Witness: Ray Coyle

Date: 2004-07-20

Proceedings held July 20, 2004

Called by: People (prosecution)

Phase: Guilt

Examinations: Cross – Mark Geragos (continued from previous day); Redirect – Rick Distaso; Recross – Mark Geragos; 2nd Redirect – Rick Distaso

Day 3 of 3 for this witness

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

Source: https://pwc-sii.com/CourtDocs/Transcripts/Coyle.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.

July 20, 2004

GERAGOS: Good morning.

COYLE: Good morning.

GERAGOS: Officer Coyle?

JUDGE: Or Detective Coyle?

GERAGOS: Detective?

COYLE: (Nods)

GERAGOS: Detective Coyle, yesterday we talked at some length about the 290 registrants. And I went back and looked at some of the others last night. Do you have your file there?

COYLE: I do.

GERAGOS: Or your list? The first one I'd point you to is, looks like number 84. And then I show a Bates stamp of 3151.

COYLE: Yes.

GERAGOS: Okay. Now, this person was on active parole; is that correct?

COYLE: Yes.

GERAGOS: Okay. And had a, it looks like had access to a, some kind of a SUV or minivan or something like that; is that right?

COYLE: Some type of vehicle, yes.

GERAGOS: Okay. And then also the last known address was this Yosemite and Kerr, K-E-R-R. Do you know where that is?

COYLE: Yes, I do.

GERAGOS: What is that location?

COYLE: Just an intersection Yosemite Avenue and Kerr Avenue. Yosemite Boulevard and Kerr Avenue, which is very close to the Gospel Mission.

GERAGOS: Okay. Now, he said that he was, when asked about where he was on December 24th, he said that he was at his mom's house and he gave an address, correct?

COYLE: That's correct.

GERAGOS: And said he was sick that day, doesn't keep track of time real well?

COYLE: That's correct.

GERAGOS: But he said his mother would verify his whereabouts; is that correct?

COYLE: That's correct.

GERAGOS: And then his mother was contacted, correct?

COYLE: Yes.

GERAGOS: And she said she couldn't verify his whereabouts?

COYLE: That's correct.

GERAGOS: And she also said that there was no indication at her home that he had ever been there that day; is that correct?

COYLE: Yes.

GERAGOS: Okay. And that was referring to the 24th of December?

COYLE: Yes.

GERAGOS: Now, this was an investigation that was done by Officer J. Locke, L-O-C-K-E, and this was done exactly a week later. This was done on the 31st of December; is that right?

COYLE: I believe so, yes.

GERAGOS: At least that's the date that's on the report itself. So, obviously, if the report was generated on December 31st, the contact was made sometime within that week is my guess; is that accurate?

COYLE: That's correct.

GERAGOS: Okay. Does that constitute a completed investigation?

COYLE: Yes.

GERAGOS: Okay. And the next one I'm going to point you to is listed as the last one on the page, 209. And then if it helps, the Bates number that I've got is 32902.

COYLE: Okay, I'm with you.

GERAGOS: Okay. Now, this person is a 290 registrant, which means he's a convicted sex offender, correct?

COYLE: That's correct.

GERAGOS: Okay. And he said he was living in the alley. He was contacted, said he was living in the alley behind the social security office on 11th Street?

COYLE: Yes.

GERAGOS: He said on the 24th of December he was with another gentleman, that he named, in the alley, right?

COYLE: That's correct.

GERAGOS: They smoked marina, snorted some speed together?

COYLE: Yes.

GERAGOS: And then his friend left and he remained in the alley with some adult magazines; is that correct?

COYLE: That's correct.

GERAGOS: Containing pictures of nude women, and then he engaged in some self-flagellation or something; is that correct?

COYLE: That's correct.

GERAGOS: Okay. That, he said he was unable to tell you where the friend was who was in the alley with him?

COYLE: Yes.

GERAGOS: Okay. And he says he was shot in the head during a prior incident?

COYLE: Yes.

GERAGOS: Okay. And he apparently was responsive to some questions, but then would talk about a myriad of other things and made no sense?

COYLE: Yes.

GERAGOS: All right. And this was an investigation that was conducted by, is it Officer Banks?

COYLE: Yes.

GERAGOS: And this investigation was conducted September, or the interview, at least, was conducted on September 18th of last year?

COYLE: That's correct. Oh three.

GERAGOS: And this would constitute a completed investigation?

COYLE: Yes.

GERAGOS: The next one is a number 200. And if it helps, I think it's 381, looks like 66. I could be wrong.

COYLE: Probably 38136.

GERAGOS: 136. Could be.

COYLE: I'm with you. Go ahead.

GERAGOS: Okay. Now, this is a person who's also a registered sex offender, correct?

COYLE: Yes.

GERAGOS: And this person was at the Mission? Or I guess they went to the Mission; is that correct?

COYLE: Yes.

GERAGOS: Okay. And apparently the person who's the registered sex offender had not been at the Mission for two years; is that your understanding?

COYLE: Yes.

GERAGOS: So the address that was on, did, you get kind of a database for registered sex offenders at the police department, right?

COYLE: That's correct.

GERAGOS: Part of what the law is is that if a person is a convicted sex offender and they're released from prison, they have to go and register within five days at the police department, correct?

COYLE: Yes.

GERAGOS: And then that list, that database is maintained under a, in a computer log, right?

COYLE: That's correct.

GERAGOS: Okay. This person listed his address as the Mission, right?

COYLE: I'm not for sure on that. That may have been one of the places he was staying, but I don't know if that was his registered address or not.

GERAGOS: Okay. Then the officer who went out to do this investigation went to the Mission, he hadn't been at the Mission for two years, then they went to another address that had been listed on the driver's license back in 99; is that right?

COYLE: That's correct.

GERAGOS: Okay. And they contacted somebody there, and that person said he had never heard of the sex offender, right?

COYLE: That's correct.

GERAGOS: Okay. And then you, you went so far as to contact the broker who handled the renting of the house; is that right?

COYLE: Yes.

GERAGOS: And they said they'd never even heard of this guy?

COYLE: That's correct.

GERAGOS: Even though they had handled the rental of the house back at the time that he listed his address there for the driver's license with the DMV?

COYLE: (Nods)

GERAGOS: And then there was another address that was on the criminal history, correct?

COYLE: That's correct.

GERAGOS: Now, when you talk about a criminal history, the computer will show various contacts that somebody might have with police, correct?

COYLE: Yes.

GERAGOS: And those contacts will list what they're arrested for, what they're convicted for, last known address, right?

COYLE: I'm not sure if the database that they're talking about, or you're talking about actually shows an address or not. I'm not sure which criminal history record they're referring to here. In this. They didn't, they didn't state which one it was.

GERAGOS: Okay. They went to another address that at least the officer says was connected to this particular sex ine 8 offender's criminal record, and when they got there the person said that they had also, or he had never heard of this person, right?

COYLE: That's correct.

GERAGOS: And he said he gets lots of mail for different people, but he's never seen any mail come for this guy?

COYLE: That's correct.

GERAGOS: And the officer says, the last line was: At this point I've exhausted all my resources to contact blank, this gentleman?

COYLE: That's correct.

GERAGOS: Okay. Was this a completed investigation?

COYLE: Well, actually, there's another supplement, with some additional information.

GERAGOS: Okay. And you have a Bates number on there?

COYLE: Yeah. 40516.

GERAGOS: Okay. And in the supplement that they've got there, there was several other attempts to find him?

COYLE: Yes.

GERAGOS: Okay. And at that point they did not, or they were not able to, and I guess claimed that he, or feel that he ran or was in Tennessee? Not ran, but had moved to Tennessee?

COYLE: That's correct.

GERAGOS: Okay. And they had an address in Tennessee?

COYLE: Yes.

GERAGOS: But they were not able to contact him there?

COYLE: No.

GERAGOS: Okay. So they had gone to all of these addresses, including one in Tennessee, and they still couldn't locate him at the one in Tennessee?

COYLE: That's correct.

GERAGOS: Okay. Does this constitute, and is that the end of the supplemental report?

COYLE: Yes.

GERAGOS: Does this constitute the end of the completed investigation?

COYLE: Yes.

GERAGOS: Okay. The next one is 53.

COYLE: I'm with you.

GERAGOS: Okay. Now, this is a person I believe who is a registered sex offender, correct?

COYLE: Yes.

GERAGOS: Okay. So at some point he was convicted somewhere of a registerable sex offense and he was supposed to register or had registered in Modesto, correct?

COYLE: That's correct.

GERAGOS: Okay. Now, then it looks like Officer Munoz was assigned to follow-up this case and try to locate this gentleman?

COYLE: Yes.

GERAGOS: And they checked the MPD, the Modesto Police Department, two different databases, is that correct?

COYLE: That's correct.

GERAGOS: What were those two databases?

COYLE: Those are our electronic computerized file systems where every report, every contact, every citation, every arrest, names get indexed into.

GERAGOS: Okay. And they checked that and they couldn't find anything, correct?

COYLE: Right. We had no contact with him.

GERAGOS: Then they checked, this person checked DMV and tried to get one of those SOUNDEXs from DMV?

COYLE: That's correct.

GERAGOS: SOUNDEX, if you have got a person's name and date of birth, law enforcement can make a request of DMV and they will send down a copy of the driver's license, picture, and the thumbprint, correct?

COYLE: That's correct. If the person has one, that's correct.

GERAGOS: If the person matches the information you give them. They requested, or the officer requested that information from the DMV, and there was no photo available; is that correct?

COYLE: That's correct.

GERAGOS: Then they checked for warrants on the separate, I assume a separate database?

COYLE: Yes.

GERAGOS: Would have been the CLETS, C-L-E-T-S, system probably?

COYLE: I think it was probably just our local system.

GERAGOS: When they did that, it turned out there was a warrant outstanding for this person, right?

COYLE: Yes.

GERAGOS: They found the last known booking photo?

COYLE: Yes.

GERAGOS: That's this? You have that?

COYLE: Yes.

GERAGOS: Okay. The, and then the, in checking the criminal history discovered that his last arrest was about ten years before in Hawaii?

COYLE: Yes.

GERAGOS: Hawaii was contacted, somebody in Honolulu PD?

COYLE: Yes.

GERAGOS: And it was apparent that his last known contact with them was back in 98?

COYLE: Yes.

GERAGOS: And he currently has numerous active warrants for his arrest in the Hawaii jurisdiction?

COYLE: According to them, yes.

GERAGOS: Okay. And it looks like this investigation was done sometime in, looks like this was done last year; is that right?

COYLE: Yes. December of 03.

GERAGOS: Okay. So about seven months ago?

COYLE: Yes.

GERAGOS: Did this constitute a completed investigation?

COYLE: Yes.

GERAGOS: Even though he was never located and there was numerous warrants out for him?

COYLE: That's correct, yes.

GERAGOS: Okay. The next one that I've got on here is number 158?

COYLE: Go ahead.

GERAGOS: Okay. Now, this gentleman is, let's see. What is he, a 190, a 190 registrant, another registered sex offender?

COYLE: 290.

JUDGE: 290.

GERAGOS: 290, I'm sorry.

GERAGOS: Now, he's identified as a Hawaiian, a male?

COYLE: Yes.

GERAGOS: And sometime, it looks like December, about seven months ago, he was contacted. Who was he contacted by?

COYLE: He was contacted by Detective Schmierer.

GERAGOS: Okay. And he's a registered sex offender in Stanislaus, City of Modesto?

COYLE: Yes.

GERAGOS: He said he was at his residence all day on Christmas Eve of 2002?

COYLE: Yes.

GERAGOS: He said he was by himself and didn't see anyone until he visited a friend about 5:00?

COYLE: That's correct.

GERAGOS: He said his friend lived at a place called Ralston Towers?

COYLE: Yes.

GERAGOS: And he gave the first name of the friend, right?

COYLE: Yes.

GERAGOS: He owns a pickup truck?

COYLE: Yes.

GERAGOS: He said that, this Zach (phonetic) at Ralston Towers was basically his alibi; is that correct?

COYLE: That's correct.

GERAGOS: This officer went to Ralston Towers?

COYLE: Yes.

GERAGOS: And was, met with the manager?

COYLE: Yes.

GERAGOS: And the manager told him that no one by the first name of Zach lived at Ralston Towers?

COYLE: Yes.

GERAGOS: Okay. And you were also, the person was also, the officer was also advised that Zach was not living at Ralston Towers on Christmas Eve of December 24th of 2000 and 2; is that correct?

COYLE: That's correct.

GERAGOS: The last line of the report is: I was unable to confirm blank's alibi, correct?

COYLE: That's correct.

GERAGOS: And this constituted a completed investigation?

COYLE: Yes.

GERAGOS: Okay. The next one is 167. It's the bottom of the page.

COYLE: Are you on Bates stamp 35846?

GERAGOS: That is it.

COYLE: Okay.

GERAGOS: This person is a registered sex offender?

COYLE: Yes.

GERAGOS: And this person was contacted January of this year?

COYLE: Yes.

GERAGOS: And was spoken to over the phone from his parole agent's office?

COYLE: Yes.

GERAGOS: Okay. He said he was living at the Mission in Modesto on December 24th?

COYLE: Yes.

GERAGOS: He said that during the day people living at the Mission are kicked out onto the street?

COYLE: Yes.

GERAGOS: He said that normally he hung out at the library or Jack in the Box, although he didn't know where he was that day?

COYLE: That's correct.

GERAGOS: He said he didn't have any relatives in town that he spent the day with, and no one was with him except a couple of fellow transients who also lived at the Mission who he hung around with at this time?

COYLE: Yes.

GERAGOS: He gave the name of somebody, two names that he thought were probably with him on that day?

COYLE: Could have been, yes.

GERAGOS: Okay. He said he didn't have a car, right?

COYLE: Yes.

GERAGOS: And he said that he didn't have anything to do with Laci Peterson's disappearance, correct?

COYLE: That's correct.

GERAGOS: And did that constitute a completed investigation?

COYLE: Yes.

GERAGOS: And that was all done over the phone, correct?

COYLE: That's correct.

GERAGOS: Do you, are you familiar with the Mission, that area of the Mission?

COYLE: Yes, I am.

GERAGOS: And is it your understanding that during the day people living at the Mission, registered sex offenders, are kicked out on to the street?

COYLE: Well, they didn't really live there, per se. It's a transient come and go place. They're able to go there in the evening, have dinner, they provide them a bed for the night, and then in the morning, yes, they have to leave.

GERAGOS: Do you know what time in the morning they're told to leave?

COYLE: I don't know for sure.

GERAGOS: The next one I've got here is 285.

COYLE: Are you on 35882?

GERAGOS: Right.

COYLE: Okay.

GERAGOS: Now, this person is a registered sex offender?

COYLE: Yes. And maybe also a parolee.

GERAGOS: Looks like paroled out of, well, looks like he was contacted in January of this year, right?

COYLE: Yes.

GERAGOS: Okay. I'm assuming that the second line in there is a typo in terms of the date.

COYLE: Well, actually maybe the first line is.

GERAGOS: Okay. The first line?

COYLE: Yes.

GERAGOS: Okay. Now, one of them is a typo in terms of the year; is that correct?

COYLE: That's correct.

GERAGOS: Okay. Now, the, there was contact made with this gentleman; is that right?

COYLE: Yes.

GERAGOS: And did you try to determine where he was on December 23rd?

COYLE: Yes.

GERAGOS: And it says, I guess, he called out from whatever jail facility he was in?

COYLE: I believe the detective actually called into there; but, yeah.

GERAGOS: Okay. And he said he moved from Modesto to Fresno in the year 2000?

COYLE: Yes.

GERAGOS: He said he thought that, or said he had not been back to Modesto since he moved in 2000?

COYLE: Yes.

GERAGOS: He said he thought he was in Fresno County Jail on December 24th?

COYLE: But he cannot be sure, right.

GERAGOS: Right. He said if he wasn't in jail he was living with another friend, whose name he gave?

COYLE: That's correct.

GERAGOS: Okay. The officer confirmed that the friend lives in Fresno?

COYLE: Yes.

GERAGOS: But was unable to contact the friend?

COYLE: That's correct.

GERAGOS: Then I guess the Fresno County Sheriff's Department and the police department were contacted?

COYLE: Yes.

GERAGOS: And they said that they had several contacts with him beginning in the year 2000 and 1?

COYLE: Yes.

GERAGOS: No contacts in the Stanislaus County?

COYLE: That's correct.

GERAGOS: Okay. He was paroled, looks like he was arrested October 24th of 2001 in Fresno?

COYLE: Yes.

GERAGOS: And then he was paroled back to Fresno on what date?

COYLE: December 5th, 2002.

GERAGOS: Okay. And then was arrested on June 19th of 2003?

COYLE: Yes.

GERAGOS: And returned to prison?

COYLE: Yes.

GERAGOS: Okay. So he would have been out, at least given the law enforcement's custody record, during the time of the 23rd and 24th of December? He was clearly out of custody, based upon the information this officer developed?

COYLE: That's correct.

GERAGOS: Okay. And they were never able to, at least at this time, when this report was prepared, find the friend who could confirm his alibi?

COYLE: That's correct.

GERAGOS: And this constituted a completed investigation?

COYLE: Yes.

GERAGOS: The next one I've got is 253.

COYLE: 35878?

GERAGOS: Yes. And 79.

COYLE: Okay.

GERAGOS: It looks like, for whatever reason, 35879 looks like it's the first report. The 35878 looks like it's the follow-up; is that the way you read it?

COYLE: Yes.

GERAGOS: Start with 35879.

COYLE: Okay.

GERAGOS: Looks like this person was a registered sex offender?

COYLE: Yes.

GERAGOS: This person also had a warrant out, bench warrant for a sex offense?

COYLE: Yes.

GERAGOS: And looked like that warrant had been outstanding for at least twelve years?

COYLE: Yes.

GERAGOS: And you ran what I called before, this CLETS file? Or you didn't, but C-L-E-T-S file; is that correct?

COYLE: Yes.

GERAGOS: It's a law enforcement database?

COYLE: That's correct.

GERAGOS: And it showed that the Department of Justice had entered and they had determined he was residing out of state?

COYLE: That's correct.

GERAGOS: Okay. So somebody called the Department of Justice?

COYLE: Yes.

GERAGOS: They gave this gentleman's information, and it was apparent he had not registered since 1990?

COYLE: Yes, in California.

GERAGOS: Okay. Showed he was last listed as living in Arizona?

COYLE: Yes.

GERAGOS: And they then called a sheriff's department in Arizona?

COYLE: Yes.

GERAGOS: And confirmed that he's registered there but have no further information?

COYLE: Yes.

GERAGOS: Okay. Then there was another call made to an administrative clerk there?

COYLE: Yes.

GERAGOS: And also shows that the last contact they had with this gentleman was in 1990?

COYLE: That's correct.

GERAGOS: And at that point they were unable to locate any further information on him?

COYLE: Yes.

GERAGOS: Okay. Then it looks like about three weeks later, January of this year, the, once again, he contacted a detective in Arizona; is that correct?

COYLE: Yes.

GERAGOS: And he said he would attempt to locate or determine the status of this guy?

COYLE: Yes.

GERAGOS: However, at this time he had no further information on his whereabouts?

COYLE: That's correct.

GERAGOS: Okay. And then also in the file they had a Texas driver's license number?

COYLE: Yes.

GERAGOS: And that comes back apparently to a different name in Texas; is that right?

COYLE: That's correct.

GERAGOS: But apparently he was under a alias of some kind?

COYLE: Or somebody transposed a number. There's several other things could happen there.

GERAGOS: Okay. They also used the web site to see if maybe he died, correct?

COYLE: That's correct.

GERAGOS: And there was no match?

COYLE: That's correct.

GERAGOS: And at that time there was no further information regarding this gentleman?

COYLE: Yes.

GERAGOS: And that constituted a completed investigation?

COYLE: Yes.

GERAGOS: Number 256. I only have a couple more of these. 256 is also a registered sex offender?

COYLE: Yes.

GERAGOS: Now, Officer Hinkley again was assigned to try and find this person in December, about seven or eight months ago?

COYLE: Yes.

GERAGOS: And they checked this CLETS file, law enforcement database again?

COYLE: Yes.

GERAGOS: And determined at least from that database that he was residing out of state?

COYLE: Yes.

GERAGOS: Once again, he went through the same thing. He called the Department of Justice again?

COYLE: Yes.

GERAGOS: And then gave that Arizona address, not address but said contact Arizona?

COYLE: That's correct.

GERAGOS: Which Hinkley did, Hinkley called and talked to a criminal records specialist?

COYLE: Yes.

GERAGOS: Who stated that in July this sex offender said he would, was going to move back to California?

COYLE: Yes.

GERAGOS: They don't have anything showing that he, whether he moved, right?

COYLE: That's correct.

GERAGOS: First started registering in Arizona in 98?

COYLE: Yes.

GERAGOS: And in July of 2000 and 3, at that point he was located because he had stopped registering?

COYLE: Yes.

GERAGOS: Okay. They felt that he was currently in compliance, correct?

COYLE: Yes.

GERAGOS: And then called another department in Maricopa County; is that correct?

COYLE: Yes.

GERAGOS: Made several attempts to call the number that this gentleman lists on his registration form, correct?

COYLE: That's correct.

GERAGOS: They were never able to locate him, is that correct?

COYLE: That's correct.

GERAGOS: Were never able to locate, I think the last sentence says: I was unable to locate any other information to help me determine where Artie (last name redacted) was residing or how to contact him, is that correct?

COYLE: That's correct.

GERAGOS: And this was then a completed investigation?

COYLE: Yes.

GERAGOS: Next one is 196.

COYLE: Are you on 32875?

GERAGOS: I am.

COYLE: Okay.

GERAGOS: This person is also a registered sex offender?

COYLE: Yes.

GERAGOS: This one, this person was met by Detective Brocchini in the Modesto Police Department?

COYLE: Yes.

GERAGOS: He said he had been homeless for several, several years?

COYLE: Yes.

GERAGOS: And that he was living at the Gospel Mission or down at the river in the park?

COYLE: Well, it doesn't say "park." Just saying staying down at the river. That could mean,

GERAGOS: Does that refer, does that refer to more than one location when you're talking about,

COYLE: Well, we actually have three fairly good-sized rivers within a fairly close distance to downtown Modesto, so I'm not sure which one he's talking about, or where at.

GERAGOS: Okay. He said he cannot be sure of where he was on Christmas Eve?

COYLE: Yes.

GERAGOS: He thinks he was at the river?

COYLE: Yes.

GERAGOS: And he said his only contact with family would be his brother?

COYLE: Yes.

GERAGOS: He said he possibly called his brother, except he wasn't sure?

COYLE: That's correct.

GERAGOS: He said many people live at the river and many of them use their name or use different names?

COYLE: That's correct.

GERAGOS: This,

COYLE: At least that's what he said, anyway.

GERAGOS: Right. This interview took place in September of oh three?

COYLE: Yes.

GERAGOS: Okay. And Officer Brocchini, Detective Brocchini notes that in December, in September of oh three that this person had no noticeable injuries, scars or marks or recently healed injuries on him, correct?

COYLE: That's correct.

GERAGOS: He also, Brocchini notes that he's not driven a car in many years and had no access to any vehicle; is that correct?

COYLE: That's correct.

GERAGOS: And the, looks like somebody contacted his brother

COYLE: Yes.

GERAGOS: to confirm whether or not he received a call on Christmas Eve or Christmas day?

COYLE: Yes.

GERAGOS: And turns out that the brother said he cannot recall speaking to him on Christmas Eve or Christmas day?

COYLE: That's correct.

GERAGOS: Okay. He was, Detective Brocchini was unable, writes: I was unable to positively alibi Mr. Moreno for Christmas Eve or Christmas day?

COYLE: That's correct.

GERAGOS: And this gentleman's an older white male; is that correct? 72?

COYLE: 72, yes.

GERAGOS: Okay. And therefore did this constitute a completed investigation?

COYLE: Yes.

GERAGOS: The next one is 198.

COYLE: Go ahead.

GERAGOS: This is one that you actually did; is that correct?

COYLE: Yes.

GERAGOS: This is a registered sex offender?

COYLE: Yes.

GERAGOS: And this person said that he was currently a transient, or homeless?

COYLE: Yes.

GERAGOS: And he was, he's required to register as a sex offender?

COYLE: That's correct.

GERAGOS: And he said he currently owned a yellow Dodge pickup with a full-sized cab over a camper?

COYLE: Yes.

GERAGOS: He said he lives in his truck?

COYLE: Yes.

GERAGOS: And he purchased the pickup four or five years before you interviewed him?

COYLE: Yes.

GERAGOS: And you interviewed him in September of oh three?

COYLE: That's correct.

GERAGOS: Okay. He said he had not had any serious injuries, he had several heart attacks, suffers from emphysema, cannot exert himself; is that correct?

COYLE: Yes.

GERAGOS: He said, to you he appeared frail and sickly; is that correct?

COYLE: That's correct.

GERAGOS: Did this person recall where he was on December 24th?

COYLE: No, he could not recall.

GERAGOS: Okay. And he just said that he lives in his truck and parks along the San Joaquin River?

COYLE: Yes.

GERAGOS: Okay. And said he could not think of anything to verify his whereabouts on December 24th?

COYLE: That's correct.

GERAGOS: Okay. And that constituted a completed investigation?

COYLE: Yes.

GERAGOS: Did your, you made some notes about his health, that it was obvious to you that he was not in good health; is that correct?

COYLE: That's correct.

GERAGOS: And it was also your opinion that he could not have struggled with a healthy person or been able physically to abduct someone?

COYLE: That was my opinion, yes.

GERAGOS: Okay. Because of his stature and the state of his health?

COYLE: Yes. And the fact when we were worried when he came up the stairs we were going to have to call an ambulance. He nearly didn't make it, so

GERAGOS: Okay. The, did this, did anybody have contact with him, that you're aware of, prior to this September 3rd date, in connection with this investigation?

COYLE: Not that I'm aware of.

GERAGOS: Okay. That constituted a completed investigation?

COYLE: Yes.

GERAGOS: The next one I've got I think is 199.

COYLE: Is that 32879?

GERAGOS: 32879, correct.

COYLE: Okay.

GERAGOS: Now, this person was interviewed by Officer Beffa?

COYLE: That's correct.

GERAGOS: He had recently been released from parole?

COYLE: Yes.

GERAGOS: Okay. He was a registered sex offender?

COYLE: Yes.

GERAGOS: Okay. He was originally, it looks like, contacted by Beffa to determine his whereabouts on the 24th of December?

COYLE: Yes.

GERAGOS: And when he was originally contacted on January 2nd, he said he had been with his fianc,e, correct?

COYLE: That's correct.

GERAGOS: And that he had been at work at a Save-Mart on Paradise Road?

COYLE: That's correct.

GERAGOS: The, apparently Beffa was unable to contact the fiancée?

COYLE: Right.

GERAGOS: And but he did speak to the manager at Save-Mart?

COYLE: Yes.

GERAGOS: The manager at Save-Mart told him that this guy was not working that day, right?

COYLE: That's correct.

GERAGOS: He then asked, I guess that was back in January, right?

COYLE: Right.

GERAGOS: So then he comes back and follows up, Officer Beffa does, in August? I'm assuming that, looking at the top on the supplement there.

COYLE: Yes.

GERAGOS: August of oh three. So he then asked, again asked him what were your whereabouts. I guess the implication being: I talked to the Save-Mart person, you weren't working, where were you?

COYLE: That's correct.

GERAGOS: He told me that he had, after he, the sex offender said after he had spoken with Officer Beffa in January he had remembered that he had not worked that day but he had been with his fiancée,e the whole day. They had been at home in the evening. They had gone to the parents' house; is that correct?

COYLE: That's correct.

GERAGOS: He was asked if he had vehicles that he drives, and he says he's got a suspended license, right?

COYLE: That's correct.

GERAGOS: He said that his fiancée drives him around?

COYLE: That's correct.

GERAGOS: Okay. At approximately, looks like about a week later, the fiancée was contacted?

COYLE: About five, six days, that's correct.

GERAGOS: Okay. And she, and this was over the phone?

COYLE: Yes.

GERAGOS: Okay. And she said that yes, she was with him the whole day?

COYLE: Yes.

GERAGOS: Okay. That constituted a completed investigation?

COYLE: Yes.

GERAGOS: The next one is 154.

COYLE: Are you at 32795?

GERAGOS: 32795.

COYLE: Okay.

GERAGOS: Okay. This is somebody who was released from Folsom sometime, looks like May of 02?

COYLE: Yes.

GERAGOS: Lived at this Bethesda House from May until February of 03?

COYLE: Yes.

GERAGOS: And he says that he was at this Bethesda Ministries House all day?

COYLE: Yes.

GERAGOS: Said that he left on Christmas day?

COYLE: Yes.

GERAGOS: Okay. He also, I guess it looks like Detective Schmierer contacted the Bethesda House?

COYLE: Yes.

GERAGOS: And they show, to confirm, to try to confirm the alibi?

COYLE: Yes.

GERAGOS: They showed the officer a pass request from 12/23; isn't that correct?

COYLE: That's what it says here, yes.

GERAGOS: Okay. Did this constitute a completed investigation?

COYLE: Yes.

GERAGOS: The next one is 186.

COYLE: 35849?

GERAGOS: Correct.

COYLE: Okay.

GERAGOS: This is a person who apparently had lived at the Mission while he was running from parole?

COYLE: Yes.

GERAGOS: And couldn't remember where he was on the 24th?

line COYLE: Yes.

GERAGOS: Couldn't remember who he was with?

COYLE: That's correct.

GERAGOS: Had no relatives, says he doesn't have a vehicle?

COYLE: That's correct.

GERAGOS: Says he's disabled and takes medication?

COYLE: Yes.

GERAGOS: Okay. Said he didn't have anything to do with the disappearance of Laci?

COYLE: Yes.

GERAGOS: And this gentleman is, what, about 35?

COYLE: About that, yes.

GERAGOS: And that constituted a completed investigation?

COYLE: Yes.

GERAGOS: When he was interviewed, he was interviewed, he was back in jail?

COYLE: Yes.

GERAGOS: He had also indicated that he was released from prison the month before she disappeared, Laci disappeared? End of the first paragraph.

COYLE: He said he believed he had just gotten out, yes.

GERAGOS: Next one is 189.

COYLE: 35850?

GERAGOS: That's correct.

COYLE: Okay.

GERAGOS: This is an investigation by Banks?

COYLE: Yes.

GERAGOS: This person is a registered sex offender?

COYLE: Yes.

GERAGOS: He was met in person; is that correct?

COYLE: Yes.

GERAGOS: He stated that on the 24th he was in Turlock?

COYLE: Yes.

GERAGOS: He stayed alone in his camper most of the day?

COYLE: Yes.

GERAGOS: He couldn't remember who he had visited that day?

COYLE: Yes.

GERAGOS: And did that constitute the extent of the investigation?

COYLE: Yes.

GERAGOS: And was that a completed investigation?

COYLE: Yes.

GERAGOS: 191.

COYLE: 32838 or 839?

GERAGOS: I've got 3128 and then 32838. 3128 is just a one-sentence deal, if you want to take a look at it.

COYLE: I may not have gotten discovery on that.

GERAGOS: Do you have this one, the 32838?

COYLE: I have 32838.

GERAGOS: Okay. The only other one I was able to locate was this. Do you have that?

COYLE: I think so.

GERAGOS: Okay. Looks like in December of last year somebody was tasked to look for this gentleman?

COYLE: Yes.

GERAGOS: This gentleman is a registered sex offender?

COYLE: Yes.

GERAGOS: And there was an address, I guess, that was on the registration card that apparently there is no such address, correct?

COYLE: That's correct.

GERAGOS: They looked through records and there's no new address or contacts for him; is that correct?

COYLE: That's correct.

GERAGOS: There were no further leads to contact him; is that right?

COYLE: That's right.

GERAGOS: And on December 19th they called the Stanislaus County jail and confirmed that he was not in custody?

COYLE: That's correct.

GERAGOS: Okay. Was that a completed investigation?

COYLE: Well, obviously not, because you've got pages I don't seem to have, so I'm not sure exactly what else was done on him right now.

GERAGOS: Okay. 195.

COYLE: 32874?

GERAGOS: Right.

COYLE: Okay.

GERAGOS: This one is something by Officer Kelley?

COYLE: Yes.

GERAGOS: And this person is a registered sex offender?

COYLE: Yes.

GERAGOS: And the officer attempted to contact him, called the General Store Post Office and spoke to a witness?

COYLE: Yes.

GERAGOS: And the witness said that the P.O. Box he listed is no longer registered to him?

COYLE: That's correct.

GERAGOS: Okay. He then contacted the San Bernardino County Sheriff's Department?

COYLE: Yes.

GERAGOS: They had them go look at an address he had also given?

COYLE: Yes.

GERAGOS: Told him that that's a bad address?

COYLE: Yes.

GERAGOS: The DMV check revealed that his license was surrendered in Nevada sometime in 93 to 97?

COYLE: That's correct.

GERAGOS: And at that time the officers exhausted all possible leads in locating this gentleman?

COYLE: That's correct.

GERAGOS: And was this a completed investigation?

COYLE: Yes.

GERAGOS: Okay. I'm done with the 290s. I'm just going to ask you a couple more areas and I'll be done with it. The, we discussed yesterday the search that you, the search,

JUDGE: Mr. Geragos, could you speak a little louder?

GERAGOS: Sure. We discussed yesterday the searches that you were involved in?

COYLE: Yes.

GERAGOS: Okay. And the 2/18 search, was that, what was your role in that search?

COYLE: On February 18th?

GERAGOS: February 18th.

COYLE: I was not involved in that.

GERAGOS: Okay. So is it a fair statement that your role in the searches was on the 26th and the 27th?

COYLE: That's correct.

GERAGOS: Master bedroom and that hamper area and for clothing?

COYLE: Yes. Several other places in the house as well, but primarily that.

GERAGOS: Primarily that. And did you, I'd asked you yesterday, I wonder if you thought about it since yesterday; did you have somebody that was partnered up with you on the day of the search in the master bedroom?

COYLE: I know there was other detectives that came and went from the room, but I don't believe I was specifically given a partner to search, no.

GERAGOS: Okay. Now, you also did some searches of the Bay as well; is that correct?

COYLE: I spent one day, yes.

GERAGOS: And that was October 3rd of 2003?

COYLE: Well, I'd have to, I'll take your word for it, but I would have to refer to the report

GERAGOS: Sure.

COYLE: to be sure.

GERAGOS: I'll just show you. Take a look, if you would, at the yellow highlighted portion.

COYLE: Yes.

GERAGOS: Okay. Now, and you did, you were in the search operations in the Bay with Detective Hendee?

COYLE: Yes.

GERAGOS: Okay. And there were four targets that you were searching for, or that you searched for?

COYLE: That's correct.

GERAGOS: Okay. And those were located by the side-scan sonar device?

COYLE: Yes.

GERAGOS: And of those four objects that were brought to the surface, they were all small sticks; is that correct?

COYLE: Except one big fishing net.

GERAGOS: Five feet long,

COYLE: Fishing net, yes.

GERAGOS: About five feet by three feet?

COYLE: Yes.

GERAGOS: Are these the, you recorded all of the items you found with a digital camera?

COYLE: Yes.

GERAGOS: Do you have a better version of these pictures than mine?

COYLE: I don't know if it's better. Let me check. No, it's about the same.

GERAGOS: Okay. The items, I'm going to, while that's warming up, can you, I'll mark this defense next in order, Judge.

JUDGE: That will be Quadruple S. SSSS.

GERAGOS: And can I ask you, that document which you're looking at, which I've got a copy of, does that accurately reflect the photos, the photos accurately reflect the items that were brought up on the search of the Bay on October 3rd?

COYLE: Well, they're poor quality, but they are the digital, or copies of digital photographs of those items, yes.

GERAGOS: As soon as this warms up, I'll put it up there and you can identify which item it is. This is poor quality.

GERAGOS: The, can you just identify for the jury which, I know it's extremely bad quality, but these items here that,

COYLE: That was the fishing net.

GERAGOS: Okay. That was about, as you indicated, about five feet by three feet?

COYLE: Yes. The net bag is about three foot wide. The net handle itself is about five foot long.

GERAGOS: If we see it correctly, that's the handle right there?

COYLE: Yes.

GERAGOS: And then the outline right there, kind of like a tennis racket?

COYLE: That's correct.

GERAGOS: And then the netting is in here?

COYLE: Right.

GERAGOS: Okay. That was on the floor of the Bay?

COYLE: Yes.

GERAGOS: And that was, obviously there was an object there that became a target that was dived for and then retrieved and brought up and photographed?

COYLE: Yes.

GERAGOS: Okay. These items here?

COYLE: Some sticks. Just small branches, sticks.

GERAGOS: This, this is a ruler?

COYLE: That's correct.

GERAGOS: Approximately how long?

COYLE: One foot.

GERAGOS: Okay. The sticks are, what, somewhere between four inches and six inches long?

COYLE: Approximately.

GERAGOS: Okay. Fair statement that the side-scan sonar was able to pick up four inch and six inch objects?

COYLE: Well, I can't, I don't know anything about the side-scan sonar. We just went to a target location. That's what came up. I don't know if those were picked up by the scanner or not.

GERAGOS: Is this one right here a stick as well?

COYLE: Well, no. Actually, that was a piece of wood.

GERAGOS: Okay. So it's a slightly larger or bigger size than the sticks itself?

COYLE: That's correct.

GERAGOS: Okay. This item right here?

COYLE: That was another piece of branch, or stick.

GERAGOS: Also the same thing; this is a one-foot ruler?

COYLE: That's correct.

GERAGOS: Okay. So it's smaller than a foot?

COYLE: Yes.

GERAGOS: Is this another photo of that net?

COYLE: Yes.

GERAGOS: And the handle itself?

COYLE: Yes.

GERAGOS: And then what is this right here?

COYLE: That's just a piece of paper with the case number, I think. And I can't remember, maybe the date on there as well, it looks like.

GERAGOS: Now, the, these items here, this one, two, three, and four, were those specifically items that were at a location that you dived, that divers went down for?

COYLE: Yes.

GERAGOS: Thank you. I have no further questions at this time.

Redirect Examination by Rick Distaso

DISTASO: Detective, regarding the list of parolees and 290s, why was that list created?

COYLE: Originally within the first few hours, or first day, it was sort of like round up the usual suspects. It was a starting point of something that's, that's a decision that was made above me, and it was somebody that decided that we needed to start checking people out to see if it would lead anywhere.

DISTASO: Okay. So this list of 309 or so many names was created?

COYLE: Yes.

DISTASO: And let me make sure I've got that number right. 310 names. There's 310 names on this list, but there are actually two people that are listed twice, correct?

COYLE: That's correct. One guy has an alias and one name was misspelled once.

DISTASO: So we're probably talking around 308 people?

COYLE: Around that, yes.

DISTASO: And did this part of the investigation have anything to do with the defendant?

COYLE: No.

DISTASO: I mean did, was this looking into these folks, did this have anything to do with the investigation looking into the defendant's activities?

COYLE: Not, not that I know of, no.

DISTASO: Okay. And the, when this list was done, what was kind of the goal?

COYLE: Well, again, I mean, you know, we had really not much to go on in the beginning. And it was suggested that something of this type could have been done by a person who was a convicted felon or a sex registrant. And so, again, it was folks we were looking at, trying to see if it led us anyplace, you know, would develop some evidence.

DISTASO: Was there ever, when the list was first created, was there ever any evidence that pointed to each of these individual people? Like Well, we got something against number one, we've got something against number two, three, four, all the way down to 308?

COYLE: No.

DISTASO: These were people that were just 290 registrants, sex registrants, right?

COYLE: Actually, they drew a circle on a map within a range, I think it was a mile of the Covena residence, and every sex registrant living within that circle was attempted to be located.

DISTASO: And the list included both sex registrants and certain parolees that were living in the area, or information you had on people in that area?

COYLE: That's correct.

DISTASO: And the, down in that area, or five or six blocks away, is the Mission, correct?

COYLE: That's correct.

DISTASO: And the Mission is, like you described, a place where homeless folks can come and spend the night?

COYLE: Yes.

DISTASO: It's, it's not really their home or their house, but they can come there each night, spend the night, then they have to leave in the morning?

COYLE: That's correct.

DISTASO: So the people that are going there and staying are transients, or obviously homeless people?

COYLE: That's correct.

DISTASO: And many of these people, as we've heard, when they were contacted, stated they were getting around town by riding their bikes or,

GERAGOS: Objection. Leading.

DISTASO: walking.

JUDGE: Sustained.

DISTASO: Well, I mean how did some of the, how did these people that were living at the Mission, most of them say they were getting around?

COYLE: Most of them on foot. In some cases, yes, they had bicycles.

DISTASO: Now, you were asked about just a small number, and I'm not going to go through every single one of these either, but they, you were asked about a small number of these people. But like you said yesterday, in fact I counted up the ones you, were you were asked about, there was 32, of the 308, there were a large number of these people who had someone they could say They were with me on this particular day on the 24th?

GERAGOS: Objection. Leading.

JUDGE: Sustained.

DISTASO: Was there a large number of people who had somebody who would say Yes, this person was with me on the 24th?

COYLE: Without actually counting them up, I'm just guessing, but I think it was a majority of the folks. Now, that may have only been 51 percent; but, yeah, a majority of the folks that we contacted had someone, family member, in several cases it was their employer. We, we actually line 2 got several of them that we got time cards from their employer showing that they were at work that day. So yeah, there was a lot of, lot of them that had alibis.

DISTASO: And some of these people were deceased, correct?

COYLE: Yes.

DISTASO: And the records reflected that?

COYLE: Yes.

DISTASO: And some of these people, even the ones that counsel were asking, was asking you about, from the records it appears they hadn't been in California for some years?

COYLE: Several of them, yes.

DISTASO: One I think was number, let me find the number here. Number 53, that individual, looks like the last contact that any law enforcement had with him was he was in Hawaii?

COYLE: That's correct.

DISTASO: And when was the last contact that the Hawaiian authorities had contact with this person?

COYLE: 1998.

DISTASO: So how did that person get on your particular list?

COYLE: I don't know if he was one that was at some point supposed to be registering in Modesto and so we have to carry them on our database, although he's out of compliance, obviously, if he has to register with us, or whether this was one of the parolees. I don't know.

DISTASO: Okay. And he was, looks like his birth date was 1943, so he would be approximately, what, 59 years old, if my math is right? At the time of this?

COYLE: Yes.

DISTASO: All right. You were asked about a couple other individuals. One was what, number 198. And counsel has already talked about the fact that when he came in to talk to you at the Modesto Police Department, you observed that he was sickly and in ill health?

COYLE: Yes.

DISTASO: And that person's age I think was 61 years old?

COYLE: Yes.

DISTASO: You were asked about another person, number 195, who was unable to be located. Do you want to pull that record up real quick?

COYLE: Okay.

DISTASO: And what was that person's date of birth?

COYLE: 1925.

DISTASO: Okay. So he would have been 77, I guess, at the time this happened?

COYLE: Yes.

DISTASO: You were asked about number 196. That was someone who was also looked at. And I believe counsel asked you about his birth date. And he was an individual who was 72 years old?

COYLE: That's correct. Born in 1930.

DISTASO: So just so we get a clear picture of these people, some of these people are, were elderly, correct?

COYLE: That's correct.

DISTASO: Some of them were obviously in ill health?

COYLE: Yes.

DISTASO: Some of them, as counsel brought up, there was a 35 year old who was living in an alley. He didn't particularly seem to be in bad health?

COYLE: That's correct.

DISTASO: And it looks like some of these folks, let me count here, one, two...I don't have everyone listed, but there were a number of people that you looked up in these records that were actually in custody on December 24th?

COYLE: Yes. Either in a county jail or a state prison facility.

DISTASO: Okay. So even though you don't like using the term, those people, assuming the custody records are correct, could not have committed this crime?

COYLE: Yes.

DISTASO: Now, what did you mean by when you, when you called these, these investigations complete, if someone is unable to be located and you said that was completed, what did you mean by that?

COYLE: I meant that we had done everything humanly possible to attempt to locate these folks to interview them.

DISTASO: Okay. And when you got somebody and you did actually sit down and interview them and they gave you, you know, whatever statement they gave you about where they were, did you try to verify it?

COYLE: Yes.

DISTASO: And if you could not verify it, what happened after that?

COYLE: Well, in some cases it just, that's where it ended, because there was nothing else we could do.

DISTASO: Was, if you had received additional information that led, you know, somewhere else with these folks, would you have continued the investigation into them?

COYLE: Yes. In fact, on several of the reports the detectives turn in, I did some additional digging and found other information.

DISTASO: The, there were, somebody that counsel, I think, asked you about yesterday. Number 42. I want to talk about him for a minute. This person was originally contacted where?

COYLE: He was originally contacted in Modesto in December of oh three at our mental health facility.

DISTASO: Okay. So he was, he was contacted by one of Modesto police officers?

COYLE: Yes.

DISTASO: And he was at the Behavioral Health Center?

COYLE: Yes.

DISTASO: And then he was interviewed, correct?

COYLE: Yes.

DISTASO: And he stated that on December 24th of oh two he had been with his sister in Patterson?

COYLE: That's correct.

DISTASO: Subsequently in February of 04, like counsel was asking you yesterday, he, he was arrested in Oregon?

COYLE: Yes.

DISTASO: And that's where he gave his story saying he committed a murder in Modesto and broke a woman's neck, right?

COYLE: Yes.

DISTASO: In, back in Christmastime, I think you said, of 02?

COYLE: Yes.

DISTASO: Let me make sure I got that right. Yeah. So he's originally interviewed at the Behavioral Health Center?

COYLE: That's correct.

DISTASO: And he says he didn't have anything to do with it?

COYLE: Yes.

DISTASO: And then he gives this story up in Oregon where he says he is involved?

COYLE: Yes.

DISTASO: Or at least in some murder, correct?

COYLE: Yes.

DISTASO: And then did the officer, it was Detective Brocchini in this case, did he follow-up with the, I don't think counsel asked you this yesterday. Did he follow-up with number 42's sister and mother to confirm where he was on the 24th?

COYLE: Yes.

DISTASO: And where did they say he was?

COYLE: His sister said she was positive that he was with her on that date.

DISTASO: And that was in Patterson?

COYLE: Yes.

DISTASO: And she said that he was living with her in Patterson during that time?

COYLE: Yes.

DISTASO: And she also stated that he has severe mental problems when he doesn't take his medication, correct?

COYLE: That's correct.

DISTASO: Now, let's look at number 18. This was an individual who counsel asked you about. And he did not, his alibi was not able to be confirmed. You can go ahead and pull that up.

COYLE: That's correct.

DISTASO: When was he interviewed?

COYLE: On August 18th, 2003.

DISTASO: And for what purpose was he at the police department?

COYLE: He was coming in for his normal registration appointment.

DISTASO: So he was conducting his normal yearly registration appointment?

COYLE: That's correct.

DISTASO: So that means he voluntarily came into the police department to register?

COYLE: Yes.

DISTASO: And then he agreed to be interviewed about this particular incident?

COYLE: Yes.

DISTASO: There was a number of people that counsel asked you about yesterday. Number, you don't need to turn to them, but number 70, number 1, number 155, and number 238. And those people stated that they were living at a halfway house; is that right?

COYLE: That's correct.

DISTASO: Angle Lane. And their alibi, they stated they were there at the halfway house on the 24th?

COYLE: That's correct.

DISTASO: And their alibi was confirmed by a staff member there at the halfway house?

COYLE: Yes.

DISTASO: There was one, number 101, Mr., well, I won't say his name, but, and I think counsel stated that he was an, only contacted by phone; do you remember that?

COYLE: No, he referred to the report where he was contacted by phone, yes.

DISTASO: Okay. I don't know, maybe counsel wasn't looking at the other report, but,

GERAGOS: Objection. Misstates the evidence. We specifically went over that, where the report was written, saying that he was contacted by the phone. There was a supplemental.

JUDGE: I think so. Yeah. Well, the jury's heard the evidence.

DISTASO: Right. Well, that's, for whatever reason, Judge, I mean

DISTASO: There is that report, Detective, where it shows that he was actually contacted in person; is that right?

COYLE: That's correct.

DISTASO: And that has a Bates stamp number on it?

COYLE: Yes.

DISTASO: And what date was he contacted in person?

COYLE: The first time?

DISTASO: Yes.

COYLE: 12/29/02.

DISTASO: Counsel asked you today about number 154, and that was another individual who was living at that Angle Lane halfway house? You can pull that report up.

COYLE: Yes.

DISTASO: And in that report that, it was the same staff member who confirmed the other individual's alibis for the 24th, also confirmed that number 154's alibi; is that right?

COYLE: That's correct.

DISTASO: And the pass request he showed him was for the day prior, on the 23rd?

COYLE: According to the report, yes.

DISTASO: All right. Let me move on from those and ask you a question about the search warrant that took place on the 26th and 27th. You were not present at the search warrant on February 18th; is that right?

COYLE: No, I was not.

DISTASO: Let me show you a photograph I'll have marked next in order.

JUDGE: This will be number 142.

DISTASO: Detective, these, let me show you some items that were recovered on that search warrant on the 18th. Do you remember seeing any of those items in the hamper when you searched it on the 26th and the 27th?

COYLE: No.

DISTASO: And regarding those actual items, since you weren't there on the 18th, you don't have any knowledge of these, correct?

COYLE: That's correct.

DISTASO: Okay.

JUDGE: What does that purport to be? Just photographs of?

DISTASO: Photograph of clothes.

JUDGE: Photograph of clothes, okay.

DISTASO: Nothing further, your Honor.

Recross Examination by Mark Geragos

GERAGOS: The, Mr. Distaso was asking you about number 42.

COYLE: Yes.

GERAGOS: Number 42 is this person who confessed to killing somebody in Scenic Park?

COYLE: Yes.

GERAGOS: Said a witness was, the only witness to the murder was a dog?

COYLE: Yes.

GERAGOS: He said he was driving his sister's white 1985 Chevy van?

COYLE: Yes.

DISTASO: Objection, your Honor. This is, asked and answered yesterday, and goes beyond scope of redirect.

GERAGOS: I asked,

JUDGE: I don't think so. Overruled.

GERAGOS: The reason that this person was cleared was two-fold: Because the sister said that he was with her, is that right?

COYLE: Yes.

GERAGOS: And that he had mental problems?

COYLE: Yes.

GERAGOS: Did anybody ever check whether or not the sister had a 1985 Chevy van?

COYLE: I don't have that information, no.

GERAGOS: Do you know if anybody ever did, if she had a van, any forensic testing of that van?

COYLE: I don't have that information either, no.

GERAGOS: Has anybody run a check on the sister to see if the sister had any criminal history?

COYLE: No. Not that I know of.

GERAGOS: Did anybody do any check to see if there was anything about why, you've been an officer for how long?

COYLE: Almost 25 years.

GERAGOS: Have you ever known family members to cover up for other family members?

COYLE: Oh, sure.

GERAGOS: Can you tell me do you know of anything that was done, beyond calling the sister and the interview, to confirm whether or not she was, in fact, covering up?

COYLE: Well, the mother was interviewed as well. But I don't know if you could tell from that whether the sister was covering up or not.

GERAGOS: Okay. The mother said that she saw them the next day; is that correct?

COYLE: That's correct.

GERAGOS: Okay. She didn't see them on the 24th?

COYLE: That's correct.

GERAGOS: Okay. The others that Mr. Distaso was asking you about were the various agents, but I was asking you the same thing. You were looking at people on this, as you say, the usual suspects list, because obviously in a case like this where there's very little to go on, a logical place to look are registered sex offenders, correct?

COYLE: It's one place, yes.

GERAGOS: Okay. And that's why resources were expended to try to follow-up on these, on this class of people, correct?

COYLE: Yes. Again, trying to get something, trying to find some evidence.

GERAGOS: And I think, if I understood what you told Mr. Distaso, set it up here, basically what you said is that you took, somebody took a location, point to where, and then roughly drew a circle; is that correct?

COYLE: I believe they went a one-mile radius circle, yes.

GERAGOS: Okay. And I'm,

JUDGE: Just for the record.

GERAGOS: Pointing here to People's 58.

JUDGE: All right.

GERAGOS: So they basically flipped the house, wherever the house is on this particular map, and drew a one-mile circle, and you've got 300 sex offenders within a mile of Modesto?

COYLE: No, because part of them are parolees, not sex offenders.

GERAGOS: Do you know how many, when you draw a circle a mile circle around the house, do you know how many registered sex offenders are in Modesto?

COYLE: No, I don't.

GERAGOS: Is it over 200 within that one mile radius?

COYLE: I don't know.

GERAGOS: I was looking at the list that you had given me, the, and I think it was the one that was given to you. That column that says 290?

COYLE: Yes.

GERAGOS: If you just glance at it, would you say that the overwhelming majority of those it says yes?

COYLE: Yes, definitely the majority.

GERAGOS: Okay. So I mean, as a guess, it's going to be at least two-thirds, wouldn't it?

COYLE: Oh, probably at least that, yes.

GERAGOS: Okay. So within one mile of this house we've got approximately 200 registered sex offenders? Actually it's less than a mile, because it's a, the, well, I take that back. It's a one-mile radius; is that right?

COYLE: I'm going from memory. Again, I wasn't in on that part of it. I'm just, that's what I recall it to be. So I may be wrong on that, but, but that's what I recall.

GERAGOS: Okay. And in addition to that, the, you can't mean to suggest, I'm sure, that just because you were able to contact a portion of these, that that necessarily eliminated everybody?

COYLE: That's correct.

GERAGOS: I mean there's, there's no suggestion that if you reach 51 percent of the usual suspects, that everybody else is eliminated?

COYLE: Oh, absolutely not, no.

GERAGOS: Okay. Now, did you, I had thought that you had done a search of the truck at some point. Was that

COYLE: No.

GERAGOS: mistaken?

COYLE: I was not involved in the search of the vehicles.

GERAGOS: Not at all?

COYLE: Not at all.

GERAGOS: On either the 26th, the 27th or the 18th?

COYLE: No.

GERAGOS: And then that last photo that Mr. Distaso showed you, which was marked as 142, that, we talked yesterday briefly about the clothes that were in the hamper. So that we're clear, you didn't itemize the clothes in the hamper; is that correct?

COYLE: That's correct.

GERAGOS: And we went through it, but just so that we're clear again, there was an item that I pointed to as People's number 10, which was the maternity blouse. Your memory was that you didn't remember seeing it, but obviously when you saw it, was shown a picture a couple of months later, it was obviously there, so obviously you must have, correct?

COYLE: Well, once I was shown the photo, yes, that refreshed my recollection of it. But when I was just merely asked by description of it, I couldn't recall it at that point, yes.

GERAGOS: Okay. And once again, as we went over yesterday, that hamper was searched by you at least twice, and you're not sure if others went through it as well, correct?

COYLE: That's correct.

GERAGOS: Thank you. I have no further questions.

2nd Redirect Examination by Rick Distaso

DISTASO: Just so we're clear on number 142, I just want to make sure that we're totally accurate on it. What it said is: I spoke to the defendant's mother, correct? Number, and that was number 42. I won't say his last name. If you look at the bottom.

COYLE: Yes, that's correct.

DISTASO: And then it says: The mother said she spent Christmas day with number 42 and the sister?

COYLE: Yes.

DISTASO: And then it says: The mother said Edward was with the sister on 12/24?

COYLE: Yes.

DISTASO: And then the mother said that Edward was on several different medications for his mental problems?

COYLE: Yes.

DISTASO: The, regarding that hamper that counsel just went through, you did remember the, some specific items that were in there, though, right off the top of your head, correct?

DISTASO: Yeah. Detective Grogan asked me what I could remember about that, and I listed several things that, that popped into my memory. Specific items that I had seen in there. But when he asked me about the blouse, I just, I couldn't recall that one.

DISTASO: Okay. What, did you write, is it in the report as to what items you specifically remembered?

COYLE: It's in Detective Grogan's report, yes.

DISTASO: Okay. Do you have that in front of you?

COYLE: Yes, I do. Go ahead.

DISTASO: And what items do you specifically remember were in the hamper?

COYLE: I told him there were some khaki men's walking shorts, pair of corduroy men's pants, a couple of pairs of boxers, and one pair of women's panties.

DISTASO: And the,

COYLE: That I recall.

DISTASO: Right. These, this People's 142, there's looks like a pair of women's underwear in there?

COYLE: Yes.

DISTASO: And do you remember seeing that particular pair of women's panties?

COYLE: That's not the pair of panties that was in the hamper, no.

DISTASO: Okay. I don't have anything further, Judge.

JUDGE: Last go-round. Any questions?

GERAGOS: Break time.

JUDGE: Detective Coyle may be excused, with the usual stipulation?

DISTASO: (Nods)

JUDGE: All right. Detective Coyle, we're going to excuse you. Thank you very much.