Witness: Lisa Martin

Date: 2004-06-15

Proceedings held June 15, 2004

Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – David Harris; Cross – Mark Geragos; Redirect – David 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/MartinLisa.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 David Harris

HARRIS: Miss Martin, could you tell us where you are employed?

MARTIN: Currently I'm employed at Doctors Medical Center in Modesto.

HARRIS: And what do you do there?

MARTIN: I'm a Cardiology Assistant.

HARRIS: And does that mean that you have some kind of medical training?

MARTIN: Yes, I do.

HARRIS: And what is that?

MARTIN: Medical assisting.

HARRIS: And in your capacity as Medical Assistant, I want to take you back to the year of 2002. Did you also have that same medical background?

MARTIN: Yes, I did.

HARRIS: Where did you work back then?

MARTIN: Hera OB-GYN Incorporated. H-e-r-a.

HARRIS: What was your duties or our capacity work at that particular medical group?

MARTIN: Medical assisting.

HARRIS: And since it's OB-GYN, you can kind of figure it out. But just for the record, can you tell us what kind of patients do you see there?

MARTIN: Obstetrical and gynecological.

HARRIS: Lot of pregnant women?

MARTIN: Yeah.

JUDGE: That's why it's called OB-GYN.

MARTIN: Stressing the OB.

HARRIS: And in this particular practice, is there, just to go this, there is a Doctor Endraki?

MARTIN: Endraki.

HARRIS: Doctor Yip?

MARTIN: Yes.

HARRIS: And a Doctor Tow, sometimes goes by Tow-Der?

MARTIN: Yes.

HARRIS: And did you work for those doctors during that time period?

MARTIN: Yes, I did.

HARRIS: And directing your attention specifically to January 11th of 2002, were you working for them then?

MARTIN: Yes, I was.

HARRIS: I want to get to some records. You are looking up in the air when I was talking about a date. Is part of the practice there at this medical group, when a patient would come in, would you, as a nurse, when you are dealing with these patients fill out a chart?

MARTIN: It depends on what they came in for. If it was obstetric or gynecological.

HARRIS: Let's talk about if a woman came in, and it was part of the pregnancy, so you are starting out, you have a new chart for them in terms of their pregnancy, would you set up a chart for them, and certain paperwork would be filled out?

MARTIN: Yes, I would.

HARRIS: Like to have marked next in order.

JUDGE: 56. You are, are you a Physician's Assistant?

MARTIN: No. I'm a Medical Assistant.

JUDGE: Or Medical Assistant?

MARTIN: Un-hun.

HARRIS: Miss Martin I'm going to show you what's been marked People's Number 56, give you a chance to look at this. Do you recognize that?

MARTIN: Yes, I do.

HARRIS: And for the record, does that appear to be a true and accurate copy of the progress report for the Laci Peterson file from that particular medical group?

MARTIN: Yes, it does.

HARRIS: Now, specifically talking about a July 11th of 2002. Did Laci Peterson come into the doctor's office that day?

MARTIN: Yes, she did.

HARRIS: Did you see her that day?

MARTIN: According to the records, yes, I did.

GERAGOS: I'm sorry, what date?

HARRIS: July 11th of 2002.

HARRIS: Just to go through the practice, whatever would occur with that medical group, would you, when a new patient come in, or a patient would come in with a pregnancy, would you go through a standard kind of protocol filling out paperwork?

MARTIN: Yes, we would.

HARRIS: And, is looking at those three particular documents there, can you explain to the jury what that is?

MARTIN: Well, I have not worked there for a year and half. I'll do what I can. When a person calls stating that they are pregnant, being confirmed by a home pregnancy test, or a general practitioner's office, we would set them up with two appointments, one being their OB intake. That's when we intake all their information as far as any previous pregnancy, gather and estimate the date of confinement, their due date, go over any medical history, order the routine lab work that the doctors have set aside for us to order, and answer any questions to our ability that we can answer.

HARRIS: From looking at those, what's marked there, three pages that are stapled together, does that appear to be records that you recognize?

MARTIN: Yes.

HARRIS: Do you see your initials or signature on there?

MARTIN: Yes, I do.

HARRIS: And is that the initial paperwork that was filled out, or you took the information from Miss Peterson on July 11th of 2002?

MARTIN: Yes, it is.

HARRIS: When you saw her on July 11th, 2002, did you talk to her about like when her last dates of menses was, try and establish when the conception occurred?

MARTIN: Yes, we always go over that. They will give us their estimated last menstrual period. And we have a wheel. They give you the actual estimated date that they would deliver. And going by that, it would be February 10th, 03.

HARRIS: Based on the information you have took from Miss Peterson that day, you kind of spun the wheel and comes up with the estimated due date?

MARTIN: Yes.

HARRIS: Now, on the particular documents that you have before you there, does it refer to by initials?

MARTIN: Yes.

HARRIS: What were the initials that you used for the due date?

MARTIN: Repeat the question.

HARRIS: What are the initials that you used for a due date?

MARTIN: EDC.

HARRIS: That, again, stands for?

MARTIN: Estimated Date of Confinement.

HARRIS: After you dealt with Miss Peterson on July 11th, did you see her again?

MARTIN: Yes, I did?

HARRIS: And again this is just kind of a standard visit that she would come in?

MARTIN: The next one, according to the records, was July 16th. And that was for her first at OB visit with the physician; and having the ultrasound on that day as well.

HARRIS: So that would be about five days later?

MARTIN: Yes.

HARRIS: Now, you indicated that you haven't worked at that particular office for a while. Just to go through these particular records then briefly, the top page, is that kind of a progress report as the patient progresses through their pregnancy, how that form is filled out?

MARTIN: Yes, sir. It's considered a flow sheet. It has the dates, and weights, and blood pressures of each and every visit, as well as the doctor's comments off to the side, and the doctor's initials.

HARRIS: And the second page in that particular document?

MARTIN: The second page is a medical history of the patient and the patient's family.

HARRIS: And page three?

MARTIN: A prenatal genetic screening that the patient fills out on their own. If they have any questions, they will ask us, and we'll go over it with them.

HARRIS: Page three of that particular document, is that more typed text, some kind of advisement to the patients?

MARTIN: No, it is not. It's just an, asking basically history. Kind of something like we did through the second page here. Just birth defects, father side, things of that nature. Things that we wouldn't have asked on the other page.

HARRIS: And as you sit here now, do you remember many of the visits that you had with Miss Peterson back during that time?

MARTIN: No, I don't.

HARRIS: People have no other questions.

JUDGE: Mr. Geragos. Just one other. Are those records kept in the ordinary course of business?

MARTIN: Pardon me?

JUDGE: Are those records kept in the ordinary course of business at the medical office?

MARTIN: Yes.

JUDGE: Go ahead.

Cross Examination by Mark Geragos

GERAGOS: The July 11th date that you have on there, it says intake done. Is that what you did?

MARTIN: Yes. That's the intaking of the information from the patient.

GERAGOS: Okay. And then can you, there is some other information that's there that's kind of abbreviated. What's that mean?

MARTIN: It says intake done, which is intaking of all the information, labs ordered, as far as their obstetric panel, which is their blood type, their antibodies Rh, their hemoglobin, hematocrit. And then we do order a thyroid, and we also do a urine test just to make sure there is not anything else. A book, we give them a book at the beginning that is supplied by a formula company. It's what to expect when you are expecting. Commonly asked questions and answers are in the book for the patient. We go over that with them. A packet, which is bag that has information on all kinds of other testing that they can have throughout, as well as just like for Motherhood coupons, and books that they can get for free, for clothing, or whatever. CF test is for Cystic Fibrosis. They come out with a new test to test women who might be at risk. Patient taking OTC vitamins. The patient is already taking over-the-counter prenatal vitamins, so none were prescribed at that time.

GERAGOS: So did that indicate to you that when she came in on July 11th, she had already done some home pregnancy test?

MARTIN: Yes.

GERAGOS: Okay. And you would assume that why?

MARTIN: They are not allowed to make an appointment unless they have stated that they took a loam pregnancy test, it was positive, or that they have taken a test at their general practitioner's office.

GERAGOS: Okay. Do you remember in this case whether she had done the home pregnancy test, or whether it was at another practitioner?

MARTIN: No, I do not recall.

GERAGOS: She give you, is there any information in the records there, I didn't see any, so you tell me if I may be missing it, that she had been to another practitioner?

MARTIN: It would be in the rest of the chart if she had.

GERAGOS: Okay. You don't see anything in here?

MARTIN: I don't see anything here that indicates. We would be usually put transferred from, and then the office they had transferred from if they hadn't started their pregnancy with us.

GERAGOS: I'm going to put this on the screen so the jury can see what we're talking about. I don't know if they are going to be able to read it that well. But I assume the portion that you put in the records for intake right here, and this would correspond to the date that you saw Laci?

MARTIN: Yes, it would.

GERAGOS: Okay. And that date, if she had been to another practitioner, normally would put somewhere in this space, transferred from?

MARTIN: At the beginning of it, before the intake portion, it would say transferred from, and they we would get the information. It wouldn't be written as that.

GERAGOS: Okay. Now, the District Attorney had asked whether the last date what he would have how you would have calculated the EDC. Did you do that on the 11th?

MARTIN: Yes, I did.

GERAGOS: Can you see where you would have put that information at the top, where it says LMP, 05-06-02?

MARTIN: That's her last menstrual period. EDC 02-10-03, that's her Estimated Date of Confinement.

GERAGOS: And then this,

MARTIN: That is from her twenty week ultrasound. And that is, they put it as a corrected EDC. But, in fact, if the due dates are not over a week in discrepancy, they keep the original 02-10-03.

GERAGOS: So this information typed in on February shows February 10th as the due date.

MARTIN: Yes.

GERAGOS: That typed in the same time you are doing this information here?

MARTIN: Yes, it is.

GERAGOS: Okay. Is it a fair statement that you typed in your information as opposed to handwriting anything else that's in the file?

MARTIN: On that particular visit, yes.

GERAGOS: Okay. That's what I'm talking about. On the 11th, your information is all the typed,

MARTIN: Yes. Yes, it is.

GERAGOS: Anything we see that's typed, you would have done from the visit on the 11th?

MARTIN: Yes.

GERAGOS: Okay. Now, when you come up with the estimated EDC, that's what I would, lay person would just say the date that you are expecting?

MARTIN: Or due date, yeah.

GERAGOS: The due date. When you put that in there, as 2-10-03, that's based on just when the last menstrual period ended, correct?

MARTIN: It's when it started.

GERAGOS: Actually when it started; is that correct?

MARTIN: That's correct.

GERAGOS: And so you just do a rough calculation based upon that, right?

MARTIN: Yes, we do. But it also goes by, on the second page of that form, it takes a menstrual medical history as to how long her periods last, is she always normal, is she abnormal, was that period any different.

GERAGOS: Before I put it up there, that's this information?

MARTIN: Right here. The age that she started regular. How many days it lasted.

GERAGOS: Let me just show that. And I assume that you did that as well, correct?

MARTIN: Yes, I did.

GERAGOS: It's typed up here. And this information here that's typed up would be the information that you used to calculate the 10th of February, correct?

MARTIN: Going by the information that she had supplied, yes.

GERAGOS: Did you get any information from her regarding when she was doing the home pregnancy test?

MARTIN: No.

GERAGOS: Did you ask her when she had first determined that she got a positive result on one of the home pregnancy tests?

MARTIN: No. They do that actually whenever the patient calls in to make the appointments, they ask when they took the pregnancy test, and they try to make the intake appointment between eight to nine weeks of pregnancy.

GERAGOS: Okay. Do you, is there anywhere in the records here, you can take a look at what I have got, that shows, in fact, where that information is chronicled?

MARTIN: That she had taken a home pregnancy test, or otherwise?

GERAGOS: When was, when she had last done it?

MARTIN: No.

GERAGOS: I'm going to show you another document. It's actually a series of documents I'm not going to mark yet, unless she finds something that would help. Is there anything in this package that gives you that information?

MARTIN: There really wouldn't be unless there is a phone message maybe that she called.

GERAGOS: That's all. I'm just asking to take,

MARTIN: Nothing. There would be nothing.

GERAGOS: Okay. Now, the twenty week ultrasound, were you there when that's done as well?

MARTIN: Yes, I was.

GERAGOS: And what other visits were you there?

MARTIN: Very first visit with the ultrasound. And I was also the person that brought her back at her twenty week ultrasound.

GERAGOS: Okay. Put this back up on the screen for now. So besides the 7-11 date, you were also there, this is your handwriting here?

MARTIN: Yes, it is.

GERAGOS: Well, no.

MARTIN: It ends there. Just in the boxes.

GERAGOS: In the box, here over,

MARTIN: No. Not all the way. The one that says the weight, blood pressure, the urine, and that's it.

GERAGOS: That's it. Everything else,

MARTIN: Everything else is, looks like the Nurse Practitioner.

GERAGOS: Okay. And you know who that was?

MARTIN: That was Cheryl Smith.

GERAGOS: Then the next time you saw Laci with Scott was when?

MARTIN: I didn't state that I saw Scott.

GERAGOS: Did you see Scott when you were there?

MARTIN: I don't recall.

GERAGOS: How many patients do you see or did you have back then, say, in a week?

MARTIN: Just for this, there was only four that afternoon. On any given day there could be 40, 30.

GERAGOS: Okay. And what's the next, what's the next date that you,

MARTIN: Looks like I spoke to her on July 17th, advising her of her positive urinary tract infection.

GERAGOS: Okay.

MARTIN: And the medications were called in.

GERAGOS: And then after that?

MARTIN: Looks like the 21st of September.

GERAGOS: This date?

MARTIN: Yes.

GERAGOS: The 21st or 24th?

MARTIN: I can't read from here.

GERAGOS: Okay. And no complaints?

MARTIN: That is the physician's writing again. That's not mine.

GERAGOS: That's not you?

MARTIN: No.

GERAGOS: And at that point you are just putting in the date, and then,

MARTIN: I'm putting in the date, the patient's weight on that date, blood pressure on that date, the urine. Again, and then we, I would set up the ultrasound machine for the physician to do the ultrasound.

GERAGOS: Gestational age, which is this category right here?

MARTIN: Yes.

GERAGOS: Okay. On July 16th, what was the estimate of the gestational age?

MARTIN: Looks like ten weeks and one day.

GERAGOS: Okay. And the abbreviation, if I have got it right, is weeks is in the large numbers, and when you go up that's the day, number of days?

MARTIN: Yes, it is.

GERAGOS: Okay. And is your handwriting anywhere else on this gestational age?

MARTIN: I didn't write on any of the gestational age. Again, that was the Nurse Practitioner where it says ten-one.

GERAGOS: Same with here, fifteen-one?

MARTIN: Yes. The doctors are the ones that input that.

GERAGOS: Fifteen weeks, one day. And December 23rd, looks like it's an even 32 weeks?

MARTIN: Judging by looking at that, yes.

GERAGOS: And her weight?

MARTIN: That is not myself that was there at that time.

GERAGOS: Okay.

MARTIN: But, yes, that looks like weight.

GERAGOS: So is it standard practice, when somebody comes in for an appointment, that you weigh them, and then the weight gets entered right next to the gestational age?

MARTIN: Yes. Well, gestational age is not entered until, during the actual appointment with the doctor.

GERAGOS: So because, looks like it is separate handwriting on those?

MARTIN: Yes, it is.

GERAGOS: What actually happens when you go in there is that Laci would go in, she would get weighed by the Medical Assistant?

MARTIN: Un-hun.

GERAGOS: Then she would write that information in, they go in, they see the doctor?

MARTIN: No. We let them through the door, and we have them weighed, write it right while they are there. We have them use the restroom, leave a urine sample, and we're on the other side. We get dip urine protein and sugar. Looks like glucose. Then we take them to the room, we get their blood pressure, and that's about it. And then if they need to undress, or whatever, hand them a gown to do so.

JUDGE: That happen on December 23rd?

MARTIN: On what date?

JUDGE: December 23rd.

MARTIN: I wasn't there at that point in time.

JUDGE: But that entry is December 23rd.

GERAGOS: The entry right there says 12, appears to say 12-23.

JUDGE: Okay.

GERAGOS: Is there any indication as to, on this form as to what time of the day that was?

MARTIN: No. That would be on the sign-in sheet that's kept in records at the office. Exact time they signed in, the exact time of the appointment.

GERAGOS: And so that I understand on the gestational age column that's there, that's put in by the,

MARTIN: The physician or the Nurse Practitioner that saw the patient.

GERAGOS: And how is that calculated? Do you know? Or is it up to them to make the determination?

MARTIN: That actually goes by the initial, last menstrual period and the EDC.

GERAGOS: Okay. And do they adjust that?

MARTIN: Like I said, at the twenty week ultrasound, it's only a six-day discrepancy. They don't use the ultrasound date. They still use the other date. Because all babies are not the same size.

GERAGOS: Twenty week is what, which one?

MARTIN: Right down, one right there. Up one. Right there.

GERAGOS: One week, one day?

MARTIN: Yes.

GERAGOS: And at that point she was 137 pounds?

MARTIN: That's what it appeared to be, yes.

GERAGOS: What did you, when did you stop working there?

MARTIN: The end of December in whatever, 02.

GERAGOS: Some time after the 23rd?

MARTIN: No, it was the before the 23rd.

GERAGOS: Before the 23rd. May I have just one moment?

JUDGE: Sure.

GERAGOS: I have no further questions. Thank you.

Redirect Examination by David Harris

HARRIS: Miss Martin, you say there were, so we're all clear, look at this up on the screen now. So you did the intake on July 11th?

MARTIN: Yes, I did.

HARRIS: You saw Miss Peterson again on July 16th?

MARTIN: Yes, I did.

HARRIS: And she was seen by the doctor on the 16th?

MARTIN: No. She was seen by the Nurse Practitioner on the 16th.

HARRIS: And based on something that transpired on the 16th, prescription was given, and you called her back on the 17th?

MARTIN: No. On the 17th, that would have been from her lab work that was ordered on the 11th.

HARRIS: All right.

MARTIN: That would have been from the results of that.

HARRIS: And then that's when you called her on the 17th?

MARTIN: Yes.

HARRIS: And then you saw her again to do the initial, come through the door, go in there, leave a sample, that you were describing on the 21st of September?

MARTIN: Yes.

HARRIS: And so from what you can tell from looking at the chart, those are the only times that you had kind of direct contact with Miss Peterson?

MARTIN: Yes.

HARRIS: Now, at the top, you are describing for us that, based on the initial calculations from the history that she gave you, what you described on the second page of that document, that little wheel when you spin, gave you February 10th of 03 as the estimated due date?

MARTIN: Yes.

HARRIS: She was seen by the doctor, and after the doctor did the ultrasound, the doctor wrote up there an estimated corrected due date of 2-16 of 03?

MARTIN: That was on her twenty-week ultrasound. That was not on the first ultrasound.

<<rest of page missing>>