Witness: Ronald Schweitzer

Date: 2004-09-29

Proceedings held September 29, 2004

Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – Rich Distaso; Cross – Mark Geragos

Day 1 of 1 for this witness

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

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Direct Examination by Rich Distaso

DISTASO: I think it's Deputy Schweitzer; is that correct?

SCHWEITZER: That's correct.

DISTASO: Sir, where are you employed?

SCHWEITZER: San Diego County. San Diego County Sheriff's Office.

DISTASO: And, just briefly, what are your duties there?

SCHWEITZER: Currently I'm assigned to the safe task force. It's A task force comprised of the San Diego County Sheriff's Office, the San Diego Police department, and department of the safe task force.

DISTASO: And as part of your duties of that task force, were you assigned to a DOJ surveillance team on April 16th of 2000 and 3?

SCHWEITZER: Yes, sir.

DISTASO: And was that involved in the surveillance of the defendant in this case, Mr. Scott Peterson?

SCHWEITZER: Yes.

DISTASO: And just for the record, do you recognize Mr. Peterson as he sits over here at the table?

SCHWEITZER: Yes, sir.

DISTASO: When you saw him -- did you see him on the 16th?

SCHWEITZER: Yes, sir.

DISTASO: And what days were you involved in the surveillance during that week in April?

SCHWEITZER: Just on the 16th.

DISTASO: What time did you start?

SCHWEITZER: Started approximately 10:00 o'clock in the morning.

DISTASO: And were you in an unmarked car?

SCHWEITZER: Yes.

DISTASO: And let's just -- just kind of take us through what happened on that particular day. 10:00 o'clock you started; where were you?

SCHWEITZER: I was in the area known as Point Loma at 11:00 o'clock, or roughly 11:00 o'clock. I switched positions with a special agent from DOJ, which basically I had the point, as we call it, keeping an eye on the residence. Shortly after that I took that position, I saw Mr. Peterson get in a blue vehicle.

DISTASO: Okay. Let me stop you. Did Mr. Peterson look like he does here today in court?

SCHWEITZER: No, sir.

DISTASO: What was different about him?

SCHWEITZER: He had a goatee and his hair was, I would say, sort of spiked, and it looked like it had been bleached.

DISTASO: Okay. And what happened next?

SCHWEITZER: He left in the blue vehicle, stopped alongside of my vehicle, asked me what agency I was with, state or federal, and I says I don't what you're talking about.

DISTASO: Okay. Let me stop you here. The -- do you know exactly -- he said what agency are you with, and --

SCHWEITZER: He said state and local.

DISTASO: I'm sorry, yeah, that's what I was getting at.

SCHWEITZER: Okay. He said state and local.

DISTASO: In every station the rule's a little different. So he said what agency are you with, correct?

SCHWEITZER: Correct.

DISTASO: And then he said what else at the end of that?

SCHWEITZER: He asked state or local.

DISTASO: Okay. And what did you say?

SCHWEITZER: I says I don't know what you're talking about.

DISTASO: Okay. And what did he say to you?

SCHWEITZER: He shook his head, said "Right," and drove forward just a little bit and appeared to write down my license number.

DISTASO: Okay. Did he say anything to you about you following him that morning?

SCHWEITZER: Yes, he did.

DISTASO: What did he say about that?

SCHWEITZER: He said he saw me following him all morning long.

DISTASO: After that particular incident, were you involved in surveillance the rest of the day?

SCHWEITZER: Until about 4:00 o'clock.

DISTASO: Okay. And did you and other agents follow Mr. Peterson throughout the day?

SCHWEITZER: Yes.

DISTASO: Did you have any other personal interaction with Mr. Peterson on the 16th?

SCHWEITZER: No, sir.

DISTASO: Nothing further, your Honor.

Cross Examination by Mark Geragos

GERAGOS: Good afternoon. You were in an unmarked car?

SCHWEITZER: Yes, sir.

GERAGOS: Okay. And specifically one of the -- I'm showing you D 6 W 5 and D 6 W 4. One of these cars?

SCHWEITZER: Yes, sir.

GERAGOS: Okay. Just point to which one.

SCHWEITZER: (Pointing)

GERAGOS: Okay. I'm not going to read the license number; but it was a white Pontiac, correct?

SCHWEITZER: Correct.

GERAGOS: You were following him on April 16th?

SCHWEITZER: Correct.

GERAGOS: Okay. And he appeared to write down the license number -- the license number he's written down is the license number of the car you were in?

SCHWEITZER: That is correct.

GERAGOS: Okay. And you were driving a white Pontiac?

SCHWEITZER: Yes, sir.

GERAGOS: Okay. And you wrote -- did you write this report? Or did somebody else write it -- type it for you?

SCHWEITZER: Special Agent Ramos wrote the report.

GERAGOS: Okay. Special Agent Ramos is on your team. Sonia Ramos?

SCHWEITZER: Yes, sir.

GERAGOS: The quote you put is "What agency are you with"?

SCHWEITZER: That's what he asked me, yes.

GERAGOS: "Are you state or local"?

SCHWEITZER: Yes.

GERAGOS: Did he say are you in state or local?

SCHWEITZER: No, sir.

GERAGOS: Did you say out of state or local?

SCHWEITZER: No.

GERAGOS: When you said at first, when you were talking to Mr. Distaso, you said, I think, state or federal?

SCHWEITZER: Yes, sir.

GERAGOS: That was a mistake?

SCHWEITZER: That was my error.

GERAGOS: Okay. And specifically the car that you were driving was designed to not look like a police car; is that correct?

SCHWEITZER: Well, it was a stock Pontiac.

GERAGOS: Okay. And it wasn't

Marked in any way, was it?

SCHWEITZER: No, sir.

GERAGOS: When he drove up to you did you make any movement in your car?

SCHWEITZER: No, I -- when he drove up I was reaching over to get, I don't know, a map book or piece of paper or something.

GERAGOS: Okay. So if somebody -- somebody didn't know that that's what you were reaching for, it could look like you were ducking down, correct?

SCHWEITZER: Possibly.

GERAGOS: Okay. And when he drove up, that's what you happened to be doing at that moment, reaching over for a map book or something?

SCHWEITZER: I believe when he pulled up I was already seated upright in the seat.

GERAGOS: Okay. But you had just kind of --

SCHWEITZER: Correct.

GERAGOS: reached -- reached down and then came back up?

SCHWEITZER: Correct.

GERAGOS: Okay. And when he pulled up next to you, were you parked?

SCHWEITZER: Yes, sir.

GERAGOS: And he told you specifically that he had seen you following him all morning?

SCHWEITZER: Yes, sir.

GERAGOS: Okay. And then you saw what you thought was him writing down the license number in such a way that - - that you could tell what he was doing, correct?

SCHWEITZER: Yes, sir.

GERAGOS: That was put in the report, correct?

SCHWEITZER: Yes.

GERAGOS: Okay. Did you talk to Agent Ramos about what happened?

SCHWEITZER: Yes, I did.

GERAGOS: Okay. She tell you that Peterson thought that you guys were press?

SCHWEITZER: No, she did not.

GERAGOS: She never told you that?

SCHWEITZER: No, sir. No.

GERAGOS: Okay. Did you tell her what you -- what had happened with you?

SCHWEITZER: Yes, sir.

GERAGOS: Okay. Thank you. I have no further questions.