

Statement of Steve Clark

Richmond, CA 3/25/15

Investigators: Gerald Smith, Frank Runninghorse, and Steve Jacobson

SJ: What were you doing at this location?

SC: Going to the store like I usually do, when I get off work every night!

SJ: And... Did the incident happen while you were in the store? Or, when you came out?

SC: The incident took place as soon as I pulled up. I pulled up in front of the store, the young man named Pedie

FR: "Pedie?"

SC: Was coming to the store, was about to go into the store; and all of a sudden this guy came from behind him, and tackled him.

FR: Guy, you mean a Police Officer?

SC: Well yeah, yeah he was the police officer. And I parked, and I got out the car. All the time I'm walking trying to figure out what happening. So I get out the car, and I'm walking....

FR: So lets back up a moment, you say he tackled Pedie from behind?

SC: Tackled from behind, yes sir.

FR: OK.

SC: Not once did I hear him say that he was a police officer.

FR: Did you hear him say anything to Pedie before he tackled him?

SC: No, he didn't say nothing, just tackled him. Took him to the ground, Pedie's face down, he's on top of Pedie. I'm walking past him, right here! This close!

FR: How far away were you?

SC: One, two feet.

FR: Two feet away.

SC: And I'm walking past him, I'm looking down at him, at the same time. And he's telling Pedie to "stop resisting, stop resisting". And, I'm steady walking, and another guy, a Mexican guy approached us. He went down to his knees.

FR: When you say another guy, are you talking about another cop?

SC: No, it wasn't a cop.

FR: OK.

SC: It was a professor, I think it was one of Pedie friends. Because he knew his name!

SJ: Probably Nick, yeah.

SC: He knew his name, yeah. So he knelt down, and he was telling Pedie to "stop resisting, stop resisting". All of a sudden the officer turned to the guy, and said "get away from me, get back. Get away, get away." So the guy backed up. So, at that time I knew don't mess with this, go on about my business. So I walked to the store. I walked to the door of the store, and I turned around, and he still wrestling with Pedie. Pedie got his hands behind him, and he's still face down. The officer can't get the handcuffs on him.

FR: He's got Pedie's hands behind him?

SC: Yeah!

FR: OK.

SC: And he can't get the handcuffs on him. So, I took two steps to the left, inside the store, and I decide to look back out the window. All of a sudden, I see the officer standing up. So Pedie he's still down I guess. All of a sudden I see the officer back up, and I heard the gunshots. BOOM BOOM BOOM.

SJ: Did you see the gunshots?

SC: I couldn't see them because of the potato chip rack. My head... All I seen was him backing up, and I heard the shots BLAH BLAH BLAH.

FR: You said, you couldn't see the gun, but you could see the officer, you could see the top of the officer?

SC: I could see the top of the officer backing up.

FR: OK.

SC: And I could hear the gunshots, BOOM BOOM BOOM. And I said "aw, man, he shot him!"

GS: How many shots did you hear?

SC: I heard three.

GS: OK.

SC: And so, but I didn't see Pedie. So I guess Pedie, he had to shoot Pedie while he was coming up. Because I've never seen Pedie when the shots were going on. So I said "Ah man he could of shot him in the leg, he should of shot him in the leg!"

FR: Just for the purpose of clarity, how far off the ground... Let's say, can you see three feet off the ground? Anything above three feet? Anything above four feet? Or, anything... how?

SC: I can only see... Five feet.

FR: Anything above five? You can see head, head and shoulder level?

SC: Head and shoulder.

FR: OK. And you couldn't see Pedie at all? You could only see the cop looking at Pedie? Or where you thought Pedie was?

SC: He was looking, he was looking at Pedie. Because he had to shoot him, he was shooting him!

FR: Yeah.

SC: He was shooting him BLAM BLAM BLAM, looking straight at him.

SJ: Pedie hadn't turned around or anything?

FR: He couldn't see Pedie.

SC: I couldn't see him.

SJ: Oh yeah that's right.

SC: He had to still be on the ground, or he was getting up. Because the officer that was on top of him, Pedie was face down. So he had to get up, and start shooting. Now the angle would tell if Pedie was still down. So umm, I said "oh wow!" And so, one, two, three... Three seconds, I see Pedie coming in the store. He at the door, and he's just wobbling.

FR: After he been shoot?

SC: After he'd been shot. So I stood there and I looked at him and said "Man where did he shoot him at?" And he was holding his chest. You right here, feet; he walked right past me, Pedie did. And he was holding his chest and I said "aw man, aw man." He took two more steps, Pedie fell to the ground. And he was looking at me, and I looked at him... he looked at me, and I looked at him, he dropped to the ground. No more than four feet away from me. And he looked at me. that boy never moved again. And I said "ah man he could of shot him in the leg, he could of shot him in the leg, or he could of tased him." And there was this girl next to me.

SJ: He didn't have to shoot him at all.

SC: No, he didn't have to shoot him! I guess he got mad because he couldn't get the handcuffs on him. Pedie never threatened his life, I know that for sure. Because Pedie was on his stomach, he was face down on the ground.

FR: So as far as you know he was shot for not... Because the police couldn't get the handcuffs on him?

SJ: That the motivation?

FR: Don't put words in the witness mouth.

GS: That's motivation, we can't read his mind, but we do know this. Did at Clark, Mr Clark at any point that you were able to see, did you see Pedie try to take the cops gun from him?

SC: No, no.

FR: Did you hear Pedie say anything to the officer?

SC: Pedie didn't say nothing. Pedie was just trying to uh... get away from him. Now, while they was down on the ground... While I was walking past, Pedie was turning... turning turning, cop was, was trying to get his handcuffs on him. I don't know if Pedie hands slid past his gun or what? That was irrelevant because at this time Pedie was face down. The officer got up, and shot that boy for nothing. And, he laid there, he looked at me, that boy didn't move at all no more after that. I walked past him, I'm still looking trying to see if still breathing, boy wasn't breathing any more. So I went on, and got my drink.

FR: Did any police officers take your statement, take a statement from you about this?

SC: Yeah there was one.

FR: And you told them the same thing you told us here today?

SC: Yes I did! When I got to the um... They kept us there for three to four hours, and um... We sat there at that station, and then some kind of somebody some DA or somebody and another officer a detective or somebody came by and took a statement.

GS: Now, Was that in the store or at the station?

SC: That was at the station.

GS: OK.

SC: Goddamn, It was cold.

FR: They asked you to come down to the station, and you gave them a statement at the station?

SC: No,

SJ: They took him.

FR: They took you to the station?

SC: They didn't let me leave. I wanted to leave, but they wouldn't let me leave. So they took me down to the station, for about three or four hours. And um... They asked me the questions, the same questions. And I had the cops card here, somewhere. After that, it's been on my mind. I stay alone I live alone, and I do things by myself. And um... First time I told the story. Man shouldn't of shot him, he didn't have to shoot that boy!

FR: That was the first time you told the story when you were down at the police station?

SC: No, the story I'm telling now, is the first time anybody ever heard this story.

FR: So, they didn't interview you then?

SC: Yeah, they interviewed me.

FR: But they didn't ask about this story?

SC: They didn't get all this story.

FR: Uh huh. What did they ask you?

SC: What happened, no -- what did I see. And, that was it. How long were you there.

SJ: What did you tell them then?

SC: I told them the cop came up, grabbed the man, wrestled him to the ground, put on his face down, trying to put his handcuffs on him, next thing I knew he was backing up shooting the boy.

SJ: They uh... mistook your statement in a different way, saying it was favorable to them, and I'm not hearing that now. Alright!

SC: They were trying to say that I seen, I seen Pedie trying to take the gun.

SJ: No, they trying to put words in your mouth?

SC: Yeah... But I told them specifically that's accusations, that assumes! Now Pedie...

FR: They tried to get you to say that?

SC: Pedie was wrestling on the ground. He said "Did he take the gun, did he try to take his gun?" No. I said "I didn't see none of that, because of the potato rack. I didn't see that, I was inside." And that was it.

FR: OK, thank you very much.

GS: Just hold on... Does any one else have a relevant question to ask Mr. Clark?

SJ: Do you have any kind of record, or any kind of police record?

SC: Record? Yeah.

GS: Thank you very much!

SC: Stolen property about forty years ago.

GS: OK.

SC: But nothing since.

FR: I just want to be clear with it. They tried to get you to confirm that Pedie was going for the gun, and you denied that you saw that?

SC: Yes sir.

FR: You did not confirm that? Because this maybe, they may of um... Falsely testified

SJ: They tried to put words in your mouth?

SC: Ummm...

FR: They tried to get him to confirm that.

SC: Yeah. Yeah I kept saying they was wrestling on the ground, and Pedie was turning. They kept asking me "Was he turning right, or left?" So, so...

FR: Let me ask you another question. We just interviewed another witness, and I want to see if this conforms with what you saw. He said that Pedie was... Gerald you, be Pedie for a minute. Get down on your knees. He said that Pedie was down like this, and the cop was like this.

SJ: Right!

SC: No!

FR: No?

SC: No!

FR: OK. How do you...

SJ: how did you see him?...

SC: He came up from behind... I walked right past him

SJ: Oh you did?

SC: When he... When he came and tackled Pedie, I was right here in the car, right here watching him, what was going on.

GS: OK.

SC: Cop came up behind Pedie, put Pedie face down. Pedie couldn't, Pedie I didn't ... Pedie didn't know that man was coming. He tackled that man face down, Pedie was face down on the ground, laying on the ground. I wasn't [unintelligible] or nothing. Laying on the ground.

FR: But would you say though that there was no.... Could there have been a struggle before you got there between Pedie and the officer?

SC: Now that... I think so.

FR: Because you walked up in the middle of the struggle. So maybe what the other guy saw was prior to that.

GS: That is true.