Witness: Brent Rocha

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Day 1 of 1 for this witness

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Direct Examination by David Harris

HARRIS: Mr. Rocha, we heard from you before, Laci Peterson was your sister?

ROCHA: Yes.

HARRIS: I want to talk to you about Laci. Can you tell us in your own words a little bit about your sister.

ROCHA: Well, obviously she was my sister and we grew up together.

JUDGE: Mr. Rocha, do you want to pull the microphone. Okay. Thanks.

ROCHA: So obviously like many households, we grew up together, we spent a lot of time together until we were quite young and got older, went through school, both got married, beginning to move on to the next phases of starting our families. She was a very energetic, outgoing person, just a very kind person. Really, I mean, to sit here and try and describe it is very difficult to do, but I mean she was just like any of us sitting in this room right now.

HARRIS: You said that you were growing up together, were you older than Laci?

ROCHA: Yeah, four years older than Laci.

HARRIS: What was it like to have kind of a kid sister hanging around?

ROCHA: Well, just like in our younger years I think it was more -- can be antagonistic of course with any siblings and not always get along. But as I think we got older we became much closer. And I think even as we got into our college years and more adult lives we even became closer and closer and continued to be closer so our relationship was improving and always getting better and better.

HARRIS: Now we had some pictures and I want to have those marked and have you look at them. Counsel's already seen them before?

JUDGE: All right. We'll mark those next in order. How many photographs do you have?

HARRIS: Four photographs.

JUDGE: Four photographs, A through D.

HARRIS: Mr. Rocha, I'm going to show you what's been marked 302 A through D. Have you look at those. Do you recognize these photographs?

ROCHA: Yeah, family photos with Laci in them.

HARRIS: And do they accurately depict what was occurring in the photographs?

ROCHA: Yes.

HARRIS: I'm going to start with 302A. You can barely see it there. Can you describe for us what we're looking at.

ROCHA: Well, that's a picture of myself on the right-hand side and Laci standing behind the couch and Ron's son, Darren, in the middle and Ron's nephew Zachary on the left side.

HARRIS: Now when you were talking about Ron's son in the middle, what was his name again?

ROCHA: Darren.

HARRIS: And did Darren grow up as part of the household as well?

ROCHA: He was raised with his mother out of state I believe in Oregon, but there was times he lived with Ron as well.

HARRIS: And looking at this particular photograph, it's a little bit hard to see right now, is that fairly typical of Laci there with that big smile?

ROCHA: Yeah, she was a very outgoing person, always having a good time in all settings.

HARRIS: And you were talking about a little bit earlier how as you progressed in going through college, I know you've seen this picture before, 302 B –

ROCHA: Thanks.

HARRIS: this particular picture, is this the two of you getting a little bit older?

ROCHA: This is actually, this was during a Thanksgiving break. I believe we were both in college at that time prior to the early '90s.

HARRIS: And again we see Laci with that big smile?

ROCHA: Yes.

HARRIS: Now you talked about how you both went off or you go off to college and as things progressed past that you started to get a little bit closer, did you go to a different college than she did?

ROCHA: Yes, I did.

HARRIS: Did you keep in touch with her?

ROCHA: We did by phone and a lot of times during our breaks usually I go down and see her in San Luis Obispo so we stayed pretty close.

HARRIS: And describe for us, what was it like when you went to go visit your sister?

ROCHA: Well, actually, it was really fun. She was my little sister and she was, I'm the boring one, she was the lively one so it was really entertaining to go see her. She always, I mean, it's amazing what you learn when she moved away. I mean, just as an example, we go down and it was one Easter down in San Luis and we went to a farmer's market and I think we did some wine tasting and just did all these different things I wasn't accustomed to and we made it an Easter dinner and it was just her and I. We probably bought about 40 or $50 worth of food called papaya and we probably ate one-tenth of what we could. It was just, she was always full of life and doing neat things and kind of teaching me a lot.

HARRIS: Did you enjoy spending time with her?

ROCHA: I did very much.

HARRIS: As time progressed, looking at 302 C, what is this picture of?

ROCHA: This is one of my or one of the pictures when I was married. She was in our wedding so she was one of the bridesmaids.

HARRIS: You married Rose?

ROCHA: Yes.

HARRIS: When you got married to Rose you said Laci was in the wedding, did you and Laci start talking about having, you know, both of you getting married, having children and kind of becoming parents at some point in time?

ROCHA: It was sometime afterwards. She got married before I did, but one thing we've always talked about when we were growing up is it would probably be nice to have kids at the same age or same time period so we could stay close as a family, our kids could grow up together, I could send them over to her house on summer breaks and she could send her kids over to my house on summer breaks and so it is something we talked about. My first child was born in 19, or 2001 and I know at that time she was interested in starting her family as well for partly because of what I just mentioned, so we could have kids together at the same time period.

HARRIS: When you guys were talking about this why did you want to have your kids at the same time?

ROCHA: Well, it wasn't so much that we wanted to have them at the same time, it was more that we just wanted to be together as a family and grow up and just be together.

HARRIS: And when you were talking with her about this was it something that she was looking forward to when she found out that she was pregnant?

ROCHA: Oh, very much so. I don't think I have ever heard her be more excited than the day she called me up to tell me she was pregnant.

HARRIS: And why was she so excited?

ROCHA: Well, one, I think the main reason was she was having trouble getting pregnant and I think she was just, you know, thrilled that she was able to be pregnant because it probably crossed her mind that she wouldn't be able to and, of course, I mean, that was just part of our family that we were hoping to extend so we were very happy about that as well.

HARRIS: Did Laci ever take care of your children?

ROCHA: No, at that point before she was murdered.

JUDGE: Mr. Rocha, excuse me.

ROCHA: Am I too close?

JUDGE: Do you want to put this on there. It fell off.

ROCHA: Good enough?

JUDGE: I believe my clerk

ROCHA: Okay. My oldest son was probably just a year, year-and-a-half, so he was quite young. She didn't get to, you know, baby-sit him too much or watch him.

HARRIS: Did you and your wife and your, what's your older son's name?

ROCHA: Antonio.

HARRIS: Did you go to family functions where Laci was at?

ROCHA: Sure.

HARRIS: And what happened when Laci was around Antonio?

ROCHA: Oh, well, just in general she's always, she was outgoing so she didn't have a problem getting to hold him and being around him. But what was neat you could tell she was looking forward to motherhood. When she would hold him it was just so gentle and just kind of precious

just the way she kind of looked at him and held him. It's just, it was a unique relationship. I mean, it was the first grandchild in our family so I think she showed her love by showing just by showing how much she cared for him so it was kind of her interaction with him and Antonio.

HARRIS: Did it look like she was going to be a good mom?

ROCHA: Oh, yes, absolutely.

HARRIS: Can you explain that to us.

ROCHA: She was just a kind person. I mean, she was a good-hearted person. She was going to be a great mother. I mean, she talked to my wife very often about her pregnancy since we just went through that. She was in our labor and delivery room when we had Antonio and you can see her learning and expecting what she might be going through. And, so, yeah, she was going to be a great mom.

HARRIS: At some point in time around Christmas Eve of 2002 did you get notified that Laci was missing?

ROCHA: Yes.

HARRIS: What did you do at that time?

ROCHA: Well, I live out of town so it's probably about, I don't know, maybe 7:00 o'clock when I got home that evening, which was Christmas Eve, and there were several messages on my machine. So I believe I was playing the messages and the phone rang again and I answered the phone and someone identified me that Laci was missing. I immediately went down to Modesto.

HARRIS: What was it like when you were looking for your sister?

ROCHA: Well, that night was just you're in shock and it's terribly cold and unbelievable and you're in disbelief. Definitely you can't imagine you're actually going through this right now.

HARRIS: The days go by after she disappears, do you become somewhat of a family spokesperson to go out and deal with the media?

ROCHA: At times I spoke. I mean, I remember the first, that next day I spoke. I took McKenzie out so the media can see the dog, hoping that someone could recognize McKenzie and we were basically speaking to get the word out to hopefully find Laci.

HARRIS: Did you eventually go out and somewhat plead for your sister's return?

ROCHA: Yes.

HARRIS: Can you describe that for us.

ROCHA: Well, it was one of the press conferences. We tried a lot of different techniques. I mean, we had a lot of the community involved handing out fliers and

JUDGE: Excuse me, I think this has been covered. The issue is how the loss of Laci Peterson has affected his life. I think we've covered all this in the guilt phase.

HARRIS: When you were talking at one of those particular press conferences did you indicate something about feeling guilty?

ROCHA: Yes, I did. We were having a press conference basically to plead to the person who was responsible asking for Laci's return and I did express remorse for not being able to be there to protect Laci. As an older brother, any siblings is raised to protect your younger sisters, and that's what I expressed in that press conference.

HARRIS: You talked about there was community support, was there an outpouring of help for the family?

ROCHA: Yes.

HARRIS: Did this touch a lot of people in Modesto?

ROCHA: Yes, it did.

HARRIS: Did those people show their support for you?

GERAGOS: Objection.

JUDGE: Yeah, this is off the subject. The issue is the impact of Laci Peterson's loss, how has it affected his life. We're not concerned about other people in Modesto.

HARRIS: Was there a memorial service that you spoke at?

ROCHA: Yes, there was.

HARRIS: And can you, can you explain to us what it was what you were dealing with what you were trying to express at the memorial service?

ROCHA: Well, just in general, one thing, even to be up here right now, and to speak at the memorial service is obviously you don't look forward to do or doing. I'm sorry, your question exactly was how I was feeling or

HARRIS: Let me ask another question. Do you miss your sister?

ROCHA: Yes, I miss my sister. I miss her very much. I try to remember the good memories we have with each other, but, I mean, they're overshadowed all the time with how she might have died and by who and maybe her knowing that who did it, but I do miss her terribly.

HARRIS: As the judge was saying, in your day in and day out life now how has Laci and Conner's murder affected you?

ROCHA: Well, I mean, personally it's affected me in numerous ways. I probably can't even begin to tell you. But, I mean, you wake up in the middle of the night, you think about it constantly. I've been living in this for the last two years. My kids won't have any cousins. Laci was my only full sibling and it's a big part of the family that's missing now.

HARRIS: Was Laci usually involved with things at the holidays?

ROCHA: Well, Laci was the person that coordinated the holidays pretty much for our family. So when you stand up here and say, well, she was like the centerpiece of the family, you're not over exaggerating. She's the one that did Christmas. She's the one that brought everyone together. Obviously, we haven't done that since she's gone, but she was kind of the life of the holidays.

HARRIS: And are your holidays different now?

ROCHA: Oh, absolutely. We still have, I don't think we've celebrated a holiday. I mean, we do it for my kids, we've gotten together, but it's awkward.

HARRIS: You talked about her being kind of the life of the holidays. I'm showing you 302 D, is that how your sister was around Christmas the last time you saw her?

ROCHA: Yes. I think I saw her that day earlier that day or maybe the day before.

HARRIS: If you had a, I don't mean to put you on the spot here, but if you have a favorite story that you remember about your sister that you can share with us, do you recall one?

ROCHA: Well, I think there's a lot of neat stories I could share with you, but one of the most sincere stories for me was when we got married she stood up and gave her speech and she welcomed my wife into our family. And, I mean, she was just a really genuine person and she meant what she said and she said it from the bottom of her heart. I mean, that is how she was, she just really spoke and spoke the truth and meant what she was saying and was just really kind. She was kind enough to do that on behalf of my family, so that's kind of always one of the stories that will stay with me.

HARRIS: The People have no other questions.