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Q Your MR. DRISCOLL: That's as I remember it
and she identified this as a blue uniform.

Q In MR. LEUCHTER: Rather than a brown
uniform, is that right?

Q THE WITNESS: Yes.

Q MR. DRISCOLL: Any further questions?
A Yes. If not, we want to thank you very much
for coming here and contributing your part
to our work.

Q MR. LEUCHTER: May I ask one other
question?

Q Were bullets imbedded in the walls or
ceiling of the children's room?

Q THE WITNESS: There's tin in there and
so I searched for bullets but I didn't see
none so it must have went inside the wall.

Q MR. LEUCHTER: You have never been able
to find any of the bullets?

Q THE WITNESS: No, I haven't.

Q MR. DRISCOLL: Thank you very much.

JANIE CARTER, Sworn.

EXAMINATION

BY MR. FORTUNATO:

1 asking Q: Your address, please?

2 there A: 445 Clinton Avenue.

3 were Q: In Newark?

4 street A: Yes.

5 there Q: Now my understanding is that you witnessed
6 an incident concerning one Leon Jiminez?

7 she A: Yes.

8 Q: Is it also my understanding that Mr. Jiminez
9 no longer resides in Newark?

10 A: That's right.

11 Jiminez Q: Would you tell us what that incident was
12 that you observed?

13 stand If you can, we would appreciate getting the day,
14 and the time when it happened.

15 A: I believe it was Thursday.

16 further Q: That would be July 13, at the time of the
17 disorder in July.

18 back A: Yes. She asked me to go with her over to her
19 mother's to pick up her daughter.

20 Q: Who is she?
21 up in A: Mrs. Jiminez. We left with her husband and
22 we come over 10th Street and she saw her father standing
23 there at 10th and 18th Avenue. He went over and parked
24 the car over on 11th Street and we walked back over to
25 where he was standing and talking with him and we was

1 asking him what had happened and there was other people
2 there, you know, around on different corners and so we
3 were all standing there talking and we moved across the
4 street and that would be Springfield and 10th Street,
5 there in front of the liquor store.

6 Some cops were standing there talking to the people.
7 She and her husband walked over and was talking to one.

8 I was standing there along with her mother and
9 her father.

10 Q How far away were you from Mr. and Mrs.
11 Jiminez?

12 A About as far as I am from you. We were
13 standing up against a mailbox talking and she was
14 standing or her and her husband were talking to the cop.

15 They asked us to move on. There was an incident
16 further up Springfield Avenue. There was a big noise and
17 everybody started to run but then they started walking
18 back up, so they asked us to move on, the ones that was
19 already there.

20 So we started to walk off and some policemen come
1 up in cars, up Springfield Avenue from both directions
2 and they got out of the cars and they didn't ask anybody
3 to move. They didn't say a thing. They just started
4 beating peoples with the sticks and some had guns and
5 they were shooting in other directions from where I was.

1 So I started to run across the street but when I
2 looked back one grabbed Mrs. Jiminez from the back of her
3 head and pulled her down and started beating her and the
4 others was beating her.

5 There was about 6 to 8 beating her. Then this
6 one was stomping her in the stomach.

7 I can't say exactly, you know, definitely, which cop
8 it was because from where I was I couldn't tell them
9 apart but there was this one stomping her on the stomach.

10 Q Do you know whether they were Newark Police
11 or State Troopers or National Guard?

12 A This one that was stomping her was a Newark
13 Policeman, but some of them had on other clothes.

14 Q Do you know if Mr. Jiminez was arrested as a
15 result of this incident?

16 A He was carried away. Yes, he was arrested.
17 It wasn't assault on an officer. I don't guess it was.
18 I think it was for breaking and entering. I can't exactly
19 remember. I do know he was arrested.

20 MR. LEUCHTER: It is your contention
21 that he was not breaking and entering?

22 THE WITNESS: Oh, no. We all was
23 together. There wasn't anybody doing anything
24 from where we was standing. There was peoples
25 up on Springfield Avenue who was breaking in

1 and so forth, but the ones that were standing
2 around on the different corners were just
3 looking at the ones up the street doing it
4 and talking to the cops.

5 There wasn't anybody doing anything
6 where we was.

7 There wasn't any disturbance until the
8 policemen come up in the car and started
9 beating the peoples and shooting at some.

10 MR. LEUCHTER: Was the conversation
11 that Mr. and Mrs. Jiminez were having with
12 the policemen at the beginning a friendly
13 conversation?

14 THE WITNESS: Sure. The others that
15 were standing there when we walked over to
16 that corner, they was talking to the people
17 that were there.

18 As a matter of fact, they was joking.
19 There wasn't any kind of disturbance at all.
20 It was all a friendly conversation.

21 MR. DRISCOLL: Anything else?

22 Well, we are very much indebted to you
23 for coming. We appreciate your giving us the
24 benefit of your observations.

25 Thank you.