Witness: Ray Coyle

Date: 2004-07-12

Proceedings held July 12, 2004

Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – Rick Distaso; Cross – Mark Geragos

Day 1 of 3 for this witness

Court: San Mateo County Superior Court, Redwood City (People v. Scott Peterson)

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Direct Examination by Rick Distaso

DISTASO: Detective, what is, you work for the Modesto Police Department?

COYLE: That's correct.

DISTASO: All right. And what's your current assignment?

COYLE: I'm a detective in crimes against persons.

DISTASO: And how long have you been a peace, a police officer in California?

COYLE: Almost 25 years.

DISTASO: And were you involved in the search warrant at 523 Covena in the City of Modesto on the 26th and 27th of December of 2000 and 2?

COYLE: Yes, I was.

DISTASO: What were your primary duties there?

COYLE: To assist in the search of the residence.

DISTASO: And specifically were you assigned any particular locations?

COYLE: Initially, yes.

DISTASO: And where was that?

COYLE: The master bedroom, or north, excuse me, southwest bedroom of the residence.

DISTASO: Okay. Now, when you're assigned one particular room of a house in a search warrant, is that the room, you then search that room, correct?

COYLE: That's correct.

DISTASO: Okay. After you're finished searching that room, are you free to go assist other detectives or other officers in searching other locations?

COYLE: Yes.

DISTASO: All right. And did you do that in this particular case?

COYLE: Yes, I did.

DISTASO: Okay. The, let's just start with the master bedroom first. When did you first go into that particular room?

COYLE: After the initial video and photos were taken and we were cleared to begin searching is when I entered the residence to search that bedroom.

DISTASO: So the jury just saw a videotape of, of the house and the back, and the yard. Is that what you're talking? About the videotape is done, correct?

COYLE: Yes.

DISTASO: And then the people can come in and search?

COYLE: Yes.

DISTASO: And on the 26th, were you looking for any specific thing? Or were you limited in your directions?

COYLE: We were given a briefing prior to the search detailing the specific items that were being sought under the search warrant. We also initially were asked to look for trace evidence prior to doing a hand searching.

DISTASO: Okay. And did you go through the room that you were asked to search, the master bedroom, and look for any trace evidence?

COYLE: Yes, I did.

DISTASO: And by that, we're, were you primarily looking for blood or blood splatter, something of that nature?

COYLE: Hair, fibers, yes. But mostly blood.

DISTASO: Okay. And did you find anything that caught your attention on the 26th?

COYLE: Yes, I did.

DISTASO: And what was that?

COYLE: There were a couple of small spots on the comforter that was on the bed in that room, and I called that to Detective Skultety's attention.

DISTASO: And Detective Skultety we've heard was the crime scene manager, but it's really like the search team manager?

COYLE: Refer to him as probably the case agent.

DISTASO: Okay. And for a particular search warrant, when the officers are searching something in the house, and they find something, do you call whoever the, whatever we want to call him, crime scene manager, case agent, whatever, do you call him over to show that person where it is?

COYLE: Yes.

DISTASO: And then is that person responsible for collecting and booking that item into evidence?

COYLE: Yes.

DISTASO: The, in the, what, on the 26th specifically, what exactly did you do in the master bedroom?

COYLE: Initially I, I searched using a flashlight. Before entering the room I swept my flashlight across the floor, looking for anything I could see with that. And then I entered the room and again checked surfaces with my flashlight and inspected things for any kind of blood spatters or blood drops. And after completing that sort of forensic search, then began a little preliminary hand search.

DISTASO: And "preliminary hand search," what does that mean?

COYLE: Well, we were sort of limited on time, or not necessarily limited, but a decision had been made that we were going to hold, freeze the residence, hold it during the night and resume the searching in the morning. So we were, we had a limited amount of time on the 26th. So while others were completing their initial forensic searches, I had a little extra time and I began searching the room.

DISTASO: Okay. And what did you do?

COYLE: I, I started in one corner and went clockwise throughout the room, searching as I went. The corner that I began in was the corner near the dresser and near the window.

DISTASO: Okay. Let me stop you. If you look back on People's 38 behind you, do you recognize that as a schematic of the, of the master bedroom?

COYLE: Yes.

DISTASO: Or of the entire house, really. But do you see the master bedroom there?

COYLE: Yes.

DISTASO: And can you just draw, I mean can you take that red pen that's next to you and just draw on there where the dresser would be and then where you're talking about? Just write the word "dresser" on there, if you want.

COYLE: (complies.)

DISTASO: And there's a big square there. Can you write "bed" there so we know that's what that is?

COYLE: (complies.)

DISTASO: Okay. So you started searching, you said, in that upper right corner; is that right?

COYLE: Yes. Right in this corner, between the window and the dresser.

DISTASO: Now, when you were searching, were there specific items you were told to look for that were named in the search warrant?

COYLE: Yes.

DISTASO: And what items were they?

COYLE: Some clothing items and some jewelry items, specifically that I recall.

DISTASO: Okay. And what clothing items specifically were you looking for?

COYLE: There was a white long-sleeved blouse or shirt, a pair of black maternity pants. There was a watch that was described that had some stones around the outside of it, and a diamond ring.

DISTASO: And did, was there a hamper in that corner, in that corner that you looked through?

COYLE: Yes.

DISTASO: Clothes hamper? And when you were looking through the room, were your instructions to document every piece of women's clothing that was contained in the room?

COYLE: No.

DISTASO: So you were looking for these specific items?

COYLE: That's correct.

DISTASO: For the jury's understanding,

GERAGOS: Objection. Leading. All of these questions have been leading.

JUDGE: Yes. It's a little late now.

GERAGOS: Well, at a certain point,

JUDGE: I can't sustain nunc pro tunc.

GERAGOS: I'm not asking you to, asking you to give him an advisory opinion.

JUDGE: Don't ask any leading questions.

DISTASO: I'll try, Judge.

JUDGE: All right.

DISTASO: When you are serving, when you are serving a search warrant, are, there's specific items that you're looking for?

COYLE: Yes.

DISTASO: And does that apply only to this particular house? Or is that in other cases where you've served search warrants as well?

COYLE: In every search warrant there's particular item or items listed in the search warrant that are called for in the search, and those are the things that you're looking for.

DISTASO: So did you go through the entire master bedroom here and document all of the women's clothing that was contained inside there?

COYLE: That would be a list ad infinitum. No, I did not.

DISTASO: And did you look through that particular hamper, though, on the night of the 26th?

COYLE: Yes, I did.

DISTASO: And how did you do that?

COYLE: I removed the clothing items from it, trying to, one by one, and placed them on the bed. And then after searching the entire hamper contents, then replaced all the items back in the hamper.

DISTASO: So you took them back off the bed and put them back in the hamper?

COYLE: That's correct.

JUDGE: Okay. This might be a good time to take the recess.

<Noon recess>

DISTASO: Detective, when we left off, detective, when we left off, you were just kind of talking about the initial search on the night of the 26th.

COYLE: Yes.

DISTASO: You said you searched that hamper in the bedroom?

COYLE: Yes.

DISTASO: Let me show you a picture of People's 7. Was the hamper searched again the next day?

COYLE: Yes.

DISTASO: So it was gone through a couple of times.

COYLE: The initial night I don't know that I completely searched everything. I looked at a couple of the items briefly, because we just had a few minutes. It wasn't until the next day that I completely emptied the hamper and searched every item in there, then put things back in.

DISTASO: So when you went through the hamper, did you take the items out exactly as they were, then put them back in exactly the same order?

COYLE: Well, not exactly. Because I just sort of made a pile on the bed as I was doing it. And things were kind of tied together, and stuff. It wasn't like they came apart one item at a time.

DISTASO: But the items from the hamper, you took them out of the hamper and put them back into the hamper?

COYLE: Yes.

DISTASO: For example, you didn't take a pair of pants out of the hamper and put in a drawer, or something like that?

COYLE: No.

DISTASO: Let me show you People's 7. This is a picture, this is the one, I think, Mr. Geragos showed earlier one of the witnesses. But this is a picture from the search warrant on either the 26th or the 27th. Items that are in that hamper were present somewhere in the hamper on the 26th or the 27th?

COYLE: Yes.

DISTASO: Maybe not in this exact order.

GERAGOS: Objection. Leading.

JUDGE: Sustained.

DISTASO: When you went through it, is this the exact, do you know as you sit here today, that's the exact items that were there?

COYLE: No.

DISTASO: There is an, in this picture, People's 7, the hamper that's right by the dresser, that's the dresser?

COYLE: Yes.

DISTASO: And it's on the right-hand side?

COYLE: Yes.

DISTASO: The, where you wrote dresser up there on People's 38, that's the same dresser?

COYLE: Yes, it is.

DISTASO: Was there a paper bag on the 26th or the 27th with some clothes in it anywhere around that hamper area?

COYLE: Not that I have found. There was no paper bag in that room that I know of.

DISTASO: On the 27th, did you go back during the daytime and do a more thorough search of the bedroom?

COYLE: Yes.

GERAGOS: Objection. Leading.

JUDGE: Overruled.

DISTASO: And on that date, did you look for some items of jewelry?

COYLE: Yes, I did.

DISTASO: Were those items of jewelry named in the search warrant?

COYLE: Yes.

DISTASO: Let me show you People's 20. I'm sorry, People's 8. This. What are we looking at here?

COYLE: That's the tray, the wooden tray out of the jewelry box that was on the dresser. There is a couple of solitaire pendants that I laid out, because I didn't have a really good description. But it was asking for a solitaire pendant necklace. Search warrant asked for a watch, ladies watch, had some stones around the outside of it. I found that in that jewelry box as well. Then next to that is a blue and white stoned ring. I believe they were sapphires and diamonds. But I'm not a jeweler.

DISTASO: These are some of the jewelry items that you remember pulling out of the jewelry box that was on top of the dresser?

COYLE: Yes.

DISTASO: Do you recognize what that item is right there?

COYLE: Yes. It's the corner of a Social Security card.

DISTASO: Do you know whose that is?

COYLE: Yes.

DISTASO: Whose Social Security card is that?

COYLE: It had the name Laci Peterson on it.

DISTASO: So a Social Security card with Laci Peterson's name on it was present in the house on the 26th of December, 2002?

COYLE: Yes.

DISTASO: Or the 27th, I guess?

COYLE: Yes. Both.

DISTASO: Let me show you, this is a, 111-F. Is that the jewelry box that you have been talking about?

COYLE: Yes. With the tray removed. There was a top tray. And that's showing the bottom portion of it.

DISTASO: Is that, that shows the Social Security card with Laci Peterson's name on it?

COYLE: Yes.

DISTASO: And couple of passports?

COYLE: Yes.

DISTASO: Is that the location that they were in when you searched those items on the 26th and the 27th?

COYLE: Yes, when I found them.

DISTASO: This is 111-G. It's just a, the items all laid out. Do you see the jewelry items back behind the placard number 14?

COYLE: Yes.

DISTASO: And then also the passports and the Social Security card?

COYLE: Yes.

DISTASO: After you searched the bedroom area, before we leave there, let me show you 111-I. You said you saw the comforter in the bedroom as well?

COYLE: Yes, I did.

DISTASO: Let me show you People's 111-I. Is that a picture of the comforter that you saw?

COYLE: Yes, it is.

DISTASO: Okay. And you said you saw some very small, looked like bloodstains, to you, on it?

COYLE: Couple small stains. They could be blood, yes.

DISTASO: But you didn't conduct, you personally didn't conduct any testing of those items?

COYLE: No, I did not.

DISTASO: After you searched the bedroom area, did you also assist in searching the outside of the house?

COYLE: Yes, I did.

DISTASO: And did you see a canvas-colored boat cover in a small shed?

COYLE: Yes, I did.

DISTASO: Where was?

COYLE: It was on the southeast corner of the house, actually behind the fence, again, for the backyard.

DISTASO: Let me show you People's 111-A. That's the shed where you saw the boat cover?

COYLE: Yeah, that's the corner of it.

DISTASO: And that's this item right here?

COYLE: Yes.

DISTASO: And is this a picture of the inside of the boat cover, sorry, inside of the shed?

COYLE: Yes, it is.

DISTASO: And was the, where was the boat cover located inside the shed?

COYLE: Was basically laying on top of some of the items that were on the floor of the shed and underneath the yard blower that's depicted there in that photograph.

DISTASO: Okay. Did you let me show you 111-C. Is that the boat cover you are talking about?

COYLE: Yes, it is.

DISTASO: And did you notice anything about the particular boat cover, anything about what it smelled like?

COYLE: Yes.

DISTASO: What was that?

COYLE: It had a strong odor of gasoline coming off of it, and obvious stain that was wet at the time I first found it.

DISTASO: Why is the boat cover hanging up on the fence there?

COYLE: We didn't want to package it up and transport it in a closed vehicle with it smelling the way it did, heavy gasoline odor. And so we hung it out on the fence to air try and to dissipate some of the odor.

DISTASO: Did you also find a blue tarp somewhere?

COYLE: Yes.

DISTASO: And where was that?

COYLE: That was in a small shed that was across the patio, near the barbecue, from the house.

DISTASO: Let me show you People's 111-D. And do you see the blue tarp in that picture?

COYLE: Yes.

DISTASO: And is that it right here inside the shed?

COYLE: Yes.

DISTASO: What's it sitting on top of?

COYLE: I believe it was like a yard sprayer, weed sprayer.

DISTASO: And do you know what was inside there?

COYLE: I lifted the cap and smelled it. I don't know exactly what it was. Smelled like some sort of fertilizer to me. Maybe been like fish emulsion, some kind of fertilizer.

DISTASO: Was that tarp was removed at some point from the shed?

COYLE: Yes.

DISTASO: Here is 111-E. And looks like the tarp and the fertilizer sprayer, whatever that was, have been removed from the shed.

COYLE: That's correct.

DISTASO: Can you, on People's 38 there, there is a red pen right by you. Can you take that pen and just write "Blue Tarp" and, slash, "Fertilizer Sprayer", and put the date, 12-26 or 12-27, whichever one you want. Do you have the boat cover with you?

COYLE: Yes, I do.

DISTASO: Didn't realize you brought that down. Let me get that marked.

JUDGE: People's next in order.

GERAGOS: 112.

JUDGE: 112. Package and Contents

GERAGOS: Bag with the,

DISTASO: Bag and boat cover inside.

JUDGE: Bag and contents. Okay. Boat cover.

DISTASO: Detective, could you just pull that out of there, and just fold it? You don't need to unroll. Just hold it up so the jury can see it. And that's the boat cover you found in that small shed on the side of the house?

COYLE: Yes. On the southeast corner of the house, yes.

DISTASO: You can put it back in the bag. Did you also, were you also tasked as part of this investigation, kind of leave the search warrant stuff now. Were you also tasked as part of this investigation to follow up on some of the 290 registrants and parolees that were in the area?

COYLE: Yes.

DISTASO: And how many people did you end up coming in contact with or, reviewing their files, or looking at?

COYLE: There was a list that I was given of about 309 parolees and sex registrants. And out of that, to date, 285 have been contacted and completed.

DISTASO: And when you would contact these, did you contact some of these folks yourself?

COYLE: Many of them myself, yes.

DISTASO: You didn't contact every single one yourself?

COYLE: No.

GERAGOS: There would be an objection and motion to strike as to what had been completed. If he didn't do it himself there is no foundation.

JUDGE: Yeah, there is no foundation for that.

GERAGOS: Plus I was precluded from getting into this with,

JUDGE: He's opening the subject for you now.

GERAGOS: I understand. But the problem is, I was precluded from getting into this with the other officer.

JUDGE: Because it was beyond the scope of direct examination. But now he's opening up for you to pursue it.

DISTASO: He's going to cross examine him.

JUDGE: 285 may be stricken. He doesn't know of this of his own knowledge.

DISTASO: Did you review reports from officers who had talked to some of these other people?

COYLE: Yes. I was in charge of looking at each report as they were completed to determine if as much investigation that could be done had been done on that particular person.

JUDGE: Did you tally up the number that were interviewed?

COYLE: Yes.

JUDGE: Then, all right. Then the answer 285 then may remain.

DISTASO: When you would contact these people, were you, what was your purpose in doing that?

COYLE: To attempt to determine their whereabouts and some verification of that on December 24th, 2002.

DISTASO: And were you able to do that with every single one of these people?

COYLE: No.

DISTASO: Were you able to do it with a large number of them?

COYLE: I would say the biggest majority of, majority of that figure we were able to contact someone who could verify where they were, yes.

DISTASO: And if somebody would come in to you, for example, and, why don't you just take us through what happened. Would you call these people in, or they would come in; is that right? Some of the folks,

GERAGOS: Objection. It's compound.

JUDGE: Question. Sustained. How did, how was this investigation conducted with the sex offenders? How was it done?

COYLE: Several different ways. As I was going to start to explain, some of the folks were registrants. They have dates that they have to be in and register by. If we hadn't contacted them prior to that, on the date that they came in to register, we would interview them then. Many of the folks were contacted because we had their home addresses either through parole or through their 290 records. We put out information through our warrants system that when an officer ran a particular person that we needed to talk to, that name would pop up. They would then be held until the detective or an investigator could interview them. So there were several different methods that we did.

DISTASO: Okay. You had contacted them. Once you get contact with these people, what would you do?

COYLE: We would try and determine their whereabouts, and through some other source verify that their story was true and correct.

DISTASO: What kind of other sources did you look at?

COYLE: In some cases it was employers. A lot of family members. Friends. You know, someone they could say, well, I was with this person, whatever that was, and then we would contact that person to find out if they knew where they were.

DISTASO: If somebody came in and said they were with their mother, for example, would you try to verify their story right then? Or would you wait? Or how would that work?

COYLE: If at all possible, at least the ones that I did, and some of the ones that I witnessed being done, we tried to contact their alibi person while they were still with us, yes.

DISTASO: They would be sitting there and say I was at my mom's house, you say, well, let me call up your mom and see?

COYLE: That's correct.

DISTASO: And of the ones that you were not able to contact, how many have you not been able to really deal with at all?

COYLE: I think there is about 15 or 20 that we have not been able to locate at all.

JUDGE: Is that 290 registrants and parolees?

COYLE: That's correct.

DISTASO: Of the, of those 20 people, are these just people that are just gone,

GERAGOS: Objection. Calls for speculation.

JUDGE: Well, I think it's leading.

DISTASO: Okay. Let me ask you a different way. Of these 20 people, were you able to find out any information at all about some of them?

COYLE: Yes.

DISTASO: What kind of information could you find out?

COYLE: Several of them we determined were deceased, had gone someplace else, out of state, moved out of state, and had died prior to us being able to contact them. Several of them, through the Department of Justice Sex Registrants Website, had indications from other agencies that this person had left the jurisdiction of the State of California. So obviously they moved someplace, but we didn't have any indication as to where. Several of them we determined are actually in prison serving time, and have not been able to contact those folks.

DISTASO: In your investigation of these people, these 290 registrants, the sex registrants, the parolees, of this list of people that you were given to work on, was there any evidence that arose in any of these people that you looked at that led you to believe that any of them had any involvement in the disappearance of Laci Peterson?

COYLE: No.

GERAGOS: Objection. Calls for speculation.

JUDGE: Overruled.

DISTASO: Nothing further, your Honor.

Cross Examination by Mark Geragos

GERAGOS: I'm going to do a very limited area.

GERAGOS: Officer, this eight page list which is purple with white that was in your binder, is this the compilation of the sum total of the 290 registrant list?

COYLE: And parolees, yes.

GERAGOS: Okay. There are various columns on this list. One says the name, correct?

COYLE: I believe so. I'm not looking at it right now. But yes.

GERAGOS: Next one says parole. And then there is either a yes or a no, writing or blank, right?

COYLE: Yes.

GERAGOS: Okay. Then it says 290 registrants, for whether or not they are a sex offender that has to register; is that correct?

COYLE: That's correct.

GERAGOS: Then It says next column is contact. What does that mean?

COYLE: Whether or not detective or investigator has spoken to them.

GERAGOS: Okay. Next column has "elim" which is short for eliminated, right?

COYLE: That's correct.

GERAGOS: Okay. Now, in this eight-page document, I'm going to show you page one. It's in alphabetical order, correct?

COYLE: That's correct.

GERAGOS: Where it shows eliminated, you have got, looks would like, what looks like 41 names on this page, right?

COYLE: Yes.

GERAGOS: How many of those would you say eliminated are "no"?

COYLE: Out of that 41 on the first page, looks like, by that, the majority of them.

GERAGOS: Okay. How about page two. How many have not been eliminated, out of the, these go up to 83?

COYLE: How many have not been eliminated, or how many does it say have not been eliminated?

GERAGOS: How many does it say have not been eliminated?

COYLE: Majority of them.

GERAGOS: Page three, which looks like it goes from 84 to 125. Safe to say maybe two thirds haven't been eliminated?

COYLE: According to that, yes.

GERAGOS: Page four, which is 126 through 167, looks to me like out of that page we have got two people have been eliminated out of that crew, isn't it?

COYLE: Two that it says have been eliminated, yes.

GERAGOS: Well, when you do not eliminate, is that some kind of a secret?

DISTASO: Objection. Argumentative.

JUDGE: Overruled.

COYLE: This list.

JUDGE: He was, let the officer finish his answer. What was your answer?

COYLE: This list was given to me. I did not put it together. I did not make the columns. The only thing that I was interested in once it was handed over to me were the alphabetical names, and then the reports corresponding to them. Everything that is in purple there is a report that has been completed for all those persons. Eliminated, not eliminated on that list was done prior to me ever taking control of this.

GERAGOS: Yeah. And you did exactly, by my count, 23 out of these 300, some odd you contacted; is that correct?

COYLE: That's not correct.

GERAGOS: How many did you contact?

COYLE: Two binders full.

GERAGOS: I have got,

COYLE: Somewhere in the area of about 285.

GERAGOS: You personally?

COYLE: No, not me personally.

GERAGOS: You personally contacted how many people?

COYLE: I don't know. Probably 40.

GERAGOS: Okay. Now, on this page, how many have been eliminated?

COYLE: Several.

GERAGOS: On this page how many have been eliminated?

COYLE: How many does it say again have been eliminated? A few.

GERAGOS: 210 to 251, I have got about another 41. What would you, just about six have been eliminated?

COYLE: About that. Again, that's what it says.

GERAGOS: You are in charge of, didn't Mr. Distaso ask you if you were in charge?

COYLE: I don't know if I was in charge of it. I was tasked with making sure that folks were contacted, yes.

GERAGOS: You weren't in charge. That isn't, he didn't ask you if you were in charge of the 290 sex registrants in contacting them?

COYLE: I don't know whether or not he asked in charge or not.

GERAGOS: Okay. Same issue here. It's just a fraction of the people have been eliminated in this list from 235 down to 293?

COYLE: Yes, it says.

GERAGOS: On the last page assume things what are, got one out of 25. One out of two were eliminated?

COYLE: Yes.

GERAGOS: I'd like to reserve the remainder of cross examination of this witness until Thursday, your Honor.

JUDGE: All right, detective, we'll order you back Thursday morning at 9:00 o'clock.

DISTASO: I'd like to redirect.

JUDGE: He hasn't finished his cross.

GERAGOS: I have not finished.

JUDGE: You redirect him after he finishes his cross examination. Otherwise we're going to do it twice. Finishes his cross, you can ask him back for your redirect. Mark it. Let's make a copy and give these back to the officer.

DISTASO: That's fine, Judge.

JUDGE: We'll mark this list of the parolees and sex offenders as defendant's, people's next in order. It's really from the people. Number 113. And we'll,

GERAGOS: Make that defense next in order.

JUDGE: Well it's a People's exhibit. So it's from the people. I'm going make it 113. That's the list of parolees.

GERAGOS: And 290 registrants.

JUDGE: And 290 registrant. And then we'll give this, give this list back to the officer. And we'll substitute a copy for People's Number 113. And then make sure you bring that back.

COYLE: Yes.

JUDGE: He's going to make a copy right now. We'll have Detective Coyle stick around. We'll give it back

15 to him. Give it to you, then give it to Detective Coyle?

DISTASO: That's fine, judge. We can, you can just hand it back to us. We'll give it to him.

JUDGE: All right. He'll give it to you.