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97 interview Brandon Cox, [REDACTED] S.Easton, MA passenger in the vehicle driven by Danroy Henry

Assigned Inv James Pittman
Sr/Inv Joanne Leoni
Inv Donald Yackeran
Inv Jasper Saunders
Det Martin Greenberg

Entered By Inv Jasper Saunders *Date Entered* 10/20/2010

On 10/20/10, having been assigned this lead (on this date) Investigator Jasper Saunders attempted to contact Brandon Cox by calling the below telephone number obtained from case information (lead desk). At this time (approximately 4:00 p.m.) the telephone went to voice mail with no answer. The announcement identified it as the telephone of Brandon. A voice message was left identifying myself and the reason for my calling. Also expressed was a request for a return call to either myself or the case agent, Investigator Joseph Becerra. The telephone number for SP Hawthorne BCI as well as the desk of Inv. Becerra was provided.

Brandon Cox
DOB [REDACTED]
12 Sierra Drive
S Easton MA 02375
508-631-5261

Entered By Inv Jasper Saunders *Date Entered* 10/27/2010

On 10/26/10, Investigator Saunders reports having received no return communication from Brandon Cox. I was advised, this date, that attempts to gain communication and obtain an interview with Cox will be made by the District Attorney's Office through counsel representing him. I will await further instructions and allow such an inquiry to be made.

Entered By Det Martin Greenberg *Date Entered* 11/19/2010

G7789: 11/17/10 12:18hrs – Investigator Saunders (NYSP), Detective Greenberg (MPPD), Pat Murphy (WC DA's Office), and Kristina Dushaj (WC DA's Office) at the Parks residence, 12 Sierra Drive, So. Easton, MA interviewing Brandon Cox. Attorney Charles J. Ogletree, Jr. was also present representing Brandon. This officer took handwritten notes during the interview. No written deposition was taken. A map of the scene with Brandon's notes attached to this report.

Brandon Darius Cox
[REDACTED]
So. Easton, MA 02375

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Dob [REDACTED]

Home phone: 508 [REDACTED]

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Brandon began with an overview of his relationship with Danroy (DJ) Henry. Brandon's mom and DJ's mom met at a soccer game, becoming acquainted as there were very few black families in the community. Through the connection with the mom's the boys met and became friends. Brandon was a high school freshman, DJ was close in age. The Henry's were fairly new to the community. The boys both loved football, and they lived about 5 min apart. DJ had a good "hang-out house" and his parents welcomed Brandon with open arms. Soon the boys got closer and closer, having the same interests: music, fashion, cars, going out having fun. They were more like brothers than friends. DJ graduated high school in 2007 and went to prep school at the Milford Academy. Brandon and DJ kept in touch, and talked about football and how their seasons were going. DJ came to Brandon's Thanksgiving game that year. DJ only went to Milford Academy for 1/2 the year, and returned home so they hung out again. The following year, DJ went to Iona College while Brandon went to Stonehill College, which is close to Easton, MA. Brandon dorms at Stonehill due to the football program. Brandon is a running back. That year, Stonehill played Iona College in football, losing in double overtime after being up 14-0. The Henry family and the Parks/Cox family (Parks is Brandon's step-father) hung out that day, and Brandon stayed over at Iona College. When Iona dropped its football program, DJ transferred to Pace University. He noted that Stonehill had a more country-like campus than Pace. Last year the Pace vs. Stonehill game was at Stonehill. This year, they played twice, the first time at Stonehill, the second time at Pace which was their homecoming. The first game was won by Stonehill but Pace gave them more of a battle, while the second game Stonehill won "pretty soundly 27-0". Brandon came down to Pace with the team, after the game he stayed behind, the coach released him to his mother. DJ started at corner, a new position for him. It was halfway through the season, and he had a good game. DJ was upset that they lost, but happy that he did well. After the game, they went to the locker room, changed and grabbed a quick bite, like some snacks. Brandon's mom and dad got him and they met up with DJ's parents. Brandon rode with DJ in DJ's car and the parents followed. They went to Lucio's Pizza in Pleasantville where they all had dinner. The families had a good time as

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they normally do. Brandon's sisters (twin sisters) and DJ's sister all hung out. They enjoyed the day. Brandon said "they ate and conversated." They all took a quick picture together in front of Lucio's, and they left. DJ's parents went to get ready to head home, Brandon's family followed DJ and him to Pace so they knew where to pick him up the next morning. Brandon's family planned on getting a hotel and going to Times Square. They got Brandon's parents out and he hung out with DJ in DJ's room in the townhouses. DJ's townhouse was pretty big, and he lived with basketball players. Christina (Leone) was there waiting to borrow something, while the basketball guys were watching football games. After hanging for about 15 minutes, Christina left. Brandon and DJ hung out and talked. Brandon showered, then DJ showered. After they were showered and dressed they hung out a bit. He noted that the campus was enjoying homecoming. Two of DJ's friends, Dez (Desmond Hinds) and Martin (Laroche) came over and wanted DJ to take them to a liquor store. Martin was from Florida, and DJ knew him from Iona. DJ drove and the four of them drove to the liquor store. Brandon remembered that they hopped on a highway real quick and the liquor store was close by. DJ parked, Martin and Dez went in. DJ and Brandon stayed in the car. DJ ran in saying it would take them too long. Brandon was not sure who bought the alcohol but thought someone was 21. He said dj and him were still 20, but close to 21. They came back with a bottle of vodka that he described as a tall thin bottle, not a bottle with a handle, not sure what brand. DJ drove them back to Pace, Martin and Dez went back to Dez's dorm to shower and change, someone put the vodka and maybe some soda in the freezer at DJ's townhouse. DJ and Brandon went upstairs. Dez and Martin came back to DJ's room after showering and changing. Someone went downstairs and got the alcohol and soda and brought it back to DJ's room. They poured vodka and orange soda for each of them, Martin, Dez and DJ. Brandon showed us a cup and showed us that the cups had 1/3 liquor and the rest orange soda. He remembered they used standard red solo cups. DJ had one drink, not sure how much the others drank, but there was still a good amount left in the bottle. Brandon said he doesn't drink. They still had football games on tv. They walked around the townhouse area, there were people outside, they saw some football players DJ knew. Brandon ran into a kid he knew from Foxborough, I kicker named Ali Mortada, who was a kicker for Pace football. They had been rivals. They headed back to DJ's room to get their cell phones and wallets. Dez and Martin were with them. Brandon also remembered that Yves (Delpeche) was there and had come to DJ's room after Martin and Dez showered, had a little to drink, but wasn't sure how much. He thought Yves went to Iona, but he is definitely on the Pace football team. Yves was with them, five in total when DJ drove to Finnegan's. They thought about where to party, with the black folks or the white folks. They decided to go to Finnegans. DJ parked in the lot, which Brandon marked on a blank map of the Thornwood Town Center we provided (Second row, possibly near the island across from Game Stop). They all got out of the car, Brandon and DJ went over to Finnegans first. There were people hanging out. DJ went in first, with Brandon behind him. There were two bouncers at the

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door, one checking ids with a flashlight, the other patting people down. DJ had given Brandon a Massachusetts state ID, it didn't look like him, but he tried it. They stamped his hand, he doesn't drink, so he figured it was ok. One of the guys was a big white guy. Brandon didn't wear Pace or Stonehill clothes, he wore regular street clothes. The other guys came in shortly after. He remembered the bar was on the right, and to the left the tables had been moved and flipped into the booths to make room for a make-shift dj booth and dance floor. There were a lot of Pace people. DJ pointed out some girls and they were dancing a bit. The place was pretty full, lot of people, not that big of a place. He thought a lot were from Pace. Brandon knew a lot of Pace football players. DJ introduced him to a lot of Pace people, most with regular street clothes. They all looked like college kids, not sure if of age. There was no one that Brandon could pick out as being not of age, but it was hard to tell. The dj booth was in the back left corner. Finnegans looked like McGuire's Bar and Grill, with flat screen tv's. They were hanging out having a pretty good time. Christina from earlier was there and offered a drink to DJ. He said no because he was driving. Brandon didn't see him drink any more. Brandon said college kids are pretty broke so he wasn't sure if they bought any drinks. He was with DJ all night and never saw him drink. At one point, the lights in Finnegans went on, but about an hour before he saw two little white girls fighting which he thought was comical. He thought that they left Finnegans around 11:30 or 11:40, but he did remember calling his girlfriend about ½ hour before he left. She told him to text her later. He went back in, the lights came on, and they began to kick people out. Brandon and DJ left, he heard a bouncer say "You better get out before I have to call the police and they come with their riot gear again." They guy who said that had a black shirt on, had some writing on it, he was an older gentleman, darker hair. Brandon said again that he and DJ left and he heard that a fight had happened. He saw the crowd was getting agitated. The crowd was predominantly white, most of the crowd was white, most of the black guys were football players. He mentioned again the two little white girls that had fought near the back of Finnegans. People were starting to get rowdy inside. People started to yell "we aren't leaving." People's attitudes started to change. Brandon told us "people like to fight when they are piss drunk." People were getting agitated. DJ and he were the first in their group to leave. They went to the car. Brandon told us that he always asks DJ if he is alright to drive, it's their thing, it's that kind of friendship. Brandon saw he was normal and carried himself well. There was one time that he said something and DJ gave him the keys. DJ was driving and they pulled up, parking in front of Dress Barn, between Dress Barn and Finnegans – he marked it on the map. They were sitting waiting for the rest of their crew. The car was on, DJ put it in park, up against the curb facing the turn by Finnegans. Brandon stayed in the car, DJ got out and went into the crowd looking for the guys. A little bit after, Brandon saw DJ trying to calm a kid down in front of Dress Barn. Dez was also with him then. DJ was out of the car for maybe 5 minutes, not gone that long. The car was running at that time. DJ and Dez got into the car. Brandon was looking at his phone, DJ was looking at his phone. Brandon

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said he was the front seat passenger, DJ was driving, Dez was in the back seat driver's side. They were checking their phones for messages when he heard a thump like metal hitting the window, never saw who was coming. It was loud and startled them, a double tap. Brandon looked and saw a white police officer at the back driver's window. The officer was at Dez's window reaching and knocked on DJ's window, tapped twice again. No one saw anything, it was quiet, the music was off, the windows were all up, the windows had fogged up when they got in the car. DJ drove out of the fire lane, and as he drove away, Brandon heard "Hey stop!" and saw the police officer trailing behind them. They had already made it around the curve, kind of slow (he draws this on the map). Over by the shrubbery there were "like 3 police cruisers, I'm looking out the front window." He saw an officer jump out from what he believed was the first or second police car, "I saw him run in front of the car with his gun drawn. He came at an angle from behind the car. He had his gun in his hand when he jumped out, his two hands in a high position pointing at the front windshield. We were going regular parking lot speed, not excessively fast. DJ's car started to slow a bit, and I hear a shot go off and I hear the glass break. My instinct was to lean toward my door, I felt I'm shot, then I hear more shots. I saw an officer on the hood, but I heard shots first. I'm not sure how many shots I heard. I could see someone on the hood, through my peripheral and heard more shots. In my mind it sounded like more than three shots. One hole looked closer to my side, and the other holes looked closer to DJ. He yelled they shot me, they shot me. Police rushed over to DJ's side and pulled DJ out and Dez out. I opened up my door and I got out myself, there were no cops. I remember another girl's car near us, two girls were frantic. I got out and moved towards the overhang by the sidewalk. I heard an officer yell get on the ground, so I got on the ground feet facing towards the car. There was no officer near me, talking directly to me. I got up and go down the sidewalk towards the end by CVS (makes a dot on the map), there is a girl on a cell phone and saw my arm. She was a white girl, and I said I was alright. She said on the phone someone was shot. I took the sleeve off my arm, and saw my arm was split, down to the meat, maybe 1/2 inch deep (he pointed to his left arm and showed us an inch using his thumb and pointer finger). I realized at that point that I had gotten hit, and I sat on the curb and laid back a second. I kept thinking I have to go to the hospital, I have to check on my friend. I was processing everything for like a minute. I went back around the corner, there was a cop with a uniform and bullet-proof vest over his shirt, gun down at his side. 'Have you been hit? Where were you?' I said I was in the passenger side. He raised his gun and said get on the ground. He put handcuffs on me, the chain was kind of twisted, short, I don't think he did it on purpose. I had trouble getting up. He lifted me with my right arm, my left arm was shot. He walked me towards the cruisers, DJ's car was on the left, DJ was on my right handcuffed face down behind the third police cruiser. DJ wasn't talking, wasn't saying. I saw his chest moving a bit. He was on the ground face down, handcuffed behind his back. The officer put me in the rear of the third cruiser and walked away. The door was closed and the window was cracked a bit, I was trying

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to say 'I've been hit and was bleeding.' I was in there for about 5 minutes, I said I was shot, a cop said 'your friend is worse, so we're helping him first.' The cop took a medical bag out of the cruiser, my cruiser. A white girl was helping the officer a few yards in front of DJ. An officer was with her, she was white, dirty blonde long hair. It appeared they were starting to work on DJ. My arm started to really burn. I saw EMTs, not in uniform, like they got out of bed and came. Then the cop came back over to me and he wrapped my arm real quick, he had opened the door, my legs were out of the car but I was sitting. The cop was the cop that had tapped on the window. He said 'Why you guys pull out like that?' I said I thought you wanted us to move out of the fire lane. His response was 'yea I was going to ask you to pull out of the fire lane.' That officer stayed with me the rest of the night. An EMT came over to wrap my arm better. The cop got the handcuff key from I guess another cop, and he told him to keep the stuff, he would get them later. The EMT asked to have the cuffs off. She was white, dark brunette hair, said to me that she had gotten out of bed. The first ambulance took away the cop, the second ambulance took away DJ. The EMT and the same cop stayed with me. We waited for an ambulance. They put on a neck brace and a board and put me on a stretcher. In the ambulance they cuffed my wrist, my right wrist to the stretcher. The ambulance guy put an IV in, he looked like a cop and an EMT, he had a uniform and a gun. They took me to the hospital, to the Emergency Room, the cop stayed by the door the whole time. There was no conversation with the cop. I really didn't say anything to him about the case. He may have heard the medical people talk to me. There were a lot of people there, cops, students. My parents got there and they took me into another room. I had given my number to the nurse and DJ's mother. I took my stuff off, a different officer took my stuff and put it into a big brown paper bag. He then put my stuff in small paper bags. My step-dad told police I couldn't give a statement now, and if I wasn't arrested he was taking me. He told them after I retain counsel, I could give a statement. The officer that was bagging my stuff went and made a phone call, then about 10 minutes later said we were ok to leave, since I wasn't arrested. At the hospital, I was afraid to ask, but when the hospital asked for DJ's contact info, I kind of came to the conclusion. My mom was with me, she got a call from Angela, DJ's mom, and we knew. At the hospital I saw the officer that had jumped out from the car, and I recognized him being wheeled into another room. Another officer, a black uniform officer told the officer with me, to go get coffee, it had been a long night. He said no, but the black cop kept asking and the other cop did go, and the black cop stayed. The first cop came back a little later. I saw Yves at the hospital, he was handcuffed and with police. I later heard he got tased, I saw him in the lobby. We went back to the hotel, got changed and checked out. We went back to the hospital, met DJ's parents and his younger brother. There were no police there to tell them what happened, DJ's parents had to go to the front desk."

The interview ended at 14:20hrs. (mbg)