Witness: Randy Griffin

Date: 2004-10-04

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Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – Rick Distaso; Cross – Mark Geragos; Redirect – Rick Distaso; 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: Mr. Griffin, where are you employed.

GRIFFIN: I'm a U.S. Postal Inspector employed by the United States Postal Service.

DISTASO: Just briefly, what are your duties there?

GRIFFIN: I investigate various criminal activities related to the United States mails, whether they be assaults or burglaries, assaults of postal employees or burglaries of U.S. postal facilities.

DISTASO: Let me stop you there. As part of your duties, do you also perform a custodian of records function for the post office?

GRIFFIN: Yes.

DISTASO: Okay. And by that, do you, if people subpoena postal records, do you bring, find the records and then bring them to court and testify about the accuracy of the documents?

GRIFFIN: Yes, I can do that.

DISTASO: Okay. Let me show you 285, what's been marked as 285 B. Do you recognize what these documents are?

GRIFFIN: Yes, I do.

DISTASO: And what are those?

GRIFFIN: These are postal service forms, 3575, which are change of address forms that the postal service will receive from customers who would like to forward their mail from one address to another.

JUDGE: Are they kept in the ordinary course of business, Mr. Griffin?

GRIFFIN: Yes, they are, your Honor.

JUDGE: Go ahead.

DISTASO: And let's just go through this, what this particular form tells us. 285 B. Just start at the top and just kind of talk the jury through that what form is.

GRIFFIN: This card is a card that was, is dated January 30th, 2003, with the name of Scott Peterson, requesting to forward the family, the entire family's mail from 523 Covena Avenue in Modesto, California, to 1801 H Street, which is a commercial mail receiving agency, Mail Boxes Etc., suite 290, in Modesto, California.

DISTASO: So just in common parlance, that would be, and who, who put that form in? What name is on there?

GRIFFIN: It's signed Scott Peterson.

DISTASO: So Mr. Peterson put in a change of address form on January 30th to change his mail from his home to his, a post office box at the Mail Boxes Etc. location?

GRIFFIN: It appears so, yes.

DISTASO: Okay. And what's the second, there's two forms there. What's the second form of that exhibit, 285 B?

GRIFFIN: The second form is also a change of address card, submitted on the same date, January 30th, 2003, in the name of Scott Peterson, and also a business, TradeCorp, requesting the post office forward mail for those two names from 1027 North Emerald, Apartment B 1, in Modesto, California, to 1801 H Street, which is the same commercial mail receiving agency, Mail Boxes Etc., Suite 290. And it's,

DISTASO: Okay. From one location that, that you told us to this post office box, is that right?

GRIFFIN: To this commercial mail receiving agency, yes. And the second one is also signed Scott Peterson.

DISTASO: You're using the terms commercial mail receiving agency. I think I have been calling it a post office box. What's the difference?

GRIFFIN: Oh, the difference is it's a private company, which has authority to receive mail from people who, for one reason or another, are unable to obtain or do not want a postal service, post office box at a post office.

DISTASO: And let me show you now a 285 A. And can you tell us what those two particular documents are?

GRIFFIN: Yes. These are, these are postal service form, forms 1583, which are applications for delivery of mail through a commercial mail receiving agency. These forms are required by U.S. postal regulation to be, to be completed on every customer of a commercial mail receiving agency that receives mail.

DISTASO: Okay. And are those documents kept in the normal course of business of the post office?

GRIFFIN: Yes.

DISTASO: Okay. And those, those copies that you have in front of you, are those true and accurate copies of the documents that you have in your own file?

GRIFFIN: Yes, sir.

DISTASO: The, those particular documents, what's the date of those particular, when that form was filed?

JUDGE: The 1583 form.

GRIFFIN: December 23rd, 2002.

DISTASO: Okay. And that form was establishing a, a mail address at what location?

GRIFFIN: At the Mail Boxes Etc., 1801 H Street, Suite B 5, in Modesto, California.

DISTASO: And are those documents also filled out by Scott Peterson?

GRIFFIN: It appears, it appears so. The name Scott Peterson is on both documents.

DISTASO: And do those documents require some form of identifying information?

GRIFFIN: Yes, they do.

DISTASO: And on that particular, on 285 A, what identifying information was provided?

GRIFFIN: A California driver's license, A5077297. And a Visa card, number 4217-6589-3249-8575.

DISTASO: Thank you, your Honor. That's all I have.

Cross Examination by Mark Geragos

GERAGOS: Thank you. Good morning, Mr. Griffin.

GRIFFIN: Good morning.

GERAGOS: The date on those two, you've got two official forwarding change of address forms there?

GRIFFIN: Yes, I do.

GERAGOS: Both of these, I assume these are the, what is marked 285 B, the date, the date on here, it looks like a 12/3 but it's not actually, is it. It's 2/3/03, is that right?

GRIFFIN: That's two three zero three, yes.

GERAGOS: You mean February 3rd of 03?

GRIFFIN: Correct.

GERAGOS: Okay. And that's for the Covena mail to go to the post office box?

GRIFFIN: Yes.

GERAGOS: Okay. And then two days later, I guess, this little, it kicks in, is that right? February 5th is when the, somebody, somebody mails something, you get one of these little address forms that comes back?

GRIFFIN: The yellow, the date on the yellow sticker is the date the mail was actually begun forwarded by the postal service.

GERAGOS: Meaning it started on February 5th?

GRIFFIN: Yes. That's, that's what they call a central forwarding, central forwarding date. That's the date that it had got programmed into the equipment to begin forwarding that mail.

GERAGOS: Okay. And then the second one behind it is for TradeCorp to, at this address, Emerald, to go now to this address here, is that correct?

GRIFFIN: Yes.

GERAGOS: Okay. And that's, I peeled this back. That's just showing, I assume this yellow sticker is placed after somebody fills it out with the date on it?

GRIFFIN: On the sticker?

GERAGOS: No. The sticker reads with a to forward, right?

GRIFFIN: Yes.

GERAGOS: Okay. The date signed, presumably, is the date that they, that it was done, correct?

GRIFFIN: Yes.

GERAGOS: Okay. And then what this does is that this would forward mail from the Emerald address to this post office box, correct?

GRIFFIN: Yes.

GERAGOS: Okay. And then the other form that you have got there is the application for the post office box. It just shows that, it lists his home address, and then specifically has got mailboxes, a mailbox there, and then specifically a mailbox here for TradeCorp and listing the TradeCorp address, correct?

GRIFFIN: Yes.

GERAGOS: Okay. So it appears that he's getting a mailbox on the 23rd, is that correct?

GRIFFIN: That's the date on the form, yes.

GERAGOS: Okay. And then he's having mail forwarded sometime at the end of January, is that correct?

GRIFFIN: Yes. From, yes.

GERAGOS: From the date of January 30th, I believe?

GRIFFIN: Right. To, to this address, yes.

GERAGOS: Right. To the mailbox. And, specifically, do you know that the P.O. Box or the mailboxes that the post office has in Modesto, were they full at that point? Could you go and rent a mailbox in January of 03 or December of 02?

GRIFFIN: As, as I explained, a customer can apply for a post office box at a post office.

GERAGOS: Is there sometimes a waiting list for that?

GRIFFIN: Yes, there is sometimes a waiting list.

GERAGOS: Do you know in December and January whether there was a waiting list in the Modesto post office for post office boxes?

GRIFFIN: It would depend on the station or branch the application came in. And, no, I do not.

GERAGOS: Okay. And specifically do you know if there was a series of break-ins to the 1027 Emerald location, mail thefts from the mail kiosk that was out there during that period of time?

GRIFFIN: What's located at 1027?

GERAGOS: That would be the address, one of the addresses where the mail was forwarded to a post office box, the TradeCorp address.

GRIFFIN: I don't know if there was a break-in at TradeCorp. I don't know.

GERAGOS: Okay. Do you know if there was any mail thefts from the 523 Covena address?

GRIFFIN: I don't know.

GERAGOS: Thank you. I have no further questions.

Redirect Examination by Rick Distaso

DISTASO: I have just one question.

JUDGE: All right.

DISTASO: Clear up one. Just a date issue. Let me just put this one up on the screen real quick. Just so that we're clear on what the dates are, Mr. Griffin, the date right here where it says Official Use Only and has the two three date, is that filled out by the person who's filling out the change of address form? Or is that filled out by a postal employee?

GRIFFIN: That corner is filled out by a postal employer prior to having it sent to the CFS unit that creates the yellow tag.

DISTASO: Okay. What's the CFS unit?

GRIFFIN: That's the central forwarding unit.

DISTASO: Okay. Is that a post office place, I guess?

GRIFFIN: The central forwarding unit is a central location that all mail from a certain area will, will find its way to be forwarded.

DISTASO: Nothing further, Judge.

Recross Examination by Mark Geragos

GERAGOS: Do you have a, I love this. I'll use the form number. You've got a 3546 there in front of you? Form number?

GRIFFIN: 3546?

GERAGOS: I bet you know what that is.

GRIFFIN: Yes, I do.

GERAGOS: Okay. Do you have one there?

GRIFFIN: Yes, I do.

GERAGOS: Who filled that out?

GRIFFIN: Well, which one are you talking, are you referring to?

GERAGOS: Looks like there's one that's dated time, this order date, February 28th, 03?

GRIFFIN: Is there a signature on the document?

GERAGOS: No.

GRIFFIN: In general that document can be completed by a post office customer or a postal employee to correct or change a discrepancy on a forward, on an original forward.

GERAGOS: And was that done in this case?

GRIFFIN: It appears that the, the customer who completed the original forward from 523 Covena to 1801 H Street failed to put the suite number, B 5, which is the, is the physical address of this commercial mail receiving agency. This document appears to have been submitted to make that correction.

GERAGOS: On what date?

GRIFFIN: On February 2/28 03.

GERAGOS: Thank you. No further questions?

DISTASO: I don't have anything else.

JUDGE: Mr. Griffin be excused?

DISTASO: Yes.

JUDGE: Mr. Griffin, thank you very much. Appreciate your time.