Witness: Mike Richardson

Date: 2004-10-04

Proceedings held October 4, 2004

Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – Rick Distaso; Cross – Pat Harris; Redirect – Rick Distaso

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: Mr. Richardson, do you know the defendant in this case, Scott Peterson?

RICHARDSON: Yes, I do.

DISTASO: How long have you known him?

JUDGE: Ballpark.

RICHARDSON: Seven or eight years.

DISTASO: And where did you meet him?

RICHARDSON: At Cal Poly, San Luis Obispo.

DISTASO: Both were in college together?

RICHARDSON: Right.

DISTASO: Did you also know a woman, his wife, Laci Peterson?

RICHARDSON: Yes, I did.

DISTASO: And did you meet her around the same time?

RICHARDSON: Yes.

DISTASO: Did you have any part in their wedding?

RICHARDSON: Yes. I was the best man at their wedding.

DISTASO: Let me jump ahead now to April of 2003. Had you maintained a relationship with Mr. Peterson from, you know, basically that time when you first knew him to April of 2003?

RICHARDSON: Yes, I had.

DISTASO: Did you see him, get the exact date. Did you see him on April 3rd?

RICHARDSON: Yes.

DISTASO: When you saw him, what particular car was he driving?

RICHARDSON: He was driving his father's pickup truck.

DISTASO: Did he tell you why he was driving his father's pickup truck?

RICHARDSON: Yes. Because his the truck that he was driving, or his truck, he felt that there was GPS monitor on it.

DISTASO: And did you notice anything different about his appearance?

RICHARDSON: Yes. I noticed his hair color was different.

DISTASO: Did you notice anything else?

RICHARDSON: That was basically it.

DISTASO: Did you notice any facial hair on him?

RICHARDSON: Yes, I did.

DISTASO: Was that different color as well?

RICHARDSON: Yes.

DISTASO: Did you ask him about that?

RICHARDSON: Yes.

DISTASO: And what did he say about it?

RICHARDSON: He said that he was swimming in a friend's pool, and that the chlorine in the pool had changed the color of his hair and his goatee.

DISTASO: Did you ask him about that, or press him on that at all?

RICHARDSON: No. I basically just let him tell me what he said. And I just took it at face value.

DISTASO: Nothing further, your Honor.

DISTASO: I'm sorry. Can I ask one question before counsel starts?

JUDGE: Yes. What is your last question?

DISTASO: Did he tell you what pool he was swimming in when this happened?

RICHARDSON: Yes. Up at our friend Aaron Fritz's pool up around the Bay Are

DISTASO: Thank you, your Honor.

Cross Examination by Pat Harris

HARRIS: Thank you. When Scott talked to you about the GPS, he also talked to you about the truck he is driving, his father's truck, correct?

RICHARDSON: Correct.

HARRIS: And specifically what he told you about the GPS was that, what gave him reason to believe that is because everywhere, he went he told you some time that anywhere he went the media would show up, correct?

RICHARDSON: I don't remember him saying that.

HARRIS: Well, he did, I'm sorry. Are you finished?

RICHARDSON: I'm just going to say, he had indicated that police were following him, or something.

HARRIS: Well, he indicated to you, did he not, he would tell you that he would, for example, he would come out of a hotel and media would be there?

RICHARDSON: Right.

HARRIS: He gave you specific examples of that happening, didn't he?

RICHARDSON: He may have. I don't remember. I apologize.

HARRIS: But he did tell you that that happened on more than one occasion?

RICHARDSON: Right.

HARRIS: And he told you, in fact, that what worried him, that the fact that the media was showing up indicated to him that somehow they were finding out about his whereabouts?

RICHARDSON: Correct.

HARRIS: And, in essence, one of his concerns was that the police were telling the media where he was.

DISTASO: Objection, your Honor. That's,

JUDGE: Sustained.

DISTASO: It's hearsay.

JUDGE: Sustained.

HARRIS: You were familiar with the media crush around Mr. Peterson, weren't you?

RICHARDSON: Yes.

HARRIS: In fact, you had some first-hand experience with it, right?

RICHARDSON: Yes.

HARRIS: I believe, Mike, that you had, when you found out about Laci missing, you and your wife immediately went to Modesto, correct?

RICHARDSON: Correct.

HARRIS: And you live all the way down in Ventura County, right?

RICHARDSON: Correct.

HARRIS: And you drove up immediately?

RICHARDSON: Right.

HARRIS: And, in fact, not only did you come that weekend, you turned around and came the next weekend, right?

RICHARDSON: Correct.

HARRIS: Turned around came the next weekend as well?

RICHARDSON: Right.

HARRIS: Coming as often as you could possibly could to help?

RICHARDSON: Yes.

HARRIS: And when you were coming to help, one of the things that you were doing with Scott was, you would go out and put up flyers, is that right?

RICHARDSON: Yes.

HARRIS: And, in fact, is it fair to say you were there in Modesto about seven or eight days? Is that about right?

RICHARDSON: Approximately, yes.

HARRIS: All those days you and Scott would go pass out flyers?

RICHARDSON: Yes.

HARRIS: Hang up flyers?

RICHARDSON: Right.

HARRIS: You went to churches.

RICHARDSON: Right.

HARRIS: In fact, on at least two or three Sundays, you went to churches, I assume, around the area passing out flyers, correct?

RICHARDSON: Yes.

HARRIS: You also went to birthing centers and to halfway houses, these kinds of places?

RICHARDSON: Right.

HARRIS: Went to Costco, went to person-to-person to put flyers out?

RICHARDSON: Yes.

HARRIS: So much of the time Scott that you were there, Scott was out handing out flyers and passing out, trying to get as much information about Laci out as position, is that right?

RICHARDSON: The first two weekends. The last weekend we went up, we went up, he had to go do some business. So part of the, actually I believe we came up on Friday. On Saturday he had to go do some business. So we actually just took off early and went home.

HARRIS: I believe that weekend, and I just want to make sure I'm right. Was that the weekend that you actually stayed at his house for a night?

RICHARDSON: Yes.

HARRIS: He wasn't there?

RICHARDSON: I don't remember if he was there or not. But he was there for at least part of the time. I think he stayed the night with us.

HARRIS: And while you were there, you were witness to a very large media contingent standing outside in the driveway?

RICHARDSON: Correct.

HARRIS: In fact, it was large enough media contingent, made it difficult to get up and down the street, right?

RICHARDSON: Right.

HARRIS: You also were with Scott during that time he would occasionally get tips about, from people who thought they knew where Laci might be, is that right?

RICHARDSON: Yes, through the center. That, the searching facility center. There was always some tips coming through. We would go and check out and see if there was any truth to the matter.

HARRIS: He would actually go and locate where the tip came from, and go up to that location and search around, is that right?

RICHARDSON: Right.

HARRIS: You recall these tips, one came in specifically about a development where I think it was maybe a mobile home park development that was being built, and it was an area, kind of a construction site?

RICHARDSON: Yeah. I think it was houses development, right.

HARRIS: And he had, you spent a very good part of the afternoon searching through the development trying to find clues and possibilities?

RICHARDSON: Yes.

HARRIS: Do you recall going, actually getting tips on places like manholes where there might be in a manhole going, digging up manhole covers and looking?

RICHARDSON: Yes, we did.

HARRIS: You, also you said you had known Scott about seven or eight years, is that your testimony?

RICHARDSON: Yes.

HARRIS: During that time you have known him to go fishing, correct?

RICHARDSON: Yes.

HARRIS: In fact, you had gone fishing with him on several occasions?

RICHARDSON: Uh-huh, yes.

HARRIS: In fact, you knew him at one point to own a boat, small boat?

RICHARDSON: I don't remember that.

HARRIS: Do you remember a 12 foot, small 12 foot boat you went fishing in?

RICHARDSON: I don't remember. I apologize.

HARRIS: That's okay. But were you aware that he did enjoy fishing?

RICHARDSON: Yes.

HARRIS: You also want camping with him?

RICHARDSON: Yes.

HARRIS: You were aware that did he, in fact, go camping?

RICHARDSON: Yes.

HARRIS: You, in fact, you became aware of this period after Laci disappeared he came and stayed with you several times, correct?

RICHARDSON: Yes.

HARRIS: Down in Ventura?

RICHARDSON: Uh-huh.

HARRIS: You also aware he was going to San Diego and staying with his parents?

RICHARDSON: Right.

HARRIS: You were aware he was going and staying with the friend named Aaron Fritz?

RICHARDSON: Right.

HARRIS: Staying with a professor at San Luis Obispo on occasion?

RICHARDSON: Yes.

HARRIS: He was actually going up to Lake Arrowhead and camping up there, or staying up there?

RICHARDSON: I don't know about that. But everything else, yes.

HARRIS: Essentially you became aware that he was living a rather nomadic existence. He was trying to kind of not be in any one particular area, but he had no basic place to stay?

RICHARDSON: Yes.

HARRIS: Right? With you aware of the reasons he couldn't stay in Modesto because of all the commotion and problems there?

RICHARDSON: That's right. What I would assume, yes.

HARRIS: You became aware at this point that, he told you at one point that he was also having an issue with his business, in that customers would no longer see him?

RICHARDSON: Yes.

HARRIS: In fact, he told you when would go and try to, and make calls to continue his business, that, in fact, 60, I think he said 60, 70 percent of them wouldn't see him?

RICHARDSON: That's right.

HARRIS: In fact, his company had told him, he told you that his company had told him they hired someone to act a kind of figurehead?

RICHARDSON: Right.

DISTASO: Your Honor, I'm actually going to, this is like double hearsay. Going way beyond the purpose of direct. I have let it go, I want to get this witness done.

JUDGE: It is way beyond the scope of direct examination. You haven't been objecting to it. I would assume you are acquiescing and exploring this area. But I'll sustain the objection.

HARRIS: I have, I think we have sort of, he lives in Ventura. It would be something of an,

JUDGE: I understand. I got the drift.

HARRIS: We'd like to cover everything here so he doesn't have to come back. Thank you.

HARRIS: You also, I think Mr. Distaso mentioned, you interviewed, had an interview with Detective Brocchini. Do you recall that?

RICHARDSON: Yes.

HARRIS: You recall, I believe, it was a phone call?

RICHARDSON: Yes.

HARRIS: And during that phone call, he called you approximately January 17th. Does that sound about right?

RICHARDSON: I'm not sure.

HARRIS: Just have you take a quick look, refresh your recollection. Just kind of read that to yourself. Does that refresh your recollection, it was around January 17th?

RICHARDSON: Yes.

HARRIS: He called you and asked if you had read the Modesto Bee, had spoken with Sharon Rocha or any of Laci's family in Modesto, is that right?

RICHARDSON: Yes.

HARRIS: He asked you if you had. You replied that you had seen the 11:00 o'clock news in which reported that Scott had a girlfriend and had recently taken out a $250,000 insurance policy on Laci, is that right?

RICHARDSON: Right.

HARRIS: Detective then told you to go online and review the Modesto Bee article. And he encouraged you or your wife Heather to call Sharon Rocha for further information, is that right?

RICHARDSON: Yes.

HARRIS: You, according to Detective Brocchini, he told you that Scott is no longer welcome in any of Laci's friends or families' homes right now, and they are suspicious of him. And he asked you, after saying that, to keep an open mind, is that correct?

RICHARDSON: I believe so, yes.

HARRIS: And he told you, asked you to keep an open mind, because in the previous interview you told him you didn't think Scott was capable of doing this, is that correct?

DISTASO: Objection. Your Honor.

JUDGE: It's hearsay. Sustained. Sustained.

HARRIS: During that interview, you told him that Scott woke actually be there later that date, same time, he made the phone call, is that right?

RICHARDSON: Right.

HARRIS: And that he was coming to spend a weekend with you?

RICHARDSON: Yes.

HARRIS: In fact, you and your wife were then, after a while, going to leave, and just he was going to stay there for a day or two after you guys left, is that right?

RICHARDSON: Yes.

HARRIS: And Detective Brocchini encouraged you at that point to question Scott about his girlfriend and any other information regarding. And he reminded you that you and Heather were actually Laci's friends before you were Scott's friends, is that right?

RICHARDSON: Right.

DISTASO: Objection. Calls for hearsay.

JUDGE: Sustained. Answer can be stricken. The jury can disregard it.

HARRIS: Just so I'm clear regarding the hair color, is it your testimony that when you saw Scott, his hair was sort of a blonde color?

RICHARDSON: Yes.

HARRIS: Was it an orange-ish blonde, or a blonde?

RICHARDSON: Well, it was darker than it was a few weeks later when he was arrested.

HARRIS: That's what he was going to, when you saw him arrested, it was actually more of a blonde, lighter blonde color?

RICHARDSON: Correct.

HARRIS: And the detectives asked you, when they called you and talked to you about this his appearance, they asked, actually asked you to speculate on whether or not a pool could cause, chlorine in a pool would, could cause his hair to turn the color you saw that day, is that right?

RICHARDSON: Right.

DISTASO: Objection. It's hearsay.

JUDGE: His state of mind is not an issue.

HARRIS: I'm sorry. They asked him to speculate. That's all I was asking.

JUDGE: If they asked him to speculate, it's hearsay what they told him.

HARRIS: In fact, when you saw his hair later on, it was a lighter color? When you saw his hair at the arrest, it was lighter color?

RICHARDSON: Yes, it was.

HARRIS: Now, at some point at the end of January, you recall receiving a phone call from Scott while he was driving on his way to Los Angeles?

RICHARDSON: I don't remember.

JUDGE: Does that refresh your recollection?

RICHARDSON: Yes, it does.

JUDGE: Okay.

HARRIS: Did he talk to you about being without Laci?

RICHARDSON: Yes.

DISTASO: Objection, your Honor. Calls for hearsay.

JUDGE: Well, it's coming in under, Goes to his state of mind.

HARRIS: Do you recall him saying, "I'm so lost without her, Mike"?

RICHARDSON: Yes.

HARRIS: You replied, "What's happening?" He said, "I just don't know what to do. I'm sorry to call like this." Do you recall that?

RICHARDSON: Yes.

HARRIS: "I need to talk to someone. I'm just so lost without her"?

RICHARDSON: Yes.

HARRIS: "So guilty for cheating on her. I'm so lost. She's gone. I know there is nothing. I just don't know what to do." Does that ring a bell?

RICHARDSON: Yes.

HARRIS: Talking to you about doing an interview, saying, "I just hope people start looking for her again"?

RICHARDSON: Right.

HARRIS: Finally he said, "God, I just need her back so bad. I can't do anything without her. I just need to be with her"?

RICHARDSON: Yes.

HARRIS: That's all I have.

Redirect Examination by Rick Distaso

DISTASO: Mr. Richardson, when did the defendant talk to you about, when did he first tell you about Amber Frey?

RICHARDSON: He was staying at our house, or the same trip that he came down, and he and I were talking, when the hair incident happened. He came over to our house, and my wife and I asked him about it at that time.

DISTASO: Okay. So that was on April third?

RICHARDSON: Yes.

DISTASO: So the first conversation you had with the defendant about Amber Frey was on April 3rd?

RICHARDSON: Yes.

DISTASO: So in January when this conversation was that counsel just asked you about, the defendant didn't talk to you at all about Amber Frey?

RICHARDSON: I don't remember.

DISTASO: Okay. Did you have any knowledge about what was going on between the defendant and Amber Frey in January?

RICHARDSON: We had an idea there was something was happening, but I didn't know anything for certain.

DISTASO: He didn't tell you?

RICHARDSON: No.

DISTASO: Did he tell you that he was almost daily phone contact with her during the entire month of January?

RICHARDSON: No.

DISTASO: Did he tell you that on December 31st, he was calling her and telling her he was in Paris for New Years? Did he tell you that?

RICHARDSON: No.

DISTASO: Did he tell you on February 7th that he contacted her and asked her to go to Lake Arrowhead with him so they could get away for the weekend?

RICHARDSON: No.

DISTASO: You don't know any of that was going on?

RICHARDSON: No.

DISTASO: I want to show you that picture. Your Honor, if you can give me a minute. I got to look for a photo.

JUDGE: Find the another one you are looking for? 276, I believe.

DISTASO: I think that's what it is too.

JUDGE: 276B and 276E.

DISTASO: Your Honor, I have another one. I'll just mark another one, and then we'll substitute it out.

JUDGE: All right.

DISTASO: When we get there. I'll just use this one, judge.

JUDGE: Do you want do mark that next in order? 289. Lots of these duplicates now, as you guys well know.

DISTASO: There is a lot of duplicates we'll have to filter out.

DISTASO: Let me show you this picture, 289. You recognize this as Mr. Peterson, correct?

RICHARDSON: Yes.

DISTASO: Okay. See how his hair is in that particular photograph?

RICHARDSON: Yes.

DISTASO: Is that how you saw it when you saw him on April third, or was it,

RICHARDSON: It was darker.

DISTASO: His hair was darker at that time?

RICHARDSON: Correct.

DISTASO: Picture where you see him now is, in that photograph it's lighter than when you saw him?

RICHARDSON: Correct.

DISTASO: Going back to some original questions that counsel first asked you about, when talking about when the defendant talked about the GPS in his car. I think your answer was that the defendant said he thought the police were following him. Is that what he told you?

RICHARDSON: Yes.

DISTASO: Nothing further, your Honor.

JUDGE: Mr. Harris, any re-redirect?

HARRIS: No recross, your Honor.

JUDGE: May Mr. Richardson be excused?

DISTASO: Yes.

JUDGE: Mr. Richardson, thank you very much.