Witness: Robin Maria Rocha

Date: 2004-06-17

Proceedings held June 17, 2004

Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – David Harris; Cross – Mark Geragos; Redirect – David Harris; Recross – 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: Ms. Rocha, you seem a little bit nervous, so let me just take you through this.

ROCHA: I'm all right.

HARRIS: Okay. Do you know Helen Rocha?

ROCHA: Yes, I do.

HARRIS: What is your relationship to Helen Rocha?

ROCHA: She's my mom.

HARRIS: And Laci Peterson?

ROCHA: She's my niece.

HARRIS: Going back to the year 2002, had your mother passed away?

ROCHA: Yes.

HARRIS: And as part of her estate, had she left some jewelry behind?

ROCHA: Yes.

HARRIS: And again, as part of that estate, were you appointed as a co-trustee or co-executor with Brent Rocha?

ROCHA: Yes.

HARRIS: And who is Brent Rocha?

ROCHA: My nephew.

HARRIS: As part of the process of kind of going through this estate process for your mother, did you inventory her jewelry?

ROCHA: Yes.

HARRIS: What did you do?

ROCHA: Laci and I sat down at the kitchen table, and we went through everything and we wrote it down on a piece of paper, and we put it all away.

HARRIS: When you say you put it all away, did you put it in some secure place?

ROCHA: Yes, we did.

HARRIS: Where was that?

ROCHA: We set up a safe deposit box in Oakdale and put it in the safe deposit box.

HARRIS: At some time after that, moving forward in time to November of 2002, was the jewelry obtained from that safe deposit box?

ROCHA: Yes, it was.

HARRIS: And was it given to someone?

ROCHA: Yes, it was.

HARRIS: Was it ultimately given to Laci Peterson?

ROCHA: Yes, it was.

HARRIS: Now, after Laci went missing, did the police department ask you to come and look at some jewelry at a later point in time?

ROCHA: Yes, they did.

HARRIS: Did you go and meet with Detective Grogan?

ROCHA: Yes, I did.

HARRIS: And where was this at?

ROCHA: Modesto.

HARRIS: All right.

ROCHA: Police. Police station.

HARRIS: When you met with Detective Grogan, did you look at photographs? Or actual jewelry?

ROCHA: Actual jewelry, and I believe a couple photographs.

HARRIS: And when you had gone through all of the jewelry that Detective Grogan had there, did you determine if there was anything missing from your grandmother's jewelry that had been passed on to Laci?

ROCHA: Yes, I did.

HARRIS: And were that, was that, how many items did you determine were missing?

ROCHA: One watch and one pair of earrings.

HARRIS: The earrings that we're talking about, what kind of earrings were these?

ROCHA: They were diamond, and they had screw-backs instead of just a straight post. They were screw-backs.

HARRIS: And the watch that we're talking about, the detective asked you to kind of look at an eBay photograph?

ROCHA: Yes, he did.

HARRIS: Showing you what's been marked as People's number 4. Let you look at that. Having a chance to look at that, does that appear to be the photograph that the detective was showing you?

ROCHA: Yes, it is.

HARRIS: Does that appear to be the watch that was missing?

ROCHA: Yes, sir.

HARRIS: The People have no other questions.

Cross Examination by Mark Geragos

GERAGOS: Good afternoon.

ROCHA: How are you?

GERAGOS: Good. How are you?

ROCHA: Good.

GERAGOS: This has been marked as People's Exhibit 4. Does that look familiar to you?

ROCHA: Yes, it does.

GERAGOS: Okay. Will you describe to the jury what that is?

ROCHA: It's a gold watch with diamonds around it.

GERAGOS: Okay. Do you remember, I'm going to put it up here on the screen. Is this one of the watches that your mother or your,

ROCHA: It's my mother.

GERAGOS: Okay. Do you remember, or did anybody ever show this to, did you ever see this one again?

ROCHA: Again when? After,

GERAGOS: I guess if I have got the time line right, you itemized, after she passed away you itemized all the jewelry?

ROCHA: Right.

GERAGOS: The jewelry was then at some point passed over to Laci and to Amy?

ROCHA: Yes, sir.

GERAGOS: Okay. After it was itemized, was this one of the items that you listed in?

ROCHA: Yes, sir.

GERAGOS: Do you remember the brand name on this?

ROCHA: No, sir.

GERAGOS: If I told you Croton, would that ring a bell? Croton watch?

ROCHA: No, sir.

GERAGOS: Your itemized list, would that be the best way to take a look and see what the specific items were?

ROCHA: I'd have to look at it. It's been five years, sir. I have seen the list.

GERAGOS: Do you have that?

ROCHA: No, I don't.

GERAGOS: Do you know where it is?

ROCHA: No, I don't.

GERAGOS: Is there any place where you kept, or any other location, or any, did you give it to an insurance person, or anything like that?

ROCHA: No.

GERAGOS: Did you, when you wrote it down, what did you do with it when you itemized the list?

ROCHA: The list? It went in with the jewelry.

GERAGOS: Okay.

JUDGE: Can I get you to move over?

GERAGOS: I was going to show her the next thing I'm sorry.

GERAGOS: I don't mean to ask you many questions while standing over here. Let me just go back to that for a second. This is one of the, I mean you recognize the watch as being one of the watches that,

ROCHA: Yes, sir.

GERAGOS: Okay. And there is a list somewhere, but it was with the jewelry?

ROCHA: Yes, sir.

GERAGOS: And the list was that given to Laci or to Amy, do you remember?

ROCHA: It was with the jewelry.

GERAGOS: And where was the jewelry put?

ROCHA: The jewelry was in a vault in a bank.

GERAGOS: And where was that?

ROCHA: In Oakdale.

GERAGOS: Okay. Did you go to the vault at some point and turn over the contents?

ROCHA: Yes, I did.

GERAGOS: When was that?

ROCHA: I don't remember exactly.

GERAGOS: It would have been roughly late October or November of 2002, would that, give or take a month?

ROCHA: I handed the jewelry over to Laci.

GERAGOS: Where did you do that?

ROCHA: At the bank.

GERAGOS: And that was after your mother passed away?

ROCHA: Yes. It had been, my mom died in 1999, January 5th.

GERAGOS: Okay. And then a year or two years later, about two years later, is when that the jewelry was distributed?

ROCHA: I believe so.

GERAGOS: Okay. And this is one of the watches?

ROCHA: Yes, sir.

GERAGOS: And the last time you saw, I guess the best way to ask, last time you saw this watch was when you handed it over to Laci?

ROCHA: When we itemized it, we stuck everything back in. I can't remember a box, a satchel. That was the last time I saw the watch.

GERAGOS: Okay. That you were, then some time in the year 2003 some officers met with you from Modesto PD?

ROCHA: Yes, sir.

GERAGOS: Where did that take place?

ROCHA: Modesto Police Department.

GERAGOS: As I understand correctly, you were shown a bunch of jewelry as well?

ROCHA: Yes, sir.

GERAGOS: And this watch was not in there?

ROCHA: Yes, sir.

GERAGOS: And two items, items you described as screwback diamond earrings?

ROCHA: That would be one set of earrings.

GERAGOS: One set of earrings?

ROCHA: Yes, sir.

GERAGOS: Is there anything else that was not there?

ROCHA: Not to my knowledge.

GERAGOS: Okay. Did you, when you went into the police station, did you have the itemized list?

ROCHA: No, sir.

GERAGOS: So is it a fair statement that you were going by memory as to what you remembered the jewelry being from 1999, that you,

ROCHA: Yes, sir.

GERAGOS: So as you sit here today, you are not going to say for sure, but you know that those two items are ones that rang a bell as being missing?

ROCHA: I know they are not there.

GERAGOS: Right. And I don't want to put words in your mouth. But is it a fair statement that unless you have that list, you can't be sure that there aren't other items that place be missing?

ROCHA: I know the watch and earrings are missing.

GERAGOS: Okay. At a minimum?

ROCHA: At a minimum.

GERAGOS: There could be more. We won't know unless we can find this list?

ROCHA: I don't think so.

GERAGOS: Okay. Now, have you tried to determine, I guess you never had possession of the list after you gave it to Laci?

ROCHA: No, I did not.

GERAGOS: Okay. Did you look at the, or were the items that were there, that were shown to you, did they include your mom's wedding ring?

ROCHA: No, sir.

GERAGOS: So that was not in there?

ROCHA: No.

GERAGOS: Did it include some of the other stones that, can you describe the wedding ring, your mom's wedding ring?

ROCHA: In exact detail, no. It had, it was a large stone in the middle, and it had baguettes around it. And then it had a solitaire. It was a large solitaire. I can't remember exactly the carats.

GERAGOS: Okay. And as far as you know, when the Modesto PD shows you the jewelry, do you remember when that was, approximately?

ROCHA: No, I don't, sir.

GERAGOS: Some time in 2003?

ROCHA: I believe so.

GERAGOS: And so besides the Croton watch and the earrings, your mom's wedding ring was not there?

ROCHA: No, sir.

GERAGOS: Is your mom's wedding rings one of the things that you gave to Laci?

ROCHA: Yes, sir.

GERAGOS: Was this was most of the, did you keep any of the items?

ROCHA: No.

GERAGOS: So all of the jewelry went to, was,

ROCHA: Was handed over to Laci at that time at the bank.

GERAGOS: Along with the list?

ROCHA: The list was in the bag that the jewelry was in.

GERAGOS: Okay. Now, this item which is People's 8, do you recognize any, looks like there is a ring next to a placard that says "20". Do you recognize that?

ROCHA: Yes, sir.

GERAGOS: What is that?

ROCHA: That's a ring.

GERAGOS: And was that part of the jewelry that was turned over to Laci?

ROCHA: Yes, sir.

GERAGOS: How about this watch that I'm pointing to?

ROCHA: No.

GERAGOS: That was not?

ROCHA: Yes, sir.

GERAGOS: That was not one of the,

ROCHA: Yes, it was.

GERAGOS: Okay. And how about this item?

ROCHA: Yes, my mother wore that around her neck.

GERAGOS: Okay. And how about the other items that are listed, or that you are looking at here?

ROCHA: I don't remember.

GERAGOS: I'm going to put this up so the jury can see it as well. So if I understand correctly, this watch here is something that you turned over to Laci, correct?

ROCHA: I believe so. It was in the bag with jewelry.

GERAGOS: Okay. You think this ring was?

ROCHA: Yes, sir.

GERAGOS: You think that this was?

ROCHA: Yes, sir.

GERAGOS: Okay, and,

ROCHA: I can't see the other.

GERAGOS: The other stuff here is just too difficult to tell?

ROCHA: It's too much. There was too much jewelry to begin with.

GERAGOS: Now, this item here was your mom's diamond pendant, correct?

ROCHA: Yes, sir.

GERAGOS: Just so that I'm clear, whenever it was that was turned over to Laci would have been the first time that she would have been able to wear that, obviously. You didn't give it to her before that?

ROCHA: No, sir.

GERAGOS: Okay.

GERAGOS: Can I have just one moment, your Honor?

JUDGE: Yes.

GERAGOS: I'm referring to 394. I'm going to have you read the first sentence.

JUDGE: Just to yourself.

GERAGOS: Just to yourself, exactly.

GERAGOS: Okay. Does that refresh your recollection as to where you met Laci to give her the items?

ROCHA: Well, no. I always knew when I met her. I met her at the bank in Oakdale.

GERAGOS: Was that West America Bank?

ROCHA: I believe so.

GERAGOS: Was this late November of 2002?

ROCHA: Un-hun.

GERAGOS: Is that a yes?

ROCHA: Yes.

GERAGOS: And you gave the jewelry directly to Laci?

ROCHA: Yes, I did.

GERAGOS: And only you and Laci went to the bank together?

ROCHA: I went to the bank and met her outside of the safe deposit box area. Then the lady took me in, we got the jewelry. I handed it to Laci. She left, and I went home.

GERAGOS: Okay. There was one item in there that you asked for, and that Laci gave you, which was,

ROCHA: No, she did not give it to me. I never had the chance to do that.

GERAGOS: That item you asked her for, a pendant that had a cutting horse on it?

ROCHA: Yes, sir.

GERAGOS: Okay. You never got that item?

ROCHA: No, sir.

GERAGOS: And you did not go through the jewelry with Laci on that day, correct?

ROCHA: No, I did not.

GERAGOS: Thank you. I have no further questions.

Redirect Examination by David Harris

HARRIS: Miss Rocha, the document that you were just shown, Bates stamp 394, that's the sentence when you were asked if it was late November.

ROCHA: I did not read it correctly.

HARRIS: Well, when you, just have you look at that again?

ROCHA: It says mid to late November.

HARRIS: Okay. Let me just go through that with you. When you talked to the Police Department, the detective that you talked to took a statement from you?

ROCHA: Un-hun.

HARRIS: Is that a yes?

ROCHA: Yes, sir.

HARRIS: And looking at that statement right there, does it appear that you told the detective it was some time between mid and late, or mid to late November of 2002?

ROCHA: At the time, that's what I remembered.

HARRIS: All right. People have no other questions.

Recross Examination by Mark Geragos

GERAGOS: As you sit here today, what is your memory as to when it took place?

ROCHA: Pardon?

GERAGOS: As you sit here today, do you have a memory as of when you transferred the jewelry over?

ROCHA: Well, it was before Christmas. You ! know, it was before the holidays.

GERAGOS: Okay. Do you remember if it was after Thanksgiving?

ROCHA: No, sir, I don't.

GERAGOS: Okay. And when you went to the Modesto Police Department, they showed you some digital photos of jewelry also, didn't they?

ROCHA: Yes, sir.

GERAGOS: Okay. And a number of those photos of jewelry you did not recognize; is that correct?

ROCHA: I don't remember how many I did not recognize.

GERAGOS: But is it a fair statement that there was a number of items you did not recognize?

ROCHA: I would not say that there was a number of items.

GERAGOS: Going to show you a page which looks like Grogan's report from February 7th of 03. Well, before I show it to you. How many items would you say they showed you all together?

ROCHA: Sir, I could not say. There is a lot a jewelry.

GERAGOS: Okay. And as you sit here, do you remember how many of those items of jewelry you couldn't recognize?

ROCHA: No.

GERAGOS: Thank you. I have nothing further.

HARRIS: No other questions.