

WITNESS STATEMENT

JB – Jack Bisland MO – Michael Osowski TJ – Atty. Tammy Jacks

JB Testing 1-2-3-4-5, 5-4-3-2-1. Today's date is Tuesday January 25, 2011. The time now is approximately 10:40 am. My name is Jack Bisland I'm an investigator with the State Attorney's Office a law enforcement officer conducting a criminal investigation. The interview is being conducted at the Law Office of Ms. Tammy Jacks in Deland, Florida. I am interviewing Michael Osowski. The persons present are Mr. Osowski and his attorney Ms. Tammy Jacks. Before we get started Michael, it's okay to call you Michael?

MO Yes.

JB Before we get started I want to confirm this is a voluntary statement and that no one has threatened you, coerced you or promised you anything in order to induce you to make that statement, is that correct?

MO Yes.

JB Ok. Additionally I would like to establish that you are under no obligation to answer any questions or give a statement in this matter as anything you say can be used as evidence against you in court, do you understand that?

MO I do.

JB Ok you have your attorney Ms. Jacks here representing you today to provide counsel during this interview and if at any time you wish to confer with her prior to answering any questions or stop the questioning or leave you may do so, do you understand that?

MO I do.

JB Ok very good. This will be a sworn audio recorded statement taken by a law enforcement officer pursuant to chapter 117.10. At this time I would like to place you under oath. If you would please just raise your right hand for me. Do you solemnly swear or affirm that the statement you are about to give will be the truth, the whole truth and nothing but the truth so help you God?

MO I do.

JB Ok. Would you please state your full name and date of birth for me?

MO Michael Alan Osowski 12-12-1983.

JB And your current address?

MO [REDACTED]

JB And do you have a good contact phone number?

MO [REDACTED]

JB Are you currently employed?

MO I am.

JB Ok. As you're aware from our previous telephone conversation the State Attorney's Office was asked by the Sheriff's Office to conduct an investigation into the events relating to the circumstances around the tragic accident which occurred on November 25th involving members of your family. Specifically relating to the action or inactions of yourself and your father Alan Osowski and your availability to traffic homicide investigators the evening of the 25th for the purposes of an interview or a potential blood draw, that's essentially why we're here today. And to establish a summary if you will, that day as I've come to learn you traveled to your father's home in Orange City where you spent the day with your dad, your step mom, your grandma, your step mom's mother and yourself and you had some time at the house. Collectively you traveled to the Debary Country Club where you enjoyed Thanksgiving dinner and then went back to your dad's residence in Orange City, is that an accurate statement?

MO Yes.

JB Ok at some point in time that early evening you came to drive your grandmother home, how did that come about? How did you come to drive your grandma home?

MO Um, she asked me.

JB Ok. Shortly after that your vehicle was involved in a traffic accident. Who did you notify of the accident after it happened if you remember?

MO I didn't notify anyone right after the accident. The accident occurred, she was hurt, I was hurt and I started yelling for help because I saw cars stopping. And I stayed in the car until after the emergency personnel got there and asked me to exit the vehicle. However long that was because they said that wanted to try and get her out. While I was waiting a deputy came up and asked for my ID. I gave him it and at that time I called my dad to tell him I was in the accident.

JB Ok. So at some point after the accident, after EMS is there you use a cell phone I presume and you call your father?

MO Yes.

JB Ok you told him there was an accident and where it was.

MO Right.

JB Is he the only person you called to notify of the accident at that time?

MO At that time yes, I believe.

JB You said you had a conversation with a deputy sheriff on the scene and you gave that person your driver's license?

MO He asked for my license and I don't remember much else about, I don't believe he said anything else he said "can I have your ID?" and he took it away and then he brought it back and handed it back to me.

JB Did you know who that deputy sheriff is?

MO I don't.

JB But he took your Florida drivers license and at some point in time the same deputy returned it to you?

MO I believe so.

JB Ok.

MO At that point I was by the car while they were with my grandmother.

JB Do you remember having any conversations with any additional law enforcement people?

MO There was one more deputy.

JB Ok.

MO Uh, and he came over, he introduced himself and I can't remember his name. He checked my ribs and I believe that was all he said.

JB Ok.

MO And then he said you know "what hurts?" poked in my ribs to see and that was the only conversation I had until after my grandmother was taken away.

JB Ok. At some point after your phone conversation with your dad I presume he arrives at the scene?

MO Yes.

JB Ok and you remember your dad arriving?

MO Mostly.

JB Ok. Did, how long if you can estimate for me and I know that we're going back some time and it was an anxious time but do you have an idea of the amount of time that you spent after the accident until ultimately you and your dad drove from the accident to Fish?

MO My best estimate is between an hour and an hour and a half though I honestly can't say. It seemed to be forever. It seemed to take a long time however we did stay I know until after the chopper flew away so I'm sure there's a record of when it left and we were there until after that.

JB Did you have a conversation with any of the deputies at the scene or any law enforcement people at the scene about leaving the scene and going to Bert Fish to check on your grandma?

MO After the helicopter left my dad and I we walked over to I want to say there was a fire truck there and there was a deputy there and he had a mustache and I don't know who he was and my dad asked him "are you done with him?" and he said "yes he can go" and then we went to the hospital.

JB And you were privilege to that conversation...

MO I was standing right there.

JB ...you heard your father ask the deputy sheriff "are you done with him, can we go" is that right?

MO Yeah, yeah. Now I don't know if that's verbatim or not but that's the gist of the conversation.

JB That's what you remember, and you remember the deputy responding in the affirmative?

MO Yes.

JB Did you remove anything from your vehicle, you and your father remove anything from your vehicle before you left?

MO Yes.

JB Do you remember going into the trunk or some of the items that you might have removed?

MO I had a, probably my computer a gym bag, I'm not sure what else I had. Maybe my grandmother's purse.

JB So after the conversation that your dad had with the deputy what happens next?

MO We got into his car and we went to Bert Fish.

JB Who drove?

MO He did.

JB Ok.

MO We arrived there and we go to the emergency entrance.

JB What did you learn when you got there?

MO I didn't learn much. Alex Carmichael was there and...

JB Who is that?

MO He's the county chaplain.

JB Ok.

MO I didn't know him at the time, another gentleman who I want to say may have been associated with the helicopter he was a pilot or...

JB Ok.

MO ...someone who worked with transportation doing that. So they were there, I don't know if they got there when we got there or they were there before or after but they met my dad and they talked for a while I just kind of stood around. I know we went in but they were working on her. The nurse who was a first responder at the scene was in there but I don't know her name and at some point I learned that she was stable but not doing well and they had to take her to Halifax.

JB And are you aware of how your grandma was transported to...

MO I believe she was transported in the helicopter.

JB Ok. Did that happen while you all were there do you know?

MO Yes.

JB Can you estimate how long you were there?

MO No.

JB Do you remember anybody from the sheriff's office engaging you in conversation at that location?

MO At me?

JB Yes.

MO No.

JB What about your dad?

MO I don't know, there was, at some point around this time I called my mom and there was a car that pulled up, it was an unmarked I mean it was a personal car and there was a black gentleman inside and I want to say he was a deputy but I'm not positive.

JB Ok. At some point after that you and your father leave Bert Fish is that correct?

MO Right.

JB Tell me where you're going and what you're doing when you leave there.

MO He said "I'm going to take you home" and that's what he did he took me home. And really most of the conversation I remember in there is talking about my grandmother and you know she was a strong woman, she was, we assumed she was going to be fine.

JB Ok.

MO We hoped.

JB Do you have any recollection of your father encouraging you to stay at his house?

MO No.

JB Ok.

MO No.

JB He was going to take you home. Do you remember any conversation or decision about a trip to Halifax?

MO No.

JB Ok. Were you aware that once your father dropped you off where he was going?

MO Yes.

JB Tell me what you were aware he was going to do?

MO I knew he was going to pick up Ann and go to Halifax to wait it out.

JB When your dad drove you to your house in Deland, you arrived at your house did your dad come in with you do you remember?

MO He came in, he used the restroom before leaving.

JB Ok. And do you remember how you left it with him that night? He was going to Halifax, you were going home, was there any conversation between your dad and you?

MO I don't think so, it might...

JB Any agreement to call each other later, let me know about her condition anything like that?

MO I'm sure yeah.

JB But nothing you remember specifically?

MO Nothing I remember specifically.

JB When's the next, so you're at home are you alone?

MO Yes.

JB Do you live alone?

MO Well I have a roommate he's over seas.

JB Ok, you're home alone. Do you remember being contacted by Ann or your father later that evening?

MO Yes.

JB Tell me about that.

MO I had, I had gotten up I was going to make a bowl of soup or something so I'm in the kitchen and when I get back to my room I see that I missed a call from her so I give her a call and I mean basically the conversation is you know "how is she?" "it's bad are you sitting down?" "I can be why?" and she tells me she didn't make it.

JB She, Ann's telling you this your step mom?

MO Ann yeah.

JB Ok.

MO So after that I don't remember much I just remember she said "take some time, give me a call back" so I did. You know I don't remember much after that. I know I called her and talked to dad, talked to her, um I know that night I also talked to my mother and my brother and my girlfriend um...

JB Do you remember taking a sleeping pill that evening?

MO Uh huh.

JB Tell me about that.

MO After that call I went in the kitchen and um, I know I took the sleeping pill and I know I was on the floor in the kitchen crying. I went back to my room and that was basically the night. My girlfriend got to the house about three in the morning she said, where I was in bed.

JB When was the last time you had a conversation with your dad that night?

MO It would have been when I called after.

JB The follow up called from being notified?

MO Yeah.

JB Ok.

MO And I didn't hear from him, well I had missed calls from them during the night but I didn't see it until the morning.

JB Ok, do you remember where Ann and your dad were when you called back? That follow up call?

MO No I assumed they were at the hospital still.

JB Ok. What kind of sleeping pill was it you took?

MO Ambian.

JB Were you ever aware of phone calls made to you and attempts to summons you to the front door at your residence later that evening?

MO Not until the following morning.

JB Following morning you learned of that.

MO I had missed calls from I'm guessing my dad and Ann and then they said that the cops were there knocking on the door.

JB You learned that the next day?

MO Yeah.

JB Alright when you wake up, you call your dad did your dad call you do you remember?

MO I called him, it was nine something in the morning.

JB And that's when he tells you...

MO That I'm needed for, to give a statement.

JB So after talking with your dad on the morning of the 26th what do you do next, what happens?

MO He said he would call them and let them know you know where I was and what not. Um, that they can call me and get, get me I guess so I got off the phone with him, I'm guessing he called the investigator, I can't remember his name and then I got a phone call from him saying "we can schedule a time to get you in here in Deltona"

JB Ok. And later that day you provided a statement and...

MO Yes.

JB At the Deltona substation?

MO Yeah.

JB I have a log of your dad's cellular phone activity and I think the number identified as [REDACTED] is that your phone number?

MO That's me.

JB Ok. I just, I just want to verify a few phone calls. The accident according to the computer assisted dispatch report happened around 6:00 on Thanksgiving evening and then there's a call at 6:14 and 6:15 almost like back to back from you to your dad's cell phone. Would that have been those calls that you mentioned notifying him you'd been involved in the accident?

MO Yeah

JB And then the next activity relating to your phone, there's a phone call from your dad's phone to you at 10:54 pm that appears to have gone unanswered and your father left a voicemail. Is that a period of time when you believe that you were probably asleep?

MO Yeah because I was, I would have had to have been home at 8:30 or 9.

JB Ok and then the following morning the 26th there's a call from you to your dad's phone at 7:13 in the morning you estimated that to be somewhere...

MO Oh nine yeah.

JB Nine.

MO It was seven.

JB Could that have been that call?

MO Yeah that could've been that call.

JB That was, either way that was the first contact with him that morning.

MO Yeah.

JB Was about I'm awake and...

MO Ok.

JB Is that correct?

MO Yes.

JB Ok very good. When your father and you leave Bert Fish thru interviews that I have conducted it has been represented to me that when your father and you left Bert Fish that you collectively were intent on or had mentioned to somebody that you were leaving there, going to get Ann and then going to Halifax. Is that an inaccurate statement or not a true statement of the facts?

MO With me?

JB Yes.

MO No.

JB Ok so you, when you and your father left Bert Fish you said that your father wanted to take you home.

MO Yes.

JB And that's what he did immediately.

MO Yes.

JB Then he went back and he got Ann. And then you know that they ended up at Halifax because you spoke to him on the phone later that day.

MO Right.

JB Were there any conversations with you that evening either enroute to Bert Fish or from Bert Fish to your house while you were with your dad after the accident about any subsequent investigation about talking to investigators or anything of that nature?

MO No.

JB Ok. I don't have any further questions. Do you have any questions of me at this point?

MO No I don't believe so.

JB Ok. Ms. Jacks any questions?

TJ No questions.

JB Ok I don't have any further questions. This will conclude the interview. The time now is approximately 11:00am

