Witness: Amy Sharee Rocha

Date: 2004-06-07

Proceedings held June 7, 2004

Called by: People (prosecution)

Phase: Guilt

Examinations: Cross (resumed) – Mark Geragos, resumed; Redirect – Rick Distaso; Recross – Mark Geragos

Day 2 of 2 for this witness

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

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June 7, 2004

Cross Examination by Mark Geragos, resumed

GERAGOS: Good morning.

ROCHA: Good morning.

GERAGOS: How are you?

ROCHA: Good, how are you?

GERAGOS: Good. The, let me take you back to some of the questions that Mr. Distaso was asking you. Specifically the, Laci and Scott moved to Modesto approximately what year?

ROCHA: I think I said 2000.

GERAGOS: Okay. And they did not, we've been talking about, and what you were pointing to up here was this schematic of the Covena address, 523 Covena, right?

ROCHA: Yes.

GERAGOS: But they didn't move into that house first when they came to Modesto, did they?

ROCHA: No.

GERAGOS: They were renting another house somewhere in town?

ROCHA: Yes.

GERAGOS: Okay. Do you remember where that was?

ROCHA: No.

GERAGOS: And they lived there for about a year?

ROCHA: In the rental?

GERAGOS: In the rental house.

ROCHA: I'm not sure.

GERAGOS: But you had never gone over to that house?

ROCHA: No.

GERAGOS: The, at that point in 2000 they had been married when they moved to Modesto for approximately how long?

ROCHA: Three years.

GERAGOS: Okay. And would you say that your, obviously you were six years separated in age from Laci. Did you, would you say that your relationship got closer after they had bought the house and moved into Covena?

ROCHA: Yes.

GERAGOS: Okay. I don't want to say that you were distant from her before that but, it was not one of those things where you went over all the time. In fact, for the one year they had the rental you had never been over to the house?

ROCHA: Right.

DISTASO: Objection, your Honor. Misstates her testimony with the one year.

JUDGE: She just answered yes. Overruled.

GERAGOS: Okay. After they moved into the Covena house and kind of settled down into Modesto, and then you started working right about then, roughly?

ROCHA: I was still in school, but shortly after that, yes.

GERAGOS: Okay. And at that point you would be a visitor to the house on Covena at least fairly frequently?

ROCHA: Yes.

GERAGOS: Okay. How often would you say you would go over there on average in a month?

ROCHA: I mean, I didn't have a schedule. I just would stop here and there.

GERAGOS: Okay. Phone up, see if she was there, if so, stop by, things like that?

ROCHA: Yes.

GERAGOS: You had indicated also that, I guess if I understand it right, you share a father, Dennis?

ROCHA: Yes.

GERAGOS: But you have different mothers?

ROCHA: Yes.

GERAGOS: Okay. Now, there also was an inheritance approximately three weeks prior to Laci going missing, isn't that right? That you've talked about with Mr. Distaso?

ROCHA: Yes.

GERAGOS: Okay. The inheritance came through your dad's side of the family, right?

ROCHA: Yes.

GERAGOS: And so that involved, the inheritance would go, and was that your grandmother?

ROCHA: Yes.

GERAGOS: Okay. And she had passed away?

ROCHA: Yes.

GERAGOS: And she had, well, there was a substantial amount of jewelry that she had collected over the years, correct?

ROCHA: Yes.

GERAGOS: Now, that jewelry included, well, in excess of fifty to a hundred thousand dollars' worth of jewelry, conservatively?

ROCHA: I have no idea what it was worth.

GERAGOS: Okay. There were appraisals that came in connection with that, weren't there? Did you ever see the appraisals for the,

ROCHA: I never saw any appraisals.

GERAGOS: Okay. Did, is it a fair statement that Laci basically was dealing with most of the jewelry, and then if you wanted anything she would let you wear it? But that most of the jewelry she was dealing with or she was in charge of?

ROCHA: Well, she was in charge of picking up the jewelry, but then we both went through it, and then we did keep some of it at her house that we would share.

GERAGOS: She have the lion's share of the jewelry? I think I asked you that question at the prelim and you said yes. Is that a fair statement?

ROCHA: Well, yes.

GERAGOS: Okay. Well, she was always, or were you aware that she was putting a lot of that jewelry on eBay?

ROCHA: Yes.

GERAGOS: Were you aware that she was also going to local pawn shops in Modesto and pawning some of the jewelry?

ROCHA: Yes.

GERAGOS: Would she tell you, Look, this is something I'm trying to get, you two looked at, for example, I don't want to go through every piece of jewelry here,

ROCHA: Right.

GERAGOS: but is it a fair characterization that what would happen is that you had this whole group or boxes of the jewelry, the two of you went through it, there was a number of items that you said, Look, we're not going to wear this, this isn't our style, it's not my style, let's see if we can sell this and make some money?

ROCHA: Yes.

GERAGOS: Okay. And Laci was pretty much in charge of doing that as well, wasn't she?

ROCHA: Yes.

GERAGOS: Okay. You weren't putting stuff, you weren't going to pawn shops?

ROCHA: No.

GERAGOS: And you weren't going on eBay?

ROCHA: No.

GERAGOS: And then would she tell you if something sold? Or had you not really gotten to that point yet?

ROCHA: We had just talked about one watch being sold.

GERAGOS: Do you remember what watch that was?

ROCHA: It was a Mickey Mouse watch.

GERAGOS: Okay. That was one of the ones she put on eBay?

ROCHA: Yes.

GERAGOS: Now, do you remember that there was a Croton watch, C-R-O-T-O-N? Kind of a ladies' dress watch, goldish style with a small face in a circle of diamonds?

ROCHA: Yeah. There were a couple of gold watches.

GERAGOS: And that, and is it a fair statement that neither of you were really enthused about hanging on to those watches?

ROCHA: Yeah. There was one that we weren't interested in.

GERAGOS: Okay. Now, when you went back in and took a look at, I want to try to set it up. There was a couple of times that you were at the house, so that the jury understands, when you were being shown items, for instance, this item, which was the, the Motherhood blouse, and then you were looking also for some pants and things, that was in February?

ROCHA: Yes.

GERAGOS: That was when the search warrant was being executed in., I think on February 18th, correct?

ROCHA: Yes.

GERAGOS: Okay. Now, the, remember there was one point where they showed a hamper, a picture of a hamper? Do you remember that up on the screen on Thursday?

ROCHA: Yes.

GERAGOS: That was not what, how it looked on February 18th when you were in there?

ROCHA: No.

GERAGOS: Okay. And somebody had led you to believe that this hamper, I think I've got it right here, or asked you about it, that this, is this on? This is the picture, I'm sorry. This is the picture that was shown on Thursday, and if I'm not mistaken, this was a picture, just for your reference, I think they told you this, that was taken either on the 24th or the 26th of December. This was not something that you saw on the 18th, right?

ROCHA: Right.

GERAGOS: Okay. And somebody was, had pointed out in the picture whether or not this item right here that I'm pointing to,

ROCHA: Yes.

GERAGOS: matched up with or looked like this item which I'm holding up, which is Exhibit 10,

ROCHA: Yes.

GERAGOS: right?

ROCHA: Uh-huh.

GERAGOS: Okay. Now, when you went in on that date, when you went in on the 18th, they wanted you, so that I understand, to pick up or to point out what you thought Laci was wearing on December 23rd, right?

ROCHA: Yes.

GERAGOS: Okay. And you picked out, and I already asked 1 you on Thursday, they've showed you subsequent to that the pants that are in here, and you told them these were definitely not the pants?

DISTASO: Objection, your Honor. That misstates the testimony.

GERAGOS: No, that's what she told them in her interview.

JUDGE: I think she testified those were not the pants.

GERAGOS: Yeah.

JUDGE: She testified to that on Thursday those were not the pants.

ROCHA: I had testified that the color and the length, but I couldn't remember exactly the cuffs and the line were in them.

GERAGOS: Right. And they showed you some pictures of pants before they showed you these, right?

ROCHA: Yes.

GERAGOS: And they did that within the last six weeks, eight weeks? Recently I guess.

ROCHA: Showed me the pictures?

GERAGOS: The,

ROCHA: That was a while back.

GERAGOS: February?

ROCHA: I don't know the date.

GERAGOS: Neither do I. Off the top of my head. When they showed you pictures, they showed you pictures of these pants, and you said they were definitely not the pants, isn't that what you told them?

ROCHA: Well, actually, out of the three pictures that they showed me, I wasn't able to clearly pick one, but between two of them, that was one that,

GERAGOS: And you said definitely not is what you told them in the interview?

ROCHA: No, I didn't say definitely not. I, just between the two pictures,

GERAGOS: Hold on for a sec, let me just pull it up. Well, when you went in on the 18th you picked two other pairs of pants, isn't that correct? These two pairs? Isn't that what you picked out then?

ROCHA: Yes.

GERAGOS: Yes?

ROCHA: Yes.

GERAGOS: Okay. And then let's see, it looks like it was July 23rd of 2003 that you had the interview, or they were showing you the pictures. And you said you were pretty comfortable with the pictures, correct?

ROCHA: Yes.

GERAGOS: Okay. And then you also said that the, I'll show you the exact spot. Does that refresh your recollection?

ROCHA: Yeah, but photo number one

GERAGOS: Uh-huh.

ROCHA: was definitely no, but that's not, those are not photo number one.

JUDGE: For the record, Mr. Geragos, what you're showing her?

GERAGOS: I'm showing you her taped interview of July 23rd.

GERAGOS: The, if I were to tell you that the photos that you pointed out to in your interview, when you said they definitely were not the, the same, would that refresh your recollection that you said,

ROCHA: If you showed me the photos, yes.

GERAGOS: Okay. I'll do, I'll get those for you. In the interim, the pants you picked out on the 18th that you said were the closest were this and this, right?

ROCHA: Yes.

GERAGOS: Okay.

DISTASO: Your Honor, just for the record, can we have, I don't know if those are marked.

GERAGOS: Mark it right now.

JUDGE: Hasn't been marked.

GERAGOS: She's identified them so I'll make this, if I could,

JUDGE: Make this a Defendant's Exhibit.

GERAGOS: Defendant's Exhibit A.

JUDGE: All right.

GERAGOS: And I'm going to show you, you had also picked out the shirt that you said she was wearing, is that right?

ROCHA: Yes.

GERAGOS: Okay. If you can't see, I'll pull it, hand it to you.

ROCHA: Maybe if I could see it closer.

GERAGOS: Sure.

ROCHA: Yes.

GERAGOS: Okay. So you've picked out pants, you picked out a shirt. And I'm going to mark the shirt as defense B.

GERAGOS: You also picked out some shoes, and I'll show them to you first before I mark it.

ROCHA: Yes.

GERAGOS: Okay. Let me mark this, if I could, a pair of shoes with a placard that says 21 on it.

JUDGE: All right. That will be Defendant's C.

GERAGOS: C.

GERAGOS: Okay. Now, these were the shoes that you said most resembled the ones that you saw her wearing on the late afternoon of the 23rd, correct?

ROCHA: Yes.

GERAGOS: Okay. Now, you also picked out, I think, I'll mark this as Defendant's D, show it to you. Did you pick these out? Or did somebody just show them to you?

ROCHA: I don't remember picking these out, no.

GERAGOS: Okay. So I'll reserve this.

JUDGE: Okay. Did you want it marked just for now, Mr. Geragos?

GERAGOS: Yeah, just,

JUDGE: What is it?

GERAGOS: reference sake, Defense D.

JUDGE: What is it?

GERAGOS: Picture of black pants.

JUDGE: Okay. Appear to be maternity pants.

JUDGE: Okay.

GERAGOS: Now, when you went in on the 18th, when the officers asked you to pick out the items that she was wearing, is it a fair statement that you had already told the officers early on in the investigation that there was a video camera at Salon Salon?

ROCHA: I did mention that to them, yes.

GERAGOS: Okay. And you told them If you want to know what she was wearing, we have a video camera, you could look at the camera or get the tapes and see what she was wearing, something to that effect?

ROCHA: I just remember telling them that we had a camera, surveillance camera, but not to look for what she was wearing.

GERAGOS: Okay. So you told them that you had a video camera, and that was within the first day or two, isn't that correct?

ROCHA: No, I think that was a couple of weeks.

GERAGOS: Well, do you remember, do you remember saying that you did it right away at the preliminary hearing?

ROCHA: Yes, I do.

GERAGOS: Okay. So at the preliminary hearing

ROCHA: It was early on, but maybe not two days later.

GERAGOS: Okay. Do you remember at the preliminary hearing, though, you testified that it was right away?

ROCHA: I think I just mentioned that it was early on.

GERAGOS: Now, on the 23rd, what time did she come in, let's see. She was already there when you got there, correct?

ROCHA: Yes.

GERAGOS: Okay. When she got there, let's see, you had spoken to her on the phone a couple of times that day?

ROCHA: Yes.

GERAGOS: How many times would you say?

ROCHA: Twice in,

GERAGOS: Twice?

ROCHA: Yes.

GERAGOS: Okay. Did you call her or did Laci call you?

ROCHA: The second time I called her. The first time I can't remember.

GERAGOS: Okay. And the, when was the second time, approximately? What time of day?

ROCHA: I was at Vella Farms when I called her. It was probably close, maybe 5:20.

GERAGOS: Okay. And at 5:20 when you talked to her, did you tell, was she already at the shop?

ROCHA: No.

GERAGOS: Do you know where she was?1 A. I think I called her at home. She was at home.

GERAGOS: Okay. And was Scott there as well?

ROCHA: I think so, yes.

GERAGOS: Okay. Now, when you got to the shop, did you go directly from Vella Farms to the shop?

ROCHA: Yes.

GERAGOS: Okay. When you got to the shop she was already there?

ROCHA: Yes.

GERAGOS: And she was with Scott?

ROCHA: Yes.

GERAGOS: Okay. And when you walked in where were they sitting?

ROCHA: They were sitting on the couches, in the waiting area.

GERAGOS: Okay. And when they were sitting there in the waiting area, did you see them talking to anybody else?

ROCHA: I don't remember them talking to anyone else, no.

GERAGOS: Okay. And were they getting along okay?

ROCHA: Yes.

GERAGOS: You didn't notice anything out of the ordinary, did you?

ROCHA: No.

GERAGOS: You didn't, they didn't appear to be fighting, did they?

ROCHA: No.

GERAGOS: In fact, the entire time you've known them, have you ever seen them fight?

ROCHA: No, I have not.

GERAGOS: Okay. And the entire time you've known them, they appeared to get along very well, haven't they?

ROCHA: Yes.

GERAGOS: The entire time you've known them, Laci has never told you of any major problems in the marriage, has she?

ROCHA: No.

GERAGOS: And never told you about, you know, Scott is cheating on me or doing anything of that, did she?

ROCHA: No.

GERAGOS: Okay. You've learned subsequent to Laci disappearing that, through the police telling you, that there was, besides Amber Frey, there was other affairs, isn't that correct?

DISTASO: Objection, your Honor. Calls for hearsay.

GERAGOS: Goes to her state of mind.

JUDGE: Yeah. Overruled.

GERAGOS: Did the police tell you that there was at least one other affair that Scott had had?

ROCHA: I don't remember them telling me, other than the one affair.

GERAGOS: Okay. Do you, did anybody ever tell you that afterwards?

ROCHA: I might have heard, like not from the police, but just overheard, I don't know, a rumor or something.

GERAGOS: Media or rumors,

ROCHA: Yes.

GERAGOS: people talking? You had no indication of that from Laci, isn't that correct?

ROCHA: Yeah, no indication.

GERAGOS: I mean at the time, as far as you knew, this was a marriage that was working and working very well, isn't that a fair statement?

ROCHA: Yes.

GERAGOS: Did you ever see at any point Scott do anything whatsoever, the entire time, and you've known him how long? Since you were in?

ROCHA: Seventh, eighth grade.

GERAGOS: Okay. The entire time has he ever done anything in your presence that would even remotely be characterized as harming Laci?

ROCHA: No.

GERAGOS: Now, the, when you walked in and you saw them there, and they were talking or chatting and it seemed to be normal to you, nothing out of the ordinary, correct?

ROCHA: Yes.

GERAGOS: Now, at that point, and that was one of his, what you characterized as a regularly scheduled haircut for 1 him, right?

ROCHA: Yes.

GERAGOS: Okay. Did you start cutting his hair immediately?

ROCHA: I think we went, we went to the stations and sat down, and I can't remember if I first, Laci was having trouble styling her hair, so I showed her how to style it. And she was kind of working on that while I cut his hair. So I think I helped her first.

GERAGOS: Okay.

ROCHA: And then I started to cut his hair.

GERAGOS: Okay. Now, the, you say you started to do it. I'll, I'm going to ask you to pick out at which location in People's 3.

ROCHA: Well, it was this station, but I could show you.

GERAGOS: See if there's a better picture of it.

ROCHA: Okay. This is more clear, but I was right, Scott, I was here and Laci was here.

GERAGOS: Okay. Let me see if I can put that up so the jury can see it as well.

JUDGE: Would you identify which one it is, Mr. Geragos.

GERAGOS: Sure. People's 3-F your Honor.

JUDGE: 3-F.

GERAGOS: Yes.

JUDGE: Okay. Somehow or other that's not as clear as it was on Thursday.

GERAGOS: Yeah. They were using directly from the computer. Let me just,

DISTASO: If you take it out of the sleeve it will probably be a little clearer.

JUDGE: Want to do that?

GERAGOS: I'll try that.

JUDGE: Can the jury see that all right? Can you guys see that, Jury? A JUROR: It's a little dark.

GERAGOS: Okay, now,

DISTASO: Your Honor, also, I think if they clip these lights in the front, that will help too.

JUDGE: All right.

GERAGOS: Amy, if I understood correctly,

JUDGE: That's not much better.

GERAGOS: I'll step back. The portion right here is where you were standing where the woman with the white pants is?

ROCHA: Yes.

GERAGOS: Okay. And Laci was there, or Scott was there?

ROCHA: Scott was sitting there.

GERAGOS: Scott was there, and then right over here was Laci?

ROCHA: Yes.

GERAGOS: Okay. Now, when you were, you said you were helping her style her hair. Is that something called a fun flip?

ROCHA: Well, we did her hair flipped out, yes.

GERAGOS: Okay. And you were showing her how to take a,

ROCHA: Curling iron.

GERAGOS: curling iron?

ROCHA: And flip it out.

GERAGOS: Excuse me for not having this down, taking a curling iron and basically flipping the hair out?

ROCHA: Yes.

GERAGOS: Okay. And she was having trouble doing that?

ROCHA: Yes.

GERAGOS: Okay. Can you tell me what you were showing her specifically?

ROCHA: She had just been using the curling iron, like she was doing it the wrong way, so I just showed her how to flip it without getting a kink in it.

GERAGOS: Okay. Is that something because she had just recently tried this? Or what?

ROCHA: Well, we had just recently cut her hair, so it was like a new hairstyle for her.

GERAGOS: Okay. So that's something that you would do in the morning when you got up in order to style the hair?

ROCHA: Yeah. If she were styling her hair, she would flip it out.

GERAGOS: She would flip it out. And you were showing her how to do it because she was complaining that she didn't, it wasn't working?

ROCHA: Yes.

GERAGOS: Okay. Now, the, how, how much before, or how long before the 23rd had Laci's hair been cut?

ROCHA: I can't remember an exact date, but within, like, a week or two,

GERAGOS: Okay.

ROCHA: I would say.

GERAGOS: As you were sitting there, and I think you had described on Thursday that there was conversation going back and forth here?

ROCHA: Yes.

GERAGOS: Okay. Did you notice anything unusual about that conversation? Or was it just talking about Christmas or,

ROCHA: Yes. It wasn't unusual, no.

GERAGOS: Okay. At some point you said that she went to the telephone to make a call,

ROCHA: Yes.

GERAGOS: is that correct? Did she make a call to order a pizza?

ROCHA: Yes.

GERAGOS: Okay. Did they invite you over to their house on the 23rd so that you could join them for pizza?

ROCHA: Yes.

GERAGOS: And did you tell them that you couldn't go over there on the night of the 23rd because there was somebody that, a friend of yours from out of state that you were going to go meet?

ROCHA: Yes.

GERAGOS: Okay. Now, when you observed her there, you talked about the cream colored pants that were kind of khaki, is that correct?

ROCHA: Yes.

GERAGOS: Okay. And you also talked about the maternity pants. And the blouse. There was also, I think they showed you a scarf, and that was one of the things that they wanted you to find when you went in on the 18th, when they did the search, correct?

ROCHA: Yes.

GERAGOS: But, and when you found the scarf, you pointed, there were a number of scarves that she had, correct?

ROCHA: Yes.

GERAGOS: And you couldn't be sure of which one it was because of the weave, I think is what you had said, is that right?

ROCHA: I think I did choose one.

GERAGOS: One scarf? Did you say,

ROCHA: Yes.

GERAGOS: did you say you were sure about that scarf?

ROCHA: Yes.

GERAGOS: Okay. So you saw one of the scarves that she was wearing. You saw the blouse, on the 18th. You saw pants that you thought resembled it, correct?

ROCHA: Yes.

GERAGOS: You saw the shoes that you thought she was wearing, I think I said the 18th. All, on the 18th you saw all, the whole outfit, basically, that you thought she was wearing on the 23rd?

ROCHA: Yes.

GERAGOS: Okay. Now, there, there was also a black jacket or sweater. Did you try to,

ROCHA: A black jacket is what I remember her wearing.

GERAGOS: A black jacket. Were you able to pick that out on the 18th?

ROCHA: I don't remember.

GERAGOS: You don't remember if you did?

ROCHA: Uh-huh.

GERAGOS: Okay. Now, the, by the way, going back to the jewelry, what jewelry was she wearing on the 23rd? Do you remember?

ROCHA: I don't remember any jewelry from that day that she wore.

GERAGOS: Does that mean, she was wearing jewelry at that point, a number of the new pieces that she had inherited 1 and you had inherited, is that correct?

ROCHA: Yes.

GERAGOS: So for the month, three weeks to a month prior, after you guys had gone through the jewelry, she was wearing quite a few of the pieces on the occasions when you would see her?

ROCHA: Yes.

GERAGOS: Okay. And some of those pieces were pretty stunning pieces, weren't they?

ROCHA: Yes.

GERAGOS: And definitely eye catching?

ROCHA: Yes.

GERAGOS: Okay. A number of those pieces were worth ten, fifteen, twenty thousand dollars?

ROCHA: Again, I don't know the, how much they were worth, but possibly.

GERAGOS: And a number of them had numerous diamonds and semi-precious stones?

ROCHA: Yes.

GERAGOS: Now, the, that, or that day on the 23rd, what time did they, I guess is it a fair statement that Laci made the phone call to order the pizza. When she went over to the phone that you showed us before that's right by this area, that was approximately what time?

ROCHA: It was toward the end of the haircut. I don't know a time.

GERAGOS: Okay. And Scott had specifically asked you to come over with them, isn't that correct?

ROCHA: Yes.

GERAGOS: And when you told him that you had the friend over, did, did you tell them Sorry, I can't go? What did you tell them?

ROCHA: Yeah, I said Sorry, I would, but I have a friend here from out of state I'm going to have dinner with.

GERAGOS: Okay. Now, let me talk about Laci's condition. You had indicated I think on Thursday that she seemed a little tired because it was the end of the day,

ROCHA: Yes.

GERAGOS: isn't that what you said? You knew that Laci was trying to stay fit during her pregnancy, correct?

ROCHA: Yes.

GERAGOS: You knew that Laci was going to Lamaze classes, correct?

ROCHA: I just remember one Lamaze class that she went to.

GERAGOS: Okay. She told you that she was going to Lamaze classes, didn't she?

DISTASO: Objection. Calls for hearsay.

ROCHA: She actually,

DISTASO: Hold on.

JUDGE: I think all this can come in under 1250, 1251 of the Evidence Code.

GERAGOS: Goes to state of mind, right.

JUDGE: Clarify state of mind. I'll overrule the objection. There's an issue was she tired was she walking the dog. And I'll let that in because I think it is relevant, so I'm, under 1251. You can answer.

ROCHA: She did mention once about going to a Lamaze class that was a couple of couples.

GERAGOS: Okay. And the, one of the people who went to the class was Scott?

ROCHA: Yes.

GERAGOS: Okay. With her. Now, you also knew that she was walking regularly, didn't you?

ROCHA: Yes.

GERAGOS: And you knew that she, that she was also, in addition to that, taking yoga classes, didn't you?

ROCHA: Yes.

GERAGOS: And you knew that the yoga classes, you knew she had taken a yoga class just that week, didn't you?

ROCHA: I don't know if she had done it that week.

GERAGOS: You knew that very recently before,

ROCHA: Very recently before, yes.

GERAGOS: Very recently before she had been to one of her regular yoga classes, correct?

ROCHA: Yes.

GERAGOS: Now, you also knew, what you didn't know, however, is that she had a maid, right?

ROCHA: Yeah, I did not know.

GERAGOS: And you had never met Margarita Nava and you never knew she had cleaned the house four times or any of the stuff you heard testified to here in court? You didn't know about that?

ROCHA: No.

GERAGOS: Now, the, the date that you were in there at the, at the salon, when you came back from Vella Farms, you didn't check back in, did you?

ROCHA: No.

GERAGOS: So you had already clocked out for the day?

ROCHA: Yes.

GERAGOS: Okay. And in addition to that, after, when you came back you were using Chris Johnson's station? Or was it just an open station?

ROCHA: Just an open station.

GERAGOS: Okay. And was, remember I had asked you about, I just found it while I was asking you questions, about the taping system. I want to show you the preliminary hearing transcript, see if this refreshes your recollection as to what you said.

JUDGE: What page and line?

GERAGOS: Page 408.

JUDGE: Page 408. What line?

GERAGOS: Line 15.

JUDGE: Okay.

GERAGOS: You can read all the way through that.

ROCHA: Okay.

GERAGOS: Okay. Does that refresh your recollection?

ROCHA: It does refresh it, but,

GERAGOS: Okay. Let me, let me go through it and see if this refreshes your recollection. I had asked you at the preliminary hearing: Look, there's a tape system, go get the tape and then you'll be able to see exactly what she was wearing, you'll have a picture of it, right? And you answered?

ROCHA: Yes.

GERAGOS: I asked you: Okay. And you did that, right? And fairly right away, isn't that correct?

ROCHA: Yes.

GERAGOS: And then I also said: Because you wanted them to see exactly what she was wearing because that was the last thing and then you'd have a picture of it, right? And you answered?

ROCHA: Yes.

GERAGOS: Okay. Now, the, the next day, which would have been the day before Christmas, you, the last time you saw her was approximately what time on the 23rd?

ROCHA: I think they left around 6:45.

GERAGOS: About 6:45?

ROCHA: Yes.

GERAGOS: And you went and met up with your friend from out of state?

ROCHA: Yes.

GERAGOS: And you didn't talk to her at that point after that?

ROCHA: No.

GERAGOS: Did you talk to her on the 23rd about what her plans were the following day?

ROCHA: I, I knew she was going to her mom and Ron's for dinner. We did talk about the next day, but that's all I really member remember from that.

GERAGOS: Okay. Did she tell you that she was baking or going to be baking during that time?

ROCHA: She did not tell me that.

GERAGOS: Okay. Now, the, the yoga place that she went to, that was in McHenry Village?

ROCHA: Yes.

GERAGOS: Okay. And it was called the yoga Center?

ROCHA: Yes.

GERAGOS: Okay. And you knew that she, in the last couple of days before the 23rd she had been there, correct?

DISTASO: Objection. It's been asked and answered.

JUDGE: I don't think that has. Overruled. You can answer.

ROCHA: I don't remember the exact, like the last time she had her class.

GERAGOS: Okay. I'm going to show you page 411, your Honor. Line 17. Does that refresh your recollection?

ROCHA: Yes, it does.

GERAGOS: Okay. And I asked you: And you knew that she, as recently as the last couple of days, had been to the yoga class, isn't that correct?

ROCHA: Yes.

GERAGOS: And: Okay. You knew that within the last couple of days that she had already been to the park walking the dog or walking McKenzie, isn't that correct? You said? I don't know for sure if she walked to the park, but I knew that she had been walking frequently, yes.

ROCHA: Yes.

GERAGOS: Okay. And you knew that she was doing that 1 because she was very, very conscious of her weight and staying fit during the pregnancy, isn't that a fair statement?

ROCHA: Yes.

GERAGOS: And one of the ways she did that was by walking and walking frequently, correct?

ROCHA: Yes.

GERAGOS: Did she tell you that when she had gone to Carmel that, I think we've got, this is People's 5.

DISTASO: Can you put that back in the sleeve? Because the sleeve is marked, so we need to do that.

GERAGOS: I'll do that.

GERAGOS: Do you see this picture here marked as People's 5?

ROCHA: Yes.

GERAGOS: Okay. She, that was apparently taken at Carmel. Do you know when she was in Carmel?

ROCHA: No, I do not.

GERAGOS: Okay. Do you know if it was within the week prior to you seeing her? Were you aware that she and Scott and Lee and Jackie had gone to Carmel together?

ROCHA: I didn't know that until later.

GERAGOS: You knew that later on?

ROCHA: Yes.

GERAGOS: Do you know how far of a walk it is to where that 1 picture is taken right there, from the lodge where this picture was taken right here? Do you have any idea?

ROCHA: I have no idea.

GERAGOS: If I told you that it was approximately three quarters of a mile up and down a large, long grade, would that surprise you that Laci was able to do that walk within the week before you saw her? That wouldn't surprise you, would it?

ROCHA: I don't know.

GERAGOS: I mean she was walking, she was active, she was fit, correct?

ROCHA: I mean, yes, she could walk, so possibly yes, she could do that.

GERAGOS: Okay. Now, after Laci moved and Scott moved to the Covena house, that, some time after that, I'm not going to pin you down to the exact night, but she expressed the desire to have a kid, to have a baby, right?

ROCHA: Yes.

GERAGOS: And both she and Scott wanted the baby, isn't that correct?

DISTASO: Objection, your Honor. Calls for hearsay.

JUDGE: Calls for certainly as to his state of mind. So hers is okay, his isn't.

GERAGOS: She wanted a baby, correct?

ROCHA: Yes.

GERAGOS: And Scott wanted one as well, isn't that correct?

DISTASO: Objection, your Honor. It's the same objection.

JUDGE: Sustained.

GERAGOS: Okay. They discussed baby names, didn't they?

ROCHA: Yes.

GERAGOS: Okay. And as far as you know both of them had done the Lamaze classes together, isn't that correct?

ROCHA: I just remember the one that they did together, yes.

GERAGOS: Okay. Let me show you on page 412 of the preliminary hearing transcript. I'll get my fitness by walking back and forth.

JUDGE: Okay. What page and line?

GERAGOS: 412 and line six.

ROCHA: Okay.

GERAGOS: Okay.

ROCHA: Yes.

GERAGOS: As far as you knew both Laci and Scott had done Lamaze classes together, isn't that correct?

ROCHA: Yes.

GERAGOS: Yes. And you told the police that as well, isn't that right?

ROCHA: Yes.

GERAGOS: Now, also, let's see, on Christmas Eve, which would have been the following day, you were not going to spend the evening with Scott and Laci, right?

ROCHA: No.

GERAGOS: You were going to your dad's house?

ROCHA: Yes.

GERAGOS: Okay. But Christmas day you were invited over to Scott and Laci's house?

ROCHA: Yes.

GERAGOS: For brunch?

ROCHA: Yes.

GERAGOS: Do you know what she was making for brunch?

ROCHA: We were going to have French toast, and she just said some fruit, and that's all I remember.

GERAGOS: Okay. Do you know what she was making the French toast out of?

ROCHA: I have no idea.

GERAGOS: Okay. The, she never mentioned Challah bread?

ROCHA: No.

REPORTER: I'm sorry, what bread?

GERAGOS: Challah, C-H-A-L-L-A-H, I think.

ROCHA: No, she didn't.

GERAGOS: Now, who was, who was supposed to be there on Christmas day?

JUDGE: At the Peterson residence?

GERAGOS: At the Peterson residence?

ROCHA: Just, like, our immediate family.

GERAGOS: So it would have been Ron, Sharon?

ROCHA: I believe, yes, and Brent and myself and Rose and my dad and our Papa. Our grandpa.

GERAGOS: Okay. And the, do you know what time that was supposed to be?

ROCHA: I can't remember right now.

GERAGOS: Okay. Now, the, the Vella Farms pickup, if you will, when you had called, jumping around, but when you called, you got a call first from Vella Farms, right?

ROCHA: Yes.

GERAGOS: And I think you testified that you weren't sure when, you were surprised that they were still open, I guess, because it was after 3:00 o'clock?

ROCHA: It was after 3:00, yes.

GERAGOS: The first thing you did was call Scott's cell phone?

ROCHA: Yes.

GERAGOS: Then you called Laci?

ROCHA: I called their home phone, yes.

GERAGOS: Called their home phone, but you did not leave a message on either one?

ROCHA: No.

GERAGOS: Did you actually go out to Vella Farms and pick up the basket?

ROCHA: Yes.

GERAGOS: How did you pay for it?

ROCHA: Um, I had paid for it the night before, actually.

GERAGOS: Okay.

ROCHA: So it was already paid.

GERAGOS: Okay. And is it a fair statement that you, obviously she was your sister and, and you were close, but you didn't know what Laci's daily routine was?

ROCHA: Right. I did not know her daily routine, no.

GERAGOS: And you didn't know Scott's daily routine?

ROCHA: No.

GERAGOS: Okay. You know that Scott liked to golf?

ROCHA: Yes.

GERAGOS: You know that he liked to hunt?

ROCHA: Yes.

GERAGOS: And you know that he liked to fish, isn't that correct?

ROCHA: Yes.

GERAGOS: Okay. And you also known, knew that he had gone to all of the doctor's appointments with Laci for the baby, isn't that correct?

ROCHA: Yes.

DISTASO: Objection. Calls for hearsay.

JUDGE: If she knows. Did you know whether or not he went with Laci to the doctor's appointments?

ROCHA: I think he went most of the time, yes.

GERAGOS: Okay.

ROCHA: From what I know.

GERAGOS: Now, the

REPORTER: Judge, could I ask you to pull your mike up a little bit closer?

JUDGE: Yes. I'm leaning back in my chair.

REPORTER: Yes. Thank you.

GERAGOS: So now you're going to lean forward?

JUDGE: Yes.

GERAGOS: Okay. How much, I know this also may be an unfair question just in terms of getting the estimate, but how much time would you say you spent with Scott and Laci after they moved into the Covena house when the relationship between you and Laci got better? Or closer, I should say.

JUDGE: You mean hours, days?

GERAGOS: Days.

ROCHA: I have no idea.

GERAGOS: Would you go over there for dinner?

ROCHA: Sometimes.

GERAGOS: Okay. And would you ever go out with them, movies or events or things like that?

ROCHA: Not really to movies, no, but for like birthdays and stuff, yes.

GERAGOS: Okay. The entire time that you knew Scott, how did he treat you?

ROCHA: Good.

GERAGOS: And did he ever, did he ever get angry with you?

ROCHA: No.

GERAGOS: Did he ever raise his voice at you?

ROCHA: No.

GERAGOS: The, did you tell the police at one point when they were investigating this case that, quote-unquote, Scott was the last person to hurt anyone?

DISTASO: Objection, your Honor. Relevance.

GERAGOS: Did you tell them that?

JUDGE: The question is did she say that. Go ahead. Goes to her state of mind. Go ahead.

ROCHA: I don't remember saying that, no.

GERAGOS: Can I have one moment?

JUDGE: Yes.

GERAGOS: To see if I can refresh her recollection.

JUDGE: Yeah.

GERAGOS: You were interviewed several times in connection with this case, right?

ROCHA: Yes.

GERAGOS: Okay. And that was by a number of the Modesto police officers?

ROCHA: Yes.

GERAGOS: All right. The, did you tell them at one point that you were aware that Laci had yoga classes on Mondays and she walked daily or almost daily? I'll show you something. This is page,

JUDGE: What are you showing her now?

GERAGOS: I'm showing her one of the police reports to see if that refreshes her recollection.

DISTASO: Can we get a date?

GERAGOS: Yeah, it's a 1/5/03 Grogan report.

JUDGE: Okay.

ROCHA: Yes.

GERAGOS: Did that refresh your recollection?

ROCHA: Yes.

GERAGOS: So you were aware that Laci had yoga classes on Mondays and she walked daily or almost daily, isn't that correct?

ROCHA: Um, yes.

GERAGOS: And you told the police that, looks like some time very close to the first week of January?

ROCHA: Yes.

GERAGOS: Okay. You knew that, you had told them that Laci got basically anything she wanted because Scott tried to give it to her, isn't that correct?

ROCHA: Yes.

GERAGOS: Okay. And that, you told the police that Laci told her, you, that both she and Scott liked the name Conner and that they both made lists of names and they decided on the name Conner, isn't that correct?

ROCHA: Yes.

GERAGOS: Okay. Now, let me go back to the inheritance a little bit. The, you last talked to Laci about the inheritance about two weeks before the disappearance, is that a fair statement?

ROCHA: I think we talked about it when I had cut her hair, so that was a week or two before, yes.

GERAGOS: Okay. Let me show you this, see if this refreshes your recollection. And this is the same report, January 5th, Grogan report under Inheritance.

ROCHA: Yes.

GERAGOS: Okay. Does that refresh your recollection?

ROCHA: Yes.

GERAGOS: Okay. And you two had both talked about the 1 issue of the inheritance, and you were both aware that your grandfather's house was going to be sold and that you would receive money from the sale, correct?

ROCHA: Yes.

GERAGOS: Okay. And it was your understanding that the money would be separated in thirds between you, Laci and Brent?

ROCHA: Yes.

GERAGOS: Okay. And it was your understanding that that would be hundreds of thousands of dollars, correct?

ROCHA: I don't know exact amount that we would each get. I don't know.

GERAGOS: But the house was going to be sold and the house was a substantial amount of money?

ROCHA: Yes.

GERAGOS: In excess of how much? Half a million dollars?

ROCHA: Yes.

GERAGOS: Okay. And the house was going to be sold, you, Brent and Laci would split the amount of money, correct?

ROCHA: Yes.

GERAGOS: Okay. Now you discussed with Laci about when you guys would get the money, right?

ROCHA: Yes.

GERAGOS: And Laci thought, or told you that she didn't think she could get the money until she was 30?

ROCHA: I think that was for all of us, yes.

GERAGOS: Okay. And said it was only about three years for her but it was going to be about nine years for you?

ROCHA: Yes.

GERAGOS: Okay. And you were not aware that Brent had possibly discussed any possibility of keeping the money in the estate, correct?

ROCHA: Um, yes.

GERAGOS: Okay. By the, do you remember on the 23rd when Laci was in the hair salon, Salon Salon?

ROCHA: Yes.

GERAGOS: Was she wearing, was she carrying a purse?

ROCHA: I can't remember.

GERAGOS: Okay. That would have been, obviously, on the videotape, if we had it, correct?

ROCHA: It might be, yes.

GERAGOS: Thank you. I have no further questions. Thank you.

Redirect Examination by Rick Distaso

DISTASO: Amy, let me ask you, this is a defense, this is a, defense A, and when you, when you went through the house with the police on February 18th, did they show you a whole number of different clothing items that Laci had?

ROCHA: Yes.

DISTASO: Okay. And you went, you went through there and they asked you, you know, basically can you pick out or can you find the clothes, maybe, that she was wearing on the 23rd?

ROCHA: Yes.

DISTASO: And the description of the color of the pants that you have always given has been what? What color did you describe them?

ROCHA: Like a light creamy,

DISTASO: Okay.

ROCHA: color.

DISTASO: And of these two pairs of pants that are in, in Defense A, this first pair, would you describe that as, as kind of a light creamy, like you were talking about?

ROCHA: Yes.

DISTASO: Okay. And what about the other pair?

ROCHA: Yeah, those are not light creamy to me.

DISTASO: Okay. So as you sit here today and what you remember, can you exclude one of those pairs of pants as the ones she was wearing?

ROCHA: Yeah, on the right-hand side, I can exclude those.

DISTASO: Okay. You can say those are definitely not the ones because they're not the light creamy that you described?

ROCHA: Yes.

DISTASO: Okay. The other ones, the color is similar to what you saw?

ROCHA: Yes.

DISTASO: Okay. Now, the pants that I showed you the other day here in People's 11, the, do you need to see them again?

ROCHA: No.

DISTASO: Okay. Let me just show them to you again, People's 11. You can just look at the color of those pants, if you want to. And how would you describe the color of those pants?

ROCHA: Like a light tan, creamy color.

DISTASO: Okay. Would this pant, would the color of this pants match what you saw on the 23rd?

ROCHA: Yes.

DISTASO: All right. And the one I just showed you, that color was similar also?

ROCHA: Yes.

DISTASO: Okay. Now, the pants in People's 11, you, you told the police you didn't remember, from seeing Laci on the 23rd, you didn't remember the cuffs or the line down the front?

ROCHA: Yes.

DISTASO: All right. And you told them that when they showed you the pictures of the pants?

ROCHA: Yes.

DISTASO: Okay. Let me show you People's 15, and there's a photo, this is 15 A, should be A, B and C, oh, there we go. They're labeled on the back. And of these pictures, let me just throw them on here for you so you can see them, so we can all see them. This, this one, of the pictures they showed you, the different, do you recognize this as one of the pictures they showed you of the different kinds of pants?

ROCHA: Yes.

DISTASO: Okay. And this pant that you saw, is the color of the pant similar to what you saw?

ROCHA: The color is similar.

DISTASO: Okay. But is the style similar to what you saw?

ROCHA: Um, no.

DISTASO: Okay. What's different about it?

ROCHA: I don't remember the drawstrings on the bottom.

DISTASO: Okay.

ROCHA: Or the cargo pockets on the side.

DISTASO: Okay. So this pocket on the side you don't remember seeing, right?

ROCHA: And the length is too long, too.

DISTASO: Okay. Because the pants that you described were like a capri length?

ROCHA: Yes.

DISTASO: Okay. Now, photo number two, this pair of pants, is the color of those pants similar to what you saw?

ROCHA: They're similar but they're a little darker than what I remember.

DISTASO: All right. Would you describe that color as a light creamy?

ROCHA: No. That's more of like a khaki.

DISTASO: All right. And what about the length of those pants?

ROCHA: Those are longer than what I remember.

DISTASO: Okay. All right. Let me show you 15 C. And this pair of pants that you see here, is the length of those pants correct?

ROCHA: Yes.

DISTASO: So the length is similar. What about the color?

ROCHA: The color is similar, too.

DISTASO: Okay. And these are the ones I showed you in People's 11 that have the line down the front and the cuffs?

ROCHA: Yes.

DISTASO: And you've already told us you didn't remember that?

ROCHA: Yes.

DISTASO: Okay. Now, the scarf that you saw Laci wearing that night, here in this picture, this is People's number 6, this scarf that you see there is, can, I mean as you sit here today can you tell us for sure whether or not that's the scarf that you saw?

ROCHA: Yes, it's the scarf I remember.

DISTASO: Okay. Would it help you to see the actual item? Or are you sure in your mind?

ROCHA: I'm pretty sure in my mind.

DISTASO: Now, Mr. Geragos was asking you some questions about the hobbies that you were aware that the defendant did, or that you were aware of his hobbies, and he asked you about golf.

ROCHA: Yes.

DISTASO: Did you ever hear the defendant talk about golf?

ROCHA: Yes.

DISTASO: Okay. What did you, what did you hear him, just briefly, what did you hear him say about it? What types of things?

ROCHA: I just mostly heard him talk about golf.

DISTASO: Okay.

ROCHA: I don't remember what.

DISTASO: He asked you, you said that you had known him to be a hunter. Did, well, let me ask you this about golfing. Did you ever go golfing with him?

ROCHA: No.

DISTASO: So what you're talking about are just the things that he told you?

ROCHA: Yes.

DISTASO: Okay. And you're aware that the, the defendant had joined the Del Rio Country Club?

ROCHA: Yes.

DISTASO: Had you heard him talk about that?

ROCHA: Yes.

DISTASO: When he was at the salon that night and he was talking about picking up that gift basket from Vella Farms, he mentioned that he was going to go golfing the next day?

ROCHA: Yes.

DISTASO: Okay. The, he, Mr. Geragos also asked you about whether you knew him to go hunting. And did you ever hear him talk about hunting?

ROCHA: I had heard him talk about hunting before. Like a long time ago.

DISTASO: All right. Do you remember when that was?

ROCHA: No.

DISTASO: All right. And what about, well, and let me ask you this: I'm assuming you never actually went hunting with him?

ROCHA: No.

DISTASO: Okay. What about fishing? Did you ever hear him talk about fishing?

ROCHA: Maybe along with hunting, but not very often.

DISTASO: Okay. What would you say you heard him discuss more, golfing or hunting?

ROCHA: Golfing.

DISTASO: Okay. Golfing or fishing?

ROCHA: Golfing.

DISTASO: And between the fishing and the hunting, do you have any differentiation there?

ROCHA: No.

DISTASO: All right. The, now, when Mr. Geragos was asking you questions about going walking, I mean Laci's habits about walking,

ROCHA: Yes.

DISTASO: did you ever actually walk with her?

ROCHA: No.

DISTASO: Okay. So you never, you know, you wouldn't go over in the morning and go on a walk with her, or anything like that?

ROCHA: No.

DISTASO: Did you ever go with her and take the dog for a walk?

ROCHA: No.

DISTASO: Okay. Did, so these habits that, or these things you've told us about are what Laci told you?

ROCHA: Yes.

DISTASO: Okay. So she had mentioned going walking to you?

ROCHA: Yes.

DISTASO: Okay. And did she at some point stop talking to you about walking? Or let me phrase it to you this way: When was the last time you remember her talking to you about walking in relation to December 23rd?

ROCHA: I think when she mentioned that she had gotten sick when she was walking.

DISTASO: Okay. So she had talked to you about walking, correct?

ROCHA: Yes.

DISTASO: How, how often would she have these conversations with you?

ROCHA: Just like whenever we talked.

DISTASO: So you would talk, you might say What did you do today, and she would say Oh, I went walking? Or just normal conversation?

ROCHA: Yes.

DISTASO: Okay. And then she told you about the incident where she got sick in the park?

ROCHA: It was, I don't know if it was in the park, but she did get sick on her walk.

DISTASO: Okay. Can you tell me again exactly what, what she told you about that? Because I want to make sure we get it right.

ROCHA: She said she wasn't too far away from the house but she felt dizzy and nauseous, so she was kind of nervous to walk too far from the house.

DISTASO: And she told you about that incident?

ROCHA: Yes.

DISTASO: And she said she was out for a walk?

ROCHA: Yes.

DISTASO: Did, after that time do you remember her talking to you about walking again?

ROCHA: I guess not too much, no.

DISTASO: Well, not too much or not at all? I mean,

GERAGOS: Objection. Leading,

DISTASO: What you remember?

GERAGOS: Argumentative.

JUDGE: No, I think he can, overruled. Go ahead.

DISTASO: I just want to get exactly what you remember.

ROCHA: That was the last time we talked about walking.

JUDGE: When she told you she got sick?

ROCHA: Yes.

JUDGE: Next question.

DISTASO: Now, in regard, back on the 23rd when Laci and the defendant were in your shop, we've heard some testimony that there's a boutique area in your shop.

ROCHA: Yes.

DISTASO: Do you remember when they were there was the boutique part of the shop open or closed?

ROCHA: It was closed.

DISTASO: Okay. If the boutique area is closed, can people still go from the salon portion of the shop into the boutique?

ROCHA: No.

DISTASO: How do they, how do you stop someone from doing that?

ROCHA: There's a gate that pulls to close it off.

DISTASO: So you could, like, separate the two shops?

ROCHA: Yes.

DISTASO: And was that gate shut that night?

ROCHA: Yes.

DISTASO: Mr. Geragos asked you about the video camera in the shop and when you told the police about that. Do you remember which officer it was you talked to about that?

ROCHA: Probably to Craig,

DISTASO: And who is Craig?

ROCHA: Grogan.

DISTASO: Do you know what his last name is?

ROCHA: Grogan, yes.

DISTASO: All right. Do you remember exactly what date it was that you told him that?

ROCHA: I don't remember the exact date, no.

DISTASO: Okay. Let me show you a report and see if this refreshes your memory. 363. A report dated 1/28. Just read this to yourself and see if, if that refreshes your memory.

ROCHA: Yes.

DISTASO: Okay. Does that refresh your memory about what date it was that you talked to Detective Grogan about the videotape?

ROCHA: Yes.

DISTASO: And what date was that?

ROCHA: January 27th.

DISTASO: Okay. Do you remember when it was when you sat down and, the very first time you sat down with Detective Grogan and had, like, a detailed interview about all these things? Do you remember what date that was?

ROCHA: It was right in the beginning of January.

DISTASO: Okay. So as you sit here today you don’t remember exactly what date?

ROCHA: No, not exact date.

DISTASO: Okay. Let me show you a report. This is at page 209. And read, read the, just read this section to yourself and tell me if that refreshes your memory about the date that you first sat down with him.

ROCHA: Yes.

DISTASO: Okay. And what date was that?

ROCHA: January 4th.

GERAGOS: January 4th?

ROCHA: Yes.

JUDGE: Yeah.

DISTASO: I talked about your, I mean I asked you about whether the defendant had ever asked you to color his hair, and what I want to do is just show you a picture and then mark this one next in order.

JUDGE: People's number 16.

DISTASO: It's a picture of the defendant, your Honor.

JUDGE: Okay. Have you seem this, Mr. Geragos?

DISTASO: I'll show it to him again. It's from the prelim. And when I asked you that, I was asking you, did the defendant ever ask you to, to dye his hair the color that you see there in the picture?

ROCHA: No.

DISTASO: Okay. So he never had you do this kind of treatment on his hair? And let me just show you, the picture to you so you can see it better up front. This is People's 16.

ROCHA: No.

DISTASO: Okay. The, are you a licensed cosmetologist?

ROCHA: Yes.

DISTASO: And do you apply color treatments to people's hair?

ROCHA: Yes.

DISTASO: So you're used to seeing, I mean you're used to dealing with, with hair and coloring it and recoloring it and this kind of activity?

ROCHA: Yes.

DISTASO: Are you used to seeing what the effects of pool chlorine will do on someone's hair?

ROCHA: Yes.

DISTASO: Have you ever in the time you've been doing this, seeing when somebody comes in who has dark hair, like the defendant's, who from pool exposure have their hair turn the color you saw in that picture, People's 16?

ROCHA: Um, no.

DISTASO: Going back to that first interview that you had with Detective Grogan, do you remember where it took place?

ROCHA: Um, yes.

DISTASO: Where was that?

ROCHA: Um,

JUDGE: January the 4th?

DISTASO: January the 4th, I'm sorry.

ROCHA: It was in Modesto. Downtown. It was at a different office, though, than we met after that.

DISTASO: Okay. Was it, was it at one of the police offices?

ROCHA: Yes.

DISTASO: It wasn't at your home?

ROCHA: No.

DISTASO: And it wasn't at the salon?

ROCHA: No.

DISTASO: When Detective Grogan was interviewing you, did he ask you about what you were doing on the 24th?

ROCHA: Um, yes.

DISTASO: And did he ask you to bring in your time cards?

ROCHA: Yes.

DISTASO: And did you do that?

ROCHA: Yes.

DISTASO: And did he ask what type of, I mean if you had any people that could kind of verify where you were that day?

ROCHA: Yes.

DISTASO: Who did you tell him?

ROCHA: Chris Johnson.

DISTASO: Okay. And we've heard from, Mr. Geragos asked you these questions, but in this interview that he talked to you about, he asked you about this inheritance that you were going to perhaps receive?

ROCHA: Yes.

DISTASO: And, and it looks like kind of a wide-ranging topic of what you were doing on the 23rd and the 24th?

ROCHA: Yes.

DISTASO: As well as the jewelry that you inherited and a number of the different things about you, is that right?

ROCHA: Yes.

DISTASO: And did you provide him with the names of these people that could kind of prove where you were?

ROCHA: Yes.

DISTASO: And your time cards?

ROCHA: Yes.

DISTASO: All right. Did, let me ask you about an incident that occurred in January. Do you remember a time at a dinner when Scott Peterson was talking about the police showing him a picture of he and another woman?

ROCHA: Yes.

DISTASO: And can you tell the jury about that, what happened during that dinner?

ROCHA: He was just telling us about this picture that he, was shown to him and that, the picture of him and the picture was not him.

DISTASO: Okay.

ROCHA: I don't know if that was clear. But he was just saying that someone had put his picture into another picture.

DISTASO: Okay. So do you remember what day that was?

ROCHA: It was sometime in January. I don't remember the day.

DISTASO: Okay. Let me show you a police report again, 363 is the Bates number, dated 1-28. Just see if this refreshes your memory on the date of when that happened. Just read right here.

ROCHA: Okay.

DISTASO: Does that refresh your memory about,

ROCHA: Yes.

DISTASO: when it was? Okay. When, when did that take place?

ROCHA: That was Friday, January 3rd.

DISTASO: The yoga classes that Laci was taking, do you know what type of yoga it was?

ROCHA: It was for pregnant women, like she was taking just a class for the pregnancy.

DISTASO: So it was, like, a pregnancy yoga?

ROCHA: Yes.

DISTASO: That's all I have.

Recross Examination by Mark Geragos

GERAGOS: The pictures, Amy, that they showed you, which I think were marked as People's 11

JUDGE: The maternity pants?

GERAGOS: Yeah, I've got it.

JUDGE: People's 15.

GERAGOS: Yeah, 15.

GERAGOS: They showed you these, and you specifically said "but definitely not these two," and pointed, do you remember being videotaped when they showed you this?

ROCHA: Yes.

GERAGOS: Do you remember in the videotape when they laid these out,

ROCHA: Yes.

GERAGOS: one, two, and three?

And do you remember putting your hands on pictures one and three and saying "but definitely not these two"?

JUDGE: When you say "definitely not these two," is that A, B or C?

ROCHA: Well, I remember I was never able to pick out one, one pair of pants.

GERAGOS: Okay. And specifically what I'm asking,

ROCHA: Specifically, yeah.

GERAGOS: specifically when you said, didn't you, "but definitely not these two"? Isn't that what you said?

ROCHA: Yes.

GERAGOS: You said "definitely not these two"?

ROCHA: Well, I guess, I don't remember pointing like, I don't know if I was pointing to one and three, but if that's what the video shows.

GERAGOS: Correct. And if the video shows that there's three pictures, this, picture number two, and picture number three, and that they're laid out one, two, three,

ROCHA: Yes.

GERAGOS: and you put your hands on one and three, three being the same as People's number 11, these pants right here?

ROCHA: Yes.

GERAGOS: And if the video shows that you put your hands on them and said "definitely not these two," that's accurate, isn't it?

ROCHA: Well, it was at the beginning of when I was first looking at them, because I remember as I looked at them then I was able to, from what I remembered, choose, like, the length and the color.

GERAGOS: Right. But you did put your hands on them in the video and said "definitely not these two"?

ROCHA: I don't remember, but if that's what it says.

GERAGOS: Okay. And the transcript doesn't refresh your recollection?

ROCHA: Not exactly. I mean I read it and I did say it, but I don't remember exactly pointing to those things.

GERAGOS: Okay. Do you know which two you were referring to when you say "definitely not these two"?

ROCHA: No.

GERAGOS: Okay. Now, the other thing that I asked you about, and this is on 5181, see if this refreshes your recollection.

ROCHA: Yes.

GERAGOS: Does that refresh your recollection as to whether or not you agreed that he, being Scott, would be the last person who would harm anyone?

ROCHA: Um, yes.

GERAGOS: And you

ROCHA: That

GERAGOS: You agree with that, don't you?

ROCHA: Yes.

GERAGOS: In this photo here?

JUDGE: For the record, that is People's number 16.

GERAGOS: Now, the, I think Mr. Distaso was, I guess we were qualifying you as an expert on hair coloring.

ROCHA: Uh-huh.

GERAGOS: The color that's being referred to here?

ROCHA: Yes.

GERAGOS: Okay. Did you ever take a look at his hair or, when it was that color?

ROCHA: You mean in the picture?

GERAGOS: Yes.

ROCHA: Yes.

GERAGOS: Do you know who this is?

ROCHA: Scott.

GERAGOS: Okay. I mean, is that, that disguise going to fool you?

ROCHA: Huh? Well, no.

GERAGOS: Okay. Now, tell me something, the, had you ever had occasion to see somebody who has lightened their hair go into the pool and have the chlorine affect the hair that was already previously lightened?

ROCHA: If they've had light hair before and then they've gone into the pool, yes, I've seen the effects. But not on dark hair. I've never seen the effect.

GERAGOS: Right. What if they've got dark hair and they've lightened it and then they go into the pool, what will happen?

ROCHA: Well, depending on how light their hair is lifted, that might affect it.

GERAGOS: Turn it a strange color?

ROCHA: Possibly. I've never seen that, though, before.

GERAGOS: You've never seen that and nobody ever showed you it or told you to come up and examine his head and take a look at it, did they?

ROCHA: No.

GERAGOS: Now, the, specifically, I want to show you one other supplemental report.

Who was the person, does that refresh your recollection?

JUDGE: Mr. Geragos, can you identify? You said supplemental report.

GERAGOS: Supplemental report

JUDGE: By whom?

GERAGOS: dated 10-13-03 by Bertalotto.

JUDGE: Okay.

ROCHA: Okay, yes.

GERAGOS: Specifically who asked you to come over to Laci and Scott's house on the 23rd?

ROCHA: Scott did.

GERAGOS: And then I think, did you, on the 24th did you talk to Scott or Laci about their New Year's Eve plans?

ROCHA: Maybe on the 23rd?

GERAGOS: On the 23rd?

ROCHA: I did not, no.

GERAGOS: Do you remember anything about that?

ROCHA: No.

GERAGOS: Okay. And the questions that Mr. Distaso was asking you about walking, you knew that Laci walked, correct?

ROCHA: Yes.

GERAGOS: And you knew that the, they have a dog, right?

ROCHA: Yes.

GERAGOS: And you know that Scott travels and traveled in the month of December, right?

ROCHA: I knew that he traveled. I didn't know his traveling schedule.

GERAGOS: Okay. Somebody walks that dog every day, don't they?

ROCHA: I have no idea.

GERAGOS: Well, the dog is, the dog doesn't walk itself, does it?

ROCHA: Well, no, but it has a whole backyard to run around in.

GERAGOS: Yeah. Did they ever, did they take that dog for a walk on a daily basis?

DISTASO: Objection, your Honor. It's been asked and answered.

JUDGE: She didn't

GERAGOS: I'm asking you do you know?

ROCHA: I don't know. I'm not sure.

JUDGE: Objection

REPORTER: I'm sorry, Judge, objection what?

JUDGE: Objection sustained.

REPORTER: Thank you.

DISTASO: No redirect.

JUDGE: May this witness be excused subject to recall, per the stipulation?

DISTASO: Yes.

GERAGOS: Yes.

JUDGE: Okay. Ms. Rocha, thank you.