Witness: Christopher Perry

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Proceedings held September 2, 2004

Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – Rick Distaso; Cross – Mark Geragos

Day 1 of 1 for this witness

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

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Direct Examination by Rick Distaso

DISTASO: Officer Perry, you were part of the surveillance regarding Mr. Peterson from January 3rd to January 11th of 2003?

PERRY: I don't believe the whole time, no.

DISTASO: Okay. I'm, I'm just, that was when the surveillance was taking place, correct?

PERRY: Yes.

DISTASO: Okay. What days did you actually, were you personally actually involved in the surveillance?

PERRY: The January 7th through the 11th.

DISTASO: Okay. And were you involved in watching the, watching the residence at times through the camera?

PERRY: Yes.

DISTASO: And that was done from some remote location away from the house?

PERRY: Yes.

DISTASO: Okay. The, I just want to bring up this camera issue quickly. The camera kit that we're talking about we've heard is kind of like in a suitcase kind of thing?

PERRY: That’s correct.

DISTASO: And on the 11th did you have possession of that?

PERRY: Yes.

DISTASO: I mean was, it was somewhere in your possession, correct?

PERRY: That’s correct.

DISTASO: At, what did you do with it?

PERRY: When, when we were done with the surveillance and done using the equipment, I basically just put it all, you know, put it all back in the box and took it back to the office, where I stored it in the equipment room.

DISTASO: Okay. And the, did you remove the tape from the camera case when you did that?

PERRY: No.

DISTASO: You left the tapes there in the case?

PERRY: Yes.

DISTASO: Okay. Did you personally record anything with the camera?

PERRY: You know, at one time, maybe. I, I only watched the, the monitor itself for a very short period of time. And I don't actually remember at that time if it was recorded or not. I'm going to assume that it was, you know.

DISTASO: Okay. Well, did you personal, did you do anything to make it be recording?

PERRY: Can you rephrase that?

DISTASO: Yeah. Did you push the record button?

PERRY: Yes.

DISTASO: Okay. On one of the tapes that was in there, you recorded whatever portion that you saw?

PERRY: Yeah, that's the common practice that, if you're watching the screen, you had it recording, so,

DISTASO: Okay. And then you had, you left the tapes in the box, in the equipment when you turned it into the equipment locker?

PERRY: That’s correct.

DISTASO: The, on the 9th were you part of the surveillance that followed Mr. Peterson to the marina and then down to Bakersfield?

PERRY: Yes, I was.

DISTASO: Okay. When, when Mr. Peterson got down to Bakersfield, sometime around, let me, let me get it exactly. Around 5:30-ish or so, did you observe some unusual driving pattern by Mr. Peterson?

PERRY: Yes, I did.

DISTASO: What was that?

PERRY: For a period of I believe an hour and a half or two hours, Mr. Peterson would just basically do odd driving, such as get on the freeway, get off at the next exit, drive down a street, make a U-turn, pull into a parking lot, get back onto the freeway, go back the same way he came, get off, go into a parking lot. We did this whole freeway, get on other freeways, take the first exit, stop. It just got pretty busy there for a while.

DISTASO: Okay. And did that particular vehicle have a tracker inside?

PERRY: That’s correct.

DISTASO: Okay. And were you kind of using the tracker to also help keep track of Mr. Peterson?

PERRY: Yes.

DISTASO: Okay. That type of driving, did it indicate anything to you?

PERRY: Yeah, it did.

DISTASO: What was that?

PERRY: At the time I was just thinking that

GERAGOS: Be an objection. There's no foundation.

JUDGE: Yeah, sustained. What he thought. The jury will decide about it.

DISTASO: Okay. That's fine, your Honor. After January 11th, when the surveillance ended, did the people monitoring the camera unit, did that also stop on the 11th?

PERRY: Yes, it did.

DISTASO: And do you remember exactly what day you took the camera back, the camera unit back in and booked it, turned it back in to the equipment locker?

PERRY: I don't remember exactly which day it was. All I can say is that it was sometime by the end of the month. So I would say sometime after the 11th and before the next month.

DISTASO: Nothing further, your Honor.

Cross Examination by Mark Geragos

GERAGOS: Yeah. Good morning.

PERRY: Good morning.

GERAGOS: How are you?

PERRY: Doing pretty well.

GERAGOS: Good. The, you were doing this surveillance, you started the, your report, at least, on what day?

PERRY: January 7th.

GERAGOS: Okay. And then on the 7th, you, like the others, I guess you were, you knew a officer, is it Weiglein or "Weegland"?

PERRY: "Weegland," yes.

GERAGOS: Okay. "Weegland." And he told you that in the morning my client had gone over to the volunteer center, right?

PERRY: If I could refer to my report.

GERAGOS: Sure. I've got a Bates numbered stamp. I'm looking at 3031.

PERRY: And can you repeat the question, please.

GERAGOS: I said in the morning, sometime around 7:26, it looked like that you were notified that my client was leaving his house, correct?

PERRY: That’s correct.

GERAGOS: Okay. And by 7:38 he was over at the Red Lion, correct?

PERRY: That’s correct.

GERAGOS: And he stayed there until sometime after 12:00, right?

PERRY: That’s correct.

GERAGOS: Okay. Then from, on the next page, apparently he's running around doing errands in connection with the paperwork. And it looks like on 3033 that he was, drove to his business at about 5:37; is that correct?

PERRY: Yes, that's correct.

GERAGOS: Now, on the 8th you saw him, or you did physical surveillance on him starting at 5:30 in the morning? Or somebody was on him at 5:30 in the morning?

PERRY: That’s correct.

GERAGOS: Okay. And he, as he did on every day, that you, at least, were on the surveillance, he went from his house to the Red Lion volunteer center, correct?

PERRY: That’s correct.

GERAGOS: Okay. And then he stayed at the Red Lion on that day until about 11:40, correct?

PERRY: Yes.

GERAGOS: Okay. And then at noon he went and retrieved some papers from his vehicle and he went upstairs to Suite H in the complex at, where was that? The American Title Company?

PERRY: That’s correct.

GERAGOS: Okay. Do you know Suite H to be the Sund/Carrington Foundation?

PERRY: I did not know that. I know that at the time we had made him at the complex and one of the other agents observed the door as being Suite H.

That's why it was just listed in the report as Suite H.

GERAGOS: Do you know what the Sund/Carrington Foundation is?

PERRY: I'm aware of what, yes.

GERAGOS: One of these missing persons foundations?

PERRY: Yes.

GERAGOS: You're not aware if that's the location of where they are?

PERRY: Yeah, I'm not aware of that.

GERAGOS: Okay. Then after he went to that suite, he left that title company complex and he drove to the parking lot of the Memorial Hospital; is that correct?

PERRY: That is correct.

GERAGOS: Okay. And then it appeared that when he went to the Memorial Hospital he had a stack of papers in his hand which appeared to be the flyers for posting for Laci Peterson's disappearance, correct?

PERRY: That is what Agent Hoek reported, yes.

GERAGOS: Okay. Then after he left Memorial Hospital, he pulled into another parking lot and made a U-turn, correct?

PERRY: According to Agent Young, yes.

GERAGOS: Okay. Then he made another U-turn and went into the parking lot of AG Edwards; is that correct?

PERRY: Yes.

GERAGOS: Were you aware, or are you aware that AG Edwards had any connection to this case in terms of administering the Laci info line?

PERRY: I have no idea

GERAGOS: Okay. Now, after that it appeared that he went to a place called the India, I-N-D-I-A, Oven; is that correct? Once again,

PERRY: Yes, that's correct.

GERAGOS: once again Agent Pooley saw him carrying what appeared to be a stack of missing persons flyers regarding Laci Peterson?

PERRY: That is what was reported by Agent Pooley at the time.

GERAGOS: And it appeared that he was handing out these flyers to all kinds of businesses in the area, correct?

PERRY: Yes.

GERAGOS: Then on the next page here it says that he pulled into a Save More lot; is that correct?

PERRY: SaveMart.

GERAGOS: SaveMart, I'm sorry. And then goes into, or then returns at about, looks like about an hour and 20 minutes later to the Red Lion?

PERRY: That is correct.

GERAGOS: Okay. And went, and when he walked in he was carrying a cardboard box, correct?

PERRY: That's correct.

GERAGOS: Okay. Then he went from there to The Office Depot; is that right?

PERRY: Correct.

GERAGOS: And then over to Enterprise Rent a Car, and then back to the Red Lion, correct?

PERRY: Yes.

GERAGOS: And then on the, let's see, on the 9th, he once again started, as he did on every day that you were there, at the Red Lion in the morning, correct?

PERRY: Let me get caught up here.

GERAGOS: Looks likes, I'm on 3045?

PERRY: Yes. At 0748 hours he was observed at the Red Lion.

GERAGOS: Okay. Then we heard he went to the marina. And then after the marina he went to this location where the, off of the I-5. The Newman off ramp, correct?

PERRY: I didn't hear you.

GERAGOS: 3046, do you have 3046?

PERRY: Yes.

GERAGOS: Okay. I said after the marina, he stopped at a location where, which is off the I-5, the Newman off ramp, correct? And that would have been at 12:00, looks like 12:00 noon?

PERRY: Yes, that's correct.

GERAGOS: Okay. And then after that he went at 12:15 to the Medeiros Reservoir, M-E-D-E-I-R-O-S?

PERRY: Yes, that's correct.

GERAGOS: Okay. And that reservoir is, that he ended is part of what's called the O'Neil, O apostrophe N-E-I-L, new word, F-O-R-E, new word, B-A-Y, correct?

PERRY: That's correct.

GERAGOS: And he drove around in the area near the water, and after several minutes he turned around, headed back eastbound towards Highway 33 into Los Banos, correct?

PERRY: That is correct.

GERAGOS: Okay. Were you aware that there was an article on the morning of the 9th, this was the 9th, correct?

PERRY: Yes.

GERAGOS: Okay. Were you aware that there was an article on the morning of the 9th saying that the search operation had been both the marina, at the marina and at the Medeiros

Reservoir connected to the O'Neil Fore Bay?

PERRY: I was not aware of that.

GERAGOS: Were you aware that the Modesto Police Department had put out an advisory on the 9th regarding the searches?

PERRY: No, I was not.

GERAGOS: Okay. And it looks like at about, I assume on the same day, you've got 3047 in front of you?

PERRY: Yes, I do.

GERAGOS: Okay. And he, looks like Mr. Peterson entered a business called Davis Advertising in Fresno; is that correct?

PERRY: Yes. That is correct.

GERAGOS: Okay. And then he went back on 99 and went south, correct? Down to Bakersfield?

PERRY: That is correct.

GERAGOS: Okay. And there he stopped at a Double Tree in Bakersfield?

PERRY: Yes.

GERAGOS: Okay. And then at some point, at about 6:35, you saw him pull into a Sears parking lot, correct?

PERRY: Correct.

GERAGOS: Did you ever see him go into the Sears?

PERRY: No, I didn't.

GERAGOS: Now, on the 10th were you also involved in the surveillance? Okay. The Sears parking lot, he was there at 6:35, correct? You've got it at 1835. That's military time for 6:35?

PERRY: Yes.

GERAGOS: The next day, on the 10th, he was under surveillance as well?

PERRY: That’s correct.

GERAGOS: Okay. And at that point one of the places he, that he was reported to be was in the parking lot of a Kinko's; is that correct? The copy place?

PERRY: That’s correct.

GERAGOS: Okay. Because of the distance that the agents were they couldn't tell if he had anything with him? Meaning if he had taken stuff in or picked stuff up at Kinko's, like flyers that he had copied?

PERRY: I believe so, yes.

GERAGOS: Okay. And then after that he went to various stores, like a Ralph's store; is that correct?

PERRY: That’s correct.

GERAGOS: Thank you. I have no further questions.

DISTASO: No follow-up.

JUDGE: Officer Perry, thank you. You may be excused.