Witness: Craig Grogan

Date: 2004-09-21

Proceedings held September 21, 2004

Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – Birgit Fladager (continued from previous day)

Day 2 of 8 for this witness

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

Source: https://pwc-sii.com/CourtDocs/Transcripts/Grogan-pros.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.

September 21, 2004

FLADAGER: Thank you. Detective Grogan, what I'd like to do initially before we go back exactly where we left off is ask you a question about this case in general. The size of this case anything like you have ever experienced before?

GROGAN: No, ma'am.

FLADAGER: And back here behind me, all the way going back to here, are a series of binders, have you seen these binders?

GROGAN: Yes.

FLADAGER: And are they packed with documents that are three or four inch binders?

GERAGOS: I'll stipulate there is 42,000 pages of documents.

FLADAGER: I'll accept that.

JUDGE: There is 42,000 pages of documents under, which are also subject to discovery we are dealing with.

FLADAGER: Okay. Detective Grogan, approximately how many tips were phoned in on this case?

GROGAN: Over 10,000.

FLADAGER: How many reporting officers were involved?

GROGAN: Over 300 reporting officers.

FLADAGER: How many agencies assisted the Modesto Police Department?

GROGAN: Around 90.

FLADAGER: Of the case reports that we have talked about, the 40,000 plus pages, about how many pages of those are yours?

GROGAN: I have around 3200 pages of documents. That includes attachments to my reports and transcripts of tapes that I have had transcribed. I have probably around 1700 pages of typewritten narrative.

FLADAGER: How many audiotapes?

GROGAN: In the case in total?

FLADAGER: Yes.

GROGAN: I think there is a round a hundred fifteen.

FLADAGER: How many tapes that you made yourself based on interviews?

GROGAN: Over fifty.

FLADAGER: How many videotapes were associated with in case?

GROGAN: I think that's seventy-four.

FLADAGER: How many people were mentioned, or specifically that you interviewed in your reports?

GROGAN: Over 300 names in my reports.

FLADAGER: And when we talked yesterday about Modesto Police Department releasing photographs of Scott Peterson's truck and boat, you indicated that a number of people called in to report sightings; is that right?

GROGAN: That's correct.

FLADAGER: About how many sightings?

GROGAN: We were tracking them initially, and we stopped somewhere around ninety.

FLADAGER: As a result of the media attention in this case, and the Modesto Police Department putting out information that Laci Peterson was missing, the Modesto Police Department got reports from people indicating that they thought they saw Laci Peterson on or about December 24th?

GROGAN: Yes.

FLADAGER: About how many reported sightings were there?

GROGAN: There is about, I think there is 74. There is probably more than that.

FLADAGER: All right. I'd like to have this chart marked People's next in order.

JUDGE: That will be 267, the chart. This is Modesto sightings.

FLADAGER: Detective Grogan, you have seen these?

GROGAN: Yes.

FLADAGER: Would you describe in general terms what it is, for the jury?

GROGAN: It's a map of the City of Modesto. And what I tried to do is plot the sightings on the map based on the information that were in the tips.

FLADAGER: All right, Detective Grogan, let's put this up here.

JUDGE: Detective Grogan, there is a pointer there in the tray.

FLADAGER: There are a lot of little red dots on that map of Modesto?

GROGAN: Yes.

FLADAGER: And there is a legend to the side?

GROGAN: That's correct.

FLADAGER: What do the red dots indicate?

GROGAN: The red dots indicate sightings that are on December 24th of 2002.

FLADAGER: And what do the green dots indicate?

GROGAN: The green dots indicate sightings that were where the witness gave a date range.

GERAGOS: I can't hear.

JUDGE: The witness gave a date range.

GERAGOS: Date range?

GROGAN: A date range that included the 24th. Was very near to the 24th.

FLADAGER: All right. And, last, blue dot there on Covena Street, is that representative of where the house was?

GROGAN: Yes.

FLADAGER: Your Honor, could I just walk that in front of the jury?

JUDGE: If you want to. This will be admitted in evidence. All right. We'll admit 267 in evidence

FLADAGER: All right. Now, Detective Grogan, a number of these sightings are in areas far away from the Covena home; is that correct?

GROGAN: That's correct.

FLADAGER: Are some of these within the general area of the La Loma Avenue Park, along the route that the defendant said Laci would ordinarily take when she was walking?

GROGAN: Some of them are, yes.

FLADAGER: Taking a look at those, that would be along the path she would have taken that day, were you able to draw any conclusions, or form any opinions as far as whether any of those sightings could possibly be consistent with Laci Peterson that particular day?

GROGAN: Yes.

FLADAGER: And what was your conclusion?

GROGAN: It appeared, looking at the sightings, there is only a few of them that fit into the category where she was supposed to walk in the park. Those sightings, one of them is during a date range, time period. Another one could be explained by one of the other ladies that was walking –

GERAGOS: I'm sorry, I missed, the first one was what?

GROGAN: Was during a date range. It's one of the green dots that covers a date range time period that included the 24th. One of them can be explained by one of the other witnesses that had testified already I believe in this case that was walking her dog on Covena that morning.

FLADAGER: Is that because she was with her husband at that particular sighting?

GERAGOS: Objection. Leading.

JUDGE: Sustained.

FLADAGER: All right. Let's just move on. The other sightings that you looked at in that area, were there reasons that indicated to you that could not have been Laci Peterson?

GERAGOS: Objection. Leading.

JUDGE: I'll permit the question. Go ahead.

GROGAN: Yes. It looks, what you have to kind in mind is the City of Modesto covers a thirty-square-mile range. So though that might look like a small area, some of those are not exactly close to the residence at 523 Covena Avenue. I talked about before. There is only a few of them that are in that, in that area where she was supposed to be walking based on the statements that we had.

FLADAGER: Did some of them also fall outside of the time range that Laci was supposedly walking?

GROGAN: Yes.

GERAGOS: Objection. Leading.

JUDGE: I'll permit it. Go ahead. Try not to ask leading questions.

FLADAGER: Your Honor, I will. Your Honor, I have got another diagram I would like to mark.

JUDGE: Next in order 268. Was there a diagram –

FLADAGER: At this point we'll, at this point we're only going to mark one side.

JUDGE: All right. We'll mark it side A and side B. We'll mark both sides for the time being.

FLADAGER: All right. Detective Grogan, have you previously seen this enlarged map of the State of California?

GROGAN: Yes, ma'am.

FLADAGER: And did you place red and green dots on this map as well?

GROGAN: I did.

FLADAGER: Are these also reported sightings of Laci Peterson?

GROGAN: Yes.

JUDGE: Miss Fladager, let her mark the B side. Let her mark the B side. I don't think the alternates can see. Why don't you stick it in the tray, maybe they can see it better.

FLADAGER: All right. Detective Grogan, on this particular exhibit that's just been marked, you indicated you placed red dots. What are the, what is the general areas where the red dots seem most concentrated?

GROGAN: Seem most concentrated around the San Francisco Bay Area

FLADAGER: And are there green dots on this diagram as well?

GROGAN: Yes.

FLADAGER: Do they have the same indications as on the prior diagram, that the green dots are date ranges?

GROGAN: Yes.

FLADAGER: The red dots, where else are they showing up in the State of California, these reported sightings?

GROGAN: In the route between Modesto and the Berkeley Marina. And then there is sightings from Fresno to the Sacramento area, a little bit north of Sacramento.

FLADAGER: All right. Similar to the sightings that you talked about yesterday that were reported, people calling in anything, that they saw the defendant's truck, or both, or the defendant, similarly, as far as these sightings go on December 24 throughout the State of California, could you corroborate any of these as actually being Laci Peterson?

GROGAN: No.

FLADAGER: All right. Let's go ahead and get back to the investigation that you were conducting back in January, on January the 9th. On that particular date, were you working at all related to Brent Rocha?

GROGAN: I believe so. If I can look at my report to make sure I'm accurate.

FLADAGER: Sure. Bates stamp approximately 248.

GROGAN: Thank you.

FLADAGER: 248.

GROGAN: Yes.

FLADAGER: What steps did you take on January 9th in relation to Brent Rocha? Did you conduct interviews?

GERAGOS: Just ask what Bates stamp when you find –

GROGAN: 248 and 249.

GERAGOS: Thank you.

GROGAN: I arranged for Brent Rocha to be interviewed by another individual.

FLADAGER: Okay. Did you have any interviews with people associated with Brent Rocha?

GROGAN: Specific to January 9th, yes, I spoke with Brent's supervisor from his work.

FLADAGER: Did you also have conversations with his wife and his in-laws?

GROGAN: I don't see that here.

FLADAGER: On January 9th? Did you eventually have interviews with his wife and his in-laws?

GROGAN: Yes.

FLADAGER: And the purpose of the interviews with his employer and his wife and in-laws is what?

GROGAN: Verify his alibi, and determine if there appeared to be any motive in the financial gain aspect of this case.

FLADAGER: All right. On January 9th did you get any reports from the surveillance team regarding Scott Peterson's whereabouts?

GROGAN: Yes.

FLADAGER: And where was he located?

GROGAN: He had been seen at the Berkeley Marina.

FLADAGER: Was he also reported to head to Fresno that day?

GROGAN: Yes.

FLADAGER: Were you advised on that date the result of a bay search that was going on?

GROGAN: Yes.

FLADAGER: What were the results?

GROGAN: There was a search being conducted out there with sonar. And the initial impressions that they had from looking at the sonar images were there was possibly a body on the floor of the bay that appeared to be a human body.

FLADAGER: And was that the focus of the search for Laci in bodies of water that day was the San Francisco Bay?

GROGAN: Yes, ma'am.

FLADAGER: To your knowledge, was there any search going on for Laci Peterson at the San Luis Reservoir O'Neill Forebay on January 9th?

GROGAN: Not to my knowledge, no.

FLADAGER: As a result of the information that you received about this object being found in the San Francisco Bay, did you take any steps?

GROGAN: That was being reported in the media, and there was a briefing about that, and –

GERAGOS: Could I ask what Bates number stamp you are referring to?

GROGAN: 249, at the lower part of the page under San Francisco Bay.

GERAGOS: Okay.

FLADAGER: Was that in preparation for further search of the bay?

GROGAN: Yes.

FLADAGER: Did you notify any family members of the finding?

GROGAN: Yes. It was already being reported, so I made telephone calls both to the Rocha family and to the Peterson family.

FLADAGER: Moving on to the next day Friday, January 10th. Was any work being done related to a wiretap?

GROGAN: Yes.

FLADAGER: And who was working on that?

GROGAN: Investigator Steve Jacobson from the District Attorney's Office.

FLADAGER: What was the purpose of the wiretap?

GROGAN: We were trying to obtain more evidence in the case, clearly, and to have another way to monitor Mr. Peterson's actions and his conversations with other people.

FLADAGER: Was that wiretap up by the next day, Saturday, January 11th?

GROGAN: Yes.

FLADAGER: And was surveillance ongoing of Mr. Peterson on Saturday, January 11th?

GROGAN: Surveillance, we started out that day with surveillance on the 11th, yes.

FLADAGER: Was that, who was assisting the police department with that surveillance?

GROGAN: The California Department of Justice.

FLADAGER: At some point did the surveillance terminate that day?

GROGAN: Yes.

FLADAGER: And why was that, in your understanding?

GROGAN: My understanding is, one of the agents involved in the surveillance of Mr. Peterson, Mr. Peterson drove up on her, and it was clear that there was possibly a problem with the surveillance. We weren't going to be able to continue it. So they discontinued surveillance for that day.

FLADAGER: On that particular day, did the wiretap allow you to be updated on the defendant's whereabouts, or at least where he said he was?

GROGAN: Yes, to some extent.

FLADAGER: Moving on to Sunday January 12th. You were working again that day, just writing reports?

GROGAN: Yes, ma'am.

FLADAGER: And Monday, January 13th, did you do any work related to Amy Rocha?

GROGAN: If I can look for a moment.

FLADAGER: Bates stamp approximately 256.

GROGAN: Yes. I interviewed witnesses that could corroborate Amy Rocha's location on December 24th.

FLADAGER: That was verifying her alibi?

GROGAN: Yes.

FLADAGER: The next day, Tuesday, January 14th, did you receive any reports related to financial documents or trust documents? Bates stamp 268.

GROGAN: Thank you. I think it's actually Bates stamp 267. And, yes, I spoke with the City Attorney who I had turned over the documents regarding the inheritance to earlier on, and found out what their findings were in that.

FLADAGER: And, to your mind, ruled out any financial motive?

GROGAN: It seemed to he, yes.

FLADAGER: Let's talk about the wiretap on Amber Frey. Did something happen on January 14th that caused you to have a meeting with those who were monitoring the wiretap?

GROGAN: Yes.

FLADAGER: What was it that happened?

GROGAN: On January 14th, I think initially, Amber Frey called Detective John Buehler to say that the media had come to her place of work.

FLADAGER: I'm going to back you up there just a little bit, detective. Referring you to Bates stamp starting about 268, and I want to talk about a meeting that happened at the location of the wiretap itself. Between Detective, or Investigator Jacobson, and Detective Buehler, and yourself.

GROGAN: I'm sorry, I was incorrect on the last statement. That wrong time period.

GERAGOS: I'm sorry as to what? 1-13 by Rocha, over to 1-14?

GROGAN: On page 268 at the bottom, under SDEA, I believe that's what Miss Fladager was referring to.

JUDGE: Is that, is that conversation with Amber Frey? What are we talking about? You said you were in error, Detective. In what respect to what Mr. Geragos, Amy Rocha's verifying her alibi?

GROGAN: No.

JUDGE: Or the reports on the trust and financial documents?

GROGAN: No. Just the last question, your Honor. And if I can look through this for a minute, I'll see if I can work out what we're –

JUDGE: Have a lot of questions. I have lost the question since then. Perhaps you can repeat it when he gets done reading his report.

GROGAN: Yes.

FLADAGER: Okay.

GROGAN: Sorry.

FLADAGER: Have you had a chance to take a look at the report as it relates to that meeting that you, meeting that you had at the location, correct?

GROGAN: Yes.

JUDGE: You are going to have to clear this up. Yes, what? I'm not so sure the jury gets it either.

FLADAGER: I'll back up a little bit. On January 14th, did you have a conversation with the officers monitoring the wiretap regarding Amber Frey and the phone calls she was making and taping on her own with the defendant?

GROGAN: Yes.

FLADAGER: And during that conversation, were there concerns expressed by the officers that perhaps not all the calls were being reported or taped?

GROGAN: That's correct, yes.

FLADAGER: Now, you mentioned yesterday something to that effect in relation to your advising –

GERAGOS: Judge, all of these are leading, and –

JUDGE: Yeah, they are. Sustained.

FLADAGER: Let's just go through this real quickly. The conversation you had about the phones, did that raise any concerns for Amber Frey?

GROGAN: Yes.

FLADAGER: Why did they?

GROGAN: Well, Amber had had a conversation with Detective Buehler on the previous day, and had played, and at the time they talked she said that she had not been in contact with Scott Peterson. On the 14th there was a call on the wiretap between Mr. Peterson and Miss Frey. So we were under the impression that possibly she was not telling us about all the phone calls.

FLADAGER: Did that cause concern for her?

GROGAN: Yes.

FLADAGER: As a result of that particular concern, was a decision made to contact the defendant?

GROGAN: Yes.

FLADAGER: Did you make that contact?

GROGAN: Yes, I did.

FLADAGER: What was the purpose of that contact?

GROGAN: To let him know that I, the photo that I had showed him previously, that I knew who that lady was in the photograph, and that she was Amber Frey.

FLADAGER: Let's move on to January the 15th. January the 15th, on that particular day, was there a decision made about disclosing Amber Frey's presence to family members on either side?

GROGAN: Yes.

FLADAGER: Can you please tell us why that decision was made?

GROGAN: Well, speaking with our Public Information Officer, he was, he had received a phone call, or some information, that there was going to be an article in the National Enquirer that was going to say something about Scott Peterson, and the fact that he had a girlfriend.

FLADAGER: And did that cause you concern?

GROGAN: It did.

FLADAGER: For the investigation?

GROGAN: Yes.

FLADAGER: And how about for the families?

GROGAN: Yes.

FLADAGER: So what decision was made with respect to the Peterson family and the Rocha family?

GROGAN: Well, based on the fact that there were some photographs taken with Scott and Amber together, and some of those had been mailed out, we didn't know if we had accounted for all of those photographs. And we didn't know whether this, a photo of Scott and Amber together was going to appear in the newspaper. We decided that we needed to let the families know about this affair.

FLADAGER: And when you say photos were mailed out, mailed out by Amber Frey herself?

GROGAN: Yes.

FLADAGER: And was that in Christmas cards?

GROGAN: Yes.

FLADAGER: Who was responsible for contacting the Rochas?

GROGAN: I asked Detective Buehler to do that. And he did that with Detective Brocchini.

FLADAGER: Who was responsible for notifying the Petersons?

GROGAN: I was.

FLADAGER: How did you go about doing that?

GROGAN: With the assistance of the Sheriff's Department, Detective Owen and I flew into a small municipal airport near the Petersons' home in San Diego.

FLADAGER: And did you contact them by telephone?

GROGAN: I did, once we got down there.

FLADAGER: Did you have a conversation with Mr. Peterson on the phone?

GROGAN: Yes.

FLADAGER: Did you tape record that conversation?

GROGAN: I did.

FLADAGER: Why did you do that?

GROGAN: There was some things that we were told in the investigation at that point which included Scott had said he had taken a firearm to a hunting trip that his dad attended, Lee had attended. And I wanted to see if he could verify that information one way or the other.

FLADAGER: Was there, did you have any concerns that you wanted to raise with Mr. Peterson regarding telephone conversations that he had had with his son on December 24th?

GROGAN: Yes.

FLADAGER: And what was that about?

GROGAN: Well, there was phone records that showed that there was communication between Lee Peterson and Scott Peterson on the 24th, and during the time period he had left the Berkeley Marina and was en route to his home at 523 North Covena, based on the defendant's statement.

FLADAGER: And what did you want to find out?

GROGAN: I wanted to find out if he had said anything about the fishing trip that he was on.

FLADAGER: After you had this taped phone conversation with him, did you indicate to him you wanted to meet him in person?

GROGAN: Yes.

FLADAGER: Did he agree to meet with you in person?

GROGAN: He did.

FLADAGER: During that interview, did you provide him a photograph of the defendant and Amber Frey?

GROGAN: I showed him two or three photographs, yes, ma'am.

FLADAGER: Moving on to January 16th, Bates stamp 289. Did you have contact with the Rocha family now that they had been notified of the Amber Frey relationship?

GROGAN: Yes, I did.

FLADAGER: And did you inquire whether they would be willing to start taping phone conversations that they had with the defendant?

GROGAN: Yes, I did.

FLADAGER: Did they indicate a willingness to do that?

GROGAN: Yes.

FLADAGER: On that particular day, did the defendant retrieve his Land Rover at the police department?

GROGAN: I believe may have been the previous day. That may have been the previous day.

FLADAGER: Did I give you a wrong date on that? Was that January 15th?

GROGAN: No. I think at the end of the report –

GERAGOS: What Bates number stamp are you looking at?

GROGAN: Page 292, I believe, Mr. Geragos.

GERAGOS: Thank you.

GROGAN: Yes. That was, I was told that he left his Land Rover at Modesto Police Department on January 15th during the time period I was gone.

FLADAGER: Was that for purposes of replacing the liner?

GROGAN: Yes.

FLADAGER: And also putting in another tracker?

GROGAN: Yes.

FLADAGER: Moving on to January the 17th, did you have any conversations with an employer of Amy Rocha? Bates stamp 302.

GROGAN: Yes, I did.

FLADAGER: And did that relate to working on the alibi aspects for her still?

GERAGOS: What page are you looking at?

GROGAN: I'm looking at page 304. Yes.

FLADAGER: In relation to that conversation with her employer, did you learn about a videotape present at the Salon Salon hair center where Amy Rocha worked?

GROGAN: Yes.

FLADAGER: Was that the first indication that you had had there might be a videotape at a hair salon?

GERAGOS: Objection. Leading.

JUDGE: Sustained.

FLADAGER: Did you have any idea prior to that that there might be a videotape there?

GROGAN: No.

FLADAGER: Did you eventually take steps to try and have that tracked down?

GROGAN: Well, I asked him to try to find the videotape for that time period. Prior to that, I didn't have any idea that there was a video at the hair salon.

FLADAGER: What did you later determine about the status of these videotapes from the hair salon?

GROGAN: Well, I spoke with Amy about it again, and asked her to remind them to look for those videotapes. And I spoke with Lauri Weisenberg later on. And what I eventually learned is that they had been taped over before I asked for them.

FLADAGER: Within a couple of weeks, or week, did they give you any indication –

GERAGOS: Objection. Leading.

GROGAN: I would have to look at her report.

JUDGE: Did they advise you enough to know the day when this tape over occurred, as a result of your investigation?

GROGAN: Do I know absolutely? Your Honor, no, I don't.

JUDGE: He doesn't know. Next question.

FLADAGER: Thank you.

FLADAGER: Moving on through January 17th and 18, you continued to work on this case, correct?

GROGAN: 17th and 18th?

FLADAGER: Yes.

GROGAN: Yes, ma'am.

FLADAGER: On January 19th, is that a day off for you?

GROGAN: Yes, it was.

FLADAGER: And that's a Sunday. You are at home?

GROGAN: Yes.

FLADAGER: Do you get a phone call reporting that there had been a burglary at the Covena address?

GROGAN: Yes.

FLADAGER: And is a detective assigned to follow up on that burglary at the Covena address?

GROGAN: Yes.

FLADAGER: On January 20th, do you get information related to that burglary, and that a suspect was identified?

GROGAN: Yes.

FLADAGER: Moving on through January 22nd. Did you have a conversation with Scott Peterson? Bates stamp 323.

GROGAN: Yes, I did.

FLADAGER: And what was it that the defendant was interested in asking you about?

GROGAN: Making arrangements to get the Land Rover back to him.

FLADAGER: Did he ask you any questions at all regarding the status of the investigation of his missing wife?

GROGAN: No.

FLADAGER: Had he called you within the last week making an inquiry about the status of your investigation; do you recall?

GROGAN: Not that I recall.

FLADAGER: On January 22nd did you have a meeting with Detective Buehler to sort of brainstorm on this case?

GERAGOS: I'm going to, objection, leading. The idea brainstorming, everything else is suggestive.

JUDGE: It's overruled. You can answer.

GROGAN: Yes. Late that evening.

FLADAGER: What was the purpose of the meeting that you had with Detective Buehler?

GROGAN: Well, while I was sitting at my desk trying to work through some of the evidence that we had, to attempt to determine a search location, and the best way to use the resources that I had for a search.

FLADAGER: What did you and Detective Buehler come up with?

GROGAN: We came up with the idea that Laci Peterson's body would be found in San Francisco Bay.

FLADAGER: How is it that you came up with that as a conclusion?

GROGAN: We made a list looking at reasons that she would be in San Francisco Bay, as opposed to reasons that she might be in lakes or other waterways.

FLADAGER: And before we get into those specific reasons, let me ask you this question. Why is it that you, at that point, had the idea that she was going to be found in some body of water?

GROGAN: Because of the cement debris in the warehouse, the circles on the flatbed trailer in the warehouse, and the boat that he had in the warehouse that no one seemed to know about, except for the person that sold it to Mr. Peterson, Bruce Peterson, the defendant, and possibly Laci Peterson.

FLADAGER: So this list that you came up with, what were the reasons that you came up with for why Laci Peterson would eventually be found in The Bay?

GROGAN: Well, we looked at the fact that Mr. Peterson did have a parking stub from the Berkeley Marina that's dated 12-24, and the timing is consistent with his statement. The fact, maybe that's easier to explain later, so I'll move on. The cell sites at that point, which we had the cell site information, that showed his location on December 24th. And it did show that he did make phone calls from over in that area, and it did appear that he was there. The dog track at the Berkeley Marina that indicated that Laci Peterson's scent was there. The defendant told us that he was at the Berkeley Marina. He had a fishing license, two-day fishing license that was purchased on December 20th, and filled out for the 23rd and 24th. The fishing tackle in the boat, at least the majority of the fishing tackle, if not all, was fresh water tackle. And on January 11th, on the wiretap, when everyone was waiting to see the Side Scan Sonar image that eventually ended up being an anchor, what that was going to turn out to be. When Sharon Rocha called him and left him a message, he retrieved it. And he whistled when he heard it was an anchor. At that point, he had also made three trips, three subsequent trips to the Berkeley Marina since the December 24th visit, which seemed odd. And it directed us back there. Another thing that we considered was the fact that we had witnesses saying on December 24th, that

when, right after the defendant found that his wife was missing from the house, that he had told people that he was golfing that day. And we considered that as possibly what his initial alibi was meant to be.

FLADAGER: That the initial alibi was –

GERAGOS: Objection. Leading.

JUDGE: No, let her ask it. Go ahead.

FLADAGER: The initial alibi was golfing?

GROGAN: Yes.

FLADAGER: Okay. At some point did you toy with the idea there might be a second, that the golfing might be an alibi for the fishing? Is that what you mean?

GROGAN: Well, what I mean is that it's possible that, because he told Amy Rocha on the day prior he was going to be at Vella Farms, and he told some of the witnesses early on in the evening on the 24th that he had been golfing on the 24th. Initially his plan was to say that he was golfing on that day, and for no one to ever to know that he had the boat, or the that he made the trip to the San Francisco Bay.

FLADAGER: Okay. Next.

GROGAN: The fact that there were umbrellas in the back of his truck wrapped in the tarp, wrapped in a tarp. That those umbrellas are approximately the same height as Laci Peterson.

FLADAGER: What conclusion did you draw from that? Why was that significant?

GROGAN: Why was that significant? Well, it would enable him to explain anyone seeing him load something in his truck.

FLADAGER: Okay.

GROGAN: The fact that we had already conducted some searches of the lakes around bridges, and we had not found Laci up to that point. The fact that we tested the water in the bow of the boat, and it came back as salt water and not fresh water. Also, looking at the computer searches that we conducted of the defendant's computers at his shop, and the fact that he was, he was researching San Francisco Bay. In that, I have to add that he also had sites for fishing locations that were fresh water, and lakes throughout California, but San Francisco Bay. Berkeley Marina did appear in there as well. The fact that he didn't clean up the mess at the shop, and that led me to believe that never intended for anyone to come back there. He never intended for anyone to come back there and look at the boat.

GERAGOS: Are you referring to a Bates number stamp?

GROGAN: Yes, sir.

GERAGOS: What page?

GROGAN: Page 24101.

GERAGOS: I'd ask that it be not in the narrative form of the question and answer, because it appears right now that he's just reading from his notes.

JUDGE: Well, he can read, if there are any, refresh your memory, do it by question and answer. We just get this narrative.

FLADAGER: Your next reason?

GROGAN: The fact that he made the phone call from, let me step back just a second. But the fact that he had really no activity on the phone that morning.

FLADAGER: On December 24th?

GROGAN: On December 24th, and then after around 2:00 o'clock, when, by his statement he's leaving, he starts to make phone calls. And he leaves a message at the house that he's at the Bay, or just fishing, and he's going to be late coming home. After that phone call, then he stops to get gas on his route back. But he buys thirteen dollars worth of gas. Which I think is not a significant amount of gas in the truck.

JUDGE: Question and answer.

FLADAGER: Okay. And your next reason for believing that Laci Peterson would turn up in San Francisco Bay?

GROGAN: I have that there is deep water current nearby, where the map on his computer that he was looking at does show a deep water current in that are

FLADAGER: All right. What's another reason?

GROGAN: The fact that he, what I have here is the fact that he paid cash for the boat, and he didn't register the boat.

FLADAGER: Next reason?

GROGAN: The boat cover.

FLADAGER: What was significant about the boat cover?

GROGAN: You have to ask why it's in the truck on the 24th in the evening. Did he take it to the Bay? And, if so, why? Was it tied on the boat and covering the boat? Was it, if it was taken off the boat before he left, why not leave it in the warehouse? Why put it in the truck? Was he using the boat cover for some other purpose to cover something maybe in his boat. And then the fact that we find the boat cover in the shed on the search warrants on the 26th and 27th with a leaking gas blower on top.

FLADAGER: Okay. And do you understand the condition of the boat cover at that time was neatly folded, or in some other condition?

GROGAN: It was not neatly folded.

FLADAGER: What was the another reason for your belief?

GROGAN: Looking at the driving Mr. Peterson was doing that was captured on the tracker, in Bakersfield around the time of this anchor found at the bay, and when it's identified, it's erratic. It's just kind of strange.

FLADAGER: All right. Detective Grogan, let me ask you this. How many total reasons did you come up with with Detective Buehler why you feel Laci Peterson would eventually turn up in San Francisco Bay?

GROGAN: About 41. About 41.

FLADAGER: Did you also try and work on reasons why you thought she might turn up in lakes?

GROGAN: Yes.

FLADAGER: Did you come up with any reasons there?

GROGAN: Yes.

FLADAGER: About how many how many?

GROGAN: About ten.

FLADAGER: After going through the comparison of the two, what was your ultimate conclusion?

GROGAN: The ultimate conclusion was that Laci Peterson's body was in San Francisco Bay, and that we needed to search there, to focus our efforts on that search.

FLADAGER: The next day, January 23rd, did you discuss this new position, or this focused position with other members of the team working on this case?

GERAGOS: Objection. Leading.

JUDGE: He can answer yes or no to that question.

GROGAN: Yes, your Honor.

JUDGE: Overruled.

GROGAN: Yes, I did.

FLADAGER: And what did, what was the consensus when you did that?

GERAGOS: Objection. Testimony has come in for the reasonableness of his investigation, not for –

JUDGE: Sustained.

FLADAGER: As a result of the conversation that you had with other members of the team, what decision was made in terms of the investigation?

JUDGE: What decision did he make?

FLADAGER: Yes.

GROGAN: Well, the efforts, as far as the search efforts were concerned, were strictly limited to the San Francisco Bay, excluding some things that we had had in place for a long time, which was we had a policy that if someone called in and said they knew where Laci's body was, and they could give a specific location, that we would go in and search it. Whether it sounded credible or not, we sent people to search.

FLADAGER: And did those types of tips include psychics, and that kind of thing?

GROGAN: Yes.

FLADAGER: But the decision was made to follow up?

GROGAN: Yes. If there was enough information to do that.

FLADAGER: Outside of those, then, from January 23rd on, where were searches for Laci Peterson body focused?

GROGAN: In San Francisco Bay.

FLADAGER: To your knowledge was there any search of the Pittsburg Marina area on February 9th?

GROGAN: Not to my knowledge, no.

FLADAGER: Also, on January 23rd, did you learn anything regarding the defendant and the house at 523 Covena?

GROGAN: I'm sorry, the date again, please?

FLADAGER: January 23rd. Bates stamp 327.

GROGAN: Yes.

FLADAGER: And what is it you learned?

GROGAN: I learned that some information came in on the wiretap that Mr. Peterson was going to have a meeting, a lunch meeting, and possibly discuss the sale of his home.

FLADAGER: What did you do as a result of that?

GROGAN: We sent female CSO, female Records Clerk to the same location where this meeting was supposed to happen to see if they could sit near them and hear any of the discussion.

FLADAGER: I'm going to move right into the next tape, which is Friday January 24th. Bates stamp 350. Can you please tell us what happened with Amber Frey on Friday, January 24th?

GROGAN: Yes. This is where I misspoke earlier. I had the date wrong. And on this date is where the media, there was some indication from Amber Frey that the media had come to her place of work and knew who she was.

FLADAGER: What decision was made as a result of that?

GROGAN: Ultimately, after speaking with the Public Information Officer, and trying to get some advice on what to do, we did a press conference where Amber Frey made a statement. And that was done at Modesto Police.

FLADAGER: On Friday, January 24th, did you call the defendant on the phone?

GROGAN: Yes, I did.

FLADAGER: Why is it that you called him?

GROGAN: I called him after the press conference happened to make sure that he was aware of it.

FLADAGER: Was he aware of it?

GROGAN: Yes. He said he'd already learned it, I think, on the radio.

FLADAGER: On Saturday, January 25th, did you get additional information from the wiretap related to the defendant? Bates stamp 354.

GROGAN: I'm sorry, the question again, please?

FLADAGER: The question is, did you get some information from the wiretap on that Saturday about the defendant and vehicles?

GERAGOS: You said 354?

FLADAGER: Roughly.

GROGAN: Yes, it related to the tracker?

FLADAGER: No. In this instance related to the –

GERAGOS: Be an objection. It's leading.

JUDGE: She's just directing the witness.

GERAGOS: If it's to this particular Bates number stamp, there is no reference.

FLADAGER: That's the general vicinity. Related to the purchase of vehicles.

JUDGE: Re what?

FLADAGER: Related to the purpose of vehicles.

JUDGE: Purchase of a vehicle?

FLADAGER: Yes.

JUDGE: Is there a page you can refer Mr. Geragos to?

FLADAGER: 357 would actually probably help both of them.

JUDGE: Page 357. This is Bates stamp.

GERAGOS: Bates stamp?

FLADAGER: Bates stamp.

JUDGE: Bates stamp 357.

FLADAGER: Or 21304 on the wiretap Bates stamp.

GROGAN: Yes.

FLADAGER: What information did you learn?

GROGAN: That phone calls had been intercepted that Mr. Peterson had called dealerships and was inquiring about prices on Suburbans and Expeditions.

FLADAGER: Did you receive a phone call from the defendant on January 25th?

GROGAN: Yes, I did.

FLADAGER: And did you tape that phone call?

JUDGE: I think we should take the morning recess before we start. The jury has been here over an hour now. Ladies and gentlemen, we'll take the morning recess until five after eleven. Remember the admonition I have heretofore given you. We're going to get into playing some tapes now.

JUDGE: All right. Let the record show the jury's in the jury box, along with the alternates. Defendant's present with counsel.

Ladies and gentlemen of the jury, just one little thing, we have a slight scheduling problem so I'm going to ask you, if you don't mind, if we go to 12:15 and come back at 1:45. Is that okay? We have to work this thing out.

So we'll go to 12:15, come back at 1:45. All right. Go ahead, Ms. Fladager.

FLADAGER: Thank you, Your Honor. I have a disk and a single page transcript I'd like to have marked next in order.

JUDGE: That will be 269. We'll mark the transcript 269 A and we'll mark the disk 269 B. And you have, I assume you have transcripts for everybody?

FLADAGER: I do not, judge. It's a single page that I'll put on the document camera

JUDGE: Oh, it's only one page. Okay. All right.

FLADAGER: Detective Grogan, you indicated that you tape recorded a phone conversation between yourself and the defendant on January 25th; is that correct?

GROGAN: No, actually he called me and I was unable to get to a recorder in time to capture it on tape. It was captured on the wiretap, however.

FLADAGER: Thank you. Did you have an opportunity to listen to that call on the wiretap and review a transcript of that call?

GROGAN: Yes.

FLADAGER: And does the transcript accurately reflect what is on the wiretap?

GROGAN: Yes.

FLADAGER: Detective Grogan, that conversation that we just heard, that was after the Amber Frey press conference, a day later?

GROGAN: Yes, ma'am.

FLADAGER: Moving on to January 26th, did you leave a message for the defendant on his phone in the morning hours?

GROGAN: Yes, I did.

FLADAGER: And this is Sunday, January 26th, is that Super Bowl Sunday?

GROGAN: Yes.

FLADAGER: And the message that you leave for him on his phone is what?

GROGAN: You want the exact quote?

FLADAGER: If you have it, yes, sir. I'm going to have to summarize it. I can probably get it off the wiretap if you want the exact quote later, but it –

GERAGOS: What page are we talking about?

GROGAN: We're talking about page 360, Mr. Geragos.

GERAGOS: Thank you.

FLADAGER: All right. Go ahead.

GROGAN: I said something similar to, I thought you'd want to know all the evidence has directed us to the bay. We're going back there with a sonar expert now. I told him that we were trying to keep it out of the press and that I thought he would want to know.

FLADAGER: All right. Thank you. After you left that phone call did you later receive some information that the defendant had in fact been to the Berkeley Marina on that same day you left the message?

GROGAN: Yes.

FLADAGER: And the timing of that trip to the Marina?

GROGAN: I left the message at 11:40 a.m. and the tracker showed that he was there at 8:00 o'clock that morning, several hours before I made that call.

FLADAGER: Moving on to Monday, January 27th, did you get a phone call from Sharon Rocha?

GROGAN: Yes, I did.

FLADAGER: And did she relay any information to you regarding the statements that Scott Peterson had made to her that day?

GROGAN: Yes. She said that she had been invited to go to Southern California to participate in a media interview with Mr. Peterson.

FLADAGER: And did you later determine where it was that Mr. Peterson was that day?

GROGAN: Yes.

FLADAGER: And where did he go that day?

GROGAN: I believe he was in Southern California doing an interview with Good Morning America FLADAGER: Okay. Prior to his trip to Southern California did the tracker place him again at the Berkeley Marina area on Monday, January 27th?

GERAGOS: May I ask what page you're refreshing your recollection with?

GROGAN: I'm still trying to find it, sir.

FLADAGER: And if the tracker documents would help, I'll give you those as well.

JUDGE: Can you direct him to the page, maybe that might help. Do you have it there, Ms. Fladager?

FLADAGER: Detective Grogan, do you have the tracker documents with you?

GROGAN: Yes.

FLADAGER: And if you would take a look at the January 27th track.

GROGAN: Okay. On January 27th at 2:54 p.m. to 2:57 p.m. is the time indicated that he was at the Berkeley Marina area.

FLADAGER: Thank you. On Tuesday, January 28th, Detective Grogan, did you have occasion to watch Good Morning America during your morning briefing?

GROGAN: Yes.

FLADAGER: Your Honor, I'd like to go ahead and play that now. I have transcripts to distribute to the jury.

JUDGE: Okay. And this is a transcript, is this the interview with –

FLADAGER: With Diane Sawyer.

JUDGE: With Diane Sawyer. Okay.

FLADAGER: What I'd like to do first, Your Honor, is I'll ask a few more questions of the detective to set up the interview.

JUDGE: Okay. Out of the presence of the jury, I want to lay down the track history. It will only take me about two minutes. We don't have to do that right now. It's just going to lay down the foundation. Give me maybe two minutes and bring you back. Go ahead.

FLADAGER: All right. Thank you. Detective Grogan, in watching this initial interview during briefing on Tuesday, January 28th, did you make any observations about Scott Peterson's statements during that interview?

GROGAN: Yes.

FLADAGER: And what was it that struck you?

GROGAN: Well, he did say in the interview that he notified the police on the first night of the investigation about the affair with Amber Frey and I knew that not to be true.

FLADAGER: On Wednesday, January 29th, did you watch Part 2 of that Good Morning America interview?

GROGAN: Yes, ma'am.

FLADAGER: On January 29th did you get any information about the defendant selling Laci Peterson's Land Rover?

GROGAN: Yes, on page 381.

FLADAGER: What did you learn?

GROGAN: I learned that we had a tracking device installed in the Land Rover and it led to an area in Modesto where there are some lots for vehicles for sale, and then I later saw Mr. Peterson had obtained a 2003 Dodge Dakota truck.

FLADAGER: Have you watched the two Good Morning America interviews, have you watched them again that were broadcast on January 28th and January 29th?

GROGAN: Have I watched them again?

FLADAGER: Yes.

GROGAN: Yes.

FLADAGER: Did you also watch a third interview aired on Prime Time Live, essentially portions of the same interviews with additional information that was broadcast in April?

GROGAN: Yes.

FLADAGER: And that's it, Your Honor. We're ready to play them.

JUDGE: Okay. Before we do that, I just want to lay down the history. I'll go ahead and excuse the jury just for about two minutes. I just want to go through this just for the record and then we'll bring you back, okay. Just for a short time.

JUDGE: All right. Let the record show that the jury's been excused just so I can lay the foundation on the issue of the Good Morning America tape, the Diane Sawyer tape. Just the, the history is that the, I'm trying to do this, remember the prosecution subpoenaed the Diane Sawyer tape from ABC in New York and they were given an edited version. That portion that was actually broadcast. The Court reviewed that portion of the tape that was actually broadcast. And there were two references there that the Court ordered that they be taken out. One was when the defendant, in response to a question from Diane Sawyer, refused to take a lie detector test. I had that taken out. And, also, a reference was made to some testimony by the juror, the juror who had been hypnotized and I ordered that that be taken out.

GERAGOS: The witness?

JUDGE: I'm sorry, the witness who had been testified.

GERAGOS: The witness who had been hypnotized.

JUDGE: Pardon me?

GERAGOS: You said the witness who had been testified.

JUDGE: The witness who had been hypnotized. I'm glad you straightened that out for me, Mr. Geragos, I'm tongue-tied. The witness who had been hypnotized, Ms. Steppenwolf, Diane Sawyer paraphrased a question with some information that had apparently been provided by that witness and I also asked that that part be excluded. Mr. Geragos wanted the complete tape to be played and Mr. Geragos subpoenaed the tape at ABC headquarters in New York City. As a result, we had Ms. Kelli Sager come in here from Davis Wright & Tremaine from Figueroa Street in Los Angeles representing the American Broadcasting Companies to court, the subpoena duces tecum that was issued by Mr. Geragos in an attempt to get the complete tape from ABC. And then we had a hearing here and there was, Ms. Sager was present, Mr. Olson was also present, and there was a thorough airing on the record on the issue of the Shield Law.

The Court ruled that there was an insufficient showing to pierce the Shield Law so the Court ordered this: The subpoena that was issued by Mr. Geragos to be quashed. As a result, Mr. Geragos appealed the Court's ruling. There was a petition for a Writ of Mandate prohibition and other extraordinary relief, and it was a request for an immediate stay of the ruling that the Court made.

That was denied by the Court of Appeal. Then the issue then was raised again to the Supreme Court. I believe you filed a petition for rehearing, correct?

GERAGOS: That's correct. Petition for review.

JUDGE: Petition for review. And that was also denied by the California Supreme Court. So as a result the only tape that we have available now to play to the media with respect to the Diane Sawyer was the redacted tape and the one that the Court has already indicated that the Court redacted.

GERAGOS: Could I augment the record because there has been one –

JUDGE: Go ahead.

GERAGOS: The one thing that has changed since the time that the petition for review has been denied by the Supreme Court is that I now have what I believe to be an accurate transcript of the non-broadcast and the complete tape. And I believe that it's clear to me, at least, and I have brought up I think to the Court previously, that there are portions of this tape that have been spliced and have been edited so that answers to certain questions were not exactly the way they

were. In fact, not even close in several instances when you look at the completely, what I call the unedited, un-broadcast tape. It's my position, I know the Court's already made the ruling, obviously I brought it to the Supreme Court and back, however, it's my opinion, and I will in the defense case once again subpoena the producer who was there and make a finding or make a showing, I should say at that point, of what I believe to be the –

JUDGE: Waiver of the Shield Law.

GERAGOS: Waiver of the Shield Law and the specific instances where this tape was edited and once again request that the Court order that. Ms. Sager left me a message on my voice mail saying that she would accept service on behalf of that producer. So at the appropriate time I believe that we're going to have to retread this or rehoe this area at some point. I would only ask that at this point that the Court instruct the jury of the factual underpinnings, which is, this is the broadcast portion, this is not the straight unedited.

JUDGE: I'll just tell them that this is an edited version of the original broadcast of Good Morning America. This is that part that was actually broadcast. And I also will tell the jury that it may not have, it may not be connected in context and that they'll have to take that into consideration in assessing whatever weight they want to put on this particular tape. Yeah.

FLADAGER: Can you also remind them of this tape and the other two tapes that there's been editing with the Court's desiring,

JUDGE: I thought we were just addressing the one tape now. When you play the other ones, if you play them, I'll be glad to remind them of that. So you want to cue up that particular tape so we know what the history of this is with respect to the, this Diane Sawyer tape and apparently we'll hear the issue all over again. We'll mark it, 270 A will be the transcript and the disk will be 270 B.

GERAGOS: What is it marked as? What did you mark it?

JUDGE: 270 A is the transcript.

GERAGOS: 270 A is the transcript?

JUDGE: Right. And 270 B is the disk. How long is this about?

FLADAGER: All three of them together, 21 minutes.

JUDGE: Okay. All right.

GERAGOS: All three of Diane Sawyer?

FLADAGER: Nods head

JUDGE: Okay. Let the record show that the jury's in the jury box, along with the alternates. All right. Ladies and gentlemen of the jury, we're about to play for you the Diane Sawyer interviews that were played on Good Morning America I want to advise you that these are the edited versions. These are the only, what you're going to hear today is the portion of the tape that was actually played on Good Morning America. This is not the tape in to to because that raises other legal issues that the Court has already ruled on. So as you listen to this tape, you may not, you may see a lack of continuity because it's been edited by the Court, also, because of some evidentiary issues. So you can take that into consideration when you decide whatever weight you want to put on these tapes, okay, so you should bear that in mind.

JUDGE: All right. We'll admit the transcripts and the disk pursuant to 1553 of the Evidence Code. It will take the same number

FLADAGER: Detective Grogan, on December 29th after you watched that second Good Morning America interview –

GERAGOS: I believe that's just a misspeak. You mean January 29th?

FLADAGER: Yes, January 29th. Thank you.

FLADAGER: Did you call the defendant that day on the telephone sometime later in the day?

GROGAN: Yes, I did.

FLADAGER: Did you record that conversation with him?

GROGAN: Yes.

FLADAGER: Your Honor, I have another tape to play. This is an audiotape with transcripts.

JUDGE: Is it just one page or –

FLADAGER: No, it's multiple pages.

JUDGE: Okay. We'll mark that 271, transcript, as A and the disk will be 271 B.

FLADAGER: Detective Grogan, did you have a chance to review the audiotape and the transcript that was prepared to go along with it?

GROGAN: Yes.

FLADAGER: And do both of those accurately reflect the telephone conversation that you had with the defendant Scott Peterson on the 29th?

GROGAN: Yes.

JUDGE: All right. We'll admit 271, transcript and disk, will take the same number.

FLADAGER: All right. Detective Grogan, Thursday, January 30th, the day after that phone call, did you do some work generally in the area of what, the jewelry investigation?

GROGAN: Yes, I did.

FLADAGER: And do you have Sharon Rocha and Amy Rocha both individually come into the police department to take a look at the jewelry?

GROGAN: Yes.

FLADAGER: And do you get any documentation from Amy while she was there?

GROGAN: Some of her work records to show her activities on the 24th.

FLADAGER: On Friday, January 31st, do you meet with someone named Maria Rocha?

GROGAN: Yes.

FLADAGER: During the course of that meeting did she mention an item of jewelry that you had not heard about before?

GROGAN: Yes.

FLADAGER: And what was that?

GROGAN: That was the Croton watch, which she was just describing as a gold watch with diamonds around the face. She didn't know the name brand, but she did say there was one additional watch that wasn't in the jewelry box.

FLADAGER: And was that part of the inheritance?

GROGAN: Yes.

FLADAGER: On that particular day, January 31st, did you have a phone conversation with Sharon Rocha?

GROGAN: Yes.

FLADAGER: Did you share with her the information about the Land Rover?

GROGAN: Yes, I did.

FLADAGER: Did you, as a result of the conversation with Sharon Rocha did you call and leave a message for Scott Peterson?

GROGAN: Yes.

FLADAGER: And what was it that you left him by way of a message?

GROGAN: What I told, I told Sharon was that the Land Rover had been sold in the event she wanted to go get it. And she asked that I contact Scott Peterson to see if she could get some photographs and some other belongings of Laci's.

FLADAGER: And did you contact, then contact Scott Peterson?

GROGAN: I did.

FLADAGER: And what sort of a message did you leave for him?

GROGAN: Just that if he was willing to do anything like that that I would try to be an intermediary for them not, not, I was actually trying to stay out of the middle of it, but I would do that if necessary.

FLADAGER: On Saturday, February 1st, did you begin working on some additional paperwork? Bates stamp No. 397.

GERAGOS: Through 402.

JUDGE: Is that right?

FLADAGER: That's not what I'm talking about.

JUDGE: You better check with Mr. Geragos because once the cat's out of the bag I can't put it back in. Let's make sure we're on the same page.

FLADAGER: Let me ask a leading question.

FLADAGER: Detective Grogan, did you begin working on some search warrant documentation?

GROGAN: Yes, ma'am.

FLADAGER: Okay. And what was it that you were seeking by way of search warrant on this occasion?

GROGAN: Well, I thought at this point it would be a good idea to go back to the Peterson home because we learned additional things through the investigation we didn't know on the 26th and 27th and then we could go back there and possibly recover more evidence.

FLADAGER: On Sunday, February 2nd, was that a day off for you?

GROGAN: Yes, it was.

FLADAGER: Is that your third day off since December 25th?

GROGAN: That sounds about right, Yes.

FLADAGER: On that particular day did you learn anything about the defendant's plans for a trip out of the country?

GROGAN: Yes, I did.

FLADAGER: And what was it that you learned?

GROGAN: That, that Mr. Peterson had planned a trip to Guadalajara, Mexico, and I think it was in relations to a business meeting.

FLADAGER: As a result of that information did you ask some assistance from the San Diego Department of Justice in relation to the defendant's vehicle?

GROGAN: I did.

FLADAGER: What did you seek?

GROGAN: Well, I asked for a surveillance of Mr. Peterson's new vehicle and I arranged for a tracker, search warrant to be completed so that we could install a tracker on that vehicle while it was at the airport.

JUDGE: I think this will be a good time to take the recess.

FLADAGER: Sure.

JUDGE: All right. Ladies and gentlemen of the jury, we'll take the afternoon recess. Remember the admonition I have heretofore given you. We'll reconvene at 1:45 and we'll deal with this. See you at 1:45

JUDGE: All right. This is People versus Scott Peterson. Let the record show the defendant is present with counsel. The jury is in the jury box, along with the alternates. Go ahead, Miss Fladager.

FLADAGER: Thank you.

FLADAGER: All right. Detective Grogan, I believe where we left off, we have made it through February 1st where you began working on the next search warrant affidavit, February 2nd. So let's move on to then third.

GROGAN: Okay.

FLADAGER: On February 3rd was there some discussion about a modification, or an additional reward that would be offered for Laci Peterson's return?

GROGAN: Yes.

FLADAGER: Can you please tell us what was decided, or what was discussed at that point, and why?

GROGAN: Yes. The first reward was established for $500,000. Actually it grew to that number shortly after Laci disappeared. And that was for safe return, for her safe return. And, at this point, we began discussing offering a different, additional reward, one for $50,000, for basically the recovery of her body. There was no incentive for someone to provide information to us if she was already deceased.

FLADAGER: The purpose, the fact that you got to this point, February 3rd, with the $500,000 reward out there, had there been anybody that had claimed that reward?

GROGAN: No.

FLADAGER: That, in and of itself, mean something to you in your investigation of the case?

GROGAN: Yes.

FLADAGER: What was that?

GROGAN: Well, the large amount of that reward kind of told us that it was less likely that we were dealing with multiple offenders, that there were a group of people involved in Laci's disappearance. For $500,000, if you had limited involvement in her abduction, and she was still alive, that would be powerful incentive for someone to come forward and talk to us.

FLADAGER: And the fact that there was no one coming forward meant what?

GERAGOS: There is an. Objection assumes facts not in evidence. He's already testified there were 10,000 tips. So the idea that there is nobody coming forward,

JUDGE: I think nobody came forward in order to claim the reward.

GERAGOS: That's also assuming facts not in evidence.

JUDGE: Well, she can ask him if somebody ever, did anybody ever come forward to claim the reward during the course of your investigation?

GROGAN: No, your Honor. That would have required Laci's recovery alive.

JUDGE: All right.

FLADAGER: So the decision to offer a $50,000 reward for the recovery of her remains, why did you do that?

GROGAN: We were still, at this stage, discussing that. And we had not offered that reward at that point. But we wanted to look at all possibilities. If there was anyone that had information out there, and if Laci was already deceased, we wanted an incentive for someone to come forward with that information.

FLADAGER: Let's move on to Tuesday, February the 4th. Did you have contact with Sharon Rocha on that particular day, about 4:05?

GROGAN: Yes.

FLADAGER: And did you receive some information from Sharon Rocha that you had not been aware of before?

GROGAN: Yes, I did.

FLADAGER: What was that?

GROGAN: She forwarded me some information that was on an e-mail that included another website, I'm sorry, another phone number for a tip line that I wasn't aware of before. And that was the 1-866-LACINFO tip line.

FLADAGER: Is that a tip line that law enforcement had anything to do with?

GROGAN: No.

FLADAGER: Your Honor, I'd like to go ahead and have marked, I have two additional CDs or DVDs and the transcripts that go along with them. I'd like to play these.

JUDGE: Before we do that, let's move in some of these others referred to. Is there any objection to the video, 266? That's the video with no sound that was played yesterday. You got any objection, Mr. Geragos? I assume you are moving that in. Any objection, Mr. Geragos? This is the video with no sound.

GERAGOS: I thought we had already entered that.

JUDGE: No. It's been marked, but we haven't entered.

GERAGOS: That was one from yesterday?

JUDGE: Yes. 266.

GERAGOS: That's fine.

JUDGE: Other one is 269. That's the –

GERAGOS: 269?

JUDGE: Is the transcript of the disk that was played yesterday.

GERAGOS: That's the 1-25-03?

JUDGE: Yes.

GERAGOS: That's fine.

JUDGE: 266 and 269 may be admitted in evidence. That's 269 that A and B which deal with the tapes. This is 272.

FLADAGER: I'd like that to be the Gloria Gomez interview.

JUDGE: 272A will be the transcript and 272B is the disk.

This is the Gloria Gomez tape that the Court already viewed?

FLADAGER: I have a transcript for the jury.

GERAGOS: Did you say 272A is the transcript?

JUDGE: This is the transcript. These are the disks. B is the disk. A is the transcript. B is the disk.

JUDGE: Miss Fladager, you didn't mention the date of this.

FLADAGER: This was –

JUDGE: I know what date it is. The jury doesn't know. January the 29th?

FLADAGER: I believe it's the 28th. I'll check on that.

JUDGE: Do you want to check so the jury knows?

FLADAGER: Broadcast on January the 29th.

JUDGE: Then we'll admit 272A and B. .

JUDGE: I should point out to counsel, when we had these motions before we marked some of these tapes earlier, just so the record isn't confused. 131A, B, C, D, and E were the tapes of Diane Sawyer. So that was, 270 was formerly marked 131A, B, C, D and E. This tape that we're playing now, 272, was formerly marked 136 and, 136A and 136 B. And the next tape, the interview with Ted Rowlands was formerly marked 137 and 137

GERAGOS: You said the Sawyer was 131?

JUDGE: 131A, B, C, D, and E.

GERAGOS: Thank you, judge.

JUDGE: So there that there is no confusion on the record.

GERAGOS: So you are admitting this, obviously.

JUDGE: The 270 series we are admitting. You can stop when we go back, and we're admitting these into evidence, or reviewing these for admission.

GERAGOS: You will make a note for those.

JUDGE: You want to indicate for the record that these were, had been remarked to be played today.

GERAGOS: Got it. This is 273A and B. A is the transcript.

JUDGE: Do you want to mark the Ted Rowlands tape?

FLADAGER: Yes.

JUDGE: That will be 273, formerly 137 and 137A. Now we're going to mark it. 273A is the transcript, and B is the disk.

JUDGE: What is the date of the Ted Rowlands tape? January 30th? Aired on January 30th.

GERAGOS: What?

JUDGE: Aired on January 30th.

GERAGOS: Right.

JUDGE: Is that correct, Miss Fladager?

FLADAGER: Yes. January 30th.

JUDGE: This was, this was aired on January the 30th, 2003.

JUDGE: Okay, we'll admit 273A and B, the transcript and the Ted Rowlands tape

FLADAGER: Detective Grogan, I'd like to go back for just a couple of questions. When you watched the Good Morning America video at the briefing at the police department, was there anything that you learned or heard during the course of that interview that was important to you?

GROGAN: Yes. Yes.

FLADAGER: Can you tell us what that was?

GROGAN: Well, in watching that interview, it appeared that he spoke in the past tense on one occasion when talking about Laci, and in one occasion when he was talking about Conner. He was very emotional during the Diane Sawyer interview, which it contrasted with his demeanor on the night of the 24th from the, at least from the interview that we saw on videotape with Detective Brocchini, and on the 25th from the interview that Doug Mansfield and I did with him.

FLADAGER: What else?

GROGAN: Also, in that he spoke about the market umbrellas, and verified that he put those in the truck, which corroborated with Detective Brocchini at the scene.

FLADAGER: And the placement of the umbrellas in the truck on the morning of December 24th, that was important to you in some way?

GROGAN: Yes.

FLADAGER: Why?

GROGAN: I think we learned through these interviews that he had put the umbrellas in there on the morning of the 24th.

FLADAGER: Was there anything else about the Diane Sawyer interview that struck you in terms of your estimation of Mr., involvement with Mr., investigation of Mr. Peterson's involvement?

GROGAN: Right.

FLADAGER: In the interview we just, at least the one with Gloria Gomez, that interview took place in the home at 523 Covena?

GROGAN: Yes.

FLADAGER: Let's go back on February the 4th. Did you have occasion to go to the hair salon where Amy Rocha worked, called Salon Salon, in Modesto?

GROGAN: Yes, I did.

FLADAGER: And did you go there with Detective John Buehler?

GROGAN: Yes.

FLADAGER: Did you learn anything when you were there regarding the availability of these security videotapes from the salon?

GROGAN: Yes.

FLADAGER: And what was that?

GROGAN: I spoke with Lauri Weisenberg, and she told me that the videotapes were on a seven-day cycle. They had been copied over prior to our request for them.

FLADAGER: All right. Object that particular day, did Brent Rocha come in and see you?

GROGAN: Yes.

FLADAGER: And did he bring anything with him?

GROGAN: He brought in some jewelry items that I asked him to bring that were related to what Laci had inherited, or what came with the grandmother's jewelry.

FLADAGER: This was something that went to him?

GROGAN: Yes.

FLADAGER: Next day, February 5th, did you meet with Amy Rocha?

GROGAN: Amy Rocha?

FLADAGER: In the vicinity of 419, Bates stamp number.

GROGAN: Yes, I did.

FLADAGER: Did Amy Rocha bring in jewelry?

GROGAN: Yes, ma'am.

FLADAGER: Was that at your request?

GROGAN: It was.

FLADAGER: Same reason that you had Brent Rocha bringing in jewelry?

GROGAN: Yes.

FLADAGER: During that interview with Amy Rocha, did you learn anything about any of Laci's jewelry?

GROGAN: I learned that Amy had some information that Laci may have put some jewelry on Ebay.

FLADAGER: And was there a specific watch that was mentioned?

GROGAN: A Mickey Mouse watch.

FLADAGER: Prior that, had you had any information that jewelry was listed on Ebay prior to receiving it from Amy?

GROGAN: I don't believe so.

FLADAGER: When you get this information from Amy about the watch being sold on, or listed on Ebay, what does that cause you to do in terms of your investigation relating to the jewelry?

GROGAN: Well, we, I think as a result of this is where we obtained some Ebay records for the Petersons.

FLADAGER: All right. All right. Moving on to the next day, Thursday, February 6th. Did you have information as far as where Scott Peterson was at that time? The 5th and the 6th.

FLADAGER: For the 5th and the 6th?

GROGAN: Yes.

FLADAGER: Do you have a Bates stamp number?

GROGAN: Might be listed right at 419, or at 429.

GERAGOS: It's 429, top.

GROGAN: Thank you. At that time we knew that Scott Peterson's vehicle was at the Los Angeles Airport, and we believed he was in Guadalajara, Mexico, on a business trip.

FLADAGER: All right. On February 6th, did you have an opportunity to review some Grand Jury subpoenas related to Ebay?

GROGAN: Yes.

FLADAGER: Did you find some information related to the gold Mickey Mouse watch?

GROGAN: Yes.

FLADAGER: And where it was sold?

GROGAN: Yes. It was sold on 12-8 of 2002.

FLADAGER: And did you find information during the review of that documentation relating to the Croton watch?

GROGAN: Yes, I did.

FLADAGER: And what was that?

GROGAN: That it was listed on Ebay. And I don't have a date in this record. But that it was listed on Ebay, and it did not sell.

FLADAGER: On Friday, February the 7th, did you meet with jewelers from the jewelry store in McHenry Village where Laci Peterson had taken her jewelry to be worked on?

GROGAN: Yes, I did.

FLADAGER: And did you ask them any questions about the Croton watch?

GROGAN: Yes, I did.

FLADAGER: Approximately page 431. And why did you go to them and make an inquiry about the Croton watch?

GROGAN: I asked them about a number of items of jewelry, and interviewed both of them. And wanted to see if they, specifically if they had, if she had brought in the Croton watch, or the Geneve, I'm not certain of the pronunciation of it, watch to that location to have it repaired and cleaned.

FLADAGER: And did you find out whether or not she brought in the Geneve watch?

GROGAN: She had.

FLADAGER: And had that been repaired and fixed?

GROGAN: Yes.

FLADAGER: How about the Croton?

GROGAN: It was not brought in.

FLADAGER: During the course of these few days here in early February, were searches going on in San Francisco Bay? February 5th, 6th, 7th, 8th.

GROGAN: Yes. On page 434 I do have a meeting with several other officers about a Bay search occurring on 2-8 and 2-9.

GERAGOS: You say on 434?

GROGAN: I think, maybe that's 433. I signed right over the top of that number, so I'm not –

FLADAGER: All right. There are bay searches that are being supervised by another officer; is that correct?

GROGAN: Yes.

FLADAGER: All right. On Sunday, February 9th, is that a day off for you?

GERAGOS: 431.

JUDGE: Sunday a day off for you, Detective Grogan?

FLADAGER: Bates stamp 461.

GROGAN: That's correct. I didn't work that Sunday.

FLADAGER: All right. That would be your fourth day off since December 25th, correct?

GROGAN: That's, I believe that's correct, Yes.

FLADAGER: Okay. February the 10th, was something done in relation to the various hospitals in the area and I backtracked on that. On February 10th was anything done to try and prepare to make contact with hospitals throughout California?

GROGAN: Yes.

FLADAGER: What was done?

GROGAN: One of the lieutenants at the Police Department had a contact with hospitals, local hospitals that could send a flyer out to a nationwide database of hospitals to forward information to them. And he asked that that be done. And we, I think I wrote a memo, and he forwarded it.

FLADAGER: And what's the purpose of doing that?

GROGAN: We were looking for, and what will be suggested is, if Laci Peterson was abducted for her baby, we wanted to find out if there were any hospitals that came in contact with infants that were brought in by someone other than the mother, and any suspicious circumstances involving newborns.

FLADAGER: All right. Also, on February 10th, did you receive any information regarding a storage shed and Scott Peterson?

GROGAN: Storage shed and Scott Peterson? I'm sorry the date, please?

FLADAGER: The date of February 10th.

JUDGE: February 10th.

GROGAN: Yes.

FLADAGER: And what was that?

GROGAN: We learned that he had, he had obtained a storage locker at 1401 Woodland Avenue in Modesto.

FLADAGER: And did that information cause you to take any additional steps?

GROGAN: Well, I'd been working on a search warrant return to the home, and that then included the storage locker area JUDGE: Just about to take the recess. Take the afternoon recess until ten after three. Remember the admonition I have heretofore given you.

JUDGE: All right. Let the record show the defendant's present with counsel, and the jury's in the jury box along with the alternates. Ms. Fladager, are you ready to go?

FLADAGER: I am, Your Honor.

FLADAGER: All right. Detective Grogan, we're up to February 11th. Did you get the search warrant signed on February 11th, Bates stamp 468?

GROGAN: Yes, I did.

FLADAGER: And as part of that search warrant was the goal also to install a tracker, another tracker, a different tracker on his new truck?

GROGAN: Yes.

FLADAGER: On February 11th, in preparation for the search warrant, were you reviewing photographs from the prior search warrant back on December 26th and 27th?

GROGAN: Yes, I was.

FLADAGER: And in the course of reviewing those photographs did you discover something that you have not been aware of before?

GROGAN: Yes.

FLADAGER: Can you please tell us what that is.

GROGAN: That's Modesto Police Department, I think the evidence number is 144, the yellow-handled pliers that were found in the bottom of the Gamefisher boat with hair coming out of the pliers and down alongside the placard.

FLADAGER: Have you been aware of that photograph for that hair before?

GROGAN: No.

FLADAGER: When you saw that, did it cause you to take any action?

GROGAN: Yes.

FLADAGER: What was that?

GROGAN: Well, in the photographs it was late in the evening that we were going through them and I think the following day when Dodge Hendee, who was the crime scene manager for that that search warrant at the warehouse came in. We asked him about the hair. And Dodge had been on vacation when he was called in for the original search warrant. He resumed vacation afterwards and it was a week or two later before he came back and I just, I guess I never got that information.

FLADAGER: All right. When you saw that photograph of the hair did it cause you to think that it might be something of evidentiary value?

GROGAN: Yes.

FLADAGER: And how would it be something of evidentiary value?

GROGAN: Well, what I was considering at the time was whether there was a root attached to the hair, and, if so, that can be sent off for DNA testing.

FLADAGER: At the time did you think that a root was required for DNA testing?

GROGAN: Yes.

FLADAGER: The next day, February 12th, did you meet with Detective Hendee to discuss the pliers and the hair?

GROGAN: Yes.

FLADAGER: And after discussing it with him did you request that he take some action?

GROGAN: Yes. I asked him to take a look at the hair and see if it had a root attached and, if so, the plan was going to be to send it to a DNA lab.

FLADAGER: Also, on February 12th, in preparation for the warrant, did you watch a videotape that was associated with a stolen, a camcorder that was stolen from the Covena address several weeks prior?

GROGAN: Yes, I did. It's on page 4-8-0. Begins with 4-8-0.

GERAGOS: I'm sorry, 4-8-0?

GROGAN: 4-8-0 it starts.

GERAGOS: Thank you.

FLADAGER: And is the burglary that we talked about previously where there was a Kim McGregor that was identified as being involved?

GROGAN: That's correct.

FLADAGER: And had you had an opportunity prior to this to watch that videotape?

GROGAN: No.

FLADAGER: In watching that videotape did you see something on it that was important to you in terms of your investigation?

GROGAN: Yes.

FLADAGER: What was that?

GROGAN: Well, looking, watching the video there's a lot of different clips through the video, but near the end of the video there are several jewelry items that are, that are videotaped for short segments of time and many of those were jewelry items I recognized from Helen Rocha's jewelry box that Laci had inherited.

FLADAGER: And are some of these items items that had been placed on E-Bay for sale?

GROGAN: Yes.

FLADAGER: With photographs associated with them?

GROGAN: Yes.

FLADAGER: In this video did you also see or did you hear Laci Peterson's voice associated with any of this activity?

GROGAN: Yes.

FLADAGER: On Thursday, February 13th, did you do some investigation related to the Laci info line, referring to approximately Bates stamp 504 or thereafter?

GROGAN: Sorry. Just one moment, please.

GERAGOS: Bates number stamp? Detective, the Bate's number?

GROGAN: I'm sorry, I am going to have to ask Ms. Fladager to repeat the question.

FLADAGER: All right. It should be a Bates stamp approximately 504 to 507 and the question is whether or not, Detective Grogan, you took any action related to the Laci info line that you had learned about on February 13th.

GERAGOS: It's actually 505.

JUDGE: I can't hear you, Mr. Geragos.

GERAGOS: It's actually on Bates stamp 505.

JUDGE: All right. It's on Bates stamp 505.

GROGAN: Yes, I did take some action. I called the Laci info line and identified myself and tried to find out information about where the tips were going for that, that line.

FLADAGER: Did you, did they give you that information?

GROGAN: No.

FLADAGER: Were they cooperative with you?

GROGAN: They would not tell me anything more than they would, would fax my name and phone number to a fax number and that whoever was at that fax number would decide whether or not

to call me back.

FLADAGER: All right. Moving on to the next day, February the 14th, did you have contact with the Department of Justice regarding their analysis of some of the evidence in this case?

GROGAN: Yes, ma'am.

FLADAGER: And what is it that you learned at that point or that you discussed having them do?

GROGAN: We discussed the pliers that were on 144, evidence item No. 144, having those examined and compared with the chicken wire and also what examinations could be done with the hair.

FLADAGER: All right. And did you learn about DNA results for the blood on the comforter or the truck?

GROGAN: Yes.

FLADAGER: All right. Let's move to the search warrant which was on February the 18th, Tuesday. Starting at Bates stamp 510.

GROGAN: Okay.

FLADAGER: All right. Detective Grogan, how is it that search warrant was planned to be executed that morning?

GROGAN: Well, there were some items that were taken from Mr. Peterson in a prior burglary case, I believe the Kim McGregor burglary case, and that were going to be returned by Detective Sebron Banks. So I talked with Detective Banks and found out when that was going to happen so I could assure that Mr. Peterson would be home when we served the search warrant.

FLADAGER: And why is it that you wanted him to be home when you served the second search warrant?

GROGAN: Because I wanted to put a tracking device in his vehicle.

FLADAGER: All right. Did you make contact with the defendant at his, in the vicinity of his home that morning?

GROGAN: Yes.

FLADAGER: Tell us how that came about.

GROGAN: I was actually on my way over there and I think the tracking device showed that, well, I'm sorry, not the tracking device. We knew that his Dodge Dakota truck was parked on a street about one block away and I went toward the house and Detective Brocchini went toward where the car was parked and he found that vehicle with, I think Mr. Peterson was on his way to it or getting into it at the time, so I pulled over there and started following his, his truck, and he actually looked in the mirror, saw me and pulled over.

JUDGE: When you say "car" and "truck," are you talking interchangeable, is that the same vehicle?

GROGAN: He was driving a truck and I was driving a detective car.

JUDGE: I think you said he was walking toward his car.

GROGAN: I'm story.

JUDGE: Walking toward his truck.

GROGAN: Truck, yes.

FLADAGER: Thank you. Did you advise Mr. Peterson, the defendant, of a search warrant that you had obtained?

GROGAN: Yes.

FLADAGER: And did you return to the address on Covena?

GROGAN: Yes.

FLADAGER: Was there something that he was interested in retrieving from the Covena Avenue home?

GROGAN: Yes.

FLADAGER: What was that?

GROGAN: He had some bags that he had packed in the, in the home that he wanted to take with him.

FLADAGER: All right. I have nine photographs here that I'd like marked as one exhibit. I'll staple them together.

JUDGE: You want to mark them 274 A through I so they can identify each one individually?

GERAGOS: 274?

JUDGE: 274 A through I

FLADAGER: All right. Detective Grogan, as part of this search warrant what were some of the items that were being looked for specifically?

GROGAN: Well, we were looking for the clothing that had been described that Laci was wearing on December 23rd and multiple items. If I can refer to –

FLADAGER: Sure.

GERAGOS: Bates number?

GROGAN: This is actually a copy of the 2/18 search warrant.

GERAGOS: You don't have its Bates number stamp?

GROGAN: I don't, sir.

GERAGOS: Okay. I'll get that.

FLADAGER: Okay. Detective Grogan, can you tell us what it was that you were searching for?

GROGAN: We were looking for any, any drugs, prescription or otherwise, in the home, any potential poisons, any paperwork that had dates and times, receipts that would show who purchased what items when. Additional photographs. The remaining bedding from the Peterson bed in the master bedroom. Prenatal vitamins. And, also, as part of that we were looking for the clothing. I got authorization and the warrant from the judge to bring Amy Rocha to the home to look through the clothing items.

FLADAGER: And was to try and locate clothing that she remembered Lacy wearing on the 23rd?

GROGAN: Yes, ma'am.

FLADAGER: When you entered the home with the defendant were these two bags that he wanted ready to go ready to be picked up and taken?

GROGAN: Yes.

FLADAGER: Were they already packed?

GROGAN: Yes.

FLADAGER: Did you look through those bags prior to letting him take them?

GROGAN: They were searched, Yes.

FLADAGER: All right. Detective Grogan, I'm going to show you some photographs that have been marked 274 A through H, a variety of photographs.

If you could take a look through those, please.

GROGAN: Okay.

FLADAGER: Detective Grogan, are those photographs that represent the bags and the items, some of the items within the bags that you found on February 18th?

GROGAN: Yes.

FLADAGER: I'm going to start with 274A. All right. Detective Grogan, you can go ahead and tell us what the items are that you indicating in the bag there.

GROGAN: What I'm pointing to in that photograph is some U.S. currency.

FLADAGER: All right. In the other bag there's a, let me just back up. The U.S. currency, was that counted?

GROGAN: It was.

FLADAGER: And how many currency was found in the bag?

GROGAN: That was documented on receipt completed by Veronica Holmes that I don't have with me. If you have that.

FLADAGER: Were there two packets of money associated or two places where money was found?

GROGAN: Yes, there was two, there was an envelope inside, what that is is a side pocket to that brown leather bag and I believe that there is a Ziploc bag that contains money in there and there's also an envelope that contains money.

FLADAGER: All right.

JUDGE: And you don't know what the amount was?

GERAGOS: I'm sorry?

JUDGE: I said you don't know what the amount was? You guys didn't count it.

GROGAN: Oh, yes, it was counted and there's a receipt for it.

FLADAGER: We'll track that down.

JUDGE: All right.

FLADAGER: All right. Moving on to 274 B. This is sort of a view from a car. But are these the items that are within that brown bag?

GROGAN: Yes.

FLADAGER: Clothing items?

GROGAN: Yes.

FLADAGER: Was there jewelry also associated with this bag?

GROGAN: Yes, there is one, one watch and the defendant's wedding ring.

GERAGOS: The answer to the currency question, judge, is on Bates No. 512.

FLADAGER: All right. Detective Grogan, the next one is 274 C, can you see those items?

GERAGOS: 274 C?

FLADAGER: 274 C.

GROGAN: Yes.

FLADAGER: 274 D, can you see the watch and the wedding ring that you mentioned in that photograph?

GROGAN: Yes.

FLADAGER: 274 E, is that that wedding ring?

GROGAN: Yes.

FLADAGER: You mentioned currency being in both an envelope in a bag. Let's take a look at 274 G.

JUDGE: You guys skip that, Ms. Fladager?

FLADAGER: 274 G?

GROGAN: Yeah, but you didn't identify F. Is that by design?

FLADAGER: Which one?

JUDGE: You went from E to G.

FLADAGER: That was by design.

JUDGE: Okay. I just wanted to make sure I didn't miss something here.

FLADAGER: We'll be back.

JUDGE: All right. So G is a photograph of envelope and currency.

FLADAGER: All right. Detective Grogan, is that what you found there in the bag?

GROGAN: Yes.

FLADAGER: 274 H, is that some of that money?

GROGAN: Yes, we laid it out on the counter there in the home and counted it.

FLADAGER: And to the right of the currency there appears to be a plastic Ziploc baggie. Is that where these bills were found?

GROGAN: That's correct.

FLADAGER: Let's look at 274 I. Is this additional currency?

GROGAN: Yes.

FLADAGER: And let's take a look at the close-up, 274 F, a second bag, was there any alcohol found in that bag?

GROGAN: There was a bottle of wine, Yes.

FLADAGER: And can you see that sticking out of the bag?

GROGAN: Yes.

FLADAGER: All right. Let's go to, Mr. Geragos found that Bates stamp.

GERAGOS: It's at the bottom of 512.

FLADAGER: Have you found that page?

GROGAN: Yes.

FLADAGER: And how much currency was recovered from these two bags or how much currency was noted and documented at the time of the search warrant?

GROGAN: The white envelope contained $1,081 in cash and the Ziploc sandwich bag contained $1,000 in cash, so combined, it was $2,081.

FLADAGER: Was this money returned to the defendant?

GROGAN: Yes.

FLADAGER: Was his watch returned?

GROGAN: Yes.

FLADAGER: Was the wedding ring returned to him?

GROGAN: Yes.

FLADAGER: And where was the wedding ring found in the bag?

GROGAN: I believe in that side pocket where the money was located.

FLADAGER: During your contact with Scott Peterson on February 18th did you talk with him about the Laci Info Line?

GROGAN: Yes.

FLADAGER: And what did he tell you about that, that line?

GROGAN: He told me that he was able to retrieve messages from the line. I think the messages went to his mother and some of those were faxed to him at his office, and he did retrieve some of those faxed documents that he had in his office and he brought them back to me while the search warrant was in progress.

FLADAGER: Later that morning?

GROGAN: Yes.

FLADAGER: During the course of the search warrant did you do an examination of trees in the back of the defendant's yard?

GROGAN: Yes.

FLADAGER: Why did you do that?

GROGAN: Because he, he had told, told us earlier that he had the chicken wire in his truck because he wanted to put it around the trees in his yard. So, and he said the purpose for that was because the cats were scratching the trees. I, so due to that, I examined all the trees and shrubs that they had in the backyard to see if that was in fact happening.

FLADAGER: And what did you determine?

GROGAN: I determined that there were several stakes and trees and shrubs in the backyard that had scratch marks on it and, in fact, much later when we were getting ready to leave from the search warrant I saw one of the cats scratching on one of the trees.

FLADAGER: So you were following up on something that the defendant had reported to you?

GROGAN: Yes.

FLADAGER: To verify or rule it out?

GROGAN: Yes.

FLADAGER: On Wednesday, or during the second day of the search warrant, do you take time to review all the various books and photographs, books and magazines within the house?

GROGAN: Yes, I did.

FLADAGER: Why did you do that?

GROGAN: Well, there was some information that Mr. Peterson was an avid fisherman and I wanted to determine if, if he had any periodicals of books on fishing in the house.

FLADAGER: Did you find any?

GROGAN: No, I didn't.

FLADAGER: During the course of the search warrant in the house was there anything about the condition of the nursery that struck you?

GROGAN: Yes.

FLADAGER: What was that?

GROGAN: It was much different than when we were at the house on the previous time. There was some chairs and there was a lot of items stored in the nursery.

FLADAGER: When you saw that did you remember anything you had seen in the Diane Sawyer interview?

GROGAN: I recall that he said that he made, he made comments that he couldn't go into the room, it was too difficult to go into the room, that kind of thing.

FLADAGER: All right. Your Honor, we're at the point where we will probably be playing the search warrant video. I don't know if you want to go ahead.

JUDGE: How long is it going to take, should we do it the first thing in the morning?

GERAGOS: Actually, judge –

JUDGE: I'm going to tell the jury.

GERAGOS: Okay.

JUDGE: Before I excuse you now I just want to let you know that tomorrow morning we're going to call two witnesses out of order, get them out of here. So there's going to be two witnesses be called right at 9:00. And then we'll pick up with Detective Grogan. So when you get here tomorrow morning we're going to call these two witnesses out of order. So I'll give you the admonition. You're not to discuss this case amongst yourselves. You're not to form or express any opinion about this case. You're not to listen to, read or watch any media reports of this trial nor discuss it with any representatives of the media or their agents. We'll see you tomorrow at 9:00 o'clock. Who's the first witness going to be tomorrow morning, doctor, is it going to be who?

HARRIS: It should be Dr. Devore.

JUDGE: Who?

GERAGOS: It should be Dr. Devore.

JUDGE: It could be Dr. Devore.

GERAGOS: Should be, could be.

JUDGE: So that should be the first witness, assuming everything goes smoothly.