

SUBJECT: Transcript of Lee Carlson Video Interview (VTS_01_1.VOB)
PRESENT: Det. Hess and Lee Carlson, (an unknown person enters room twice with question and paperwork)
DATE/TIME: 11.15.07 (at 3:48 into video, detective says 'this morning' referring to shooting.
LENGTH: 30:55.
LOCATION: Appears to be Sandy PD

Sitting alone in room. Chooses corner of couch farthest from investigator chair, catty-cornered to it, legs crossed, looking down at his feet. Wearing khakis, a tan 50s style windbreaker jacket with a light-colored polo underneath. Old, worn brogan-type shoes. Hair parted down the middle, not in need of a haircut. He looks a tad pear shaped (like he sits at a desk all day). Doesn't seem to be an attention seeker in his style of dress. Pensive affect. Legs placed with both feet on the ground, shoulders slightly slumped, hands clasped in his lap and resting at his crotch. Det. Walks in after 00:53 seconds. When detective walks in, he zips up his jacket so it goes from 1/3 closed to 2/3 closed as he shifts to face the detective, leaning back into the couch. Points right leg and foot toward detective, but tucks his left leg crossed under his right leg with knee resting on couch. Folds hands into his lap, clasping, at his crotch area. Posture reads closed/protective. Not open. For a witness, this was the first thing I noticed.

DET. HESS Okay, (shuts door, Carlson zips up jacket) I'm sure you've already probably told us your story here several times.

CARLSON Okay

DET.? We're just gonna try and...(waves hands) out of the chaos and everything...try and

CARLSON sure

DET.? make sure we get everything accurately. Um, Lee LEE

CARLSON yes.

DET. HESS and C-A-R-

CARLSON yes

DET.? L-S-O-N?

CARLSON l-s-o-n, yes.

DET. HESS: Now, what's your birthday, Lee?

CARLSON 8/16/68

DET. HESS: and your social? Need that too.

CARLSON 501-96-6633

DET. HESS: and your home address?

CARLSON 1880 Aspen Leaf Place

DET.?: (inaudible – sounds like start over but he gives a zip code)

CARLSON 84020.

DET. HESS And your home phone number there?

CARLSON numbers 523-0339

DET. HESS to 523-0339.

CARLSON Yes.

DET. HESS And your work number?

CARLSON It's Utah County. 701. 705.7925

DET. HESS And where do you work?

CARLSON TGN. The Generations Network. It used to be family.com.

DET. HESS: It's now called TGN?

CARLSON Yeah, the generations network.

DET. HESS: You're a computer guy, I guess, huh?

CARLSON Ha-ha-ha you could tell?

DET. HESS: Yeah

CARLSON haha, I'm a computer guy, yep.

DET. HESS So you're originally from South Dakota. How long have you been here in North Dakota?

CARLSON North Dakota

SWT.?: Oh North Dakota, sorry.

CARLSON Moved here in 1990

DET. HESS So been here for a while.

CARLSON Yeah, then moved to Chicago for two years. Came back.

DET. HESS Cubs fan?

CARLSON Yeah.

DET. HESS Yeah.

CARLSON haha

DET ? I'm a big Cubs fan.

CARLSON Sweet

DET ? So, I've been suffering alongside you for many, many years.

CARLSON Yeah, (unzipping jacket back down to 1/3 closed point) we lived there for two years and there's so many things that I wanted to do but never got to do and a lot of things I did do but still it seemed like there's so much leftover. One of the things before I left was go to a Cubs game was very cool. Some of those early April ones where the wind was blowing off the lake and it was cold (cold was whispered) and it was fun to sit and watch it.

DET. HESS Oh, yeah, we went to, well, a friend that used to work here with me. We went 2000-and 2? We made the trip, uh, just to go to the Cubs games and I went to those two games and it was like, I think we went in September. We went to one that was a day game and the next day was a night game and the night game, I was freezing!

CARLSON Yeah.

DET. HESS So cold.

CARLSON Yeah, like Yeah, was 2002 was April was the season opener.

DET.? Yeah.

CARLSON watched em'

DET. HESS So I love the Wrigley Field the mystique

CARLSON yeah

DET.? and the smells. Cause it smells kind of musty.

CARLSON Yeah. Yeah, it's pretty cool.

DET. HESS All right, well, let's start with the (inaudible – ta-ow) you said you got there just before seven this morning

CARLSON Just a few minutes before seven

DET.? you know did you look at the clock or?

CARLSON yeah, I pulled up it was, the clock, on the...car was probably 57 or 58

Det.? Okay,

CARLSON I'm guessing. It was a couple minutes still before seven. Like I said, I supposed to meet somebody there at seven, so

DET? okay

CARLSON I think I know who this guy is like we used to work together many years ago, but I wasn't sure so I didn't know what his car was. what he really looked like. So, I though well I'll wait till for sure for seven before I go in to make sure that they're there, you know, I didn't want to get there early or whatever. So, I sat in my car. Like I said, I pulled up. I saw the two guys in the parking lot stand there and they were talking. I just thought, oh, they're standing out their talking. They're gonna go in you know? Didn't think much of it. Other words, other than them just standing there versus actually walking in. haha. So, I pulled up...um, check the time, um. So, I thought thought to myself, oh I'll wait a few minutes when I heard some loud talking, part of them talking behind my right shoulder. So, they probably were I wrote in the report probably like five o'clock from me. I guess they were kind of the back that way (Gestures his hand over his right shoulder. Five o'clock if his face forward is 12 noon.) And so, (physically turns to look over his right shoulder while talking) I looked back to see what was going on and at that point, I saw the the victim he was backpedaling, and he was saying something like this (gestures open hands out, throwing your hands out like what's going on, and shrugging shoulders) shrugging his shoulders doing something. And they were kind of loud. And I thought that was kind of weird they were talking in a tone other than just friends. Didn't think anything of it still and sat there for a minute or so. And then, well, it wasn't that (meaning it wasn't a minute), but (inaudible – literally?) came and walked in front of my car. The victim made eye contact with me. And now, thinking back, he's probably walking in front of my car saying, well, there's somebody sitting here, you're not going to do, try anything with somebody sitting there. I don't know. Then the other guy came, I saw him. He was much bigger. I'm guessing six-two, six-three in that area. They both appeared to be Eastern European, actually I heard the victim talk and sounded like he had an accent like he's from there. Um, and the other guy, he said some words, but I couldn't make them out. They weren't audible to me. I just heard some noise coming out of his mouth. And at that point, they walked in front of my car. The guy had, that shot him, had a looked like a wore light brown tan suede jacket. Looked old, beat up, kind of, wasn't anything new by any

means. Pretty sure, it was, it almost looked like faded black jeans, but it was like a black grey kind of, like it had been worn for a while. And they started talking loud. And then my first thought is oh this isn't a friendly conversation. Why is your friend here? and they've got, had the tone. Again, I couldn't make out any words. I don't know if they were speaking a different language or is it was muffled inside the car. I couldn't hear. It wasn't distinct enough. And they actually started pacing in front of the car, that, the two are kind of walking like this (Lee makes a gesture like two fish weaving in the water, but not in a circle around each other but in a line. This gesture, if he is still 12noon facing forward in the car, they are pacing from the car toward Village Inn wall, not pacing across the front of his car toward the door.) you know? You could tell it was some kind of confrontation and one of the thoughts in my mind was, oh, we know here's something going to happen? And my family, my wife and I just started taking karate like a month ago. I'm like, oh my God, I gonna have to try something now? And...

DET.? Haha

CARLSON ...I really know anything. And so you, I could tell it was getting heated, but I wasn't thinking nothing was gonna happen at that point. And the guy, uh, I guess I'll try and describe the guy some more. I guess he had a more larger nose, larger, (holds his thumb and index finger to his face and pulls outward toward his point) pointed kind of nose, and were kinda big and bulgy which was like the other guy which is kind of like a Eastern European thing. And I can't say for 100% sure if he had a mustache or not. I mean, I just got a quick look at him as he turned the side of this face and he was walking, once. And then the other guy, I could tell he was, the victim was, was, I mean just by his body language. He was, the other guy was mad at him for something. He was basically trying to say, ya noooo, just by his body language. He didn't know what to do, whatever. And that's when the guy pulled out. I don't know where from, I assume his pocket, pulled out cause next thing I saw this (Lee slaps hand at his right pocket) and then pulled out gun with his right hand. It wasn't revolver. It was a, you know, didn't have the revolver just had the, I don't know what else to call it.

DET. HESS Was it kinda like this? (Hess turns his hip to show Lee his gun)

CARLSON Yeah like that

DET HESS okay

CARLSON Yeah, pulled it out. Yeah, at this point, I was sitting straight ahead, still watching and going of my gosh, and then the guy shot him was probably by my right, or left tire. And then the guy was still directly in front of me, pulled it, because he was standing like this, and kind of pulled out like this. (Lee stands up and holds his right hand out and demonstrates a gun pointing and shooting directly in front of him, but standing to the side so Hess can see what he's doing.) And he shot him. I don't remember, if I saw it was the smoke I saw or a casing or something fly or whatever by I saw, I heard a boom, boom. And then I thought, you know, I'm, here I am witnessing this, what if he sees me witnessing and wants to shoot me. So, I duck down in my car. (clears throat) And I locked my car wagon when everything was going on too just to make sure it was locked. That's probably not a valid point or whatever. But then I saw, I heard three, or maybe four shots I'm thinking, because at that point after the first and second shot, after I ducked down I though oh my God what if he turns and shoots on me, and then it was a moment, I don't know, a pause where nothing was going on. And so, I kind of looked it up, and looked around and I didn't see, I didn't see, the victim. I didn't see the other guy, I didn't hear any noises. And so, I looked around and I didn't see a thing. And I thought oh my he's-he's on the ground. And that's when I looked over. I actually grabbed my phone to call 911. I looked around for that car. I didn't see it at first, but then I saw it back out. That's when I called right off the bat. 9-1-1, the first one first thing they said, 'do you know his license plate number' 'Duh, what number's that?' You know how dumb they are. Haha. I said, 'Get this down!'

DET HESS Haha.

CARLSON And then after that, and I stood, I stood there, got out of my car, stood up and saw the guy laying there and I know pretty sure the guy took off towards the freeway. And then a couple of guys came out of the restaurant. I was talking and I'm talking on this ear and they were talking to me, yelling at me and looking and I was paying attention the guy there to see if he's alive or not. And so I didn't Follow the guy and I'm pretty sure you went towards the exit to get on the freeway. And then I walked up to the guy, the victim and trying to tell him you know where I am whatever. I think I told the gal, 'I think I might have saw him go towards the freeway' because I know I kind of looked around and there was no cars and I saw a white blur whip past on one hundred and six (106). So, it might have been him. I'm not for certain, but with everything going on at the same time, I didn't get a good look (unzips jacket back to the original 1/3 closed. He's been walking this out as he's telling the story)...

DET HESS okay

CARLSON ...if it was him or not. And then want me to go from there about calling 911 and what they told me to do and all that stuff or do you, probably doesn't really matter, but

DET. HESS Um, actually go ahead with the...

CARLSON Okay, so I told 'em where I was and what had happened and the guys laying down his back. Um, he looked pale at that point, and you obviously didn't, he had blood coming down here (Lee touches right side of his face) and it didn't look very good. And I tried to look and see. You know, Is he alive or not? I didn't think he was. His pupils were fixed and they're dilated and his eyes are have opened. He had blood coming out. I couldn't tell what the bullet was and I thought he was dead right there. But then I heard, I saw steam coming out and little puffs and he just gurgling like he was trying to get some air. And then I kept asking the guy, the 9-1-1 guy, should I turn him over? It's almost, it feels like he's trying, it sounds like he's trying to gasp for some air. And he kinda went and answered, 'well, you know, whatever.' And then I say, 'He's bleeding quite a bit.' 'Where's the bullet hole?' I couldn't tell. And I got the other guy from the restaurant. He turned them over when and I got a rag to hold all the blood, which I still don't know at this point where it was coming from. And he turned them over and I was there and I was, so I was there, basically, put the cloth here (Lee places his right hand on the side of his neck, on the right side) because he thought maybe the bullet was in his neck. I don't, I don't know if it was or not. Turned him over and you still see steam coming out but it wasn't like puffs. And it wasn't (makes a respirator sound like Darth Vader). He wasn't trying to get the, breathe like was before, but then the blood obviously was just draining out of his nose or his mouth, I don't know. I assume he probably was shot in the head somewhere.

DET HESS okay

CARLSON I think it might have been. I mean, he said the neck, but I think, there was leaves and stuff there that I saw some stuff on the wall and towards the back of his head, I'm not sure.

DET HESS okay

CARLSON And that's when you guys came.

DET. HESS Okay. Alright. So, how long do you think the, they were kind of talking or arguing before...

CARLSON ... before the front of my car? seconds.

DET. HESS Okay, so not a very long time.

CARLSON No, it wasn't very long at all. I guessing 10, 15 at the most because it happened quick. I mean, by the time he walked in front of my car and walked, they walked in front of my car, the guy like he was cordoning him off, walked back this way (doing a waving pattern left then right (like passing a car)) and then came this way and shot him. So. It was that quick.

DET. HESS Okay, and the, so, from the time that you got there to the time that the gun came out and the shots were fired. How long do you think transpired?

CARLSON Less than a minute? It was quick.

DET HESS less than a minute

CARLSON yes

DET YES (clears throat) you said that the, the, the words and stuff were kind of inaudible. Did it sound like they were speaking a foreign language or were they...?

13:09

CARLSON I can't say. Because I kind of you know, it's you know, you kind of hear where they argued about Yeah, and I tried to listen and either they were so quiet I couldn't hear him and they were in another language by no I heard the victim say no or shrug his shoulders like I don't know whatever once or twice but I don't know if he said I don't know he just had to look in his face like you know what you want me to do type look

DET. HESS and the when you when you say that the suspect he pulled out a gun from where do you think maybe pocket?

CARLSON I think so. Right hand

DET. HESS right hand do you come out with just one hand to come out to hand

DET. HESS and you heard the two shots and then you ducked down mushrooms two shots and I talked down and I only heard one or two more. Okay, so total for maybe three to three three or two I'm

CARLSON pretty sure the three for sure that made me four because I went home real quick

DET. HESS how how large was the gun? Would you say? Is it is it like about this big smaller bigger Do you think

CARLSON hold it out so I can kind of see cuz I saw like a face or whatever if that's if you can hear me? Yes. Yeah. Okay, so

CARLSON probably that's gonna be face towards America. That's how I saw Yeah. Probably yeah, probably something like that

DET. HESS about this size. Okay. And the the color on it

CARLSON was black. Again, didn't look as dark as black as yours. There still was some black. I don't know if that was the light or the shadow or whatever, but it isn't quite as quite as black as that. For the second I saw

DET. HESS So black but maybe not quite real dark black. Yeah.

CARLSON It wasn't great. So it didn't appear at that sacrifice saw that it was as black as what you had.

DET. HESS And did the suspect ever make eye contact with you? Or do you think he was aware that you were even in the car?

CARLSON I don't think so. Okay, I was worried that he didn't know I was there. I mean, I could have speculated I just pulled up the car I just pulled up obviously my cars pretty easy to see that he would have known I was there. But he didn't make eye contact with the suspect or the victim did right.

DET. HESS What what did the victim look like?

CARLSON He was again I was sitting in my car so he looked like he was probably shorter, shorter, maybe a little bit shorter than me. I don't know. I'm five nine. So maybe he was 5'6 or something like that. He looked again Slavic as well. He had like around each face, bigger nose kind of multi blue eyes. As a short, sandy brown hair. The suspect had darker hair looked wasn't pure brown like my head's a little bit of gray in here. So I'm not law but it needs to touch something I've asked explained. He looked at another round face and he looked at some European

DET. HESS facial hair at all?

CARLSON No.

DET. HESS ...But see, after you, you got up and you looked around and you couldn't see either of the two either the victim or the suspect you actually your vehicle that time. And then you found the victim. He was lying on his back. Yes. Okay. And which way was his head facing? Remember?

CARLSON He said the victim was facing that way which has been North America towards them all. Towards the street. Not towards 106 That would be

DET. HESS so the head facing the mall. Yeah. Okay. And was he on the sidewalk or just on the parking lot?

Or

CARLSON he No, he was he was laying there. Next to the building where there's little berm and there's trees and leaves and stuff. Okay, he's laying there in the dirt in the Okay. Because it's the sidewalk and it's a little you know, the trees little bushes there. And then it's the wall so he's playing right there.

DET. HESS Now was he you say he was like gasping like he was gasping for air?

CARLSON It seemed like I've never seen anybody died before so I don't know if he was just a reflex but it seemed I mean again his eyes he used to always laying his skin look pale his eyes you know is when I was covered in blood and the other eye well as this one I guess gonna do in the mirror thing this guy was open this I had the blood and it was coming so I couldn't see this eye but this I could see was you know his limbs half close as I was you know kind of rolled back in his head a little bit and then his pupil was huge and you know he obviously wasn't their conscience - conscious - conscience or whatever and so I first I thought oh for sure he was dead because there's., I looked for, I stood there looking for movement in his chest or I didn't didn't see anything and it was a short period time and then I hear a (gulp, gasp, gasp, gulp sounds) a couple times (repeating what he already did) you know, try to, you know, seemed like oh this guy might still be alive barely.

DET. HESS Yeah, and so he wasn't able to speak or say anything...

CARLSON No

DET. HESS ...you didn't hear any words...

CARLSON No

DET. HESS ...nothing like anything, and, they, let me just make sure, the suspect you said was between six two and six three, I think?

CARLSON Yeah, he seemed like he was taller than me. He was definitely taller than the victim

DET. HESS Ok, medium build, slender build, heavy build?

CARLSON Eh, I wouldn't say he was heavy like he was fat, but he, I mean, he had a, he had a big jacket on, but he was, the other guy, I'd say, the other guy probably say he was medium. He was, you know, a smaller guy, but he wasn't skinny by any means. So, I'd say he was either medium to heavy because he had a big jacket on it. So, I saw he was tall and wasn't (motions like a body builder from muscle beach) tall... (Carlson's phone alerts with audio of incoming call)...that's my wife. I just won't talk to her

obviously. (He pulls his phone from his pocket and presses the button to ignore the call and tosses his phone onto the couch next to where he's sitting.)

DET HESS Absolutely. Absolutely. (Carlson tosses phone on couch.) No, go ahead. I mean...

CARLSON No, I don't want to sit and tell her it. Haha. I'll tell her when I'm done here.

DET. HESS Okay. Does she know you're here...

CARLSON No

DET HESS ...and know what's happened?

CARLSON No. (Guitar lick notification sounds from phone) That's my voicemail.

DET. HESS Are you sure you don't want to give her a quick call?

CARLSON No I don't.

DET HESS Okay

CARLSON Cuz, I'll wait till later because, I don't,, she'll want to go into all the gory details by if I just say, 'I'm with the cops somebody got shot. I gotta go, bye,' she freak out so.

DET. HESS All right.

CARLSON haha

DET.HESS So, medium build, the hair you thought was black...

CARLSON yeah,

DET HESS ...maybe touches of grey?

CARLSON I'd say again. Yeah, it was wasn't jet black like an Italian, but it was more I guess probably. Yeah, probably was kind of like, Yeah, there were touches a gray or blonde or something in there. It was kind of, trying to think, it was yeah, it was probably more black like mine's brown, but it was more of a blackish with some gray or something like that.

DET HESS okay

CARLSON The biggest thing I thought with him that was weird, that I looked at, more so than his face, was his hair because his hair seemed to be you know, how you look at some people and their hair just doesn't seem to seems, out of place, like oh they're wearing a wig. That's what it almost seemed like to me that his hair was so thick. And kind of on top of his head that it looked like it was like a helmet wise like a wig. And it was back, pulled back in a ponytail because it was longer and it was in a ponytail. And I looked at that more than his face because I didn't know what's gonna go on so I just looked at him, what, 'Is somebody wearing a wig?' what? So, I noticed that more.

DET. HESS so, longer then pull back in a ponytail?

CARLSON Yeah

DET. HESS ow long do you think the ponytail was?

CARLSON It was a pretty good length. (Sits up and turns sideways to show Hess where the ponytail was.) So, here and it's tied back, (holds hands in a fist like hair is gathered together at the pointiest part – i.e. lambdoid sutures) so, probably (holds hand near the collar of his jacket) and it was pretty good length. So, I'm sure if it was down to probably down to here on him (lays his hand on the upper yoke of his shoulder) because he had the ponytail here and it kind of went you know stuck out quite a ways

DET. HESS so four-to-five...

UNKNOWN (Interview room door opens) 'I'm sorry? What is his name?'

DET. HESS (points to Carlson) Him?

UNKNOWN yes

DET. HESS Lee Carlson, Lee Carlson

UNKNOWN They called me from the scene while he was there.

DET. HESS Okay, so four-to, 4-5 inches maybe

CARLSON yeah

DET. HESS Pulled back, could you tell, was it a rubber band or

CARLSON yeah

DET. HESS Could you see what holding the ponytail?

CARLSON yeah looke like some kind of rubber band or something brownish. I didn't pay particular attention to what it was, but it was something brown

DET. HESS Okay, and how about his face? Was it round like the other guys? Was it more...elongated?

CARLSON Longer not long like mine but it seemed to me, again, I only saw a glimpse of it as he. you know. he went this way and turned back and kind of cornered the guy off and I looked at his hair, as he, as he was, came this way I didn't see him at all because I wasn't paying attention. I thought they were just you know, I see some come this way and turn around real quick. Again, he had, as far as I can remember, he had a longer nose. You know, can't tell eye color, but his eyes seem to be more bulgy like the other

guys, um, actually I should've paid more attention. I can't remember. It's, part of me says, oh, maybe he had a mustache, another part of me is like 'I don't know' for sure. But

DET. HESS Well, you just see a glimpse...

CARLSON Yeah,

DET. HESS I know we're kind of asking a lot

CARLSON Yeah

DET. HESS The, going back to the hair real quick, did it look like it had all been pulled back...

CARLSON Yeah

DET. HESS ...or was it just long in the back?

CARLSON It was like it was like it could have been pulled on the shoulders that you just (grabs under his ears like he's a girl pulling her hair back into a ponytail) pull it back

DET. HESS Okay, so, long all over and just pulled back into a ponytail? And, the, the nose was longer nose (pause) pointed?

CARLSON Yeah

DET. HESS Pudgy, big on his face or kind of narrow and long?

CARLSON Kind of, I mean, I guess, I caught it kind of from the side. So, it's kind of narrow and long, as far as I can tell, it's narrow and long. Almost like the other guy's.

DET. HESS and kind of pointy?

CARLSON Yeah.

DET. HESS Okay. You're not sure about the, the facial hair.

CARLSON I'm not...

DET. HESS okay

CARLSON ...certain. Again, part of me, I think, when I saw him get, flip around, he had a mustache, but I don't know if I'm making that up or if I actually saw that.

DET. HESS okay

CARLSON It's so vague...

DET. HESS Okay, so, possible mustache.

CARLSON ...and if I remember what I think I remember is more of (holds hands near nose and upper lip), I mean mine's kind of thin, his was more of a thicker one, if I, if I'm not making it up, I'm thinking I saw that but

DET. HESS Okay

CARLSON it's like the white flash in the car. I don't know if there is or not, but I remember seeing it.

DET. HESS okay, chin, remember anything about the chin. Did it just out or was it a hard chin?

CARLSON I don't remember anything about the chin I guess I remember more so about his cheeks seemed to be more cheekbones seem to be out more but I noticed something about his chin because I kind of glanced from his real quick from his face up to his hair going wow, hahaha

DET. HESS Remember the, anything about the eyebrows? Bushy, thin?

CARLSON I don't remember very much about that. If they were, they weren't being bushy that I remember them. So, I assume they probably were just normal.

DET. HESS So, the jacket was a light brown or a tan you said?

CARLSON yeah.

DET. HESS And you think it was this suede

CARLSON Suede-ish looking, yeah.

DET. HESS And it was, you described it as beat up.

CARLSON Yeah, it wasn't a brand new when you see a fancy store it was one that was

DET. HESS a little worn?

CARLSON Well worn, yeah,

DET. HESS holes. Did you see?

CARLSON I didn't see any holes that I noticed, like it, just, just by looking at it you could tell it wasn't a fancy new one. It was like one he might have had for a few years and look worn. I mean, it wasn't obviously a fancy one it was

DET. HESS and then the faded black or gray jeans?

CARLSON Pants.

DET. HESS Pants okay.

CARLSON I'm not sure they looked like jeans, but, yeah, you see, that guy, the suspect, he didn't really face me. The victim, of course, I got a look at them afterwards, but the victim was facing me...

DET. HESS more

CARLSON ...almost the whole time.

DET. HESS So, this was like, directly in front of your car?

CARLSON Yes, directly in front of my car.

DET. HESS So, the suspect was, would be on the driver side tire kinda

CARLSON Yes

DET. HESS and the victim with his back to you, victim facing you, okay?

CARLSON Like, like if you're the victim I'm, I'm, I'm, the car's like this, I guess I'm sitting in my car and you're there. And they came up around like this, and, again, I wasn't paying much attention at first, but they were arguing that they came and, you're the victim, you kind of went up against the wall right away, he looked at me, as like I was coming, and then the suspect kind of went like this kind of to corner him off and then, they went, they went like this again. And then that's when he pulled it out (uses his right hand this time).

Det. HESS Okay

CARLSON So, the suspect barely turned. You know, I, when he first came, I didn't notice. Other than is I remember him walking this way, seeing his hair, not really seeing his face but seeing his hair and going 'that's odd'. Then, thinking oh my gosh, they're arguing, about to get into a fight or whatever.

DET. HESS um-hm

CARLSON And then he kinda, I kept looking at the suspect who kind of looked at me a couple times, and you know, then at that point, he pulled it out. Boom, boom, well boom, yeah twice, and, and then I went down.

DET. HESS Okay, so they came, initially they came on the, they came from the passenger side of the vehicle.

CARLSON Yes.

DET. HESS And then came around the front.

CARLSON Yes.

DET. HESS And then after the shots were fired. Do you remember seeing where the white car was in the parking lot in relation to your car?

CARLSON Yeah, it was, I don't know if you've already said or not. So, I was there and it was, you know, the row behind me and there's a streetlight there. So, it was either in the one, I didn't pay a good bit of attention to it, it was either the stall right underneath it or it was one over and he backed out because when I saw it first, I looked up I didn't see it I thought he would have been running and pulled out by that time. It seemed like a long time, maybe just because it was all happening so fast, but he pulled out and that's when I looked over my rear window and saw the back end of it coming out, of the Navigator and then the license plate right there and then that's what I repeated to myself as I was waiting for 911 to pick up the phone.

DET. HESS Okay, and uh, let's see, and then...

UNKNOWN (someone enters the interview room and hands DET. HESS a clipboard.) Here's his statement. If you'd like, you can read it.

CARLSON Haha, (scribbling an imaginary page with his left hand) my writing has always been horrible. So,

DET. HESS You and me both, Lee.

CARLSON Yeah, A's in school and then Ds in handwriting. Haha. (DET. HESS reading statement). Haha, I, you know I can try to read it back to you.

DET. HESS No, I, you know, I can read it just fine.

CARLSON Wow.

DET. HESS I tell you; I suffer from the same affliction. I have terrible handwriting; so, it allows me to read other people's handwriting.

CARLSON I can type it.

DET. HESS (Reads front page of clipboard sheet(s)) How much, how much time do you think elapsed between the, the first two shots and then you duck down and the time that he used, you got back up and saw the car leaving?

CARLSON So, from the time I heard the shots, I ducked, got up and, hmmm, wasn't very long, because he got out of there soon as it happened. So, I'm guessing 10 seconds or something. Because he basically shot him, you know, the three or four shots. It was silent for a little bit. I looked up, didn't see anything, because as soon as it happened, I was down like this (bending over to his right like he's laying low on his front seat). And then I just went like this (snaps a latch) for my phone, and then sat up, didn't see him anywhere, dialed 911, not that I expect them to answer right away, of course, you know the rings couple times and some dude and then and then a time that I saw it back out, and I said to myself, 964-N (or M) GJ, and then finally, then he's pulled forward, and the guy answered, and I said, actually

he said 911 and I said 964. I think that's what I said very first, or one of the first things and what's that? I said that's the number somebody's been shot.

DET. HESS yeah

CARLSON blah, blah, blah

DET. HESS Does it, do you think uh, judging from time, you think there was enough time for the suspect to shoot him and get anything off of the victim's person, steal his wallet, keys, cell phone or anything

CARLSON Um, I guess, if he knew here to you look, it was possible, it's possible. Again, it seemed like it happened (phone rings). She's calling me again. She's went, 'why are you changing your phone?' haha. Um...

END OF RECORDING.