Witness: Britton Scheibe

Date: 2004-12-02

Proceedings held December 2, 2004

Called by: Defense

Phase: Penalty

Examinations: Direct – Pat Harris

Day 1 of 1 for this witness

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

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

Page/line: not available (source HTML has no page or line markers)

Text below is verbatim from the source page for this date only.

Direct Examination by Pat Harris

HARRIS: I'm sorry, did I mispronounce that, Scheibe?

SCHEIBE: Scheibe.

HARRIS: Britton, I want to just spend a couple seconds and go through your background as to where you are now in life. Where do you live now?

SCHEIBE: I live in San Diego.

HARRIS: And what do you do there?

SCHEIBE: Real estate broker and I'm also a property manager for some family businesses.

HARRIS: And are you married?

SCHEIBE: Yes, I am.

HARRIS: Do you have children?

SCHEIBE: I have a three-year old son and a daughter who will be one next year, next week, I'm sorry.

HARRIS: Now your friendship with Scott Peterson, you were friends with Scott Peterson, is that right?

SCHEIBE: Yes, I was.

HARRIS: And your friendship was basically in junior high?

SCHEIBE: Correct.

HARRIS: Where did you go to junior high?

SCHEIBE: Rancho Santa Fe Elementary School. It was kindergarten through eighth grade. So it wasn't a typical junior high where it's just sixth, seventh and eighth, it was the entire gamut of nine years.

HARRIS: And so you've known him for how many years?

SCHEIBE: Scott came to the school in sixth grade and graduated in eighth grade, so for those three years.

HARRIS: And, excuse me, after that time period you lost contact, is that right?

SCHEIBE: Right. I went to a different high school than he did and then his family moved and so we just kind of lost touch over the years.

HARRIS: And you went on to actually play professional baseball, right?

SCHEIBE: I did.

HARRIS: And that was the Padres?

SCHEIBE: I did.

HARRIS: When you talked about meeting Scott Peterson or having a friendship with Scott Peterson, you mentioned you had a thing that was sort of cemented the friendship was that you had similar personalities?

SCHEIBE: Yeah, I think that, you know, when you're that age you kind of are drawn to people who are similar to you. I think we were similar in that we were intelligent students, basically good kids from similar family backgrounds, a lot of personality characteristics were the same. We're both kind of reserved and a little shy and quiet maybe, but, you know, still secure in ourselves that we didn't feel a need to like, you know, we have to be in the cool group of kids, so to speak, so I think we kind of related on that level.

HARRIS: How did you end up meeting Scott, do you remember?

SCHEIBE: Well, we were in the same sixth grade class. The school is a small school. It was probably 50 students total in each grade level. And the sixth grade classes were split up between two different teachers and we were both in the same class. And he also basically lived on the way home. My house is kind of like the midway point between the school and his house so I think we started probably walking home from school together probably from the beginning.

HARRIS: Did you end up then sort of becoming best friends over time?

SCHEIBE: Yeah, I'd say that we did. You know, we spent a lot of time together. A lot of time hanging out at my house, you know, just hanging out at the golf course, just doing things together. I mean, we spent, you know, a lot of time with my family at my parents' house and just doing things that kids do at that age.

HARRIS: Now did you play golf?

SCHEIBE: I play golf. I obviously wasn't as good a golfer as Scott because he had a passion for the game and I was pretty much, I was always a good athlete so I mean I could pick it up but I could, you know, get the ball down the course, but not with the degree of accuracy you would need to say you're good at it, but I definitely enjoyed getting out there. And, you know, you always seem to play better when the people you're playing with are a little better, so it was always fun to get out there and do that with him and his father.

HARRIS: What other kind of things would you do after school?

SCHEIBE: You know, we would, a lot of times what we would do is we would, you know, walk basically down to the golf shop and Scott would almost invariably always offer to buy me lunch and he never would let me pay and he was just, you know, incredibly generous. And, you know, it got to the point, you know, where I basically I know I had to stop asking to offer because I know I'd always be rejected. And it's just, you know, the generosity that he would show me doing that. We would do things like go crawdad fishing. My parents have a decent size house where, you know, we have a trampoline in the backyard so he'd come over and we'd mess around with the trampoline, you know, invent new flips and, you know, just basically we would stay out of trouble, but we'd do things that, you know, that most kids would do at that age, just hang out, watch TV, play videogames.

HARRIS: You said you had classes with him?

SCHEIBE: Yeah, I think we were in class probably together, you know all three years that we were in school together.

HARRIS: How did he interact with his teachers?

SCHEIBE: He was always, you know, reserved, but, you know, extremely polite, very respectful. You know, a lot of kids in that age group they feel the need to draw attention to themselves by acting up in class, maybe being a class clown or, you know, even sometimes, you know, amongst their piers, you know, trying to draw attention to themselves to make themselves look better. He was never like that. He was always extremely respectful, very polite to his teachers, very polite to students, friendly with everybody, you know, to a fault, you know, never saw him be smartalecky, so to speak, you know, or talk back or just draw any attention to himself in any way negatively.

HARRIS: Did you see any signs of arrogance?

SCHEIBE: No, Scott was always, you know, extremely even keel and very, you know, like I said, extremely polite and I never saw any sign of that at all.

HARRIS: I'd like to mark these two pictures.

JUDGE: 9 I 1 through 2, right, 2, Mr. Harris?

HARRIS: Yes, two pictures.

JUDGE: 9 I 1 and 2.

HARRIS: While she's marking those, Britton, would you take a look at these two potential exhibits and see if you recognize them.

SCHEIBE: Sure. Year book photos.

HARRIS: Okay.

JUDGE: Do you want those marked?

HARRIS: Yes.

JUDGE: Let's mark them 9 I 3 and 4.

HARRIS: That's fine.

JUDGE: Year book photos.

HARRIS: I want to show you two photos. Do you recognize the photos?

SCHEIBE: I do.

HARRIS: Okay. Show them to the jury. Could you tell the jury what that is a picture of?

SCHEIBE: I believe that was from Scott's, probably I'm guessing either 14th birthday. I think the, basically followed what would have been our freshman year. So after we'd already been going to different schools so it's just Scott and a few of us together at his birthday I believe at his parents' house.

HARRIS: Which one is you?

SCHEIBE: I'm in the back with the white shirt leaning towards the cake as if I'm going to blow out the candles.

HARRIS: I want you to take a look at what's been marked as Defendant's 9 I 3. Is that a year book picture?

SCHEIBE: Yes, it is.

HARRIS: And would that be the Scott Peterson that you recognize from those days?

SCHEIBE: Correct.

HARRIS: Now I'm going to have you take a look at Defendant's 9 I 4. This is a, also a year book picture?

SCHEIBE: Yes, it is.

HARRIS: That's you up there in the "Most Likely to Succeed"?

SCHEIBE: Correct.

HARRIS: Is that you? That's you right there?

SCHEIBE: That's me right there, yeah.

HARRIS: Underneath that voted the "Class Friendliest," is that Scott Peterson?

SCHEIBE: Yes.

HARRIS: Do you recall if he was the friendliest?

SCHEIBE: I think he was. Before the year book came out they took a pole of all the eighth grade class and, you know, amongst the 50 or so students in our eighth grade class, you know, he was voted the, you know, friendliest, which I think is a testament to him because, you know, a lot of these, these poles and stuff like that are taken, especially amongst kids that age it's really a popularity contest and everybody's going to vote for their friends and what not. And even though I would say that, you know, we weren't amongst like, you know, the popular kids, I don't think we were, we certainly I wouldn't classify it as outcasts either, but, you know, we weren't, you know, in terms of the upper echelon of what you consider the cool kids, you know, we weren't in those groupings, but for people to basically still view him in that way and to include him into that category just shows that, you know, it's not only the people that were close to him that felt, you know, that he had that character, but also people that, you know, maybe he wasn't as close to as well.

HARRIS: Thank you. You also had the chance to see him, I'm sorry, we need the light back, Mike. Had the chance to go to his house on occasion?

SCHEIBE: Sure. A number of times. I would say the ratio of the times that I was at his house versus the times that he was at my house is probably about ten to one, but that's only because my house was closer in proximity to the school than his was, but I definitely spent, you know, more than a few evenings over at his place and he probably spent, you know, hundreds at mine.

HARRIS: Did you have a chance to see him interact with his parents?

SCHEIBE: I did mostly on the golf course with his father. You know, a lot of times when we'd walk home from school I would continue on my way and his dad would come down and he'd meet

HARRIS:1 him on the course and a lot of times I'd end up walking with him and he was always extremely respectful. I've never heard him say a negative thing about his parents or, you know, talk back or anything like that, just nothing but respectful to both his parents.

HARRIS: You talk about you walked along with him on the course sometimes as he played. Is he a pretty good golfer?

SCHEIBE: Yeah, he was a very good golfer. I mean, I know he went on to play in high school, which, you know, you'd obviously have to have a little bit of a skill level in order to do that, but he, he probably spent, you know, I can't even imagine how many countless hours on that course there playing over and over and over again and, you know, definitely improved his game to the point where he was able to play at a higher level.

HARRIS: Do you remember a story about him where he actually, when you were playing with him he actually pared a hole for the first time?

SCHEIBE: I do. And the fourth hole in the Ranch Santa Fe Golf Course is a extremely long difficult hole. Number one handicap, meaning it's the hardest hole in the course. And I was playing with Scott one day and he was probably only about 11 or 12 years so I think it was about a 560-yard hole, which is a pretty good distance, especially for a young kid. And he basically got to the point where he was taking his fifth shot and it was a par five from about 125 yards or so out and he knocked it in the hole for the first time he'd ever pared that hole and, you know, and I kind of like would have expected, you know, jubilation to play that course so many times and then never have been able to do that. And to actually, you know, par the hole for the first time I think his reaction was so, it was almost stoic. He said, "Man, I finally pared this stinkin' hole." You know, just to see the, you know, just the calm demeanor which he celebrated it and I think that was pretty consistent with I guess his behavior. I mean he never seemed to get too high or too low in any situation that being consistent with that one.

HARRIS: You mentioned the word, I think here in your testimony also to mean, genuine, he was very genuine, what did you mean by that?

SCHEIBE: You know, from what I recall of Scott, he's always been the kind of, you know, he's not a fake person. He, what you see is what you get. He doesn't do things for, you know, personal accolades or, you know, to get any type of benefit for himself. He's just a genuinely friendly person, somebody who was, you know, caring about others and polite to people and, you know, never had a bad thing to say and I would consider that somebody to be genuine if those were the characteristics.

HARRIS: You also used the word gentle.

SCHEIBE: Yeah, I mean, I can't remember a time when I saw Scott lose his cool or raise his voice, curse. It's, it's, you know, I can't, I can't imagine that, you know, I could basically ever see him doing anything but be a gentle, kind person from what I remember.

HARRIS: And was that why you were shocked when the accusations were made?

SCHEIBE: Yeah, absolutely. I mean, my first initial response was, you know, there's no possible way this could be the same Scott Peterson that I knew and I basically figured, okay, well, there's got to be dozens and dozens of Scott Petersons so I essentially, out of my own curiosity, just scoured the Internet and I ended up eventually seeing a picture of Jackie and Lee and I just, I mean my heart just absolutely sank because I just felt like this, this can't be. I mean, of all the people who I grew up with and I knew, you know, he would be the absolute last person that I would ever suspect to be accused of something like this and it just made the whole thing just unfathomable to me, you know, based on the person who I knew and the friend that I had back in those days.

HARRIS: I do appreciate you coming to testify. And I know what I was going to ask you was when you were asked to testify did you have to make a difficult decision?

SCHEIBE: It is a difficult decision. I obviously want to be sensitive to both sides and I don't, you know, I'm not, I don't want to upset anybody, but at the same time I think that even though I haven't seen Scott in a long time, I think that, you know, the characteristics and the traits that he showed me back then and my family back then are consistent with what people say now. And, you know, when it came right down to it I just felt like it was the right thing to do in this situation, not only for him, but for his family because I know, you know, they care about him greatly and support him and I don't believe that he deserves to be executed.

HARRIS: Thank you.