here and some of the kids understood, some of 'em didn't understand because they weren't like on our side and stuff and so I told them, so, we, the bus driver radioed me and he said, you know, shall we stop at the stores? So I said, Yah, stop at the last gas station. We'll stop there, you know, they could get whatever, but you know, just from us getting' in that vehicle, and I could smell the beer on most of my students and it was bad because it was my student [redacted] birthday that day and um, she was crying like I could, 'cuz when we got into the, the Excursion it was just quiet, quiet. Nobody didn't say anything and I could, I could feel the tense, I was mad myself. I was trying to get ahold of, you know, Jody Richards 'cuz she was with us when we first go in but she leaves at intermission in the second, the second quarter. I mean then she's always, you know, she's always done it because I've always been her head chaperone and I mean and we've never had problems so you know we didn't know anything was gonna' happen so she left and so I was on the phone trying to call her and I was all mad and I was crying and you know my students were in there and I felt the tension. We kinda' got ourselves together and I let 'em go into the store and and stuff, and you know just the ride back was quiet and I knew that some of 'em, some of 'em were hurt by what happened but I had this, (laughs) I had this fourth grader in my group and he, he was part, he was in there that got spilt with the beer with me (laughs) but he's like, he knew that we were, you know, everybody was tense, but he's sittin' there just trying to make everybody happy (laughs) doing his silly things so he kept us laughing

EH: (laughs)
CM: 'til we got back to Scenic, but, I mean, because of the tension on it and I know it was his, I, it was his first year that he was there.

EH: Yah.
CM: and stuff so, I mean.

EH: Well let me, uh, now let me go through and ask some specific questions, some of the stuff you've already answered, uh, I just may have missed it or at least just wanta', uh, um, narrow it down, or pinpoint a little bit better. So, let me review my notes here. So again, around the, around the third quarter there was a goal and things were gettin' real loud.

CM: Yah.

EH: And at this time you said that you could hear, um, you could hear a guy that said, uh, to go back to the rez.

CM: Yes.

EH: And you'd be able to most likely identify him.

CM: Yup. I could identify two of 'em and there was a third one. There was three men there. Two men, but the two men were the main ones and like this guy, the third guy was over here by the end, the corner here, the skybox.

EH: Okay.

CM: And, and I know he's the part that threw the beer on 'em. I didn't hear him say anything too much 'cuz I mean, like I said it was loud and like these kids, you know, know more than what I heard, the ones that were back there. And um when he was doing this but I could see the main, the two main people that sat there and like were the ones that were bothering the students almost and I'm like, he's a, and he's like well we drove all the, you know, we're from Phillip, and I'm like, and I heard him say, well we're from Phillip. You know we drove down here to watch all the way from Phillip to watch the hockey game, but they weren't even into the frickin' hockey game. They were more interested in bothering these students and other things and stuff.

EH: Okay. We're uh, so, going back to the skybox, the individual that said to go back to the rez. Where would you have placed him when he said that?

CM: He was probly', because I had [redacted] here and I had two other students here, he was probably like right

EH: Around the middle of the skybox?

CM: Yup, right here, Yah.

EH: Okay.

CM: And then the other guy was on the other side of him and then I had one, when I looked back, and this, this guy that main one that had said it is the one that like I said there was two of 'em that were the main and like the third guy would kinda' sit there once in awhile, every time I'd look back, he was kinda' there but I mean he wasn't.

EH: Okay.

CM: And then he but he was mainly over to the side when the beer got spilled on 'em I think he's the one who dumped the beer on the two students right below him.

EH: So when, when the individual said to go back to the rez, you're placing him kind of in the middle of the skybox at the time?
CM: Yah. Yah.

EH: Okay. (Inaudible)
CM: Yah. Kinda' just a lit, Yah, probly' Yah, like in the middle so, Yah, Yah, kind of because it would be the other guy was on the other side of him.

EH: Were you, were you looking at him when he said to go back to the rez?
CM: When I heard him, when I heard him say that like when I looked back he said I heard him say you know go back to the rez and after he said it he looked like directly at me.

EH: Okay.
CM: And I looked directly at him because like I told you the whole time he was saying stuff or like bothering and he probly' knew it irritated me but he probly' wanted to irritate me just as much because every time I look back he was looking at me.

EH: Okay.
CM: And, and stuff, you know, he was looking at me and it's like, and he knew I knew it was wrong but like I said he prolly' wanted to irritate me or I don't know if he was trying to harass me or what he was doing but I, I mean I, ohh(sighs), I don't know.

EH: The individual that said that you need to be louder because you're from the reservation.
CM: He was right beside him on this side.

EH: On this side?
CM: Yep, on this side.

EH: So just so that I'm understanding this proper, would it be correct to say that when those two statements were made, at that exact moment, you may have not have been looking at 'em, but you recognized their voice from them saying other things so
CM: Yah.

EH: you could say that individual
CM: I seen

EH: that was the voice
CM: I seen

EH: I heard
CM: I seen him hitting the skybox thing. I, 'cuz I heard the guy say that go back to the rez and right after he made that comment was when this other guy started hitting the pounding the wall saying you know you guys need to be get louder get louder 'cuz you guys are from the rez, the reservation, and tell your student, tell your girlfriends to get loud.

EH: And you're watchin' him, okay.
CM: Yes I'm watching him do it..

EH: Okay, I'm with you now.
CM: Yep.

EH: I understand that now.
CM: Yep.

EH: Um, okay, when, now let's, let me just think for just a second. Let's do this. Let's, uh, let's just take a break and we're gonna' come back to this. How would you best describe, um, as far as the individuals in the skybox, how would you describe just their overall demeanor?
CM: One ma, the ff, the one that had sayed go back to the rez, he had a moustache, or a beard, or is that what you call it? (laughs)

EH: Oh
CM: The beard and then the moustache.

EH: Just this right here?
CM: No he had that kinda' , Yah, I don't, kinda' just like right in here.

EH: Yup, but this was
CM: Yah.

EH: shaved?
CM: Yah, and then he had a, he had a hat, no he didn't have the hat on, he was kind of bald. He didn't have a hat on him.

EH: So (Inaudible) moustache
CM: He was kinda' chunky and we kinda' referred to him (laughs) down here because he kinda' looked like somebody down here. We said he looked (laughs) like Eddie Mousseau, but

EH: (laughs)
CM: that's how we described him.

EH: But you said that he was, uh, the fellow with the moustache and the goatee
CM: Yah.

EH: he was bald?
CM: Yah. He didn't have a hat on.

EH: Didn't have a hat on?
CM: I don't know if he was bald bald but he didn't have the hat on.

EH: Short hair maybe?
CM: Yah it was kinda' like crew, like a crewcut, short, Yah.

EH: Okay. (Inaudible)
CM: And then the other guy, and this guy was kinda' a little bit chubby, he wasn't big big but he was bigger than the

EH: Goatee guy chubby?
CM: Yup.

EH: Okay.
CM: Bigger than the, bigger than the other one.

EH: How a, how old would you guess him to be?
CM: I would think he about thirties, thirties or forties.

EH: Okay. (Inaudible) Do you recall anything else that he was wearing?
CM: (Inaudible)

EH: Okay.
CM: But if I see him I could

EH: Gotcha'.
CM: can point him out.

EH: Sunglasses on the head (Inaudible)
CM: Yup.

EH: Yah, sunglasses on the head?
CM: Yup.

EH: Okay. So, our moustache and goatee, thirties to forties, male, with short uh

CM: Yah.

EH: crewcut maybe?
CM: Yah, I would say a crewcut.

EH: Crewcut hair, chubby. Uh,
CM: Yah, like I said, he wasn't like, like heavyset, but

EH: Yah.
CM: he was bigger than the other, the other male.

EH: Okay. And then sunglasses on the head?
CM: Yes.

EH: This is the individual that said to go back to the rez?
CM: Go back to the rez, yep.

EH: Okay. So now let's describe the individual that said to be louder.
CM: Okay.

EH: The wall slapper.
CM: That one, that one, he was, he was, lean, mean he was skinny.

EH: Okay.
CM: Um all the things that I just keep remem, the facial of him was that I could see he had a, like a long narrow nose.

EH: Okay.
CM: And he had a hat on.

EH: Could you describe that hat?
CM: I don't remember if it was red. I don't remember if it was a red hat but it was

EH: Baseball cap style?
CM: (Inaudible) Yah baseball cap style.

EH: I'll put maybe red.
CM: Yah.

EH: Okay. Um, any, any sunglasses on this individual?
CM: Huh-uh. Just, I just

EH: Okay.
CM: And him, he looked, he looked kinda' young. He looked like he was in his twenties ta' bout mid probly' late twenties. He, he looked younger than the other one though.

EH: Facial hair? No?
CM: No.

EH: Any uh, any clothing description for that individual?
CM: He had a, he had a sweater on, or like, or not, not a sweater, but like a, like a sweater, like a open jacket, like how I do, like here.

EH: Like, okay, okay.
CM: It's a, a zip up.

EH: Open zip up. What about the jacket you remember besides an open zip up? Color?
CM: Looked red.

EH: Red? Anything else that stands out? Okay. And this is the banging guy. And then, um, you said there was a third individual. How would you describe him?
CM: Him, he kinda' had, he was a heavier set guy than both of the other ones, 'cuz he, he just like when I noticed him like I said he was kinda' there and then he wasn't, but he was the one that was in the standing above my eighth grade students and him, he had the, and he had a blue sweater on and he had the, the beard moustache thing with the dark blue or like a black hat on.

EH: So he has a moustache and goatee?
CM: Yah.

EH: Similar to the go back to the rez individual?
CM: Yah. Him he had the, the side I think, think that's what I could see on him.

EH: So here.
CM: Yah. Everything Yah.

EH Okay. But not like a big beard but just a
CM: Yah.

EH: Trimmed?
CM: And him I just, him, like I said he was kinda' there and he wasn't so I wasn't like facially him.

EH: Mm-hm.

CM: But you know if I could take pictures I could probly' pinpoint but I know

EM: Okay.
CM: these two.

EH: Full uh,
CM: And those probly' aint' the right colors that they (laughs) were on but I know that they had some stuff on

EH: Gotcha'.
CM: and stuff.

EH: Okay. Full facial hair, um, I'll say trimmed. Now as far this heavier set fella', how old would you guess him to be?
CM: I would, probly' about the same age as the other guy, about thirty, thirties, forties.

EH: Okay. Hat?
CM: Yah, if I remember right he had a black hat on.

EH: Sunglasses?
CM: Huh-uh.

EH: No? Um, blue sweater, full facial hair trimmed, thirties, forties, black hat, heavier set. Okay. Now, um, you probly' wouldn't be able to guess heighth I'm guessing from where they were (Inaudible)
CM: No because, huh-uh, I, I mean

EH: 'cuz they were up higher?
CM: they kind, Yah, they kinda' stood up and stuff but I wouldn't, that's why I said, I wouldn't know like height wise and stuff.

EH: Okay.
CM: Unless I stood beside one. (laughs)

EH: Understood. (laughs) Um, okay, so, again, these statements are made by these two individuals standing roughly in this location. The way you would be able to recognize them is, uh, as far as the fellow that said to go back to the rez, uh, you recognized his voice and he had talked at other times so you recognized
CM: Yah that's the one

EH: 'cuz he's the guy that said it.
CM: that, that's the one who I had like contact, eye contact with.

EH: Okay.
CM: Several times.

EH: And he was talking about other stuff too so you
CM: Yah.

EH: recognized his voice.
CM: Yup.

EH: Okay. So then, um, too too too, let me see, so, at at some point though you do, you do get up to go look for someone in security.
CM: Yah.

EH: And, uh, you do look around for awhile but unfortunately not able to find anybody
CM: It wasn't even awhile. It was like a real quick, because like I said these kids are being harassed. These guys been bothering 'em you know and some of 'em it was their first time and it's like, you know why don't you just shut up and leave 'em, you know they're here to watch the freaking game, not to sit here and like, most of our students were after awhile my, our, a couple of our students that were sitting there, they were like, more into like what they were gonna' say, what they were gonna' do because

EH: Mm-hm.
CM: they kept like looking back and it's like

EH: Okay.
CM: I mean they had our students attention from what they were saying and stuff.

EH: Okay. Um.
CM: But Yah and it wasn't it wasn't like I was probly' gone, probly. not, about, probably about five minutes at the most 'cuz I just like went down, like I said, I went straight to this side and I never been there because we've never, like we said, we've always been in the same section, went down there and there was peer, beer here, I mean it's like a place where they sell beer so I quickly turned around and I walk back almost went past it and I think it was, um, Subway that was there because the snowcone part (laughs) it's where we were at and it's almost like to D onto the other side.

EH: Oh, okay.
CM: So it's like I walked from this way all the way half back that way but it wasn't long. I mean I was walking

EH: Understood.

CM: fast and I was tryin' to get to someone because I knew it wasn't right for them and, like I said, I've put up with it too long, you know, to hear 'em saying that, even when I asked our students not to talk to 'em and stuff.

EH: Now prior to those statements being made, uh, correct me if I'm wrong, but it was prior to the statements that there was the exchange of Frisbees?
CM: Yes.

EH: Okay. That was before.
CM: Yup. Yup.

EH: And then these fella's were taking the Frisbees and just launchin' 'em out to the
CM: Just launchin' 'em out and it didn't fall like any of, like any of our people,

EH: Mm-hm.
CM: but like I said it went down to the other section and like they turned around to look

EH: Mm-hm.
CM: to see, you know, and, then the other one, like literally almost goes almost down to the bink there and I

EH: Did any of 'em get out onto the ice?
CM: No.

EH: Okay.
CM: Things are startin' ta' (laughs) I'm just tryin' to play it all back because I know when the guy did like the thing of banging against the wall, then a couple of our students had 'em in their hand and he reaches and grabs it out of the students hand and that one was his, that, that guy was [redacted] who had the Frisbee taken outta' his hand. I just tried to forget about, forget about it for awhile because it distur, I mean it bothered me.

EH: Sure.
CM: It bothered me and I had people calling me want to talk to me and it's like, Justin was out, you know, Justin did the right thing by, you know, puttin' it out there and stuff, but I wasn't, I didn't want people to be calling me and stuff (laughs).

EH: Sure.
CM: I just, I didn't want to.

EH: Hm. How do you spell [redacted], [redacted]?
CM: [redacted].

EH: [redacted]?
CM: Yup. So I was just tryin' to think of everything.

EH: Yup, and again,
CM: Details

EH: We're not in a rush.
CM: Yah.

EH: So, if things come to ya'
CM: Yah.

EH: Let's talk about 'em. So, uh, so as it's, you said that though at some point [redacted] had his
CM: Yah, because him, he's, he's the out loud boy and he's just like, he's up there and he has his Frisbee and he reaches over and grabs it outta' his hand and throws it and that was the younger, the younger guy who had did that.

EH: Okay.
CM: That's the one after banging the wall and, and stuff, and it's like other things that might (Inaudible)

EH: And that was during, while he's banging, (Inaudible)
CM: Yah, after, after he's done like banging the wall.

EH: Okay.
CM: I know I typed down my statement to give to the school and I put 'cuz it was fresh in my mind, so I typed everything and I saved it on my computer. (laughs)

EH: Mm. Okay. So now let's talk about the, the beer spilling incident. Um, now, you were seated in your spot when it happened?
CM: Mm-hm.

EH: The individual that spilt the beer, let me ask you this, did you, did you see the individual spill the beer?
CM: Yah because by then the beer had already spilt on most of us and when I turned around, that's when the beer bottle like dumps.

EH: Can, where was that individual standing?
CM: Right here. He was the one that was standing. That's the third guy that was standing like directly above those two girls and he was like leaning, he was like by the wall.

EH: So he was right in this corner?
CM: Yah.

EH: Okay.
CM: And that's why I said those two that, those two got the rough end of it.

EH: Uh, [redacted] and [redacted]?
CM: Yup.

EH: Okay.
CM: They had more beer spilt on them then they did any of us.

EH: Okay. Um, so you're, you're watching the game then you feel these big drops hit ya'.
CM: Yup.

EH: You turn around and then that's where this individual's standing and that's the heavier set,
CM: Yup.

EH: blue sweater, full facial hair, thirties to forties, black hat?
CM: Yah.

EH: Okay.
CM: I wanta' say yah.

EH: Was there anybody else standing near him? No?
CM: That's why I said it was, there was, I now there was a lotta' people in there because when we would come, when we were coming up from the concession there was a lotta' people in there, but I mean these other people weren't up, up to the front, and every now and then you know you'd see one of 'em you know come to just to kinda' peek at the game or whatever and they would go and sit back down.

EH: Okay, so, again, you feel these big drops, you turn around, there he's standing. There isn't anyone else around him and what is he doin' with his hands?
CM: Nothing. He's the, the one, the guy, the one the, the guy that when, after I see him do this with the bottle or he like dumps, like pours it?

EH: Okay.
CM: And then he just like pulls it down and then that's it and but the other guy, the one, and I know that they had sprayed it because it got on like this to us, like I don't know if they went like, like this, or if they did, I don't know if they'd opened a bottle or did whatever but the heavier set, the guy, the bald, the guy, that guy was the one who was holding his

bottle up and kinda' shaking and you know waving it around and stuff and that's when I, and then he pulls it down, he pulls it down right away because I've already seen it and like I said, the guy in the corner, 'cuz I, I turned around and that guy's like right here in the corner and my focus was on these guys because I knew that they had spilt the beer.

EH: So there was a, if I understand you correctly, there was a separate incident where there was a spray of beer as well?

CM: It would probly' happen at the same, I don't know, I think it hap, it had to have happened about that because that's when I had felt the beer and when I turned around that's when the beer, yah, it did, because it, when I turned around that's when the beer had been poured on my two eighth grade students that were sittin' right directly underneath him.

EH: Okay, so, there was a

CM: But it was just all like it wasn't like a different time because it happened all so quickly.

EH: Okay.

CM: It happened like minute, like a couple seconds apart I would say kec, seconds apart because after I seen that that's when it it just took everything. That's when it pushed my buttons.

EH: And this may be difficult to remember 'cuz like you said it was a couple

CM: Yah.

EH: seconds apart.

CM: Yah.

EH: Do you remember was it, was dibda, did the spray happen first or did the pour?

CM: The spray happened first.

EH: Okay. So the spray and that hit multiple people? Okay.

CM: I even had kids, my own children there, that got sprayed.

EH: Okay. So then there's the spray then there's a couple seconds and then that's when you feel the big drops?

CM: Yah.

EH: And that's when you look up and you see him?

CM: Yup. Like I said, you think about it, you look at it, try to visualize it, but I mean it just happened so fast.

EH: Sure. So then you make eye contact with the heavier set guy?

CM: Yup.

EH: And w-wha, what is he doin' with his?
CM: He's kinda' has the, he has the beer bottle and it's kinda' like waving like that, and when I turned to look at him, by then you know the beer's probly' gone. He puts the bottle down, back on the, on the top there.

EH: Okay. (Inaudible)
CM: And I didn't realize that they

EH: On that ledge he put it down on the ledge?
CM: Yup. I didn't realize that. That's, and I was kinda' talking to my boss and stuff, 'cuz I've, you know, we've been to hockey games and stuff. We kinda' thought about doing our own box and whatever but I was kinda' asking and I, I didn't know that they sold liquor in those things so it was probab, they were probably drinking liquor at the same time to probly' get 'em that drunk because it high, it kinda' got fast, you know, for them to get drunk unless

EH: Sure.
CM: they didn't eat. I don't know. Drinking their beer fast 'er.

EH: That's a good point.
CM: Yah.

EH: Now when he's up with his, with the beer in the hand, was he shaking it back and forth or was he just holdin' it up?
CM: Kinda' like a back and fort, like a shake like, like he just now got done

EH: Sure.
CM: emptying the bottle or whatever.

EH: What type of container was it?
CM: I'm pretty, I know the guy, I know the younger guy was drinking a Michelob.

EH: Okay.
CM: And I'm pretty sure, I'm, I'm more positive that that guy was drinking the same kind, Michelob Ultra.

EH: Ultra. Okay.
CM: Michelob. But I know it was Michelob beer.

EH: Do you 'member, so the fella' that's doin' this with the Michelob beer, do you happen to remember what type of container? Was it
CM: It was a bottle.

EH: A bottle?
CM: The bottle. The bottle. And like I said I don't know, like, if there were, if he had two or whatever but I'm just tryin' ta', it's like I said, it just happened so fast I could just see him holding the, a bottle, but, and he was wavin' it, so I don't know, I, then I was my, my attention was more on him because the bot, the beer had spilt

EH: Mm-hm.
CM: on us and I don't know if the, I can't remember if the other guy had the bottle as well.

EH: Which other guy?
CM: The one right beside the younger one, that was beside him. Because this one right now is what I'm talking about are these two main guys are the two that had spilt. I know they had sprayed the beer but I did not see the other guy like have a beer or if he put it down before I looked or whatever but when I looked back the, this guy right here was the one holding the beer bottle.

EH: Okay, so when you're talking about the spray,
CM: Yah.

EH: that happens prior to
CM: Yup.

EH: the big drops,
CM: Yup.

EH: the spray's comin' from this area?
CM: Yes, it's, that's where the spray comes because that's when I feel it on my head and that's when I turn, I mean I felt it on my head and that's when I turn around and I see this guy on the corner drop the beer.

EH: So then, A,
CM: Yup.

EH: he was the own, between these two guys, he was the only one with a beer in his hands.
CM: Yup, that's the one I can see just right when I turned around, that's the one I could just like see. There was a bottle in front of them but I don't know if he had put the, the younger one had put the bottle down before I turned around or what, but I know for sure, a fact that that guy had the beer.

EH: And was that also a Michelob bottle?
CM: Yah.

EH: Okay.
CM: Yup. 'Cuz I pretty sure, 'cuz I know the, I know for sure that the younger one that's what he had in his, his hand and there was a couple Bud Light containers, the Platinum bottles there, but I don't know if they were the ones drinking it 'cuz like I said there was people that would just come up and kinda' look at the game and then they weren't sitting, sitting there. I was just tryin' to think a everything so.

EH: So would this be fair to say then? Um, so that my notes are correct. That when you feel the spray and you look up, this guy here has a beer in his hand. This guy does not have a beer in his hand but there's beers around him.
CM: Um-hm.

EH: Okay. I understand now.
CM: Yah.

EH: As far as how the spray happened,
CM: I don't ev, I don't know because like I said I just came from, I just came from, I just came from finding the cop and when I come, I sit, I like literally like sit down, I'm like so fuckin' frustrated because I couldn't find anybody and this is, this is happening and I'm, I'm thinking my mind, you know, should I take these kids now or you know should I, what should I do, but it's running like real fast in my mind and then, then that's when I hear, I mean I feel the beer, and I, I mean it didn't even happen not even five minutes I sat down. I literally came up, sat down, and it was just, within five minutes 'cuz I, I mean it didn't, and like when I go over and I tell Chas, you know, we need to go, we're gonna', we need to leave right now, 'cuz she feels the beer and stuff. I mean we, like I said, the majority of us that were there, we basically felt the beer.

EH: Mm-hm.
CM: And stuff so.

EH: A'right. Um, and then again, shortly after that spray, then you feel the large droplets. You look up. You see that fella' standing here in the corner.
CM: Mm-hm.

EH: He has the Michelob bottle. There's no one else near him. Ah, he's doin' something like this. Do you happen to remember, uh, what was, and, and maybe not 'cuz you're focused on the kids and you have that responsibility, do you happen to remember what was happening during the game at that time?

CM: That was, 'cuz when that happened, that's when that, when they made the goal. Because all of this happened real fast when that goal, when that goal was, when they made the goal.

EH: (Inaudible)
CM: And I think it was like the third, third goal or sa'um, but that was when they made the goal because it just happened all real fast. And like I said it was, it was around the time after that. Like the goal and, and just right after that goal was made, everything just happened (snaps her fingers) like that.

EH: The spray.
CM: Yup.

EH: The big droplets.
CM: Yup, everything.

EH: During the goal, okay.
CM: Because we, I mean, you know, like I said, we had students that were up and hollering and you know we were alred, and I thought our class (laughs), our group was loud, but obviously it wasn't loud enough and they were like right there.

EH: Yah.
CM: (laughs)

EH: (laughs)
CM: We've even went, like, one of those years we even won a, because we took students and stuff, and like I said, this was an incentive trip. Some of these kids worked so hard you know, they, it has to do with attendance. It has to do with not, being behind in homework.

EH: Sure.
CM: You know being here every day. You know its, it plays into, you know, having good grades. It plays into all of that and, you know, Jody's the main, you know, the twenty first century person. She does attendance but I already have kids asking me like in December, you know, when's the Rush hockey? Are we going to miss hockey? 'Cuz they look, you know, they look forward to going to the game and stuff. And it's like, I don't know.

EH: You just go to one game a year?
CM: Yah. Because we, 'cuz like the funding we get, it's not like so much but we do other activities besides but Rush hockey is our big big one that we go to 'cuz we'll go to the movies in Rapid. We'll go bowling in Rapid.

EH: Right.
CM: Um, we just do a bunch a different things, but that is our, our biggest trip that we go to.

EH: Sure.
CM: So, and, we, they've, they've enjoyed it in the past so we've always thought it was good to take 'em back. (laughs)

EH: Absolutely. No, it's, uh, I think that's a neat, uh,
CM: It's a good experience for these guys because it's not here.

EH: And to reward positive
CM: Yes.

EH: um, just being positive with grades
CM: Mm-hm.

EH: and what have ya', that's pretty cool.
CM: Yah.

EH: Um, okay. We're just tryin' ta', we're just takin' our time. I'm not in a rush. I just want to make sure
CM: Yah.

EH: that we're covering everything, so. Oh, I know what I was gonna' ask. When, uh, when you walked over here and let Justin and his wife and the bus drivers know what you wanted to do and you start headin' back, when Justin began to exchange words with the skybox, about where was he standing?
CM: About right, right

EH: Kinda' in the middle there?
CM: Yup, right in the middle part. I didn't even realize he was behind me 'cuz I like, I was, by then I was in, I was, I started crying and stuff and

EH: I think that's understandable.
CM: I was, yah, and I was, I was really upset and I didn't realize he was behind me. I was just, you know, waitin' for them to all get up and go and that's what I said, when I turned around then, Justin was having those words with those guys and he had said that's when they said they invited him to come up and, come up to that box and they'll deal with it up there.

EH: Now Justin's standing right about here, just so I have a visual.

CM: Um-hm.

EH: He stands here and wh, I'm sorry again, what did he say to 'em?
CM: He hollered at them. He said, who the fuck spilt beer on these kids?

EH: Mm-hm.
CM: Have some respect. These are students. And that's all he said. And then that's when the guys, I don't know, they, that's when they had replied that, you know, come up to the box, we'll deal with it up here.

EH: Which one replied to him?
CM: It was both of these, both of them two that had both, they said it like back to him.

EH: Okay.
CM: Like, just playing (or plain), you know come up here, we'll deal wit, you know, we'll deal with it up here. Inviting him

EH: (Inaudible)
CM: up to the box to, to obviously fight.

EH: That, that was your impression that
CM: Yup.

EH: it's not like
CM: Yup.

EH: Hey,
CM: Yup. It's not, you know, (Inaudible)

EH: come up here 'cuz I can't hear you.
CM: to talk, yah. It's not, it wasn't that. It was, it was wanting to fight.

EH: Okay. Um, so come up here and we'll talk about, or come to the skybox
CM: Yah.

EH: let's talk about it. And it was both of them were replying
CM: Yah.

EH: in that way? Or was just one of 'em?
CM: Yah, because I, I could hear, I could hear this guy, A, the one saying it like well, but this guy on the other side was saying other things ta' Justin but I couldn't hear because, and

like I said, my mind was just all over because of what was going on and you know what had happened and, you know, they both had said sa'um back to Justin.

EH: So I, A replied back.
CM: Yah.

EH: And B is saying somethin' but you're not hearing it.
CM: Yah.

EH: Okay.
CM: I mean I know he was saying sa'um back to Justin and Justin was pretty pissed off and, you know, like he was saying you know he apologized to the kids for cussing in front of them and stuff but you know, whatta' you do?

EH: Mm-hm.
CM: (laughs)

EH: (laughs) (Inaudible) B is saying somethin'.
CM: At least we all kept our cool.

EH: Mm-hm. (Inaudible)
CM: And he explains (Inaudible) and I'm not too sure if he heard the other guy or whatever (laughs) but and, like I said, be it B, described the man as the Eddie Mousseau (laughs).

EH: (laughs)
CM: (laughs)

EH: A'right. So, again Justin's right about here. This is when he makes his comment. A, you, you saw that A replied back with the why don't you come up to the
CM: Yah.

EH: box and let's talk about it. B is saying somethin' to Justin but because it's so loud you're unable
CM: Yah.

EH: to hear that.
CM: Yup.

EH: Okay.
CM: Yup

EH: Okay.

CM: I was sittin' in my classroom yesterday tryin' to put, 'cuz I know what chaperones were what and how they were all sitting and I was tryin' to find my paper but I gave it to Jody to fax in all names, or email names to the officer in Rapid.

EH: That's okay. A'right.
CM: (laughs)

EH: (laughs) Um, okay. At any time did you see, did you see anything, uh, thrown at the students and or the chaperones with intentions of harming them?
CM: I didn't see. I mean I didn't see anything but like I said my students, the ones that were to the back kinda' seen and heard more than

EH: Sure.
CM: I did because I was a row below them but I was there to like hear, you know, try to, try to tune in to what they were

EH: Yup.
CM: saying and stuff, so I, I did not see anything being thrown.

EH: And that's okay, that's, that is
CM: Yah.

EH: the truth and that's all I wanta'
CM: Yah.

EH: talk about is the truth. So that's completely fair.
CM: Yup.

EH: Um, then, uh, let me, if I was to say, how would you best answer this? Did you see a any liquid, let's just say liquid, um, either poured, dumped, sprayed, spilt, however you wanta' say it, on to the students and or the chaperones, either on purpose or by accident?
CM: They were doing it by purpose from the reaction I got when I turned around and looked at him holding the bottle.

EH: Okay.
CM: I mean I

EH: And again he's by himself.
CM: Yah. They, I mean, the other guy, they're standing together but like I said these two, yah, these two, they're both standing up, by like I said when I turned around, this guy had the bottle in his hand and the other one, I mean there was beer in front of him so I

don't know if he sprayed it before or before or they did it at the same time and then he put his bottle down, I'm, I'm not too sure, this guy.

EH: But these two
CM: Yah.

EH: fella's weren't standing next to each other, correct?
CM: Huh-uh.

EH: Okay,
CM: They were

EH: I just wanted to make
CM: Yes.

EH: And they, forgive me
CM: They were away.

EH: 'cuz I just wanta' make sure that I have your
CM: That's fine. Yah.

EH: your account of what happened correct. I don't wanta' mess
CM: (Inaudible)

EH: anything up.
CM: Yah.

EH: You know what I'm saying?
CM: And that's

EH: So I might be repeating myself.
CM: That's fine.

EH: Okay. (laughs)
CM: That's fine, because I mean that's.

EH: So, again, uh, there's a spray.
CM: Yah.

EH: Um, you turn around and when you look over here after the spray, you see this guy with the beer in his hand.
CM: Mm-hm.

EH: This guy doesn't but there's beers around him.
CM: Yes.

EH: Okay. How he sprayed that we don't know.
CM: Yah.

EH: We don't know if it was like a
CM: Yah if he shook it and, yah, went like, I'm not, huh-uh, I'm not too sure.

EH: Okay, and then just a few seconds after that you feel big droplets and then that's when you look up, 'cuz you're here and you see this guy here.
CM: No, 'cuz this, the spraying happened

EH: Right.
CM: the spraying happens that's why, that's what catches my attention so when I look back the spraying had, the spraying has already happened.

EH: Okay.
CM: So when I look back that's when I see the guy standing there with the bottle in his hand. And just on the corner of my eye I could see this guy pouring the, like, pour the beer on the girls, or whatever he's doing 'cuz he's doing this but it falls directly right on those two girls.

EH: Okay. Okay, so the spray gets your attention.
CM: Yah.

EH: You look over and that's where you see these two.
CM: Yup.

EH: But in your corner of the eye here,
CM: Yah. 'Cuz I could, I just (Inaudible)

EH: (Inaudible) peripheral vision,
CM: Yah.

EH: you see this guy goin' like this.
CM: Yup.

EH: Okay. Did you, um, okay. So we'll just correct my if I'm wrong. This is just
CM: Yeah.

EH: yes or no, so I know. Did you see him pour it on the girls or you see him doing this?
CM: I see him doing this

EH: Okay.
CM: with the beer.

EH: Okay. That's fair.
CM: And but like I said, those two are the two that had the majority of the beer

EH: Okay.
CM: spilt on 'em because they were the only two right

EH: Yup.
CM: under him.

EH: [redacted] and [redacted].
CM: [redacted].

EH: Um, is it [redacted]? Yes.
CM: Yah, yah.

EH: [redacted]? He was here?
CM: Yah.

EH: And then [redacted].
CM: Yah.

EH: Okay.
CM: 'Cuz I had the eighth

EH: Okay.
CM: grade, I had some, I had a eighth grader right beside me and then I had a eighth graders in front of me. 'Cuz,

EH: Okay.
CM: 'cuz we got our tickets together but I mean like some of 'em weren't sittin' in the spot that they were supposed to. We were kinda' just sitting down so we had to go back an' fix it and stuff so we were all together.

EH: Okay. Um, and as far as the spray and the spill, this happened immediately following the, a, goal?
CM: Yah, that third quarter.

EH: Some kinda' goal?
CM: Yah that's that third quarter

EH: Third quarter goal?
CM: That's the beginning of that third quarter.

EH: Okay.
CM: Yup, 'cuz that's when we had a all take in, like I said, we take in the second quarter intermission to go get, you know, use the bathroom, get our concession, and not all of'em go because not all of 'em bring money and there was some sitting there and stuff and like we had, I had, there was one chaperone that kinda' stayed with them to watch 'em or whatever while the other ones went. And we kinda' rotate it, we kinda' rotate it on who went on our end. 'Cuz Chastity kinda' took a lot of mine and, um, Julia took a lot of mine to the concession and bathroom.

EH: Okay.
CM: And I went myself to get myself to the (laughs)

EH: (laughs) I love concession food. Ohhh.
CM: Yes, I do. That's what I said

EH: Hot dogs and nachos.
CM: Yah.

EH: I love it. The Coke.
CM: Yes. Everything.

EH: (laughs)
CM: (laughs) Are you guys doing the kids too?

EH: Um,
CM: Or are you guys just doing the chaperones today?

EH: Uh, we're just doing the chaperones today. It's my understanding, uh, that after this we're gonna' meet with, um, Dr. Kitsopoulos and work out the best way of making contact with the kids. So, but we didn't, just knowing um how much time we had today and the available resources that we had, the three of us, we knew that we could at least talk to the eight or nine adults and then we talk with the kids, um, you know.

CM: Because I had, I have two kids that were there but they both seen sa'um different but they

EH: Yah.
CM: can tell you themselves.

EH: And that's just it. There's gonna' be a lotta'
CM: Yah.

EH: different sets of eyes and ears.
CM: Yah. That's what I had told my kids and I just kinda' explained to my kids, I said, you know, I'm not, 'cuz I, you know I didn't wanta' discuss it at home because I was already disturbed by the whole thing that had happened and stuff and, and it kinda' came into conversation about one a my kids, but, and she told me what she seen and my son told me what he seen, but I just told 'em, I just scared off, because I go, when you talk to these guys, you need to be honest, honest,

EH: Mm-hm.
CM: because these are federal people and I said you have to be honest. It's like mommy. I said, mommy has to be honest. Mommy can't lie. Because I said I'll probly' end up having to go court but I said, you guys need to te, you know, think of the same thing, so I just tol, and I said, don't listen to your friends, what your friends have to say

EH: Mm-hm.
CM: don't do any of that, you know. You tell 'em what you seen and you heard because my son did, he seen something but it wasn't nothing too much, but

EH: Sure.
CM: my, my daughter on the other hand had seen more than him, so.

EH: Yup and that, and if somebody doesn't see somethin', that's okay too.
CM: Yah. And see that's what I

EH: 'Cuz that's just the truth.
CM: yah, that's what I told 'em and I told my kids, I said you stay totally honest.

EH: That's a good modeling parent. (Inaudible) Okay, um, at any time during a, when the spray happened and you were lookin' here, did those individuals make eye contact with ya' at all? Do you recall? And then as far as the peripheral vision of this individual here
CM: The one I had contact with was the guy beat, the the one you had labeled A

EH: Mm-hm.
CM: is the one I had contact with 'cuz I like that's when I got up and I said it was time to go because when I turned and I looked at him that's what I said he seen me, he, he seen me and I seen him and he was like looking right at me and he just set the beer bottle down. But it's like you know I through.

EH: After the spray.
CM: Yah and through the whole thing I, I had contact with that main guy because like I said he was the main one that I kept seeing talking on this side and the other guy was still talking but I mean every time I looked back I had contact with that guy. And he knew like I said he knew, I knew it was wrong, but he still chose to do it. I don't know if he was doing it on purpose or to get on my nerves or, or the, he was probly' waitin' for me to say something back to him but, you know, I was at, you know I was on a school trip and you know, I have to be professional. I wasn't gonna' sit there and argue with the drunk man

EH: No.
CM: in front of these kids.

EH: No.
CM: And stuff, but, you know, every time I'd, every time I look back and like I said, every time I look back, he, I had contact with him and the guy, the other guy on the other side, once, but not as much as contact as I did with this guy, the eye contact was, it was right there and he knew and every time he looked at me he had a like a smirk on his face. It's like I literally wanted to like move, remove my kids and like literally jump up there and punch him in the face because I was, I'm that type of person. I'm, I don't, I and my boss, (laughs)

EH: Hm mm.
CM: Gloria's, like I'm, I'm so glad that you held your cool because I do, I have a short fuse and if there's sumpin' that somebody does to me it bothers me, I, I'll say it. And so

EH: Fair enough.
CM: Yah.

EH: Umk, okay let me want ya' to just photo line-up here in just a second.
CM: Oh, I do have another cough drop (Inaudible)

EH: (laughs)
CM: I know I brang enough.

EH: So as far as the level of intoxication for the individuals in the skybox, what level of intoxication would you say?
CM: I, I wouldn't say high. I would not say high because they knew what they were doing and like I said, they kinda' looked like they were getting intoxicated but they weren't wasted wasted. They were not

EH: (Inaudible) sure
CM: I mean they weren't wasted.

EH: Okay.
CM: I mean I'm pretty sure that they were on a level that they knew what was going on.

EH: Okay.
CM: I was thinking about that same, I was thinking that same fricking thing. They tryin' to say that they were drunk and they don't remember but they had, they, they had to remembered 'cuz they weren't that intoxicated. They were intoxicated, probly' about, I don't know. I don't know how we would look at intoxication

EH: Yah.
CM: because

EH: It's a hard one to define.
CM: Yah. Because wa, I mean, me talking like wasted is like drunk, drunk, outta' your mind. You don't know what you're doing, but they knew what they were doing.

EH: These individuals were able ta'
CM: Yah.

EH: talk?
CM: Yes. Exactly. They were able ta'

EH: (Inaudible)
CM: talk. They were able ta', I was able ta' understand them.

EH: Okay.
CM: And when drunk people talk sometimes you can't understand them because it's slurred speech but they didn' [redacted] have splurred speech.

EH: Okay. Uh, do you recall any tossing of bottle caps?
CM: No, like I said, I din't, I din't see that.

EH: (Inaudible) that's okay.

CM: The only thing I told ya' I seen was the throwing of the Frisbees.

EH: Frisbees, yup.
CM: Yup.

EH: Okay.
CM: That's what I said I thought it was my students that were throwin' (laughs), throwin' 'em 'cuz it have hit down in the bottom.

EH: Okay. And as far as your own eyes, um, as far as anything, anything at all thrown, at the kids or the chaperones with intentions of harming them, through your own eyes, you would say no?
CM: Yah.

EH: Okay. But other people might have somethin' different to say? That sounds fair. Let's a, let's go ahead and do the photo line-up here.
CM: Like I said, I don't know, like the third guy, I didn't like get a good good look at him but it was just like corner and like I said he was there and then he wasn't there.

EH: Okay.
CM: So I'm, and I'm, and he didn't participate in like the, the talking too much.

EH: Yah.
CM: It was just, my, my focus is these two guys but the third guy is my focus because of what he had done to my students.

EH: The, um, so A and B, they spent a lot of time against the wall?
CM: Yes.

EH: M-kay. So you (Inaudible)
CM: They were like, they were like, they're there the whole time. I mean I (Inaudible)

EH: And C was just kind of in and out?
CM: Yah and I might of, you know, they mighta' went to the bathroom or whatever but I wasn't like sitting there watching 'em, but I mean, they had the attention of my students 'cuz my students kept looking back after, no (Inaudible)

EH: 'Cuz of them bein' loud and obnoxious?
CM: Yes and talking

EH: Talking and banging?
CM: Yes. Yes.

EH: So, um, I'm gonna' show ya' six, six different line-ups. Um, take your time with each one. You do not have to rush through it. If you don't see somebody you recognize, that's okay too.
CM: Okay, yah that's just my, like I said, like the third guy, I mean I'm not positive on how he

EH: That's okay.
CM: looks and stuff because I, s'like I said, he was in, he was out, and I mean every time I looked he wasn't always there. But these two guys did not move.

EH: Okay.
CM: I mean maybe they did to go bathroom I don't know.

EH: Right.
CM: I wasn't watchin' 'em (Inaudible)

EH: Majority of the time.
CM: But the majority of the time they were both sitting there.

EH: So, for each line-up, we're gonna' fill out one of these sheets for each one.
CM: Okay.

EH: So it's a little bit of a timely process.
CM: Fine.

EH: And again, if you see somebody, let me know.
CM: Okay.

EH: If you don't, that's okay too.
CM: Okay.

EH: That's just honesty. Let me, uh, read this to you. We just read it to everybody before a, a photo line-up. You are going to view a line-up containing photographs of six individuals. So each one's gonna' have six different pictures. The suspect's photograph may or n'may not be in the line-up. So you may or may not see 'im. Please study each photograph carefully and after all six have been viewed, uh, tell me whether or not you recognize any of the individuals in the line-up and, if so, which individuals you recognize. And I'll step you through that as we do it. Okay? So, let's start with , (Inaudible) that just like it is. Now each one of these line-ups are two sheets of paper, stapled together.
CM: Okay.

EH: What I'd ask ya' ta' do is just look at the pictures.
CM: And then flip it?

EH: And do not flip it.
CM: Oh, okay.

EH: Okay?
CM: A'right.

EH: So let's just start with this one right here. And again, take your time. I am not in any rush. Don't feel like you have to rush, okay? So, would we agree that this is number 5? If this is 1, 2 and 3, he's number 5. Okay? So with that being said, let's fill this out together. I'll fill out part of it for ya'. Okay. I'm sorry. I can't remember the case report number. (Inaudible) 2 0 1 (inaudible) and we'll put down this date and we'll say eleven forty seven hours, and I'll help fill this out by, on the third day of February, two thousand fifteen, at eleven forty seven. So, what I will ask you to do is go ahead and put your name here please. Okay? And then let's do this. Since we're gonna' look at six different ones, six different groups, let's call this one A. So with that being said, you are gonna' initial I did identify or I did not identify. So first initial that. And as far as which one, let's do the letter and the number.
CM: And the number?

EH: Yes ma'am. And we'll do that for the rest of 'em. Okay? Then, it's a little redundant, so bear with me here. We're gonna' do these all the same. I am the witness and then I would ask you to go ahead and fill out these sections here. We'll do one at a time. And let's, before we move on, let's just take a moment to discuss who is this individual?
CM: That's letter A.

EH: That's letter A? Okay.
CM: (Inaudible) get me some tissue in here real quick?

EH: Yes. (Inaudible)
CM: just right here, there's a box of tissues here.

EH: You bet. Yes ma'am. Take your time. Yes, I apologize. At any time you wanta' get up to use the bathroom
CM: Yah.

EH: or you wanta' grab some, uh, Kleenex, that's not a problem. Um, (Inaudible) just think here for a second. Okay. We're gonna' continue but I was gonna' ask you somethin', but I don't recall what it is off the the top of my head. Okay, so, again I'm gonna' show

you another photo line-up and if you don't notice anybody, that's okay too. But, uh, take your time with this here.

CM: I don't know anybody in this one.

EH: Okay. And I will put this one as B. Okay, take your time with that one.

CM: There's nobody in that one.

EH: Okay. (Inaudible) C.

CM: Nobody in that one.

EH: Okay.

CM: Nobody in that one.

EH: Okay. Two more here.

CM: Nobody in that one.

EH: Okay.

CM: Crap I'm tryin' to remember his face (Inaudible).

EH: That's okay. And we're not in a rush if you'd like to go back and look at some of the other ones we can.

CM: Yah, can I?

EH: (Inaudible)

CM: 'Cuz I'm looking for, I'm looking for B.

EH: Okay.

CM: That's who I'm looking for.

EH: Right now would we say we don't recognize anyone here?

CM: Yup.

EH: Right. We'll go back through 'em? Okay.

CM: And that's supposed to be for all three men or all?

EH: Uh, these, these are the photo line-ups that we have of individuals so far. I would like to say that maybe A, B, and C are in there. I don't know for a fact.

?? (Inaudible) I brought you some chow.

EH: Oh, thanks!

EH: So, we already talked. We're confident with A.

?? This is for all of ya' (Inaudible)

EH: Oh, thank you sir. I will let 'em know.
CM: Yah, 'cuz I'm positive it's not, I mean.

EH: Okay.
CM: He's not in that one.

EH: Okay.
CM: How I described that guy was he has a narrow, narrow nose.

EH: Okay.
CM: And he was a little bit thinner.

EH: Okay.
CM: Nobody in that one (Inaudible)

EH: Okay.
CM: Look at that other one real quick (Inaudible)

EH: This one?
CM: Yah I'm just tryin'a

EH: Okay.
CM: Just let me think for a minute.

EH: Yah. That's okay.
CM: I'm just

EH: We, we are not
CM: (laughs)

EH: in a rush Consuela. You take your time. I don't fee, make you feel pressured at all. If you want to look through them again we sure can.
CM: Can I look at that one? (Inaudible)

EH: Yes ma'am. This one here?
CM: Yah. (long silence) I wanta' say it's this guy.

EH: Okay.
CM: That's how I see the narrow.

EH: Okay.
CM: The narrow nose is what I remember of him and he's the, he was younger.

EH: Let's fill this out together then. As we did before, just initial either I did or I did not, and if we did, we'll put the letter and number associated.
CM: (Inaudible)

EH: (laughs) That's a'right. (Inaudible) doin' that. Now, uh, somethin' I forgot to ask if I did ask, I don't remember the answer. The fella' that was shakin' the beer. What was he focused on when he was doing this?
CM: He was looking at the game. I mean it's like I said he was just like peripheral vision he just was like I think looking at the game.

EH: And then, uh, right when
CM: Like I said it was just a quick

EH: Mm-hm.
CM: glance at him.

EH: When the spray happened and you look over at A and B, where are they focused?
CM: They were looking down at our kids.

EH: They were both looking
CM: (Inaudible) Yah.

EH: at the kids?
CM: That's what I said, I don't think it was accident. It was on purpose for them to do it.

EH: Okay. What else can you think of that I may have forgotten to ask that you think would be helpful for me to know?
CM: It affected a lot of our kids. Affected me.

EH: You've been, so if I understand you correctly, you've been kind of holdin' it in for awhile?
CM: Yah, I just, I didn't talk to anybody. (crying sounds)

EH: Is this your first time talking to somebody?
CM: I talked to my, I talked to Jody.

EH: Yah.
CM: I mean I just I didn't tell her everything. I kind of told Gloria and stuff 'cuz they were in the room when I talked to the cops and I just haven't, I mean basically everything I kinda' told you, I mean talked to Gloria, I talked to, I just had a breakdown with Jody over the weekend.

EH: Sure.
CM: 'Cuz it was too much but I talked to her on the phone.

EH: (Inaudible)
CM: And I talked to the school board 'cuz I had ta' get my statement

EH: Of course.
CM: but I didn't, I mean that's just basically everything that and Gloria heard me say the descriptions and stuff and. I told her I said I'd be able to identify the guy that I always had contact with the other one I could see him but the only thing I 'member him having was the narrow narrow nose and stuff. But if I was to see him, I don't know.

EH: Okay. Um.
CM: I mean I haven't talked ta' anybody. I just didn't feel like, I needed, I needed to get it out but I didn't want to get it out to the wrong person because then sumpin' ll be switched around

EH: Yah.
CM: and turned around and stuff so I haven't really told anybody anything.

EH: Well I appreciate your taking the time to talk to me.
CM: I was waiting for you guys to come. I kept asking Jody.

EH: Yah. Well I'm glad we were able to come out and talk to you guys.
CM: I just needed to get it out.

EH: Yup. Let me just double check my notes before we go our separate ways here. You know, I would say Consuela, as of right now I think I have everything that I need, but, um, if I miss something or I'm goin' back and I don't fully understand what I've written down, I can you give you a call, yah?
CM. Yes that's fine.

EH: Alright. Um, and, um, um, Doctor Kotsiopoulos has all of our names and contact numbers, so if later you're laying there and you're like, oh yah, and you wanta' talk to me, you can sure give me a call.
CM: Okay.

EH: Um.
CM: I think that's pretty much everything that I remember so that, though, I mean don't, don't recall anybody throwing anything.

EH: Sure.
CM: Like bottles or anything but I didn't, everything else, I mean, I think I'm pretty, like I said I haven't talked to anybody and I been tryin' to keep everything fresh 'cuz I don't want things to get turned around. Just like I told my kids, you know, I'll have to tell the truth as of, as of they do too.

EH: Yah. That's the only way.
CM: That's, my husband I think, I didn't tell him everything either (laughs).

EH: (laughs)
CM: I told him some but.

EH: Yah.
CM: I'st don't like to talk about it. It just bothers me.

EH: Sure, I can clearly see that. And you have every right to have the feelings that you're having. I've, mm, are you glad that we've talked then?
CM: (crying sounds continue) Yah, I feel better now because I have a lot built

EH: Good.
CM: built up in me.

EH: Good. Well I'm glad. I'm glad.
CM: After talking to my kids too it just(Inaudible) me, it made me feel a little bit worse, especially my daughter because she seen things that I didn't see and she heard things I didn't hear (Inaudible) take it up and, you know, I was there to protect all of these kids but my own two kids were there too and to hear what my daughter, you know, what my daughter said and stuff really bothers me. I'm glad my other one didn't hear it 'cuz he (laughs), he's, he really takes things to the heart. She does too but I mean he, he'll handle it different than (laughs) my daughter does.

EH: That's fair. That's fair.
CM: But yah I think everything I've told you is pretty much

EH: Good.
CM: what I know. What I seen. What I did.

EH: Excellent. Excellent. Um, well, you know, you and I can sit and shoot the breeze for a bit 'til you're ready ta' step out. I'm, we're, again
CM: Yah.

EH: not in a rush.
CM: Yah I'm just gonna' go wash my face and stuff and I should be a'right.

EH: A'right. Whatever you, whatever makes you comfortable.
CM: What time is it?

EH: It is
CM: It's twelve.

EH: twelve. So would kids be havin' lunch now?
CM: They don't go. Middle school don't go 'til twelve thirty.

EH: Oh 'til twelve thirty?
CM: Yah 'cuz I teach middle school so they won't be in. They don't go 'til twelve thirty.

EH: A'right.
CM: Now it's homeroom time. They should be a'right. They're just doin' their math.

EH: Oh.
CM: I'm okay. (laughs)

EH: A'right.
CM: I think everybody just kinda' knew it affected me a little bit.
EH: Fair. That's fair.
CM: Yah.

EH: That's okay.
CM: Yup, but. Nice to meet you. I'm gonna' go in wash my face and (laughs).

EH: It was a pleasure talking to you (Inaudible)
CM: (Inaudible) so.

EH: A'right.
CM: (Inaudible) okay?

EH: I'll walk out with ya'.
CM: (Inaudible) back door to wash up.

EH: Okay. Sounds real good.

Door opens.
End of interview.