## Witness: Terri Western

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Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – Rick Distaso; Cross – 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: Miss Western, did you know Laci Peterson?

WESTERN: Yes, I did.

DISTASO: How is it that you knew her?

WESTERN: Laci and my daughter Stacey Boyers have been friends since third grade.

DISTASO: And so is it fair to say that you knew Laci from pretty much that point on up until December 24th of 2002?

WESTERN: Absolutely. She was very much a part of our lives.

DISTASO: And do you know Sharon Rocha as well?

WESTERN: Yes, I do.

DISTASO: Do you know the defendant in this case, Scott Peterson?

WESTERN: Yes, I do.

DISTASO: How is it that you know him?

WESTERN: I met Scott when Laci brought him home from San Luis when they first started dating.

DISTASO: This was prior to their marriage?

WESTERN: Correct.

DISTASO: And did you know them after their marriage? Were you still familiar with the couple after their marriage when they moved back to Modesto?

WESTERN: Yes, I was.

DISTASO: What is your occupation?

WESTERN: I'm a real estate agent.

DISTASO: How long have you been a real estate agent in Stanislaus County?

WESTERN: About seven years.

DISTASO: Are you familiar with the neighborhood around 523 Covena?

WESTERN: Yes, I am.

DISTASO: And what is that neighborhood referred to as?

WESTERN: We refer to it as the La Loma are

DISTASO: And just briefly, why is that, La Loma Boulevard drive down in there?

WESTERN: That is correct. It's the name of a street. That's the area became La Loma

DISTASO: And the homes around -- or let's just go with CovenThe homes on Covena Avenue, and around 523 Covena, on that street, would you refer to those as just normal, middle class homes in Modesto?

WESTERN: On Covena, yes, it is middle class.

DISTASO: Other areas around there, are --

GERAGOS: Objection. Irrelevant.

JUDGE:: Overruled.

DISTASO: Some of the other streets around there are higher value than Covena, is that right?

WESTERN: Yes, that's correct.

DISTASO: And those up -- the homes that line the parkway there?

WESTERN: Yes.

DISTASO: Now, the jury has heard some evidence that Scott and Laci bought their home for a hundred sixty thousand dollars. Were you aware of that?

WESTERN: Yes, I was. I sold them the home.

DISTASO: So you were the real estate agent who was actually sold them the home?

WESTERN: That is correct.

DISTASO: Have the homes on Covena Avenue increased substantially in value since that time?

WESTERN: Yes, that would be a fair statement.

DISTASO: Now, after December 24th of 2002, were you involved in the Volunteer Center that was set up to help to try to find Laci?

WESTERN: Yes, I was.

DISTASO: And how is it that you were involved in that?

WESTERN: I came over to the Covena Avenue home on the 26th. There were a lot of people from the neighborhood and surrounding areas coming to volunteer to hand out flyers. And, at that point, I thought that it would be best if we moved it from that the location to a bigger place, one that could handle modem lines, and so forth.

DISTASO: Did you -- were you involved in setting up the Volunteer Center at the Red Lion Hotel?

WESTERN: Yes, I was.

DISTASO: How did you do that?

WESTERN: Kim McNeely and I went and talked to the manager, Brad Salzman. We explained the situation. He was gracious enough to give us the room, whatever modems that we needed. And basically set up the Volunteer Center that would be conducive to doing what we were trying to do.

DISTASO: Just briefly, what were you trying to do down there at the Volunteer Center?

WESTERN: Well, we had people that were wanting to help with the flyers. Largely it was getting it organized to accommodate virtually hundreds of people that wanted to participate in that. As I

said before, we set up modem lines so that we could have computers. We had set up a website. And also had a phone setup where we could take tips from people that may have heard about it on the radio, on TV, or read about it in the paper.

DISTASO: And did -- was the media present at the Volunteer Center?

WESTERN: Yes, they were.

DISTASO: Did you see the defendant Scott Peterson present at the Volunteer Center?

WESTERN: Yes, I did.

DISTASO: And how often did you work down there at the Volunteer Center?

WESTERN: I worked there every day.

DISTASO: Until it closed?

WESTERN: Until it closed, yes.

DISTASO: And do you know who was responsible for closing it, or whose decision it was?

WESTERN: Yes, it was mine.

DISTASO: And was that a result of this article that came out about Amber Frey?

WESTERN: Actually I received a phone call the night before, and I was speaking with Kim Peterson with the Sund/Carrington Foundation. She, at that point, shared with me what had occurred. And I made the decision that I didn't want to open it up the following morning.

DISTASO: And was the impetus of that phone call to you this article that was coming out about Amber Frey?

WESTERN: Yes.

DISTASO: While the volunteer, do you remember what day that was, by any chance?

WESTERN: I do not.

DISTASO: Okay. On January 14th of 2003, was the Volunteer Center still in operation?

WESTERN: On the 14th?

DISTASO: Uh-huh.

WESTERN: I believe it was.

DISTASO: Well, let me ask you this. I want to ask you about a conversation some time while the Volunteer Center was still in operation. Did you have a conversation with Mr. Peterson about selling his home?

WESTERN: Yes, I did.

DISTASO: And can you describe for the jury what that, just take them through whole thing. What happened?

JUDGE: Really, that calls for a narrative answer.

DISTASO: Okay.

DISTASO: I mean what, let's just start at the beginning. What time of day was it that you had this conversation?

WESTERN: It would have been fairly early in the morning. I don't remember the exact time.

DISTASO: And what happened? Did you go to the Volunteer Center?

WESTERN: Yes, I did. As I did every morning. I was either the first one or one of the first that had arrived. And Scott was there that morning, and he was visibly upset. So I sat down next to

him while he was going through the e-mails on the computer. And I said, "Scott," you know, "Are you okay?" And he said no. He goes, "I need to talk to you about selling the house. I can't have Laci come back here."

DISTASO: And what did you respond to him, if anything?

WESTERN: I responded with, "Well, Scott, I understand. However, now is not the time nor the place to discuss this."

DISTASO: And did he mention that to you again about selling the house?

WESTERN: No, he did not.

DISTASO: Okay. Do you remember what day that conversation took place?

WESTERN: You know, I'm almost certain it was on the 14th of January. I know it was somewhere in the second week of having the Volunteer Center open.

DISTASO: Let me just show you a report, see if that refreshes your memory about that. Just the date that this conversation occurred. Just read this one line to yourself.

GERAGOS: I'm sorry, what you are you showing her?

DISTASO: 1686.

GERAGOS: Thanks.

WESTERN: Okay.

DISTASO: Does that refresh your memory about what day it was?

WESTERN: Yes.

DISTASO: Okay. What date was that?

WESTERN: January 14th.

DISTASO: And this happened in the morning?

WESTERN: That is correct.

DISTASO: Did you ever see Mr. Peterson leave any notes, or any poster size pictures, or anything on the walls or the boards there at the Volunteer Center?

WESTERN: Yes, I did.

DISTASO: Let me show you, I'm going to mark this one.

JUDGE: Next in order. Next in order. It would be number 212.

DISTASO: This is People's 212. Let me show you this picture. Is that a picture of one of the posters that Mr. Peterson left on the board or the door of the Volunteer Center?

WESTERN: Yes, it is.

DISTASO: Mr. Geragos just wanted to clear this up. Do you know where this was, exactly was posted at the Volunteer Center?

WESTERN: Yes, I did. I do.

DISTASO: Where was that?

WESTERN: As you entered the door from inside rear, the back door, it was to the right on the wall. So as people came in, it was the first thing that they could see as they registered at the front desk.

DISTASO: So it was up towards the front?

WESTERN: Correct.

DISTASO: And basically it says: Volunteers. As I see every person come through the door or out searching, I tell Laci about them looking for her. Early this morning I felt she could hear me. She thanks you. And it says Laci's husband?

WESTERN: That is correct.

DISTASO: Do you remember what day he put this poster up?

WESTERN: I do not remember the exact date. But it was done right at the very onset.

DISTASO: When, I'm going to go back now to December. When was the last time that you saw Laci Peterson?

WESTERN: December 14th.

DISTASO: Do you want to take a minute, or do you want me

WESTERN: I'm okay.

DISTASO: Okay. On the 14th where was it that you saw Laci?

WESTERN: I was at a Christmas party.

DISTASO: And where was that at?

WESTERN: That was held at Jake Zimeht's house on Bridle Path in Modesto.

DISTASO: Just for the jury, who is Jake Zimeht?

WESTERN: Jake dates my daughter Stacey.

DISTASO: And in 2002 he and your daughter were dating?

GERAGOS: Objection. It's cumulative. It's irrelevant.

JUDGE: I can't hear you.

GERAGOS: It's cumulative, and it's irrelevant.

JUDGE: Well, is there any relevance that they were dating?

DISTASO: Just putting it in perspective.

JUDGE: Let it stand there. Go ahead.

DISTASO: All right. So you went over to Jake's house and you saw Laci, correct?

WESTERN: That is correct.

DISTASO: And where did you see her at the house?

WESTERN: I was standing by the pool table in the sports room when she walked in.

DISTASO: What was the purpose of this event?

WESTERN: It was a Christmas party.

DISTASO: And was Laci with anybody, or was she by herself?

WESTERN: Laci was by herself.

DISTASO: And did you ask her where the defendant was that night?

WESTERN: Yes, I did.

DISTASO: And what did she tell you?

WESTERN: She said that his boss had called at the last minute and was flying in to San Francisco, and Scott had to meet him there for business purposes.

DISTASO: Did you, when you were talking to her, were you standing or sitting?

WESTERN: I was standing.

DISTASO: What was she doing?

WESTERN: She was standing.

DISTASO: And then did she tell you at all about how she was feeling?

WESTERN: Yes, we talked about that. I hadn't seen Laci for a couple weeks prior to that, so I gave her the little awkward pregnant hug that you would someone that was that far along. Asked her how she was feeling.

DISTASO: What did she say?

WESTERN: She said she was tired a lot. And she said it was hard for her to walk. And I looked down at her feet. I said, "Well, duh, Laci, you have got high heels on." Laci always wanted to look very nice and proper. And at that point she went and sat down.

DISTASO: Did you continue to talk to her?

WESTERN: Yes, I did.

DISTASO: After that particular party, did you ever see Laci Peterson again?

WESTERN: No, I did not.

DISTASO: Nothing further, your Honor.

Cross Examination by Mark Geragos

GERAGOS: Good morning, Miss Western. How are you?

WESTERN: Good morning.

GERAGOS: The sale of that, I guess it was, you were the agent for the purchase of the house in 2000?

WESTERN: That is correct.

GERAGOS: And do you know who provided the down payment for the house?

WESTERN: Yes, I do.

GERAGOS: Who was that?

WESTERN: If I recall talking to them about the financing part, Laci told me that Lee Peterson was giving a gift of 15,000, and Jackie was giving an gift of 15,000.

GERAGOS: And that was the down payment for the house?

WESTERN: Correct.

GERAGOS: A $160,000 house, roughly 20% down. So it would have been about $30,000?

WESTERN: Yes.

GERAGOS: And the house purchase was what month, do you remember?

WESTERN: I'm sorry, I don't remember.

GERAGOS: Okay. The year, 2000?

WESTERN: Yes.

GERAGOS: End of the year 2000?

WESTERN: Yes.

GERAGOS: And it closed some time in the end of the year 2000?

WESTERN: Yes. I'm thinking it closed in October or November. But

GERAGOS: Toward the end of the year?

WESTERN: Yes.

GERAGOS: And the sign that Mr. Distaso showed you, that was marked 212?

WESTERN: Uh-huh.

GERAGOS: Is that, was that written by Scott?

WESTERN: Yes, it was.

GERAGOS: Okay. And posted, as far as you know, posted or put up by Scott?

WESTERN: Yes, that's correct.

GERAGOS: And then you had, I guess you got interviewed a couple of times early on by the detectives; is that right?

WESTERN: I was interviewed on the 28th of December.

GERAGOS: 28th?

WESTERN: 28th of December, I believe, by Detective John Buehler.

GERAGOS: Okay. And on that day, by Detective Buehler, did he specifically, I'm sorry. Did he specifically ask you if you would notify him if you discovered any division of loyalty between Scott and Laci's family and friends?

WESTERN: Yes, he did.

GERAGOS: And you told him that you would call him at once if you saw any of that division of loyalty?

WESTERN: I agreed.

GERAGOS: Thank you. I have no further questions.

DISTASO: No follow up.

JUDGE: Miss Western, thank you very much.