

1 INVESTIGATION NUMBER: N/A

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DATE: TUESDAY, AUGUST 2ND 2016

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TIMES: 10:00AM - 10:18AM

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SWORN STATEMENT

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OF

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EMILE HOLLANT

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APPEARANCES:

ON BEHALF OF THE STATE:

- Jose Arrojo, Chief Assistant for Special Prosecution
- Howard Rosen, Deputy Chief Assistant State Attorney for Special Prosecutions
- Ronald Dowdy, Assistant State Attorney
Katherine Fernandez Rundle, State Attorney
1350 N.W. 12th Avenue
Miami, Florida 33136
(305) 547-0100

ALSO PRESENT:

N/A

ON BEHALF OF THE WITNESS:

Atty. Don Slesnick

CONTENTS

1
2
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4
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6
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8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
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PAGE

Direct Examination by ASA Arrojo
ASA Rosen
ASA Dowdy

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EXHIBITS

NUMBER

DESCRIPTION

PAGE

LINE

A.

- Drawn diagram

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10

1 Q. Okay. And on that day, during that shift did you have an
2 occasion to respond to the scene of what ultimately became a
3 police shooting involving a Patrol Officer - Whose last name is
4 spelled A-L-E-D-D-A?

5 A. Yes.

6 Q. Alright. And is Officer Aledda one of the Patrol
7 Officers that was under your supervision that day?

8 A. Yes.

9 Q. Okay. Can you give us the general area where the police
10 shooting occurred, sir?

11 A. It's north 14th avenue, I believe it was 127th Street.
12 It's residential...apartments that are generally there. I
13 understand that there is...I think it's an AT&T station just south
14 and west of that.

15 Q. Okay. Now, did you physically respond to that area
16 before the police shooting occurred?

17 A. Yes.

18 Q. Okay. And were you there on the scene for some minutes
19 before the police shooting occurred?

20 A. Yes.

21 Q. Alright. Did you, yourself, participate in making radio
22 transmissions or responding to radio transmissions before the
23 shooting occurred?

24 A. Yes.

25 Q. Alright. Now, were you physically present and were you

1 an eyewitness to the actual use of deadly force by Officer
2 Aledda?

3 A. When Officer Aledda shot? No.

4 Q. Okay. You had stepped away?

5 A. Yes.

6 Q. Okay. Did you ultimately return to the scene of the
7 police shooting?

8 A. Yes.

9 Q. And were you present and did you participate at all in
10 the activities that occurred after Officer Aledda used deadly
11 force?

12 A. Yes.

13 Q. Alright. At any point, sir. Did you have an opportunity
14 to speak either to the Chief of Police or other superior
15 officers in the North Miami Police Department about the police
16 shooting?

17 A. I spoke to the Chief of Police. I spoke to, I believe,
18 Assistant Chief Cuevas that was there.

19 Q. Okay.

20 A. I can't remember what I said to Assistant Chief Cuevas.
21 I do not know, when I spoke to the Chief of Police, the
22 Assistant Chief was there. But yes, I did talk to...as I remember
23 to the Chief of Police about that.

24 Q. At any point during those conversations with the Chief
25 of Police or perhaps with the Assistant Chief of Police -- Did

1 you advise them that you were not a witness to the shooting?

2 A. Yes.

3 Q. Okay. Can you tell us, sir, in your own words, what you
4 meant when you told them that you were "not a witness" to the
5 shooting?

6 A. The specific question that the Chief of Police asked me
7 was "Did you witness the shooting?" and I told him "No". And I
8 explained to him that at the time I ran to my vehicle that was
9 north and west to retrieve my binoculars because they had said
10 that he had a toy in his hands and I wanted to make sure that it
11 was a toy. And, as I was retrieving my binoculars, I heard three
12 shots.

13 Q. Just so that I understand - When you advise the Chief of
14 Police or his Assistant Chief that you were not a witness to the
15 shooting - What you meant is that you were not physically
16 present and you did not observe the shooting with your own eyes
17 when it occurred?

18 A. No, I did not. I'm sorry - Yes, that's exactly what I
19 meant.

20 ASA Arrojo: Okay. I don't have any further questions
21 for you sir, but, perhaps one my colleagues' want to flush out a
22 couple of areas with you, so, I'm going to differ to them.

23 **By ASA Rosen:**

24 Q. I just want to ask a little bit more detail about the
25 circumstances of you speaking to the Chief - Was that in the

1 course of a formal statement or that was just informal
2 conversation at the scene after the shooting had taken place?

3 A. I'm sorry, repeat the question.

4 Q. I'm sorry, I might've been inartful in my phrasing of
5 it. When you had the conversation with the Chief, where he asked
6 you if you were a witness?

7 A. Mm-hmm.

8 Q. Was that in a formal statement as we're sitting here
9 today?

10 A. No.

11 Q. Can you describe how that came to be? Where that was?

12 A. There was Investigators there, there were multiple
13 people there at the scene handling whatever it is that they were
14 doing. And, the Chief looked at me and basically said - Or as I
15 understood, because I was running around and just walking and
16 the Chief basically - I'm just going by memory here.

17 Q. Sure.

18 A. "What are you doing here?" something like that, you
19 know, "Did you witness the shooting?" that's how I understand it
20 and I told the Chief "No Chief, I did not witness the shooting."
21 I ran to get my binoculars, and when I came back I did not even
22 know that the man was shot until we approached and I saw the
23 blood" - All this time I thought that it may have been the
24 [unintelligible] that had shot a weapon, I never thought for a
25 second that one of my Officers might have shot.

1 ASA Rosen: I don't think I have anything else.

2 ASA Arrojo: Ronald - Do you have anything you want to
3 flush out? Or no?

4 ASA Dowdy: Yeah.

5 **By ASA Dowdy:**

6 Q. Did you write any statement or report?

7 A. No.

8 ASA Dowdy: Okay. No further questions.

9 ASA Arrojo: Sir that concludes our statement. If there
10 is anything that you want to add or if there is anything that
11 Mr. Slesnick wants to add. And, we'll give you access to the
12 record at this point. Otherwise, those are all the questions we
13 have for you this morning, sir.

14 Witness: Of course, I'm only going by memory -

15 Atty. Slesnick: Go ahead.

16 Witness: Of course, I'm going by memory. If I had, you
17 know, maybe listened to the recording, I may have been able to
18 remember...refresh my recollection a bit more.

19 ASA Arrojo: Okay. If you have nothing further sir and
20 Mr. Slesnick has nothing further, then that'll conclude our
21 statement this morning.

22 Witness: Very well.

23 ASA Arrojo: Thank you for coming in.

24 [Off the record 10:07AM]

25 [Back on the record 10:13AM]

1 A. Southbound.

2 Q. On 14th avenue.

3 A. On 14th avenue.

4 Q. And when you got towards 128th street, you saw somebody
5 at that area of -

6 A. I saw two people.

7 Q. You saw two people at 127th Street?

8 A. 127th Street.

9 Q. South of you?

10 A. And 14th Avenue.

11 Q. Okay. And what did you do at that point with your
12 vehicle?

13 A. At that time I went ahead and I parked my vehicle on
14 128th just mid-block between 13th & 14th Avenue.

15 Q. What did you park in front of?

16 A. Uh...

17 Q. What's on the -- What is there?

18 A. I believe there's a parking - There's a parking lot and
19 an apartment complex. I believe it's a one-story parking
20 complex. I figure, I would put it over there if I were to make a
21 command post, that's where I would do it.

22 Q. Okay. And from there then you walked to the scene?

23 A. From there I ran to the scene.

24 Q. And -

25 A. I ran to...here [referencing document]

1 Q. Pointing to, 14th avenue?

2 A. 14th Avenue just south of 128th Street.

3 Q. Okay. And then you said that at some point you went back
4 to your vehicle to get your binoculars?

5 A. Yes.

6 Q. When you went back to your vehicle to get your
7 binoculars did you have a straight line of sight --

8 A. No.

9 Q. From the vehicle to the scene of the actual shooting?

10 A. No. No. This is - This right here is, it's a three-story
11 building, it's actually two-story's but the second floor
12 apartment has an extra apartment on top of it, so, it's really a
13 three-story building here. All this, is only two-story's
14 [referencing document]

15 Q. And for the record you're pointing to...?

16 A. To the one that's -

17 Q. The building...?

18 A. On 14th avenue.

19 Q. On 14th avenue between 127th and 128th Street.

20 A. Yes.

21 Q. On the west side of the street?

22 A. Yes.

23 Q. Okay. And was that building blocking your line of vision
24 between the shooting scene and your vehicle?

25 A. Yes. Yes.

1 Q. Not only this building right here on 128th between 13th
2 and 14th but then you also have this one here on 14th avenue.

3 [Referencing document]

4 Q. In any event, even if that building were not there, the
5 purpose that you went back to your vehicle was to retrieve the
6 binoculars?

7 A. Yes.

8 Q. And were you focused more on retrieving the binoculars
9 at that moment then you were on looking back at the scene of the
10 shooting?

11 A. Yes.

12 Q. Okay.

13 A. We were told that the Subject had a toy. So, I wanted to
14 make sure that it was a toy that he had in his hand.

15 ASA Rosen: Alright. I don't think I have any further
16 questions. And, we'll make this part of the record as Exhibit A.

17 ASA Arrojo: Thank you.

18 [End of statement 10:18AM]

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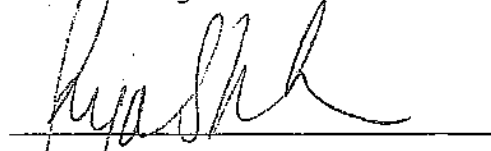
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REPORTER'S CERTIFICATE1
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I, Puja Shah, hereby certify that the foregoing transcript consisting of 15 pages, is a complete true, and accurate transcript of the testimony indicated, held on Tuesday, August 2nd 2016, at the State Attorney's Office, E.R. Graham Building, 1350 N.W. 12th Avenue, Miami, Florida, 33136, Sworn Statement of Emile Hollant; INVESTIGATION NUMBER: N/A

I, further certify that this proceeding was reported by Puja Shah, and that the foregoing transcript has been prepared by me.

Date: August 2nd 2016



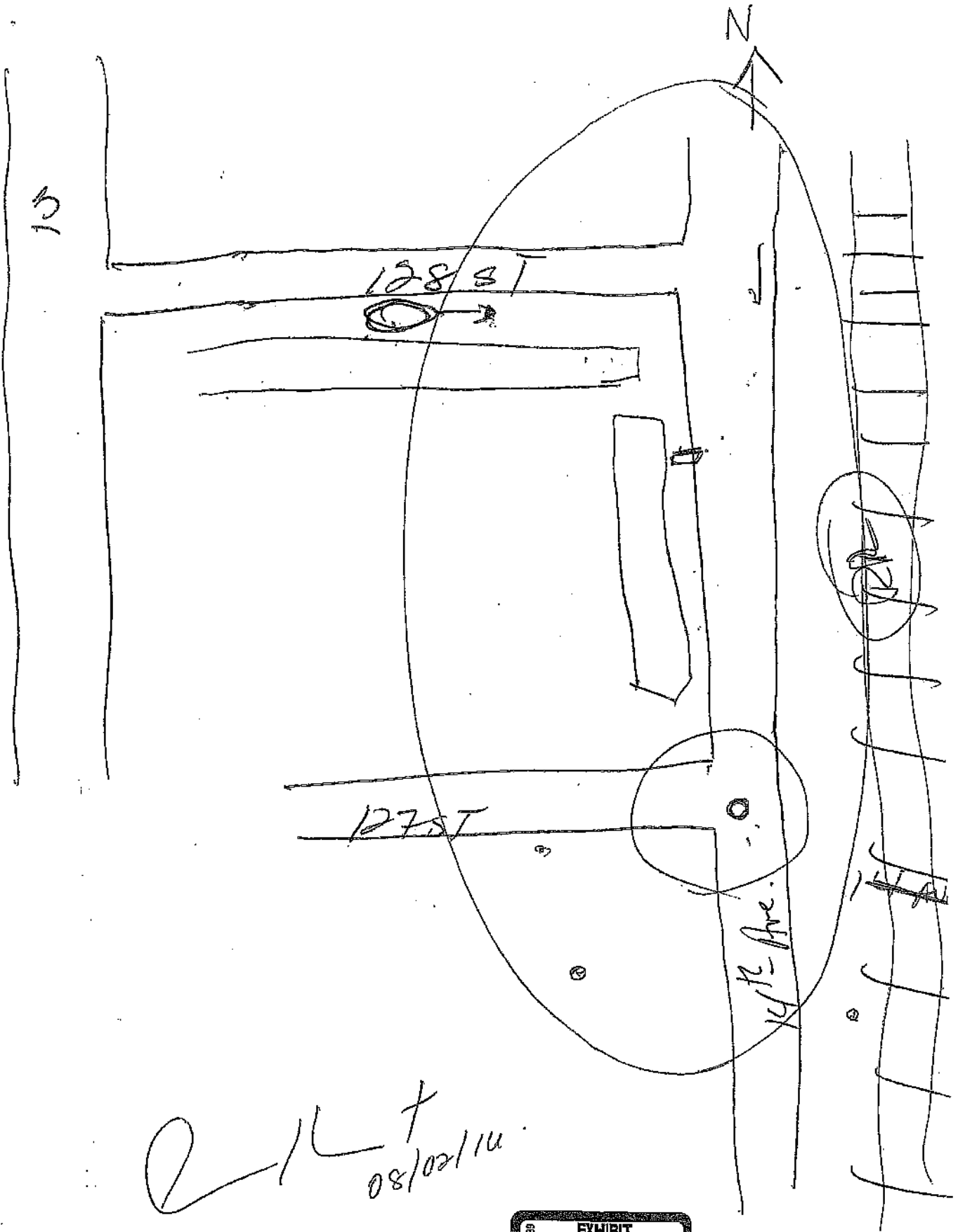
Puja Shah

Court Reporter

Notary Public State of FL

Commission # FF914430

Expires: 10-03-2019



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