Witness: Sandy Rickard

Date: 2004-06-08

Proceedings held June 8, 2004

Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – Rick Distaso; Cross – Pat Harris; Redirect – Rick Distaso; Recross – Pat Harris

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: Do you know, did you know who Laci Peterson was?

RICKARD: Yes.

DISTASO: Okay. And you also know who the defendant in this case is, Scott Peterson; is that right?

RICKARD: Yes.

DISTASO: Just briefly, how is it, what's your relationship to Laci and the defendant's family?

RICKARD: Sharon's my best friend.

DISTASO: Sharon, her mother?

RICKARD: Sharon, her mother, is my closest friend.

DISTASO: And how long have you been friends?

RICKARD: Probably about 20 years, but been very close for about the last ten.

DISTASO: And after Laci moved back to Modesto from San Luis Obispo, did you also have a relationship with her?

RICKARD: Yes.

DISTASO: And do you feel that, you know, over the course of the couple years that she was here, do you think you got to know her fairly well?

RICKARD: Yes.

DISTASO: Just briefly, I mean, can you give me a couple sentence description of how you would describe her.

RICKARD: Sure. I have a smile on my face because that's the way that she was. She just would brighten up a room, vivacious, intelligent, life of a party.

DISTASO: Was, I mean, was she a nice person?

RICKARD: Oh, very much so.

DISTASO: Would you call her friendly?

RICKARD: Yes.

DISTASO: Let me ask you, did you get a call on December 24th, 2002, from Sharon?

RICKARD: Yes.

DISTASO: Can you describe that call for the jury.

RICKARD: Yes. Do you want me to tell the time or

DISTASO: Sure. Yeah, I'll ask you more questions in a minute, but just take me through that time log.

RICKARD: Okay. When I received the call, I wasn't quite sure who was on the other end for a moment because Sharon was a little bit hysterical. And I knew that something was important; that she needed me. And I wasn't quite sure what she had said to me, but I knew that there was a problem with Laci or McKenzie. I didn't know what it was. I immediately went to her house.

DISTASO: Okay. And when you got there, what happened when you got to the house?

RICKARD: When I walked in, Ron was on the phone, Sharon greeted me at the door and almost literally fell into my arms in hysterics.

DISTASO: Sharon did?

RICKARD: Sharon did. And she said Laci's missing.

DISTASO: And what, did you see what Ron was doing at that time?

RICKARD: Yes, he was in the background on the phone.

DISTASO: Okay. And do you know who he was calling?

RICKARD: He was talking to hospitals and police officers.

DISTASO: After, what happened next, where did you go next?

RICKARD: We didn't stay there long. Sharon wanted to go to the park to search for Laci, so we left shortly after I arrived to pick up Sharon and we went to the park, just the two of us.

DISTASO: And what happened when you got to the park?

RICKARD: Sharon and I were walking around the park looking for Laci.

DISTASO: What was going on, you know, what were you doing?

RICKARD: Basically with Sharon.

DISTASO: Okay.

RICKARD: Walking around, looking, calling her name.

DISTASO: Hm-hmm.

RICKARD: And just searching.

DISTASO: And what was Sharon doing?

RICKARD: The same.

DISTASO: At some point did a jogger or somebody run by?

RICKARD: Yes, there was a jogger who was the vicinity in the park and Sharon went up to the jogger and found out that he was a doctor.

DISTASO: Hm-hmm.

RICKARD: And he had a cell phone and he started calling hospitals.

DISTASO: Okay. And what happened next.

RICKARD: I believe what happened next, to my recollection, is we spotted a few more people in the park that we recognized. One was Scott in the distance and one was Zach.

DISTASO: Who's' Zach?

RICKARD: Zach is Amy's half brother. Amy's brother.

DISTASO: Okay. And did you go up to them?

RICKARD: Zach started coming up to us and at that time Scott started coming towards us as well.

DISTASO: And what happened when you first approached the defendant, Scott Peterson?

JUDGE: Well, she said they approached.

DISTASO: Oh, okay.

DISTASO: Did you speak to him?

RICKARD: I didn't, but Sharon did.

DISTASO: And what was his demeanor?

RICKARD: Pretty calm.

DISTASO: Okay. And if you compare his demeanor against Sharon's, did you notice a contrast?

RICKARD: There was no comparison. He seemed very calm, she was pretty hysterical.

DISTASO: Okay. What happened next?

RICKARD: We stayed there for a bit. Sharon tried to talk to Scott a little bit. All of a sudden more people started arriving. Police officers, my husband, I called him, some more people for reinforcement, some friends.

DISTASO: Okay. Did, how long do you think you were down there in the park?

RICKARD: I'm going to guess about 15 minutes, maybe a little longer.

DISTASO: You're saying a guess, but is that like an estimate?

RICKARD: It's an estimate.

DISTASO: Okay. And after you left the park, we've heard testimony that then Sharon went back to the house, is that what you did?

RICKARD: When we left the park we went to Laci's house.

DISTASO: Okay. You went back to 523 Covena?

RICKARD: Correct.

DISTASO: Right. When you were up there at the house, did you ever go inside the house?

RICKARD: No.

DISTASO: Did, but where did you stay at the house?

RICKARD: We were in front of the house and more people were arriving. We were basically hanging out. We weren't allowed to go in the house.

DISTASO: Okay. And family members and other folks were arriving?

RICKARD: Family members, friends, relatives, yes.

DISTASO: And,

RICKARD: Police officers.

DISTASO: Okay. Where at the house were you, were you guys kind of standing?

RICKARD: Pretty much on the front lawn, in the street, but pretty much on the front lawn taking over the neighborhood.

DISTASO: There were a lot of people coming?

RICKARD: A lot of people gathered, yes.

DISTASO: Okay. At some point that evening did you speak to Scott Peterson up at the house area?

RICKARD: Yes, he came up to me.

DISTASO: And who was with you when he came up to you?

RICKARD: When he came to speak to me I was standing there by myself on the front lawn.

DISTASO: And where were you standing?

RICKARD: On the front lawn.

DISTASO: There's a diagram behind you, do you recognize that diagram, the area at 523 Covena? You can put your glasses on if you need to.

JUDGE: You can lead her to it. The bottom part of course is the street.

RICKARD: Yes.

JUDGE: The parking area is on the right. Do you recognize that as their home?

RICKARD: Yes.

DISTASO: And those areas marked "lawn," that's the front yard?

RICKARD: Yes.

DISTASO: And where were you standing when the defendant came up to you?

RICKARD: I'd say approximately in this vicinity.

DISTASO: Somewhere on the lawn?

RICKARD: Correct.

DISTASO: And it was just you?

RICKARD: At that particular moment I was standing by myself.

DISTASO: Okay. But around you, you know, other parts of the street or the yard were there other people?

RICKARD: Yes.

DISTASO: And what did the defendant say to you?

RICKARD: He put up his hands and he said, I wouldn't be surprised if they find blood on my truck because I cut my hands all the time. I'm a hunter, I'm a fisherman, sportsman, outdoorsman, one of those terms that I don't recall, but something to that effect.

DISTASO: And had you said anything to him,

RICKARD: No.

DISTASO: to make him give you this comment?

RICKARD: No. He came up to me and I'm standing there by myself and I was perplexed why he said it.

DISTASO: When you were down, other than when Sharon went up to him and spoke to him down in the park, had you spoke to him at all any other time during the evening?

RICKARD: No.

DISTASO: The, let me talk, let me leave this with, I'm sorry. At the 24th and after you talked to him, the rest of the night did you basically just kind of do the same thing, standing out there on the front lawn?

RICKARD: Yes.

DISTASO: And at some point did the officers tell you to leave or say you should probably go home, some words to that effect?

RICKARD: Yes, because there was nothing else that we could do out there at that time of night and we couldn't go into the house.

DISTASO: Do you remember what time it was when you left?

RICKARD: I'm thinking close to midnight.

DISTASO: And, again, is that kind of an estimate?

RICKARD: Yes.

DISTASO: All right. Prior to the 24th, I think your prior statement was a couple weeks or a month, did you go to the movies with Laci and Sharon?

RICKARD: Yes.

DISTASO: And did Laci tell you about a time when she had gotten dizzy or light-headed while she was walking the dog?

RICKARD: She did. She told me and Sharon at that time that she had an incident where she got a little light-headed.

DISTASO: And did she tell you at that time anything else about, did she tell you anything else about how she was feeling about her pregnancy or her physical feelings at that time at the movies?

RICKARD: Feeling very tired. Heavy and tired.

DISTASO: Do you remember she used those words heavy and tired?

RICKARD: She did use the word "tired," and I believe she used the word "heavy."

DISTASO: Now, after this, after the 24th, were you present at all with Sharon in the, you know, the week after the 24th and into January when the, when everybody was kind of getting together to try and search for Laci and keep her picture out there, were you with Sharon at all during that time?

RICKARD: We were together most of the time.

DISTASO: And why were you there?

RICKARD: For support as a best friend would be. Her chauffeur, confidant, whatever she needed I was trying to be there for her.

DISTASO: And during that time did you ever see, in the first couple weeks or so after the 24th of December, did you ever see Sharon try to talk to the defendant about what happened on during the day of the 24th?

RICKARD: Yes.

DISTASO: And how many times do you think you saw her approach the defendant or just say, you know, can you tell me what happened, that kind of thing?

RICKARD: Can I use the word "several," because it was definitely more than once.

DISTASO: Hm-hmm.

RICKARD: How many times I don't know, but there were several instances when Sharon tried to get on the one-to-one with Scott and his comment was always "got to go."

DISTASO: And would he do anything when he said that to her?

RICKARD: Would he do anything?

DISTASO: Hm-hmm.

RICKARD: Other than rush off?

DISTASO: Right.

RICKARD: "Got to go," and he left.

DISTASO: And so those were the words you remember him using?

RICKARD: Yes. And then on occasion, at least one time I remember him saying that he had to go do fliers, but always "got to go."

DISTASO: And did you ever see Sharon, you know, try to push him, like, well, wait a minute, you know, I want to hear what happened?

RICKARD: She tried several times to get him to sit down and talk to her.

DISTASO: And did you ever actually see him sit down and talk to her?

RICKARD: There was one instance in the command center,

DISTASO: Hm-hmm.

RICKARD:, that she did get him behind a closed door.

DISTASO: And was that at the volunteer center?

RICKARD: Yes, volunteer center, command center, yes.

DISTASO: Okay. The thing at the Red Lyon?

RICKARD: Yes.

DISTASO: Other than that time did you ever see him or were you ever present when he sat down and told her what had happened?

RICKARD: No.

DISTASO: No further questions, Your Honor.

Cross Examination by Pat Harris

HARRIS: Good afternoon.

RICKARD: Good afternoon.

HARRIS: I believe you just testified that Ms. Rocha made numerous attempts to talk to Scott Peterson and he rebuked in attempts to talk about it; is that correct?

RICKARD: Correct.

HARRIS: Were you present in Ms. Rocha's home on the night that detectives came in, Detective Grogan specifically, I believe, came in and installed a recording device?

RICKARD: Yes.

HARRIS: And you recall that while you were there, while you were there Mr. Peterson called the home and talked to Ms. Rocha and specifically asked if he could come over to the house and talk to Sharon about the situation and what had happened, do you recall that?

RICKARD: I recall being there when he called.

HARRIS: Okay. You recall seeing Detective Grogan shake his head and tell Sharon, say, no, don't let him come over?

RICKARD: I don't recall.

HARRIS: You don't remember that?

RICKARD: I don't remember that.

HARRIS: But you were in the room at the time?

RICKARD: I was in the house at the time.

HARRIS: So when they were actually installing the listening device, well, let me back up. Did you answer the phone when Scott called?

RICKARD: That particular time, possibly I did answer the phone a few times when Scott called.

HARRIS: Okay. And so when you turned over the phone to Sharon Rocha,

RICKARD: Hm-hmm.

HARRIS: you left the room at that point?

RICKARD: I believe so to my recollection.

HARRIS: So you did not actually see Detective Grogan tell Ms. Rocha, no, don't let him come over?

RICKARD: No, not that I recall.

HARRIS: Okay. You had been interviewed by the Modesto Police Department prior to when, I believe, Detective Brocchini interviewed originally; is that correct?

RICKARD: No.

HARRIS: I'm sorry, who did interview you?

RICKARD: Detective Grogan.

HARRIS: He was your initial interview?

RICKARD: Yes.

HARRIS: And when Detective Grogan interviewed you, at that point, the first time, you never mentioned this incident that happened the night of December 24th where Scott allegedly said that they never found blood, you didn't tell them at that point, did you?

RICKARD: On my initial interview? Will you please repeat that.

HARRIS: On your initial interview, you said it was with Detective Grogan, your initial interview, you didn't tell Detective Grogan this comment that you just testified to about Scott coming up saying, there's blood, if they find blood anywhere, if they find blood in the truck, I believe is what you testified to today,

RICKARD: Can I elaborate on that?

JUDGE: Well, first you have to answer the question, then you can explain your answer.

HARRIS: You didn't mention in that,

RICKARD: That's not true. I need to elaborate.

HARRIS: Well,

DISTASO: Your Honor, can I get the,

JUDGE: Wait, wait, wait a minute. She can answer the question. You said it's not true. You can explain your answer.

RICKARD: Thank you. My, the initial time that I talked to Detective Grogan about the hands was a day in February of 2003. Sharon and I were at a friend's home and we were sitting down making notes on things that we remembered from the 24th. And when I recalled it at that time, I called Detective Grogan right away. So it wasn't even, it was before my interview with him. And the day that I called him, I can't be specific on the date, however, it was the night before Scott appeared on the Diane Sawyer show. I do remember that vividly because if I would have called him afterwards, my story wouldn't have any credibility.

HARRIS: Okay. Let's talk about that.

RICKARD: All right.

HARRIS: This was the first time you had talked to anybody at Modesto Police Department, is that your testimony?

RICKARD: As far as other than saying hi, yes.

HARRIS: Okay. So no one interviewed you prior to that?

RICKARD: No.

HARRIS: Now, you talk about on this particular date that you were at a friend's house, what friend's house were you at at the time?

RICKARD: Patty Amador.

HARRIS: And, in fact, it was Ms. Amador, yourself and Ms. Rocha were all present, correct?

RICKARD: And another person.

HARRIS: Who was the other person?

RICKARD: Lynn Perreira, Sharon and I were the only two sitting at the table doing notes. They were not sitting at the table with us.

HARRIS: Well, you said that what was going on was that you were reviewing notes about what you could remember happened on the night of December 24th?

RICKARD: Correct.

HARRIS: Okay. And you said as soon as you recalled, you got on the phone with Detective Grogan and called him and told him exactly what you remembered?

RICKARD: Sharon asked me to, yes.

HARRIS: Actually, what happened that night, that day, is Patty Amador got on the phone first, called about 20 minutes earlier, and had talked to Detective Grogan and told him some wild rumor that you guys had about been discussing about Laci going to the Serenity Spa and telling some hairdresser that or, excuse me, manicurist, that there were weights, that she was scared to stop because he had concrete weights that he was making?

DISTASO: Objection, Your Honor, that's argumentative and fully speculative.

HARRIS: It goes to the state of mind of the entire party that was there that day.

JUDGE: The state of mind of the entire party is not an issue. Were you aware that that phone call was made?

RICKARD: No.

JUDGE: All right.

HARRIS: You do not recall Ms. Amador sitting in that house 20 minutes earlier calling Detective Grogan and telling him this story?

RICKARD: I do not recall that. A lot of conversations took place. I don't recall it.

HARRIS: A lot of conversations took place that day, didn't they?

RICKARD: Oh, about that day, I don't know. I'm just saying a lot of conversations over the past year-and-a-half have taken place. Some I cannot remember.

HARRIS: That day in particular you were sitting around the house thinking of all the things that you could thing of in order to call,

RICKARD: Sharon and I were.

HARRIS: Exactly.

RICKARD: Yes.

HARRIS: And Patty Amador, in fact, called them to tell them about this rumor.

RICKARD: I don't remember that.

HARRIS: Okay. In fact, following a short time later, Sharon Rocha then placed a phone call to Detective Grogan.

RICKARD: And that's when I spoke to him when Sharon placed the call.

HARRIS: She placed the call and she actually talked to Detective Grogan first?

RICKARD: Yes.

HARRIS: Right. For some period of time?

RICKARD: To my knowledge.

HARRIS: And what you heard was Sharon Rocha telling Detective Grogan for the first time that what she recalled was Scott Peterson using the word "missing" that might. This was the first time that she had told the detective that, and that was the phone call she made that day; is that correct?

DISTASO: Objection, Your Honor, calls for hearsay.

JUDGE: Sustained. How does she know?

HARRIS: She was in the room.

JUDGE: No, how does she know that was the first time that Mrs. Rocha,

HARRIS: Let me rephrase the question.

JUDGE: Okay.

HARRIS: You heard her tell Detective Grogan that Laci or, excuse me, Scott used the word "missing"?

RICKARD: I did not hear her say that. Sharon was in the other room talking to him on the phone.

HARRIS: Okay.

RICKARD: I don't know what she talked to him about.

HARRIS: Okay. So then it's your testimony that basically Ms. Amador was in another place talking to Detective Grogan, Ms. Rocha was in another place talking to Detective Grogan, then you got on the phone third?

DISTASO: Objection, that misstates the testimony.

JUDGE: Sustained. That's not what she said.

HARRIS: Okay. Then explain to me how the situation worked?

RICKARD: Patty and Lynn were in the house. Sharon and I were sitting at the table. I was unaware of Patty making that phone call at that time. Sharon went in the other room to call the

detective. When she was through talking to him she handed me the phone.

HARRIS: And when she handed you the phone you told Detective Grogan this story that your recollection of the 24th about Scott Peterson coming up making the blood comment?

RICKARD: Correct.

HARRIS: Okay. And this was, you know for a fact that Sharon Rocha was on phone prior to your talking to Detective Grogan?

RICKARD: Yes.

HARRIS: Okay. And, in fact, what you told him at that time is you know if they find blood anywhere, that doesn't mean anything. You didn't mention anything at that point about Scott saying they found blood in the truck?

RICKARD: I didn't say "in the truck."

HARRIS: No, you didn't, did you?

RICKARD: No, I don't remember saying "in the truck," I remember saying "on the truck."

HARRIS: You testified today, you're testifying, is your testimony today that the blood was on the truck, is what you remember or in the truck?

RICKARD: I believe Scott was mentioning about the door knob, the handle, that that area of the truck. He didn't say "inside the truck," he said "on the truck."

HARRIS: Okay. So that night Scott was discussing the truck, he was coming up to you discussing the truck and what possible blood on the truck?

RICKARD: Correct.

HARRIS: And what you told the police officer, you mentioned the word "truck," did you?

RICKARD: To my recollection what I told the police officer was what I had testified to.

HARRIS: If I can have you take a look, I'm showing her Detective Grogan's report dated January 28th. If you look at the section that's in yellow.

JUDGE: Just read it to yourself.

RICKARD: Okay.

HARRIS: Just that paragraph right here.

RICKARD: Here?

HARRIS: Hm-hmm.

RICKARD: Okay, I didn't, apparently, I didn't say "truck," but that's,

HARRIS: Apparently you never?

RICKARD: That's what I thought I had told him.

HARRIS: So you never mentioned "truck" at all; is that correct?

RICKARD: I thought I did.

HARRIS: Okay. By the way, on Christmas Eve did you go to the movies with Sharon Rocha?

RICKARD: Yes, I did.

HARRIS: And that was from what time to what time?

RICKARD: Approximately 2:00 to 4:00.

HARRIS: And so you were there at the movies on Christmas Eve because that's something you enjoy doing?

RICKARD: It was kind of impromptu. My family had a Christmas Eve gathering in the afternoon and Sharon tentatively had plans that evening, so we had some time and we decided to take in a movie.

HARRIS: Sure. Christmas Eve,

RICKARD: Sharon and I frequently went to the movies together.

HARRIS: Christmas Eve is a good day to do things because you're off that day, you don't have to work?

RICKARD: Right.

Re-direct Examination by Rick Distaso

DISTASO: I have a little bit, Your Honor.

DISTASO: When you talked to Detective Grogan about this, did you tell him that you previously talked to him about it?

RICKARD: Yes.

DISTASO: Do you know if he noted that in his report?

RICKARD: I'm not sure.

DISTASO: Okay. Let me show you his report dated July 9. Just have you take a look at this section.

RICKARD: Okay.

GERAGOS: Do you have the page number stamp on that?

DISTASO: This one is 26027.

GERAGOS: Thank you.

DISTASO: And looking at that report does your refresh your memory about whether or not Detective Grogan noted that you previously talked to him about that?

RICKARD: Yes.

DISTASO: And did he?

RICKARD: To my knowledge, yes.

GERAGOS: Objection, calls for speculation.

JUDGE: Well, it's in there. It's not speculation. Is it in the report?

RICKARD: It's in the report.

DISTASO: Did you just read it in the report here?

RICKARD: Yes.

DISTASO: And what, to the best of your recollection as you sit here today, you know, you've read it, you read this report I just showed you to refresh your memory?

RICKARD: Yes.

DISTASO: And then you saw what counsel was showing you about the truck or the lack of truck?

RICKARD: Right.

DISTASO: Other than that discrepancy whether the blood was on the truck, I guess, or somewhere on his hands, can you tell us as you sit here today just what was your best recollection as up sit here today of what he told you?

RICKARD: My reaction?

DISTASO: No, no, no, your recollection. Just give me the statement as you remember it.

RICKARD: He came up to me when I was standing in front of the house and he said, I wouldn't be surprised if they find blood on my truck. Because I cut myself frequently, I'm an outdoorsman, sportsman, fisherman, something like that.

DISTASO: And he used some kind of sporting -- some kind of word?

RICKARD: Yeah, some kind of sporting terminology.

DISTASO: Okay. Do you know exactly what sporting terminology he used?

RICKARD: No.

DISTASO: Nothing further.

Re-Cross Examination by Pat Harris

JUDGE: Mr. Harris, do you have any other questions?

HARRIS: One second, Your Honor. Can I have one minute?

JUDGE: Yes, of course.

HARRIS: Nothing further.

JUDGE: Nothing further. Okay. May this witness be excused?

DISTASO: Yes.

JUDGE: Okay. Thank you, Ms. Rickard.

RICKARD: Thank you.