Witness: Sharon Rocha

Date: 2004-06-07

Proceedings held June 7, 2004

Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – Rick Distaso; Cross – Mark Geragos; Redirect – Rick Distaso; Recross – Mark Geragos; 2nd Redirect – Rick Distaso; 2nd 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 Rick Distaso

DISTASO: Ma'am, we've been, we've heard some testimony you were Laci Peterson's mother, is that right?

ROCHA: Yes, I am.

DISTASO: And Laci's father was Dennis Rocha?

ROCHA: Yes, he is.

DISTASO: And you and Dennis were married from when to when?

ROCHA: 1969 to 1976.

DISTASO: And you divorced, is that right?

ROCHA: That's correct.

DISTASO: And you and Ron Grantski have been together since basically what time?

ROCHA: The end of 1977 till now.

DISTASO: To the present?

ROCHA: Yes.

DISTASO: And when, when Laci was growing up, how old was Laci when you and Dennis divorced?

ROCHA: She was one.

DISTASO: One years old?

ROCHA: Yes, she was.

DISTASO: And then when you and Ron started being together Laci was how old?

ROCHA: Two.

DISTASO: And did Laci live in your home during the time that she was growing up?

ROCHA: Yes, she did.

DISTASO: And what city was that in?

ROCHA: Where Laci grew up?

DISTASO: Hm-hmm.

ROCHA: Modesto.

DISTASO: And what schools did she attend just, briefly tell me.

ROCHA: She went to Sonoma School,

DISTASO: Hm-hmm.

ROCHA: La Loma Junior High School, Downey High School and Cal Poly, San Luis Obispo.

DISTASO: And don't tell me the address or anything like that, but what part of Modesto do you live in, just geographically where in the city?

ROCHA: East Modesto.

DISTASO: Okay. And have you lived in that location, have you lived in that location where you are now for all of Laci's growing up period?

ROCHA: Almost.

DISTASO: These folks don't, unless they've lived in Modesto, they don't really have any idea about where Modesto is because we're not there. Can you just give them some idea of just what kind of town Modesto is, just briefly, and where, you know, what kind of environment Laci grew up in.

ROCHA: Modesto is just a normal, everyday town. It's not anything unusual or different than any other city. The environment Laci grew up was just middle class. She did all the normal things. Her friends were normal people and she was not someone who was in trouble or a problem child at all.

DISTASO: And what type of work do you do?

ROCHA: I'm a loan officer.

DISTASO: And what type of work does Ron do?

ROCHA: He's a construction superintendent.

DISTASO: So he works in the construction field and you work as a loan officer?

ROCHA: That's correct.

DISTASO: All right. And have you both been doing that for pretty much, I mean, many years?

ROCHA: Yes.

DISTASO: So those were the jobs that you had when Laci was growing up?

ROCHA: Originally, no, I started out in '92.

DISTASO: What, I haven't asked anybody this yet, what is Laci's birth date?

ROCHA: 5/4/75.

DISTASO: And do you remember what year it was that Laci graduated from high school?

ROCHA: 1993.

DISTASO: And when did she leave for college?

ROCHA: She left in, I believe it was August of '93.

DISTASO: And where did she go to school?

ROCHA: Cal Poly.

DISTASO: For college? Cal Poly?

ROCHA: San Luis Obispo, Cal Poly, yes.

DISTASO: And do you know what year it was in college when she met the defendant Scott Peterson?

ROCHA: To the best of my recollection it was at December of '94.

DISTASO: And you recognize Mr. Peterson as he sits in court here today?

ROCHA: Yes, I do.

DISTASO: Okay. When did you first meet him?

ROCHA: The summer of '94 shortly after Laci first met him or first dated him, I should say.

DISTASO: Can you tell me about that meeting.

ROCHA: She had called me and she was excited about having met Scott and she wanted me to meet him, so I went to San Luis Obispo to spend the weekend with her. We had plans to go to the cafe where Scott worked and have dinner.

DISTASO: Let me stop you right there. I was talking a little more detailed. Do you know if Scott Peterson was going to college at that time?

ROCHA: I was told he was not at that time.

DISTASO: All right. Go ahead. So you went to the cafe where he was working?

ROCHA: Yes. And we had arrived a little bit early so we parked the car in the parking lot and then we walked along Embarcadero and then we came back and Scott greeted us at the door. He was, he saw us walking towards the restaurant, so he greeted us at the door. And then we went inside. He told Laci that he had a special table waiting for her and there were a dozen red roses on the table for her and a dozen white roses for me. We were seated and had dinner.

DISTASO: All right. So you sat and had dinner at the cafe?

ROCHA: Yes.

DISTASO: And this was what year?

ROCHA: '94.

DISTASO: And did you basically know the defendant and Laci, you know, kind of how the relationship progressed from that period on?

ROCHA: As far as, yes, steadily dating and until they were engaged and then they were married.

DISTASO: Okay. How long did they date do you know before they were engaged?

ROCHA: They met, like I said, I believe it was December of '94 and they married August of '97, so it would have been three years or right at three years.

DISTASO: And their marriage, they were married in San Luis Obispo?

ROCHA: At Avila Beach.

DISTASO: Is that on the coast down there?

ROCHA: Yes, it's very near San Luis Obispo.

DISTASO: After, do you know what year it was that Laci graduated from college?

ROCHA: '97. She graduated in December of '97.

DISTASO: And what month were they, oh, you said August of '97 they were married?

ROCHA: Yes.

DISTASO: Okay. After they were married did they live apart to your knowledge for some period of time?

ROCHA: Yes, just after Laci graduated. I believe it was in January, it could have been February of '98, she moved to Prunedale. She took a position with a company out of Richmond and her territory was Monterey, Carmel, Salinas area. She lived in Prunedale at that time.

DISTASO: And do you know where the defendant was living at that time?

ROCHA: He was still in San Luis Obispo. He hadn't graduated yet. He was going to stay at San Luis Obispo until June of '98 when he graduated.

DISTASO: Okay. Do you know if he did, then he graduated in June of '98?

ROCHA: Yes.

DISTASO: What, where did Laci and Scott go after they both graduated? You know, after, did they move back to Modesto immediately?

ROCHA: No, after Scott graduated, according, the original plan was for Scott to come to the Bay Area,

DISTASO: Hm-hmm.

ROCHA: to be employed there, but for whatever reason that didn't happen, and so Laci moved back to San Luis Obispo. And at that time, I believe at that time was when they were working, Scott's parents had given him part of their business. And at some time they sold that and they bought their, they opened their own business, The Shack, in San Luis Obispo, and then in June of 2000 they moved back to Modesto.

DISTASO: The, in between the, you said they were given kind of part of the box business there?

ROCHA: Yes.

DISTASO: And did they run that or did the defendant run that for a while?

ROCHA: That is my understanding, yes.

DISTASO: Did you really have anything to do with that?

ROCHA: No, I didn't.

DISTASO: All right. And then they owned a restaurant?

ROCHA: Yes.

DISTASO: And what, you said it was The Shack?

ROCHA: Yes.

DISTASO: And how long, do you know, did they own that for?

ROCHA: I'm not exactly sure. Like I said I know Scott graduated in June of '98, they moved back to Modesto in June of 2000, maybe a year-and-a-half or so.

DISTASO: And then after they sold that business?

ROCHA: Yes, they did.

DISTASO: And then they sold that business and moved back to Modesto?

ROCHA: Yes.

DISTASO: What, during this time that Laci was living in San Luis Obispo, what was your relationship with her?

ROCHA: We were very close. We talked to each other all the time, I would go down to visit there or she would come home.

DISTASO: So you had a normal mother-daughter relationship?

ROCHA: Yes.

DISTASO: There was no period of time when you were estranged or anything like that?

ROCHA: No, not at that time.

DISTASO: Okay. And so you would call her, correct?

ROCHA: Yes, or she would call me.

DISTASO: And she would call you?

ROCHA: She would call me more often.

DISTASO: She called you more?

ROCHA: (Nods)

DISTASO: How long do you thing during that period of time you were talking to her?

ROCHA: In the beginning when she first went down there we probably talked, if not everyday, at least every other day.

DISTASO: And then after she moved back to Modesto where did they move, she and the defendant, where did they move to?

ROCHA: When they first came back they spent the first couple weeks with us at our house. And I believe it was July 1st when they moved to the home on Mesquite Avenue and then they bought their house and escrow closed in October of 2000.

DISTASO: So they bought the house in October. When you're talking about the house, you're talking about 523 Covina?

ROCHA: Yes, I am.

DISTASO: So they moved into the one house in roughly June of 2000?

ROCHA: July, I believe it was.

DISTASO: July?

ROCHA: I believe it was the 1st of July 2000.

DISTASO: And they lived there, to your knowledge, until escrow closed in October?

ROCHA: Yes.

DISTASO: Then they moved into the 523 Covena house?

ROCHA: Yes, it was supposed to close in September and that didn't happen, so it was just a few days into October when it closed and they moved in.

DISTASO: Briefly, just briefly what was Laci's jobs, are you aware of what work she was doing while she was here in Modesto?

ROCHA: Yes.

DISTASO: What was she doing?

ROCHA: When she first came back she was working as a marketing rep for Southern Wine and Spirits. And then after they moved into their home, she started, that's when she started teaching.

DISTASO: And was she a full-time teacher?

ROCHA: Part-time.

DISTASO: A substitute?

ROCHA: A substitute teacher.

DISTASO: Do you how often during the week she was substitute teaching?

ROCHA: Actually, she worked almost everyday.

DISTASO: And that was from, do you know what month that was?

ROCHA: I believe that may have been the end of October, November, around that time. I'm not exactly sure, but I know it was shortly after they moved into the house.

DISTASO: And what, and did you know how long she continued doing that?

ROCHA: Up until, I believe around November of 2002.

DISTASO: And do you know why she stopped substitute teaching?

ROCHA: Because she was getting larger and uncomfortable and not feeling well and her feet were swelling a lot, she wanted to start preparing more for the baby.

DISTASO: Okay. She had stopped teaching, substitute teaching in November because of her pregnancy was progressing?

ROCHA: Yes.

DISTASO: And of course you saw her during this time from the time she moved back to, you know, basically in the end of her life, did you see her fairly frequently?

ROCHA: Yes, I did.

DISTASO: And how often do you think you would physically see her?

ROCHA: I physically saw her at least once a week. We talked on the phone every other day, ever couple days. Quite often it would be more than once a week that we would see each other. We would shop together, go to the movies, have lunch together.

DISTASO: How far was your home from her home?

ROCHA: Just a matter of blocks, maybe, I don't know, I never actually measured, half a mile.

DISTASO: How long would it take you to drive there?

ROCHA: Five or six minutes.

DISTASO: The, are you familiar with what Laci and the defendant's, you know, lifestyle was in Modesto? I mean, what kind of life were they leading?

ROCHA: Just normal life. They had their friends. They, I know they got together with their friends quite often. Just did normal things.

DISTASO: Did either one to your knowledge engage in any kind of what we, I guess we call it, like, high risk kind of behavior?

ROCHA: No, not my knowledge.

DISTASO: I'm sorry, in 2002?

ROCHA: No.

DISTASO: And what I mean by that was there any problems with drugs that you were aware of?

ROCHA: Not that that I was aware of. I know Laci was very aware of her health, especially being pregnant. And she was always very health conscious.

DISTASO: Did you know Laci or the defendant to have any kind of psychiatric problems or any kind of problems that you heard of during 2002?

ROCHA: No.

DISTASO: The, when you say she was conscious of her health, were you aware of when she became pregnant?

ROCHA: Oh, yes.

DISTASO: Did she tell you?

ROCHA: Yes.

DISTASO: And this would have been you first grandchild?

ROCHA: No.

DISTASO: Oh, that's right. No, I'm sorry, Brent has a child. This would have been Laci's first?

ROCHA: Laci's first.

DISTASO: Right.

ROCHA: Yes.

DISTASO: Did Laci to your knowledge take any kind of, you know, the normal precautions that you take when you're pregnant?

ROCHA: Yes, I know she had talked about, you know, trying to, well, she always did eat healthy. I know she told me I believe they had taken two lamaze classes. She had started a yoga class at some time, a prenatal yoga class. And in the beginning I know that she was still walking.

DISTASO: Okay. So what, we're going to talk about that in one second. So she was kind of doing the normal things that women do when they become pregnant, is that right?

ROCHA: Yes, it is.

DISTASO: And you were aware that she was attending her prenatal appointments with her doctor?

ROCHA: Yes.

DISTASO: And taking her vitamins and doing all of those kind of normal things?

ROCHA: Yes.

DISTASO: What, did Laci, before we leave kind of what your relationship with her was, did she talk to you about when they would do things in their life?

ROCHA: Yes. Such as?

DISTASO: Let me give you some examples. We've heard some testimony that they went on a Carmel trip in December, did she tell you they were going on that trip?

ROCHA: Yes, she did.

DISTASO: And did she tell you when they were going to buy, for example, a new car?

ROCHA: Yes.

DISTASO: Or any other kind of major home purchases, that kind of thing?

ROCHA: Yes.

DISTASO: Would she tell you when they were doing any kind of remodeling work on their home?

ROCHA: Yes, they had put in a pool the year before, and I believe it was in 2002, and they put in a new air conditioning unit.

DISTASO: Did she tell you about all of those things?

ROCHA: Oh, yes.

DISTASO: Was that just normal, everyday kind of life conversations with her?

ROCHA: Yes, it was.

DISTASO: Did she tell you when Scott Peterson joined the Del Rio Country Club?

ROCHA: Yes.

DISTASO: Do you remember when it was?

ROCHA: I believe it was November 24th. I was at her house having dinner when she mentioned that Scott, Scott had joined the country club.

DISTASO: Did, and all this time that they were together you knew Scott Peterson as well, is that right?

ROCHA: I'm sorry, I didn't hear what you said.

DISTASO: All the time that they were together you also dealt with Scott Peterson, the defendant?

ROCHA: Oh, yes.

DISTASO: Okay. It wasn't like he was, he disappeared for years at a time,

ROCHA: No.

DISTASO: and you never saw him?

ROCHA: No.

DISTASO: How would he refer to you as?

ROCHA: He called me mom.

DISTASO: And did he call that you from basically the time that they were married?

ROCHA: Yes.

DISTASO: Are you aware of what his hobbies were? Well, let me put it this way, did he ever talk to you about any of his hobbies?

ROCHA: I knew he liked to golf. I do know that. He built things. I know he had built a barbecue at their house. And he had talked about having gone fishing with his dad or pheasant hunting with his dad.

DISTASO: And these were things that he would tell you?

ROCHA: Yes.

DISTASO: And did he ever, were these like out of the ordinary things or were these just normal everyday kind of conversation things?

GERAGOS: Objection, vague.

JUDGE: Do you understand the question? Was this, Well, can you rephrase it, make it a little more specific.

DISTASO: I'll go through each item. I'm trying not to drag it out here too much.

JUDGE: I know.

DISTASO: Like, for example, like the barbecue, was that just part of a normal conversation that you had with the defendant?

ROCHA: Yes, he and Laci.

DISTASO: So all of these things that you just told us, this was your normal relationship with these two people?

ROCHA: Yes.

DISTASO: Did, up until Laci disappeared on the 24th had you noticed any problems in their relationship, anything that you saw that would lead you to believe that there was a problem between the two parties?

ROCHA: No, there wasn't anything that was obvious.

DISTASO: And up until sometime in the future had you ever been told or did you ever know from Laci or the defendant that he'd been having an affair with a woman by the name of Amber Frey?

ROCHA: No.

DISTASO: Had you ever learned that he had had had an affair with any woman?

ROCHA: No.

DISTASO: Did Laci or the defendant at anytime tell you that he had bought a boat?

ROCHA: No.

DISTASO: Did you even or did you have any knowledge up until December 24th that the defendant owned a boat?

ROCHA: None whatsoever.

DISTASO: So, I take it, Laci never mentioned that to you?

ROCHA: No.

DISTASO: And the defendant never mentioned that to you?

ROCHA: That's correct.

DISTASO: Now, you mentioned when we were talking about kind of the background of your relationship that you were aware that Laci had started taking a yoga class as part of her pregnancy?

ROCHA: Yes.

DISTASO: Do you know what kind of yoga it was?

ROCHA: I just, I know it was a prenatal, so it was for pregnant women.

DISTASO: So some kind, a pregnant women class for yoga?

ROCHA: Right.

DISTASO: And you also said that earlier in the pregnancy you were aware that she liked to walk?

ROCHA: Yes.

DISTASO: And were you, do you know if she took the dog with her when she walked?

ROCHA: Yes, she did.

DISTASO: Did you personally actually ever walk with her?

ROCHA: Yes, I have.

DISTASO: How many times do you think you did that?

ROCHA: I remember at least two times.

DISTASO: And when you walked with her, was that when she, at what stage in her pregnancy was that?

ROCHA: I, to be honest with you I can't even say that she was pregnant the last time we walked. If she was pregnant it was just in the very, very beginning of her pregnancy.

DISTASO: We've seen some pictures. I guess I can just show you one here. Let me mark this next in order. It's a picture of Laci Peterson.

JUDGE: People's 17.

DISTASO: This is a picture of Laci, right?

ROCHA: Yes.

DISTASO: This is obviously late in her pregnancy?

ROCHA: Yes.

DISTASO: When you were walking with her, was she, at times when you went was she even just showing her pregnancy at all?

ROCHA: Not at all.

DISTASO: So after she became visibly showing, I'm kind of trying to kind of date when you were walking with her, after she became visibly showing with her pregnancy did you personally walk with her again?

ROCHA: No.

DISTASO: Now you did hear from her that that she had walked, had been beginning to walk, is that right?

ROCHA: Yes.

DISTASO: What, do you know where she would tell you that she would go?

ROCHA: Normally she went to the park.

DISTASO: And the park is near her house?

ROCHA: Yes, it is. She never told me she walked any other place other than the park.

DISTASO: Okay. When you walked with her where did you walk?

ROCHA: In the park.

DISTASO: Did Laci ever mention to you that she had changed her route and changed her route from the park to some other, you know, location in the neighborhood or something?

ROCHA: No, she never mentioned that do me.

DISTASO: Did she talk to you about an incident where she got sick in the park?

ROCHA: Yes, she did.

DISTASO: Okay. Do you remember when the first time it was that she talked about that?

ROCHA: It was the very end of October or very beginning of November because she had called me, she had told me she had been walking in the park. She started to feel dizzy and then she started vomiting and she was really embarrassed because the maintenance people from the park were like following her along cleaning up after her. She was trying to get home as quickly as possible because she was afraid she was going to pass out.

DISTASO: Okay. And you were not with her when this happened?

ROCHA: No, she was alone.

DISTASO: She called you and told you about it?

ROCHA: Yes, she did.

DISTASO: And what did you tell her to do?

ROCHA: I told her to call her doctor immediately because I didn't think that sounded right, that there was something wrong. And she said that she would, but I don't think she did at the time. I think it was a few days later before she did call.

DISTASO: Okay. And did she then call you again and tell you about some other incident where she got sick in the park?

ROCHA: Yes, she did.

DISTASO: What did she tell you about that one?

ROCHA: That was probably about a week or so after the first time, and that's when she said she became very dizzy. That she sat down immediately so she didn't get sick. And as soon as she could she got up and walked home as soon as she possibly could. And then she had also told me that when she did talk to her doctor, they had told her that she should probably stop walking, but if she continued to walk she should at least walk later in the day because she was probably dehydrated.

DISTASO: By this point in her pregnancy was Laci feeling the effects of her pregnancy?

ROCHA: Yes, she was.

DISTASO: What I mean by that is, when you were talking about these incidences when she was getting sick in the park, was she visibly showing?

ROCHA: Oh, yes, she was.

DISTASO: Because this was October or November. And do you know when, the baby was due in February?

ROCHA: Yes.

DISTASO: The, do you know was she talking to you at all about at this time the physical effects of her pregnancy?

ROCHA: At this time, yes, as time was going on she was telling me, like I said, she was complaining. By mid November, at least, maybe even a little earlier, she was complaining about her feet swelling, she was having a hard time standing up for any length of time or walking, her back was aching and she seemed to be tired all the time.

DISTASO: You have had two children yourself, correct?

ROCHA: Yes.

DISTASO: And so you're familiar with the effects of pregnancy as it kind of rolls along?

ROCHA: Yes.

DISTASO: Were the things she was telling you kind of the normal things of a later-term pregnancy?

GERAGOS: Objection, calls for speculation. 352.

JUDGE: I don't know if that's common for everybody, so I'll sustain the objection

DISTASO: That's fine. So she told you about these incidents about walking in the park in late October or early November, and, did she ever stop, between that time and December 23rd, okay, so the incident she talked about in the park around December 23rd, the last time being talked about, did she ever stop talking to you about walking in the park?

ROCHA: The last time we talked about walking in the park was the second time that she became ill that she didn't feel well.

JUDGE: When you said she got dizzy?

ROCHA: Yes.

DISTASO:

DISTASO: So the second time since she got dizzy she said she sat down, that was the last time she ever spoke to you about walking in the park?

ROCHA: That was the last time she ever spoke to me about walking period.

DISTASO: And that way, you know, second time was early November?

ROCHA: It was like the first week of November or so.

DISTASO: Now were you aware of whether or not she went on as she went in the end of November, Thanksgiving time, to a baby shower and a trip to Disneyland down to Southern California?

ROCHA: Yes, that was at Thanksgiving time.

DISTASO: Did Laci talk to you during that time about anything to do with walking while she was at Disneyland?

ROCHA: What she told me was that she didn't even want to go to Disneyland because she wasn't feeling well, her feet were swelling, she new she couldn't walk around the park, so she knew it was not going to be fun for her and she didn't really want to go at all.

DISTASO: But she did tell you, did she actually go on the trip, do you know?

ROCHA: Yes, she did. When she came home she told me they rented a wheelchair and Scott had pushed her around Disneyland in the wheelchair.

DISTASO: The day, now is probably a good time to talk about their dog. Are you familiar with their dog?

ROCHA: Yes.

DISTASO: It's a golden retriever?

ROCHA: Yes, I am. I've taken care of him many times.

DISTASO: Okay. So at times when they would go on trips or whatnot Laci would bring the dog over to your house?

ROCHA: Yes, Laci or Scott.

DISTASO: And how big do you think the dog is, do you have any idea?

ROCHA: Weight-wise.

DISTASO: Weight-wise?

ROCHA: No, he's big.

DISTASO: And he's a normal golden retriever-size dog?

ROCHA: Yes.

DISTASO: And have you ever actually walked the dog?

ROCHA: Yes, I have, or he walked me.

DISTASO: I was going to ask you about that. Is he the kind of dog that, you know, is trained kind of obedience that will heel right next to you the whole time and do whatever you want?

ROCHA: No.

DISTASO: Okay. Can you explain what would happen, when you would go take McKenzie out for a normal walk, how does that go?

GERAGOS: There be an objection. It calls for speculation.

JUDGE: She can describe how the dog reacted. Was he the type of dog that ever tried to pull you along?

ROCHA: Yes, if there was a bush he wanted to smell, he'd run towards the bush. If there was a dog he wanted to check out, he would run toward the dog. I'd really have to hold on to the leash.

DISTASO: And, you know, you personally walked the dog, right?

ROCHA: Yes.

DISTASO: Now we've talked kind of at length already about with other witnesses about Laci's inheritance, but there's just a couple pictures I want to show you about that.

JUDGE: Separately, Mr. Distaso?

DISTASO: Yes, Your Honor.

JUDGE: What are?

DISTASO: I have three. 18 is Laci at the baby shower.

JUDGE: Okay.

GERAGOS: How many do you have?

DISTASO: Three.

GERAGOS: 18, 19 and 20.

DISTASO: Hm-hmm. They're all going to be Laci at the baby shower.

JUDGE: Okay. I assume you've seen these photographs, Mr. Geragos?

GERAGOS: I just don't know which ones they are.

JUDGE: They're all photographs of Laci at the baby shower.

DISTASO: Let me show you here, People's 20. A witness described seeing Laci on the 23rd, seeing her, you could kind of see her tattoo from the pants she's wearing. Does that picture show her tattoo?

ROCHA: Yes, it does.

DISTASO: And can you just describe it for the Court.

ROCHA: It was a sunflower.

DISTASO: And where was it, where was it, on what part of her body?

ROCHA: On her left ankle, or just above her left ankle.

DISTASO: And for the record that is a picture of your daughter?

ROCHA: Yes, it is.

DISTASO: Here's another picture of Laci at the baby shower and she's wearing kind of a diamond pendant. Do you see that?

ROCHA: Yes, I do.

DISTASO: To your knowledge did Laci inherit a diamond pendant?

ROCHA: Yes, there was a diamond.

DISTASO: And, finally, here's another picture of her wearing kind of a big sapphire ring. Do you know if she inherited that sapphire ring, also?

ROCHA: I never saw that ring before.

DISTASO: Okay. You've never seen Laci wear that?

ROCHA: No.

DISTASO: And this baby shower, these pictures, this was one you did not attend?

ROCHA: That's correct.

GERAGOS: May I approach?

DISTASO: No, that's all right. I can do it on the record. The one with the sapphire ring was People's 19. And the one with the tattoo was People's 20. And then People's 18 was the other one.

GERAGOS: Okay.

DISTASO: And, for the record, this baby shower, you recognize the people that are there?

ROCHA: I recognize two people.

DISTASO: Okay.

ROCHA: Susan and Janey and Laci, of course.

DISTASO: Right. Who are Susan and Janey?

ROCHA: Susan is Scott's sister and Janey is his sister-in-law.

DISTASO: And when, the baby shower that they went down to in Southern California, who put that one on?

ROCHA: I'm not really sure. It was Scott's family, I assume.

DISTASO: Okay. Now I asked you about the affair and you were not aware of Scott Peterson having an affair with any woman, is that right?

ROCHA: That is correct.

DISTASO: Let me ask you about his boat. Did you know at anytime that Scott Peterson had bought a boat?

GERAGOS: Objection, asked and answered.

JUDGE: I think she said no.

DISTASO: Okay. Let me just show you. Let me just show you this picture of the boat. This is People's 21. Do you recognize the truck that's in that picture?

ROCHA: Yes, I do.

DISTASO: And whose truck was that?

ROCHA: That was Scott's.

DISTASO: And do you recognize the boat in that picture?

ROCHA: No, not prior to seeing it in the picture.

DISTASO: Okay. Other than, you know, other than seeing media accounts or media pictures, had you ever seen that boat at anytime?

ROCHA: No.

DISTASO: We talked kind of about, you know, November, I want to move now kind of into December. Up until that time, you know, in December, you were having your normal relationship with Laci?

ROCHA: Yes.

DISTASO: And did, did you have dinner with Laci and the defendant on December 15th?

ROCHA: Yes, we did at their house.

DISTASO: Did, who's house did you go to?

ROCHA: To Scott and Laci's house.

DISTASO: Okay. And what happened during that conversation? I mean, what happened during that dinner?

ROCHA: I remember Laci talking about Scott was going to make lasagna, but he didn't get home in time so she bought a lasagna. And she was a little disappointed in that because she likes to make things. We had talked about Ron and I had gone fishing that morning and that was a big surprise because I don't do that. And Laci mentioned,

DISTASO: Okay. Let me stop you there. Is Ron a big fisherman?

ROCHA: Yes, he is.

DISTASO: And is, I mean, is that kind of one of his main hobbies?

ROCHA: Yes.

DISTASO: How would you characterize him as a fisherman? I mean, as his hobbies?

ROCHA: Every weekend, any chance he gets.

DISTASO: That's kind of the main thing he likes to do,

ROCHA: Yes.

DISTASO: other than his job and whatnot?

ROCHA: (Nods)

DISTASO: And, so, that morning he had actually taken you out fishing?

ROCHA: Yes, it was really, it was cold and windy that morning and I did decide to go with him. I didn't actually fish because I didn't have a fishing license and I asked him how much the fine would be so I decided not to be. I took a chair and read the newspaper instead.

DISTASO: Okay. Did you go somewhere in the county?

ROCHA: Yes, we went over by Oakdale off Orange Blossom Road.

DISTASO: And Oakdale is the town that's, what, just kind of east of Modesto?

ROCHA: Yes.

DISTASO: Still in the county?

ROCHA: Yes.

DISTASO: And you fished there that morning?

ROCHA: Yes.

DISTASO: So, anyway, this conversation came up at dinner?

ROCHA: Yes, and Laci was really surprised that I had even gone fishing with Ron.

DISTASO: So you talked about that. At that point then was any mention made of the defendant fishing or the defendant having a boat or maybe taking Ron out on the boat or was there any mention of the boat at all at that time?

ROCHA: None whatsoever.

DISTASO: Go ahead.

ROCHA: We talked a couple minutes. The conversation was a couple of minutes long easily. And we were sitting, Ron was sitting next to me and myself and Scott and then Laci. So, everyone, yeah.

DISTASO: The defendant didn't make any mention of the boat?

ROCHA: No.

DISTASO: Or fishing or anything of that nature?

ROCHA: No.

DISTASO: Did Laci make any mention of the boat?

ROCHA: No.

DISTASO: On, okay. Go from the 15th to the 23rd, did you have your normal relationship contacts with Laci?

ROCHA: Laci called on the 16th, asked if I would come over and feed the dog and the cats. They were going to Carmel with Jackie and Lee Peterson. They were leaving on the 17th returning on the 19th.

DISTASO: Okay. Let me stop you. Just for the record, who are Jackie and Lee Peterson?

ROCHA: Scott's parents.

DISTASO: Okay.

JUDGE: What was the date again, I missed the date?

ROCHA: She called me on the 16th.

JUDGE: On December 16th.

ROCHA: That's correct.

JUDGE: Thank you.

DISTASO: So she talked about feeding the dog and the animals?

ROCHA: Yes.

DISTASO: And they had a dog, correct?

ROCHA: One doing and two cats.

DISTASO: Two cats. And you did that?

ROCHA: Yes. Normally she would have brought the dog over. And I asked her why she wasn't bringing him over, and she said because she felt it would be okay this time. That was a little unusual.

DISTASO: But he stayed at the house this time?

ROCHA: Yes.

DISTASO: At their house?

ROCHA: Yes.

DISTASO: And then you, you did that and then did she call you when she got back?

ROCHA: I called her on Thursday evening. I believe it was around 7:00 or so.

GERAGOS: I'm sorry, what date?

ROCHA: The 19th.

GERAGOS: The 19th.

ROCHA: And we talked for a while. She said she was tired. They had a nice time. I think she said they got home around 1:00 o'clock that afternoon.

DISTASO: And did she tell you what her plans were for the kind of the rest of the week, she had a doctor's appointment, right?

ROCHA: No, that was the next day. That was the 20th. We talked about that.

DISTASO: Okay.

ROCHA: We talked about her baby shower. She told me that, she had a doctor's appointment on the 23rd.

DISTASO: All right.

ROCHA: And after the appointment they were going to the hospital to pre-register.

JUDGE: Would you like a recess?

ROCHA: No.

JUDGE: Go ahead.

DISTASO: The, and then on the 23rd did you actually physically or physically speak to Laci?

ROCHA: Yes.

DISTASO: I mean, did you hear her voice?

ROCHA: Yes, I did.

DISTASO: Okay. Before we get to that, though, did you try to get a hold of her on the 23rd?

ROCHA: Yes. She and I were playing phone tag the entire day. She would phone me and miss me and I would call her and miss her.

DISTASO: And so you were kind of leaving messages back and forth?

ROCHA: Yes, we were.

DISTASO: And then before we get to that, though, when is the last time that you physically saw your daughter, not talk to her on the phone, but actually saw her in person?

ROCHA: December 15th.

DISTASO: And that was at the dinner you told us about?

ROCHA: Yes.

DISTASO: On the 23rd you spoke to her, I mean you played kind of phone tag back and forth, and then what happened?

ROCHA: And she called me that evening about 8:30. I was talking to a friend of mine on the other line. I have call waiting. And I clicked over and answered the call and it was Laci.

DISTASO: And how long do you think you talked to her?

ROCHA: Oh, maybe a minute or two. She called to tell me that they were coming over the next evening for dinner, Christmas Eve dinner, and I asked her at that time, she had told me that that she hadn't, she didn't buy gifts for everybody. That was going to be that evening. I told her that was fine. She had told me that she had gone to the doctor that day. Everything was fine. The doctor said her pregnancy was normal. There weren't any problems.

DISTASO: Okay. And this conversation, since she clicked in on call waiting, it was fairly brief?

ROCHA: Yes.

DISTASO: And then was that the last time that you ever spoke to Laci?

ROCHA: Yes.

DISTASO: What happened the next day on the 24th?

ROCHA: When Scott called or what was I doing?

DISTASO: Well, before we get there. Did you hear from Laci at all during the day?

ROCHA: No, I thought about calling her. I went to see a movie later or early afternoon with a friend of mine. And many times Laci would come with us. I would ask her to join us, but I didn't call her that day because I knew she had been having problems. She wasn't comfortable. She wasn't comfortable sitting for long periods of time. She was in the later stage of her pregnancy and she just wasn't comfortable so I decided not to call her.

DISTASO: And you were expecting her at your home for dinner?

ROCHA: At 6:00 o'clock that evening, yes.

DISTASO: And what time did you get home on the 24th where you were home and kind of getting the dinner ready and that kind of thing?

ROCHA: I don't remember exactly what time it was. I'm thinking the movie was around 1:00 or so, so it was probably 3:00, 3:30 when I got home. I remember at one point when I was getting things, putting things together, I realized I didn't have whipping cream so I asked Ron to call Laci and to stop on her way over and pick that up.

DISTASO: And to your knowledge did Ron do that?

ROCHA: Yes, he did. And there was no answer, so he left a message for her to do that,

DISTASO: Okay.

ROCHA: asking her to pick up the whipping cream.

DISTASO: And then at some point you got a call from Scott Peterson, is that right?

ROCHA: Yes, I did.

DISTASO: Do you remember what time of night that was?

ROCHA: I remember, I remember looking at the clock on my stove in the kitchen and it was 5:15 and I remember thinking that I needed to get myself together because everybody was supposed to be there at 6:00 o'clock. So it was another minute or so when I walked down the hall to my bedroom. And then when I get into the bedroom is when the phone rang. So I would say it was about 5:17 I recall the time.

DISTASO: And can you tell the jury, just tell us what happened.

ROCHA: When he called he said, "Hi, Mom." He said, "Is Laci there with you or over there?" And I said, "No." And he said that her car is there, was there in the driveway and the dog was in the backward with the leash on and Laci was missing. I remember telling him to call her friends to see if anybody had seen or talked to her that day. I just thought that maybe she was with one of her friends, but I remember hanging up the phone and walking back towards the door of the bedroom to walk down the hall. I was going to tell Ron, and that's when I realized he said that she was missing. And I just, I just knew. I knew she was missing. He wouldn't have used the word "missing." I mean, most people when they would call they would say,

GERAGOS: Objection, speculation. Motion to strike.

JUDGE: Non-responsive. Go ahead.

DISTASO: Okay. And then after you walked down and you told Ron?

ROCHA: I didn't walk down, I ran down at that point.

DISTASO: Okay. What happened next?

ROCHA: I started to change my clothes. I was waiting for him to call back and he called back within just a few minutes and said that none of her friends had seen her. So I told him to check

with the neighbors to see if maybe she was at one of the neighbor's house, thinking maybe she had taken cookies or something to one of the neighbors.

DISTASO: Hm-hmm.

ROCHA: And so we hung up at that time and I remember changing my clothes that time. I was already dressing warmer because I just felt I knew something was wrong and I knew that I felt I needed to go to the park because he said the dog has his leash on so my first thought is she would have been walking the dog.

DISTASO: Okay. Hold it. Let me stop you for a second. So he since called two times, right?

ROCHA: Yes.

DISTASO: Keep going then.

ROCHA: The third time he called he said the neighbors hadn't seen her. Nobody had seen her. And I told him I was going to go to the park. And I believe it was after the second call that I had told Ron to call the hospitals and the police because I knew, I just knew something was wrong. Then when I, after the third,

GERAGOS: Objection, it's non-responsive. There's no question pending.

JUDGE: You've been asking for a narrative so,

DISTASO: I'll shorten it down.

JUDGE: question and answer.

DISTASO: I'll shorten it down. Okay. After the third call, what's the next thing that you did, you called somebody?

ROCHA: Ron had called 911. They told him to stay at the house and that an officer would come to the house. And when I came out of the room I wasn't going to wait, I called my friend, Sandy, to pick me up because I knew that Ron couldn't drive. And she picked me up. I called her, it was 5:32 I know from my cell phone records.

DISTASO: What was your, you said you knew you couldn't drive. So your demeanor at this point was you were pretty upset?

ROCHA: Yes.

DISTASO: And what is Sandy's, just for the record what's her full name?

ROCHA: Sandy Rickard.

DISTASO: And what happened next then, did Sandy come and get you?

ROCHA: Sandy picked me up, we drove over to the park. As we were driving over the bridge on Oakdale Road I called Scott and told him to meet us at the tennis courts. We were going down into that area.

DISTASO: Okay. Let me stop you there. I'm going to put a diagram up so if you can at least explain to the jury where you went.

GERAGOS: Are you going to mark this as 22?

JUDGE: Mr. Distaso, will you give the pointer to Ms. Rocha.

DISTASO: Just for the record, this is an aerial of the park area.

JUDGE: First of all, Ms. Rocha, do you recognize that aerial view park?

ROCHA: Yes, I do.

JUDGE: Can you show us where the defendant's residence was located? Is that on the diagram?

ROCHA: That would be right here.

JUDGE: Okay. We'll start right there. Thank you.

DISTASO: And just for the record that's marked in red with a 523.

JUDGE: Okay.

DISTASO: And, Ms. Rocha, for Covena Avenue is also marked on there?

ROCHA: Yes.

DISTASO: And that's the street where Laci and the defendant lived?

ROCHA: Yes.

DISTASO: Before we get to what happened when you met him down there at the park, let me go back and have you do something since we have the aerial up now. Can you show the jury, you can use this red pen I'm going to give you. Can you show the jury where it was while the two times that you walked with Laci, can you show them where you entered the park and just draw a dotted line the route that you would take.

ROCHA: Dotted line?

DISTASO: Yeah, you can just start it. Yeah, that's fine. A dotted line will be fine or dashes, you know, whatever you feel like.

ROCHA: This is kind of a dirt path.

DISTASO: You can draw a solid line, if that's easier. That's fine.

ROCHA: Sometimes we would even go along this dirt path and go all the way. Where are the tennis courts on this?

DISTASO: Just for you, here's the tennis courts.

ROCHA: Okay.

DISTASO: Here's the path along,

ROCHA: Follow along the path here. There's a couple different routes. You can take that. Take these here, kind of up through here. Kind of cross,

D. HARRIS: I'm not sure the witness can be heard.

JUDGE: There's no microphone there. We just have to look.

DISTASO:

DISTASO: I'll just have her draw it and sit down.

JUDGE: Okay.

DISTASO:

DISTASO: And just for the record, you drew a red line kind of leading from the little trail near her house, down through the park, down around near the tennis courts, and then you looked back?

ROCHA: Yes.

DISTASO: And that's the route, the two times that you walked with her that's the route you took?

ROCHA: Yes.

DISTASO: Okay. Can you now, let's go back now to the 24th. You said that you made, you called Scott Peterson, that you called him on the phone as you were driving there?

ROCHA: Yes.

DISTASO: And you made arrangements to meet him where?

ROCHA: At the tennis court area.

DISTASO: Okay. Can you just circle the tennis courts on that diagram so people can just see where they are?

JUDGE: You can press down on it, Ms. Rocha.

ROCHA: This is the tennis courts.

JUDGE: Yeah, just press hard, please. There you go.

ROCHA: This is the parking lot here.

JUDGE: Put T dash C.

DISTASO: Okay. You can have a seat again. Now what, let's go back now. So you made arrangements to meet him, what happened next?

ROCHA: Sandy and I drove down into the park, parked the car. I got out of the car and I was running all around through that area and I was screaming her name and I just kept yelling her name. The lights were on in the park in that area, the outer areas weren't lit, but I was running all through that area that I could. I was looking in, I remember looking in trash cans, and then Laci's neighbors came to the park.

DISTASO: Do you remember who those people were?

ROCHA: Amy Krigbaum. She lives just across the street from Laci. Our nephew Zachary Zwald came.

DISTASO: Okay.

ROCHA: I still hadn't seen Scott at that time.

DISTASO: When you said you were yelling Laci's name, I mean were you like screaming her name in the park?

ROCHA: Yes, I was.

DISTASO: You said the lights were on in that area and the tennis courts?

ROCHA: (Nods)

DISTASO: The rest of the park was pretty dark?

ROCHA: The outer areas were dark.

DISTASO: Did you see the lights on along the path?

JUDGE: Well, are there lights along the path? Are there lights along the path?

ROCHA: There are, the tall lights that light up along certain areas of the park.

DISTASO: Did you see if those were on?

ROCHA: They were on, yes, you could see part of the path.

DISTASO: And,

ROCHA: They shut off, I remember them shutting off briefly a couple times and then coming back on.

DISTASO: And then what, what was the temperature like?

ROCHA: It was very, very cold. Very cold.

DISTASO: Do you remember if it was clear, could you see far in the park or was it foggy?

ROCHA: At that time I remember, I think I remember it being it was very clear.

DISTASO: And so anyway you were yelling and these people came around what happened next?

ROCHA: I remember thinking when are the police going to get here. And I had a message on my cell phone that I was trying to replay and it was from an officer, but I couldn't remember the phone number to return his call. And I remember I kept dialing my voicemail three or four times, and finally I just gave my phone to my friend so that she could get the number and call.

DISTASO: And what happened next?

ROCHA: The police arrived and I remember seeing Scott at one point. It seems like a long time for that, also. And he was walking along, closer to the river, looking towards the river to the left and he had the leash and McKenzie in his right hand. I kept calling out his name and he never did turn to acknowledge that I was calling out to him.

DISTASO: How far away, how far away from him were you?

ROCHA: I thought maybe 20 or 30 feet.

DISTASO: And when you say you were calling his name and were you talking in kind of a quiet voice you are now?

ROCHA: No, I was yelling his name. I was yelling out to let him know here we are. We're over here.

DISTASO: And how would you say your demeanor was at that time?

ROCHA: My demeanor?

DISTASO: Hm-hmm.

ROCHA: I was very upset.

DISTASO: Okay.

ROCHA: I was anxious. I was looking for Laci. I was,

DISTASO: Okay. What happened next then?

ROCHA: Scott never did acknowledge that I was yelling his name, but I remember Zachary going by me and going right up to Scott, and that's when he acknowledged that anybody was there.

DISTASO: And, okay. And then what happened next, did you talk to him?

ROCHA: Yes, I walked over to where they were and I remember asking Scott if the house was unlocked. And I remember asking him if Laci's purse was there, and he said he didn't know. And I asked if the house was unlocked and he said yes. And I asked where she kept her purse, and he told me. And, excuse me, I wanted to go to the house to see if her purse was there. And I remember turning around and walking towards the parking lot area where the officers were. At that time I think there were two cars and two officers by that time and I told them that I wanted to go to the house to see if Laci's purse was there, but they said,

GERAGOS: Objection, hearsay.

JUDGE: Overruled. What did they say?

ROCHA: They told me to wait and let them go in first.

DISTASO: Okay. And so did you ever that whole night go into the house?

ROCHA: No.

DISTASO: And then what happened next?

ROCHA: We went to Laci's and Scott's house. There were several of us by that time. And we stayed outside the entire evening. We were never allowed to go into the house. They did take

Scott into the house and out.

DISTASO: Now, when you say there were several of us there, how many people, like friends and family of Laci's do you think showed up there at 523 Covena?

ROCHA: Throughout the evening there were probably maybe 70 or 80 people.

DISTASO: And were people going down into the park? Did you see people like searching or doing things in the neighborhood?

ROCHA: Yes, they were going to the park. People were walking, knocking on doors, showing pictures of Laci, asking if anybody had seen her.

DISTASO: Okay. Did you see the police presence there also?

ROCHA: Oh, yes.

DISTASO: Okay, so the police were there?

ROCHA: Yes.

DISTASO: Family members were there?

ROCHA: Yes.

DISTASO: And at some point did you see a helicopter fly over the park?

ROCHA: Yes, I remember them telling us that they expected a helicopter to be there around 8:30 and I know it was a little later because I was getting really upset because it wasn't there yet. And, yes, it was driving up, flying up and down the park with the lights.

DISTASO: The, what was Scott Peterson doing while all this was going on that you saw?

JUDGE: May I interrupt just for a second. At the park or at the residence?

DISTASO: Okay. I'm sorry, we're back at the residence now.

DISTASO: You told us about, you'd ask him if the house was unlocked, you said it was, right?

ROCHA: (Nods)

DISTASO: This was in the park?

ROCHA: Yes.

DISTASO: And you asked him if Laci's purse was there, and was that at the park, also?

ROCHA: Yes.

DISTASO: Did you ask him anything else down in the park before we leave the park?

JUDGE: If you recall.

ROCHA: I'm thinking that's when I asked him where do you think she is.

DISTASO: And did he say anything or did he give you any answer?

ROCHA: No.

DISTASO: Okay. Did you ask him down in the park where he had been that day?

ROCHA: No.

DISTASO: Okay, back now at the house, did you see what was going on, like all the family, there's people there at the house, right?

ROCHA: (Nods)

DISTASO: And where is everybody standing?

ROCHA: Some people were standing near the driveway. Some were sitting in the car, standing around cars. It was really, really cold.

DISTASO: People were kind of all over the place?

ROCHA: Yes.

DISTASO: And where was Scott Peterson?

ROCHA: He was in and out of the house with the officers and I do recall at one time seeing him standing in the driveway by himself and,

DISTASO: Did you go up and talk to him during that night?

ROCHA: Yes.

DISTASO: At the house?

ROCHA: Yes.

DISTASO: And what did you ask him?

ROCHA: Well, at that time I was walking over to give him a hug because I felt that, you know, we were all upset and I knew his family wasn't here and we'd always been close so I wanted to just console him, and myself for that matter. And as I walked up to him I was never able to do that because he kept kind of angling, like, away from me so that we never had eye contact.

DISTASO: Did you, what did you think about that? What did you think were you trying to look him in the eye and make eye contact?

GERAGOS: Objection, calls for speculation. Irrelevant.

JUDGE: What she thought about it?

GERAGOS: Yes.

JUDGE: I'll let her answer that.

ROCHA: I wanted to ask him some questions.

DISTASO: Hm-hmm.

ROCHA: And finally I did, I asked him what Laci was doing or what her plans were for the day. And he told me that she had planned on going to the store, and then coming home to make gingerbread and walking the dog. I asked where he had been. He told me, he had told me fishing. And I asked where he was fishing, he said Berkeley.

DISTASO: Did he say anything other than, when you asked him where were you, he said fishing, one word, did he say anything else?

ROCHA: No, not until I asked where and he said Berkeley.

DISTASO: Okay. Did he say any other description?

ROCHA: No.

DISTASO: Okay. Go ahead. What happened next.

ROCHA: I think I asked him what time he got home.

DISTASO: What did he say?

ROCHA: Either 4:45 or quarter to 5:00. I remember it being quarter to 5:00, thinking that time.

DISTASO: Okay. And what's the next thing that happened?

ROCHA: I don't know. There was just a lot going on.

DISTASO: Okay. The, eventually did, were you told to, was everyone pretty much told to go home that night?

ROCHA: Yes.

DISTASO: And,

ROCHA: I remember telling Scott, Detective Brocchini was, they were going someplace, I can't tell you where at this time, but I told Scott to come to our house when he was finished and I also told Detective Brocchini to bring him to our house when he was finished so he wouldn't be alone.

DISTASO: So we're clear, Scott and Detective Brocchini were going to go somewhere?

ROCHA: Yes.

DISTASO: And that's when Detective Brocchini told you, well, you pretty much done, or you all pretty much done all you can here, you should probably go home?

ROCHA: All of us.

DISTASO: Do you know what time of night that was?

ROCHA: I'm thinking it was around 11:00.

DISTASO: And, okay. And you told the defendant to come on over to our house when you're done?

ROCHA: Yes.

DISTASO: And the defendant didn't come over that night?

ROCHA: No, he didn't.

DISTASO: Did you see him the next day on the, Christmas day?

ROCHA: Yes, I did.

DISTASO: And when was the next time that you saw him?

ROCHA: We went back to their house as soon as the sun came up, Ron and I and Brent went over there because we wanted to start searching immediately. I remember going into the house. I remember sitting down and Brent was in there and he said that Scott was,

GERAGOS: Objection, hearsay.

JUDGE: Sustained.

DISTASO: Just tell me the things now that you saw. So you were there and the defendant was there at the house?

ROCHA: Yes.

DISTASO: And Brent and who else?

ROCHA: That's all I remember at that time.

DISTASO: And then did, what did you all do during the day on the 25th?

ROCHA: We were out searching for Laci.

DISTASO: Where did you go? Just give me, can you tell us some of the things you did.

ROCHA: Where I went, my next, the next thing I recall is walking down the street, I was walking towards the park. I remember an officer asking me if I would like to talk to a chaplain, if I'd like a chaplain to come over and I said yes. Then I remember Scott walking me to my friend's house who lived just behind Laci's house, just around the corner from Laci. And he had McKenzie with him and we walked to Janey's house. And then I came back to their house about, I think it was maybe around 10:00 or 10:30 in the morning.

DISTASO: In the morning?

ROCHA: Yes. By that time there was several people. The streets were lined with police cars, there were just, there were people in the park, there were people in the river looking for her.

DISTASO: When you say "people," are you talking about law enforcement, police and fire and whatnot?

ROCHA: And volunteers.

DISTASO: So on the 25th there's, what you observed as kind of this massive search starting to go on in the park?

ROCHA: Yes.

DISTASO: And did you see other officers and things in the neighborhood?

ROCHA: Yes.

DISTASO: And does that pretty much cover what you, what you did or what you were involved with on the 25th?

ROCHA: I remember we did go to the police station in the afternoon. Several of us went.

DISTASO: Okay. And did you talk to people there?

ROCHA: People as in?

DISTASO: I mean, did you talk to the detectives or did he take a statement from you?

ROCHA: No, not at that time.

DISTASO: What, and did this kind of, I mean, this kind of, you know, looking for Laci and kind of getting the word out, did that kind of continue through that whole first holiday week?

ROCHA: Yes, it did.

DISTASO: How,

ROCHA: Several press conferences.

DISTASO: I was going to ask you about that. When did the media start to kind of take notice of this case?

ROCHA: Christmas day. That was the reason that we went to the police station was for a brief press conference.

DISTASO: Do you remember who spoke at that one?

ROCHA: I don't think anybody did at that time. I mean, somebody from the police department, but not as far as family.

DISTASO: Okay. And then each day were there kind of, was there a media focus?

ROCHA: Yes, I remember on the 26th I remember going over the house around noon or 1:00 and there was a lot of media around at that time.

DISTASO: That was on the 26th?

ROCHA: On the 26th.

DISTASO: And when you say "the house," whenever you're referring to the house are you talking about 523 Covena?

ROCHA: Yes, I am.

DISTASO: Okay. On the 26th, or on the 25th you went down there was some kind of press conference or something going on at the police station?

ROCHA: Yes.

DISTASO: They weren't out there at the house yet? The media I'm talking about, you didn't see media?

ROCHA: Yes.

DISTASO: Oh, you saw media there on Christmas day?

JUDGE: Wait a second. You're not letting her answer it.

DISTASO: I'm trying to clear it up.

JUDGE: You're answering, you're answering the questions before she even answers it so you got to slow down a little bit.

DISTASO: That's fine.

ROCHA: I didn't see media on the 25th, I saw media on the 26th.

DISTASO: That's what I was getting to. So at the house, 523 Covena, you didn't see any media on the 25th?

ROCHA: I didn't see the media on the 25th. I wasn't outside on the 25th. I started to the park and I just couldn't go down into the park.

DISTASO: Was that just the way you were feeling?

ROCHA: I didn't want to be the one to find Laci. I didn't want to see if anything had happened to her.

DISTASO: On the 26th you went back to the house, you did see media trucks and people there?

ROCHA: Yes. I don't, well, I can't say that I saw trucks. I can remember seeing people in the front yard with microphones or attempting to talk.

DISTASO: And then what about on the 27th and the 28th, can you talk to me about the media presence that you saw during those days.

ROCHA: Actually, the evening of the 26th I believe was when there was a warrant issued, so the house was closed until the 28th. And I believe the volunteer center opened on Friday, the 27th, at the Red Lyon Hotel and there was media there.

DISTASO: Okay. So on Friday, the 27th, the family, the family's focus, your focus shifted from what location to what location?

ROCHA: From Feen Avenue to Red Lyon hotel, the volunteer center.

DISTASO: And what was the volunteer center?

ROCHA: There were computers that had been set up. Phone lines. People gathered there to pick up flyers. There were pictures of Laci. There were maps on the walls area for people to search.

DISTASO: And was this, this was kind of the main place where volunteers would come to help and find Laci?

ROCHA: That's correct.

DISTASO: And would the media come out to that location, also?

ROCHA: Yes, they did.

DISTASO: Now on the 31st, December 31st, was there some kind of vigil for Laci?

ROCHA: Yes, there was a candlelight vigil that was to be held at 4:30 in East La Loma Park.

DISTASO: Okay. Can you use the pointer again and just show the jury where the vigil was supposed to take place.

ROCHA: It was right in this area.

DISTASO: You know what, can you just circle that and write the word "vigil" by it. Just circle the word "park" where that happened.

ROCHA: There was also a commander center that had been set up by the police department in the same area.

DISTASO: All right. When you say a command center, what kind of command center was that?

ROCHA: It was like a mobile unit. I don't know what they call it, but just a portable, well, like, a mobile home or mobile unit that you can move to different locations.

DISTASO: Now was that a volunteer thing or was that a law enforcement thing?

ROCHA: No, that was law enforcement.

DISTASO: Okay. So the police had some kind of commander center set up down there as well?

ROCHA: Yes.

DISTASO: So tell me about the vigil, what was going on there.

ROCHA: It was to take place at 4:30. We went there. I remember Ron and I and Rose and Brent and Amy and Dennis and Jackie and Lee. I remember all of us on the stage. And then we had a few different people who were speaking, but I never saw Scott at the vigil. He wasn't on the stage and I didn't see him.

DISTASO: So your whole kind of immediate family or Laci's immediate family was on some kind of stage?

ROCHA: Yes, and along with Jackie and Lee Peterson were there.

DISTASO: Along with the defendant's parents?

ROCHA: Yes.

DISTASO: And do you know where the defendant was?

ROCHA: No, I never saw him.

DISTASO: How many people were there?

ROCHA: I believe there were around 12- or 1300.

DISTASO: And was this event covered in the media?

ROCHA: Yes, it was.

DISTASO: Did you see media people there?

ROCHA: Yes.

DISTASO: How long did it last?

ROCHA: I don't know, maybe a couple of hours.

JUDGE: Just approximately a couple of hours?

ROCHA: A couple of hours. When we first arrived there it was still daylight to an extent.

DISTASO: When you left?

ROCHA: It was completely dark.

DISTASO: It was completely dark?

ROCHA: Yes.

DISTASO: Now do you remember an incident on January 3rd where the defendant said something about the police showing him a picture with another woman?

ROCHA: Yes, I do.

DISTASO: Can you tell the jury what happened on that day?

ROCHA: Yes. We had, we had been invited to Joan Faria's house. She was a lady that had helped with the volunteer center for dinner. There were several of us there. Scott had gone to the police station earlier to pick up Laci's car. And I remember Joan saying to me, asking me where Scott was because he had volunteered to bring wine for dinner and he wasn't there yet and she hadn't heard from him. Then when he did arrive, we were sitting at the table having dinner. It was me, Brent and Rose, Amy, and a friend of mine, Lissa McElroy, because Lissa and Scott were actually sharing a chair. And I remember Scott saying that when he went to pick up the car that he had said they kept him at the police station and they had fingerprinted and they had checked his hands and he was showing his hands and he said they had actually shown him pictures of him with another woman and they'd done a really good job because the guy really did look a lot like him.

DISTASO: At that point did he make any mention to you that, well, that really was me or I'm having this affair or anything like that?

ROCHA: No.

DISTASO: Your Honor, this is probably a good place to stop because I'm going to play a call.

<lunch recess>

DISTASO: Ms. Rocha, when, when we left off I was just asking you some questions. I think we were kind of in January. But let me, let me go back just real briefly to December 14. If you can think back to December 14, did you have a conversation with Laci about where the defendant was going to be that night?

ROCHA: Yes, I did.

DISTASO: And what did she say about that?

GERAGOS: Objection. Hearsay.

DISTASO: It goes to Laci, state of mind.

JUDGE: What Laci said, okay, I think that 1250(a) comes into that exception. Go ahead.

DISTASO: Go ahead. What did she say about where the defendant was going to be on December 14th?

ROCHA: She said that he was going to San Francisco to meet a co-worker who had a layover. I asked her couldn't he wait until Monday or so, because I know they were supposed to have gone to a Christmas party that evening. And she told me no, that he had to go at that time because that's when that person was in San Francisco.

DISTASO: Now, on, at some point you were given some recording equipment from the Modesto Police Department to, and, to record phone calls, is that right?

ROCHA: Yes.

DISTASO: What did they tell you about that?

GERAGOS: Objection. Hearsay.

JUDGE: Well, I think it, it explains her subsequent conduct after what she was told and explains her subsequent conduct, what did she do, so it's overruled. It's not being offered for the truth, just what she was told.

DISTASO: Is that right?

GERAGOS: Just ask that you admonish the jury as to that.

JUDGE: Yeah, it's not being offered for the truth but to explain what her subsequent conduct, to explain her subsequent conduct. She received some directions and then whatever she did pursuant to those directions. Go ahead.

DISTASO: Okay. What did they tell you about recording the phone calls?

ROCHA: They asked if, if I would allow them to record the phone calls, and I said yes.

DISTASO: Okay. And record whose phone calls?

ROCHA: Any phone calls between myself and Scott or Scott and anybody at my house.

DISTASO: Okay. And did you agree to do that?

ROCHA: Yes, I did.

DISTASO: And did you record some phone calls between yourself and the defendant?

ROCHA: Yes, I did.

DISTASO: Okay. Let me show you,

ROCHA: I wasn't told to,

DISTASO: I'm sorry?

ROCHA: I wasn't told to ask any questions or anything specific.

DISTASO: Okay. Can you tell me just, you know, what were, were you given any specific directions?

ROCHA: No, not necessarily. Anything other than, I asked What am I supposed to say or do, and I was told I don't have to say or do anything, I don't even have to talk to him, unless I choose to.

DISTASO: All right. And then, and you did have some conversations with the defendant, though, is that right?

ROCHA: Yes, I did.

DISTASO: And you did record them?

ROCHA: Yes, I did.

DISTASO: The, on February 13th do you remember talking to the defendant and recording some phone calls?

ROCHA: Yes.

DISTASO: Okay. Let me show you a tape of one of those calls. First let me show you a transcript. Did you look at that transcript yesterday in preparation for your testimony?

ROCHA: Yes.

DISTASO: And let me, that's marked as People's 23 A, I think. And let me show you People's 23. Did you actually listen to this tape and kind of follow long with the transcript?

ROCHA: Yes.

DISTASO: Okay.

JUDGE: Okay. Just so I got it right, you marked the tape 23.

DISTASO: The tape is 23.

JUDGE: And the transcript of the tape is 23 A?

DISTASO: Yes.

JUDGE: All right.

DISTASO: All right. You can hold on to that.

ROCHA: Okay.

DISTASO: Your Honor, for, I'm going to play, play this call right now, but I'm going to pass out a transcript for each juror so they can follow along.

JUDGE: All right. Ladies and gentlemen of the jury, the law requires that the proponent of any tape provide a transcript of the tape, so you're each getting a transcript of, this purports to be what's said to be on this tape. I want to remind you that the best evidence of what was said is what you hear on the tape and not what's on the transcript, but that's the guide to help, if you follow along, what the tape says. We'll ask you not to mark on the transcripts. We're going to collect them after you heard them. And there will be a stipulation, Mr. Distaso, that the court reporter doesn't have to report the tape, that we're going to file the transcript, make that part of the record?

DISTASO: Yes, your Honor.

JUDGE: All right.

DISTASO: Yes, your Honor, that's fine.

JUDGE: So stipulate, Mr. Geragos? Mr. Geragos, you so stipulate?

GERAGOS: Yes, your Honor.

JUDGE: Okay.

DISTASO: And, your Honor, would the court like a copy?

JUDGE: Yes, I would. Just so I know what's going on.

DISTASO: Probably a good idea. Did you get one, Mr. Geragos?

GERAGOS: I got one from discovery, your Honor.

JUDGE: All right.

<Exhibit 23 played>

JUDGE: Okay. You want to pass those to your left, please, and Mr. Distaso will pick them up. Mr. Distaso.

DISTASO: I'll take that, your Honor.

DISTASO: Sharon, the conversation that we just heard, that was you asking the defendant about what had happened on the night of the 23rd and then the time in the morning of the 24th?

ROCHA: Yes.

DISTASO: Had you been trying to, to get the defendant to answer some of those questions? I mean prior to February 13?

ROCHA: Yes. Prior to that. We were alone for just a very short time on February, excuse me, December 28, maybe about five minutes. We were at the Red Lion Hotel, the volunteer center for a meeting, but we were interrupted constantly because they were ready to start the meeting. And then, again, the first time after that that I really had an opportunity to talk to him was a January 1st. Other times that we had planned or attempted to make arrangements to meet, there was always something that came up. He always had another appointment or had to be someplace else.

DISTASO: You said "we" had to be somewhere else?

ROCHA: He did.

DISTASO: Okay. So do, do you know if he did or this is what he was telling you?

ROCHA: No, I'm just, that's what, that's what he told me.

DISTASO: Okay. Did you ever, I mean, just try to ask him straight out: I want to ask you about what happened on the 23rd,

ROCHA: Yes, I did.

DISTASO: or 24th? I'm sorry?

ROCHA: Yes, I did ask him.

DISTASO: And,

ROCHA: Or say that to him.

DISTASO: And did you ask him on more than one occasion?

ROCHA: I attempted to ask him on December 28th, and then again on January 1st.

DISTASO: And did he ever say Okay, yeah, come on in here, let me, you know, it's your daughter, let me tell you exactly what happened?

ROCHA: No. No. Both time prior to that, on the 28th and on the 1st, I actually had to, I actually walked up behind him, took him by the arm, and took him into the room.

DISTASO: And,

ROCHA: So that we could be alone. We never had an opportunity to be alone.

DISTASO: Once you got him into the room on the 28th, and did you shut the door?

ROCHA: Yes.

DISTASO: And did you ask him, you know, Let's go through this, can you tell me what happened?

ROCHA: Yes, I told him I wanted to know exactly what happened to Laci, what, what she was doing that morning.

DISTASO: And what did he say?

ROCHA: Well, on that, let me see. On that day, or the 1st, he told me that, I asked him what she was doing when he left the house, and he told me that she looked so cute because she was sitting on her bench in front of the mirror styling her hair the way Amy had shown her. And that surprised me because I didn't realize that Laci had had, or I thought by that, what he told me was that Laci had had her hair cut also the night before. Until later.

DISTASO: Did he tell you anything else about what, what was going on on that morning, on the 24th?

ROCHA: At that time...I can't recall right at this very moment.

DISTASO: Okay. On January 11th, were you aware that the Modesto police were diving in the Bay and attempting to locate what they thought might have been a body?

ROCHA: Yes.

DISTASO: And were you subsequently notified that what they had found or what the sonar image had been was an anchor?

ROCHA: Yes, I was.

DISTASO: Okay. Did they call you, did somebody call and tell you that?

ROCHA: Yes.

DISTASO: And did you call the defendant and tell him that?

ROCHA: Yes, I did. I called, I believe I left a message for him to call me back.

DISTASO: Okay.

ROCHA: I know we did speak. Either he called me back or, I can't say for sure that he answered phone the first time I called, but I know we did talk about it. I did tell him that it was an anchor.

DISTASO: And when you had that conversation with him did, did you ask him, you know, if you would see him later in the day or, you know, if you would see him at some point?

ROCHA: No. I know I asked him where he was.

DISTASO: And what did he tell you?

ROCHA: He told me that he was in Bakersfield or on his way home from Bakersfield, that he had to go out of town for business.

DISTASO: Okay. And did he say anything else that you remember, just off the top of your head, about that conversation?

ROCHA: Nothing in particular. I, I think I may have told him that I, his parents already knew and that Susan knew, because I know I talked to Susan. I had called Susan at the volunteer center to let her know, when I couldn't reach Scott.

DISTASO: Did you have, did you have the defendant over for dinner on January 14th?

ROCHA: Yes.

DISTASO: And was there some discussion about what the defendant had used as, like, a lure or bait or what he used at the end of his line for, for when he was fishing?

ROCHA: Yes. We were watching a television show, and they were, this, they had a fisherman with the same type of boat, and they were discussing whether it was a possibility that they could have been actually fishing for sturgeon. And at one point it was mentioned that the bait for sturgeon would have been shrimp.

DISTASO: Uh-uh.

ROCHA: And I turned to Scott and asked him what kind of bait he used, and he turned and looked over his shoulder and smiled at me, but Janey, Janey his sister-in-law, was also there, and she told me that he had used a lure.

DISTASO: And did, did the defendant say anything about that? Or did he make any motions, other than smiling at you?

ROCHA: No.

DISTASO: On April 15th, or somewhere thereabouts,

JUDGE: April 15th?

DISTASO: April 15th.

DISTASO: Or somewhere thereabouts, did you, were you told or, or did you hear in the media that, what was subsequently identified as Laci and Conner were found in the, in the San Francisco Bay? That their bodies had been located?

ROCHA: I was actually told on the 14th.

DISTASO: Okay. And who notified you of that?

ROCHA: I think the first person was Ken Peterson and Sandy Rickard had come to my house to tell me. And I had unplugged all of my phones that day. I just didn't want to talk to anybody, so I hadn't heard it on, the news yet.

DISTASO: Okay. And when, when you heard that news, did you then call down, did you call and leave a message for the defendant about that?

ROCHA: I called him on the morning of the 15th and I left a message, and I believe the message I left on his cell phone was Scott, this is Sharon, you need to call me immediately. And then I left my phone number.

DISTASO: And did he ever return your call?

ROCHA: No.

DISTASO: The, I can see from the color of your hair it's kind of a frosted color right now. Back in December of 2002 what color was it?

ROCHA: It was actually lighter than it is now.

DISTASO: Okay. Was it, I mean can you describe it for the jury? Blond, light brown? What would you say?

ROCHA: It was blond.

DISTASO: Okay. And, and this question is just solely for DNA purposes later. At some point did you give, at some point in this case did the police take cheek swabs from you?

ROCHA: Yes.

DISTASO: Okay. Do you remember what month that was?

ROCHA: I think it was January.

DISTASO: Okay.

ROCHA: It may have been the 1st of February, but I'm thinking it was January.

DISTASO: All right. That's fine. Just hold on one second. I don't have anything further, your Honor.

Cross Examination by Mark Geragos

GERAGOS: Good afternoon. The conversation that you had with Laci on the 23rd, was it approximately 8:30 p.m.?

ROCHA: Yes.

GERAGOS: And was it during that conversation that she said that she was going to come over the following evening?

ROCHA: Yes.

GERAGOS: Okay. And you heard the, on the transcript, it looks like when you were talking with Scott, that was in February, right? The 13th?

ROCHA: The tape we just listened to?

GERAGOS: The tape we just listened to.

ROCHA: Yes.

GERAGOS: Is that conversation that you had on February 13th, there was a reference, I guess by you, to the fact that Laci had not immediately responded to your invitation on, for Christmas Eve,

ROCHA: Right.

GERAGOS: do you remember that? So, when had you first invited her over for Christmas Eve?

ROCHA: Earlier in the month. I don't know exactly the date, but normally, I had invited them over, and normally she would have given me an answer right away.

GERAGOS: Did she ask you who was coming over? Did she ask you,

ROCHA: At some time. I don't know if she asked me or if I told her, but at some time, yes, she knew who was coming over.

GERAGOS: And on that tape Scott answered you, because you inquired why didn't you answer right away, he said because it had to do with who was going to be there. Who was, who did you tell her was going to be there?

ROCHA: Ron's mom and his sister and his nephew. And her response to me on the 23rd was because she hadn't, she didn't buy gifts for everybody.

GERAGOS: And that's why she hadn't gotten back to you sooner, because she didn't have the gifts or felt like she didn't want to come over,

ROCHA: No, she didn't say that that was the reason she didn't get back to me.

GERAGOS: Okay.

ROCHA: She just said that to me.

GERAGOS: Okay. She told you I don't, I don't have gifts for Ron's mom, Ron's sister, you said?

ROCHA: That's correct.

GERAGOS: Okay. Was your brother going to be there as well?

ROCHA: No.

GERAGOS: Okay. Now, the, that conversation that you had with Laci on the 23rd at 8:30, did she tell you what she was going to do the following day?

ROCHA: No.

GERAGOS: Did you in an interview with the police sometime, I guess you met with the police a couple of times that first week after her disappearance?

ROCHA: The first time I recall meeting with them was on the 29th.

GERAGOS: Okay. And would that have been with Grogan, Detective Grogan?

ROCHA: And Detective Buehler.

GERAGOS: Okay. Did you tell them that on the day of Laci's disappearance you were aware that Laci had planned on that day to walk the dog and bake gingerbread cookies?

ROCHA: I told them that based on what Scott had told me.

GERAGOS: Okay. When did Scott tell you that?

ROCHA: He told me that on Christmas Eve night when we were standing in the driveway of their house.

GERAGOS: Okay. So when you ask him what her, going back to that, I don't want to jump,

ROCHA: Right.

GERAGOS: all over the place, but when you were describing what happens in the driveway at Covena when they wouldn't let you into the house, and when you walked up to Scott in the driveway you asked him what she had planned on doing, and he told you that she planned on walking the dog and that she planned on baking gingerbread cookies?

ROCHA: No. What he told me was that she was, her plans for the day was she was going to the grocery store and then she was going to bake gingerbread and take the dog for a walk.

GERAGOS: Okay. And when you told the police the, that you were aware she had planned to walk the dog and bake gingerbread cookies, he,

ROCHA: I didn't say cookies.

GERAGOS: Okay.

ROCHA: I know it says that, but I did not say that.

GERAGOS: You've viewed what I'm looking at,

ROCHA: Yes.

GERAGOS: which is Bates stamped, that's a 12-30-02 report,

ROCHA: Right.

GERAGOS: by Grogan. And then on there it says Sharon was aware she planned to walk the dog and bake gingerbread cookies. You didn't say that?

ROCHA: I didn't say cookies.

GERAGOS: Okay. You said bake gingerbread?

ROCHA: That's correct.

GERAGOS: Okay. Then there's, there's another conversation, did you have a joint interview with you and Ron both on that 29th?

ROCHA: On the 29th.

GERAGOS: Okay. During that, that, that interview, did you tell them what Laci's usual routine was?

ROCHA: And here again, most of that was based on what Scott had told me.

GERAGOS: Okay. Can you tell me what that was, what you told the police?

ROCHA: Part of it, I don't remember exactly. I did read it in the statement. If you show it to me, I could tell you.

GERAGOS: Yeah, let me pull it up and show it to you. This is also the 12-30-02 report, and looks like the,

ROCHA: 6:00, 7:00 o'clock in the morning.

GERAGOS: Yeah, I'll just have you, if you want to read it to yourself.

ROCHA: Okay.

GERAGOS: And then I'll ask you the questions.

ROCHA: Okay.

GERAGOS: Okay. The, and it looks like that interview was at about 2:15 on the 29th; is that roughly,

ROCHA: We had started earlier and then we took a break because there was a press conference, and then we came back.

GERAGOS: So it was over the course of a couple of hours?

ROCHA: Over the course of a few hours.

GERAGOS: Okay. And then you specifically said that Laci usually gets up at around 7:00 o'clock, that she eats, she walks the dog every day or every other day, correct?

ROCHA: (Nods)

GERAGOS: You have to answer yes,

ROCHA: Oh, sorry. Yes.

GERAGOS: Okay. A daily visit to the grocery store, usually in the early afternoon, but,

ROCHA: That's what it,

GERAGOS: What you told us?

ROCHA: what's written.

GERAGOS: Household cleaning and chores; is that correct?

ROCHA: That's what is written in the,

GERAGOS: A visit with friends or her sister, referring to Amy; is that correct?

ROCHA: Yes.

GERAGOS: Occasional pedicures, manicures and dinner preparation at about 6:00 or 6:30 p.m., and that's what you understood to be the routine; is that correct?

ROCHA: My understanding of the question was not necessarily that that's what she does every single day, but,

GERAGOS: Kind of,

ROCHA: what she would, that would be a part of her regular,

GERAGOS: Routine?

ROCHA: life.

GERAGOS: Okay. Exactly. When they, when the prosecutor was asking you what's the normal things that she would do, the police were asking the same thing, and this was as best as you could approximate what her normal routine would be?

ROCHA: Yes.

GERAGOS: Okay. You also, that Laci cooked all of the meals; is that pretty much your understanding?

ROCHA: I don't recall saying, well, yes, she probably cooked most of the meals. I know Scott did cook also.

GERAGOS: Mostly barbecuing?

ROCHA: I think he cooked inside also.

GERAGOS: Okay. And that, was, she fashioned herself and was, by all accounts, a very good cook, was she not?

ROCHA: Yes.

GERAGOS: Okay. Then you indicated that they would sleep together and that you didn't know what time their bedtime was,

ROCHA: No.

GERAGOS: is that a fair,

ROCHA: Yes.

GERAGOS: I've fairly characterized what the interview comprised, at that point?

ROCHA: Yes.

GERAGOS: Okay. Now, the, in the days, well, I should take it back a little bit. Talk a little bit about that evening. Leading up to that there were two instances, as you've described them, where she spoke to you about taking a walk with McKenzie in the park and then getting sick, right?

ROCHA: Yes.

GERAGOS: Okay. The first one, as best you could approximate, was late October, early November, the first time as you remember?

ROCHA: Yes. Possibly the last few days of October or the very first few days of November.

GERAGOS: And as far as you knew at that point she was still walking the dog every day or every other day and, fairly often; is that a,

ROCHA: I know at that point I didn't know how often she was walking the dog.

GERAGOS: Okay. The, is it fair to say you did not have discussions about how often she walked McKenzie?

ROCHA: Not at that point.

GERAGOS: The, after that she had visited the, or talked to the OB-GYN, as far as you knew? She had told you that?

ROCHA: Yes.

GERAGOS: And then it happened again; she had the same problem again, except it didn't get as bad as the first time because she sat down first?

ROCHA: That's correct.

GERAGOS: Okay. Do you know what week that was, roughly?

ROCHA: That was probably, I'm thinking, the following week.

GERAGOS: Okay.

ROCHA: A week to ten days after the first time.

GERAGOS: A period of time; it wasn't the next day, it was, some time elapsed?

ROCHA: Yes.

GERAGOS: I would assume, and we talked about this at the preliminary hearing, that you told her Look, if you get sick while you walk, stop walking?

ROCHA: Right. I was concerned about it.

GERAGOS: And you weren't confident that she was going to listen to you, were you?

ROCHA: Well, I knew that she was going to do what she chose to do, but she would either ask for my advice or, she would listen to it, anyway, but she was going to do what she chose to do.

GERAGOS: And we talked about this also at the preliminary hearing. You would characterize her as a, as a determined young lady, wouldn't you?

ROCHA: Yes.

GERAGOS: She would do what she wanted to do?

ROCHA: Yes.

GERAGOS: She would listen to you, as her mother, but, maybe take that into account, but ultimately it was going to be Laci's decision whether she walked or didn't walk; isn't that,

ROCHA: Yes.

GERAGOS: isn't that correct?

ROCHA: Yes.

GERAGOS: Okay. Now, the, after that you talked about the, the time at Disneyland and she really didn't want to go. Now, there was another time, I think this would have been, if I've got

the time schedule or the, kind of the time line correct, you had dinner on the 15th, and on the 15th that was at her house, right?

ROCHA: Yes.

GERAGOS: And that's in, on Covena?

ROCHA: Yes.

GERAGOS: After that, and that was the last time you ever saw Laci?

ROCHA: Yes.

GERAGOS: After that she took a trip with Scott and Lee and Jackie to go to Carmel?

ROCHA: Yes.

GERAGOS: Okay. And I'm going to show you a couple of pictures already been marked People's 5 and 6. You've seen these before, I take it?

ROCHA: Yes, I have.

GERAGOS: Okay. These appear to you to be the pictures that were taken when she went to Carmel with Scott?

ROCHA: I can only assume. I don't know for sure, but...

GERAGOS: Okay.

ROCHA: I can only assume they are.

GERAGOS: Okay. Did you know, did you talk to her about what her walking habits were when she went to Carmel?

ROCHA: She never mentioned that they went for any lengthy walks, if that's why you're asking.

GERAGOS: That's specifically why.

ROCHA: She told me she and Jackie had gone shopping.

GERAGOS: Okay. Did she ever tell you that she and Jackie, or that she, Jackie and Lee had taken a walk down to the beach? They actually snapped the picture of them on the beach from,

ROCHA: I don't,

GERAGOS: from the lodge?

ROCHA: I don't recall that.

GERAGOS: Okay. Did, did you know on the,

ROCHA: Are you,

GERAGOS: day before,

ROCHA: are you asking me if she told me that they walked from the lodge to the beach?

GERAGOS: Yes.

ROCHA: No.

GERAGOS: Okay.

ROCHA: I didn't ask her that. She didn't tell me that.

GERAGOS: Did you ask her at all about what she did when she was in Carmel?

ROCHA: She didn't, she told me she had a very nice time.

GERAGOS: That they went shopping?

ROCHA: That they went shopping. She said she was really tired, and here again that her feet were swelling.

GERAGOS: Her?

ROCHA: Her feet were swelling.

GERAGOS: Swelling. Did she tell you, did you ask her if she had stayed off of her feet during that time in Carmel?

ROCHA: No, I didn't ask her that question.

GERAGOS: When she, and you took care of McKenzie and the two cats while she was gone, correct?

ROCHA: They were actually at her house. I just, I went to their house on the 18th to feed the cats and the dog.

GERAGOS: Okay. And would you leave the food out for them each day? Or would you let them in the house? What was the routine?

ROCHA: No, they were outside.

GERAGOS: Okay. You left them outside. Now, on the 15th did you ever see McKenzie come in and out of the house, on the 15th when you were over there for dinner?

ROCHA: I don't remember because he, there were other occasions when he would be in or out, so I don't really remember on the 15th.

GERAGOS: Okay. I guess what I'm getting at in a roundabout way is McKenzie would come in the house; he was not forbidden to be in the house?

ROCHA: Yes, he did come in occasionally.

GERAGOS: And were you aware there was a dog bed and he would actually sleep inside the house?

ROCHA: I think she had told me or I saw that it was in the bedroom.

GERAGOS: One of those, for lack of a better word, fleece-lined kind of little beds for the dog,

ROCHA: Right.

GERAGOS: in the bedroom? You were aware that there were also little water bowls for, water bowls for the cat inside the house?

ROCHA: I don't remember seeing those.

GERAGOS: Okay. Now, I don't remember, and I had asked you this at the prelim also, so I'm going over some of the same ground. You had described, somebody in the police report, either you or Ron, described Laci as headstrong; is that a fair characterization?

ROCHA: That, that would be fair.

GERAGOS: And she was, were you aware that she was active, you sat through the opening statements and I described the fact that in this neighborhood here, and I'm pointing at People's 22, and I'll, do you still have the pointer? Just so I don't get in the jury's way. The house, their house is right there, then if I'm not mistaken, if you go down about two houses there's another street that's right there, right?

ROCHA: Right.

GERAGOS: Then there's the cul-de-sac that ends right where I've got the pointer?

ROCHA: Right.

GERAGOS: And then from the cul-de-sac there is, I guess for lack of a better word, there's kind of a, two boards and kind of a blocked area, but then a walkway that goes down into the park that starts right about there; is that correct?

ROCHA: Right at the end of the street.

GERAGOS: Okay. Right at the end of the street. So it's about two doors to the street and then about another two houses, roughly?

ROCHA: Yeah. I think one faces one, and one faces,

GERAGOS: Right, one faces,

ROCHA: one.

GERAGOS: You've got a very short walk,

ROCHA: Yes.

GERAGOS: to this area that kind of leads down into, I guess for a lack of a better word, it's a little dirt trail that has got a grade that is probably about that angle maybe somewhere between,

ROCHA: It's extremely steep.

GERAGOS: Yeah, 30 and a 45 degree? And you go down that trail and you're into the park, right?

ROCHA: After you've walked a little distance, you're into the park, yes.

GERAGOS: Right. And that's, that's the access to the park. It's also part of the problem that Laci had is because a lot of the people who were down in the park would come up to the street from that same access.

ROCHA: If you're talking about the homeless people, no. The homeless people were mainly at the other end of the park. Laci was not active in trying to get that closed off. She was active in trying to get Encina or prevent Encina from being opened up completely.

GERAGOS: And that was just part of the Neighborhood Watch that she was involved in?

ROCHA: I don't know anything about the Neighborhood Watch.

GERAGOS: Okay. Have you ever talked to any of her, or did she ever mention some of the meetings that she went to in order to get part of that park closed off?

ROCHA: No. The meetings she went to was to prevent Encina from being opened up.

GERAGOS: Right. Did you ever talk to her about that?

ROCHA: Yes. About those meetings I did.

GERAGOS: Okay. When you talked to her about that, did she ever tell that you she had run into a judge who was also active in trying to get this done?

ROCHA: I don't recall that.

GERAGOS: Okay. Now, the day that you told her that she shouldn't walk anymore, you weren't confident that she was going to listen to you about not walking anymore, were you?

DISTASO: Objection, your Honor. Calls for speculation and relevance in her confidence.

JUDGE: Let me re-read the question.

GERAGOS: Goes to her state of mind.

JUDGE: I'll let her answer it. She can answer it.

ROCHA: She had made a comment to me Oh, Mama, I'll be okay. And I told her that if she's going to walk again, at least take her cell phone with her.

GERAGOS: Because it was your understanding that when she walked she didn't take her cell phone with her?

ROCHA: At that particular time, no.

GERAGOS: Okay.

ROCHA: And then the next time she told me that she had the same problem, she told me that she did not have her cell phone with her then either. And that's also, in between then is when her doctor had told her if she was, that she shouldn't be walking, and if she was going to be walking she should wait until later in the afternoon, after she was rehydrated.

GERAGOS: Right. Did she, or did she tell you that the doctor had said either eat first or walk later?

ROCHA: No. What she told me was that the doctor said that she needs to wait until the afternoon so that she has plenty of time to drink plenty of fluids, because they were claiming she was dehydrated and that was the reason.

GERAGOS: Did she ever talk, after the second time, though, you never talked to her about walking anymore, did you?

ROCHA: No, she never mentioned it again, because I think the second time she sounded a lot more concerned about it.

GERAGOS: Now, the, when you got the call from Scott on the 24th, you were expecting people over at the house at about 6:00 o'clock?

ROCHA: At 6:00 o'clock, yes.

GERAGOS: Okay. And the, we went through the guest list. There was about twelve people, or maybe a couple more?

ROCHA: No.

GERAGOS: How many total?

ROCHA: Seven.

GERAGOS: Seven total?

ROCHA: Uh-huh.

GERAGOS: And the, you were about to get ready, you said, or you indicated, so you put some heavier clothes on, after you got the call?

ROCHA: After I got the call, because I was just getting prepared to go to the park if Scott called back the third time and said that nobody had seen her.

GERAGOS: Okay. When you got to the park, Sandy came by and picked you up; is that right?

ROCHA: Yes.

GERAGOS: Then you went to the park and you went into the park. Did you have a flashlight or something?

ROCHA: Yes, I did.

GERAGOS: Okay. And were you with Sandy when you went into the park and you were yelling for Laci?

ROCHA: Yes.

GERAGOS: Okay. And at the preliminary hearing I asked you to estimate the distance, and I think I stood back and at a certain point the judge said that's 40 feet?

ROCHA: (Nods)

GERAGOS: Do you remember that?

ROCHA: Yes, I do.

GERAGOS: Okay. And so we estimated that the distance between you and Scott was roughly 40 feet. Do you remember that?

ROCHA: According to size of the courtroom, yes.

GERAGOS: Yes, because they had a pre-measured distance?

ROCHA: Uh-huh.

GERAGOS: And I walked back until you said stop, and that was the distance.

JUDGE: Just for the record, it's 39 feet to the pillar from where the witness is sitting.

GERAGOS: Okay.

JUDGE: According to this diagram of the courtroom.

GERAGOS: So roughly, so roughly the same, if we're accepting the same measurement here, roughly from where you're sitting to the pillar that's in the middle of the courtroom?

ROCHA: That's what I recall.

GERAGOS: Now, when you yelled, and I think we went through this also before when you were testifying. When you yelled you said that Zach, your nephew, every time you said that I have visions of a five or six year old, but he was 26 or 27 I think at the time, wasn't he?

ROCHA: Yes.

GERAGOS: Okay. Zach is coming up to Scott, who's roughly that far away, at virtually the same time that you were yelling his name; is that right?

ROCHA: I was yelling towards Scott, and then out of the corner of my eye I could see Zach, after I yelled several, several times, yelled his name several times,

9 then I see Zach coming up on this side of me and pass me.

GERAGOS: Well, your answer before was, and I'm on page 446: It was pretty much at the same time. I was still calling Scott's name as I remember seeing Zachary go by me and run up to him. Is that fair.

ROCHA: Right. I, but I was calling his name before Zachary ran by me.

GERAGOS: And he had, if I understood your testimony before, he had McKenzie on a leash and was, his profile was to you? He didn't have his back to you but was just sideways, like I'm standing right now?

ROCHA: That's correct.

GERAGOS: Holding the dog and looking down the embankment?

ROCHA: It would have been in this direction, yes. I mean the dog was in this direction and the river in this direction, or the creek.

GERAGOS: The dog in one hand and then looking down in the direction like this?

ROCHA: (Nods)

GERAGOS: And then Zach went up and you saw Zach, Zachary, and Scott talking?

ROCHA: Yes.

GERAGOS: Then how long after that incident before you saw, if it was after that, before you saw the police?

ROCHA: I believe the police, if I'm not mistaken I think they were already, they had just arrived. They had already, they were already there, because I remember when I talked to Scott, after Zachary got his attention, and asked Scott about Laci's purse, I know that the police were already there because I turned and left the area where we were and went to the parking lot where the, the officers were and told them I wanted to go to her house.

GERAGOS: And the, do you remember which police officers it was? Was it Officer Evers or is that,

ROCHA: I, I couldn't tell you because I didn't know any of them at that time.

GERAGOS: It was not Brocchini and it was not Grogan at that point?

ROCHA: No.

GERAGOS: It wasn't Hendee, it wasn't Bertalotto, it was just patrol officers, for lack of a better term?

ROCHA: That's correct.

GERAGOS: Okay. The, when the officers, when you spotted the officers, did you see them before you saw Scott? Because you said you were down there yelling first. Did you see the officers before you started yelling?

ROCHA: Before I saw Scott?

GERAGOS: Yeah.

ROCHA: I think I can, I remember seeing the cars coming up. Or down, I should say, behind me.

GERAGOS: The patrol cars?

ROCHA: Yes. Because that would have been behind me.

GERAGOS: Could you, could you maybe point out for the jury exactly where you were and where you saw them.

ROCHA: Okay. This would be the parking lot.

GERAGOS: Right.

ROCHA: This is kind of a hill that goes down into the park and into the parking area, and I remember the officers were down here and I was over in this area, and Scott was coming from this area, walking along. And this is when I remember seeing, as I was calling out Scott's name, Zachary ran towards him, and then they started walking back towards me as I started walking towards them, and that's when I was asking him about where Laci was.

GERAGOS: The purse?

ROCHA: And, and then at that time, yes, was her purse at home.

GERAGOS: Now, the,

ROCHA: And then I immediately turned and I remember going to the parking lot and talking to the officers at that time and telling them I want to go to Laci's house to see, check to see if her purse was there.

GERAGOS: And did they take you back up to the parking lot where the cars were?

ROCHA: No, I went to them.

GERAGOS: Okay. When you went to them, that's what I mean; I inartfully asked it, did you then, did they drive you back?

ROCHA: Oh, no, no, no, no, no. I drove my own car.

GERAGOS: You drove your own car?

ROCHA: I wanted to drive with them, but they told me I couldn't.

GERAGOS: Did you actually end up driving your car? Or did Sandy drive?

ROCHA: No, Sandy drove. It was her car.

GERAGOS: When you when back, at that point how many people would you say were down in the park itself?

ROCHA: At least, let's see. There was probably nine or ten of us, at least, at that time. At least.

GERAGOS: And two patrol cars, four officers?

ROCHA: I remember two cars and I remember two officers.

GERAGOS: Okay.

ROCHA: I don't know if, I don't recall that there were four. There may have been. I don't recall that.

GERAGOS: Okay. Then when you went, Sandy and you went back up, did you get back to the house before Scott got back to the house?

ROCHA: Yes.

GERAGOS: Okay. When Scott came back, who was he with?

ROCHA: I, I don't know. I don't know when Scott came back.

GERAGOS: Okay.

ROCHA: Or I couldn't tell you when Scott came back.

GERAGOS: When you went back, had the house already been closed off? I mean because, if I understood correctly, the reason you wanted to go back, because you had asked and apparently nobody had thought of looking to see if her purse was there or not there; that occurred to you, you wanted to get into the house to see it; is that kind of a fair summary of what was going through your mind at that point in time?

ROCHA: Yes. Then we went back to the house, and we were never allowed to go back inside the house.

GERAGOS: And that's what I wanted to get at. When you got back to the house, was it already cordoned off?

ROCHA: It wasn't cordoned off. We actually followed the officers back to the house.

GERAGOS: Okay.

ROCHA: And we were told everybody just to stay out until they check, check the house to make sure,

GERAGOS: Okay.

ROCHA: nobody was there.

GERAGOS: Now, the only person that you saw, and that was, now we're talking what, sometime between 6:00 and 6:45?

ROCHA: I would say that was probably around 6:30, around there.

GERAGOS: Okay. And at that point the only person that you saw, other than officers who went in the house, was Scott?

ROCHA: Yes.

GERAGOS: And he was in the company of the officers when he went in the house?

ROCHA: Yes.

GERAGOS: Okay.

ROCHA: From what I recall.

GERAGOS: And at some point you saw Detective Brocchini show up at the scene?

ROCHA: That was much later.

GERAGOS: Approximately 8:30, 9:00 o'clock?

ROCHA: I would say at least that late, or at least, it seemed to be at least that late.

GERAGOS: Okay. And you would see Scott go into the house with the officers, come out how many times between, won't pin you to it; a couple of times at least?

ROCHA: At least a couple of times. I couldn't tell you exactly how many times.

GERAGOS: What were, what were you doing outside at that point? Had you gone back to the park? Did you remain at the house?

ROCHA: No, I never went back to the park. I stayed at the house the entire time.

GERAGOS: Okay. And then approximately to 11:00 o'clock is when you left?

ROCHA: I, around there, yes.

GERAGOS: Okay. At that point Scott was not there, was he? When you left? Hadn't he left already with Brocchini?

ROCHA: I don't think, what I recall is Detective Brocchini came over and told Ron and I that all of us who were there may as well go home because there was nothing else that we could do at that time and that he and Scott were going someplace, I don't recall where, because I had, and that's when I told Scott that I wanted him to come to our house, so he wasn't at their house alone, and I told Detective Brocchini to bring him to our house when they were finished.

GERAGOS: Had anybody made arrangements to have somebody man the house, the Covena house,

ROCHA: I don't know.

GERAGOS: I almost had it finished. Had anybody made arrangements to, if Scott left, that they would be at home in case there was a phone call or, or anything else? Do you know of anybody who said Scott, you can go over to Sharon and Ron's but we'll man the house?

ROCHA: I don't know.

GERAGOS: Okay. Now, the, the relationship that Laci and Scott had prior to the 24th, you, I asked you this before and you said that you thought the world of him prior to the 24th; is that a fair statement?

ROCHA: Yes, it is.

GERAGOS: He called you Mom?

ROCHA: Yes.

GERAGOS: He would talk to you, and you have no qualms about the way he treated your daughter whatsoever; isn't that correct?

ROCHA: Yes.

GERAGOS: You never saw him ever get violent with her, did you?

ROCHA: No.

GERAGOS: You never saw him even get angry in the sense where he would yell at her or raise his voice at her, did you?

ROCHA: No, not that I ever recall.

GERAGOS: Okay. The, in fact, and I don't mean to collapse you and Ron together, but there was a point, and I think the two of you were interviewed together, so sometimes in the police report, and you've reviewed all the police reports, I take it, that have to do with your interviews with you and Ron?

ROCHA: With my interviews. I haven't reviewed his.

GERAGOS: Okay. But there were points where either you or Ron, if you know, if it's you, you let me know, that said there were times when he probably should have been mad at Laci and did not get mad at her, would just say Oh, honey, that's okay. Is that an accurate characterization of the relationship?

ROCHA: Possibly.

GERAGOS: Okay. Now,

ROCHA: I mean some people may have gotten upset at that time, but not always.

GERAGOS: Okay. The, you were close to her, but she also valued her privacy as well, did she not?

ROCHA: Yes.

GERAGOS: And it's fair to say, the prosecutor asked you, you didn't know anything about Amber Frey, correct?

ROCHA: That's correct.

GERAGOS: You didn't know anything about any other affairs?

ROCHA: No, I didn't.

GERAGOS: Laci had never told you anything about those?

ROCHA: (Shakes head)

GERAGOS: Okay. The, there were certain things that Laci would just keep to herself; isn't that a fair statement?

ROCHA: I wouldn't know that because she wouldn't be telling me that she was keeping it to herself, so I don't know how to answer that.

GERAGOS: Did you ever find things out later on that she hadn't told you?

ROCHA: Mainly just about this affair, the first affair.

GERAGOS: The first affair. And that was because clearly, based upon everything you were told, she knew about it?

ROCHA: Afterwards? After she was gone? Is that what you're asking me?

GERAGOS: Yeah. No. The, you, after the 24th, you were informed about another affair that had happened in which Laci obviously had known about it because,

ROCHA: I was told she knew about it.

GERAGOS: Yeah. And you didn't, and Laci did not confide that in you?

ROCHA: No, she didn't tell me about it. But she wasn't living in Modesto at that time, either, so she was, in San Luis Obispo.

GERAGOS: Can we take a short break right here, because I want to try to just finish up if I can,

<recess>

GERAGOS: There was a room in the back of the house that was converted into the nursery, you were aware of that?

ROCHA: It was the first bedroom, yes.

GERAGOS: This one right here?

ROCHA: Yes.

GERAGOS: Labeled "nursery"?

ROCHA: Yes.

GERAGOS: Got it. Okay. That was, and I'm going to show you a picture. I showed you at the break, but I'll just do it formally now before I mark it. Do these pictures represent what you knew the nursery to look like?

ROCHA: Pretty much so.

GERAGOS: I can mark these, if I could, Your Honor, Defendant's E and F.

JUDGE: E and F.

GERAGOS: Now F is, still doesn't come out, though, that clear.

JUDGE: Still doesn't.

D. HARRIS: If you can turn on the one over the judge's bench.

GERAGOS: There's a, there is going, in the picture when it is projected, but as you can see, there's a little life preserver that says "Welcome Aboard." You've seen that picture and you've seen it when you were inside the nursery?

ROCHA: I didn't notice it in the picture, but I have seen it in the nursery. And I don't see it up there, but if you show it to me again. I didn't look specifically at that.

GERAGOS: (Showing the witness.)

ROCHA: Yes, I see it.

GERAGOS: Right over the crib. And fair to say that the theme was a nautical theme that the bedroom was, what you and I were pointing to right here is a life preserver. And then there's the boats that are here, blue paint all the way around in the room; is that correct?

ROCHA: Yes, and the bedding was nautical. That was the theme, nautical.

GERAGOS: Nautical theme?

ROCHA: Yes, nautical theme.

GERAGOS: Now, Ron, your companion, as was discussed is an avid fisherman, was he not?

ROCHA: Yes, he is.

GERAGOS: And we once discussed at the preliminary hearing, you and I talked about the fact that he would go fishing on the spur of the moment; isn't that correct?

ROCHA: That's correct.

GERAGOS: And, in fact, he's gone fishing on holidays himself, has he not, in the past?

ROCHA: Yes.

GERAGOS: During the time you've been with him?

ROCHA: Yes, 20-minute 20 miles range or so.

GERAGOS: But going out fishing on the spur of the moment would be nothing unusual for Ron?

ROCHA: That's correct, but for a short period of time.

GERAGOS: The, on the 15th you had indicated that I think that you had talked about how you had gone fishing that day; is that correct?

ROCHA: Yes, that morning.

GERAGOS: Okay. Your first outing?

ROCHA: No, it wasn't my first, but it was a rare, a rare outing.

GERAGOS: Did you also indicate that on that date Laci had said she was having difficulty sleeping due to the pregnancy?

ROCHA: Yes.

GERAGOS: She told you she believed she was keeping Scott awake?

ROCHA: She had offered to sleep on the sofa because she had thought she was keeping Scott awake.

GERAGOS: What did she tell you about that?

ROCHA: No, he did not allow her to sleep on the couch.

GERAGOS: No, he refused to allow her to do that?

ROCHA: Right.

GERAGOS: You, also, McKenzie, the dog, had dog hair and I think you had indicated that McKenzie shed profusely, was that your term?

ROCHA: Yes, he did.

GERAGOS: Okay. And his red hair, kind of reddish hair would come out almost in clumps. So if he's coming out of the house, it's entirely possible that you're going to have hair all over the house, is that a fair statement?

ROCHA: Yes.

GERAGOS: Thank you. I have no further questions.

Redirect Examination by Rick Distaso

DISTASO: Sharon, Mr. Geragos just asked you some questions about Laci and her actions in the neighborhood. He asked you something about the Encina project, do you remember that?

ROCHA: No, he asked about closing off the, or he mentioned about closing off the entrance to the park because of the homeless people.

DISTASO: Okay. Right.

ROCHA: And I said she wasn't involved with that.

DISTASO: But she was involved with something to do with Encina Avenue?

ROCHA: Yes.

DISTASO: That's kind of what I meant, the Encina project. I don't know if that was the right term. Can you just label for the jury where Encina was, where their home was in reference to the trail, just label Encina Avenue.

ROCHA: Do you want me to write Encina?

DISTASO: Go ahead. Yeah.

ROCHA: This is Encina and they were trying to open this area all the way through to Oakdale and that was, this is what she was involved in.

DISTASO: Okay. So Encina Avenue isn't anywhere near the trail or at the end of their home to get into the park?

ROCHA: No, it has nothing to do with that trail.

DISTASO: And Mr. Geragos was talking about a dirt lot by the school. They were talking about extending it all the way next to the,

ROCHA: To make it a thoroughfare would make it very, very busy for that area because it's all residential.

DISTASO: Now, Mr. Geragos asked you a question. I think he said that you thought the world of the defendant prior to the 24th; is that right?

ROCHA: Yes, that's correct.

DISTASO: After the 24th did your opinion change?

ROCHA: Yes, it did.

DISTASO: And did you start, you know, looking back at things that you had thought and have a changed opinion?

ROCHA: Yes, I did.

DISTASO: Can you tell the jury some of the things? I mean, what made you change your opinion or what, what was going through your mind that caused you to change your opinion of the defendant after Lacy went missing?

ROCHA: It was his behavior. I felt that he just, he didn't show the concern that I felt he should have been showing for the fact that Laci was missing.

GERAGOS: Objection, motion to strike. Speculation.

JUDGE: It goes to her bias, interest, motive.

GERAGOS: To her state of mind. Limited to her state of mind.

JUDGE: What conclusions she came to based upon what she observed. Go ahead.

ROCHA: Also, I felt, like I said before, we would try to schedule meetings to get together for different situations and he would always cancel them and I felt that he was trying to avoid being alone with me. And, of course, that made me a little suspicious. And just the fact that when I would, many times when I would go to the volunteer center or if I was leaving, we would miss each other and I would ask, "Where are you going" or "Where have you been," and he always was out hanging posters or had an appointment or, but would never elaborate where the appointment was or where he had actually been; it was just his overall behavior.

DISTASO: Did you subsequently find out throughout the investigation that there were things going on with the defendant's life that you had no, you had no knowledge of?

ROCHA: Yes.

DISTASO: I mean, we've talked about Amber Frey and the affair and subsequently you learned that there possibly was another affair that you weren't aware of?

ROCHA: Yes.

DISTASO: Did you know that specifically? I mean, did you know any details of the affair with Amber Frey?

ROCHA: Prior to finding out?

DISTASO: Right.

ROCHA: No, I knew nothing about her at all.

DISTASO: And so did you know that, for example, on December 14th that he had been talking to her about getting a vasectomy?

ROCHA: No, not at all.

DISTASO: Did you know that he had discussed, you know, making plans to be with her or to be more able to be more with her in January?

ROCHA: No.

DISTASO: And so these things that I've talked to you about, that were prior to December 24th. If you'd known about these things, what would, you know, would your opinion of the defendant then differ at that time?

GERAGOS: Objection, calls for speculation. It goes to the, goes to state of mind.

JUDGE: I think so. Overruled. You can answer that.

ROCHA: Absolutely.

DISTASO: Now, Mr. Geragos asked you about Ron and his fishing habit. And Ron is a very avid fisherman?

ROCHA: Yes.

DISTASO: Do you know where he keeps, I mean, let me ask you this: Are you aware if he keeps the fishing pole in his car?

ROCHA: Always.

DISTASO: And if he, you know, if you guys go somewhere on a trip does he bring his pole along just in case he gets a chance to fish?

ROCHA: Yes, he does.

DISTASO: So it's not unusual at all for Ron to stop really anywhere, I guess, in his travels and fish if he gets an opportunity?

ROCHA: If he's alone, yes, if I'm with him, usually not. I mean, the fishing pole is there, but we don't stop off.

DISTASO: You're not a fisher person?

ROCHA: No.

DISTASO: Now, he asked you would it be, you know, unusual for Ron to go fishing on a holiday and you said, what was your answer to that?

ROCHA: I said it's not unusual, but within a short distance, 20 minutes or 20-mile difference.

DISTASO: I'm sorry, so within a short distance it wouldn't be unusual for him to do?

ROCHA: That's correct.

DISTASO: Have you ever known Ron to on a holiday drive 90 miles from your home to the Berkeley Marina to fish?

ROCHA: No.

DISTASO: Nothing further, Your Honor.

JUDGE: All right. Ms. Rocha, the district attorney played for you a tape of a conversation you had with the defendant. After you've heard the tape is that a truly accurate conversation you had with the defendant on that day on February the 13th?

ROCHA: Yes, it is.

JUDGE: Okay.

DISTASO: And I have nothing further, Your Honor.

Recross Examination by Mark Geragos

GERAGOS: You said that he was out posting flyers, correct, when you would go to the volunteer center?

ROCHA: That's what he would tell me. Or he had an appointment.

GERAGOS: He had appointments with people?

ROCHA: Well, he never elaborated who he had appointments with.

GERAGOS: How long, would you say it was open on the 17th of December?

ROCHA: Yes.

GERAGOS: And closed about the 18th?

ROCHA: The 16th, I think it was, well, actually, closed completely I think it was the 18th or 17th.

GERAGOS: Right. How many times do you think you went to the volunteer center?

ROCHA: Me?

GERAGOS: Yeah, you personally spent.

ROCHA: I don't know, maybe 10, 12, maybe 15 times, I couldn't say for sure.

GERAGOS: And do you know how many times Scott went to the volunteer center during that period of time?

ROCHA: No.

GERAGOS: Do you know if it was everyday?

ROCHA: No.

GERAGOS: Do you know if he was out posting flyers everyday?

ROCHA: I don't know for sure. I didn't see him doing that.

GERAGOS: During the time when, well, the 16th, the day before the volunteer center closed was the day that the police came and told you about Amber Frey; is that correct?

ROCHA: No, that was the 15th.

GERAGOS: The 15th they came to tell you about Amber Frey?

ROCHA: Or we met with them. We met with the police the 15th, the evening of the 15th.

GERAGOS: And the volunteer center was closed for good within two or three days?

ROCHA: Yes, it was.

GERAGOS: And then the, I'm going to show you what was marked as People's 17. Have you seen this?

ROCHA: I have seen the picture, yes.

GERAGOS: Okay. Do you know what Laci's wearing in that picture?

ROCHA: I don't know for sure. I can assume,

JUDGE: Why don't you show the jury.

ROCHA: I could assume it's the blue pajamas that Scott said she was wearing.

GERAGOS: Scott's blue pajamas?

ROCHA: But I don't know for sure because I have never seen them before.

GERAGOS: Okay. And then is this the interior of their house? Does this look like the inside of their house?

ROCHA: It looks like it, yes.

GERAGOS: Does it look like McKenzie right there?

ROCHA: That's his leg.

GERAGOS: Thank you. I have no further questions.

2nd Redirect Examination by Rick Distaso

DISTASO: Ms. Rocha, I want to ask you earlier when you were talking about walking in the park with Laci, when you went with Laci on those two walks in the park did Laci ever approach homeless folks down there?

ROCHA: Never.

DISTASO: Did she ever talk to transients or homeless folks and tell them, like, "Hey, get out of the park," or anything like that?

ROCHA: Not any of the times I was with her she mentioned to me and I never saw her do that.

DISTASO: The park that we're talking about down there, the times that you went there did you see other people walking in the park?

ROCHA: Many people, yes.

DISTASO: I'm just talking regular old folks walking in the park?

ROCHA: People walking their dogs, just walking, riding their bikes, yes.

DISTASO: Okay. Just a normal kind of family park in Modesto?

ROCHA: Yes.

DISTASO: Thank you. I have nothing further.

2nd Recross Examination by Mark Geragos

GERAGOS: Were you aware she had exchanged e-mails to the police about closing the path to the park?

ROCHA: No.

GERAGOS: You weren't aware of that? Were you aware that she had confronted some transients in the street and had told the Superior Court judge about it who told her to stop doing that?

ROCHA: No, I was aware that one time when she was driving off the freeway she had pulled into the police station and complained about some people holding signs on the freeway.

GERAGOS: Were you aware about the confronting the transients in the street that incident specifically?

ROCHA: No.

GERAGOS: Thank you. I have no further questions.

DISTASO: I don't have anything further.