

1 (Discussion off the record.)

2 Good afternoon, sir.

3 THE WITNESS: Afternoon, Judge.

4 THE COURT: Raise your right hand,
5 please.

6 (Witness sworn.)

7 THE WITNESS: Yes, sir.

8 THE COURT: All right. Feel free to
9 adjust the chair and microphone. And if one of the
10 lawyers stands up while you're answering a question,
11 go ahead and stop your answer. I'll talk to them,
12 then I'll talk to you. You just answer as directly
13 as you can.

14 You may proceed, Counsel.

15 MS. DAVIDSON: Thank you, Your Honor.

16 **QUANELL X FARRAKHAN,**

17 having been first duly sworn, testified as follows:

18 **DIRECT EXAMINATION**

19 BY MS. DAVIDSON:

20 Q Can you state your name, please.

21 A Quanell X Farrakhan.

22 Q And for the purposes of our court reporter,
23 would you spell your first name and your last name?

24 A Quanell, Q-U-A-N-E-L-L, Farrakhan,
25 F-A-R-R-A-K-H-A-N.

1 Q What do you do for a living?

2 A I am the leader of the New Black Panthers
3 and the New Black Muslim movement.

4 Q Okay. And exactly what do you do as their
5 leader?

6 A I'm the spiritual head of the organization
7 nationwide. And also I campaign and organize all of
8 our community service activities which entails many
9 different things.

10 Q Is that here in Houston?

11 A Yes.

12 Q Were you doing that same thing back in May
13 of 2008?

14 A Yes, ma'am.

15 Q On May 19th of 2008, did you have an
16 opportunity to speak with a person you came to know
17 by the name of Theron Owens?

18 A Yes, ma'am.

19 Q Do you see Mr. Owens in the courtroom
20 today?

21 A Yes, ma'am, I do.

22 Q For purposes of our record, could you tell
23 me where he's sitting and tell me something he's
24 wearing?

25 A Brother's sitting to the left with an orange

1 jail jumpsuit on.

2 MS. DAVIDSON: Your Honor, may the
3 record reflect the witness has identified the
4 defendant.

5 THE COURT: It will so reflect.

6 Q (BY MS. DAVIDSON) Can you tell the Court the
7 circumstances around you having a conversation with
8 the defendant on May 19th of 2008?

9 A As best as I can recall, I received a phone
10 call on my office voicemail from Mr. Owens who was
11 looking to get some help in regards to something he
12 was dealing with with law enforcement.

13 At that time I was not sure what it was
14 about. So I asked the brother his name, and someone
15 else called me, too. Some -- I'm not sure who it
16 was. Someone else called me, too, in regards to him
17 wanting to get in contact with me. But I was able at
18 some point to make contact with him. And then I had
19 his name and so we went from there.

20 Q Okay. So, you actually had a conversation
21 with the defendant?

22 A We talked on the phone and I said, "Brother,
23 let's not go too far on the telephone. Let's just
24 meet." And we set up a meeting place to sit down and
25 meet at our local Muslim restaurant.

1 Q Okay. And this was on May 19th?

2 A I believe so.

3 Q Did you meet with him on May 19th?

4 A I believe I did, yes, ma'am.

5 Q And when you went to that restaurant, I
6 guess you met at that Muslim restaurant?

7 A Right.

8 Q Tell the Court the nature of the
9 conversation you had with the defendant?

10 A Well, when I first met with the brother, I
11 actually got there first and he subsequently came
12 behind me. And I told my security to make sure the
13 brother came in the restaurant.

14 And so when he came in the restaurant,
15 I told the brother to sit down. And I noticed that
16 he was real shook up. He was very, very shook up.
17 He was nervous. He was shook up. And you could tell
18 he had a lot of stress on his mind. And so I said,
19 "Brother, what's going on? Talk to me."

20 And so he was like, "Well, these cops
21 are after me, man. These cops are trying to set me
22 up for something I didn't do. I'm from New Orleans
23 and I think they're doing it because I'm from New
24 Orleans and I'm black."

25 And I said. "Okay, brother." I said,

1 "Well, what's going on? What's happening?"

2 At that -- at that time I wasn't sure
3 of really what was going on because I hadn't seen the
4 news yet. And he told me, he said, "Well, they're
5 accusing me of killing my mother and my grandmother."

6 And so I said, "Well, brother, let me
7 stop you right there." I said, "Brother, are you
8 sure you're innocent?"

9 And he said, "Yeah, I'm innocent."

10 I said, "Brother, well, I tell you
11 what, as long as you're sure you're innocent, I'm
12 going to help you. I'm going to be all the way with
13 you." I said, "But if they're coming at you because
14 of your race, I'm going to fight them."

15 I said, "Because I don't trust them
16 anyway." I don't trust the Harris County homicide
17 division or law enforcement, period. I'm very
18 suspicious of law enforcement, period. That's just
19 who I am and what I do.

20 And so I said to him, I said, "Brother,
21 now remember." I said, "Remember, if you are
22 innocent, I'm going to be with you all the way." I
23 said. "But if you're guilty of this." I said,
24 "Brother, we need to stop right here and reexamine
25 all of this." I said, "Because if you are guilty,

1 brother, you might want to handle this a little
2 differently."

3 And I said, "Brother, because if you're
4 innocent, I'm down with you. I'm with you. But if
5 you're guilty," I said, "you might want to ask me to
6 help you a different way."

7 Q Did you at some point during this
8 conversation learn who the officers were with the
9 sheriff's office that had been investigating the
10 defendant?

11 A Well, he told me which agency was
12 investigating. He told me which law enforcement
13 agency was looking into him.

14 Q Okay. So, he told you it was the Harris
15 County Sheriff's office?

16 A Right.

17 Q At some point did you find out who the
18 detectives were that were actually investigators with
19 the sheriff's office that were investigating --

20 A Actually, what I did -- after I met with him
21 the first time -- the first time we met, and he left
22 and I left. Then that's when I placed a phone call
23 looking for Lieutenant Denholm. But for some reason
24 Denholm was not available. And I remember Sergeant
25 Clopton, because he had actually taken my statement

1 before in a previous murder case.

2 Q Let me back you up a little bit. So, you
3 said you called the sheriff's office after you spoke
4 with him. And you asked for Lieutenant Denholm. How
5 do you know Lieutenant Denholm?

6 A I know Lieutenant Denholm because of the
7 Tynesha Stewart case. And that was the case of a
8 young woman who was murdered by her boyfriend in
9 north Houston. And when I escorted that young man to
10 the Harris County Homicide Division, that's when I
11 met Lieutenant Denholm. That was -- yes, Lieutenant
12 Denholm was his name.

13 Q So, how many different -- prior to May 19th
14 of 2008, how many -- on how many different occasions
15 do you think you actually met and spoke with
16 Lieutenant Denholm?

17 A Before --

18 Q Before May 19th of 2008?

19 A I think maybe once, with the Tynesha Stewart
20 case.

21 Q During that story -- prior to May 19th,
22 2008, did you have any kind of agreement with
23 Lieutenant Denholm, or any members of the sheriff's
24 office, that you would try to get confessions out of
25 people and you acted as an arm of law enforcement?

1 A Absolutely not.

2 Q Okay. So, you called the sheriff's office
3 that night, asked for Lieutenant Denholm, and he was
4 not available?

5 A Right.

6 Q So then you ask for Sergeant Clopton?

7 A Uh-huh.

8 Q And that would be the gentleman who just
9 left the courtroom that testified before you?

10 A Yes, ma'am.

11 Q How did you know Sergeant Clopton to ask for
12 him?

13 A In the Tynesha Stewart case, he actually
14 took my statement in regards to what the gentleman --
15 I can't recall the brother's name right now -- but
16 who was a suspect in that case. My involvement in
17 that case, what was said to me, et cetera. He took
18 my statement that night. And so that's how I
19 remember Sergeant Clopton.

20 In fact, it was kind of ironic, because
21 to see a black man that was a Sergeant in Harris
22 County Homicide Division was foreign to me because I
23 didn't even know they had a brother over there that
24 was a homicide detective.

25 Q So, you had met him in that same

1 investigation, where you had met Lieutenant Denholm
2 where you actually became a witness to a murder?

3 A Right. Well, not to a murder. Not to a
4 murder. I didn't witness the murder.

5 Q Okay. Correct. But you became a witness to
6 some of the activities that occurred in that previous
7 case?

8 A Yes, ma'am.

9 Q Okay. When you spoke with Sergeant Clopton
10 on May 19th, can you tell the Court what specifically
11 you said to him?

12 A I don't remember exactly how much -- it
13 wasn't that much. It was a short conversation. I
14 said to him, "There is a gentleman named Theron
15 Owens." I believe I said, "Theron Owens is his
16 name." "He says that y'all are after him. He says
17 y'all are pursuing him."

18 I said, "Do y'all have an arrest
19 warrant for him? Is he wanted?"

20 Because if he was wanted for murder, my
21 thing was to get him to turn himself in. And he
22 says, "No, I don't have no -- I don't have a warrant
23 for him." And I think he said something to him, "But
24 I don't believe his story. And I don't have any
25 other suspects."

1 And I said, "Okay." I said, "All
2 right. Thank you, sir." And that was it.

3 Q Did Sergeant Clopton give you any of the
4 details of the murder investigation that he was
5 involved in where he believed this defendant was a
6 suspect?

7 A I don't recall us ever even going into what
8 he was accused of doing. How -- none of that took
9 place. He never said that to me.

10 Q Did you make any agreement with Sergeant
11 Clopton that you would meet with him and get him to
12 confess and bring him in as an arm of law
13 enforcement?

14 A Absolutely not. I'm not an arm of law
15 enforcement.

16 Q Okay. What happened after that May 19th
17 phone call to Sergeant Clopton?

18 A The next day he had agreed to call me --

19 Q And when you say "he," you're referring to
20 the defendant?

21 A Mr. Owens, yes.

22 Q Okay.

23 A He had agreed to call me.

24 Q Yes, sir.

25 A And that we would meet back up the next day,

1 to talk about how he wanted me to really help him.
2 And the reason why I asked him, "Brother, are you
3 sure how you want me to help him." Because he was so
4 nervous and he was really afraid.

5 I understand being afraid, but my
6 intuition was saying, okay, brother, you sleep on
7 this. You think about this. And that's my exact
8 words to him. I said, "Brother, you sleep on it, and
9 you call me tomorrow and let me know how you want me
10 to help you."

11 Q And did he, in fact, call you on May 20th of
12 2008?

13 A Yes, ma'am.

14 Q What time of the day or night?

15 A I don't recall exactly what time it was.
16 I'm really not sure, but he did give me a call.

17 Q Okay. Was it in the morning hours?

18 A Morning -- early afternoon, I believe it
19 was.

20 Q Okay. And what was the nature of that phone
21 call?

22 A I said, "Brother." Well, he called me and
23 said, "Mr. X, I still want you to help me."

24 I said, "Okay, fine." I said,
25 "Brother, how do you want me to help you?" I said,

1 "Do you want me to help you fight them, or do you
2 want me to help you in another way?"

3 He said. "In another way."

4 So in my mind right then and there, as
5 I said to him, "Do you want me to help," before we
6 ever left each other that first time. I said, "If
7 you're innocent, I will help you fight them. If
8 they're trying to railroad you, I'll help you fight
9 them." I said, "But brother, if you're guilty, you
10 might want to think of me helping you a different
11 way."

12 Q Okay.

13 A And the next day when he called and spoke to
14 me. And I asked him, "How do you want me to help
15 you? Do you want me to help you fight them?"

16 He was like, "No, I want you to help me
17 in another way."

18 Q And what did you do based on that?

19 A I told him, I said, "Okay. Brother, that's
20 enough. Let's just meet and we'll go from there."

21 Q And after you had that phone conversation
22 with him, did you call the sheriff's office and tell
23 them anything?

24 A Huh-uh.

25 Q Or did you go meet with him?

1 A I went and met with him.

2 Q Where did you meet him?

3 A At the same place, the Muslim coffee shop.

4 Q And what happened at the Muslim coffee shop?

5 A We sat down in the coffee shop, and I could
6 tell it looked like he hadn't rested, like he hadn't
7 slept. And I said. "Brother, is there something you
8 want to talk to me about?"

9 He said, "Yes, I want to get this off
10 my conscience." He said, "I just want to get this
11 off my conscience."

12 I said, "Brother, did you do this?"

13 And he hesitated, and then he put his
14 head down and shook his head and said, "Yes." Then
15 he said to me, he said, "Man." He started crying.

16 I said, "Brother, calm down." I said,
17 "Brother, what was this about? Was it drugs?" I
18 said, "Brother, was it drugs? Did y'all get into a
19 fight or something like that?"

20 He was like, "Man, I just snapped. I
21 just snapped."

22 At that point I said, "Brother, stop."
23 I said, "Confession is good for your soul." I said.
24 "Brother, I will call them. And what I think you
25 should do is go ahead and meet with them, brother,

1 and tell them the truth."

2 I said, "I'll arrange for you to go
3 over there and meet with them. I'll go with you.
4 But just go in there and tell them the truth." I
5 didn't want to give him the chance to go into no
6 details with me because I didn't want to go there.
7 But I told him, I said, "Brother, you tell them the
8 truth about what happened."

9 Q Okay.

10 A And I called them and told them we were
11 coming over.

12 Q And when you say you, "Called them and told
13 them you were coming over," who were you referring
14 to?

15 A I called Harris County Homicide Division.

16 Q Okay. Do you remember who you spoke to?

17 A I don't remember, but I told them we were
18 coming.

19 Q And what did you do after you made that
20 phone call?

21 A We -- I'm not sure if he rode with me or
22 followed me. I think he followed me. I'm not sure.
23 But we went off to Lockwood to the homicide division.

24 Q Okay. And when you got there, did you meet
25 some detectives?

1 A Yes.

2 Q Where did you originally meet them?

3 A I think it was in Lieutenant Denholm's
4 office, I believe it was.

5 Q Okay. And what did they do with the
6 defendant once you got there?

7 A Lieutenant Denholm was sitting at his desk.
8 There was other homicide detectives in there. I
9 think maybe two, maybe three. And I sat down in one
10 chair. Mr. Owens sat down in the chair next to me.
11 And I said, "Lieutenant, you know, this is Theron
12 Owens and he has some things he'd like to share with
13 y'all, and talk to y'all, and tell y'all."

14 I said, "At this point, I'll let y'all
15 take it from here."

16 Q And so I guess they eventually took him out
17 and took him into an interrogation room?

18 A Right.

19 Q Did you go speak to a detective and give a
20 statement as to what the defendant told you?

21 A I don't believe I did.

22 Q Okay.

23 A I don't believe I did.

24 Q Let me refresh your memory.

25 MS. DAVIDSON: May I approach the

1 witness, Judge.

2 THE COURT: You may.

3 Q (BY MS. DAVIDSON) I'm showing you a
4 statement, Voluntary Statement of Quanell X
5 Farrakhan.

6 A Uh-huh.

7 Q I'd like you to read that and see if reading
8 that refreshes your memory as to the written
9 statement you gave to the sheriff's office.

10 A (Witness complies.)

11 This is it. This is absolutely
12 correct.

13 Q Okay. Having read this, does that refresh
14 your memory about giving a written statement on
15 May 20th of 2008, to members of the sheriff's
16 office?

17 A You know, I'm not sure if I gave it that day
18 though. But that is my statement.

19 Q Okay.

20 A But I think that I was asked to come back
21 and gave a statement about this case.

22 Q Okay. It says: Sworn to and subscribed
23 before me, on May 20th of 2008, at 1:20. Signed by
24 Sergeant Larry Davis with the sheriff's office, the
25 Harris County Sheriff's office.

1 A I wouldn't -- I wouldn't disagree with that.

2 Q Okay. At the time you were giving your
3 statement, was the defendant talking to members of
4 the sheriff's office?

5 A I believe he was, yes.

6 Q Okay. At some point did Sergeant Wedgeworth
7 or one of the sergeants with the sheriff's office,
8 come tell you that the defendant wanted to speak with
9 you for a moment?

10 A Yes, ma'am, he did.

11 Q And were you taken into the interview room
12 where the defendant was?

13 A I was walked back to the interview room and
14 I went in there by myself.

15 Q Okay. So, it was just you and the
16 defendant?

17 A Right.

18 Q What, if anything, did you say to the
19 defendant when you went in there?

20 A He was nervous and he wanted me to sit in
21 there with him. And I was like, "Oh, Brother, I
22 can't sit in here with you. They're not going to
23 allow that." I said, "The bottom line is do the
24 right thing, and do what you said you want to do and
25 then get it off your chest."

1 I said, "Just tell the truth." I said,
2 "As you -- as you told me, you was going to tell the
3 truth, tell the truth." I said, "Brother, you can
4 talk to them." I said, "I can't stay in here with
5 you, but just tell the truth as you said you wanted
6 to."

7 Q Did he tell you that he would -- would talk
8 with Sergeant Clopton but didn't want Sergeant
9 Wedgeworth in the room?

10 A I don't recall that. I don't remember that.
11 Maybe -- maybe he did, but I don't recall.

12 Q Did you, after he told you he'd talk to
13 them, go out and get Sergeant Clopton and tell him
14 he's ready to talk to you?

15 A I stepped out of the room and I told -- I'm
16 not sure which homicide detective I told, but I did
17 tell them that he was ready to talk to them, yes.
18 But I'm really not sure which one it was. Either it
19 was Denholm or maybe Clopton.

20 Q At any time when you were -- brought him to
21 the sheriff's office and you went in there and talked
22 to him, or at any time you were at 601 Lockwood that
23 day, were you acting at the direction of any law
24 enforcement officer for your actions with the
25 defendant?

1 A Absolutely not.

2 Q Once you were through giving your statement,
3 and once you were finished talking to Mr. Owens, what
4 did you do?

5 A I left.

6 Q Okay. And Mr. Owens remained at the
7 sheriff's office?

8 A Yes.

9 MS. DAVIDSON: I'll pass the witness,
10 Judge.

11 THE COURT: All right.
12 You may proceed.

13 MS. LYTLE: Thank you, Your Honor.

14 **CROSS-EXAMINATION**

15 BY MS. LYTLE:

16 Q Good afternoon. Is it Minister X -- is that
17 how --

18 A Minister X is fine.

19 Q Or is it Mr. Farrakhan? I just want to be
20 sure I --

21 A Minister X or Mr. Farrakhan. Whatever is
22 most acceptable to you. I'm fine with both.

23 Q Okay. My name is Heather Lytle. I'm one of
24 the attorneys representing Mr. Owens. I just have a
25 few questions for you about the statements that

1 you've made in court today.

2 You've stated that you are -- your job
3 title is the leader of the New Black Panthers and the
4 New Black Muslims?

5 A Yes, ma'am.

6 Q Okay. Would it be fair to say that part of
7 your role is -- or has been over the past few years,
8 escorting, you know, fugitives to justice or
9 obtaining confessions from some suspects?

10 A It is true that suspects have confessed to
11 me. And it is true that I have helped escort
12 brothers into custody who were wanted by law
13 enforcement.

14 Q About when did that start? If you remember.

15 A Ninety-seven, '98 maybe. It's been a while.

16 Q Okay. You -- you referenced earlier your
17 first encounter with Mr. Denholm was with the Stewart
18 case, right, the --

19 A I believe it was Tynesha Stewart.

20 Q Tynesha Stewart.

21 A Uh-huh.

22 Q Do you recall the -- the defendant's name in
23 that case was Timothy Wayne Shepherd?

24 A Yes, uh-huh.

25 Q Okay. And was that in about March 2007?

1 A I believe so.

2 Q Okay. Is it true that that was -- that
3 Mr. Shepherd was the -- the first suspect who had
4 confessed to you; is that true?

5 A In regards to a Harris County Sheriff's
6 Department investigation?

7 Q I guess any?

8 A I mean, I've had many brothers confess to
9 me, but the first time I think it dealt with law
10 enforcement directly was with Timothy Shepherd's
11 case, yes.

12 Q Okay. As of -- as of that time -- well, let
13 me back up. The Timothy Wayne Shepherd case, that
14 was a pretty big -- that was a pretty big case,
15 wasn't it?

16 A Yes, ma'am, it was.

17 Q It was widely reported, probably all over
18 the country; wouldn't you agree?

19 A I would say it was widely reported locally,
20 but I'm not sure across the country.

21 Q Okay. About how many people had you
22 accompanied to turn themselves in at that point in
23 March of 2007?

24 A In 2007?

25 Q Uh-huh.

1 A I'm really not sure -- it's been so many.
2 But I would say at least 25 -- 20, 25, maybe.

3 Q Okay. About 25 in 2007?

4 A But it could be more.

5 Q Sure. I mean, I'm not pinning you down to a
6 number?

7 A It's okay. I understand.

8 Q Asking what your best recollection is. So,
9 25 in 2007, roughly. About how many would you say
10 there have been as you sit here today?

11 A That I've turned in to the -- at this point?

12 Q Yes.

13 A Maybe between 35, 40.

14 Q Okay. Do you think it's fair to say that --
15 that this role is something you're becoming
16 increasingly more well-known for?

17 A I was well-known way before that role.

18 Q Oh, well, that's not my question. But that
19 you're becoming more well-known for this role
20 specifically?

21 A I don't know, possibly. But I don't -- I'm
22 not sure about that one because I haven't really
23 dealt with many confessions as much as I've dealt
24 with so much other work that has been just as
25 popular, just as well-known.

1 Q Right. And just, if you could, is there --
2 I've noticed that in some of the -- the media written
3 about -- who are -- the people that you've turned in,
4 sometimes there's -- there's a difference between
5 turning someone in and obtaining a confession. Can
6 you explain to the Judge, if there -- if there is a
7 difference between those two types of cases?

8 A Sure. Let me talk to the Judge.

9 Q You can talk to the Judge.

10 A Normally, when somebody is wanted, Judge,
11 and they're wanted by law enforcement, the police are
12 in the community really hunting and searching for,
13 quote/unquote, suspects. They are going after
14 family, friends, associates, kicking down doors.

15 A lot of brothers and sisters feel
16 they're being harassed. And I believe it also, that
17 some of the technique and tactics that they use are
18 offensive to the community.

19 So these brothers will call me, or
20 their family's will contact me. They will put them
21 in contact with me, and then I help get them turned
22 in.

23 Because most of these brothers are
24 afraid they're going to be harmed, beaten, shot,
25 possibly even killed. And their families feel the

1 same way. So, I help them turn themselves in safely.
2 So the community could be at risk, as well as them.

3 Now, the confession part, in the couple
4 of times that I've been involved in a, quote/unquote,
5 confession, it's always been a case similar to
6 Mr. Owens where the brothers will call me saying, the
7 police are doing this, it's racism. The police are
8 going that, it's racism because of my skin color.

9 And only when I get involved and start
10 interacting with these brothers about what's going on
11 with their cases, what's happening with them, what
12 they're being accused of, what they're being targeted
13 for by law enforcement.

14 Later I come to learn it has nothing to
15 do with race. It has nothing to do with their skin
16 color. It has everything to do with something more
17 that they're keeping within themselves and they're
18 not talking about. And so often, sometimes I try to
19 find a way to back away from it.

20 But it's always the brother, like
21 Mr. Owens, who wants to keep me involved, and who
22 wants to continue having me involved because they see
23 me as someone who at least will protect them from
24 aggressive techniques by law enforcement. So, at
25 some point then the confession will come out of that

1 because in my mind, my job is not to protect a
2 criminal, my job is not to protect somebody who's
3 committed a crime.

4 If you call me saying you're the victim
5 of overzealous law enforcement techniques and
6 tactics, I'm with you. I'll help protect you from
7 that because you have a right to be protected from
8 that.

9 But if you're saying it's about race
10 and it's not about race, and you have harmed another
11 brother or sister and yet you come to me claiming
12 it's about race, well, then my objective then is to
13 seek justice. And what I believe is justice is the
14 truth coming out.

15 And so that's where it comes in, where
16 they will confess to me, and then it goes from that
17 point on.

18 THE COURT: Okay.

19 Q (BY MS. LYTLE) Thank you, Mr. X.

20 Is there -- have there ever been times
21 when a law enforcement agency will call you and seek
22 out your help in apprehending a fugitive or obtaining
23 a confession? Has that ever happened?

24 A They've never sought out my help in
25 obtaining a confession, but I have had police

1 officers call me when they're looking for a fugitive,
2 primarily African-American fugitive, and ask me have
3 you been contacted by them. Well, if you do get
4 contacted by them, do you mind giving us a call?

5 And I'll say, "Well, you know, if the
6 brother call me and wants to turn himself in, I'll
7 let you know." But they've never called me saying,
8 "Get a confession." No, ma'am.

9 Q Okay. You've actually -- you've actually
10 been sought -- your help in this way has been sought
11 in other states, even, hasn't it?

12 A Yes, ma'am.

13 Q Oklahoma, in particular is one?

14 A Yes, ma'am.

15 Q And in that case a company called Texas
16 EquuSearch contacted you; is that right?

17 A Yes, ma'am.

18 Q And who is Texas EquuSearch?

19 A Texas EquuSearch is led by a gentleman named
20 Tim Miller. And they're an agency that goes out
21 looking for missing people.

22 Q Okay. And can you tell -- tell us a little
23 bit about what happened in that instance?

24 A I was in Dallas, Texas giving a press
25 conference and a speech. I got a call from Tim

1 Miller. Tim Miller said to me, "Quanell listen,
2 we've got a guy here that's in custody and his
3 girlfriend or wife is missing. The whole family is
4 concerned about it. Nobody can find her. The guy's
5 not saying anything, but the whole family believes
6 that he committed this crime and that he knows more
7 than what he's saying."

8 And so I said, "Well, Tim you all will
9 find her, you know. Look for her. You keep looking
10 you will find her." I didn't want to go to Oklahoma.
11 I was Dallas. I was ready to come back home.

12 He said, "Quanell, please come down
13 here and just help us. He said, "At least speak with
14 the family." I said, "Okay. Fine, brother."

15 I said, "I'll come in for a couple of
16 hours, but I'm flying right back out."

17 So, Tim got a ticket for me. I flew
18 into Oklahoma and I met first with the victim's
19 sister, the victim's mother, and another family
20 member. And they met with Tim Miller and I.

21 And they was explaining everything to
22 me about what happened, in their mind, what they
23 thought happened and what's going on, et cetera, and
24 how they felt he was the prime suspect in what has
25 ever happened to their loved one.

1 So then at that point I said, "Tim, why
2 don't we go talk to the brother?" I said, "Tim, I
3 want to speak to the brother."

4 And then the -- her sister said, "You
5 know, he knows of you because he at one time wanted
6 to become a Muslim. And I heard him talk about you
7 when he's seen you on television. So he knows of
8 you."

9 I said, "Okay." And so I said, "Well,
10 Tim, where's the jail? Let's see if I can go speak
11 with the brother at the jail."

12 We go to the jail. They didn't want me
13 to speak to him. They didn't want to let me in.
14 They didn't want me to talk to him. I think it had
15 something to do with visitation times, et cetera.

16 Q Just to interrupt you, sorry. By "they,"
17 you're referring to whom?

18 A Oklahoma law enforcement.

19 Q Okay. Like the -- the guards at the jail
20 or...

21 A It was the guards at the jail who didn't
22 want me to talk to him. And so then at some point I
23 think they contacted the sheriff or something like
24 that. And they were against me speaking to him,
25 also. And someday, somehow, they -- I was like,

1 "Well, Tim, you know, what's the big deal? I'm going
2 through the visitation -- a regular visitation booth.
3 I will speak to him, et cetera." And at some point
4 they did wind up letting me in. But I never met with
5 them before I got in. I was just always talking to
6 Tim Miller.

7 Q Okay. And what was the suspect's name in
8 that case; do you remember?

9 A I don't remember.

10 Q Does Dante Johnson sound familiar?

11 A It sounds familiar, but I'm not -- I don't
12 recall his name.

13 Q Do you recall giving an interview where you
14 said, "It only took a few minutes to get Johnson to
15 open up about the crime"?

16 A Yes, ma'am. I said exactly that.

17 Q Okay. Now, let's talk about your contact
18 with Mr. Owens in this case. You testified that he
19 telephoned you on May 19th?

20 A I believe it was May 19th. I'm not sure,
21 but I think it was.

22 Q Okay. Do you -- do you recall having a
23 telephone conversation with Sergeant Clopton, also on
24 May 19th.

25 A I'm not sure if it was May 19th or the next

1 day. But I did recall having a conversation with
2 Sergeant Clopton about whether they're looking for
3 him, was he a suspect that they were after?

4 Q Okay. And you have this conversation with
5 Sergeant Clopton before actually meeting with
6 Mr. Owens; is that correct?

7 A I don't believe I spoke with Sergeant
8 Clopton before I met with him, uh-uh. I think I
9 talked to Sergeant Clopton after he and I met. I
10 called Sergeant Clopton, and I asked Sergeant
11 Clopton, you know, "Are y'all looking for this guy?
12 Is he a prime suspect in what you're -- in what
13 you're involved in, et cetera." I don't believe I
14 spoke to him before then. I don't recall that -- I
15 don't think I did though.

16 Q Okay. Would it surprise you if Sergeant
17 Clopton reported that you told him that you were
18 going to meet with Theron, and that if Theron made
19 any statements that you would call him back?

20 A I believe I told Sergeant Clopton that, you
21 know, if I needed to give him a call I would. I
22 believe I told Sergeant Clopton that I was going to
23 meet with him. And as best as I can recall, he
24 didn't go into great detail but by saying, you know,
25 "He's my suspect, et cetera. I don't believe

1 anything he's saying to me."

2 But I really don't remember too much of
3 the details of the conversation. And my statement is
4 there, if y'all want to give it to me. I can go back
5 in it. But I haven't seen the statement since I gave
6 it.

7 Q Okay. Did you at any time tell Sergeant
8 Clopton that Theron Owens told you that Owens used to
9 be law enforcement in New Orleans?

10 A I think I told that to Lieutenant Denholm.
11 I think I spoke to Lieutenant Denholm. And I -- I --
12 I believe when he and I talked something came up
13 about -- I think I asked him, I said, "Brother, are
14 you a former police officer?"

15 Because one of my security men told me
16 that -- that I think he is supposedly some form of
17 police officer. I said, "Are you sure about that?"

18 He said, "I heard that."

19 So I asked him the question. I said,
20 "Brother, are you a former police officer?"

21 And I think he said, "Yes, in some kind
22 of capacity." But he didn't say specifically what
23 agency or anything like that.

24 Q Okay. You testified just a minute ago that,
25 you know, when you were describing the differences

1 between escorting someone to turn themselves in, and
2 the confession situations that you find yourself in.
3 And you were testifying that the -- in the confession
4 situation usually once you get more involved and
5 figure out what's going on, you've discovered that
6 it's not really about race, that the person actually
7 did it, with the defendant. Is that a correct
8 statement of your testimony?

9 A Yes, ma'am.

10 Q What do you mean by, "Once you get more
11 involved"?

12 A Well, initially I'm only going off of what
13 they initially tell me. That it's about race,
14 they're being targeted by overzealous law enforcement
15 officers. But the minute you start spending some
16 quality time with them, talking to them, then you can
17 start seeing that there's more to the story.

18 Q Okay. And -- and in this case you met with
19 Mr. Owens and he told you, "They are targeting me
20 because I'm a black man from New Orleans."

21 Is that correct?

22 A Right.

23 Q Is that correct? And did -- did you do any
24 investigation to determine if that statement was in
25 fact true?

1 A No, huh-uh. Just talking with him.

2 Q Okay.

3 A Because I asked him, "Brother, did they --
4 really, did they put their hands on you?" I said,
5 "Brother, did they beat you up? Did they threaten
6 you?" I said, "Have they put their hands on you?"

7 He said, "No."

8 Q So it's your statement that he said, "No,"
9 that he was not physically abused in any way?

10 A That's right. He told me that they did not
11 put their hands on him.

12 Q Okay. How long did that meeting last, that
13 first meeting at the coffee shop?

14 A Maybe between 45 minutes to an hour.

15 Q Okay.

16 A Because we even got up and kind of walked
17 outside a little bit.

18 Q Okay. And what kind of -- at that point did
19 you have any reason to believe that Mr. Owens was not
20 telling you the truth?

21 A At that point?

22 Q Yes.

23 A I would say yes and no.

24 Q Okay. Can you explain that to me?

25 A Sure. Let me give you the "no."

1 Q Okay.

2 A The "no" part would be that he's saying he's
3 being targeted. He didn't do it. He's innocent.
4 "They're setting me up because I'm from New Orleans
5 and I'm black. That's what this is about."

6 Secondly, when I was saying "no" is,
7 when I asked him, I said, "Brother, if you're guilty
8 of this and you have done this," I said, "Brother,
9 don't lie to me. Be honest." I said, "I can
10 recall." I said, "Brother, don't lie to me. Be
11 honest. Tell me the truth."

12 I said, "Because I don't want to get
13 played with a lie." I said, "Brother, if you did
14 this, you've got to be honest and tell the truth." I
15 said, "But if you didn't, I'll stand all the way with
16 you."

17 He hesitated for a while. Then he
18 said, "I didn't do it." But he didn't quickly and
19 adamantly say, "I did not do it." And so that did
20 raise a red flag in my mind.

21 Q Okay. Would it surprise you to learn that
22 Harris County Sheriff's office officers actually did
23 tell him that he had strikes against him because he
24 was black and he was from New Orleans?

25 A Would it surprise me if they said that?

1 Q Uh-huh.

2 A No, it would not surprise me. Because I
3 believe that that's the behavior of many law
4 enforcement officers.

5 Q Didn't you actually say to him, "If you're
6 guilty and you're lying to me and I find out that
7 you're lying, I will not stand with you, and I'll
8 back totally away from you"?

9 A I did say something like that, I believe.
10 "I'll stand totally back, brother, if you're not
11 telling me the truth."

12 Q Okay. At any point -- any point during
13 your -- your meeting with Mr. Owens, did you tell him
14 that his best bet was to say that the drugs made him
15 do it, or anything along those lines?

16 A Huh-uh. When I was with him I asked him,
17 "Brother, what was this about?" I said, "Was this
18 drug related, man?" I said, "Were you on drugs?"

19 He said, "Yes." And I recall him
20 saying to me that he had been battling some issues of
21 drug addiction. And I said to him, I said, "Brother,
22 if the drugs made you do this, man, that's not you.
23 That's something you became." I said, "But, brother,
24 you know, if the drugs made you do this you've got to
25 tell the truth and just be honest."

1 Q Do you -- did you ever tell him something
2 like, "You need to tell them that the drugs made you
3 do it, and that's the only way you're going to get
4 out of this"? Or something along those lines.

5 A I never said that.

6 Q Did you ever tell him that in your opinion
7 admitting to the crime would -- would mean that he
8 would get some kind of leniency?

9 A No. What I did say to him was this, I said,
10 "Brother, confession is good for the soul." I said,
11 "Brother, if you did this, if you did this, and
12 you're telling me the entire city that they're after
13 you because of your skin color and you're from New
14 Orleans."

15 I said, "Brother, a jury would look at
16 you real sideways when they later learn that you are
17 guilty of this, if you've done this." I said,
18 "Brother, so, you got a lot of black people looking
19 at that. But if you're guilty, brother, you need to
20 stop this and just be honest and tell the truth."

21 Q Did you ever use the phrase, "That's the
22 only way you'll ever see daylight"?

23 A No, ma'am. That's not my language.

24 Q Okay. At any time did you ask Mr. Owens for
25 a payment of a consultation fee, or anything like

1 that?

2 A No, ma'am. I never asked Mr. Owens to pay
3 me.

4 Q In any of the times that you have
5 escorted...

6 A I have never been paid; not one time.

7 Q Never been paid by law enforcement?

8 A Never been paid by law enforcement one time.
9 They've never given me a dime for turning somebody
10 in.

11 Q Or never paid by Crime Stoppers or any...

12 A No. Crime Stoppers told me many, many years
13 ago that I was not eligible to receive a payment for
14 turning somebody in. You have to call in with a tip.

15 Q Okay. Did they tell you that because you
16 were seeking payment from Crime Stoppers?

17 A No. I will tell you how that conversation
18 came about.

19 Q Okay.

20 A Some of the brothers on my security team was
21 like, you know, "Well, shouldn't we get a reward for
22 turning somebody in?" And I said. "Brother, don't
23 worry about the money. That's irrelevant." I said,
24 "No, leave that alone."

25 And one of the brothers actually took

1 it upon himself to call Crime Stoppers, trying to
2 seek a reward on my security team.

3 And when I found out, that's when I
4 called and spoke back with Kim Ogg, who was the
5 leader of Crime Stoppers at that time. And she and I
6 had a thorough, in-depth conversation about it. And
7 I made sure that I repeated that conversation to any
8 of the brothers who've ever been with me in turning
9 somebody in.

10 Q Did any of the family members that you've
11 dealt with in -- in any of these criminal cases,
12 have -- have they ever paid you -- any family
13 members?

14 A To do what, turn somebody in?

15 Q Or to -- to represent their interests. Or
16 to go with them to the -- to the jail? Or...

17 A I've never been paid to -- for somebody to
18 go with me to a jail or turn somebody in, no.

19 Q Okay. How much time total do you think
20 you've spent with Theron Owens before escorting him
21 to the Harris County Sheriff's office?

22 A I would say about an hour and a half.

23 Q Total?

24 A Total in the two days, yes.

25 Q Okay. And did you feel like that was enough

1 involvement for you to -- to have enough information
2 to rely on what he was telling you?

3 A Well, after an hour and a half in two days,
4 when a man says to you, he wants to get it off his
5 conscience. When a man says to you he wants to get
6 it off his chest. When you ask the brother, "Do you
7 want me to help you fight law enforcement because
8 they are wronging you, and they're targeting you for
9 the wrong reasons?"

10 He says, "No."

11 And when a brother says to you, "That I
12 want to do the right thing and I want to get this off
13 my chest," it don't take a rocket scientist.

14 Q On the morning of May 20th you contacted the
15 Harris County Sheriff's office, correct?

16 A I contacted them after he and I had met and
17 talked and I called them.

18 Q Would it be -- would it surprise you if
19 Lieutenant Denholm had reported that you --

20 A Oh, no, no, no. I take that back.
21 Correction. Once I asked him on the phone, how did
22 he want me to help him. And he said to me, "Not in
23 fighting law enforcement, in another way." Then
24 that's when I called Lieutenant Denholm and I said,
25 "Listen, I think this brother has something he wants

1 to talk with y'all about. When he and I meet, I will
2 escort him down to the sheriff's department."

3 Q Okay. Let's go to after you've arrived at
4 the -- at the homicide office --

5 A Yes, ma'am.

6 Q -- with Mr. Owens. You testified earlier
7 you were taken into one room to -- to give a
8 statement. And Mr. Owens was taken into another room
9 to begin his statement?

10 A No. What I testified to earlier was that he
11 and I both went into the same office.

12 Q Okay.

13 A And then he was taken to another room and I
14 actually remained in that office.

15 Q Okay. Thank you for clarifying. I
16 misunderstood that part. At some point, though, you
17 were asked if you were willing to come back in and
18 speak with Mr. Owens?

19 A No. At some point I was told that Mr. Owens
20 wanted to speak with me again.

21 Q Okay. And you were willing to do that?

22 A Yes, ma'am.

23 Q Okay. Could you tell us again, what was
24 the -- what was the nature of the conversation that
25 you had while you were speaking with Mr. Owens?

1 A I was told as I was sitting there that
2 Mr. Owens wanted to speak with me again. I went back
3 to the holding room -- they escorted me back to the
4 little holding room where he was.

5 And I believe, to the best of my
6 memory, we talked about him wanting me to be in there
7 with him. And I informed him they would not allow me
8 to remain in there with him. And I encouraged him to
9 do exactly what he said he wanted to do, tell the
10 truth.

11 Q Did you say to him at any point: If I was
12 you, I would tell them the drugs took over. This is
13 the truth, so just tell the truth?

14 A I always told him to tell the truth. And
15 part of the truth in my mind from -- based on my
16 meetings and talking with him, was this was the drugs
17 that caused him to do this because that's what he
18 indicated to me.

19 Q Did you tell him that -- did you tell
20 Mr. Owens that you had talked to the officers about
21 protecting him, and that they guaranteed you that he
22 would be protected. Do you recall saying that?

23 A I'm not sure. I think he had some issues
24 about being protected in the jail. And I -- if I can
25 remember, I think he was concerned about his safety

1 in jail because of the nature of the charge, or the
2 nature of what he was being accused of.

3 Q Do you remember Mr. Owens telling you that
4 the white officer, Mr. Wedge -- Sergeant Wedgeworth
5 told him, "If I were you I wouldn't have an
6 attorney." Do you remember Mr. Owens saying that to
7 you?

8 A I don't remember that.

9 Q Okay. Do you remember telling him, "I'm not
10 going to let a lawyer come between you and me"?

11 A That never came out my mouth.

12 Q Okay. Do you remember telling him when all
13 this is said and done I'll still be here and I'll
14 never give up on you as long as you want me in your
15 life?

16 A I did say -- I did say to him, "As long as
17 you want my help, brother, I will be there."

18 Q Have you seen or spoken with Mr. Owens since
19 that day?

20 A No, ma'am.

21 MS. LYTTLE: Pass the witness.

22 MS. DAVIDSON: I don't have any further
23 questions, Judge.

24 THE COURT: All right. Can the
25 Reverend Quanell X Farrakhan be excused?

1 MS. DAVIDSON: Yes, Sir.

2 MS. LYTLE: Yes, Your Honor.

3 THE COURT: Thank you, sir. You're
4 free to go.

5 What says the State?

6 MS. DAVIDSON: The State rests, Judge.

7 THE COURT: All right. Let's pick this
8 up Monday. Are y'all going to be ready Monday?

9 MS. DAVIDSON: We can do it Monday, or
10 we can do it in the morning, either way.

11 MR. MORROW: Well, what was the deal?
12 If we get -- we do have two witnesses, Dr. Anderson
13 and the defendant could testify tomorrow, would that
14 please the Court?

15 THE COURT: That's fine. No problem.
16 We'll do it tomorrow.

17 MS. DAVIDSON: I have a meeting with my
18 CSU officers first thing, then I'll come right over
19 when I'm done.

20 THE COURT: What time might you be in?

21 MS. DAVIDSON: He's meeting me at 7:00.
22 So I'm hoping that we'd be here before 9:00.

23 THE COURT: Get here when you get here.
24 We'll start soon as we can after 9:00.

25 MS. DAVIDSON: Okay. I'll call the