Witness: Bill Pooley

Date: 2004-09-02

Proceedings held September 2, 2004

Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – Rick Distaso; Cross – Mark Geragos

Day 1 of 1 for this witness

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

Source: https://pwc-sii.com/CourtDocs/Transcripts/Pooley.htm

Page/line: not available (source HTML has no page or line markers)

Text below is verbatim from the source page for this date only.

Direct Examination by Rick Distaso

DISTASO: Sergeant Pooley, right?

POOLEY: No.

DISTASO: Okay. Officer Pooley. Yeah. This is going to be quick. I'm just going to finish up this issue with the surveillance tapes. At, at some point did the three surveillance tapes that were used in this particular case end up on your desk?

POOLEY: Yes, they did.

DISTASO: And were you on vacation at the time?

POOLEY: Yes.

DISTASO: Okay. So they, you come back from vacation, the tapes are sitting on your desk?

POOLEY: Yes.

DISTASO: Is your desk located next to the equipment locker there at the drug unit?

POOLEY: Yes, it is.

DISTASO: And after they did that, what happened?

POOLEY: I reviewed the tapes. I didn't know what they were for. I reviewed them, found that one of them was related to a small methamphetamine lab, and then there were three other ones that I believed were related to this case. I then turned them over to Craig Grogan.

DISTASO: To Detective Grogan?

POOLEY: Yes.

DISTASO: No further questions.

Cross Examination by Mark Geragos

GERAGOS: The small methamphetamine lab had nothing to do with this case?

POOLEY: Nothing at all.

GERAGOS: Okay. The, it looks like there's some report that was done on this about this camera. You were interviewed by Detective Grogan?

POOLEY: Yes.

GERAGOS: Okay. You told him that, I guess on September 30th of last year you told him that you had left the office, you were on vacation, and when you returned there was videotapes on your desk and you didn't know where they had come from?

POOLEY: That is correct.

GERAGOS: Okay. And then they sat there for a while because no one had claimed the tapes over a several month period?

POOLEY: That is incorrect.

GERAGOS: Okay. So the, whatever he wrote in this report, whatever Grogan wrote is not correct?

POOLEY: That is correct. He did an amended report, I think, on August 2nd, which clarified instead of two months it was two weeks.

GERAGOS: This one is dated November 8th.

POOLEY: Yes.

GERAGOS: Okay. You're saying sometime this month he corrected that report?

POOLEY: Last month.

GERAGOS: Last, you're right. I stand corrected. Last month, in August, he corrected it because you never told him that no one claimed the tapes over a several month period, correct?

POOLEY: Correct. It was only, I had been back from vacation approximately two weeks.

GERAGOS: And then when you viewed, you did, did you, in fact, view the tapes?

POOLEY: I just breezed over them. I didn't look at the whole thing.

GERAGOS: Okay. And that, did you recognize them to be possibly surveillance tapes of Scott Peterson?

POOLEY: Yes, of the residence.

GERAGOS: Okay. And did you believe that they were used in the closed-circuit television system that was used in the surveillance of Scott?

POOLEY: Yes.

GERAGOS: Okay. Now, did you tell Detective Grogan that you were not part of that surveillance?

POOLEY: No, I told him that I was not part of the surveillance for those days.

GERAGOS: Okay. Because you were part of the surveillance, correct?

POOLEY: Yes, sir.

GERAGOS: Okay. Because I've got another report on the 7th of January that shows that somebody was relieved by you, correct?

POOLEY: Yes.

GERAGOS: Okay. So in this report, at least, that was prepared by Grogan, it says: Pooley said he was not part of that surveillance. What you meant, at least, is that you weren't part of the surveillance on -- that was captured on the tape for that particular day?

POOLEY: Those, I believe there was three tapes. For whatever days, I was not, I think it was around January 3rd I was not present.

GERAGOS: Okay. You were one of the wire room managers, correct?

POOLEY: Yes.

DISTASO: Objection.

GERAGOS: For the wiretap?

DISTASO: It goes beyond the scope.

JUDGE: It does go beyond the scope.

GERAGOS: Okay. Does that mean we've got to call him back a month from now?

JUDGE: Well, how far are you going to go?

GERAGOS: Going to be three questions.

JUDGE: All right. Go ahead. Ask the questions.

GERAGOS: You were one of the wire room managers, correct?

POOLEY: Yes, I was.

GERAGOS: Okay. That means that you operated and monitored the intercepts in the wire room, right?

POOLEY: Yes.

GERAGOS: Thank you. I have no further questions.

DISTASO: I have no questions based on that.

JUDGE: Okay. You can be excused. Thank you.