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1		APPEARANCES:
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3		ON BEHALF OF THE STATE:
4	•	Jose Arrojo, Chief Assistant for Special
5		Prosecution
6	•	Howard Rosen, Deputy Chief Assistant State Attorney
7		for Special Prosecutions
8	0	Ronald Dowdy, Assistant State Attorney
9		Katherine Fernandez Rundle, State Attorney
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13		
14		
15		ALSO PRESENT:
16		N/A
17		
18		
19		ON BEHALF OF THE WITNESS:
20		Atty. Don Slesnick
21		
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1	PROCEEDINGS
2	(Beginning of statement 10:00AM
3	Whereupon,
4	Emile Hollant,
5.	Been first duly sworn, was called as a witness and was examined
6	and testified as follows:
7	ASA Arrojo: Good morning, sir. My name is Jose Arrojo
8	and I'm an Assistant State Attorney and I'm here with my
9	colleagues - Howard Rosen and Ronald Dowdy - representing the
10	State of Florida in a preliminary inquiry into your observations
11	as a Witness or your participation as a Witness in a police use-
12	of-deadly-force case that occurred in North Miami on July 18th
13	2016. You're present here voluntarily with Counsel, Don
14	Slesnick. Since, this is a voluntary statement, sir, if at any
15	point you need to speak to your lawyer, just simply tell me "I'd
16	like to speak to Mr. Slesnick" we'll step out, we'll give you as
17	much time as you want to speak to Mr. Slesnick. Okay?
18	Witness: Very well.
19	ASA Arrojo: Alright. You've given statements before.
20	You've been a police officer for a number of years so you
21	understand that you have to answer verbally, correct?
22	Witness: Yes.
23	ASA Arrojo: Alright, You can't nod or any guttural
24	responses, the Court Reporter won't be able to get those on, so
25	please speakrespond verbally, alright?

- 1 Witness: Very well.
- 2 ASA Arrojo: If there is any question that I ask that
- 3 you don't understand or you'd like for me to rephrase, just
- 4 simply tell me "I don't understand your question, please
- 5 rephrase it". Okay?
- 6 Witness: Very well.
- 7 ASA Arrojo: My colleagues may have some questions for
- 8 you I'm just gonna try to go through in a narrative fashion as
- 9 briefly as I can, you're involvement as a Witness in the police-
- 10 -use-of-deadly-force. Okay?
- 11 Witness: Very well.
- 12 ASA Arrojo: Alright. Very good.
- 13 DIRECT EXAMINATION
- 14 By ASA Arrojo:
- Q. Can you tell us, if you would, what was your rank and
- 16 duty assignment on July 18th 2016?
- 17 A. I was a Police Commander for the afternoon shift at the
- 18 City of North Miami Police Department.
- 19 Q. Okay. And as a Police Commander Were you the Senior
- 20 Officer for all of the Patrol Officers in North Miami that
- 21 afternoon?
- 22 A. For the afternoon shift, yes.
- Q. Okay. So that means you had Sergeant's working for you
- 24 and you had Patrol Officers working for you?
- 25 A. I believe, I had one Sergeant working for me that day.

- 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.
- Q. Okay. And were you there on the scene for some minutes
- 19 before the police shooting occurred?
- 20 A. Yes.
- Q. Alright. Did you, yourself, participate in making radio
- 22 transmissions or responding to radio transmissions before the
- 23 shooting occurred?
- 24 A. Yes.
- Q. Alright. Now, were you physically present and were you

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

the state of the s

- 2 Aledda?
- 3 A. When Officer Aledda shot? No.
- 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. Ye's
- 2. 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.
- 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.
- 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?
- 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: Trjust 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 in artful 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.
- Q. Was that in a formal statement as we're sitting here
- 9 today?
- 10 A. ... No. ...
- 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.

```
ASA Rosen: I don't think I have anything else.
 1
              ASA Arrojo: Ronald - Do you have anything you want to
 2
 3
    flush out? Or no?
              ASA Dowdy: Yeah.
 4
 5
              By ASA Dowdy:
         Q. Did you write any statement or report?
 6
         A. No.
              ASA Dowdy: Okay. No further questions.
 8
              ASA Arrojo: Sir that concludes our statement. If there
 9
    is anything that you want to add or if there is anything that
10
    Mr. Slesnick wants to add. And, we'll give you access to the
11
    record at this point. Otherwise, those are all the questions we
12
13
    have for you this morning, sir.
              Witness: Of course, I'm only going by memory -
14
              Atty. Slesnick: Go ahead.
15
              Witness: Of course, I'm going by memory. If I had, you
16
    know, maybe listened to the recording, I may have been able to
17
    remember ... refresh my recollection a bit more.
18
              ASA Arrojo: Okay. If you have nothing further sir and
19
    Mr. Slesnick has nothing further, then that'll conclude our
20
21
     statement this morning.
22
               Witness: Very well.
               ASA Arrojo: Thank you for coming in.
23
                                               [Off the record 10:07AM]
24
                                           [Back on the record 10:13AM]
25
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- By ASA Rosen:
- Q. Commander Hollant, we're back on the record. Mr.
- 3 Slesnick has provided us with a diagram or sketch here. Are you
- 4 the one who created the sketch?
- 5 A. Yes, I did.
- Q. Could you do me a favor We're going to make this one
- 7 the original for today Could you just sign that and date that,
- 8 please, for us?
- 9 A. [Witness signs document]
- 10 [Exhibit A entered into record]
- Q. Is this a sketch that you created?
- 12 A. Yes, I did.
- 13 Q. Okay.
- 14 A. It's a copy of the sketch.
- Q. Can you, kind of, lay out for us exactly what this is
- 16 that we're looking at?
- 17 A. This is about the area, of course [unintelligible]
- 18 northeast 14th avenue 127th Street, 128th street. As I remember -
- 19 They told us initially that the subject with a gun was at 129th,
- 20 so I came in from 131 and I didn't see anything, And then
- 21 finally when I got in closer, I was probably around here
- 22 [referencing document] and I saw somebody in the streets with
- 23 his hands...
- Q. So for-the-record You're indicating that you were
- 25 coming down southbound --

- 1 A. Southbound.
- 2 Q. On 14th avenue.
- 3 A. On 14th avenue.
- 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?
- 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.
- Q. Okay. And from there then you walked to the scene?
- 23 A. From there I ran to the scene.
- 24 O. 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 O. When you went back to your vehicle to get your
- 7 binoculars did you have a straight line of sight --
- 8 A. No.
- 9 0. 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.
- Q. Okay. And was that building blocking your line of vision
- 24 between the shooting scene and your vehicle?
- 25 A. Yes. Yes.

Q. Not only this building right here on 128th between 13th 1 and 14th but then you also have this one here on 14th avenue. [Referencing document] Q. In any event, even if that building were not there, the 4 purpose that you went back to your vehicle was to retrieve the 5 binoculars? A. Yes. Q. And were you focused more on retrieving the binoculars at that moment then you were on looking back at the scene of the 10 shooing? 11 A. Yes. 12 Q. Okay. A. We were told that the Subject had a toy. So, I wanted to 13 make sure that it was a toy that he had in his hand. 14 ASA Rosen: Alright. I don't think I have any further 15 questions. And, we'll make this part of the record as Exhibit A. 16 17 ASA Arrojo: Thank you. [End of statement 10:18AM] 18 19 20 21 22 23 24 25

1	REPORTER'S CERTIFICATE
2	
3	I, Puja Shah, hereby certify that the foregoing
4	transcript consisting of 15 pages, is a complete true,
5	and accurate transcript of the testimony indicated,
6	held on Tuesday, August 2 nd 2016, at the State
7	Attorney's Office, E.R. Graham Building, 1350 N.W. 12 th
8	Avenue, Miami, Florida, 33136, Sworn Statement of Emile
9	Hollant; INVESTIGATION NUMBER: N/A
10	
11	I, further certify that this proceeding was
12	reported by Puja Shah, and that the foregoing
13	transcript has been prepared by me.
14	
15	Date: August 2nd 2016
16	
17	MAN
18	Půja Shah
19	Court Reporter
20	Notary Public State of FL
21	Commission # FF914430
22	Expires: 10-03-2019
23	
24	
25	,

O, 0 Q EXHIBIT

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