Witness: David Brooks

Date: 2004-06-17

Proceedings held June 17, 2004

Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – David Harris; 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 David Harris

HARRIS: Mr. Brooks, can you tell us what your occupation is?

BROOKS: I'm a pawn broker.

HARRIS: Do you have a pawn shop in the City of Modesto?

BROOKS: I do.

HARRIS: What's the name of your pawn shop?

BROOKS: Brooks Pawn and Jewelry.

HARRIS: And whereabouts is that located in Modesto?

BROOKS: It's on Coffee Road.

HARRIS: What I want to direct your attention back to December 10 of 2002. Were you working in your capacity as a pawn broker back then?

BROOKS: Yes.

HARRIS: How long have you been a pawn broker?

BROOKS: Since 1981.

HARRIS: And on December 10th of 2002, did a person by the name of Laci Peterson come into your store?

BROOKS: Yes.

HARRIS: Did you talk with Miss Peterson?

BROOKS: Yes.

HARRIS: And did she indicate to you what the purpose for the visit was, or did some transaction take place?

BROOKS: Yes.

HARRIS: What took place?

BROOKS: She sold some jewelry.

HARRIS: When you say she sold some jewelry, she comes in with some jewelry and presents it to you?

BROOKS: Correct.

HARRIS: Do you look at it, or she tell you what the price is? How does that work?

BROOKS: No. Anybody comes in, we just evaluate the item, and tell them what we would be willing to pay. They decide whether they wish to sell it or not.

HARRIS: Did you look at what she brought in?

BROOKS: Yes.

HARRIS: Now, after a person comes in and wants to sell you something, you start this pawn process, do you actually, do you go through a process of obtaining identification from the individual?

BROOKS: Yes.

HARRIS: And did Miss Peterson present you with identification?

BROOKS: Yes.

HARRIS: What do you do with the identification?

BROOKS: We scan it into a computer, and it prints out an acquisition form.

HARRIS: And after you have got this printed out, do you have them sign this particular document?

BROOKS: Yes.

HARRIS: Do you obtain any other identifying information from them?

BROOKS: Just their current address and thumbprint.

HARRIS: So you get a thumbprint as well?

BROOKS: We did.

HARRIS: Did Miss Peterson come back into your store on a second occasion?

BROOKS: Yes.

HARRIS: Moving forward to that point in time, around December 14th. Is that the date she came back?

BROOKS: I think so.

HARRIS: Would it be easier if you were to look at your records? Would that help on the dates?

BROOKS: Yes.

HARRIS: If I could have this marked as next in order.

JUDGE: That will be People's Number 65.

HARRIS: Two photographs.

JUDGE: Mark them in sequence 65-A and B?

HARRIS: Do it 65 and 66.

JUDGE: Pawn shop receipts.

HARRIS: Photographs of jewelry and pawn shop receipts.

HARRIS: Start by showing you, take your glasses out. Show you what's been marked as 65. If you can look at that. Do you recognize what's depicted in that photograph?

BROOKS: Yes.

HARRIS: And can you definitely us what that is?

BROOKS: That's the form I was telling you about. And that's the jewelry that we purchased.

HARRIS: And then looking at the next photograph, Number 66. Do you recognize that one as well?

BROOKS: Yes.

HARRIS: And what is depicted in that photograph?

BROOKS: It's also a purchase with some different jewelry.

HARRIS: And when Miss Peterson came in, date for that second transaction was December 14th from looking at your pawn slip?

BROOKS: Yes.

HARRIS: When Miss Peterson came back in on the second date, was she by herself, or did she come with someone else?

BROOKS: No. She came with someone else.

HARRIS: And did she have her identification with her on the 14th?

BROOKS: No, she didn't.

HARRIS: Did, what happened when she didn't have her identification? Could you complete the transaction?

BROOKS: Since it was her husband, I said yes.

HARRIS: Her husband was with her?

BROOKS: That's correct.

HARRIS: And the person that was with her on the 14th, did that person present their identification?

BROOKS: Yes.

HARRIS: And identification said that that individual was Scott Peterson?

BROOKS: Yes.

HARRIS: Did that person fill out the information and also give you a thumbprint or fingerprint?

BROOKS: Yes.

HARRIS: And did you make a purchase from the Petersons that day?

BROOKS: Yes.

HARRIS: Okay. Let me back up. How much, what was it that Miss Peterson was selling on the 10th?

BROOKS: Just some chains, jewelry.

HARRIS: Like gold chains?

BROOKS: Yes, gold chains.

HARRIS: And how much was the purchase price? Or what did you pay her?

BROOKS: We paid 140 on the 10th.

HARRIS: And on the 14th what was being sold?

BROOKS: The 14th was some rings, a charm, and some chains.

HARRIS: And what was the purchase price, or how much did you pay then?

BROOKS: 110.

HARRIS: At some point in time, did you become aware that Miss Peterson was missing?

BROOKS: Yes.

HARRIS: And did the Modesto Police Department come out and talk to you about these two particular transactions?

BROOKS: Yes.

HARRIS: Was your paperwork and the jewelry that you had turned over to the police at that time?

BROOKS: Yes.

HARRIS: People have no other questions.

Cross Examination by Mark Geragos

GERAGOS: Mr. Brooks, you run the pawn shop? You own the pawn shop?

BROOKS: Yes.

GERAGOS: And in dealing with Laci Peterson, were you, there appears that there was two times that she came in?

BROOKS: Yes.

GERAGOS: On December 10th and December 14th?

BROOKS: Yes.

GERAGOS: And was she alone on the 10th?

BROOKS: Yes.

GERAGOS: Okay. When she was alone on the 10th, so that I understand it, which items did she bring in?

BROOKS: Just the 10th?

GERAGOS: And that's People's 65. And those are the items that she pawned by herself on the 10th, correct?

BROOKS: Yes.

GERAGOS: Then on, if I understand correctly, on the 14th, she comes in, and she doesn't, she wants to pawn some other items?

BROOKS: Correct.

GERAGOS: Okay. And these are the items that are marked People's 66?

BROOKS: Yeah.

GERAGOS: And she tries to do it, but she doesn't have any identification?

BROOKS: Yes.

GERAGOS: And since she doesn't have any identification, there is certain things, legal requirements that you have to go through in order to pawn jewelry; isn't that correct?

BROOKS: Yes.

GERAGOS: Isn't one of them is a fingerprint?

BROOKS: Yes.

GERAGOS: And the other is valid California ID?

BROOKS: Yes.

GERAGOS: Scott Peterson, was with her, you say it's okay if he shows his ID and uses his fingerprint? line BROOKS: I did.

GERAGOS: And these are the items, People's 66, that were pawned on the 14th?

BROOKS: Yes.

GERAGOS: You work there with somebody named Tory?

BROOKS: That's correct.

GERAGOS: Who is Tory?

BROOKS: That's my wife.

GERAGOS: I'm going to show you another item. I'm going to show you another item. I'm not sure if this is yours. Could you tell me, is this pawn ticket a pawn ticket used by your pawn shop?

BROOKS: No, it's not.

GERAGOS: Okay. Do you recognize, or can you tell me what pawn shop would have --

BROOKS: No, I can't.

GERAGOS: You never, Laci Peterson never pawned a Croton watch with you, did she?

BROOKS: No, she did not.

GERAGOS: Are you familiar with what a pawn ticket looks like?

BROOKS: Yes.

GERAGOS: What I just showed you a pawn ticket?

BROOKS: It is a pawn ticket. I'm not familiar with that form.

GERAGOS: Okay. That's not from your store?

BROOKS: No, it is not.

GERAGOS: Okay. When the police came, did they interview both you and Tory together?

BROOKS: Yes.

GERAGOS: And did they take possession of the jewelry that were in the pictures of 65 and 66 which I showed you and put up on the screen?

BROOKS: Yes.

GERAGOS: Thank you. I have no further questions.

HARRIS: No other questions.

JUDGE: Mr. Brooks, thank you for your time.