Witness: Rick Armendariz

Date: 2004-07-07

Proceedings held July 7, 2004

Called by: People (prosecution)

Phase: Guilt

Examinations: Cross – Mark Geragos

Day 1 of 2 for this witness

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

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CLERK: Be seated. State and spell your name for the record.

ARMENDARIZ: Rick Armendariz. A-r-m-e-n-d-a-r-i-z.

DISTASO: Detective, where are you employed?

ARMENDARIZ: City of Modesto. Modesto Police Department.

DISTASO: Your job there is as a detective?

ARMENDARIZ: Actually since the incident of this investigation, I became a Police Sergeant with the department.

DISTASO: So the proper title would be Sergeant?

ARMENDARIZ: Correct.

DISTASO: At the time of this investigation, I think you were in the Detective Division; is that right?

ARMENDARIZ: That's correct.

DISTASO: And how long have you been a sworn peace officer in California?

ARMENDARIZ: For nine years with the Modesto Police Department full time.

DISTASO: As part of the investigation into the disappearance of Laci Peterson, were you involved in some searches of the San Francisco Bay?

ARMENDARIZ: Yes, I was.

DISTASO: And particularly I want to ask you about, I want to ask you about a search that took place in May. And before we go there, how many times were you involved in searches in the Bay?

ARMENDARIZ: Approximately six different times.

DISTASO: And can you just give me the range of dates that you were out there?

ARMENDARIZ: Actually doing full searches in the Bay, May 10th,

JUDGE: What year?

ARMENDARIZ: Of 2003. May 16th, May 17th.

DISTASO: Hold on a second. May 10th, May 16th?

ARMENDARIZ: May 17th.

JUDGE: May 17th?

ARMENDARIZ: May 17th.

DISTASO: Un-hun.

ARMENDARIZ: And also September 11th and September 18th.

DISTASO: Okay. That's five times. Is that it?

ARMENDARIZ: May 10th. I'm sorry. May 10th, May 16th, May 17th, May 18th, September 11th and September 18th. Sorry.

DISTASO: And you were out searching in the Bay for what?

ARMENDARIZ: When we were doing the grid searches with the Side-Scan Sonar. We were looking for any evidence related to the case, as well as any remains.

DISTASO: And so Laci Peterson's body had washed ashore in April; is that right?

ARMENDARIZ: Correct.

DISTASO: But her body was not intact?

ARMENDARIZ: Correct.

DISTASO: So you were involved in searching the Bay for, further searches of the Bay to attempt to locate any other possible remains, or any other evidence?

ARMENDARIZ: That's correct.

DISTASO: What were the conditions like when you were on the boat searching the Bay?

ARMENDARIZ: Overall, unfortunately, they were really poor. More with the water conditions. The current, both on top of the water and the undercurrent under the water, going in different directions. The tides in the morning as compared to evening. At approximately 1:00 o'clock, some time after that time, is when the waters got really choppy, and the divers were not able to work as well, as well as the Side-Scan Sonar.

GERAGOS: Objection to that.

JUDGE: It's a narrative.

GERAGOS: With divers and Side-Scan Sonar.

JUDGE: First narrative answer. Number two, he searched the Bay five or six times. We don't know what day he's talking about.

DISTASO: In the searches in May, was the conditions all roughly the same?

ARMENDARIZ: Correct.

DISTASO: Is that what you were just describing to me?

ARMENDARIZ: Correct.

DISTASO: So you were on the boat, they were towing a Side-Scan Sonar?

ARMENDARIZ: Correct.

DISTASO: If they would find something, if the sonar would find something of interest, they would send divers down?

ARMENDARIZ: They would be marked and eventually later on they would send divers down.

DISTASO: Okay. Were you ever on the boat when the divers actually went into the water?

ARMENDARIZ: Yes, I was.

DISTASO: And you said basically the conditions were very difficult.

ARMENDARIZ: Correct.

DISTASO: Was there, what did the Side-Scan Sonars look like?

ARMENDARIZ: They looked like a torpedo, for lack of a better term. Approximately five feet long, with a diameter of approximately six inches. They are yellow in color. They weigh approximately 40 to 60 pounds in weight. And they are towed behind a boat with a cable that is approximately a half inch to three quarters of an inch thick.

DISTASO: And they, so basically they just kind ever run behind the boat, and they shoot down these little sonar images of the bottom of the Bay, right?

ARMENDARIZ: Correct.

DISTASO: And then you can read it on a screen inside the boat?

ARMENDARIZ: Correct.

DISTASO: At some point on one of these days, did something happen to the sonar unit?

ARMENDARIZ: Yes. Actually the first time I went out, which was actually May 10th, we were in the, do you want me to,

DISTASO: Go ahead.

ARMENDARIZ: We were in the water at approximately 2:00 o'clock. The Side-Scan Sonar, the torpedo actually hit a sand bar underneath the water which wasn't tracked. So they hit the Side-Scan Sonar, got stuck in the sand bar, and immediately lost image of what was going on.

DISTASO: Let me stop you. Then after that happened, did the Side-Scan Sonar somehow become dislodged from the boat?

ARMENDARIZ: Yes, it did.

DISTASO: How did that happen?

ARMENDARIZ: The driver of the boat turned, the propeller cut the cable cord, which left the Side-Scan Sonar in the water.

DISTASO: When the sonar was lost, is this an expensive piece of equipment?

ARMENDARIZ: Yes. It's roughly about $10,000 just for the sonar itself.

DISTASO: So whose boat were you on, what agency?

ARMENDARIZ: San Mateo County Sheriff's Department.

DISTASO: So I'm assuming they want their sonar back?

ARMENDARIZ: Yes, very much so.

DISTASO: When the sonar got lost, did they do anything, did you see them do anything to mark the location of that?

ARMENDARIZ: Yes. As we were doing our search, we were, actually, they were tracking the search by the GPS. And immediately soon as then lost the sonar, they marked the location to be able to identify the general location of where they lost the Side-Scan Sonar in order to be able to come back and retrieve it.

DISTASO: And did you go back with the boat on that day and anchor the boat down where you thought it might be, and send divers to try to find it?

ARMENDARIZ: Yes. Immediately afterwards we turned around, ran, went back to the location.

DISTASO: What happened?

ARMENDARIZ: The divers went down, and searching under the water, they were not able to locate it after about approximately an hour of searching.

DISTASO: Did they report what the conditions and visibility was down at the bottom?

ARMENDARIZ: Yes. They described it as being black water.

GERAGOS: Objection. Hearsay.

JUDGE: Sustained.

DISTASO: Do you know what the depth of the water was approximately where this got lost?

ARMENDARIZ: Approximately seven feet.

DISTASO: And can you show the jury on People's 109 just the approximate location that you were searching that day when the sonar unit got lost?

ARMENDARIZ: We were southeast of Brooks Island. This general area.

DISTASO: You can go back to the seat. You said you also went out on other days in May; is that right?

ARMENDARIZ: Correct.

DISTASO: Was that with another different agency's sonar unit?

ARMENDARIZ: Yes.

DISTASO: And what agencies did you go out on the other days?

ARMENDARIZ: On May 16th I went out with San Luis Obispo Sheriff's Department Diver Rescue team. We used their Side-Scan Sonar.

DISTASO: What about on the 17th and 18th?

ARMENDARIZ: On May 17th I actually went out with the FBI, the Federal Bureau of Investigation, who had their dive team with them. They were specifically focusing diving on certain items.

DISTASO: And all of these times did the divers report the conditions that you have kind of described?

ARMENDARIZ: Yes.

DISTASO: And did they,

GERAGOS: Objection. Hearsay. Compound, as to specifically what they reported. It can be framed some way else.

JUDGE: What they told him is hearsay. You can't get around it that way. The jury can disregard what the divers told this officer.

DISTASO: Was anything found during any searches in May?

ARMENDARIZ: Nothing related to the investigation.

DISTASO: And, again, in September, the two days you went in September, was it, did you have similar, a similar experience with the searching that was happening?

ARMENDARIZ: Yes.

DISTASO: And what agencies did you go out with on those days?

ARMENDARIZ: On September 11th I went out with the Contra Costa County Sheriff's Dive and Rescue Team.

DISTASO: What about on the 18th?

ARMENDARIZ: September 18th I again went out with the Contra Costa County Sheriff Dive and Rescue Team.

DISTASO: Nothing further, your Honor.

Cross Examination by Mark Geragos

GERAGOS: Sergeant, good afternoon.

ARMENDARIZ: Good afternoon.

GERAGOS: You had gone to the marina, I think, prior to those May dates, correct?

ARMENDARIZ: Correct.

GERAGOS: In fact, didn't you interview a City of Berkeley gardener on December 27th?

ARMENDARIZ: That's correct.

DISTASO: Objection. Goes beyond the scope of direct.

JUDGE: Sustained.

GERAGOS: It goes to, do you want me to recall him as my witness? I can do that.

JUDGE: If he's going to object to it, then I have to sustain the objection.

GERAGOS: I would ask the Court allow me to save time, call him right now as,

JUDGE: How long is this going to take?

GERAGOS: Just about three or four m inutes.

JUDGE: I'll let you go into it so we don't have to recall another witness.

GERAGOS: Q. You had a City of Berkeley gardener who forwarded an e-mail saying that he had seen Scott at the marina, correct?

DISTASO: Objection, your Honor. It's hearsay.

GERAGOS: Goes to the,

DISTASO: Doesn't go to the reasonableness of this officer's conduct.

GERAGOS: Absolutely does go to reasonableness.

JUDGE: Well, I don't know how this is going to play out. Really, it is hearsay.

GERAGOS: I understand that. But it does go to reasonableness of the investigation. And precisely it's ultimately 1250 state of mind of my client, who was trying to get this, get anybody to believe that that's where he was in the Berkeley Marina.

JUDGE: Okay. I'll instruct the jury, this ine 8 is not being offered for the truth.

DISTASO: I understand that. But,

GERAGOS: We have named the witness who is going to testify. I'm trying to show a separate issue, which is the fact that my client was trying to prove to the police,

JUDGE: By letting you go beyond the scope of direct, allowing him to getting into deep water. Ought to go back to my original ruling.

GERAGOS: We don't want to go in deep water.

GERAGOS: What was the low tide?

JUDGE: If you pardon the expression, right?

GERAGOS: Q. What was the low tide, do you know?

ARMENDARIZ: At what day and time were you referring to, sir?

GERAGOS: Well, January, that first week, low tide in Berkeley, I show you a report. Does that refresh your recollection?

ARMENDARIZ: That's not my report. That's done by Officer Galvan from,

JUDGE: The question is, does this refresh your recollection? line GERAGOS: It could be anybody's report.

GERAGOS: Does the refresh your recollection?

JUDGE: Does it refresh your recollection, officer?

ARMENDARIZ: No.

GERAGOS: Q. Well, do you know, as you sit there, what low tide generally is in the Berkeley Marina?

ARMENDARIZ: No, I don't.

GERAGOS: When were you out there? How many times did you go out and do the search?

ARMENDARIZ: As stated earlier, six times.

GERAGOS: During that six times it never, nobody ever discussed, you didn't ever inquire as to what the depth was during low tide?

ARMENDARIZ: Not specifically, no.

GERAGOS: Okay. Were you ever told, or did you ever see the divers actually going into the water?

ARMENDARIZ: Yes.

GERAGOS: Okay. Could you see the divers when they were in the water? Could you see the backs of their head as they are feeling around on the ground?

ARMENDARIZ: No.

GERAGOS: No?

ARMENDARIZ: No.

GERAGOS: Now. When you went out, how many times would you say you have been to the marina total? I know you said six. Did you go, that was after the bodies were found, correct? Six times after the bodies were found searching in the Bay, correct?

ARMENDARIZ: Right.

GERAGOS: You have been to the marina numerous times before that, hadn't you?

ARMENDARIZ: I have been there a few times before, correct.

GERAGOS: Now, the times that you went afterwards, let's take them separately. May 10th, who did you go with on that date?

ARMENDARIZ: On May 10th I went out with the San Mateo County Sheriff's Search and Rescue Marine Unit.

GERAGOS: Okay. Now, you had been out there the first time on December 30th; is that correct?

DISTASO: Objection, your Honor. Goes beyond the scope of direct.

JUDGE: I'll permit it. Go ahead.

GERAGOS: You had gone out there to determine whether or not there were any live-aboard berthers at the marina who had seen Scott Peterson, correct?

ARMENDARIZ: Correct.

GERAGOS: Okay. And when you were doing that, you received some information from one of the people in the marina as to who the live-aboard berthers were, correct?

ARMENDARIZ: Correct.

GERAGOS: And you did that so you could go and find those people and interview them and see whether or not there was anybody who saw him at the marina, right?

ARMENDARIZ: Correct.

GERAGOS: Okay. Then you wanted to coordinate, or you started to coordinate with another officer an extensive water-land search for the Berkeley, Albany, and Richmond area; is that correct?

ARMENDARIZ: That's not correct.

GERAGOS: Oh. Well, did you contact, I'm showing you 21626.

ARMENDARIZ: I did not coordinate the extensive investigation.

GERAGOS: I asked if you contacted someone to help coordinate it. Is that what happened?

ARMENDARIZ: That 's not correct.

GERAGOS: Okay. So you didn't contact somebody to help coordinate an extensive water search? When they write that report, that's just wrong?

ARMENDARIZ: May have asked for assistance from other agencies; but I asked them to coordinate the search? No.

GERAGOS: Who was that you that you contacted?

ARMENDARIZ: I asked Officer Galvan from the Berkeley Police Department to assist. However, I was not the one that was coordinating the search. Detective Dodge Hendee was the one who was coordinating the extensive search.

GERAGOS: But you were the one who made contact; isn't that correct?

ARMENDARIZ: I made contact with Officer Galvan on the 27th of December of 2002, my first time I arrived at the Berkeley Marina.

GERAGOS: And on January 4th, you had contacted them, because you wanted help coordinating an extensive water-land search; isn't that correct?

ARMENDARIZ: He may have put that in the report, like you showed me . But, no, that may have been done by a Detective Dodge Hendee.

GERAGOS: Okay. So this, what I showed you if this report, that's wrong.

ARMENDARIZ: Correct.

GERAGOS: Okay. Now, where is the Berkeley, Albany, Richmond area?

ARMENDARIZ: What are you referring to, sir?

GERAGOS: I'm referring to the report which says there was going to be an extensive land-water search in the Berkeley, Albany, Richmond area. Do you know where that is?

ARMENDARIZ: It's in the Bay Area.

GERAGOS: Okay. Do you know, were you, there was there a search done on January 4th?

ARMENDARIZ: The search that I'm familiar with was a search that was coordinated in the Bay itself.

GERAGOS: When was that?

ARMENDARIZ: That started on May 16th, and it was the entire week. However, I only participated on May 16th, 17th and 18th.

GERAGOS: So you didn't have anything to do, it's your testimony today , with the January 4th multiagency search of the Berkeley, Albany, Richmond area? Once again I'll show you 21626, see if that refreshes your recollection. See, read from there to there.

ARMENDARIZ: I did not participate in the search on January 4th.

GERAGOS: And so you just called, the best of your memory is, you called and asked for assistance. You didn't help, or didn't ask to coordinate it; isn't that what your testimony is?

ARMENDARIZ: For the January 4th, that's correct. I didn't coordinate the search.

GERAGOS: Are you looking at something in order to refresh your recollection?

ARMENDARIZ: The exact same report you just showed me.

GERAGOS: Actually it's not the, this is 2828.

ARMENDARIZ: I'm sorry.

GERAGOS: Right that's the page. Does that refresh your recollection as to what involvement you had on January 4th?

ARMENDARIZ: I didn't coordinate the search for January 4th.

GERAGOS: So you have reviewed this report, and report is wrong; is that a fair statement?

ARMENDARIZ: For January 4th, correct. I did not coordinate the search of January 4th.

GERAGOS: Then this report, do you know who prepared this report?

ARMENDARIZ: Officer Galvan.

GERAGOS: Okay. Now, the May 10th search, was Dodge Hendee with you? If it helps you, I have got 21725. And it appears to be a report by Detective Rick Armendariz.

ARMENDARIZ: No, it was not.

GERAGOS: You put that on May 9th, Detective Dodge Hendee informed, Hendee informed you that he was coordinating further searches; is that correct?

ARMENDARIZ: Correct.

GERAGOS: Okay. You also wrote Detective Hendee arranged for me, that means you, right? To meet with the San Mateo Marine unit on May 10th. Is that correct?

ARMENDARIZ: Correct. Like I stated, Detective Hendee was involved, in charge of coordinating these searches.

GERAGOS: Detective Hendee informed you that the search had 8 some specific grid areas that you were supposed to go looking look at, correct?

ARMENDARIZ: Correct.

GERAGOS: Now, it's your understanding that there was an identification of an area that had a probability of finding something of evidentiary value; is that correct?

ARMENDARIZ: Correct. That was the information that was relayed to me.

GERAGOS: Okay. That was based on the U.S. Geological Survey, correct?

ARMENDARIZ: Correct.

GERAGOS: Okay. Can you show the jury where on that map that area was?

ARMENDARIZ: It was the same map identified earlier with Prosecutor Distaso.

JUDGE: Sergeant, there is a pointer there somewhere.

DISTASO: Hanging on the board.

JUDGE: Top board.

GERAGOS: Q. Right up there.

ARMENDARIZ: This is just a general area. It was to the southeast of the Brooks Island.

GERAGOS: Okay. And that area there was what was identified, based on an U.S. Geological Survey, as the probable area where you would find something, correct?

ARMENDARIZ: That's my understanding. That was related to me, correct.

GERAGOS: You were given GPS coordinates, correct?

ARMENDARIZ: Correct.

GERAGOS: And then I assume when you went out to search, that you had some kind of GPS machine that would then identify the specific area and the grid area that you were to search, right?

ARMENDARIZ: Correct.

GERAGOS: Okay. Then you went out there, what, you also took, let's see. Did you depart from the San Mateo Marina?

ARMENDARIZ: Correct.

GERAGOS: Where is the San Mateo Marina on this map?

ARMENDARIZ: I don't know if it's actually on this map or not. But it's on the west side of the Bay, south of Treasure Island, in this general area.

GERAGOS: Okay. So that's the area where you were, where you were to look at based upon what the calculations were, right?

ARMENDARIZ: No. I answered your question, where is the San Mateo Bay Marina. That's the general area where we departed from.

GERAGOS: Did you depart from the San Mateo Marina in a San Mateo Marine unit?

ARMENDARIZ: Correct.

GERAGOS: Okay. And when you went, and you went to the specific location. That was a coordinate that was about a half-mile square perimeter; is that right?

ARMENDARIZ: That's correct.

GERAGOS: And then this was with the San Mateo County Sheriff's Search and Rescue Unit, right?

ARMENDARIZ: Correct.

GERAGOS: You had a number of Sheriff's volunteers, correct?

ARMENDARIZ: On board, on the boat, correct.

GERAGOS: One, two, three, four, five, six of them?

ARMENDARIZ: Correct.

GERAGOS: You left the marina at about 7:45?

ARMENDARIZ: Correct.

GERAGOS: Okay. Now, once you got to the specific location, you then lowered out the side sonar, correct.

ARMENDARIZ: Correct.

GERAGOS: Okay. And that started about 9:00 o'clock, right?

ARMENDARIZ: Correct.

GERAGOS: Okay. And that started on the southwest corner of the grid, and then you traveled north and south within the grid itself, correct?

ARMENDARIZ: That's correct.

GERAGOS: Okay. And during the search, you had two of the Sheriff's volunteers operating the Side-Scan Sonar, right?

ARMENDARIZ: That's correct.

GERAGOS: One of the other volunteers operated the boat?

ARMENDARIZ: Correct.

GERAGOS: Now, you did locate several items of interest, right?

ARMENDARIZ: Images on the Side-Scan Sonar.

GERAGOS: Right. Now, when we say images on the Side-Scan Sonar, we have explained this before. But if I have got it correct, there is, on the boat, there is a screen or a monitor of some kind; is that correct?

ARMENDARIZ: Correct.

GERAGOS: You lower this torpedo thing into the water, right?

ARMENDARIZ: Correct.

GERAGOS: You are on the boat, and somebody is looking, more than one person is looking at the monitor?

ARMENDARIZ: Correct.

GERAGOS: And then you can see what you describe as items of interest for the divers to go down and pick up, right?

ARMENDARIZ: Correct, at a later time.

GERAGOS: Okay. You scan the images, meaning that when an image pops up, if it's something of interest, somebody pushes a button of some kind on the keyboard, and it prints out a photograph of that image, right?

ARMENDARIZ: That's not correct.

GERAGOS: Well, did you scan the images?

ARMENDARIZ: The process is, when the image is seen on the screen, it's saved on the hard drive of the computer. There is nothing that's printed right then and there.

GERAGOS: Okay. Well, when you located those items, did the, did you photograph the scanned images?

ARMENDARIZ: To clarify what you are saying, as far as photographs, the image that is shown on the Side-Scan Sonar screen is saved. That image is saved on to the hard drive.

GERAGOS: Well, you said that you scanned it. Scanned images were photographed. Isn't that what you wrote down?

ARMENDARIZ: Correct. I just wanted to clarify that terminology of photograph. The photograph is on screen.

GERAGOS: I understand. But you saved it. The bottom line is, you found items of interest. They were saved on the screen, or they were saved in the hard drive from what you saw on the screen, right?

ARMENDARIZ: Correct.

GERAGOS: Okay. Then at 2:00 o'clock, you had equipment problems and the weather, so you didn't continue the search; is that correct?

ARMENDARIZ: The equipment problems was the fact we lost the sonar.

GERAGOS: Now, at that point you had searched about a third of the grid of that whole area, correct?

ARMENDARIZ: That's approximately, correct.

GERAGOS: Then you had, at that point, GPS computer generated a track of your search, right?

ARMENDARIZ: The track is saved on the hard drive.

GERAGOS: Okay. Well, so you had a record of where you had line 16 searched already.

ARMENDARIZ: Correct.

GERAGOS: Correct? Then you also saved all of the scanned images of these items of interest?

ARMENDARIZ: Correct.

GERAGOS: Okay. And then you decided that you would go back out, what, at about six days?

ARMENDARIZ: To what date are you referring to?

GERAGOS: You went out, if I understand correctly, all of that that we just went through was on May 10th?

ARMENDARIZ: Correct.

GERAGOS: Then you go back on May 16th; is that correct?

ARMENDARIZ: Correct.

GERAGOS: Okay. Now, on May 16th, it was your plan, or actually was Dodge Hendee's plan to have a week-long coordinated, comprehensive water search of the San Francisco Bay, correct. Certain portions of the Bay, correct?

ARMENDARIZ: Right. Certain portions of the Bay was based upon the U.S. Geological calculations.

GERAGOS: What the probability was that you would find some evidence related to this case, correct?

ARMENDARIZ: Correct.

GERAGOS: Okay. And so that you decided that on May 16th there was going to be a week-long effort in order to search this area, right?

ARMENDARIZ: Correct.

GERAGOS: Okay. So you then had multiple law enforcement agencies that became involved in this search, correct?

ARMENDARIZ: Correct. I just want to clarify something. You are saying that I decided, I made the decisions. Those decisions weren't by me. They were coordinated. I participated in those.

GERAGOS: Well, that's, you are here to testify, right?

ARMENDARIZ: Correct.

GERAGOS: Okay.

ARMENDARIZ: On what I did.

GERAGOS: You are here to testify what you did, right?

ARMENDARIZ: Correct.

GERAGOS: You are from Modesto PD, right?

ARMENDARIZ: I think that was covered, correct.

GERAGOS: So if you are here from Modesto PD to testify, can you tell me what other agencies were there with you on, starting on the 16th?

ARMENDARIZ: What I'm referring to is the 21788. And it's pag e six of seven, drawn up by Detective Hendee. And he lists the various agencies that were involved, which were consisting of, but were not limited to, the U.S. Coast Guard, San Mateo Sheriff's Team, San Luis Obispo Sheriff's Department, Berkeley PD, Contra Costa Sheriff's Department, San Francisco Police Department, Richmond Police Department, East Bay Regional Park Police Department.

GERAGOS: Let me ask you this, might make it a little bit faster. Is this 21788 Bates stamp, is that what you are looking at?

ARMENDARIZ: Correct.

GERAGOS: Somebody did an Excel program basically, inputted all the different agencies on each day and who was involved, what kind of equipment, and who from MPD was there?

ARMENDARIZ: Looks like it was authored by Detective Dodge Hendee.

GERAGOS: The best of your recollection, I'd like to mark this next in order.

JUDGE: That will be triple F.

GERAGOS: Best of your recollection, is that an accurate rendition or compilation of the agencies and the personnel that were involved on those specific days?

ARMENDARIZ: Yes. I believe we had some changes, last minute, some agencies coming in late and not participating, other agencies staffing additional staff. But, yes. Like to add, can I finish the question?

GERAGOS: Yes.

ARMENDARIZ: And I wanted to add we also had private companies that assisted in the search.

JUDGE: Get the light. I can't even see it from here.

GERAGOS: The first day, which is May 16th, this is a log that is entitled "Daily Water Operations"; is that correct?

ARMENDARIZ: Correct.

GERAGOS: So on the first day that you went back out there after the 10th, if I understand you correctly, on the 10th you had already done one third of this area, this grid, right?

ARMENDARIZ: That's not correct. If I can elaborate.

GERAGOS: Sure.

ARMENDARIZ: There were numerous grid boxes. When we searched on the 10th we only did one box grid.

GERAGOS: Now, on the 16th, you had a Coast Guard,

ARMENDARIZ: Correct.

GERAGOS: What's Marine Number 1?

ARMENDARIZ: That was an, if I can refer to my notes, refresh my recollection. That was the FBI Dive Team. However, they were on a Marin County Sheriff's Department boat.

GERAGOS: Okay. Also had San Mateo. That was a side sonar, Side-Scan Sonar operation that was on one of the San Mateo boats?

ARMENDARIZ: That's correct.

GERAGOS: So we had three there. Wing Stocks. Was that another private vessel?

ARMENDARIZ: That was a private company correct.

GERAGOS: Which also had a Side-Scan Sonar?

ARMENDARIZ: Correct.

GERAGOS: You had a San Luis Obispo. That was a municipal boat, correct?

ARMENDARIZ: Police Department, correct. City police department.

GERAGOS: Also equipped with Side-Scan Sonar; is that correct?

ARMENDARIZ: Correct.

GERAGOS: Now, when you have MPD over there, does that mean on each of these boats there is a Modesto Police Department officer that's accompanying either the FBI, or somebody from the Command Center, or one of these other agencies?

ARMENDARIZ: That's correct.

GERAGOS: Okay. And then you were on the San Luis Obispo one, right?

ARMENDARIZ: Correct.

GERAGOS: You also had a Contra Costa Dive Team with you?

ARMENDARIZ: Correct.

GERAGOS: Okay. And then what was this one here, the Marin Number 2?

ARMENDARIZ: Marin County had a second boat that,

GERAGOS: How about Berkeley?

ARMENDARIZ: Berkeley Police Department had a boat.

GERAGOS: So we had two, four, six, eight boats out there?

ARMENDARIZ: The Berkeley Police Department and the Marin Number 2 were assigned more for perimeter security than actual searches.

GERAGOS: So where it says perimeter shuttle here, they are keeping people away. Whether it's pleasure boaters, or fishermen, or news media, or anything else, but we have got six boats that are working and searching, involves three separate side sonar, Side-Scan Sonars and FBI Dive Team, correct?

ARMENDARIZ: Correct.

GERAGOS: How long were you out on May 16th? If you can just tell me what page you are referring to to refresh your recollection with.

ARMENDARIZ: Sure. We launched at Emeryville Marina at 10:30. And didn't indicate the time we secured. But I know it was consistent with May 17th, which is, which was about approximately 12:30 to 1:00 o'clock.

GERAGOS: Okay. And is it safe to say you found nothing that related to this case?

ARMENDARIZ: Correct.

<evening recess>