Witness: Terra Venable

Date: 2004-06-09

Proceedings held June 9, 2004

Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – Rick Distaso; Cross – Mark Geragos; Redirect – Rick Distaso

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: And, Ms. Venable, don't tell me the address, but you live across the street from 523 Covena?

VENABLE: That's correct.

DISTASO: And you've lived there prior to December 2002?

VENABLE: Yes.

DISTASO: And in, on December 24th, 2002, of course, you were living there, right?

VENABLE: Yes.

DISTASO: And you were living with your significant other, Amie Krigbaum?

VENABLE: That's correct.

DISTASO: And that's the woman who just testified?

VENABLE: Yes.

DISTASO: And also your son Michael?

VENABLE: Yes.

DISTASO: And Amie said he's 14 now. Do you remember was he twelve or eleven then?

VENABLE: He was I believe eleven.

DISTASO: Okay.

VENABLE: He'll be 14 in July, so

DISTASO: Oh, okay. And what happened on the 24th? Can you just kind of take us through the day. What time did you wake up?

VENABLE: Woke up about 10:30. To dogs barking. And didn't really recognize the bark. Sage was barking next door, our next-door neighbor's dog. And so we decided to get up. We went into the kitchen. Made some breakfast. Opened up the blinds. About 1:00 to 1:30

GERAGOS: Objection. Calls for a narrative.

DISTASO: Yeah. Let me, I'll go through it, Judge.

DISTASO: We have to kind of go through this piece by piece.

VENABLE: Okay.

JUDGE: Question and answer.

VENABLE: Okay.

DISTASO: So, anyway, you get up, and then you said, you know, you did your thing. Did you go out on the front porch with Amie when she took the dog out?

VENABLE: No.

DISTASO: Okay. So you stayed in?

VENABLE: Yes.

DISTASO: And then you were home until 1:00 o'clock, you said?

VENABLE: Yes.

DISTASO: And did I get that right? Did you say 1:00 or 1:00 to 1:30?

VENABLE: I believe 1:00, 1:30. I don't know the exact time that we left the house.

DISTASO: Okay. And what happened when you left? Where did you go?

VENABLE: To miscellaneous stores just to do some Christmas shopping, and we also went to the grocery store to buy groceries for a dinner we were going to have that night.

DISTASO: Okay. Other than when you went out shopping, were you and Amie and Michael home the rest of the part of the day?

VENABLE: Yes.

DISTASO: What, so, Amie kind of just took us through this, so that's why I'm running you along a little bit. So you go to the store, and that was the Save-Mart store downtown?

VENABLE: Yeah. Safeway was the first store that we went to, and then we stopped at Blockbuster on our way back down McHenry, and then we stopped at Save-Mart because we needed some canning jars that they didn't have at Safeway.

DISTASO: And made those purchases?

VENABLE: Yes.

DISTASO: And you went home. And how far do you think the Save-Mart, guesstimate, driving time, Save-Mart downtown is from your home?

VENABLE: Maybe five minutes.

DISTASO: And so you get home, and do you remember what time it was you got home?

VENABLE: I believe we got home about 4:10, 4:15 at the latest.

DISTASO: Okay. And just for, just to kind of orient you a little bit, this is People's 31. And would this be a picture looking basically from your porch over at the Peterson residence?

VENABLE: Yes.

DISTASO: What happened next then? You got home and you all three came home?

VENABLE: Yes.

DISTASO: What's the next thing that happened?

VENABLE: It was actually Amie and I came home. My son was home the entire time.

DISTASO: Okay.

VENABLE: We were in the kitchen just preparing dinner. She was going to make a fruit salad so she started to open up her fruit. I check on the turkey, and then she realized that she didn't have marshmallows and called her dad and asked if he could go to the store for her. He said no. So

she at that point left to go back to Save-Mart to get marshmallows.

DISTASO: And what happened next? She went, of course?

VENABLE: She went and came back. She got back probably 4:45, I guess. And we had talked about the Peterson house because we saw a package in their mailbox.

DISTASO: Okay. Let me stop you.

VENABLE: Okay.

DISTASO: The, let's kind of go through the whole day, just what was going on over there at the Peterson house. When you got up in the morning, do you remember seeing whether or not Laci Peterson's car was in the driveway?

VENABLE: Her car was in the driveway.

DISTASO: And you were familiar with the car that she drove?

VENABLE: Yes.

DISTASO: And were you familiar with the car is that Scott Peterson drove?

VENABLE: Yes.

DISTASO: When you got up that morning, was Scott Peterson's car in the driveway?

VENABLE: No.

DISTASO: And up until this point, let's go to this. Up until the time that you guys came back from the store, you know, when you all, you and Amie both came back from the store around 4:15, was Laci Peterson's car still in the driveway?

VENABLE: Yes.

DISTASO: And did you see Scott Peterson's car there?

VENABLE: No.

DISTASO: You said you saw a package somewhere?

VENABLE: Yes.

DISTASO: And where was the package?

VENABLE: It was in their mailbox. It's outside, outside of their courtyard, on the fence.

DISTASO: And what, how did the house look during the day?

VENABLE: Unoccupied.

DISTASO: Okay. Did you see the blinds that are in the front that you can see in the picture, can you see those blinds that you can see from the window, your porch?

VENABLE: Yes.

DISTASO: Do you remember if those were open or closed?

VENABLE: Those were closed.

DISTASO: And they were closed all day?

VENABLE: Yes.

DISTASO: And what happened next, then? Up to this, well, let me ask you this: Up to this point had you seen Laci Peterson at all this entire day?

VENABLE: No.

DISTASO: Had you seen Scott Peterson?

VENABLE: No.

DISTASO: At some point did you, did you see Scott Peterson?

VENABLE: Not, no, not that day. Oh, later that afternoon.

DISTASO: I'm sorry, yeah. Up to this point you had not seen him?

VENABLE: No.

DISTASO: At some point that day did you see him?

VENABLE: Yes.

DISTASO: Okay. You said Amie returned from the store around 4:45?

VENABLE: Uh-huh.

DISTASO: And what's the next thing you remember about what happened?

VENABLE: Well, we kind of had a conversation about it because we saw their Christmas lights come on, so we thought that Laci was home by herself, and

DISTASO: Hold on, let me stop you there.

VENABLE: Okay.

DISTASO: What time did you see the Christmas lights come on?

VENABLE: That was about 4:30.

DISTASO: And, okay, go ahead.

VENABLE: So we had the conversation about that while we were cooking dinner, getting prepared. And we were talking about it was maybe sad that Scott wasn't there and Laci was going to be home alone for Christmas. We just assumed her being there because the lights came on. And then, and then it was about 6:00 o'clock when we got the knock on the door and Scott came up to the door.

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

VENABLE: Yes.

DISTASO: And you said he came up, he knocked on the door. What happened?

VENABLE: Amie answered the door and he asked if she had seen Laci or we had seen Laci all day, and we hadn't seen her, and Amie asked him questions. He said he had been golfing all day and trying to call her all day and wasn't able to get a hold of her. And that was pretty much it.

DISTASO: Okay. And did you ask, I mean did you tell him Yeah, no, we've been home all day or in and out, I guess, and we haven't seen him?

VENABLE: Yes.

DISTASO: And at that point where did he go? Do you remember when he went?

VENABLE: I'm not sure because I was actually standing in the kitchen and she was at the front door, and so I didn't see exactly where he went. She shut the door and said he looked upset, and I guess he went across the street, back across the street to a neighbor's house to check.

GERAGOS: Objection. Motion to strike, just the last portion.

JUDGE: Yeah, the last portion may be stricken.

DISTASO:

DISTASO: The, so after Amie shuts the door, then she was saying something like, you know, What should we do, that kind of thing?

VENABLE: Yeah, she said

GERAGOS: Objection.

VENABLE:, she said he looked upset.

GERAGOS: Misstates the evidence. Go ahead. She corrected it. It's okay. I'll withdraw.

DISTASO:

DISTASO: Go ahead.

VENABLE: She said that he looked upset and she wanted to know if she should go help or, you know, she was asking me What should I do, he looked upset. And that was it.

DISTASO: Okay. At that point then, just to kind of finish this up, at that point then you, you and Amie both went and kind of assisted in the search process as best you could?

VENABLE: Yeah. I actually stayed there because we had people coming over, and Amie went outside to, she grabbed a coat and went outside to go talk to him.

DISTASO: At some point did you end up going down to the park?

VENABLE: Yes.

DISTASO: You personally I mean?

VENABLE: Yes. Us both. I came back with her.

DISTASO: All right. So at some point you and Amie went down to the park?

VENABLE: Yes.

DISTASO: And what time do you think the street kind of cleared out that night? Do you remember?

VENABLE: It was early in the morning.

DISTASO: Okay. So eventually the street kind of cleared out, though?

VENABLE: I think it was probably maybe 2:00 in the morning.

DISTASO: And at some point then people all kind of came back, right?

VENABLE: I thought there was people there the whole time.

DISTASO: Okay. Go ahead. So the next morning, did you go to bed?

VENABLE: Yes.

DISTASO: And what time do you remember waking up on Christmas day, the 25th?

VENABLE: Probably about 9:00 or 10:00. I don't really recall.

DISTASO: Yeah, that's all right. And then some time around there?

VENABLE: Yes.

DISTASO: And do you remember were there a large amount of people on the street at that point?

VENABLE: There wasn't a large amount. There were a few, there were a few reporters out, outside.

DISTASO: And after that point did, did media start coming to the street and spending, you know, more time there, I guess?

VENABLE: Yes. Non-stop.

DISTASO: All right. And how, how long do you think the media presence kind of lasted on your street?

VENABLE: Probably a few months.

DISTASO: Thank you, your Honor. I don't have anything further.

Cross Examination by Mark Geragos

JUDGE: Mr. Geragos.

GERAGOS: The package that you saw at the house, I'm going to squat down here and just try to point. The package that you're referring to was somewhere in this area over here?

VENABLE: No, to the left of the tree where the, where the mailbox is.

GERAGOS: Right there?

VENABLE: Yes. Sticking out of the mailbox.

GERAGOS: Okay. And then when did you notice that package? Was it, I'll take you through. You left the house 12:30 or 1:00.

VENABLE: Uh-huh, yes.

GERAGOS: Okay. Was the package there then?

VENABLE: You know, what I don't recall. We talked about it after we got home from the stores.

GERAGOS: Okay. The first time you recall noticing it was when you came home on that 4:15 trip?

VENABLE: Yes.

GERAGOS: Okay. And the Christmas lights, were they, Amie describes them as kind of icicle style, I guess the white lights?

VENABLE: Yes, they were icicles.

GERAGOS: And when the Christmas lights went on, Scott's truck was not there?

VENABLE: That's correct.

GERAGOS: Okay. And how long after that do you remember seeing, what's the first time you saw Scott's truck?

VENABLE: I saw Scott's truck about 5:30. I would have to refer back to the paperwork of what my initial statement was.

GERAGOS: Okay. As you sit here today you don't have, don't have a clear memory?

VENABLE: No, not right off the top of my head. It was about 5:30, I believe, but I would have to look back to my first...

GERAGOS: Okay. And the, the truck was parked facing in?

VENABLE: It was backed in.

GERAGOS: Backed in. So the rear, the rear portion of the truck was against the, or closer to the wood fence?

VENABLE: Yes.

GERAGOS: Okay. So different than it's, if you turn around and take a look at People's 12. So it would have been the opposite of this?

VENABLE: Yes.

GERAGOS: Flipped around?

VENABLE: Flipped around.

GERAGOS: Okay. And was, if this is the Land Rover, is that where it was parked that day?

VENABLE: Yes.

GERAGOS: Okay. And you saw it parked the whole day like that?

VENABLE: Yes.

GERAGOS: Okay. And your memory also is the same as Amie's that you were awakened some time after 10:30, she keeps saying 10:38 but don't hold her to the, to the time on the clock, by Sage barking? That's the dog that's to the right of your house?

VENABLE: Yes.

GERAGOS: Okay. And another dog who at the time you didn't know what dog it was?

VENABLE: That's correct.

GERAGOS: Okay. And the, the people right to your left are the Medinas, correct?

VENABLE: Yes. Yes.

GERAGOS: And that's Mr. and Mrs. Medina; they live next door?

VENABLE: Yes.

GERAGOS: And did you see them that morning?

VENABLE: No.

GERAGOS: Did you hear them leave that morning?

VENABLE: No. I didn't even know they were gone on vacation.

GERAGOS: Okay. Were you guys at the house, you and Amie and Mike, on the 24th and 25th and the 26th?

VENABLE: We were there the 24th the whole day. We left for a little bit on the 25th to go to family for Christmas, but we were maybe gone for two hours or so.

GERAGOS: And then,

VENABLE: And the 26th we were home.

GERAGOS: You were home all day?

VENABLE: Yes.

GERAGOS: Okay. What was the presence on the street like on the 26th? Did you have nothing but press and people and the, it was pretty tough to get in and out of your driveway?

VENABLE: Yeah. There was, there was a lot of press and cars and people.

GERAGOS: Can I have just one moment?

GERAGOS: I have no further questions. Thank you.

Redirect Examination by Rick Distaso

JUDGE: Any redirect?

DISTASO: Just a couple, your Honor.

DISTASO: Where is, Terra, where is your bedroom?

VENABLE: It's the front right of the house.

DISTASO: Okay. So does it face the street?

VENABLE: Yes.

DISTASO: And these homes, do they have that dual pane kind of glass? Or single pane?

VENABLE: Ours has really thin single paned glass.

DISTASO: And you heard, heard the dog, or Sage, the Medina's dog, bark, and that's what woke you up?

GERAGOS: No, I don't think.

DISTASO: Is that what

VENABLE: It's not,

GERAGOS: Misstates the evidence.

JUDGE: They have more than one dog barking, you can recognize one as Sage but didn't recognize the other dog.

GERAGOS: And Sage is not the Medina's dog.

VENABLE: No, he's on the other side.

JUDGE: Sage is on the other side of the house.

DISTASO: Sage is on the other side. Okay. I got that mixed up. I don't have anything further.

GERAGOS: Nothing further.