

Transcript of witness statement in Homicide: Bernice case 07001628

Taken by Chief Deputy Don McClanahan and Detective Trey Fulton at UPSO.
Statement given by DePaul Elliott b/m dob 12-30-90. Also present in the interview is Ms. Betty Elliott (DePaul's grandmother).

Chief McClanahan will be referred to as DM, Detective Fulton will be referred to as TF, DePaul Elliott referred to as DE, and Betty Elliott will be referred to as BE.

TF: Turn it on. Today's date is March 28, 2007, the time is 10:56 AM. This will be a statement of DePaul Elliott 103 Rogers St Bernice, dob 12-30-90. Statement is being taken in Bernice High School in reference to case # Bernice case #07-001628. DePaul, you were at a party Sat, you were at a party Sat night (inaudible- a lot of background noise).

DE: Yes sir.

TF: Okay. Just tell me in your own words what happened that night and I may interrupt you while we talk. Okay?

DE: Okay.

TF: I believe so far you told me shortly after you got there that Dorian, you know Dorian's last name?

DE: Nay.

TF: Okay. A guy Dorian and LaGarrio Thompson exchanged words. Do you know what that was about?

DE: No sir. But uh at a Bernice tournament him and my cousin, him and me and my cousin got into it like at Bernice tournament, it started then.

TF: Um so when Garrio and Dorian exchanged words, what happened?

DE: Uh they was just talking (inaudible) each other. And he pulled a knife out all of a sudden.

TF: Who pulled a knife?

DE: Dorian.

TF: You saw this?

DE: Yes sir.

TF: Okay. And what happened? Did anybody address that?

DE: They like broke it up.

TF: Who broke it up?

DE: Some, like people. People that were there.

TF: Adult chaperones or kids?

DM: It was adults and kids.

TF: Do you know any of the adults names?

DE: (silence)

TF: Okay. Did he open the knife or was he just holding it?

DE: It was open.

TF: So did he put the knife away?

DE: He put it up when they got through arguing with each other.

TF: Who started that argument?

DE: I don't know, I was over with Jason. I was over there with him.

TF: Who is Jason?

DE: My cousin.

TF: Okay. Did they resolve their problem? Or they agreed to let it go?

DE: He stayed outside. Dorain stayed outside, but everyone else went inside.

TF: Okay. All right what happened then?

DE: Then went inside, (inaudible) okay I went outside and me and him got into it, he didn't pull a knife then.

TF: You got into it with Dorian?

DE: Yes sir.

TF: About what?

DE: Um old stuff.

TF: Well how did that happen? Did you approach him or...

DE: He was just looking at me. I asked him what he was looking at.

TF: What did he say?

DE: He ain't really say nothing. He was just mumbling so I couldn't really hear him. That was like on between the party.

TF: But he didn't pull the knife out?

DE: He ain't pull it out on me.

TF: Okay. Then what happened?

DE: And then like I went back inside and few minutes like an hour later the party was over, came outside and like (inaudible) kicking.

TF: Whose (inaudible) was that?

DE: Lil Mike.

TF: Lamont? Lamont who?

DE: Lil Mike Champion.

TF: Oh, Mike Champion. Okay and what happened?

DE: Everybody was jumping around and then the fight broke up. He was swinging knives at Carlos Tidwell. And the boy that got killed was trying to break it up and he swung the knife at him.

TF: Who was fighting?

DE: It was like...

TF: When it broke out? Did, I mean did some boys from Bernice attack Dorian or did Dorian...

DE: Nah. It was like, Carlos, know Carlos Tidwell, he was standing over by the car and Dorian approached him and swung the knife at him and he boy was trying, the boy that got killed was trying to tell him to chill out and stuff and Dorian swung the knife at

him and he jumped back, the boy that got killed he jumped back and he started hitting and stuff.

TF: So Dorian went after Carlos Tidwell with a knife? Had a fight broke out or is that what initiated?

DE: It was what initiated the fight.

TF: That's what started it? There was no other punches thrown that you saw until you saw Dorian with a knife go at Carlos Tidwell? You saw this?

DE: Yes sir.

TF: What was he doing with the knife at Carlos?

DE: He was like slanging it at, trying...

TF: (inaudible) or swinging it?

DE: It was like a knife you could grip.

TF: Uh huh.

DE: That you can fight with and it curves so you can fight, fight and stuff with it.

TF: So he was punching at him, but he was holding a knife while he was doing it? Long pause. Uh so what did the Woods guy do, that got killed?

DE: He was hitting and stuff when he got cut.

TF: Okay.

DE: Like he was hitting at first cause he had swung the knife and he got cut still hitting him a little bit with one hand.

TF: Why did he get in Carlo's fight?

DE: He was trying to break it up and Dorian swung the knife at him. That why he got in it.

TF: So after Dorian swung the knife at him and then Woods started punching Dorian?

DE: He just drawed back and started punching and all of a sudden, Dorian stabbed him or something right here in the neck. He had stopped (inaudible) I guess he thought it was me, he was running around " F DP" and all that.

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DePaul Elliott: "... you could
see Knives just going
everywhere ... "
Knives

TF: Okay.

DE: I guess he thought it was me.

TF: Okay. Did you see Dorian stab the Woods guy?

DE: They was like all in a big crowd and he, they was fighting each other. They was standing right there and then the Woods guy he was bamming on my aunties car door. He thought she was in there so she could take him to the hospital, but she wasn;t in there, then he fell.

TF: So Woods was punching Dorian, Dorian was punching back, but Dorian was holding the knife?

DE: Dorian had a knife.

TF: And Woods just stopped?

DE: He stopped.

TF: Then he realized he had been cut or something. So you didn't actually see Dorian take a knife and stab him with it?

DE: Naw.

TF: You just knew...

DE: (inaudible) see the punches you could see knives just going everywhere. It was like, stick your finger in the hold and you can hold it.

BE: Did you actually see or not see him when he stabbed him? Did you actually see him or not?

DE: I didn't see him actually stab him.

BE: You just saw the knife?

TF: Did you see any other people with a knife?

DE: I didn't see nobody else. He's the only one I seen.

TF: Okay. So Woods just quit punching, what did he do when he quit punching?

DE: He like, my auntie was looking for me an my 2 cousins, so we could leave and he was bamming on her window, he thought she was in there.

TF: What is her name?

DE: Melba. Melba Smith. He was banging on her door on her window.

TF: And then what?

DE: Trying to get her to take him to the hospital, but she wasn't in there though.

TF: How do you know he was wanting her to take him to the hospital? Did he say that?

DE: He was running around, "I'm bleeding, I'm bleeding" (inaudible) take him to the hospital.

TF: Okay. After, after Woods quit punching Dorian, what did Dorian do?

DE: He took off running. Running around the parking lot.

TF: Were people after him?

DE: Yes sir.

TF: Why were they chasing after him? Cause he stabbed this guy or...

DE: He was into it with everybody (inaudible) almost everybody.

TF: When people were chasing him, what was he doing?

DE: Steadily running around saying "F DP" all that.

TF: That's what people call you, "DP"?

DE: Yes sir.

TF: But you were never in it? You were never chasing him?

DE: I was in it.

TF: Did you chase him?

DE: But I didn't get close.

TF: Did you throw something at him?

DE: I didn't throw nothing.

TF: I mean this was after Woods had already been cut?

DE: Yeah.

TF: Okay.

DE: I didn't get to hit him or nothing.

TF: Who all was chasing him?

DE: There was a whole lot of people chasing him.

TF: Do you know some of their names?

DE: I couldn't really tell. It was like dark and it was just a little light outside.

DM: When he was staring you down, were you inside the club or outside the club?

DE: Outside.

DM: Is that what you refer to when he was looking at you, was he staring you down or something? I'm...

DE: Yes sir.

DM: That's what you indicated earlier, that's why I'm asking, want to be clear on it. Did ya'll have any harsh words or what? What was, you was, what was said?

DE: We was like talking noise to each other, but he he just stopped and started mumbling, so my cousin called me to the car, asked me what was going on, I said nothing. She told me to go back inside and I went back inside.

DM: Right. Did you, at that time, did you see any kind of a weapon?

DE: No sir. It was in his pocket I guess. I don't know where it was at.

DM: Okay. When was the first time you seen him with a weapon.

DE: Right before it, right before.

DM: Right before that? Now do you know where he got the weapon from?

DE: No sir.

DM: What kind of weapon was it?

DE: A knife.

DM: And I believe you indicated earlier the blade was out, is that right?

DE: Yeah when he pulled it on Garrio.

DM: Okay. Now but he did at some point in time, did you see him put the knife back into his pocket or do you know what happened?

DE: Naw, I had went back inside.

DM: Okay. When you first saw him Dorian I am speaking of at the party, what was your first, what was your feelings?

DE: I ain't have nothing against him. I had just (inaudible) all dealings with him.

DM: Now, I gather from what most of the young people have told us, there seems to be some kind of a I don't know whether you call it animosity or some kind of conflict between Dorian and some of these other young people, is that right? Are you aware of that?

DE: Yes sir.

DM: Okay. When did this, what did this stem from? Do you know?

DE: From Bernice tournament.

DM: From Bernice tournament. I believe you told Lt Fulton you and he had some exchange of words during the Bernice tournament.

DE: Yes sir.

DM: Now who else was present that may have know something about that? I believe you said a cousin. Is that correct?

DE: Correndo. Correndo.

DM: What's his...

DE: Correndo Smith.

DM: Smith? And who is your cousin?

DE: Correndo Smith.

DM: Okay. Who else? You indicated somebody else. Was anybody else aware of it?

DE: Gary Bugg.

DM: Okay. You indicated that there was some problems at the party between Carlos Tidwell and Dorian. Is that correct?

DE: Yes sir.

DM: Did, was did you ever see anybody provoking?

DE: No.

DM: Dorian? I mean was someone provoking him?

DE: Carlos was standing beside the car and Dorian beside the tree and like there was a whole lot of Bernice boys going up against Spearsville but they was standing beside the car.

DM: Did you see any of these people with any type of a weapon?

DE: O just seen Dorian with a weapon and there was a couple people (inaudible) him.

DM: Okay. Could he have left the party? Did anybody stop him from leaving?

DE: No sir.

DM: He could have left?

DE: Yes sir. He could have left when everybody went inside.

DM: Do you know, obviously you know Dorian, correct?

DE: Yes sir. I know him.

DM: What about the other young man? Woods? Did you know him?

DE: Yeah I know him too.

DM: What do you know him from?

DE: He went to school with me back at Lillie.

DM: What, were ya'll close friends or anything?

DE: Yes sir.

DM: Did you, did you ever see anyone actually make any threats toward Dorian?

DE: It was like they said after the party, they was gonna fight and stuff.

DM: Some of the guys were saying they were gonna fight him? Is that correct?

DE: Yes sir.

DM: Do you know who these guys were?

DE: It was like a whole lot of people.

DM: You don't remember any of them by name?

DE: No sir.

DM: But people were saying they were gonna fight him?

DE: Yes sir.

DM: Okay. When all, when the confrontation was taking place, and Woods, during the time apparently Woods was cut, did you see anybody with a knife out other than Dorian?

DE: No sir.

DM: You did see Dorian with a knife? He was kind of waving it around, but you did not see him actually cut anybody, is that correct?

DE: Yes sir.

DM: Ok. Lt Fulton, I have no further questions.

TF: Did you see the fight between Carols and Dorian?

DE: Yes sir.

TF: Who threw the first punch?

DE: He swung at...

TF: Dorain swung?

DE: Dorian swung the knife and Donzel Woods, he got in between and like tried to break em up, he turned around Dorian swung at him. Donzel Woods drew back or something, he came right back at Dorain punching.

TF: Okay. Did Carlos get out once Woods and Dorian were fighting?

DE: Carlos got out of it.

TF: Where is Carlos? How old is he?

DE: 18, nah he 19.

TF: Okay. That's all I have. Ms Betty, what is your last name?

BE: Elliott.

TF: Okay, Betty Elliott is also present. That concludes this statement. It is 11:13 Am.