

Q Would you please state your full name for the record.

A Chris Johnson.

Q All right, sir. You have no middle name?<sup>{1}</sup>

A No, sir, no middle name.

Q Okay. Where do you live?

A I live in Nashville, Tennessee.

Q Okay. What is your address?<sup>{2}</sup>

A I live at 5827 Charlotte Pike.

Q And what is your zip code?

A 37214.

Q All right, where do you work?

A Well, <sup>{3}</sup> sir, I have not been working lately. Do you want my last job?

Q Yes, sir, that would be great.

A Nashville <sup>{4}</sup> Police Department.

Q And how long were you a police officer with the Nashville Police Department?

A Okay, I think I was <sup>{5}</sup> with them for about -- well, until two years ago -- so five years all together.

Q Okay, thanks. Now, let me go <sup>{6}</sup> over some ground rules before I forget. When I ask you questions, if you could respond with a yes or <sup>{7}</sup> no instead of uh-huh or huh-uh or shaking your head, that will be helpful for the court reporter.

A Yes, sir, {8} I understand.

Q Great. Now, what is your Social Security number?

A 123-45-6789.

Q Wow, that must be easy to remember.{9}

A It is.

Q And your telephone number?

A Area code (615)238-1690.

Q Now, do you have a family, a wife and{10} children?

A Yes, sir, I do.

Q What's your wife's name?

A Pam.

Q And your children's names and ages, please.

A John is 11 {11} and June is eight.

Q All right, sir. And do you have any other relatives that live in Davidson County?

A No, {12} sir, not that I know of.

Q Okay, all right. Now, sir, I think you know the reason we're here today {13} is an accident you were involved in two years ago with my client, Carl Smith.

A Yes.

Q Do you remember the {14} auto accident, Mr. Johnson?

A Yes, I remember the accident.

Q And I believe the specific date of the accident was August {15} 1<sup>st</sup>, 2003. **Is that your recollection?**

A Yeah, I believe that's the date.

Q Okay, sir. Please describe the accident to me {16} in your own words as you recall it.

A All right, I'll try. Well, see, here I was in my patrol {17} car writing up a ticket for a gentleman that had been speeding.

Q And let me stop you right there, please, {18} sir. What is your location at this time?

A I was pulled over on the right-hand side of the roadway {19} on Second Avenue in front of Hooter's.

Q Yes, sir, please continue.

A Okay. So I was writing up a ticket for {20} this gentleman when I felt a jolt to the back of my vehicle.

Q And how hard was this impact?

A I {21} would say it was pretty hard, sir.

I was thrown into the vehicle in front of me.

Q The speeder you {22} were writing the ticket for?

A Yes, sir.

Q Okay. And about what time of day would you say it was?

A It {23} was approximately 12:00 a.m, sir, midnight.

Q And what was the weather like that evening?

A It was a hot, humid night {24} in the summer in Nashville, sir.

Q So it was clear outside and not raining or anything?

A That's correct, sir.

Q All {25} right. And what did you do immediately after you were hit from behind?

A Well, immediately after I was hit, I {26} checked my rear view mirror to see what happened, who was behind me. I recall seeing a young white male {27} inside a red convertible. Then I checked my mirror again for traffic and proceeded to get out of the vehicle. {28} I noticed the gentlemen in the convertible had the smell of alcohol about him and looked to be quite drunk.{29}

Q Let me stop you again, please, sir. So the only evidence you have at this time to say that my {30} client had been drinking was that you noticed the odor of alcohol on his person?

A Yes, sir, that's correct. At {31} this point, the man became quite belligerent and loud and began screaming at me. And I said, sir, please calm {32} down and step out of the vehicle. But he refused to do so. In fact, the man continued his ranting {33} and told me he was going to kick my ass. Then he --

Q Excuse me. Let me interrupt you again. Mr. {34} Smith actually threatened you with physical violence?

A Yes, sir, he did.

Q Okay.

A And then he said he would have his {35} friends help him.

Q And do you know what friends he was talking about?

A No, sir. But as soon as I {36} got him out of the car and was searching him, I saw a bunch of loud, drunk men came spilling

{37} out of Hooter's.

Q And, again, it's just your opinion that they were drunk at this point, you had performed no {38} breath test to confirm this, correct?

A That's right. It's my opinion, my professional opinion. Well, as soon as Mr. Johnson {39} caught sight of his friends, he began yelling at them for help. So now I had Mr. Johnson as well {40} as his friends to deal with.

But just then, Mr. Smith, the driver of the car in front of me, {41} exited his vehicle and asked me if I needed help. He said, do you need help, officer? I know self-defense {42}. I'm considered an expert black belt in karate and I can help you take care of these red necks.

I {43} said, no, sir, please return to your vehicle. I then proceeded to open my patrol car door and put Mr. {44} Johnson in back of the squad car. But before I could place him in the vehicle, I was grabbed from {45} behind by one of his friends.

Q And by his, you mean Mr. Johnson?

A Yes, sir. I was grabbed around my {46} neck by someone and spun around. I barely had time to react before I saw the man's hand raised with {47} a broken beer bottle coming towards me.

But before the man could reach me, I saw Mr. Smith kick the {48} bottle from the man's hand and then drive his fist up into the man's nose.

Q All right, so it sounds {49} like Mr. Smith decided to help you after all?

A Yeah, he sure did.

Q Okay. Continue with your story.?

A Well, I {50} slammed the door on Mr. Johnson in the back and then proceeded to radio for back up.

At the same {51} time, I proceeded to apprehend drunk friend Number one, who had blood gushing from his nose. He started to moan {52} in a pitiful manner as the rest of the group of friends started coming closer.

Fortunately, I heard the sirens {53} of my back up in the distance. Unfortunately, Mr. Smith decided he wasn't done playing karate kid for the night. {54}

When the first of the three men approached --

Q Is that how many men there were left in the group of {55} friends, three?

A Sorry, yes, sir. As they approached the patrol car, Mr. Smith kned the man to the left in {56} the groin.

After this, the other two men turned around and ran off down the sidewalk.

By now I had {57} subdued the drunk friend as well as Mr. Johnson and turned to confront Mr. Smith.

I told him he would {58} have to calm down and surrender himself into my custody.

He told me he would go with me peacefully but said {59} he had always wanted to experience a real fight, man-on-man.

By now my fellow officers were coming up {60} the sidewalk with the two runaway drunks. They screamed at the sight of Mr. Smith and said they did not want to be put in the same police car as Mr. Ninja. Mr. Smith was put into a separate vehicle from the others and they were all finally taken into custody.