Witness: Ian Frazier

Date: 2004-09-20

Proceedings held September 20, 2004

Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – David Harris; Cross – Mark Geragos; Redirect – David Harris; Recross – Mark Geragos

Day 1 of 1 for this witness

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Direct Examination by David Harris

HARRIS: We heard you are a detective. Can you tell us who you are employed by?

FRAZER: I work for East Bay Regional Park District Police Department.

HARRIS: How long have you worked for them?

FRAZER: I have been with the agency for 14 years.

HARRIS: Can you tell the jury a little bit about what your jurisdiction is there?

FRAZER: East Bay Regional Park District provides full service law enforcement to the lands of the East Bay Regional Park District, which consists of approximately 95,000 acres in Alameda and Contra Costa Counties. Everything from shorelines, to urban parks, historic farms. We have 1100 miles of multiuse trail. As I say, we provide full service law enforcement.

HARRIS: Tell us, is there an area over near Point Isabel that's part of the East Bay Regional Park District?

FRAZER: Point Isabel Regional Shoreline.

HARRIS: if you could, if you turn around behind you to 98B, lower photograph. Do you recognize that area as being, showing or depicting part of that area that we are talking about?

FRAZER: Yes, I do.

HARRIS: you have been to that location before?

FRAZER: Numerous times.

JUDGE: Officer Frazer, there is a pointer there behind you.

FRAZER: Yes.

HARRIS: I want to direct your attention back to April 14th of 2003. Did you receive a call that required you to go to that park over by Point Isabel?

FRAZER: Yes, I did.

HARRIS: What was it that you received?

FRAZER: I received a telephone call on my extension at my desk notifying me a finding of possible human remains at Point Isabel Shoreline.

HARRIS: Did you go to that location?

FRAZER: I responded to that location directly from our station.

HARRIS: The Point Isabel Shoreline, is that also close to the Richmond jurisdiction?

FRAZER: The park is actually within the city limits of Richmond. And then we have primary law enforcement jurisdiction, because of this land of this East Bay Regional Park District.

HARRIS: Just to go back through. Richmond PD has jurisdiction over, somewhat, the surrounding areas. And as you get closer to the water becomes part of the beach or the waterway that being called East Bay Regional Parks District jurisdiction?

FRAZER: That's correct.

HARRIS: When you, can you describe for us a little bit about what this area is over there?

FRAZER: Point Isabel Regional Shoreline is the largest urban dog-off-leash park in the country. The primary purpose is to allow people who have dogs, dog owners to take their dogs, allow them to socialize freely and openly with other dogs in a non-restrictive environment.

HARRIS: When you say off leash, that's literally, they can take the leash off the dog and let them run?

FRAZER: Exactly.

HARRIS: When you got to that particular location, had other officers responded by the time that you got there?

FRAZER: When I arrived there one of our sergeants was already there, as well as personnel from the Richmond Police and Fire Departments.

HARRIS: was one of the individuals that was there a Detective Jeff Soler?

FRAZER: Yes.

HARRIS: he is a detective with Richmond PD?

FRAZER: That's correct.

HARRIS: Did you receive an assignment about the remains that were there?

FRAZER: I was asked to control and document the immediate surrounding area and the remains themselves photographically and for evidentiary purposes.

HARRIS: I want to go through this. If you would look at 98B. You can go ahead and grab the pointer as the judge was saying. This particular area that we're talking about, it's already labeled on there. We have gone through this a little bit before, where we have a stipulation. So we'll just refer to that as Laci Peterson, where Laci was recovered. Can you show us where approximately on that diagram or the photograph 98B where Miss Peterson was recovered?

FRAZER: Approximate location is here.

HARRIS: All right. Now –

JUDGE: Do you want him to mark that?

HARRIS: Not at this point. Like to go through this. If we're looking at the particular photograph we see these buildings that are there. Do you know what those buildings are?

FRAZER: The large building sit United States Postal Service Bulk Mail Center. The building here is a large Costco store. And I don't recall what this business is.

HARRIS: You indicated that it was your responsibility to document the scene and have it photographed. Did you do that personally?

FRAZER: I took photographs. And I also asked Detective Soler to assist in that. He had begun photographing the scene prior to my arrival. We kept him in that capacity.

HARRIS: Why is it that you would use somebody from another police agency to assist?

FRAZER: We're a relatively small agency. The sharing of resources is not uncommon on a major incident of any kind.

HARRIS: If I can have marked next in order four photographs.

JUDGE: Alright. This would be 261A through D.

HARRIS: Yes. Detective, I'm going to show you what's been marked 261A through D, ask you to look at these, see if you recognize what's depicted in them.

FRAZER: Yes, I do.

HARRIS: And are these scenes from the area that you were talking about where Miss Peterson's remains were recovered?

FRAZER: Yes, they are.

HARRIS: Do these photographs accurately depict those areas?

FRAZER: Yes, they do.

HARRIS: What I'm going to do is put up on the board 261A. Can you describe for us what we're looking at in this photograph?

FRAZER: This is the north end of Isabel Street, City of Richmond. It's also referred to by us as the Isabel turnaround. The shoreline below the two large trees is the area I indicated on the photograph behind me.

HARRIS: Why don't you take the pointer, go up and show the jury.

FRAZER: Certainly.

JUDGE: Officer Frazer, keep your voice up so the jury can hear you. It's easier to stand there and just point it out.

FRAZER: Yeah. Obviously we can take the turn out there –

HARRIS: What are the trees you are referring to?

FRAZER: These two trees were kind of a reference point to where Laci was found. I can't tell which of the two Tauruses is mine.

HARRIS: One of the vehicles that's there is yours?

FRAZER: Yes.

FRAZER: Now, in the top portion of this particular photograph, 261A we see those two buildings we were just looking at in 98B?

FRAZER: Yes.

HARRIS: And the one to the left with the large number of, looks like truck-trailers there, that's that U.S. Post Office Bulk Mailing Facility?

FRAZER: That’s correct.

HARRIS: And it has somewhat of a blue color to the side of the building?

FRAZER: That’s correct.

HARRIS: Now, you indicated that there was, the trees were kind of a reference point to where Miss Peterson was at, towards the middle of that e particular photograph. It is kind of tough to see in the blowup. Is there a yellow tarp or blanket, some type of a material that was put down by the police there?

FRAZER: Yes, there is.

HARRIS: Is that the approximate location where the body was at?

FRAZER: Yes, it is. Do you want me to point it out on the map?

HARRIS: Let me put up 261B. When you first got there, that tarp was not put out, was it?

FRAZER: I don't recall whether the remains were covered. But I don't believe it was covered when I arrived.

HARRIS: Looking at 261B, take a look at this photograph, at this photograph. What is it that we see in this photograph?

FRAZER: In this photograph, we see the shoreline, Point Isabel, the rip-rap, as we call the rocks, broken concrete; and the remains as they were found. This is fairly early on. The tide is still in toward the rocks.

HARRIS: Was the tide almost up to, when you, early on when you got there, up to the remains of Miss Peterson?

FRAZER: Yes, it was very close.

HARRIS: 261C, just showing how the tide has gone out. And 261D is this how you found Miss Peterson's remains?

FRAZER: Yes, sir.

HARRIS: You can go ahead and resume your seat. Actually, some more pictures, let me just have you stay up there for a second. We were talking about those trees as a reference. Let me show you photographs that have previously been marked 105A. And is this another view looking up the shoreline from the south going north?

FRAZER: Yes, it is.

HARRIS: And you see the radio –

FRAZER: Take that back. This is the from the north looking south.

HARRIS: I'm sorry.

JUDGE: Can you see the Berkeley Marina?

FRAZER: It's down there.

JUDGE: On the other side of that peninsula?

FRAZER: Yes.

HARRIS: We see the radio towers here at the end that particular park?

FRAZER: Yes.

HARRIS: And 135, slightly different view of the beach from an aerial position?

FRAZER: Yes.

HARRIS: We also see the yellow blanket or tarp in the middle of that photograph?

FRAZER: Yes, I do.

HARRIS: You can go ahead and resume your seat now. Now, we're talking about knowing that these remains were Laci Peterson's. When you got there that day and this body was found, did anyone have any idea that this was Laci Peterson?

GERAGOS: Objection as to anyone.

JUDGE: Well, did he have?

HARRIS: Did you have any idea this was Laci Peterson?

FRAZER: I believe the possibility existed, but without any confirming evidence, it was a Jane Doe and was investigated that way.

HARRIS: Since it was a Jane Doe, was it your agency's jurisdiction at that point in time?

FRAZER: Yes, it was.

HARRIS: Since it was your jurisdiction, did you kind of go and survey the scene as if it was going to be your case?

FRAZER: Yes.

HARRIS: Tell us, using 98B, you might have to grab the pointer

FRAZER: That’s all right.

HARRIS: what it is that you did with regards to that particular area

FRAZER: After doing the initial investigation and the location of the body, the surrounding areas, we conducted a search from this point here at the Hoffman Channel all the way across to the jetty where the radio towers are, looking for any other possible items of evidentiary value.

HARRIS: When you say looking for other items of evidentiary value, what does that mean that you did?

FRAZER: We walked, literally walk the rip-rap and looked down, looking for things that might have a bearing on the case. Unfortunately, this location, as many locations on the San Francisco Bay shoreline, is littered with debris.

HARRIS: You also mentioned earlier this is an open-leash dog park. Do dogs go down to the waterway?

FRAZER: Yes.

HARRIS: And, in fact, do some of the dogs swim there or in the Hoffman Channel?

FRAZER: Yes.

HARRIS: When you made this walk across that particular area, did you ever find a really kind of big size pallet cover or white bag with a big bull's-eye target emblem on it?

FRAZER: I did not.

HARRIS: After you completed your work at the scene where the remains were, were the remains removed by the Coroner's Office?

FRAZER: Yes, they were.

HARRIS: Did they go to the Contra Costa County's Coroner's facility?

FRAZER: Yes, they did.

HARRIS: Did you attend the autopsy?

FRAZER: Yes, I did.

HARRIS: At some point in time were you advised after the autopsy that an identification had been made of the remains?

FRAZER: Several days after the autopsy, yes.

HARRIS: And you were advised that the remains were of Laci Peterson?

FRAZER: Yes.

HARRIS: After it was discovered that this was, the remains were Laci Peterson, did the East Bay Regional Park keep the case? Did it go to some other agency?

FRAZER: We transferred jurisdiction of the case to Modesto.

HARRIS: People have no other questions.

Cross Examination by Mark Geragos

JUDGE: Mr. Geragos.

GERAGOS: Thank you, your Honor.

GERAGOS: Good morning.

FRAZER: Good morning.

GERAGOS: How are you? In the location where Laci was found on 98B, it looks like, from the picture, one of the pictures that Mr. Harris was just showing, the one that you said was from north to south which is, looks like 103

FRAZER: Correct.

GERAGOS: Right. Can you tell me, you are talking approximately in this area? Is that where the remains were found?

FRAZER: It's hard without services of some reference points that I would rely on more. It may be a little further this way.

GERAGOS: Towards

FRAZER: Toward the bottom of the photograph. What would be the bottom of the photograph in that photo.

GERAGOS: Okay. Now, you had indicated also the Berkeley Marina, this is not the Berkeley Marina?

FRAZER: No. That's the Albany Bulb.

GERAGOS: The Albany Bulb is what?

FRAZER: It's the old Albany Landfill. It's been closed for a number of years.

GERAGOS: Okay. When, you say the landfill has been closed for a number of years?

FRAZER: Yes.

GERAGOS: But there are, there is walking trails that go all the way around here, correct?

FRAZER: Yes.

GERAGOS: And there is also a kind of an art exhibit, for lack of a better word, that rings the outside of this area here; isn't that correct?

FRAZER: I believe so. That's actually City of Albany's property.

GERAGOS: City of Albany is there. Distance between here and this area, which you call the Albany Bulb, approximately how far is that?

FRAZER: Looking at it, it's a bad angle. Third to half mile.

GERAGOS: Okay. And if you were to go to the Berkeley Marina, would have to go around, and over, and back in here?

FRAZER: That’s correct, sir.

GERAGOS: Okay. So the natural break, so to speak, is this area which is called Albany Bulb, which is also open to the public, and people use that on a daily basis, every single day; isn't that correct?

FRAZER: That’s correct.

GERAGOS: Now, there is also, it's not shown here in this picture, the Golden Gate Fields is right over here; isn't that correct?

FRAZER: That’s correct.

GERAGOS: I'm also open to the public to, large area as well. That also from, Golden Gate Fields also has shoreline that's over there as well, correct?

FRAZER: That’s correct.

GERAGOS: The specific area that you, or that we're looking at there, I guess a better picture would be 135. Actually, let me just put up 261. Now, this picture here, did somebody do a diagram a couple of diagrams? Do those look familiar to you?

FRAZER: Yes.

GERAGOS: Okay. I'm going to mark these as next in order. I'll take them one at a time. First, this one that the shows the Mud Puppies Canine Coiffure and Isabel Street. What would you, how would you describe that?

FRAZER: This is a diagram of the shoreline of Point Isabel. That includes the area where Laci's remains were found. And, however, I believe this, this one was prepared the next day, regarding a different item.

GERAGOS: Okay. And then was that item

JUDGE: Mr. Geragos hang on. Have the clerk mark that.

GERAGOS: I was going to.

JUDGE: We are getting all mixed up here.

GERAGOS: I just want to distinguish the two if I could, Judge. The one, as you said, that was prepared the next day. Was that because there was a tarp that was found?

FRAZER: Yes. A black plastic tarp.

GERAGOS: Okay. And then this one that I have here, I'm going to mark that as defense next in order. I'll –

JUDGE: That would be Defendant's 6T-1. I'll call that schematic with black tarp.

JUDGE: Okay.

GERAGOS: And then the other one is apparently a schematic that was done, looks like with some reference points to show where the body was found?

FRAZER: That’s correct.

GERAGOS: Okay. And I'll mark that as next in order.

JUDGE: All right. That will be 6T-2. Do you need those for your folder, Officer Frazer?

GERAGOS: These were mine.

JUDGE: Those are yours.

GERAGOS: I pulled them out. .

GERAGOS: I'll show you 6T-1 – actually 6T-2 first. This is a diagram that was prepared that shows specifically, I guess, very similar to this area here. And then this is the, this turnabout here is reflected right here; is that correct?

FRAZER: I would believe so. I didn't prepare the diagram personally, sir.

GERAGOS: Okay. And then what was done, if I understand correctly, when you the search for items there were a number of items that were found. And then you tried to do some

measurements from the overhead streetlight pole to where her remains were found, correct?

FRAZER: Correct.

GERAGOS: And then also from this one. So you get the angle, and you could understand exactly where the body was found, correct?

FRAZER: Correct.

GERAGOS: Then you marked off this storm drain, which is right here, correct?

FRAZER: Correct.

GERAGOS: And then there was a piece of fabric that was nine feet away. And you have also marked two pieces of fabric five feet away, correct?

FRAZER: Correct.

GERAGOS: Fabric item, the same thing. Piece of fabric and large piece of concrete, or what you call the rip-rap, correct?

FRAZER: That is correct.

GERAGOS: And then the next thing that was done is, the following day there was an, I'm assuming another item that was found. That was a black tarp; is that correct? The black tarp?

FRAZER: That’s correct.

GERAGOS: Okay. And that was found where that

FRAZER: That was found to the other side of the storm drain from where Laci's remains were located the preceding day.

GERAGOS: And the storm drain just, again, so we have, the remains were roughly there, and right here there was a black tarp. That was a black plastic tarp that was located, is that right?

FRAZER: That’s correct.

GERAGOS: Now, in addition to that, there was a, what Mr. Harris referred to as a large plastic cover that was found as well; is that correct?

FRAZER: That’s correct.

GERAGOS: Now, this cover, I'm going to show you some pictures that have been previously marked D5B. This cover was found the same day as Laci?

FRAZER: That was found after I left the scene on the same day that Laci was recovered.

GERAGOS: Okay, that was found, the best your knowledge, by Officer Phillips?

FRAZER: That’s correct.

GERAGOS: Who is Officer Phillips?

FRAZER: Officer Phillips is a patrol officer with our agency.

GERAGOS: Was he out there that day with you?

FRAZER: Yes, he was.

GERAGOS: Okay. And then he located this tarp. Do you know, did he do a schematic as to where he found this tarp, or did he give you some information?

FRAZER: I believe he did a diagram to show its location, yes.

GERAGOS: Okay. Now, he then wrought that tarp into the Coroner's Office; is that correct? That's where these pictures were taken?

FRAZER: That’s correct.

JUDGE: The tarp, you are referring to the black tarp now?

FRAZER: No. This is the other tarp that was found right there.

GERAGOS: And I believe that these pictures here, look like the, the way the tarp was laid out at the Coroner's Office; is that correct?

FRAZER: Initially, yes.

GERAGOS: Okay. And, specifically, the tarp is laid out in, I guess it's been described before. But there is a cement area, a door that comes up kind of where the drive in area is; is that correct?

FRAZER: That’s correct.

GERAGOS: These are placed down on that cement floor so that you can get kind of spread out into the way that the, or the kind of shape that it is so you can get a full picture?

FRAZER: That’s correct.

GERAGOS: And at that time, Officer Phillips and yourself noticed that there was a smell or an odor coming from this bag; isn't that correct?

HARRIS: Objection, facts not in evidence.

JUDGE: Overruled.

GERAGOS: I'm going, I'm asking, There is a smell coming from this bag. There is an odor, you noticed that the odor appeared to be the same kind of odor of decomposition that was coming from the remains of Laci; isn't that correct?

FRAZER: It was much more an odor of something that had been in the water for a long time.

GERAGOS: Officer Phillips spontaneously stated that he believed it was the same odor of decomposition, didn't he?

HARRIS: Objection. Hearsay.

JUDGE: Sustained.

GERAGOS: Spontaneous statement.

JUDGE: I don't think so. Overruled.

GERAGOS: Well, did Officer Phillips state something in your presence?

HARRIS: Objection. Hearsay. He can ask if he stated something. Not what he said.

JUDGE: Did he say to something in your presence? Just yes or no.

FRAZER: Not that I recall.

GERAGOS: Do you remember having a conversation with me upstairs a couple of weeks ago with you and Officer Phillips?

FRAZER: Yes.

GERAGOS: And we did that in the DA office, correct?

FRAZER: That’s correct.

GERAGOS: Okay. Now, apparently you were supposed to have been testifying here about a month ago; is that correct?

FRAZER: That’s correct yes.

GERAGOS: When you came here, you came here with Officer Phillips, is that right, to testify?

FRAZER: We came separately. But, yes.

GERAGOS: Two of you were subpoenaed to testify on a certain day about a month ago?

FRAZER: Yes, we were.

GERAGOS: When you got here, you related to the District Attorney that you, in fact, had smelled an odor from this bag; isn't that correct?

FRAZER: That’s correct.

GERAGOS: Didn't Officer Phillips also make the same observation, sir?

HARRIS: Objection. Speculation.

GERAGOS: Through the District Attorney.

HARRIS: Speculation and hearsay.

JUDGE: Did you talk to the DA about that?

FRAZER: I believe he did, yes.

GERAGOS: Okay. Then I was able to question you the next day, correct?

FRAZER: Correct.

GERAGOS: Now, when I questioned you the next day, I specifically asked if you had told this information to anybody from Modesto PD; is that correct?

FRAZER: I recall you asking me that question, yes.

GERAGOS: Do you remember saying that, yes, that I believe that were two officer or two detectives from Modesto PD who had been given this information?

FRAZER: There were at least two detectives from Modesto who were present at the Coroner's Office. Whether they were in the area where the tarp was, or in the autopsy room, I cannot recall.

GERAGOS: Okay. Do you remember, or has anybody showed you any reports whatsoever from Modesto PD which would indicate that this observation about the smell was noted by anybody from Modesto PD?

FRAZER: No. The only ones I saw are the ones prepared by my agency.

GERAGOS: Now, Officer Phillips, who was with you when I questioned the two of you, had a distinct memory of making statements to officers, detectives from Modesto PD; isn't that correct?

HARRIS: Objection. Assumes facts not in evidence.

JUDGE: No. Sustained. You are asking for his distinct memory, that he had a distinct memory. How would he know?

GERAGOS: I'm asking if Officer Phillips made a statement.

JUDGE: You can ask if he made any statements whether he had the distinct recollection of memory. You are asking for him to tell us what his state of mind was.

GERAGOS: Okay. Did Officer Phillips make those statements?

HARRIS: That's an objection. Hearsay.

JUDGE: Overruled.

HARRIS: He is asking for the content, Judge.

JUDGE: Did he make, no. Overruled. Go ahead.

FRAZER: He may have. Again, I don't recall whether he made the statements to Modesto officers when he made them to Coroner's personnel.

GERAGOS: Okay. And when this took place, that would have been on the day that the autopsy was done of Laci Peterson, correct?

FRAZER: That’s correct.

GERAGOS: Okay. So this would have been done shortly after her remains were found, right?

FRAZER: It was several hours.

GERAGOS: And, specifically, this bag was found within several hours of Laci Peterson's remains being found on the rip-rap, correct?

FRAZER: That is correct.

GERAGOS: And any statements that Officer Phillips made, and any statements that you would have made about this bag would have been within hours of Laci Peterson's remains being found, correct?

FRAZER: Correct.

GERAGOS: And that would have been in the presence of Coroner's personnel, correct?

FRAZER: Yes.

GERAGOS: In the presence of at least two Modesto detectives, correct?

FRAZER: As I said, it's possible.

GERAGOS: Was it Detective Owen and Detective Hendee?

FRAZER: Yes. They were present at the Coroner's Office.

GERAGOS: They were present for the autopsy, correct?

FRAZER: That’s correct.

GERAGOS: Now, specifically, the bag was saved. It was retained, was it not, by either the East Bay Regional Park or Richmond PD?

FRAZER: Which bag are we discussing, the clear bag?

GERAGOS: The one that we have been referring to as the Target bag.

FRAZER: Was retained in the custody of the Contra Costa County Crime Lab.

GERAGOS: How about the twine from around the baby's neck? Were you aware of that at all?

FRAZER: I had seen it in the photo, and also upon viewing the baby that evening.

GERAGOS: Okay. And where did that remain?

FRAZER: I believe that remained in the custody of the Coroner's Office.

GERAGOS: Now, specifically, Mr. Harris had asked you, did you relinquish, I guess, jurisdiction to Modesto? And you said that you did that evening, correct?

FRAZER: No. When the identification was confirmed that it was indeed Laci Peterson.

GERAGOS: Which would have been within three or four days?

FRAZER: That’s correct.

GERAGOS: And, specifically, did any of these items of evidence get immediately turned over?

FRAZER: Those that were in the custody of the Contra Costa Crime Lab, I couldn't say when they were transferred. I didn't have any part of that. The evidence that we had was transferred fairly quickly to Modesto.

GERAGOS: Did you take a, were there dogs that were used to, cadaver dogs that were used at this point along the shoreline?

FRAZER: There were search and rescue dogs, cadaver dogs called to the scene. I had left when they arrived.

GERAGOS: Do you know who was present when the dogs were brought to the shoreline?

FRAZER: I believe Officer Phillips was still present at the scene. And, beyond that, I don't know. As I said, I had left and gone to the Coroner's Office.

GERAGOS: Is it a fair statement that the person who spent the most time out at the scene was Officer Phillips from your agency?

FRAZER: I think that's a fair statement.

GERAGOS: And is it a fair statement that Officer Phillips also was the one who at least found the bag and made the observations about the bag and then brought it back to the Coroner's Office?

FRAZER: That’s correct.

HARRIS: Objection. Compound.

FRAZER: That's correct.

JUDGE: He can answer that.

GERAGOS: When the bag was laid out there on the, you have been there, I have been there. The jury obviously hasn't. But the Coroner's Office there has this driveway area on cement that you can lay things out on; is that correct?

FRAZER: That’s correct.

GERAGOS: Okay. And that is approximately, what, 40, feet maybe from the autopsy rooms there through a hallway, through that scale room, and then over to another autopsy room?

FRAZER: Approximately.

GERAGOS: Roughly?

FRAZER: Yeah.

GERAGOS: It's a distance away?

FRAZER: Un-hun.

GERAGOS: And it's in a separate area; is that correct?

FRAZER: That’s correct.

GERAGOS: Okay. And, specifically, was Officer Phillips the one who brought that bag back and laid it out there, and made the observations, and then took the photos?

FRAZER: He brought the bag back. As far as laying it out, it might have been him. It might have been the criminalist from Contra Costa County.

GERAGOS: Could have been Mr. Nelson?

FRAZER: Mr. Nelson. And as far as the photographs, I don't recall Officer Phillips taking any photographs.

GERAGOS: Okay. But the diagram that we just saw, one of those that was just marked with the tarp would have been, that's yet a different tarp than the plastic bag that was here; is that correct?

FRAZER: That’s correct.

GERAGOS: Okay. Approximately how large was, do you know if that black tarp was recovered?

FRAZER: Yes, it was.

GERAGOS: Okay. Do you know where it is today?

FRAZER: No, I don't. I was not part of the recovery on that.

GERAGOS: Do you know if that was ever turned over to Modesto PD?

FRAZER: If it was in our evidence room, it certainly should have been.

GERAGOS: Okay. As you sit here today, do you know if it ever was?

FRAZER: I don't know for sure.

GERAGOS: Okay. And that was, I assume somebody went through and did the diagram that I just showed you, because that tarp was found in the immediate vicinity of Laci Peterson; is that correct?

FRAZER: That’s correct.

GERAGOS: Okay. Now, it was also your job, Mr. Harris asked you, to then search that shoreline for any other evidence; is that correct?

FRAZER: Yes.

GERAGOS: And you searched the shoreline, and everything I guess that we have mentioned here that was in the diagram is what was found?

FRAZER: Yes.

GERAGOS: Okay. Do you know where Point Isabel, the, Rydin, R-y-d-i-n side near the canal is?

FRAZER: Yes, I do.

GERAGOS: How far did you look, did you have people look at that location on that day?

FRAZER: No, that's the far east end of the Hoffman Channel. We did not walk all the way down the Hoffman Channel.

GERAGOS: How far away is that?

FRAZER: My pointer

DISTASO: The pointer is back here on the podium.

FRAZER: The Rydin parking lot is here. This is the Rydin Road turnaround. This is the Hoffman Channel. So we did not walk this entire shoreline down the Hoffman Channel.

GERAGOS: Okay. And this is what's called the canal; is that correct?

FRAZER: Well, we refer to, I refer to it as the Hoffman Channel. Some may refer to it as the canal.

GERAGOS: And specifically were you present during the autopsy, either one of the autopsies?

FRAZER: I was present during the autopsy on Laci.

GERAGOS: Thank you. I have no further questions.

Redirect Examination by David Harris

HARRIS: Detective, you were being asked, I just want to go through this. You were asked a question that any statements that you made would have been in the presence of MPD or the Coroner's personnel. Try not to be, did you make any statements in terms of the smell of this particular bag?

FRAZER: I don't recall making a statement at that time about the smell of the bag.

HARRIS: So when you were asked that question about making those particular statements, that's assuming you made any of those statements in the first place?

FRAZER: That's assuming that I made any statement.

HARRIS: You said that, when you were being asked this, that it smelled like it had come out of the ocean. I know it's tough to describe the smell. But, if you can, can you describe for us what you are talking about?

FRAZER: Kind of the smell of stale seawater and algae.

HARRIS: Now, this particular area that we're talking about where Laci was recovered from, counsel was slowing you on the diagram that there were some other pieces of fabric or clothing that was there. Since your jurisdiction butts up against the Bay, do you find trash, debris, or items like that on the shoreline?

FRAZER: All the time.

HARRIS: And have you ever smelled that kind of smell there that you are talking about?

FRAZER: I have every time I have been down at the shoreline.

HARRIS: No other questions.

Recross Examination by Mark Geragos

GERAGOS: Now, when you found the bag you pick up the bag and take it to the Coroner's Office as well? I mean obviously thought that, somebody thought that was significant; is that correct?

FRAZER: That's correct.

GERAGOS: The reason somebody thought it was significant is because there was duct tape on the body, there is duct tape on the bag.

HARRIS: Objection. Speculation.

JUDGE: That's calling for somebody's opinion. Sustained.

GERAGOS: Did you

JUDGE: You can ask him if he thought that the

GERAGOS: Did you think it was significant, there was duct tape on the body, and duct tape on the bag?

FRAZER: I believe there might be a connection.

GERAGOS: Didn't Officer Phillips, himself, have an olfactory observation linking the bag to the body?

HARRIS: Objection. Calls for speculation.

JUDGE: Sustained.

GERAGOS: Okay. Specifically you were present when Officer Phillips made a statement about a smell regarding the bag and the body, correct?

FRAZER: I was present monitoring a conference when he made that statement, yes.

GERAGOS: Were you present at the time that the body was recovered, when he brought the bag in?

FRAZER: I was present when the bag was brought in to the sally port of the garage area of the Coroner's Office.

GERAGOS: Did you hear Officer Phillips give a statement about the smell of the bag at that point?

FRAZER: I don't recall hearing him make that statement at that point.

GERAGOS: When you were upstairs and I was interviewing you, didn't you say that you did recall that at that point that he had made that observation? Isn't that what you told me when I asked you?

JUDGE: If you recall, Officer Frazer.

FRAZER: It's possible. I don't recall specifically.

GERAGOS: And, specifically, Officer Phillips, they didn't call him back here to testify as far as you are aware, did they?

HARRIS: Objection. Relevance.

JUDGE: Sustained.

GERAGOS: Well, actually, that goes to motive and bias. Specifically only asked

JUDGE: Let me rule on the objections. I don't need any coaching. I appreciate it. Thank you. Next question.

GERAGOS: Specifically they didn't, just asked you to come back and testify, correct?

FRAZER: Correct.

GERAGOS: Okay. Officer Phillips is around. He's available to testify, right?

FRAZER: Yes.

GERAGOS: Now, the other items that you saw amongst the rip-rap, were those collected, the pieces of fabric?

FRAZER: Yes.

GERAGOS: Okay. And, specifically, the black tarp?

FRAZER: Yes. The following day.

GERAGOS: Following day. And the plastic bag, as we have already indicated, was collected on that day, correct?

FRAZER: Correct.

GERAGOS: Thank you. I have no further questions.

JUDGE: Thank you detective, Detective Frazer?

FRAZER: Correct.

JUDGE: May he be excused?

HARRIS: No objection.

JUDGE: Thank you Detective Frazer. Thank you.