Witness: Rudy Skultety

Date: 2004-07-13

Proceedings held July 13, 2004

Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – Rick Distaso; Cross – Mark Geragos; Redirect – Rick Distaso

Day 2 of 2 for this witness

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

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July 13, 2004

Direct Examination by Rick Distaso

DISTASO: Detective Skultety, you testified earlier on a different issue in this case, correct?

SKULTETY: Yes, I did.

DISTASO: As part of your duties as a detective for the Modesto Police Department, were you kind of responsible for the GPS tracking of the defendant's various automobiles?

SKULTETY: Yes.

DISTASO: And did you collect the tracking data from a GPS unit that was installed in the Chevy S-10 Sonoma pickup, license number 6U76078 rented from Enterprise Rent a Car from January 8, 2003?

SKULTETY: Yes, I did.

DISTASO: And regarding the particular track to the Berkeley Marina, is that represented by People's 235A?

SKULTETY: Yes.

DISTASO: All right. And flip it around now. Hold on to that for me if you don't mind.

JUDGE: What's the date of that track now?

DISTASO: That was January 9th, detective, 2003?

SKULTETY: Yes.

DISTASO: Okay. And did you also collect the tracking data from the defendant's Land Rover automobile on January 26th, 2003, regarding another trip to the Berkeley Marina?

SKULTETY: Yes, I did.

DISTASO: And is that data reflected on People's 235B, the photograph?

SKULTETY: Yes.

DISTASO: And, finally -- you can put the final board back up.

Did you collect the tracking data from a Dodge Dakota automobile -- pickup truck that had been rented by from Enterprise Rent a Car, license number 6U03269 on January 27th of 2003?

SKULTETY: Yes, I did.

DISTASO: And is that data reflected on People's 236?

SKULTETY: Yes.

DISTASO: When you testified previously, I had forgotten to ask you about one cement sample that you collected. Let me have this marked.

JUDGE: This is a new exhibit?

DISTASO: It will be a brand new number, judge.

JUDGE: 238.

GERAGOS: What's the item number?

DISTASO: I'll let you look at it. And this particular item, People's 238, what is contained in there?

SKULTETY: It's debris that was vacuumed from the boat.

DISTASO: And who vacuumed that up?

SKULTETY: ID Tech Doug Lovell.

DISTASO: Do you remember what date that was?

SKULTETY: On February 14th.

DISTASO: 2003?

SKULTETY: I believe so, yes.

DISTASO: If you need to check your report, go ahead.

SKULTETY: Yes.

DISTASO: All right. And did you collect that item and then book it into evidence?

SKULTETY: Yes. Once he vacuumed it, he placed the debris into the envelope, and I took custody of the envelope, sealed it, and booked it.

DISTASO: Nothing further, your Honor.

Cross Examination by Mark Geragos

GERAGOS: Good morning.

SKULTETY: Good morning.

GERAGOS: You also collected the tracking data for January the -- the entire day of January the 9th, correct?

SKULTETY: Yes, that is correct.

GERAGOS: And that's what's previously been marked as C; is that right?

Not that it's marked as C, but that appears to be the tracking data that was collected?

JUDGE: 234C. Do you understand?

SKULTETY: Yes. Yes, that appears to be it.

GERAGOS: And you also collected, on January 9th, and you specifically -- looks like -- show you D5Z. Is that something you produced?

SKULTETY: Yes.

GERAGOS: Okay. And can you tell the jury what this is?

SKULTETY: It's an -- it's a magnified area of a track in the area of what we call Forebay. So over by Highway 152.

GERAGOS: Okay. Forebay, is that a reservoir area?

SKULTETY: Yes. It's next to -- I believe that's San Luis Reservoir.

GERAGOS: One of the areas that Modesto PD searched in connection with this case?

SKULTETY: I believe it was, but I can't say for certain.

GERAGOS: Now, you also collected, I believe, tracking data for the 20th? Although it looks like -- show it to the jury a second. Says 21st on there. Is there a reason for that?

SKULTETY: Yes. This is -- this was the day I downloaded it.

GERAGOS: And when you say the day you downloaded, does that mean that the data itself was for the 20th?

SKULTETY: That's correct. They collected a day of data in the following day. I would have downloaded it in that particular case.

GERAGOS: Right there where it says January 21st, 03, that's -- and Skultety, your name, that's just the day that you downloaded this, right?

SKULTETY: That's correct.

GERAGOS: But on January 20th, this map is a representation of specifically where the tracking device indicated the GPS coordinates of the vehicle?

SKULTETY: Yes.

GERAGOS: Okay. And this area down here, is that also that same reservoir area?

SKULTETY: Yes.

GERAGOS: Then I had asked you, I guess, to zoom in on that, correct?

SKULTETY: Yes.

GERAGOS: Okay. And that's D6G. You also did that?

SKULTETY: Yes.

GERAGOS: Actually you didn't do it on the 21st. But it still imprints with the 21st, because that's the day that the information was downloaded, correct?

SKULTETY: That's correct. Pretty sure this is the January 20th track.

GERAGOS: This is a closeup of the 20th track showing that somebody -- whoever was driving that car went into this area here by the Forebay, and then around?

SKULTETY: Yes.

GERAGOS: A reservoir as well?

SKULTETY: Yes.

GERAGOS: Now, were there are other tracking devices that were used; is that correct?

SKULTETY: Yes.

GERAGOS: The other tracking devices that were used were -- I guess went by either Star Trek, or Safety Trek?

SKULTETY: Safety Track.

GERAGOS: Safety Track. Now, you collected -- there was -- on February 9th of 2003, I have got it as Bates number stamp 16852, the one I showed you this morning?

SKULTETY: February 9th.

GERAGOS: February 9th.

SKULTETY: Yes.

GERAGOS: Okay. And you have that as -- the address of the GPS data sheet has 470 meters northeast of Tracy Boulevard and California 4?

SKULTETY: What's the data number.

GERAGOS: See if I can show it to you.

SKULTETY: Yes, that's correct.

GERAGOS: Do you know where that is?

SKULTETY: No, I do not.

GERAGOS: Show you a Yahoo map that we called up, or two Yahoo maps. Does that look to be roughly the same area that was described by the GPS data?

SKULTETY: What I would have to do, since I'm not familiar with this area, is compare the longitude and latitude that was probably entered. If the longitude and latitude markings were entered and that's what was produced, then it should be consistent.

GERAGOS: Okay. I'm going to mark these, if I could, judge, as next in order.

JUDGE: Defendant's next in order. Do you want to mark them DG -- DG –

Clerk: 6 -- D6.

JUDGE: I beg your pardon. Defendant's D6I, and mark that 1 and 2.

GERAGOS: Now, specifically so that the jury understands, the Orion system that you were using, you were able to use that software to create these maps; is that correct?

SKULTETY: That's correct.

GERAGOS: And that would be the -- what I would refer to, I suppose, as better quality maps than the one we were just looking at here, right?

SKULTETY: Yes.

GERAGOS: When I asked you to take at a look at this, it's their Sky Track or Safety Track. You don't have that capability on the other trackers; is that right?

SKULTETY: No. It doesn't collect data the way this unit did either.

GERAGOS: So the Orion unit, if I understand everything that's been told to both you and to me, the Orion units collect data with a little bit more precision in terms of the exact location; is that correct?

SKULTETY: That, and more frequent locating also.

GERAGOS: So one of the witnesses just testified that you could set it for every ten seconds, whatever, five seconds, whatever. The other trackers were not ones that were that -- were set in that fashion, correct?

SKULTETY: No, not at all, no.

GERAGOS: The other trackers apparently -- I guess you have got an example of how it comes up when you call it up; is that correct?

SKULTETY: Yes.

GERAGOS: Could you take a look at that forone second and show that? Mark this next in order.

JUDGE: Mark as D6I-3.

DISTASO: We agree, again, to substitute a copy.

JUDGE: Stipulate it can be copied and the original returned to the witness?

GERAGOS: Yes.

GERAGOS: Now, I'll show in a second what it looks like.

The precision of where the specific area is nowhere near the same as you could do with the Orion; is that correct?

SKULTETY: Can I explain?

GERAGOS: Sure.

SKULTETY: I think it would be easier. The Orion tracker we would set to take a reading anywhere from five to thirty seconds. And so it was constantly -- at least would be communicating with the unit and give us a reading every five to thirty seconds. The Safety Track system I had little involvement with. But the way it was set -- and it's a through a website -- would take a reading every hour. So we couldn't plot a course, let's say, the same way you could with the Orion. And that was some -- that's some of the data that –

GERAGOS: Is it a fair statement that what I'm putting up here which is marked D6I3, that's what that particular tracker would produce?

SKULTETY: That's correct. It's the triangles or the datasets.

GERAGOS: Are the datasets. Where you see the triangles, right there?

SKULTETY: Yes.

GERAGOS: And that's about as much precision as you could get on these trackers?

SKULTETY: You could go into -- like I said, it does produce the longitude and latitude of the location that you can track back -- I think was what the map you showed me. But it was just so inconsistent that we didn't use it.

GERAGOS: The specific areas, for instance, you had I believe -- I'd ask you to take a look at got the 20th. Already marked. You have already seen the 20th. The tracker -- when was the tracker installed on the car -- the second pickup truck?

SKULTETY: Are you talking about the Dodge Dakota?

GERAGOS: Yeah. Let's -- just for a second when you executed the search warrant on December 26th, you take both the pickup truck -- Mr. Peterson's pickup truck and the Land Rover are seized, correct?

SKULTETY: That's correct.

GERAGOS: Okay. And you keep his pickup truck. It's not returned for roughly about a year, correct?

SKULTETY: That's correct.

GERAGOS: Okay. So the Land Rover is returned January 3rd.

SKULTETY: Correct.

GERAGOS: It's returned with a tracking device?

SKULTETY: Yes.

GERAGOS: Okay. And then you put a series of tracking devices on the rental cars that he gets from Enterprise, correct?

SKULTETY: Yes.

GERAGOS: And then at some point you put an -- or he buys another pickup truck; is that correct?

SKULTETY: That's correct.

GERAGOS: Okay. And that's the end of January?

SKULTETY: Somewhere in the beginning of February, end of January, somewhere in there.

GERAGOS: Okay. And when he buys the new pickup truck, you get a tracker on there, as well?

SKULTETY: At some point one was installed, yes.

GERAGOS: That was -- if I'm not mistaken, the second search warrant is executed on February 18. You were there, correct?

SKULTETY: Right.

GERAGOS: On February 18th his truck -- his second truck is seized, correct?

SKULTETY: Yes.

GERAGOS: So you have got -- at that point, the Modesto PD has the original truck that was seized on the 26th of December, right?

SKULTETY: Yes.

GERAGOS: Okay. And he then goes and buys -- trades in the Land Rover, buys a second pickup truck, and you have nowseized that one, correct? For that -- at least a two-day period of time, both of his trucks are in the custody of the Modesto PD?

SKULTETY: I believe it was only for a day, or couple of hours.

GERAGOS: In order to put a tracking device on; is that correct?

SKULTETY: That's right.

GERAGOS: You have got the one truck, he sells the Land Rover, gets a second truck. The second truck is then seized. A tracking device is put on the second truck and it's released back to him, correct?

SKULTETY: Correct.

GERAGOS: Now, you have -- on 16854 Bates number stamp, February 8th, I'm going to point you to entry 76, 77, 78 and 79, and 80.

SKULTETY: What was the first number, please?

GERAGOS: 76.

SKULTETY: Okay.

GERAGOS: Now, do you know where that location is?

SKULTETY: That's in Concord. I don't know the area

GERAGOS: And specifically gives a location of -- is thatHighway 4, 164 meters north of Montreal Circle and Calvary Lane?

SKULTETY: Yes.

GERAGOS: Do you know where that -- do you know where that location is located?

SKULTETY: I'm guessing Concord. I'm not familiar with Concord.

GERAGOS: Do you know if that's one of the areas that was being searched for Laci Peterson?

SKULTETY: No, I do not.

GERAGOS: Do you know where the Pittsburg Marina is?

SKULTETY: Pittsburg Marina? No, I do not.

GERAGOS: Do you know if the Pittsburg Marina was also an area that was searched by Modesto PD and others for Laci Peterson?

SKULTETY: I don't know. I wasn't involved in that aspect of it.

GERAGOS: Okay. Specifically Mr. Distaso asked but a cement sample that was vacuumed up. Do you remember that?

SKULTETY: Yes.

GERAGOS: Now, in addition there was a cement sample that was taken from the driveway of the house at 523 Covena at some point when the search warrant was being executed on February -- on December 26th and 27th, correct?

SKULTETY: Yes.

GERAGOS: And that was taken -- that sample -- was there an area where there was kind of a thin veneer of cement next to the driveway?

SKULTETY: Yes.

GERAGOS: Okay. Specifically do you remember where that location was?

Did you take pictures of it?

SKULTETY: I did not. I believe it was the area -- I don't have the sketch. It was the area just the floor of the driveway. I don't think I have got the larger file out here.

GERAGOS: Tell me if any of these pictures show the location where that was.

SKULTETY: None of them show the exact area. But the general area in that picture, which is Exhibit Number J, it would be near the -- Exhibit Number J, it's towards the right front of the silver pickup that you can see in the photo.

GERAGOS: I'm going.

JUDGE: What's the rest of the exhibit number?

GERAGOS: It's J.

JUDGE: Just plain J.

GERAGOS: Just plain J.

JUDGE: All right. Got too many exhibits. It's hard to tell.

GERAGOS: The specific area that you are talking about is, you can't see from here because the truck blocks it off, but there appeared there was some bricks that were right over here; was that correct?

SKULTETY: Yes.

GERAGOS: Okay. This picture doesn't really show much of it. Just right in this area. And then the bricks came over towards where the front of the truck was?

SKULTETY: There was a pile of bricks. I don't remember exact size.

GERAGOS: If the truck was not here and you had that pile of bricks, went directly in the direction, where I'm pointing on the ground is where the cement was?

SKULTETY: Yes.

GERAGOS: Okay. Judge, I'd ask -- I know this find of -- I have a picture. The only way that I think that I can show him, and ask a couple of questions with him.

JUDGE: You want to him the diagram then?

GERAGOS: I do. The diagram is -- Marylin has got locked up.

JUDGE: All right. We'll take the noon recess to find the diagram. Remember the admonition. You are not to discuss this case among yourselves or with any other person, or form or express any opinion about this case. We'll reconvene at 1:30.

JUDGE: All right. This is the case of People vs. Scott Peterson. Let the record show the defendant is present with counsel, and the jury is in the jury box, along with the alternates. And, Mr. Geragos, proceed.

GERAGOS: Thanks, Judge. I've got four pictures.

JUDGE: New ones?

GERAGOS: New ones that I'm going to mark.

JUDGE: Okay. That would be D 6 J.

Clerk: There's six photos -- wait, four photos.

JUDGE: Pardon me?

Clerk: Four photos.

JUDGE: 1 to 4.

GERAGOS: When we left, I had asked you about the location of this cement by the driveway; do you remember that?

SKULTETY: Yes.

GERAGOS: Okay. I've got up here People's 12. Will you take a red pen and show me -- and show the jury that area, where that was that was taken from.

I think there's one, maybe, behind it.

SKULTETY: Okay.

JUDGE: Detective Skultety, just mark an X and draw a line out to the margin and put "concrete" on the end.

GERAGOS: Concrete.

SKULTETY: It was in this area. You want here "cement"?

GERAGOS: Yeah. Just put "cement" up there.

SKULTETY: (Witness complies)

GERAGOS: Judge, I've got the four pictures which I mentioned before which are now marked.

JUDGE: Okay.

GERAGOS: Okay. This is the front of the house, and the location where the cement -- where you just -- right over here by this trash can; is that right? D 6 J 4? You've got D 6 J 3. That's a slightly closer view, and that's in the driveway area; is that right?

SKULTETY: Yes.

GERAGOS: Okay. Even D 6 J 2, which is slightly closer in that area.

What we're seeing is a picture that's looking right directly towards the X; is that right?

SKULTETY: Correct.

GERAGOS: Okay. And then D 6 J 1, if I -- looks like this is the edge of the driveway here, and then this area here represents the cement that was next to the driveway; is that correct?

SKULTETY: It --

GERAGOS: You want to take -- I'll pull that one and let you take a look at it, because you lose some of the clarity when you amplify (handing exhibit to the witness).

SKULTETY: Yes.

GERAGOS: Okay. And that's the area from which you took one of the samples, or a sample was taken –

SKULTETY: Right.

GERAGOS: on the day of the search warrant; is that correct?

SKULTETY: Right. And you've got it this way. That would be the driveway.

GERAGOS: Okay. Let me just...as you're standing over, it's something like this?

SKULTETY: Yeah. The driveway -- there you go, yeah. The driveway would be to your left.

GERAGOS: Okay. And this area in here would be the hardened concrete, and this area would be the rock and the less hardened, I guess, concrete? Or the looser concrete?

SKULTETY: That's the general area that the sample was taken, that's correct.

GERAGOS: Okay. And, once again, that was taken from this area right here, right in there?

SKULTETY: Roughly in that area, yes.

GERAGOS: Okay. Look like the cement had been placed right where that garbage can was? Or right -- like a stepping stone over to where the garbage can was?

SKULTETY: My recollection the area would be closer to where that yellow bag is, or whatever that is, on the ground.

GERAGOS: Okay. Closer right around -- if this car wasn't here, right in that area?

SKULTETY: I -- I remembered it being closer to the fence, correct.

GERAGOS: Okay. Over on -- the fence being right here; is that correct?

SKULTETY: Then in the general area of that yellow bag is the -- about where the end of the driveway is.

GERAGOS: Okay. And the -- who collected the cement that day on the day of the search warrant?

SKULTETY: Detective Brocchini.

GERAGOS: How did he collect it? With his hand?

SKULTETY: I didn't actually -- I gave him an envelope. I believe he might have scooped it with the envelope and then handed me the envelope.

GERAGOS: Okay. When you say "scooped it," did -- you didn't see him use a glove or anything like that, you -- just scoop with his hand into an envelope?

SKULTETY: I can't say whether he was wearing gloves or not.

GERAGOS: Okay. Now I showed you –

JUDGE: See if you can lay a foundation for those photographs.

GERAGOS: Huh?

JUDGE: Do they accurately depict the scene as it appeared to you on the day in question?

SKULTETY: The vehicle is different. I don't recognize the vehicle.

JUDGE: With the exception of the vehicle, is it in the same place in the driveway?

SKULTETY: It appears to be, yes. It's a little bit more grown.

GERAGOS: Now, I showed you, I think I handed them to you, another map; is that correct?

SKULTETY: Yes.

GERAGOS: Okay. And I had asked you before if specifically Railroad Avenue and Frontage Road, was that near the Pittsburg Marina; do you remember that question?

SKULTETY: Yes. Do you remember the page, Bate number -- GERAGOS: I think it was 60852. Mark these two as next in order.

JUDGE: Okay. D 6 K 1 and 2.

GERAGOS: Might as well make it 1, 2, and 3.

JUDGE: Okay. D 6 K 1, 2, and 3.

GERAGOS: Were you able to find that location? I've got it as looks like number 46, on February 9th. And I do show -- I show it looks to me like 16852 is the Bates stamp.

SKULTETY: Yes, I have.

GERAGOS: Okay. 46 entry there, Frontage Road, Railroad, and then shows Pittsburg?

SKULTETY: Yes. Yes.

GERAGOS: The -- specifically I showed you -- over the break I showed you a couple of Yahoomaps that appear to be the areas that we're talking about, with the yellow highlights for where the tracker shows him?

SKULTETY: Yes.

GERAGOS: Okay. The -- specifically –

JUDGE: Mr. Geragos, what's the date of this track?

GERAGOS: Excuse me?

JUDGE: The date.

GERAGOS: February -- It's February 9th at approximately what hour, Detective?

SKULTETY: Number 46 is 2:20 p.m. and 35 seconds.

JUDGE: 2:20?

SKULTETY: And 35 seconds p.m.

GERAGOS: Now, this is the tracker that, as we discussed before lunch, was the one that does not take the snapshot, so to speak, as frequently as the Orion tracker, correct?

SKULTETY: That's correct.

GERAGOS: Okay. So you would get -- for instance, the track right before this was what time? 45.

SKULTETY: Actually it's backwards on the way it's numbered. So it would be number 47 is 120 and 35 seconds p.m.

GERAGOS: So about an hour before this one?

SKULTETY: Yes. These things -- I believe this unit took a reading approximately every one hour.

GERAGOS: Okay. So at approximately sometime after 1:20 until the time of 3:00 the tracker is in the vicinity here of this Pittsburg Marina and Railroad Avenue at Frontage Road in Pittsburg on this Yahoo map. The Railroad Avenue and Frontage Road puts him right there and puts the marina right over there; is that correct? And I also did one other thing. I put a Map Quest, and I put in the latitude and the longitude. Does that appear to match specifically the latitude and the longitude of the tracker?

SKULTETY: Yes.

GERAGOS: And the location where the star is on the latitude and the longitude, is latitude 38.0157 and longitude -121.8913 would have him right there, and then right over here would be this area on -- that we discussed before; is that correct? The marina?

SKULTETY: Yes.

GERAGOS: Okay. Now, the -- specifically you can check the tracker for specific locations. And I'm going to ask -- do you have a hold of the Bates numbered stamps there?

SKULTETY: On which tracker?

GERAGOS: The one that we're on right now. Do you know what that is, of the Sky Tracker?

SKULTETY: The Safety Track?

GERAGOS: The Safety Track.

SKULTETY: Yes, I believe I have them all.

GERAGOS: Now, on the Safety Track, there are a number of trips that this tracker takes on this vehicle to San Diego; isn't that correct?

SKULTETY: I have not reviewed the data on this tracker.

GERAGOS: Okay. If I tell you February -- it looks to be February 23rd; do you have that? I've got it Bates numbered stamped 168 -- looks like 79.

SKULTETY: Yes.

GERAGOS: It looks like virtually all of the tracks on February 22nd and 23rd on that page, which covers the 22nd from 5:00 p.m. to the 23rd at 5:00 a.m.

shows the tracker to be in San Diego and then moving to Solano Beach. And that's also in the San Diego County area, correct?

SKULTETY: Yes.

GERAGOS: Okay. And do you show also that -- on February the 24th, you show the tracker also located in Solano Beach?

SKULTETY: Are you on 16876?

GERAGOS: Exactly.

SKULTETY: I show -- I show -- on the 24th I show one, two, three, four -- four or five data sets for the 24th in Solano Beach.

GERAGOS: Also in San Diego County, correct?

SKULTETY: I've never been there.

GERAGOS: You knew in connection with this investigation that both his parents and his sister lived in Solano Beach City and County? Or not?

SKULTETY: I just know they lived down in the San Diego area

GERAGOS: Okay. Specifically on the -- so we've covered the 22nd, 23rd, 24th. Going into March, on March 1st, do you have the data for March 1st?

SKULTETY: On 16896?

GERAGOS: Yes.

SKULTETY: Yes.

GERAGOS: Okay. On March 1st, do you show two data sets in San Diego, two in Solano Beach?

SKULTETY: On my page I show –

GERAGOS: Two -- I'm looking at data set number 100.

SKULTETY: Yes. I show two in San Diego on the 1st, and then it looks like the next one's the 3rd.

GERAGOS: That's what I've got as well. So you show him in San Diego both March 1st and March 3rd, correct?

SKULTETY: Yes.

GERAGOS: Okay. And then do you show another data set for March the 8th?

I show that on -- specifically 16893.

SKULTETY: Yes.

GERAGOS: Okay. Do you show him once again -- I show four data sets for Solano Beach.

SKULTETY: Yes.

GERAGOS: Okay. And next for March 14th? I show on March 14th –

SKULTETY: 16891.

GERAGOS: 91, correct. I show the third and fourth data sets for Solano Beach. On the 14th I show him on the 17th in San Diego; is that what you have?

SKULTETY: Yes.

GERAGOS: Okay. And then on March 25th, 16900?

SKULTETY: 16900?

GERAGOS: Yes.

SKULTETY: Yes.

GERAGOS: Okay. Starting on March 25th, do you show him -- all of these data sets for March 25th and March 26th as being in Solano Beach?

SKULTETY: All my data sets for the 25th are in Solano Beach, and then there's a couple of data sets for Solano Beach and somewhere else.

GERAGOS: On the 26th as well?

SKULTETY: Yes.

GERAGOS: Okay. And then the 27th?

SKULTETY: Are you on 16899?

GERAGOS: Yes. I show four data sets for Solano Beach on the 27th, and then a fifth one and a. -- looks like San Diego and Solano Beach that carries through March 28th all the way through April 2nd; is that correct?

SKULTETY: I have two locations on the 27th; but, yes, on the 28th, the 1st –

GERAGOS: April 1st?

SKULTETY: and the 2nd.

GERAGOS: Right. April 1st and April 2nd all show San Diego and Solano Beach, correct?

SKULTETY: Yes.

GERAGOS: Okay. And specifically on 16896 you show April 14th in San Diego; is that correct? Four data sets?

SKULTETY: Yes.

GERAGOS: All right. April 15th, five data sets, San Diego?

SKULTETY: I must apologize, I don't know what that other location is, so I don't know if that's San Diego or not.

GERAGOS: Okay. Who was monitoring this tracker during the months of March and April?

SKULTETY: It wasn't monitored very often. I think when it was monitored, I know Detective Grogan looked at it.

GERAGOS: Okay. And specifically do you have the data -- the data set for January 19th?

SKULTETY: We're going back to the Orion?

GERAGOS: Yes.

SKULTETY: You said the 19th?

GERAGOS: The 19th of January.

SKULTETY: Are you going into the Lincoln?

GERAGOS: Yes. Do you show where -- where the Lincoln went on January the 19th?

SKULTETY: I'm sorry, I couldn't hear you.

GERAGOS: Do you show what areas the Lincoln went on January the 19th?

SKULTETY: My report indicates it went to Solano Beach and Santa Monica, and then returned to Modesto.

GERAGOS: Okay. Los Angeles -- Los Angeles County?

SKULTETY: Solano Beach I thought was in San Diego.

GERAGOS: Okay. And specifically, the last thing I was going to ask you about, I don't know if Marylin found it yet.

Clerk: I did.

GERAGOS: You did?

JUDGE: Mr. Geragos, you said a Lincoln. Whose car was that?

GERAGOS: The Lincoln was the car that was rented. Was that your understanding? Or was the Lincoln –

JUDGE: Because I have him putting it in a Land Rover, Dodge Dakota and Sonoma 510 pickup. I didn't know anything about a Lincoln.

GERAGOS: Did you misspeak when you said Lincoln?

SKULTETY: No, I did not.

GERAGOS: Okay. That was on a Lincoln?

SKULTETY: Yes.

JUDGE: When was it placed, do you know?

SKULTETY: Yes, it was installed on January 16th.

JUDGE: Where?

SKULTETY: 1993.

JUDGE: Where?

SKULTETY: Down in Modesto, as a rental vehicle.

JUDGE: At the rental.

DISTASO: Just for the record, the detective I think for the record said 1993.

GERAGOS: Right. It's 2000 and 3.

DISTASO: He meant 2000 and 3. I'll stipulate that's what it is.

GERAGOS: I'm going to show you two items. One is a Sears receipt, the other is a Kmart receipt. Can you take a look, or do you recognize those as having been found on February 18th during the search of my client's...

SKULTETY: Search where?

GERAGOS: Search of the car and the house? Do you have your itemized list as to whether those were the two items you recovered from his car?

SKULTETY: I didn't search the vehicle, and I didn't bring my –

GERAGOS: You didn't bring your itemized list?

SKULTETY: No, I was told I was doing GPS.

GERAGOS: Okay. The -- did you, in fact, supervise a search that took place -- did you supervise a search at the house and of the cars on February 18th?

SKULTETY: Yes.

GERAGOS: And did you prepare a document, some kind of an item number of all of the items that were recovered during that search?

SKULTETY: From the vehicles. Or, excuse me, I'm sorry. From the house, not necessarily all the vehicle items.

GERAGOS: And who prepared the -- who was in charge of the search of the vehicles?

SKULTETY: On the 18th?

GERAGOS: Yes.

SKULTETY: Brocchini I think was one that took the vehicle. Brocchini or Buehler, I can't remember which, now.

GERAGOS: Okay. Who was -- you have some term in Modesto for the person who is in charge of the search team.

SKULTETY: The crime scene manager.

GERAGOS: Crime scene manager. Who was –

SKULTETY: I was the crime scene manager on the 18th, and I would have assigned somebody to deal with the vehicle, and I don't recall who that was.

GERAGOS: Okay. As the crime scene manager, is your expectation and your demand that all items that are recovered are taken into police custody, that an itemized list is prepared?

SKULTETY: That's kind of a general statement. That's hard to answer with a yes or a no.

GERAGOS: All right. Is it a fair statement that you did prepare -- or that items were seized on the 18th?

SKULTETY: Yes.

GERAGOS: And when the items were seized, do you then write down exactly what it is that was seized?

SKULTETY: Again, if -- it's hard to say that because we may collect some items and refer to them -- say you're seizing a lot of papers, you might refer to them as miscellaneous papers or miscellaneous business documents, instead of -- and not maybe specifically mentioning each

document.

JUDGE: Mr. Geragos, will you identify by number when you show them to him.

GERAGOS: Yeah, I will. I think if I just pull out the binder. Specifically D 6 A, Judge, and D 6 B.

JUDGE: D 6 A and D 6 B?

GERAGOS: Right.

JUDGE: All right. Are you trying to determine where those items were found?

GERAGOS: I know where they were found. I'm going to see if I can hand him something right now to refresh his recollection.

JUDGE: Well, maybe the -- maybe the district attorney will stipulate to where they were found.

DISTASO: Well, I need to see the property sheet. I don't know where they were found.

JUDGE: Okay. All right.

DISTASO: I need to look at the property sheet.

JUDGE: All right.

GERAGOS: So rather than waste the time now, I'll do it at the break and I'll see if I can just get them to stipulate there were two items found on the February search. Because they're here in the discovery, but I don't have the itemized list.

DISTASO: We'll just look at the property sheet.

JUDGE: Yeah. Rather than spending time, if you know where they were recovered, you can stipulate as to where they were recovered.

GERAGOS: Thank you. I have no further questions.

Redirect Examination by Rick Distaso

DISTASO: Just so we're clear, Detective, the -- can you give the jury, just slowly give them a list so we know each car that had a tracker, because, you know, we talked about a Lincoln and we hadn't really brought that up yet. So the Land Rover had a tracker, correct?

SKULTETY: Yes.

DISTASO: Okay. Then the Dodge Dakota that was rented, right?

SKULTETY: Yes.

DISTASO: And the Chevy S-10 that was rented?

SKULTETY: Yes.

DISTASO: The Lincoln that was rented?

SKULTETY: Yes.

DISTASO: As well as the Dodge Dakota that Mr. Peterson bought, that had this separate, different kind of tracker that Mr. Geragos was talking about?

SKULTETY: The Safety Track, yes.

DISTASO: And the other vehicles had the Orion tracker?

SKULTETY: The other ones you mentioned, yes.

DISTASO: Okay. Nothing further, Judge.