Witness: Amber Frey

Date: 2004-08-16

Proceedings held August 16, 2004

Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – David Harris (continued from previous day)

Day 4 of 7 for this witness

Court: San Mateo County Superior Court, Redwood City (People v. Scott Peterson)

Source: https://pwc-sii.com/CourtDocs/Transcripts/Frey.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.

August 16, 2004

JUDGE: And this is the case of People vs. Peterson. Let the record show the defendant's present with counsel, and the jury's in the jury box, along with the alternates. And I believe where we left off Thursday was on page 36 of People's Exhibit T, correct?

HARRIS: Correct. We're going to resume playing T 2 at this time.

JUDGE: Okay.

HARRIS: That would be toward the bottom of page 36.

(196T 2 resumed playing)

JUDGE: Do you want Ms. Frey back on the stand?

HARRIS: Yes.

JUDGE: Ms. Frey, you want to step up, please.

HARRIS: Ms. Frey, we were talking about before how the police department had brought you up to the Modesto area, and I want to go back to that a little bit. When the calls were made on the 6th, into the 7th, the last tape that we just heard, and the next tape that we'll hear, January 8th, were you still in the general area of the Modesto area, still working with the police department at that time?

FREY: Yes.

HARRIS: And were there detectives or personnel from the Modesto Police Department actually monitoring these calls?

FREY: Yes.

HARRIS: Was one of those Detective Jon Buehler?

FREY: Yes.

HARRIS: During that last tape, which would be transcript T and T 2 of that, the, you talked to the defendant about him writing you some letter. Did he follow through with that and send you that letter?

FREY: Yes.

HARRIS: I'd like to show you again what was marked as 194. Pulling out an envelope. Is this envelope addressed to you?

FREY: Yes.

HARRIS: Taking out the contents of that envelope. Does this appear to be the letter that he sent to you?

FREY: Yes.

HARRIS: Now, looking at this particular envelope there's, there's a first page that's written in red ink?

FREY: Yes.

HARRIS: And then are there other pages behind that?

FREY: Yes.

HARRIS: How many other pages behind that?

FREY: Three.

HARRIS: The other pages that are behind the page that's written in red, are those written in a different color ink?

FREY: Yes.

JUDGE: What number did you identify that as?

HARRIS: 194.

JUDGE: 194.

HARRIS: And, I'm sorry, is it different color ink?

FREY: Yes. It's blue.

HARRIS: Does blue ink, the other three pages have blue ink appearing, or the other

GERAGOS: Objection. Calls for speculation.

JUDGE: Overruled.

FREY: Yes.

HARRIS: I'll go ahead and return that to the envelope at this time. And that particular letter that we just removed from 194 and looked at, is that one of the letters that you also turned over to the Modesto Police Department?

FREY: Yes.

HARRIS: Now, the next call that we're going to play, a January 8th call that's been marked U, prior to making that call had you, at the direction of the Modesto Police Department, called the defendant's voice mail?

FREY: Yes.

HARRIS: And had you left him a message?

FREY: Yes.

HARRIS: And what did you say during the message?

FREY: It was in regards to me driving to the Modesto Police Department that day.

HARRIS: So you advised the defendant by leaving a message that you were driving to the Modesto Police Department?

FREY: Yes.

HARRIS: During the next tape do you actually ask him if he receives that message?

FREY: Yes.

HARRIS: We would like, if the witness could resume her seat in the audience, we'll,

JUDGE: Ms. Frey, you may resume.

Can we have the transcripts, Jenn,?

DEPUTY CARNEVALE: Yes, Judge.

JUDGE: Mr. Geragos, I assume you have the transcripts.

GERAGOS: I have the un-redacted. I would like a copy of the redacted.

JUDGE: You want to, okay, we'll give you a copy.

(196U played)

<Morning recess>

JUDGE: You want to move People's 196 U and the disc into evidence at this time, so that we don't have to worry about these later on. So all 196 and 195 are in evidence. Okay. Go ahead.

HARRIS: Your Honor, at this time I would like to have marked –

JUDGE: 198.

HARRIS: 198 and 199. The transcripts are marked 198.

JUDGE: All right. The transcripts are 198.

HARRIS: Additional CDs would be 199.

JUDGE: All right. And 199 are the CDs.

HARRIS: Transcripts in the binder is A through H.

JUDGE: A through H.

HARRIS: And the CDs are A through H as well.

JUDGE: All right. Corresponding to the transcripts, right?

HARRIS: Right.

GERAGOS: Thanks.

HARRIS: Ms. Frey, I'm going to show you what's been marked as 198, 199. Start with 198. Ask if you recognize this, and recognize specifically the transcripts in here.

FREY: Yes.

HARRIS: And, again, what we were talking about before, have you gone through these transcripts and initialed them? I'm showing you the initials on there.

FREY: Yes.

HARRIS: So you've gone through those transcripts and compared them to the, the recordings in this case?

FREY: Yes.

HARRIS: And these are, again, tapes that you made at the request of the Modesto Police Department?

FREY: Yes.

HARRIS: Showing you 199. And have you listened to these recordings and initialed the recordings indicating that you have listened to them?

FREY: Yes.

HARRIS: And they correspond to the, to the letters, or each letter corresponds to the transcripts?

FREY: Yes.

HARRIS: And these particular recordings, are these accurate transcriptions of the recordings that you made with the defendant?

FREY: Yes.

HARRIS: Judge, with the court's permission, what we would ask to do is play 198 A at this time. If Miss Frey could resume her seat in the audience.

JUDGE: And, Jenn, I think you have the transcripts to pass out. I think the total, A through H, is approximately four hours?

HARRIS: I'm sorry?

JUDGE: Four hours?

HARRIS: This particular recording?

JUDGE: No. A through H.

GERAGOS: A through H.

HARRIS: Yes, approximately.

JUDGE: Approximately four hours to get through A through H.

HARRIS: And is it okay if Ms. Frey resumes her seat in the audience?

JUDGE: Yes. Ms. Frey, you can resume your seat.

(199A played)

(Noon recess)

HARRIS: We're going to resume the tape.

JUDGE: Yes. Just for the record, this tape is January 12th at 6:04 p.m., just so we can identify it.

(199A resumed)

JUDGE: 198A and 199A, the transcript and disk, are received in evidence.

HARRIS: Now play 199B.

JUDGE: This is the tape from January the 12th at 1919 hours, which is 7:19 p.m.

(199B played)

JUDGE: 198B and 199B is in evidence. Now play C.

JUDGE: Now we are going to pass out the transcript for 199C. C is January 14th, 1158 hours, the next day.

(199C played)

JUDGE: We'll take the afternoon recess until five after three. Remember the admonition.

<recess>

JUDGE: All right. Let the record show the defendant is present with counsel. The jury is in the jury box, along with the alternates. Go ahead, Mr. Harris.

HARRIS: We are going to resume the tape.

JUDGE: Right.

199C resumed)

JUDGE: Okay. We'll move in C, 198C and 199C into evidence, with the same numbers.

<evening recess>