Witness: John Hodson

Date: 2004-06-10

Proceedings held June 10, 2004

Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – Rick Distaso; Cross – Mark Geragos

Day 1 of 1 for this witness

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

Source: https://pwc-sii.com/CourtDocs/Transcripts/Hodson.htm

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Direct Examination by Rick Distaso

JUDGE: Okay. Mr. Distaso, next witness.

DISTASO: Officer Hodson.

JUDGE: Officer who?

DISTASO: Hodson, H-O-D-S-O-N.

JUDGE: Hodson, okay.

CLERK:: Raise your right hand. Do you solemnly state that the evidence you shall give in this matter shall be the truth, the whole truth and nothing but the truth, so help you God?

HODSON: I do.

CLERK:: Be seated.

DISTASO: Officer spell your, oh, actually she'll get that for you.

CLERK:: Spell your name for the record.

HODSON: John Hodson, last name H-O-D-S-O-N.

CLERK:: Thank you.

JUDGE: Go ahead.

DISTASO: Officer, on, well, let's just start at the beginning. You're an officer with the Modesto Police Department?

HODSON: Yes, sir.

DISTASO: And how long have you been a sworn peace officer in the State of California?

HODSON: Seven years.

DISTASO: And you worked for the Modesto Police Department the whole time?

HODSON: Yes.

DISTASO: The, on December 24th of 2002, were you on duty that day?

HODSON: I was in the, in the afternoon, yes.

DISTASO: Okay. And what, just basically what are your basic duties?

HODSON: I'm a patrol officer, and that usually entails anything from domestic violence calls to dogs barking to theft, traffic collision. Anything you would expect a police officer to take care of.

DISTASO: And just so the jury, you have an English accent. You didn't get that in Modesto, I take it?

HODSON: No, I didn't.

DISTASO: Okay. Can you tell us, okay, you came on duty. What time did you come on duty that day?

HODSON: It would be 4:00 p.m.

DISTASO: And at some point were you asked to assist in the investigation of the Laci Peterson, Laci Peterson you found out was missing. At some point were you asked to assist in that investigation?

HODSON: Yes. That was in the early hours of the following morning.

DISTASO: Okay. And can you just tell the jury when were you first asked to help out in this and what were you asked to do?

HODSON: The shift that I worked finished at 3:30 in the morning. That would be the 20th. As I was coming off duty we were told that we needed another search conducted of La Loma Park to look for the missing lady, and they asked if I would be prepared, with others, to work overtime and go and search, search the park. Which I did. I got dispatched to the park about 3:45 that morning.

DISTASO: Let me, let me put up another diagram that's a little bit more detailed than the one that's up there. Actually, ask you to come up here and hold that. You can pin it any old place. Do you recognize this as an aerial of the La Loma Park area?

HODSON: Yes.

DISTASO: Okay. You can go back, have a seat again. When you went to, when you went to search the park, who was with you?

HODSON: CSO Hodson, and that's Community Service Officer, and another officer, David Mullins. And also in the park we met up with Lieutenant Bruce Able and Sergeant Scott Heller.

DISTASO: And when you were down there can you just take the jury through, if you need to use the diagram, go up, feel free to, but can you just take them and show them what parts of the park you searched and what exactly you did down there. Where did you start at? Let's start there.

HODSON: Okay. This is, this is, this is not a good representation,

JUDGE: Officer, there's a pointer there. You might want to avail yourself of that.

HODSON: Thanks. This is not really a good representation to show where we actually came into the park because the park is split into three different parks. And,

DISTASO: Let me, let me orient you.

HODSON: This is Scenic, right?

DISTASO: Right. There is Scenic.

HODSON: Right.

DISTASO: Covena and Encina

HODSON: Right.

DISTASO: Did you come in to the west or the east of that area?

HODSON: We came in to the west. There is, in fact, a pump house along here, which is not shown. And we, there's a pathway that leads from one of these side roads. Actually, it's just like an alley that goes down into the park. And we went down into the park at the pump house, and we started searching from the pump house initially west along the path, and I took the river side. And the other officer took this side, which is a group of trees and like a ditch. And the community service officer drove the police car and had all the lights on, illuminated, so we could see both sides where we were going, as well as carrying the flashlights that we had. As we searched along here, the three of us, we met up with the sergeant and lieutenant who were working their way towards us. When, they came from this area. When we completed this search, we then went back to the pump house, the sergeant and lieutenant drove further up, and they started to work back towards us, and we, keeping the same positions, went eastward from the mentioned pump house until we got to the end of La Loma Park, where there is a public restroom. And the last thing I did was I was told to search the restroom after we completed the search, and that's what I did. Checked the restroom. Nobody in it. And then we were allowed to resume.

DISTASO: La Loma Park area, when you got to the end of La Loma Park, is that where the tennis courts are?

HODSON: Yes.

DISTASO: So if you look here on the diagram, you searched the area of, all the way?

HODSON: All the way from here.

DISTASO: All the way down to where the tennis courts are?

HODSON: Yes.

DISTASO: And I think the restrooms are right in here somewhere?

HODSON: Yes.

DISTASO: Okay. You can go ahead and have a seat.

HODSON: Thank you.

DISTASO: And while you were down there searching, did you see any, any officers or anybody searching from above the La Loma area coming back down towards you?

HODSON: Actually outside of the park, I didn't see anybody. Inside the park, yes, because, as I said, the sergeant and the lieutenant, after we'd met, after we were going westbound, they were going eastbound on the west side of the pump house, the pump station, and we met. And then we searched the pump station, and then they moved down to the far end of La Loma, and they started working back westward as we started working eastward from the pump station, and we did meet again about halfway along the path.

DISTASO: And how long do you think it, you were down there searching in the park?

HODSON: Couple of hours.

DISTASO: And did you then, you obviously didn't find Laci Peterson?

HODSON: No.

DISTASO: All right. Did you speak to any, any people down there in the park?

HODSON: Yes, I did.

DISTASO: And can you tell us about that? Where did you run into people in the park?

HODSON: Along the riverbank there were several, call them shelters. Homeless people build tents or lean-tos, or whatever, and they live out by the side of the river. So as I was going down by the side of the river, I was coming across these encampments, announcing myself, and these

people were coming out to greet me. And I was searching through their encampments and their property.

DISTASO: And did these people say anything? Like they had been searched before?

GERAGOS: Objection. Calls for hearsay.

JUDGE: Hearsay.

DISTASO: Actually, your Honor, I'm asking it not for not for the truth but to show why the officer was doing what he was doing.

JUDGE: Well, we know he was searching for Laci Peterson's body he said.

DISTASO: okay. So you did come across folks down there?

HODSON: Yes, I did.

DISTASO: You told them, Hey, I'm searching here, I'm coming in through here?

HODSON: Yes.

DISTASO: And they let you come in?

HODSON: Yes.

DISTASO: And you searched through their stuff?

HODSON: Yes.

DISTASO: Okay.

HODSON: Some of them were upset because they told me this was the third time that they had been turned over, or that people had been through,

GERAGOS: Objection.

HODSON: Looking.

GERAGOS: Hearsay. Motion to strike.

JUDGE: Okay. But what harm does it do? Do you want me,

GERAGOS: None in actuality. I was just trying to hold to the Evidence Code.

JUDGE: I know. Well, we can make, I'll sustain the objection. I'll ask the jury to disregard.

DISTASO: All right. That's fine.

DISTASO: And after you searched down through there and you did these things, did you then end your shift for the night?

HODSON: Yes.

DISTASO: Okay. Did you also search the next day, anytime on the 25th?

HODSON: No. I, I'm not sure, I believe we were off duty that day, so we were not involved in any further after that.

DISTASO: All right. Did you, I just can't remember, that's why I'm going to ask this last question. Did you have any other involvement in the searches for Laci Peterson as the, kind of, days went by?

HODSON: No. None.

DISTASO: Thank you, your Honor. Nothing further.

Cross Examination by Mark Geragos

JUDGE: Mr. Geragos.

GERAGOS: Thank you.

GERAGOS: Officer Hodson.

HODSON: Yes.

GERAGOS: The searches down by the creek.

HODSON: Yes.

GERAGOS: Approximately, so I've got it correct, this took place actually on Christmas day?

HODSON: Yes.

GERAGOS: The early morning of Christmas day?

HODSON: Yes.

GERAGOS: And you were searching, can you point out where some of these encampments are that you ran into?

HODSON: The best I can tell you from this, as I say, because it's, it's an overview, the best I can tell you is that they were down by the side of the river in this general area

GERAGOS: Okay. Now, you're pointing to, if we were to go from the Covena house, and there's a little trail at the end of the cul-de-sac, correct?

HODSON: Yes.

GERAGOS: And that takes you right down into the park, right?

HODSON: Yes. In that area, yes.

GERAGOS: Okay. And if you turn to the left as we're facing it, and that's heading in what direction?

HODSON: That's west.

GERAGOS: West. Approximately how far is that from the end of the cul-de-sac?

HODSON: To the, to the encampment?

GERAGOS: Yeah, the encampment.

HODSON: Okay. I would put that within a quarter to a third of a mile.

GERAGOS: Within a quarter to a third of a mile?

HODSON: (Nods)

GERAGOS: And that evening, call it evening but it's really early morning hours, how many different encampments or people did you see down there?

HODSON: I, I personally went through about three.

GERAGOS: And total number of people?

HODSON: Seven or eight.

GERAGOS: Okay. Now, the area that you're pointing to, were there any other encampments besides that area that's, what, what did you say, quarter to half mile away?

HODSON: I didn't see any, and I didn't see any as I came that way.

GERAGOS: Okay. Now, I think Mr., the prosecutor, Mr. Distaso, pointed to Scenic as being up here?

HODSON: This is Scenic.

GERAGOS: Okay. This street, the large thoroughfare?

HODSON: Yes.

GERAGOS: Is there a hospital here as well?

HODSON: Yes.

GERAGOS: Where is the hospital?

HODSON: As far as I can tell from this, this is the hospital.

GERAGOS: And is that right above where the encampments are that you saw? Or is it fairly close?

HODSON: It's close. The encampments were more to the east, in this direction.

GERAGOS: Okay. Approximately, I'm not going to hold you to it, but within four or five hundred yards?

HODSON: I would say roughly, yes.

GERAGOS: Okay. Now, if you were to walk in, is there a, you've already established, I guess, there's a trail right here. You've been to the Covena house.

HODSON: Yes.

GERAGOS: Okay.

HODSON: I've been, well, not actually in it. I've been by it.

GERAGOS: By it. From the Covena house to the trail is approximately how far?

HODSON: I'll put that probably just over quarter of a mile.

GERAGOS: Okay. And then to the encampments?

HODSON: About the same. Quarter to a third.

GERAGOS: Okay. And that area there, how long have you patrolled in Modesto?

HODSON: Seven years.

GERAGOS: Seven years. And the, is that, you're familiar with that park area?

HODSON: I'm, for the amount of time I've worked that area, yes.

GERAGOS: Okay.

HODSON: Which is not, obviously, all the time.

GERAGOS: Is there somebody in the Modesto PD that's in charge of that area? Is that a zone of some kind?

HODSON: Well, we have area commands, and the area commander is usually a lieutenant. And that has changed over the last year. And,

GERAGOS: Back in,

HODSON: I'm not sure who the lieutenant was at that time.

GERAGOS: Okay. The area that you were searching, that included portions that are farther to the left than on the aerial photo?

HODSON: Actually, the park ends over here. Somewhere in this area. And that's where the park actually finishes. And I came to this, this area around here.

GERAGOS: Okay. Can you describe for the jury what that area is right there?

HODSON: There is actually a small bridge. As I said, this whole area is divided into different parks, although it's on the same belt. And over here we have, I believe it's Kewin Park and on the other side of the river is Moose Park. And La Loma Park comes all the way down to like a

dead end where there's a small footbridge that actually goes over into Kewin.

GERAGOS: Okay. If I've, if I've got my bearings here, if somebody goes down that trail, you can walk, I'll use this, make it a little easier, you'd walk down the trail, you walk down here, there's a footbridge that goes over, is that the creek it goes over?

HODSON: Yes.

GERAGOS: And that's, as you're walking along, up to your right is the hospital, correct?

HODSON: That's right. It would probably, at that stage it would just be probably, looking up, maybe 1:00 o'clock.

GERAGOS: Right.

HODSON: Yeah. It would be up ahead just, just a little.

GERAGOS: And then as you make your left, you go across a fairly wide, when I say fairly wide, what, about a six or eight foot wide footbridge?

HODSON: Yes.

GERAGOS: Okay. That takes you into an area that is a grass, a large grass area?

HODSON: Like a park, yes.

GERAGOS: Like a park. And that has, if you walk across that grass area, after you come from the bridge, there are steps that take you back up to the street, right?

HODSON: Yes.

GERAGOS: And what street is that?

HODSON: Where that comes out, it comes out at La Loma and Edgebrook Drive.

GERAGOS: Right. And basically what happens, if this is the end of Covena, and I'm now pointing you to People's 33, if you travel down Covena into the park and you go around on the footbridge, you come up and there's a stairs that are right over here?

HODSON: Right.

GERAGOS: And you come back on Edgebrook?

HODSON: Right.

GERAGOS: And it takes you right back smack dab into Covena, doesn't it?

HODSON: Yes.

GERAGOS: Now, the, the, did you say you met up with Lieutenant Able at one point?

HODSON: Yes.

GERAGOS: Okay. Where was that?

HODSON: That was, he was working his way from the place you just described as where the bridge is, he was working eastward as we were working westward, and we met approximately, approximately in the middle. We both covered a equal distance and met along the path.

GERAGOS: There is the, there's some restrooms down there at the end of that park as well where you take and you go across the footbridge?

HODSON: That would be to, what we, Kewin Park.

GERAGOS: Could you spell that?

HODSON: I think it's K-E-W-I-N. I couldn't, my English pronunciation doesn't always,

GERAGOS: Translate?

HODSON: Right.

GERAGOS: Okay. The Kewin park area that we call, there's, that's where that large grass expanse is?

HODSON: Yes.

GERAGOS: And there's some restrooms there, and that's just over from where this encamp, these three encampments were that you saw that evening?

HODSON: Right.

GERAGOS: And in addition to that, farther across that grass expanse there's another, the creek goes under a larger road. What's that road there?

HODSON: It goes under the bridge, then that would be Morton. Morton Boulevard.

GERAGOS: Okay. And that's approximately how far away from the Covena house?

HODSON: That's probably, probably coming up on a mile.

GERAGOS: That would be the, the, when you say coming up on a mile, that area where the creek goes underneath the large, the larger thoroughfare?

HODSON: Right.

GERAGOS: Thank you. I have no further questions.

JUDGE: Any other questions?

DISTASO:: No, your Honor.

JUDGE: All right. Thank you, Officer.

HODSON: Thank you.