Witness: Rose Marie Rocha

Date: 2004-06-08

Proceedings held June 8, 2004

Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – David Harris; Cross – Pat Harris; Redirect – David Harris; 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 David Harris

D. HARRIS: Mrs. Rocha, I understand that your first name is Rose Marie, but do most people just call you by Rose?

ROCHA: Yes.

D. HARRIS: Now, the previous witness, Brent Rocha, can you tell us what your relationship to that witness is?

ROCHA: He's my husband.

D. HARRIS: So when he was referring to "Rose," you were the "Rose" he was talking about?

ROCHA: Yes.

D. HARRIS: I want to talk real briefly about Brent's kind of, his family a little bit and when you came into getting to know his particular family. So let me go through this a little bit. When was it that you first met Brent?

ROCHA: In September of 1994.

D. HARRIS: And where was that at?

ROCHA: It was in Sacramento. I met him through my cousin.

D. HARRIS: And at some point in time did you get, as you started to date him, get to know his side of the family?

ROCHA: Yes.

D. HARRIS: And did you get to know a person by the name of Laci Peterson?

ROCHA: Yes, I did.

D. HARRIS: Was she "Laci Peterson" at that time?

ROCHA: No, she was not.

D. HARRIS: And the person that we're referring to, Laci Peterson, that's Brent sister?

ROCHA: Yes.

D. HARRIS: Did you become aware of when she married a person by the name of Scott Peterson?

ROCHA: Yes.

D. HARRIS: And the person that you know as "Scott" do you see that person here in the courtroom?

ROCHA: Yes, I do.

D. HARRIS: And is he the gentleman to my left over there with the blue tie in the middle?

ROCHA: Yes, it is.

D. HARRIS: Did you, with Brent, attend Laci and the defendant's wedding at some point

in time?

ROCHA: Yes.

D. HARRIS: And at a later point in time did you and Brent also get married?

ROCHA: Yeah, a year later.

D. HARRIS: I want to talk about your marriage. When you were, you had the ceremony, was there a point in time that the defendant got up and kind of stood in front of the camera?

ROCHA: Yes, we had all done our speeches. My dad, I believe, did his speech and everybody was seated and there was a dance floor and Scott got the microphone and made a speech that was about ten minutes long.

D. HARRIS: Now, when we say "in front of the camera," was there a videotape being made of your wedding that day?

ROCHA: Yes, there was.

D. HARRIS: And was this just kind of a semi-professional company that was shooting it for you?

ROCHA: Yes, it was.

D. HARRIS: So he grabs the microphone, stands up and gives this long speech in front of the camera?

ROCHA: Yes.

D. HARRIS: After you were married to Brent for some particular period of time did you find out that you were pregnant with a child?

ROCHA: Yes.

D. HARRIS: How many children do you now have?

ROCHA: Two.

D. HARRIS: And what are their ages?

ROCHA: One and three.

D. HARRIS: When you were aware or you became aware that you were pregnant did you ever talk to Laci about your pregnancy?

ROCHA: Yes, I did.

D. HARRIS: And, again, at a later point in time did you get to know that Laci was pregnant?

ROCHA: Yes.

D. HARRIS: Did you, again, talk about being a mother yourself, talk to her about her pregnancy?

ROCHA: Yeah, I did.

D. HARRIS: And what was she telling you about her pregnancy?

ROCHA: She was very excited about, well, first of all, she was trying to get pregnant, and I think it took them a while. But once she was pregnant, she was very excited about being a mother. And we would discuss things, how she was feeling, and that sort of stuff.

D. HARRIS: I'm going to back up for a second. You said that they were, Laci was trying to get pregnant?

ROCHA: Hm-hmm.

D. HARRIS: That's when she was married with the defendant?

ROCHA: Yes.

D. HARRIS: And they were trying to get pregnant. At some point in time when you were expecting one of your children did the defendant make any particular comment about Laci being pregnant or her getting pregnant?

ROCHA: Yes. We were talking about pregnancy or having a family, and I believe I said something to the effect of, to Scott, "Are you ready for this," and he looked at me and said, "I was kind of hoping for infertility."

D. HARRIS: Now as Laci, being that you live in Sacramento, when she was pregnant and she started to progress, did you see her when you would talk about this or did she ever call you or you call her on the phone?

ROCHA: We would talk on the phone I'd say maybe twice a month. Sometimes she would call to talk to Brent and then I would answer and we would talk on the phone then. I wouldn't, as far as seeing her, I believe I saw her maybe once every three months, let's say, I don't know. I can't recall.

D. HARRIS: Early on during her pregnancy did she ever mention or complain about some problems that she was having?

ROCHA: She did discuss that she went to the doctor because of something I don't recall what it was. And she was saying, oh, the doctor said it was normal.

GERAGOS: Objection, hearsay.

JUDGE: What the doctor said will be sustained.

ROCHA: Okay.

D. HARRIS: Without her relating to you what the doctor had said, did she kind of talk to you and ask you if this is something you had experienced as well?

ROCHA: Yes. And I said sounds like it's normal.

D. HARRIS: Did you advise her to do anything or anything of that nature during these conversations?

ROCHA: No, I probably gave her titles of some books to read that gives information.

D. HARRIS: Were you attempting to kind of pass on your motherly experience to her?

ROCHA: Yeah, I was excited about being a mother, so, yeah. I was excited for her that she was going to become a mother as well.

D. HARRIS: Moving to a little bit of a different area in terms of your husband's family. At some point in time during 2002 before Laci went missing

ROCHA: Hm-hmm.

D. HARRIS: were you aware that your husband was involved as a trustee in his grandmother's estate?

ROCHA: Yes.

D. HARRIS: And as part of his involvement with that was there some jewelry that was disbursed amongst the grandchildren?

ROCHA: Yes.

D. HARRIS: And, again, after this was kind of disbursed did he actually get some jewelry and that jewelry was passed on to you?

ROCHA: Yeah. He got some jewelry, and then I put it in a safe spot, yes.

D. HARRIS: Can you tell us what that jewelry was.

ROCHA: It was a pair of diamond earrings and two watches.

D. HARRIS: These watches, were they men's or women's?

ROCHA: Men's watches.

D. HARRIS: And these earrings, what kind of earrings were they?

ROCHA: Just diamond earrings with a screw back.

D. HARRIS: Now, the screw backs, those diamond earrings, was it your understanding that there were three sets of these earrings, one for each of the grandchildren?

ROCHA: I believe so, yeah. I knew that Amy and Laci also got earrings as well. I don't know how many sets there were.

D. HARRIS: And, again, were they all fairly similar in style, design?

ROCHA: I believe so.

GERAGOS: Objection, motion to strike. No foundation.

JUDGE: Yeah, she doesn't know about the other two, how can she testify to that. Sustained.

GERAGOS: Motion to strike.

JUDGE: Yes, the answer may be stricken.

D. HARRIS: The earrings that you ultimately received as part of this kind of, passed down from Brent's grandmother, these were screw back diamond solitaires?

ROCHA: Yes.

D. HARRIS: The People have no other questions.

Cross Examination by Pat Harris

P. HARRIS: Thank you.

P. HARRIS: Good afternoon. Mr. Harris asked you about a wedding video,

ROCHA: Yes.

P. HARRIS: at your wedding. First of all, how many people were invited to your wedding?

ROCHA: Over a hundred, I would say.

P. HARRIS: Okay. And were most of these people at your wedding family and friends?

ROCHA: Yes.

P. HARRIS: So at this time Scott, Mr. Peterson, got up and started going through his speech, he did it in front of a video camera?

ROCHA: Yes.

P. HARRIS: Is that correct?

ROCHA: Hm-hmm.

P. HARRIS: And he did it in front of about a hundred people or so; is that correct?

ROCHA: Yes.

P. HARRIS: You had no plans or you didn't notify Mr. Peterson or anyone that you were planning to broadcast this wedding video to 60 million people, were you?

ROCHA: No.

P. HARRIS: It wasn't being televised, was it, the wedding?

ROCHA: No.

P. HARRIS: It wasn't a live broadcast that was going out?

ROCHA: No.

P. HARRIS: Okay. So it was basically a video being shot for about a hundred close friends, people he knew and felt comfortable with, correct?

ROCHA: Um, it was more -- I don't know if he knew a lot of the people very well, I wouldn't say that.

P. HARRIS: Well, there were friends and family there, correct?

ROCHA: There were friends and family, my family, my friends, Brent's family, his friends.

P. HARRIS: Okay. You mentioned that Laci told you that they were trying to get pregnant?

ROCHA: Yes.

P. HARRIS: Okay. And from that did you understand that that there was a problem with her getting pregnant?

ROCHA: I remember her mentioning sometimes, we would talk and she'd say, Oh, we're really going to try this month. I remember her mentioning something about an ovulation calculator where she was going to find the time that she was most

fertile so she could be successful in conceiving.

P. HARRIS: And you understand an ovulation calculator to be a device that tells you pretty much, gives you the time that there's most likely, likelihood for pregnancy, correct?

ROCHA: Yes.

P. HARRIS: And it was your understanding from talking to Laci that in order for her to get pregnant Scott had to come home during those time periods that were the most able, she was most able to conceive, correct?

ROCHA: Yes.

P. HARRIS: And that Scott often traveled, you knew that, didn't you?

ROCHA: I knew that he traveled, yes.

P. HARRIS: You knew -- in fact, he set his schedule specifically and made efforts to come home so that in order for her to get pregnant?

ROCHA: She never told me that, no.

P. HARRIS: She told you consistently that they had to make a lot of effort to get pregnant, didn't she?

ROCHA: She would talk about, "Oh, this month we're really going to try. I purchased the ovulation calculator."

P. HARRIS: Okay. And it was --

ROCHA: I believe it was.

P. HARRIS: I'm sorry, excuse me. You knew in fact she had at one point lost an ovary?

ROCHA: Yes, I knew she had something, yeah.

P. HARRIS: And she made it very plain to you that it would require an effort on both their parts for her to get pregnant, didn't she?

ROCHA: Yeah.

P. HARRIS: You mentioned that you talked to her a couple times a month, is that about right?

ROCHA: Yeah.

P. HARRIS: And you would discuss things that were common with the -- with pregnant women; you shared advice and so forth?

ROCHA: Yes.

P. HARRIS: She would talk to you, for example, about her visits to the doctor. You mentioned one visit in particular, she would talk to you about the visits with the doctor?

ROCHA: Sometimes, yes.

P. HARRIS: And did she tell you that during that time that on every single visit to the doctor Scott Peterson accompanied her?

ROCHA: She didn't tell me that.

P. HARRIS: She never mentioned that?

ROCHA: No.

P. HARRIS: Okay. You were aware that -- you were aware of the house on Covena, you had been to the house on Covena, correct?

ROCHA: Yes.

P. HARRIS: You were aware of the fact that they were building a nursery for the child?

ROCHA: I knew that they were going to have a nursery for the baby, yes.

P. HARRIS: And you had seen the room where the nursery was?

ROCHA: Well, I never saw the inside of the room.

P. HARRIS: Okay. You never actually went in the nursery?

ROCHA: I did not.

P. HARRIS: Were you aware that Scott had built a large portion of the nursery, had Laci told you about that?

ROCHA: No, she didn't.

P. HARRIS: Your husband is Brent Rocha, correct?

ROCHA: Yes.

P. HARRIS: And you had had discussions with Brent prior, excuse me, after Laci had disappeared, you had had discussions with Brent Rocha where he told you that Scott was in fact very excited about the baby, true?

D. HARRIS: Objection, relevance and hearsay.

JUDGE: Overruled. Did he tell you that?

ROCHA: That Scott was very excited about the baby?

P. HARRIS: Yeah. I'm sorry.

ROCHA: I don't think he discussed that with me, no.

P. HARRIS: You had heard Brent tell others that Scott was very excited about the baby?

ROCHA: I did not.

P. HARRIS: Okay. Did you ever watch -- Brent was on several television shows, correct?

ROCHA: Yes.

P. HARRIS: In fact, you heard, you were sitting in the courtroom while Mr. Geragos was going through some of the television shows and you heard him talk about he, that Brent say on the television shows that Scott was very excited about the baby, didn't you?

ROCHA: Yes.

P. HARRIS: So when Brent was on these shows, you didn't actually watch them, this was the first time today you had actually heard that?

ROCHA: No, I would watch the shows, but I couldn't watch all of the shows. I mean, I had a child at home and I can't just sit down and watch TV, no.

P. HARRIS: Okay. Mr. Harris asked you about a comment that was made, a passing comment wherein Scott, you were discussing the pregnancy or the possible pregnancy of Laci, and Scott mad a remark, I believe your quote was, "I was kind of hoping for infertility"?

ROCHA: Yes.

P. HARRIS: Is that a correct quote? Okay. You recall telling the police officers after the -- well, let me just stop on that. You interviewed with a police officer on January 21st, correct?

ROCHA: I don't recall the date but --

P. HARRIS: Does that sound about right?

ROCHA: Yes.

P. HARRIS: Detective Grogan?

ROCHA: Yes.

P. HARRIS: And this was after the revelation that Scott had had an affair with Amber Frey, correct?

ROCHA: I believe so, yes.

P. HARRIS: Okay. You had actually interviewed also with Detective Grogan ten days earlier on January 11th, do you recall that?

ROCHA: I know there were I believe two interviews. I don't remember the exact date again.

P. HARRIS: You recall the first interview being prior to the revelation of Amber Frey?

ROCHA: Yes.

P. HARRIS: Okay. And during that entire interview did you ever mention to Detective Grogan the comment about Scott saying "I was kind of hoping for infertility"?

ROCHA: I do not.

P. HARRIS: That comment came up after the revelation of Amber Frey, correct?

ROCHA: Yes, I told Detective Grogan that.

P. HARRIS: In fact, what you told Detective Grogan is, you weren't even sure, but you thought it might have been a joke, but you weren't even sure because Scott was, quote, hard to read?

ROCHA: He was not laughing, he was not smiling, so when I heard that I was kind of surprised that -- I was kind of shocked by what he said and I didn't know how to read him at that point.

P. HARRIS: And so you didn't know whether he was joking or not, did you?

ROCHA: He wasn't laughing and he wasn't smiling, so I can't say, yes, he was joking, no, he was not joking.

P. HARRIS: Well, you told the police you didn't know?

ROCHA: Right.

P. HARRIS: That's all I have.

Redirect Examination by David Harris

D. HARRIS: I have a few questions.

JUDGE: All right. Go ahead.

D. HARRIS: Ms. Rocha, just so we get this clear, when you talked to Detective Grogan at the first interview, was the purpose of that interview from that particular one from what you could tell him asking you where your husband was on the 23rd and 24th?

ROCHA: Yes.

GERAGOS: Objection, calls for speculation.

JUDGE: Overruled.

D. HARRIS: I'm sorry, your answer is?

ROCHA: Yes.

D. HARRIS: And did you tell him where he was and where you had been that particular day?

ROCHA: Yes, I did.

D. HARRIS: Was this a relatively brief interview?

ROCHA: Yes, it was.

D. HARRIS: And after that information was verified by the police did the detective come back out later and talk to you again?

GERAGOS: Objection, calls for speculation as to what happens again.

JUDGE: Whether it was verified or not. I'll sustain on that grounds.

D. HARRIS: After that first interview did they come back and talk to you a few weeks later that you were talking about?

ROCHA: Yes.

D. HARRIS: And at that point in time were they asking you questions about Scott and Laci?

ROCHA: Yes.

D. HARRIS: And that's when you told them that particular statement?

ROCHA: Yes.

D. HARRIS: I have no other questions.

Re-Cross Examination by Pat Harris

JUDGE: Mr. Harris?

P. HARRIS: Yes. I'd like to show you a copy of the report from January 11th written by Detective Grogan. Would you take a look at that section, please.

JUDGE: Just read it to yourself.

ROCHA: Yes.

P. HARRIS: Does that refresh your recollection that in fact you did talk with the detective on January 11th about Scott and Laci's relationship. In fact, you stated Scott and Laci's relationship seemed happy. She could think of no one who would want to hurt Laci. Rose Marie was aware of no affairs, plans of divorce or separate by Scott and Laci. So in fact you did discuss their personal relationship on January 11th, correct?

ROCHA: Um, their, yes. I

P. HARRIS: Thank you. That's all I have.

JUDGE: May this witness be excused?

D. HARRIS: No objection.