Witness: Chris Martinez

Date: 2004-07-07

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Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – David Harris; Cross – Mark Geragos; Redirect – David Harris; Recross – Mark Geragos

Day 1 of 1 for this witness

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

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Direct Examination by David Harris

HARRIS: Deputy, we can see how you're dressed, but, for the record, can you tell us how you are employed?

MARTINEZ: Deputy Sheriff, Contra Costa County.

HARRIS: How long have you been employed as a sheriff's deputy for Contra Costa County?

MARTINEZ: Seven and a half years.

HARRIS: I want to direct your attention back to April 13th, 2003. Were you working in your capacity as a sheriff deputy on that day?

MARTINEZ: I was.

HARRIS: What was your specific assignment?

MARTINEZ: Coroner Investigator, Coroner's Office.

HARRIS: Now, Coroner Investigator for the sheriff's office, can you explain to us what that position is?

MARTINEZ: I'm a 24 hour deputy that works the Coroner's Office, and I determine whether reportable deaths in the county are coroner's cases or they're not.

HARRIS: Now, to work as a Coroner's Investigator for the sheriff's department, do you receive any specialized medical training?

MARTINEZ: I do not.

HARRIS: Now, does the sheriff's department slash kind of Coroner employ any experts that would be able to answer any medical questions involving these investigations?

MARTINEZ: They do.

HARRIS: So if there's a medical issue or any issue that comes up as part of your investigation,

GERAGOS: Objection. Leading.

JUDGE: Well, it's recap. Go ahead. Ask it.

HARRIS: Do you make that determination? Or do you refer whatever the question is to the medical professional?

MARTINEZ: I do. I'm strictly law enforcement.

HARRIS: So you refer it to the professional?

MARTINEZ: Refer it to the pathologist that works for us.

HARRIS: On this particular date that we're talking about, 4/13 of 2003, did you receive some type of notification from the Richmond police involving a body?

MARTINEZ: I did.

HARRIS: Approximately what time?

MARTINEZ: 7:00, 7:30. I have to review my report to see the exact time.

HARRIS: If you were to look at your report, would that help you refresh your memory as to the exact time?

MARTINEZ: It would.

JUDGE: Mr. Geragos, I can't hear the witness. You were conferencing with Harris. I can hear you up here. I can't hear the witness.

HARRIS: You can look at your report.

JUDGE: Go ahead.

MARTINEZ: It was reported to me at 1950. 7:50 at night.

HARRIS: Okay. Did you, after receiving that report from Richmond, did you go to a particular location?

MARTINEZ: I did.

HARRIS: What location did you go to?

MARTINEZ: The Richmond Inner Harbor Shoreline.

HARRIS: Did you meet with anybody out there?

MARTINEZ: I did. I met with Officer Opdyke from Richmond PD.

HARRIS: And was Officer Opdyke kind of the scene security person that was there?

MARTINEZ: I believe he was the responding patrol officer, uniform patrol.

HARRIS: When you met with him, did he give you a briefing as to what Richmond had found?

MARTINEZ: Yes.

HARRIS: Did you go with him to any particular location?

MARTINEZ: I did.

HARRIS: Where did you go?

MARTINEZ: I walked about a quarter of a mile down the shoreline to where the other detectives were standing.

HARRIS: Do you recall who the other detective was?

MARTINEZ: I know detective Jeff Soler was there. I don't remember who the other two were.

HARRIS: And Jeff Soler, you recognize him as being a detective with the Richmond Police Department?

MARTINEZ: Yes.

HARRIS: Did you talk to him at all?

MARTINEZ: Just briefly.

HARRIS: At that point in time did the Richmond Police Department, after talking to you, kind of turn the scene over to you as the coroner investigator?

MARTINEZ: Yes.

HARRIS: And did they point out a body to you?

MARTINEZ: They did.

HARRIS: Did you go and look at the body at all?

MARTINEZ: Yes. We were all around the general area.

HARRIS: What was the lighting conditions like when you first got there?

MARTINEZ: Fully dark. Nighttime.

HARRIS: Any lights in the general area?

MARTINEZ: No. We were quite far, a ways away from any kind of street lights or anything.

HARRIS: Were you able to see the body?

MARTINEZ: By flashlight.

HARRIS: So you were using a flashlight to see at that time?

MARTINEZ: The detectives all had lights and they illuminated it for me.

HARRIS: As part of your investigative process to make your determination, did you take any photographs or document or collect any evidence?

MARTINEZ: I did. I took several photos.

HARRIS: Do you collect any evidence as part of the coroner's investigation?

MARTINEZ: No. Besides the body, anything that's related to it, I don't really collect evidence. The police department does.

HARRIS: Is it the police department's responsibility to collect any evidence?

MARTINEZ: Yes.

HARRIS: The coroner, you're just there to pick up the body?

MARTINEZ: Yeah. The only time I pick up any evidence is if it's a suicide, I collect the gun and shells. Other than that, I don't collect anything but the body.

HARRIS: Now, in this particular case, was this an adult body? A child's body?

MARTINEZ: It was a body of a baby.

HARRIS: And did you go through the process that you do of looking at this body and collecting it to return it to the Coroner's facility?

MARTINEZ: I did.

HARRIS: What was the condition of the body that you could observe with this flashlight?

MARTINEZ: Very decomposed remains of a baby. Looks like it had been out there for a few days.

HARRIS: So what, what did you do?

GERAGOS: I'm sorry, it what?

JUDGE: Been out there for a few days.

HARRIS: What did you do?

MARTINEZ: I used a towel, and then rolled the baby onto the towel so it could be examined, due to the decomposed remains were so bad. And then I placed it into two bags and took it back to

the Coroner's van.

HARRIS: After you had, let me back up for a second. You were saying you rolled it into a towel. Why did you do that?

MARTINEZ: Because it was so decomposed. Kind of put the towel onto it and rolled it on to it. I couldn't really pick it up.

HARRIS: Once it was onto the towel, you said you put it into two bags?

MARTINEZ: Yes.

HARRIS: And was the body transported back to the Coroner's facility?

MARTINEZ: Yes.

HARRIS: When it comes back to the Coroner's facility, are you the one that performs an autopsy on it, or is that the medical professional you were referring to?

MARTINEZ: The pathologist, the medical professional.

HARRIS: What time was it, if you recall, did you get this body back to the Coroner's facility?

MARTINEZ: Probably approximately an hour and a half after I, well, probably about two hours after I got the call. It's about a 30 minute drive back from where I was at to the Coroner's Office.

HARRIS: Now, if you can look up behind you to your left, and, I'm going to have you, I'll just point it out to you. The area that we're referring to that you were talking about walking out to the shoreline, this is on People's 98 A, would this be the approximate location, from what you can recall?

MARTINEZ: Yes.

HARRIS: And that area, you indicated that you had walked about how far?

MARTINEZ: I figure about a quarter of a mile. I can show you the shoreline I walked.

HARRIS: Yeah.

JUDGE: There's a pointer there,

MARTINEZ: Okay.

JUDGE: somewhere. You can use that.

MARTINEZ: I drove down this path with the van. Parked right here. And this is the shoreline I walked down.

HARRIS: Were you able to get your vehicle down closer to where the body was at?

MARTINEZ: No. I had to stay on the paved bike path.

HARRIS: The, the terrain at, you know, sometimes we've seen this on TV that Coroner's Offices have, like, those wheeled things?

MARTINEZ: Uh-huh.

HARRIS: Dollies or,

MARTINEZ: Gurney.

HARRIS: Gurney. Were you able to get one of those out there?

MARTINEZ: No.

HARRIS: Is the terrain pretty soft or rough? Or can you describe it for us?

MARTINEZ: Yeah. This shoreline here was all just beach sand. From here was all rocky edge, and then this was real mud, wetty kind of marsh grass area.

HARRIS: Did you have to carry the baby's body back to the van?

MARTINEZ: I did.

HARRIS: You can go ahead and resume your seat. You said that you took some photographs. I want to ask you real briefly about that. How do you take photographs of a scene?

MARTINEZ: I usually take one or two of the total scene, and then a few of the, the decedent, or the remains.

HARRIS: In this particular case you were talking about it was nighttime. Did you use a flash?

MARTINEZ: The detectives illuminated it for me, but the camera has a flash on it.

HARRIS: Okay. Those photographs turn out?

MARTINEZ: Yes.

HARRIS: The bodies were moved back to the Coroner's facility. At that point in time you turned it over to the medical professional. Let me just ask about that. The pathologist or the Coroner that does this medical examination, are they there at night?

MARTINEZ: They are not.

HARRIS: So when you go back, you have to leave the body at the facility for the pathologist to come in at a later point in time?

MARTINEZ: Yes. They'll come in the next day. And I just bring the remains back, I weighed it, tagged it, put it in the refrigeration unit.

HARRIS: Let me ask you about that. You say you tagged it. How do you differentiate one case from another in the Coroner's Office?

MARTINEZ: I didn't understand the question.

HARRIS: How do you distinguish one case from another at the Coroner's Office? Do you assign a case number to them?

MARTINEZ: Yes, a case number, and there's a body tag.

HARRIS: In this particular case was there, did you follow that and assign a case number to it?

MARTINEZ: Yes.

HARRIS: And what was the case name number that you assigned to this baby's body?

MARTINEZ: May I review my report?

HARRIS: Yes, please.

JUDGE: Go ahead.

MARTINEZ: 03-0799.

HARRIS: And the bag and the body were identified with that particular number?

MARTINEZ: Yes.

HARRIS: And did you stay on work until the next morning when the pathologist came in? Or did you get off at some point?

MARTINEZ: Yeah, I stayed on until 10:00 o'clock in the morning.

HARRIS: Did you go home?

MARTINEZ: At 10:00 I did.

HARRIS: Did you stay for the autopsy?

MARTINEZ: I did not.

HARRIS: The People have no other questions.

Cross Examination by Mark Geragos

GERAGOS: Good morning.

MARTINEZ: Good morning.

GERAGOS: The pictures that you took, do you know, or do you have them with you?

MARTINEZ: I do not.

GERAGOS: I'm going to show you what's been marked as 101. Is that, that's a schematic of the area. Is that roughly where you went and saw Conner?

MARTINEZ: Yes.

GERAGOS: Okay. And when you were called there, who was there?

MARTINEZ: Officer Opdyke and Detective Jeff Soler, and there was two other detectives that I don't know their names.

GERAGOS: Okay. Now, when Officer Opdyke was there, and Soler, did you, was there also a Officer Gard there?

MARTINEZ: There was not.

GERAGOS: Okay.

JUDGE: Are you looking for double X?

GERAGOS: No, I've got double X. There was another one we marked yesterday. But I don't see it.

GERAGOS: I've got a, what's been marked 96 E, F, and G. Do you recognize those?

MARTINEZ: I believe I've seen them. I don't,

GERAGOS: Is that how it looked that day when you got there?

MARTINEZ: Yes, somewhat. It was pretty dark.

GERAGOS: Okay.

MARTINEZ: It might have been a little wetter.

GERAGOS: I'm going to put these up on the screen so the jury can see them at the same time that we're talking about them. Now, this picture, which is 96 F, when you were there, you say it was a little bit darker than this.

MARTINEZ: It was nighttime.

GERAGOS: Okay. Now, did you, did you determine what this was right there?

MARTINEZ: I never saw that.

GERAGOS: Did you determine what this was right here?

MARTINEZ: I never saw that either.

GERAGOS: Okay. 96 E shows another picture. There's been some testimony the baby was found right in this area here. And when you were there, was this item here? Or was this item that I'm pointing two, these two blue items?

MARTINEZ: I, I didn't see either one of those.

GERAGOS: If you had seen those, would you have collected them?

MARTINEZ: I would not.

GERAGOS: Would you have photographed them?

MARTINEZ: I would not.

GERAGOS: Okay. So as far as you were concerned, if you found a infant that was there that was dead and two objects that were there, those wouldn't pique your curiosity?

MARTINEZ: If they weren't in the scene photo near the infant, I wouldn't photograph them.

GERAGOS: Is it fair to say there was nobody going around collecting evidence that you could see?

MARTINEZ: When I was there, there was not.

GERAGOS: Okay. I assume the same would go for this picture here; you didn't see this item here?

MARTINEZ: That's correct.

GERAGOS: Okay. Now, there's another picture or series of pictures that have been marked WW 1 through 4. I believe, if you put them all together, it will be a panoramic view of, from standing here and looking all the way around.

MARTINEZ: Okay.

GERAGOS: Okay. Is that, as I described it, is that pretty much what it looks like you to?

MARTINEZ: Yes.

GERAGOS: Okay. Is it fair to say that the items that are in the picture, first of all, WW 1, that flag, is that something that you put at the location where you find the baby?

MARTINEZ: I do not.

GERAGOS: Okay. Is that something that normally gets done when either the Coroner's Investigator goes out there or the police department that you work in conjunction with?

MARTINEZ: We do not do that. The Coroner's Office.

GERAGOS: Did you see a flag like that that day?

MARTINEZ: I did not.

GERAGOS: This, once again, I believe is the flag, and then over here the surrounding area. Is that what it looked like to you on that day?

MARTINEZ: Yes.

JUDGE: When you say "that day," he said he got there at nighttime.

GERAGOS: Nighttime,

GERAGOS: I'm sorry, that evening?

MARTINEZ: After dark, yes.

GERAGOS: And once again this picture, the same thing?

MARTINEZ: Yes.

GERAGOS: But you did not notice this item here?

MARTINEZ: I did not.

GERAGOS: Do you know who put up the crime scene tape that's in this picture, which is WW 3?

MARTINEZ: I do not.

GERAGOS: I've got what's marked as XX. Does that appear to be a picture of the infant on the towel that you described?

MARTINEZ: Yes.

GERAGOS: Okay. Now, is that a standard towel that you take with you when you go to do some kind of recovery?

MARTINEZ: It is.

GERAGOS: Okay. Where are those issued?

MARTINEZ: We keep several in the van, but they're also in our storeroom.

GERAGOS: Okay. Now, you say you keep several in the van. Is that one of the reasons that you have these is that so you can lay it out when you put the body onto it, you also, whatever items or debris is on it will be saved and you're not going to lose it, correct?

MARTINEZ: Correct.

GERAGOS: And then you take that bag and the body and you put it, I shouldn't say bag. You take that blanket, is that what you call it? A blanket or towel? What is it?

MARTINEZ: I use a towel.

GERAGOS: Okay. The, and I'm not going to put this up on the screen, but the towel that's in the foreground here, that you said you rolled the baby onto?

MARTINEZ: Yes.

GERAGOS: Okay. And when you did that, did you make, I assume you were careful trying to do that; is that correct?

MARTINEZ: Yes. That's why I used the towel.

GERAGOS: Okay. Can you describe to the jury exactly how you did that?

MARTINEZ: I placed the towel over the decedent, and I kind of grabbed and rolled so it ended up on, onto the towel. And that was to avoid any kind of picking up. With just my gloved hands.

GERAGOS: Right. So in doing it that way, if I understand correctly, that way your hands would not contaminate the scene itself, correct?

MARTINEZ: Well, that's not why I did it. I did it because it was so decomposed that that way I avoid, when I was done photographing or moving or trying to look at anything, I could just pick the towel up and place that into the bag.

GERAGOS: Okay. And is it a fair statement that you, based upon this picture, that most of the items that were in and around the baby were maintained within the towel itself when you rolled it up?

MARTINEZ: Yes. Whatever debris,

GERAGOS: Whatever was there?

MARTINEZ: Whatever was there.

GERAGOS: You didn't add anything to it, so to speak?

MARTINEZ: I did not.

GERAGOS: You didn't subtract or take away anything, did you?

MARTINEZ: I did not.

GERAGOS: Okay. Is it a fair statement that you tried as best you could to make sure that when you rolled this baby up that it was in the same condition as it was when it was found?

MARTINEZ: I did.

GERAGOS: Okay. Now, when you transported the baby, did you then put that towel with the baby in it into yet another bag?

MARTINEZ: I believe two plastic bags.

GERAGOS: Okay. One on each side?

MARTINEZ: They were doubled, I believe.

GERAGOS: Double bags. So it was a double bag, and then you placed the contents,

MARTINEZ: The towel in the bag, and then wrapped it up.

GERAGOS: Okay. And when you did that, then it was transported over to the Coroner's Office?

MARTINEZ: Yes.

GERAGOS: Okay. The, when you rolled the baby over, when you first saw the baby, I assume it was on one side or the other; is that correct?

MARTINEZ: It, it appeared to be on its side, that's correct.

GERAGOS: I have a picture that from yesterday is 102 B. Is that roughly how the baby was, obviously it's, there's either a flash or it's better lit, but is that roughly how it was when you saw it?

MARTINEZ: Yes.

GERAGOS: Okay. And how long did you say you've been doing this for the sheriff's department?

MARTINEZ: At the Coroner's Office?

GERAGOS: Yes.

MARTINEZ: Two years.

GERAGOS: And you estimated the baby to be several days old when you found it?

MARTINEZ: That was, I meant that in several days in stages of decomposition.

GERAGOS: I'm going to show you an investigative report. This is Bates numbered stamped 17371. Have you seen this?

MARTINEZ: That's my report.

GERAGOS: Okay. Did you see, you found the decomposed body of the baby that appears to be only a few days old?

MARTINEZ: That's correct.

GERAGOS: Okay. And that's what you wrote in your report at the time, correct?

MARTINEZ: Yes.

GERAGOS: You also mentioned in your report that there appeared to be a, you didn't say "appear," you said that there was a, what you characterized as a nine long twine; is that correct?

MARTINEZ: That's correct.

GERAGOS: And the picture that I showed you, which is marked as double X, shows that what you characterized as a twine; is that correct?

MARTINEZ: That's correct.

GERAGOS: And you didn't do anything to disturb that in any way, other than just to roll the body onto the towel and place the towel in the bags?

MARTINEZ: That's correct.

GERAGOS: You didn't tighten it or loosen it or anything else?

MARTINEZ: I did nothing to it.

GERAGOS: Now, did you, did you transport the remains to the Coroner's Office?

MARTINEZ: I did.

GERAGOS: And approximately what time did you get there?

MARTINEZ: I wouldn't know what time. I left straight from the scene. It's about a 30, 35 minute drive back to Martinez.

GERAGOS: Okay. And then,

MARTINEZ: And then just the walk from the scene and then the drive back.

GERAGOS: And who did you transfer the baby's remains to? Did you, did you do, did you do something once you got back to the Coroner's Office?

MARTINEZ: Yes, I took him back out of the van, placed him on the table, weighed it, and then I tagged the bag and placed it into the store, refrigeration storage.

GERAGOS: For the Coroner to then take a look?

MARTINEZ: That's correct.

GERAGOS: Okay.

JUDGE: When you weighed the remains, that was bag, towel, everything?

MARTINEZ: That's correct.

GERAGOS: Thank you. I have no further questions.

Redirect Examination by David Harris

HARRIS: Deputy, you were looking at the photographs that counsel was showing you, and is there a difference with those pictures than the ones that you took?

MARTINEZ: I don't really know exactly which ones I took. I haven't seen them since I took them.

HARRIS: Well, the ones you took, were those at nighttime?

MARTINEZ: Yes.

HARRIS: And the ones he was showing you were clearly at the daytime?

MARTINEZ: Some of them.

GERAGOS: Well, objection. I don't know that's necessarily the case. Assuming facts not in evidence.

JUDGE: Assuming facts not in evidence. Why don't you ask him.

HARRIS: Showing you what's been marked as defense's VV. Give you a chance to look at that for a second. And kind of go back to the pictures. The photographs that you took, that was when you were there at nighttime?

MARTINEZ: Yes.

HARRIS: And the photographs that he was showing you, did you take any of those?

MARTINEZ: I believe so.

HARRIS: Which one do you believe you took?

MARTINEZ: I took this one.

HARRIS: Okay. So VV is a photograph that you took?

MARTINEZ: I believe so.

JUDGE: That's the baby on the towel?

HARRIS: No.

GERAGOS: No, I think XX is the baby on the towel.

JUDGE: I beg your pardon.

MARTINEZ: I didn't take that photo on the towel.

HARRIS: All right. Well, let's -- let's be clear about that.

JUDGE: Okay. What's confusing? Oh, all right. This is a view of the marsh area, not the child.

GERAGOS: That's correct.

JUDGE: All right.

HARRIS: Looking at this photograph, which is VV, it's a little bit different looking at it up on the screen, but looking at it in person, you were just holding onto that, does that appear to be a photograph that was shot at nighttime?

MARTINEZ: Yes.

HARRIS: And does that depict kind of the area that you're talking about, those general views taking the picture?

MARTINEZ: Yes.

HARRIS: Now, just to point this out on the screen, this object right there, is that the remains of the baby?

MARTINEZ: Yes.

HARRIS: And there's no flag in this particular picture at that point in time, is there?

MARTINEZ: There is not.

HARRIS: Does this appear to be one of the photographs that you took?

MARTINEZ: It is.

HARRIS: There's, down at the bottom looks like there's a digital print where it says 4-13?

MARTINEZ: Yes.

HARRIS: Now, the photograph you were shown, which I believe was XX, which had the baby's body on the towel, is that a photograph that you took?

MARTINEZ: I don't believe so.

HARRIS: Do you recall taking any photographs, let me back up.

You said that you weren't at the autopsy, correct?

MARTINEZ: I was not.

HARRIS: So you, if you weren't there, obviously you didn't take any pictures of the autopsy?

MARTINEZ: The Richmond PD crime scene might have took some photos.

HARRIS: Okay. So if that was a photograph in the autopsy, it was not something that you took?

MARTINEZ: That is not.

HARRIS: Now, let me just go back through, and counsel asked you some questions about not collecting evidence, that you didn't collect the blue things that were out there. When you work doing,

GERAGOS: Actually, I believe he, I believe he stated that he didn't see them out there.

JUDGE: Well, the jury's heard the evidence. I didn't, he said he didn't even see them.

HARRIS: Well, I want to go through to make sure that we're clear about this.

JUDGE: That's what was his testimony. He said he didn't see them. Is that what you said, Deputy? You never saw those blue objects when you were there?

MARTINEZ: I did not, your Honor.

JUDGE: Go ahead.

HARRIS: So you didn't see them, you didn't collect them, is that a fair statement?

MARTINEZ: That's correct.

HARRIS: Your duty as the Coroner investigators, you go out, you collect the body; is that pretty much what you've already said?

MARTINEZ: That's correct.

HARRIS: Now, when you go to the scene, who calls you out to the scene?

MARTINEZ: The local agency that's investigating the scene.

HARRIS: And in this particular case on April 13th, the local agency that was investigating and called you was the Richmond Police Department, correct?

MARTINEZ: That's correct.

HARRIS: Did they tell you when it was that they first came out there?

MARTINEZ: I believe so.

HARRIS: And so that would have been many hours before you actually went out?

MARTINEZ: That's correct.

HARRIS: And have you worked with the Richmond Police Department before?

MARTINEZ: Yes.

HARRIS: Do they make you stand around for hours while they do their job before you can take over and do your job?

MARTINEZ: No, I'm the last person there.

HARRIS: So they process the scene, they do what they do. When they're all done, they turn it over to you?

MARTINEZ: That's correct.

HARRIS: And you've already said it's their responsibility to collect evidence?

GERAGOS: Objection. Leading. All of these are leading questions.

JUDGE: Sustained. They're all leading questions.

HARRIS: Whose responsibility is it to collect any evidence at the scene?

MARTINEZ: The local agency.

HARRIS: Your investigation, the Coroner's investigation, what does it focus on?

MARTINEZ: The decedent's remains and collecting any evidence that, of the cause of death. Like I used the example of the suicide. We collect the gun in suicides.

HARRIS: Now, the other agencies that are involved, do you let them have first crack, in a sense, of any evidence that might be there?

MARTINEZ: That's correct.

HARRIS: So when you get out there at nighttime, had Richmond already processed the scene, from your understanding?

MARTINEZ: They had.

HARRIS: And you're there just to collect the remains and what might be associated with the body?

GERAGOS: Objection. Leading.

JUDGE: Well, he's already testified to all that. I'll permit the question. Go ahead. He's already testified to that. You're just there to collect the body. You're not the crime scene investigator, right?

MARTINEZ: That's correct, your Honor.

JUDGE: Any of these items that were there, that's the responsibility of what police department?

MARTINEZ: Richmond Police Department.

JUDGE: Okay.

MARTINEZ: In this case.

HARRIS: Now, with regards to the body and the towel, counsel was asking you about whether you added or subtracted. When you rolled this body on there, if the body's laying, looking at this photograph that's up there right now, VV, do you see leaves and debris and other items just laying out there in the field?

MARTINEZ: Yes.

HARRIS: So if the body is laying on something like that and you roll it up, does that become adhered to the body?

GERAGOS: Objection. Calls for speculation.

JUDGE: Well, what happened in this case would be important. Otherwise, I'll sustain the objection.

HARRIS: When you rolled the body over, did you notice if any leaves or anything like that was sticking to it?

MARTINEZ: I did.

HARRIS: Was there kind of vegetation and stuff sticking to the body?

MARTINEZ: There was.

HARRIS: And how you found it is how you transported it to the Coroner's Office?

MARTINEZ: That's correct.

HARRIS: And it's up to the pathologist to make any medical determinations?

MARTINEZ: That's correct.

HARRIS: The People have no other questions.

Recross Examination by Mark Geragos

GERAGOS: The picture I showed you, which I think was XX, on the towel?

MARTINEZ: Uh-huh.

GERAGOS: That condition of the baby was how you found the baby, absent having placed it on the towel, right?

MARTINEZ: I believe so.

GERAGOS: Okay. When you say that the baby was rolled onto the towel, you weren't, you weren't trying to collect any other debris that was around it; you were just trying to basically take the remains that you found, correct?

MARTINEZ: That's correct.

GERAGOS: And transport it as is to the Coroner's Office, correct?

MARTINEZ: That's correct.

GERAGOS: Okay. You didn't add anything to it, correct?

MARTINEZ: I did not.

GERAGOS: Okay. And you didn't subtract anything from what was there, correct?

MARTINEZ: I did not.

GERAGOS: And you rolled it, the baby on, you didn't, you had noticed the nylon twine, you thought to be nylon twine, before you even moved the baby, correct?

MARTINEZ: I did.

GERAGOS: Okay. You had noticed when you rolled the baby on that there was an item on the ear; isn't that correct? That you saw in the picture?

MARTINEZ: There is something there, yes.

GERAGOS: Okay. And that's the way that you found the baby, correct?

MARTINEZ: Yes.

GERAGOS: And the, and I just showed you the twine itself was wrapped around the baby. Was there. That wasn't something that when you rolled it, it got onto the baby, correct?

MARTINEZ: That's correct.

GERAGOS: And as far as you know, the two blue items that I pointed out in the six different pictures, you didn't even see those when you got there, correct?

MARTINEZ: I did not.

GERAGOS: No further questions.

HARRIS: No other questions.

JUDGE: May Deputy Martinez be excused?

HARRIS: No objection.

JUDGE: Thank you, Deputy Martinez. You are excused.