Witness: Craig Grogan

Date: 2004-09-27

Proceedings held September 27, 2004

Called by: People (prosecution)

Phase: Guilt

Examinations: Cross – Mark Geragos (continued from previous day)

Day 5 of 8 for this witness

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

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September 27, 2004

JUDGE: All right. This is People vs. Scott Peterson. Let the record show the defendant's present with counsel. These proceedings are taking place out of the presence of the jury. The defense, in the company of the prosecution, showed me these short tapes that they intend to play. The court's reviewed them and the court feels that they are relevant material. With respect to the second tape, the one that has to do with the interview of Ms. Rocha, the court directed the defense not to show the police report, nor the affidavit, as part of the film because it contains hearsay and conclusions and opinions of the writer. So with that qualification, then, the two tapes that the defense is proffering may be used in cross-examination of Detective Grogan. Okay. Now, the jury is coming in. And, for the record, now I a have a second, I have a second list of anticipated witnesses for this week. And has the defense been provided with this? Did you get a copy?

GERAGOS: Did you give it to Pat?

DISTASO: I put it on your desk.

JUDGE: Adds a few more witnesses. Three more extra ones other than what we had last Thursday, as I was searching through this list.

GERAGOS: Just adds Andrieu?

DISTASO: Yeah.

GERAGOS: From the previous?

DISTASO: Yeah.

JUDGE: Okay. Bring the jury in. Also, did you share with the defense that Ms. McGowan, or McGregor will not be called?

GERAGOS: They're not going to? Okay.

JUDGE: Okay. Good morning everybody. This is the case of People vs. Scott Peterson. Let the record show the defendant's present with counsel, and the jury is in the jury box, along with the alternates. And proceed where you left off, Mr. Geragos.

GERAGOS: Thank you, your Honor. Good morning, Detective.

GROGAN: Good morning.

GERAGOS: I think where we left off, I was talking about the calls, the interaction you were having with Scott after you met him for the first time on the 25th. And we talked about that you

were in Judge Ashley's chambers with Detective Brocchini on the 26th; is that correct?

GROGAN: Yes.

GERAGOS: Okay. And when you were in there on the 26th, at that point, do you remember what time it was you were in Judge Ashley's chambers?

GROGAN: Not exactly, no, sir. It was in the afternoon.

GERAGOS: Okay. And then at some point while you were in there you and Brocchini were told, either Scott told you or Brocchini, one or the other, that Scott was on his way to a press briefing at the Modesto PD headquarters building?

GROGAN: Yes.

GERAGOS: Okay. The jury, I guess, is probably not aware of the layout there of the civic center, but the Modesto PD building is walking distance from the courthouse, is it not?

GROGAN: Yes, it is.

GERAGOS: Okay. And you were told that, that's when he told you, Scott told either you or Brocchini, that he would have consented to the search of the warehouse if you had asked, correct?

GROGAN: Yes, he told that to Detective Brocchini.

GERAGOS: Okay. And then the press briefing was with your chief of police; is that correct?

GROGAN: I don't know if he spoke that day or if it was just the public information officer. I didn't go inside the press briefing.

GERAGOS: Okay. Now, while you were doing the press briefing, not you personally, but while it was going on, and I'm standing over you so you don't have to go pull out all of your books, what ended up happening is that Scott apparently left during this briefing; is that right?

GROGAN: That's correct.

GERAGOS: Okay. And then Mr. Grantski was there and you went and talked to Mr. Grantski?

GROGAN: Yes.

GERAGOS: And asked him why Scott had left; is that correct?

GROGAN: Let me see that. Yes.

GERAGOS: Okay. And he told you that several members of the press were asking questions specifically about Scott and it appeared to anger or upset him; is that right?

GROGAN: That's correct.

GERAGOS: Okay. And then shortly after that, this took place over at the, at the police station. Shortly after that, you then went over to the Covena house; is that right?

GROGAN: Yes.

GERAGOS: And that was at about 4:00 in the afternoon?

GROGAN: Yes.

GERAGOS: Okay. When you went over to the Covena house, Scott, you met with Scott at that point?

GROGAN: Yes.

GERAGOS: And he told you that he was, that he had had difficulty when he went over to the warehouse. He was trying to get a hold of a picture to pull up to put on some flyers; is that right?

GROGAN: That's correct.

GERAGOS: Okay. And that he couldn't get the photographs sent to him via computer from his home, and he said it was a picture of Laci and he planned to use it to create another flyer; is that right?

GROGAN: Yes.

GERAGOS: Okay. And the detectives who were present at the warehouse wouldn't let him inside. And he said that if you had asked him to search the business, he would have granted you access, correct?

GROGAN: Is that my report here? Yes.

GERAGOS: Okay. And this is your report, is it not?

GROGAN: Yes. I believe so. I don't see the Bates stamp, but I think –

GERAGOS: My first 1,000 pages don't have Bates stamps, for whatever reason. Then also at that point there was a discussion between you and Scott and Detective Brocchini, right?

GROGAN: Yes.

GERAGOS: And that's where Scott said that he, you know, if you had, he basically said if you had asked me, I would have let you search. And then he said something to the effect he was having real trust issues with you and Brocchini; is that correct?

GROGAN: Yes, he said something like that.

GERAGOS: Okay. That's when you had a discussion, he said that he was, that he had serious doubts as to whether or not Detective Brocchini had accidentally left his cars (sic) inside of the truck, right?

GROGAN: I'm sorry, his what.

GERAGOS: He had doubts as to whether Brocchini had accidentally left his keys inside of the truck?

GROGAN: I believe he made that comment.

GERAGOS: He also said that he doubted that Brocchini had left his notebook inside the boat by accident as well, correct?

GROGAN: I believe so. I'm sorry, I want to,

GERAGOS: And that took place on the 26th. Did you eventually let him in there on that day so that he could get a picture of Laci to do on one of these new flyers?

GROGAN: No. I believe that the warehouse was secured through the night and it wasn't searched until the following day.

GERAGOS: Okay.

FLADAGER: Approximately Bates number 133. 133, 134.

GROGAN: Thank you.

GERAGOS: Now, the next, looks like 10:00 o'clock that night. 8:00 o'clock that night, I'm sorry. 8:45, you also got a call from Scott Peterson; is that right.

GROGAN: Yes.

GERAGOS: And he was asking about certain aspects of the investigation, correct?

GROGAN: Yes.

GERAGOS: Okay. And then you asked him if he had gotten any sleep since the incident, correct?

GROGAN: Yes.

GERAGOS: And he said that he at least had the comfort of his own home and the smell of Laci in their bed, correct?

GROGAN: Yes, that's what he said.

GERAGOS: Okay. And then you asked him specifically at that point, and this is the same conversation at 8:00 o'clock that night on the 26th, you asked him specifically if he would provide you or tell you where certain items of evidence were, correct?

GROGAN: Yes.

GERAGOS: Would you tell me what the Bates stamp number is on that?

GROGAN: It's page 141.

GERAGOS: Okay. Now, when, you asked him specifically where the fishing license was, correct? Second sentence on that paragraph.

GROGAN: Yes.

GERAGOS: And when, and he told you that the fishing license had been on the counter inside the house and he had handed it to Brocchini earlier that same day, correct?

GROGAN: That's correct.

GERAGOS: Okay. And you also called Brocchini up to find out if he, in fact, had done that, right?

GROGAN: I believe I, it's not in this report, but I believe that's, that's eventually where we found the fishing license, inside the home, and Detective Brocchini did say something about Scott doing that.

GERAGOS: Okay. Then you specifically asked him also where the Big 5 bag with the fishing lures and receipt was; is that correct?

GROGAN: Yes.

GERAGOS: And he told you that it was either left in the bag, or he had left the bag in the truck or it was possibly at his shop; is that right?

GROGAN: Yes.

GERAGOS: Okay. And you later found that Big 5 receipt, or the bag and the receipt in the shop, correct?

GROGAN: Yes, I believe that's correct.

GERAGOS: Okay. You then asked him how to recover messages from his phone without erasing them, and specifically I, I, my belief is that that's the phone messages that would be on a voice mail; is that right?

GROGAN: I think at that point we were talking about the digital phone for the, for the home. The home phone.

GERAGOS: Okay. And he told you how to do that so that you wouldn't be, so that they wouldn't be erased, correct?

GROGAN: Correct.

GERAGOS: Okay. And then that was the sum and substance of your contacts with him on that day; is that right?

GROGAN: Yes.

GERAGOS: Okay. Now, specifically you'll remember we talked about the Chris Boyer interview. That was the gentleman that came from Contra Costa. That was one of the dog handlers. That was also on the 26th, correct?

GROGAN: Yes.

GERAGOS: Okay. And Mr. Boyer testified when he was here that Scott had, was the one who had asked him for a receipt for the items that were being taken as scent articles. Were you here in the courtroom when he testified to that?

GROGAN: I don't think so.

GERAGOS: Okay. I'm going to show you what's page nine of 15. Specifically in your report it states, and you were present, correct, when Captain Boyer was there?

GROGAN: Yes.

GERAGOS: In your report you write that Captain Boyer was the one who offered to complete a receipt for the items of clothing, and Scott said he would like to have the receipt. Is that your memory of what transpired? That it was Boyer was the one who had offered to fill out a receipt?

GROGAN: Yes. What I have in my report is I was writing down those items in my notes as to what was being taken, and that the defendant was happy that I was keeping track of, of what was being taken, and then Captain Boyer offered to complete a receipt.

GERAGOS: Okay. It wasn't a situation where Scott said I want a receipt for this, or anything else; he was happy that you were documenting what was coming out of the house, and then Boyer was the one who offered to do a receipt on this; is that correct?

GROGAN: Yes.

GERAGOS: Okay. And then Boyer also asked Scott if he would complete a standard, what you call a standard form regarding a search for a missing person, and Scott consented to completion of that form; is that correct?

GROGAN: Yes.

GERAGOS: Okay. Now, specifically Boyer asked a great deal of questions while you were there; is that right? I mean go on to the next page, which is page ten of 15.

GROGAN: Yes.

GERAGOS: Okay. And Scott specifically told them about McKenzie, the dog's condition. That he was clean, however his leash was dirty as if it was dragged through mud, right?

GROGAN: Yes.

GERAGOS: And Scott said that he didn't know what type of jacket Laci would have worn going on a walk, but she would wear one of his jackets on occasion, correct?

GROGAN: Yes.

GERAGOS: And specifically that's when they talked about the purse. And Captain Boyer searched through the purse; is that right? Third paragraph down.

GROGAN: Yes.

GERAGOS: And then Scott also was identifying her major credit cards, saying that there may have been other cards for specific businesses, correct?

GROGAN: Yes.

GERAGOS: Okay. Now, he also, Scott gave kind of a description of how Laci would, what she would wear when she would go walk; is that correct?

GROGAN: Yes.

GERAGOS: And specifically he described, he said Laci would typically not wear anything in her hair when walking; is that correct?

GROGAN: That's correct.

GERAGOS: And that she was wearing nothing in her hair when he last saw her; is that correct?

GROGAN: That's correct.

GERAGOS: Okay. Now, you had also interviewed Sharon and Ron, Sharon Rocha and Ron Grantski a couple of days later; is that correct?

GROGAN: Yes.

GERAGOS: Okay. And you specifically asked Shawn and Ron, Ron and Sharon if they could tell you about Scott and Laci's daily schedules, right?

GROGAN: Yes.

GERAGOS: And Sharon and Ron told you that around 7:00 o'clock they, that Laci would walk the dog every day or second day, correct?

GROGAN: Yes, that's what it says.

GERAGOS: And she would have a daily visit to the grocery store, usually around the early afternoon, correct?

GROGAN: Yes.

GERAGOS: And that she would do household cleaning and chores, visit with friends or her sister, correct?

GROGAN: Yes.

GERAGOS: Occasional pedicures and manicures, and dinner preparation at 6:00 to 6:30; is that right?

GROGAN: Yes.

GERAGOS: Okay. And that she cooked all their meals and they would sleep together and their bedtime was unknown?

GROGAN: That’s correct.

GERAGOS: And that Scott typically traveled to the warehouse in the morning, and although the time was unknown, Scott's daily routine was not known to either Sharon or Ron; is that correct?

GROGAN: Yes.

GERAGOS: And that Scott traveled frequently and went out of town frequently?

GROGAN: Yes.

GERAGOS: Okay. So on the 30th, when you interviewed Ron and Sharon, it was their understanding that Laci had told you that Laci would wake up at 7:00 and walk the dog on a daily basis or every other day, correct?

GROGAN: That was my understanding.

GERAGOS: Okay. Now, when Scott described what she was wearing, he said she was wearing some jewelry which included diamond earrings, correct?

FLADAGER: Page 136.

GROGAN: Yes.

GERAGOS: Okay. And that she also was wearing a diamond solitaire on a gold chain?

GROGAN: Yes.

GERAGOS: And a watch with diamonds around the face?

GROGAN: Yes.

GERAGOS: And she, and he told you that Laci did have two diamond rings and a sapphire ring, right?

GROGAN: Yes.

GERAGOS: And that one of the rings that was, was currently in the shop; is that right?

GROGAN: Yes.

GERAGOS: And that her ears had three piercings and that the diamond earrings that she wore were older and were screw-on clasps at the back; is that correct?

GROGAN: Yes.

GERAGOS: Okay. Now, when you interviewed Sharon, also on the 30th, Sharon told you specifically that on the day of Laci's disappearance she was aware that Laci had planned on that day to walk the dog and to bake gingerbread cookies; is that right?

GROGAN: Yes. And I think in conversations with her after that she corrected that to just gingerbread rather than gingerbread cookies. Maybe that was a mistake I made.

GERAGOS: Okay. So that she was, she was aware, at least on December 30th, that Laci had planned to walk on that day, and that, that also to bake, do some baking? You remember gingerbread; you don't know if it was gingerbread or cookies?

GROGAN: Exactly.

GERAGOS: Okay. Now, specifically the, one of the reasons that you were investigating or concerned about jewelry was you wanted to see what jewelry, if she was walking, and she was abducted, what jewelry was there, what jewelry was missing, and see if that comported with what Scott had told you; is that correct?

GROGAN: Yes.

GERAGOS: And you never did recover the older screw-on clasp diamond earrings, correct?

GROGAN: No.

GERAGOS: In fact, Scott was the one who told you, and this was, this interview was on the 26th with Boyer, correct?

GROGAN: Yes.

GERAGOS: Okay. He's the one who told you that the, one of the rings was currently in the shop. You didn't know that before that, correct?

GROGAN: No, I don't, I don't think I knew that until this day.

GERAGOS: Okay. So the first time that you learned that some of the jewelry was in the shop, and you later learned it was over at McHenry Village, and that receipt that I had showed you on Thursday, the first person who told you that was Scott?

GROGAN: Yes.

GERAGOS: Okay. And specifically one of the reasons that you, we've heard a lot of talking about the Croton watch and Genevieve watch and Mickey Mouse watch. One of the other things you're trying to determine when investigating this is to see what items she's wearing when she leaves, or when Scott last sees her, to see if you could find those items, correct?

GROGAN: Correct.

GERAGOS: Okay. So what we've got missing is the, you don't find the older screw-on diamond earrings, correct?

GROGAN: Right.

GERAGOS: And we've got one watch, at least, that's unaccounted for; which is this Croton watch, correct?

GROGAN: Yes. That one's unaccounted for.

GERAGOS: Unaccounted for. And I'll get into that in a little detail later, because you did a lot of investigation on that. But you were keenly interested in that to determine if she was wearing the Croton watch when she went walking, correct?

GROGAN: Yes.

GERAGOS: Okay. And specifically you were also, and one of the reasons, I think, that we've been going through the diamond solitaire around her neck is to determine if the diamond solitaire was something she was wearing when she went walking, correct?

GROGAN: Yes.

GERAGOS: And we'll get into that a little bit also. But one of the things you were trying to do is determine if the diamond solitaire was something that had been inherited from her grandmother, correct?

GROGAN: Yes.

GERAGOS: Or whether it was a diamond solitaire that she had that, preexisting, so to speak, correct?

GROGAN: Well, I think in the descriptions that we, we got, I was told that she was wearing inherited jewelry at the time, and that's mainly what my focus was.

GERAGOS: Okay. Except specifically, on the 26th, Scott had said she, the ones that she was wearing, the diamond earrings were older and that she had specifically on a watch with diamonds around the face, which you interpreted to be one of the inherited items, correct?

GROGAN: Yes.

GERAGOS: Okay. Now, he also told you, and we went through this, we got into what her route was when she went through the park. But he also told Boyer that she sometimes walked in the residential streets in the neighborhood but didn't venture far from home, correct?

GROGAN: Yes.

GERAGOS: And specifically said that she would typically leave through the French doors that led into the backyard; is that correct?

GROGAN: That’s correct.

GERAGOS: And those are the same French doors that Scott says were unlocked when he came home, correct?

GROGAN: Yes.

GERAGOS: Now, after that interview with Boyer, and that was on the 26th, you next got a phone call, and he called you on the 27th at about 11:22 in the morning?

GROGAN: I'm sorry, "he" being?

GERAGOS: Scott. Looks like page two of five.

GROGAN: That's the 27th?

GERAGOS: Uh-huh. And he called you on your cell phone and said that there were two, two individuals that were present at the command post, correct?

GROGAN: Yes.

GERAGOS: And you knew that to be where?

GROGAN: I think the command post at that point had been set up at the Red Lion in Modesto.

GERAGOS: Okay. And he asked you about one specifically, which was a, involving a purple Tempest automobile with Arkansas plates; is that correct?

GROGAN: Yes.

GERAGOS: And you told him at that point that you had no information about that specifically, but basically you explained that what was going on is that people were evaluating the leads and if they seemed like something was promising, they would forward them over to you?

GROGAN: Yes. I was made aware of anything that was significant, it seemed.

GERAGOS: Okay. He also told you there was another person present at the command post that worked at The Olive Grove that was northwest of his house, correct?

GROGAN: Yes.

GERAGOS: What's the Bates stamp number of that?

GROGAN: 144.

GERAGOS: Thank you. And that he didn't know if they had seen anything, but that they did, he thought that an investigator should interview that employee; is that correct?

GROGAN: Yes.

GERAGOS: Okay. Now, he, you told him that you would have this, another sergeant assign a detective to respond to handle that; is that right?

GROGAN: Yes.

GERAGOS: Okay. And he thanked you, and that was the end of that conversation, correct?

GROGAN: Yes.

GERAGOS: Okay. Then he called back sometime within the next hour, on that same day? While you were in a meeting? Looks like page three of five.

GROGAN: Yes.

GERAGOS: Okay. And he called you on your cell phone and said that he wanted to see if the detective was en route to handle the follow-up for these leads, correct?

GROGAN: That’s correct.

GERAGOS: Okay. And then he also asked you if there were equestrian units conducting any searches on that day, correct?

GROGAN: Yes.

GERAGOS: And you told him that there were, and he was, he said good; he was pleased with that, is that right?

GROGAN: That’s correct.

GERAGOS: Okay. Now, you also, on the very next page here, you, on that same day went over to the office, on the 27th, where the search warrant was taking place; is that correct?

GROGAN: Yes.

GERAGOS: And you made a notation that you believed that the office appeared to be generally disorganized in contrast to the orderly state of the Peterson home; is that correct?

GROGAN: Yes.

GERAGOS: Now, when you, I'm going to go back just to the previous day. There was some testimony by Boyer that at some point Scott had placed some papers under something on the table when Boyer was writing. Did you see that? Or did you notice that?

GROGAN: Yes, I did.

GERAGOS: Okay. And so as to appear not to scratch or to write on the table?

GROGAN: Yes.

GERAGOS: Okay. And did you think that that was suspicious or odd?

GROGAN: It seems maybe an unusual concern based on the fact that his wife had only been missing for a couple of days.

GERAGOS: Did you think after, once you went to the warehouse the next day and saw how disorganized it was, that maybe in fact that showed that he was expecting his wife to come back? What man would care about whether or not the table got wrote on if his wife wasn't coming back?

GROGAN: Well, I didn't really consider that.

GERAGOS: Okay. But you did, you previously, when we had Brocchini testify, that Scott had described himself as kind of a slob when looking in the closet on the day of the 24th, correct?

GROGAN: I'm sorry, the question again?

GERAGOS: Brocchini said that Scott had characterized himself as kind of a slob when Brocchini was looking in his closet on the 24th, correct?

GROGAN: I –

GERAGOS: Were you aware of that?

GROGAN: I don't recall that, sir.

GERAGOS: Okay. But you were aware that when you went over to the office that it did appear to be disorganized and messy correct?

GROGAN: Yes.

GERAGOS: Okay. Whereas the house appeared to be neat and orderly, correct?

GROGAN: Yes.

GERAGOS: And at the time you might have thought that that was unusual. As you sit here today it may not seem that unusual, given the dichotomy between how he maintains his office and how she maintains the house?

GROGAN: That is one way to look at it, yes, sir.

GERAGOS: Okay. Now, after you, you went over to the office on Emerald, I guess later that same day, is the next paragraph, it looks like at about 5:30 you received a telephone call from Scott on your cellular phone; is that correct?

GROGAN: Yes.

GERAGOS: Okay. And he wanted to know what your estimate would be for him to be able to return into his house; is that right?

GROGAN: Yes.

GERAGOS: Okay. And then specifically, I assume, I'm assuming that when you are executing the search warrant, and we've had testimony that it took a line couple of days, that he's not allowed to come in and spend the night; so he's got no access to the house, correct?

GROGAN: From the 26th to the 27th, no.

GERAGOS: Okay. And he also has no access to his automobiles on the 26th or the 27th, correct?

GROGAN: No.

GERAGOS: And he's, we've already talked he had no access to his office as well?

GROGAN: That’s correct.

GERAGOS: His office, actually, for a longer period of time because you had frozen it prior to the search warrant actually getting over there?

GROGAN: That’s correct.

GERAGOS: Okay. He, after he called you, then you called Brocchini and asked Brocchini to go back to Covena and collect a sample from near the driveway; is that right? Cement sample?

GROGAN: Yes. What I recall of that, on the 27th we were still securing the home. There were still an officer there, but the search had essentially ended. And I called Detective Skultety first. He was no longer there, so I sent Detective Brocchini back.

GERAGOS: Okay. And Skultety was not there when you sent Brocchini back; is that correct?

GROGAN: Not, not to my recollection, no. I talked to them both over the phone, not in person. But that, that was not the impression I got, that Rudy Skultety was there.

GERAGOS: Right. That's why, because if I understand, you would have called Skultety first because Skultety was the crime scene manager for the search of the house, and specifically he would be the guy that you would want to direct to do this, correct?

GROGAN: Yes.

GERAGOS: Since he's no longer there, you call up Brocchini and send Brocchini over to do it because he's available, I guess; correct?

GROGAN: Yes.

GERAGOS: Okay. Now, on the 27th, it's still the 27th. At about 7:30 you get another telephone call from Scott; is that correct? Page five of five, I think, of that same report, midway through. Looks like at about 7:30 in the evening.

GROGAN: Yes.

GERAGOS: Now, at this point he told you that he was a short distance from his house in a vehicle, and he said there were members of the media all around the house and there was an officer who was apparently being interviewed; is that correct?

GROGAN: That's what he said, yes.

GERAGOS: Okay. And the officer, he wanted the officer to stop participating in the interview in front of the house or, and/or have the media leave so that he could get back into his house; is that right?

GROGAN: Yes.

GERAGOS: Okay. You told him that there was really not much that you could do at that point as long as they weren't on the property; is that right?

GROGAN: Yes.

GERAGOS: Okay. And that you would offer to have the officer remove the crime scene tape that was around; is that correct?

GROGAN: Yes.

GERAGOS: And he was courteous throughout the telephone conversation?

GROGAN: Yes.

GERAGOS: Okay. Now, the next time that you talked to him, you taped that conversation; is that correct?

GROGAN: Yes.

GERAGOS: Okay. Now, specifically during that search on the 26th and the 27th, did you talk with Jon Buehler during the course of the search?

GROGAN: I'm sure I did.

GERAGOS: Okay. Did he specifically request that you try to locate any latent prints at the residence during the processing in case this was a stranger abduction or intruder crime?

GROGAN: Can I see that?

GERAGOS: Sure. Bates stamp 1622. One six two two.

FLADAGER: One six two two.

GROGAN: Yes. I think he's talking about, I believe he's talking about a briefing we had prior to the, prior to the search warrant.

GERAGOS: Okay. And to the best of your knowledge, he called in the FBI to do the Luminol and the, and there was some other searches, but to the best of your knowledge did anybody attempt to locate latent prints at the residence?

GROGAN: No.

GERAGOS: Okay. And latent prints are where somebody would come through and dust for fingerprints or spray some kind of a substance to see if they could find fingerprints that were in the house; is that correct?

GROGAN: Yes.

GERAGOS: Okay. And do you know whose decision it was to not do that?

GROGAN: I think when we were looking at the house we were trying to determine any location where anything had the appearance that someone had come inside. Anything that appeared to have been handled. And based on what the defendant had told us, there was no indication that that was the case. So that would have been a focus area for where we could have done fingerprints.

GERAGOS: Now, on the 30th, December 30th, and looking at your report again, page one of five, on the 30th, you then spoke again, you had another briefing; is that correct? There it is. You had, you had another briefing regarding this case; is that right?

GROGAN: Yes.

GERAGOS: Okay. And during that briefing, or at the conclusion you received another phone call on your cell phone from Scott; is that right?

GROGAN: Yes.

GERAGOS: Okay. And he told you that, and this was in the morning?

GROGAN: Yes. Between 7:00 and 8:00. Somewhere in there.

GERAGOS: Okay. He told you he was trying to get a hold of Sergeant Cloward?

GROGAN: Correct.

GERAGOS: Sergeant Cloward is the person who testified here. He's the guy who's in charge of the search efforts?

GROGAN: Yes.

GERAGOS: Okay. And he said that at one point he had his cellular phone number but that he didn't have it or couldn't find it and he wanted you to give it to him?

GROGAN: That’s correct.

GERAGOS: And that you told him at that point that you wanted to interview his parents, Lee and Jackie, right?

GROGAN: Yes.

GERAGOS: And he told you that they would participate, and he gave you his dad's cell phone number, correct?

GROGAN: Yes.

GERAGOS: Okay. And that you told him you would call him back within about 15 or 20 minutes, as soon as you returned to your office?

GROGAN: Yes.

GERAGOS: Okay. Eventually you got back to your office and you called him back. This time you recorded it; is that right? The conversation?

GROGAN: That’s correct.

GERAGOS: Okay. That's the one we listened to already when Ms. Fladager was doing your direct?

GROGAN: Yes. It's one of two on that date.

GERAGOS: Okay. And you were still pressing him for a accurate description of Laci's jewelry, right?

GROGAN: Yes.

GERAGOS: And he told you that she had been wearing diamond earrings and she had two diamond-encrusted gold wrist watches and she had been wearing one of them; is that correct?

GROGAN: Yes.

GERAGOS: Okay. Now, you determined, at least at this point in your mind; or not, do you have any information on December 30th as to the watches that she had inherited?

GROGAN: No. I knew that we had recovered the, the Genevieve watch and that it had diamonds around the face of it and it was gold. And as far as the investigation into what exactly all she received in the inheritance, that took a long time to get through.

GERAGOS: Okay. And at that point he's the one who is giving you the, he's the main source of information, looking back, on the 30th, because you don't have any of that at that point; you haven't done that investigation yet?

GROGAN: That’s correct.

GERAGOS: Okay. Now, you found the Genevieve when you did the search; is that right?

GROGAN: Yes.

GERAGOS: Okay. But you did, when did you the search you were unable to find this Croton watch; is that correct?

GROGAN: Yes. It wasn't there when we were searching for it on the 26th, 27th. Didn't know it even existed until I talked to Maria Rocha, Robin Maria Rocha, much later.

GERAGOS: Okay. Also in that same conversation is when Scott tells you about Russell Graybill, the, the mailman, correct?

GROGAN: Yes.

GERAGOS: And that's the gentleman that came here to testify that he was on his route that morning, correct?

GROGAN: That’s correct.

GERAGOS: Okay. Also at that point Scott told you about the diamond solitaire necklace, right?

GROGAN: You know, in one of these interviews I, I attributed a necklace in, into his statement that was not there, that we didn't actually talk about, and I went, I did a report correcting it. I think we would have to look at the transcript to make sure that it's not this one.

GERAGOS: Okay. Now, specifically, you were also asking him about any injuries that either he or Laci had in the cars, the vehicles; the truck and the SUV, correct? Page two of five, third paragraph down.

GROGAN: And the question was about injuries?

GERAGOS: Yeah. You were asking him about any injuries either he or Laci had received in the vehicles.

GROGAN: That’s correct.

GERAGOS: Okay. Now, specifically, that's because you already executed the search warrant; you've taken a section of the headliner out in the Land Rover, correct?

GROGAN: That, I'm not sure what date that happened, but it did happen, yes, sir.

GERAGOS: When, when the search warrant was served, at least before you had this conversation with Scott you had at least some belief that there was some kind of blood evidence on that headliner, correct?

GROGAN: Yeah. There was a time when, when we believed that was the case.

GERAGOS: Okay.

GROGAN: And –

GERAGOS: And that would, whether you cut it out on the 28th, 29th, 30th, the first week of January, it probably would have been before January 3rd, but whether that was the case, at least, when you executed that search warrant, you thought that there was blood, or somebody thought that there was blood evidence in the Land Rover, correct?

GROGAN: We thought that that was a possibility, yes, sir.

GERAGOS: Okay. And you thought that there was blood evidence of either Laci's or Scott's in the truck, correct?

GROGAN: Yes.

GERAGOS: Okay. And so you were specifically asking Scott, on the 30th, after you've executed the search warrant, to see if there was any reasonable explanation for why this, why there may be a trace of blood in one of the, one or both of the cars, correct?

GROGAN: That’s correct.

GERAGOS: Okay. And he never at any point told you that he believed that Laci had bled in one of the cars, did he?

GROGAN: No. I think he said he didn't know anything about that to his knowledge.

GERAGOS: Okay. And specifically he told you about the injury on his knuckle when he had reached into a door panel storage area on the left door; isn't that correct?

GROGAN: Yes.

GERAGOS: Okay. You also asked him specifically, you wanted to know about this boat purchase; isn't that correct?

GROGAN: Yes.

GERAGOS: Now, you wanted to know about that because you wanted to see ne whether or not he was buying, you basically wanted to test out this, this story that you felt he gave you on the boats, correct?

GROGAN: I'm sorry, your question is why I asked him?

GERAGOS: Let me ask you, you asked him, you, you, you interviewed him about the boats and you said specifically, you asked him did he know, did Laci know about the boat purchase, right?

GROGAN: That's correct.

GERAGOS: And he said that she did know, right?

GROGAN: Yes.

GERAGOS: And that she had been to the warehouse previously to meet him for lunch, and he last believed that she was at the warehouse on the Friday before her disappearance, correct?

GROGAN: Yes.

GERAGOS: Now, that would have been December 20th; is that right?

GROGAN: That's correct.

GERAGOS: Okay. You later found out from doing an interview with a Peggy O'Donnell and Rosemary Ruiz that, in fact, December 20th or December 23rd was their memory of when Laci had been to the warehouse, correct?

FLADAGER: Objection. Compound. 20th or 23rd?

JUDGE: Sustained.

GERAGOS: I believe that was the statement they gave. Wasn't it originally the 20th or the 23rd?

GROGAN: I believe it was, it was the 20th with Peggy O'Donnell.

GERAGOS: Okay. And that's the same day that Scott told you that he believed that Laci had been over to the warehouse, correct?

GROGAN: Yes.

GERAGOS: Okay. Now, you asked, you also asked him why he selected that particular boat; is that right?

GROGAN: Yes.

GERAGOS: Okay. And specifically he told you, number one, that it was in good shape, right?

GROGAN: Yes.

GERAGOS: But he also told you, I don't know, was it in that conversation or another one, that specifically it had been registered for a long time? Do you remember him telling you that in one of the conversations?

GROGAN: I remember we talked about registration and, with another boat that he had looked at.

GERAGOS: And that boat was not registered and he didn't want an unregistered boat, correct?

GROGAN: Correct. And I –

GERAGOS: Did you find that, did you find that to be a, a little bit at odds with this theory that he was trying to hide the boat? And that he was actually buying a boat or he wanted a boat that had

been registered?

GROGAN: Well, not necessarily. I don't think that if, if he got stopped for a violation of an unregistered vehicle or boat while enroute to the Bay, maybe that wouldn't be good.

GERAGOS: Well, did he put his name down, we've got these DMV documents that were marked as People's Exhibit 263; is that correct? These were marked by Ms. Fladager.

GROGAN: Yes. There's a release of liability completed.

GERAGOS: Okay. And specifically these documents show that that boat's been registered for a while, correct?

GROGAN: Yes. It appears so.

GERAGOS: Okay. And specifically these documents show that Scott Peterson's name is registered with the DMV as the buyer of the boat; isn't that right?

GROGAN: That’s correct.

GERAGOS: Okay. So, and that receipt date was on December 17th; is that right?

GROGAN: I'm not sure. I'm sorry, I didn't look at that.

GERAGOS: Okay. When you talked to Bruce Peterson, you did interview Bruce Peterson, didn't you?

GROGAN: Yes. He was interviewed several times, I think.

GERAGOS: Okay. He told you that he, that he had filled out a release of liability, correct?

GROGAN: I don't know if he told me that, but I believe that's in one of the reports, at least.

GERAGOS: Okay. And specifically the DMV documents show Scott Peterson, his address, correct? And the transfer date as 12/9; is that right?

GROGAN: Yes.

GERAGOS: Okay. And specifically the release of liability is also a document that is filed with the DMV, to the best of your knowledge?

GROGAN: The release of liability?

GERAGOS: Release of liability.

GROGAN: Yes.

GERAGOS: Okay. And specifically when you fill that out, you usually have the buyer sign it? Isn't that your understanding of how it operates?

GROGAN: Yes, I believe so.

GERAGOS: Okay. And specifically in this case, that document right here is then forwarded to the DMV with all the information showing that, Scott Peterson, his address, and everything else; and then this notice of release of liability says: Mail this form to DMV. That's your understanding of what happens; is that correct?

GROGAN: That the seller of the vehicle or vessel completes the form and, and sends it to DMV, yes.

GERAGOS: Okay. Did that, the fact that a release of liability on a registered boat that is filled out, at least in part, by Scott Peterson tend to negate your idea that he was trying to hide this boat?

GROGAN: Well, that was completed by Bruce Peterson.

GERAGOS: All the information was correct as far as Scott Peterson, wasn't it?

GROGAN: Yes.

GERAGOS: Okay. Scott Peterson didn't give his name, or give somebody else's name or somebody else's address, correct?

GROGAN: That’s correct.

GERAGOS: Okay. In fact, he gave his Covena address, which is the home, right?

GROGAN: Yes.

GERAGOS: Okay. And I would assume that if the DMV is going to send a notice sometime after December 17th, which is the receipt date, they're going to mail it to the Covena address, correct?

GROGAN: If they mailed anything to him, yes, it would go to that address.

GERAGOS: Okay. One of the first things that they would mail to him would be one of the notices of tax due, wouldn't it? On the transfer of the boat? Doesn't one have to pay a transfer tax?

GROGAN: I think that's the case.

GERAGOS: And so wouldn't that, if you're buying a boat on December 9th and you're listing your home address as 523 Covena, wouldn't one expect, especially if he's bought and sold vehicles in the past, that you're going to get a notice from the DMV? That's not exactly a place that you would want to put that address to hide it from Laci Peterson, would you?

GROGAN: No, it would not, it would come to the house, or any mail that went between the Department of Motor Vehicles would go to the address that's on there.

GERAGOS: Okay. As opposed to if you put the Emerald Avenue address, or something like that, correct?

GROGAN: Correct.

GERAGOS: Okay. You asked Scott also if he had looked at other boats and he told you that he had, right?

GROGAN: Yes.

GERAGOS: And then you asked him if Laci had accompanied him when he purchased it, and he told you that she had not, right?

GROGAN: Right.

GERAGOS: Okay. And then he said that he had started the boat dry one time before he took it out on the 24th; is that right?

GROGAN: Yes.

GERAGOS: Now, you understood starting it dry to mean start up the engine when it's not in the water, correct?

GROGAN: That's my understanding of that, yes.

GERAGOS: Okay. Now, that's on the 30th. That's the second time you've talked to him on the 30th; is that right?

GROGAN: I believe that's the first time.

GERAGOS: Okay.

GROGAN: Well, I'm sorry.

GERAGOS: That was the second. You had called him back. You talked to him briefly in the morning, right?

GROGAN: Right. And I talked to him again after that.

GERAGOS: Okay. So you talked to him once again sometime around 5:20 in the afternoon?

GROGAN: Yes.

GERAGOS: Okay. And you received a telephone call from him on your cellular phone, correct?

GROGAN: Yes.

GERAGOS: And this, this is another one that you recorded; is that right?

GROGAN: Yes.

GERAGOS: And that's one where he explained that he purchased the boat without an anchor and the owner of the boat did not want to sell the anchor so he made his own, right? Last paragraph on that page four of five.

GROGAN: That’s correct.

GERAGOS: Now, you later, when you interviewed Bruce Peterson, confirmed that, correct?

GROGAN: Yes.

GERAGOS: And then you confirmed, in fact, that Bruce Peterson did not want to sell his anchor, right?

GROGAN: Correct.

GERAGOS: Okay. And Scott told you that he used the pitcher in the shop, or you asked him if he used the pitcher in the shop as his form, correct?

GROGAN: Yes.

GERAGOS: And he said no, he had poured it into a small plastic painter's bucket; is that right?

GROGAN: That’s correct.

GERAGOS: And then he told you he placed rebar into it to affix a rope to it?

GROGAN: Yes.

GERAGOS: Okay. Now, we've already talked about the chicken wire. He answered that for you. You then also told him on the 30th that you had been unable to locate a receipt for the gas purchase that took place on the way home from the Bay, correct?

GROGAN: Correct.

GERAGOS: And he told you he never collected a copy of it on that day, correct?

GROGAN: Correct.

GERAGOS: And that's, he marked as an exhibit the item that he eventually gave you after this conversation, right?

GROGAN: Yes.

GERAGOS: Okay. Now, at some point somebody had thought it was suspicious, one of the officers who had responded on the 24th, that Scott had a receipt from the boat launch area; isn't that correct? That he produced that right away?

GROGAN: I, I don't know that anyone thought it was suspicious.

GERAGOS: Well, if that was suspicious, one of the officers had thought that was suspicious, wouldn't it be, wouldn't that be counteracted by the fact that he had not saved the receipt for the gas?

FLADAGER: Objection. Speculation and –

JUDGE: Sustained.

GERAGOS: The, he specifically just gave you the information so that you could go and confirm it, correct?

GROGAN: Yes.

GERAGOS: And you, you later did go and confirm it, right?

GROGAN: Yes.

GERAGOS: Okay. Now, on the 30th, did you, was that the last phone call you had with him, at 5:30?

GROGAN: Correct.

GERAGOS: Did you talk to him sometime around 1:30 also on that day?

GROGAN: Did I talk to, to Scott Peterson on December 30th at about 1:30?

GERAGOS: Yes.

GROGAN: I don't have anything here for that.

GERAGOS: Okay. Now, the, after that, the, on the 2nd of January, Scott shows up at the Modesto Police Department; is that correct?

GROGAN: Yes.

GERAGOS: Okay. And that was at about 2:45 in the afternoon?

GROGAN: I'm sorry, just one moment.

GERAGOS: Sure. I'll show you at the top it's got a 113 and says page three of five.

GROGAN: Okay. And that's page 185.

GERAGOS: Okay. Now, when he came in, he specifically requested to speak with you; is that right?

GROGAN: Yes.

GERAGOS: And you wanted him to identify what his keys, you had brought out his wallet and, his keys and his wallet, right?

GROGAN: Yes.

GERAGOS: And you had asked him specifically what each key was for, right?

GROGAN: Correct.

GERAGOS: And, in fact, I notice in your notes, and you say in your report, you had photocopied all of the keys, right?

GROGAN: Yes.

GERAGOS: Okay. And when you asked Scott to identify each one, you maintained the key to his truck, right?

GROGAN: That’s correct.

GERAGOS: The toolbox in the back of the truck?

GROGAN: Yes.

GERAGOS: And the alarm control key?

GROGAN: Yes.

GERAGOS: Okay. And then you gave Scott his wallet, which included his credit cards and his business cards, right?

GROGAN: Yes.

GERAGOS: And then he also told you that he had two checks that he believed were inside of his truck that he needed for business so that he could pay his employees, right?

GROGAN: Yes.

GERAGOS: And he again inquired about the status of the Land Rover, telling you it would be nice to have it back so he could help in the search for Laci?

GROGAN: That's correct.

GERAGOS: Okay. And then you told him that you, the detectives had been called away to work on an unrelated homicide; is that correct? The very next sentence after helping you search for Laci.

GROGAN: That's correct.

GERAGOS: And you said that you would try and return it as soon as possible; is that right?

GROGAN: Yes.

GERAGOS: And Scott explained to you how it would be helpful for him to pay employees, and he wanted to see if he could do what was necessary to get the checks released; is that right?

GROGAN: That's correct.

GERAGOS: Now, this is the conversation you had with him where he asked you if you thought it was possible that Laci had been kidnapped for the baby?

GROGAN: Yes.

GERAGOS: And he also asked you, wanted to know if you thought she had passed away; is that correct?

GROGAN: Yes.

GERAGOS: And you told him that with the passing of each day the likelihood that Laci would be returned unharmed diminished; is that right?

GROGAN: That's correct.

GERAGOS: And what was his physical demeanor when you told him that?

GROGAN: He had, he was looking right at me and he had tears in his eyes.

GERAGOS: Okay. At that point he also provided you with that paper that's been marked as an exhibit that had Russell Graybill, the postman's name and number on it?

GROGAN: Yes.

GERAGOS: Okay. You had already interviewed Graybill; or somebody had at that point, correct?

GROGAN: Yes, someone else had.

GERAGOS: He also gave you a piece of paper with the Chevron Livermore 13 dollar information on it?

GROGAN: Yes.

GERAGOS: Okay. And then he took off from there; is that right?

GROGAN: Yes.

GERAGOS: Okay. Then that was on the 2nd. On the 3rd, on the top it's got 122, Scott calls again; is that correct? Approximately 11:00 o'clock in the morning?

FLADAGER: 184.

GROGAN: Yes.

GERAGOS: Okay. You telephoned Scott and left him a message; is that right?

GROGAN: Yes.

GERAGOS: Okay. And the, when he returned your call, you said, you offered to give him a ride to the investigative services bureau, and he said that he could return his rental car and come over to investigations; is that right?

GROGAN: That’s correct.

GERAGOS: Okay. Was the rental car agency fairly close to the investigations services bureau?

GROGAN: Yes. It's, it's a block or two from the headquarters building and about two blocks from where we were located at that time.

GERAGOS: Okay. And then on the 3rd, and I'm looking at Bates stamp 1650, looks like when he came there, did he also ask you about the status and the progress of the case? On that day, on January 3rd?

GROGAN: Bates stamp 1650?

GERAGOS: 1650.

GROGAN: Is that a –

GERAGOS: It's a Buehler report referring to his conversations with you.

GROGAN: Yes. I assume Detective Buehler's referring to the, to the information about whether Laci had been abducted for the baby.

GERAGOS: Okay. And then specifically you told him also on that same day, on the 3rd, that you needed to obtain blood samples, fingerprints, palm prints, saliva samples and photos of him; is that correct? I'll show you again, once again, 1650, and see if that refreshes your recollection as to Buehler's report.

GROGAN: That's what his report says, yes.

GERAGOS: Is that what you ended up doing when he came to the Modesto PD that day?

GROGAN: We rolled fingerprints. I don't recall if we did buccal swabs, the cheek swabs, but we took him to the hospital and drew blood. Took some photographs.

GERAGOS: Now, the photographs that you took, basically he was stripped down naked, correct?

GROGAN: He wasn't naked. He was down to his underwear.

GERAGOS: Okay. And then he was photographed front and back, correct?

GROGAN: I think so, yes.

GERAGOS: Okay. You didn't see any injuries on him, correct?

GROGAN: No.

GERAGOS: Okay. And specifically took samples from him as well? Hair samples?

GROGAN: No. No hair sample was obtained that day.

GERAGOS: Okay. Now, on that day you also asked him to release, sign a release for any medical information that related to Laci and her OB-GYN?

GROGAN: Yes. I filled that out at the hospital while Detective Buehler was doing the rest of this.

GERAGOS: And he signed that, correct?

GROGAN: He did.

GERAGOS: Okay. And specifically, and that's contained in the records that you later obtained from Dr. Yip's office, correct? The authorization itself?

GROGAN: Is it in their records?

GERAGOS: Yes. The reason you do that, have him sign an authorization, is so that when you go to the doctor's office you can hand them the authorization and they keep, keep that so that there's no liability and they can release confidential records, correct?

GROGAN: Yeah, that's the way those work. I, I haven't gone through all the records. I don't know if it's present or not.

GERAGOS: Okay. Now, when you left, first Scott came to the Modesto PD, and then you guys drove him over to the hospital?

GROGAN: Yes.

GERAGOS: Okay. And then you tried to record that conversation, correct?

GROGAN: Yeah, we ran a tape, ran a tape in the back of the car, with Detective Buehler driving and the defendant seated in the right front seat.

GERAGOS: Okay. And that tape didn't come out too well, did it?

GROGAN: You can't hear it very well, no.

GERAGOS: Okay. And the, you played it back, in other words, and you can't really discern what the voices are saying and the quality is pretty bad, right?

GROGAN: Yeah. We didn't, you know, we didn't really talk about anything substantive in the, in the car, and I don't think it's been transcribed. I don't know that the, I know the quality is probably not very good.

GERAGOS: Okay. Okay. And then on the 3rd, that was the, when you took him over to the hospital, where was, which hospital was that?

GROGAN: I think that was Doctors Medical Center.

GERAGOS: Okay. And then, once again, you asked him about the, you said you wanted to talk to him about some of the evidence that had been found during the search warrants at his business and home, and he said sure; is that correct? The top of the page is 127. Page two of three.

GROGAN: 127.

GERAGOS: Specifically there. You asked him about the anchor again, right?

GROGAN: This conversation I believe took place, yes, this conversation took place in the investigative services building at 1200 F street before we went to the hospital.

GERAGOS: Okay. And you asked him and he, he willingly just said that he would talk to you about these items; is that correct?

GROGAN: Yes.

GERAGOS: Okay. And he said that he made the anchor out of cement rather than buy it from the store, because the bag of cement costs three bucks and an anchor would cost 30 or more, correct?

GROGAN: Correct.

GERAGOS: 30 bucks or more. You told him you had never seen a cement anchor like that, right?

GROGAN: That's true, yes.

GERAGOS: And he told you that, and you asked him, you said: I've never seen one, basically, where did you get this idea of making an anchor like that; correct?

GROGAN: Correct.

GERAGOS: And he told you he had seen them in rental boats in the San Diego area in the past and believed they would be easy to make; is that right?

GROGAN: Yes.

GERAGOS: And he told you that the standard anchor is called a Danforth, D-A-N-F-O-R-T-H, and there's also a mushroom anchor, which is the type that the owner of the boat he purchased owned, correct?

GROGAN: Yes.

GERAGOS: And, once again, he told you that the owner of the boat did not want to sell the anchor with the boat and he kept it, so Scott decided to make his own anchor, right?

GROGAN: Yes.

GERAGOS: And that you later confirmed that; and, in fact, we've had Bruce Peterson testify that that was, in fact, the case, right?

GROGAN: That he kept his own anchor, yes.

GERAGOS: Right. He didn't want to sell it?

GROGAN: Right.

GERAGOS: Okay. Then you asked Scott about TradeCorp; is that correct?

GROGAN: Yes.

GERAGOS: And he told you that last year that the business had lost 100 grand and that the goal for this year was to break even; is that right?

GROGAN: Yes.

GERAGOS: And he told you that his salary alone was approximately 66,000 bucks, right?

GROGAN: Yes.

GERAGOS: And that he had one salaried employee that made about 30,000, right?

GROGAN: That’s correct.

GERAGOS: He also told you TradeCorp, the company, parent corporation, was aware that a startup company would likely lose money the first few years until it was established?

GROGAN: Yes, that's what he said.

GERAGOS: Okay. And then once again you asked Scott if he had looked at any other boats; is that right?

GROGAN: Yes.

GERAGOS: Okay. And then you, he told you he had looked at two other boats on the Fresno Bee online; right?

GROGAN: No. I think he told me that he had looked at, he had looked in the newspaper. Let me see.

GERAGOS: I'm looking at the one, two, three, four, fifth paragraph down. Starting with: I asked Scott if he had looked at other boats.

GROGAN: Yeah. Modesto, Modesto Bee online.

GERAGOS: Okay. I think earlier on your direct Ms. Fladager was asking you about the Fresno Bee, but is the, as far as you know, did the Modesto Bee and the Fresno Bee have some kind of a relationship?

GROGAN: I think, yeah, all the Bee newspapers are somehow under the same umbrella, but I couldn't tell you exactly how they're connected.

GERAGOS: The Sacramento Bee, the Modesto Bee, the Fresno Bee are all owned by the same company; isn't that correct?

GROGAN: I think so, yes.

GERAGOS: He told you he had gone to the Modesto Bee online and within a few days had purchased the twelve-foot boat, correct?

GROGAN: Yes.

GERAGOS: Okay. Now, specifically he told you, he gave you descriptions of the other boats that he was looking at, right? The two other boats?

GROGAN: Yes.

GERAGOS: Told you one was a heavy duty fifteen-foot fiberglass boat with a 35 horsepower Evinrude motor, E-V-I-N-R-U-D-E; right?

GROGAN: Yes.

GERAGOS: He told you the boat was blue with a bleached white top and broken windows, right?

GROGAN: Yes, that's what he said.

GERAGOS: The boat appeared to be garbage and he decided not to purchase it?

GROGAN: Yes.

GERAGOS: And he told you exactly, or as close as he could, to where it was. He said it was in a home off a street on Tully Road north of Briggsmore?

GROGAN: Yes.

GERAGOS: And he told you the street was west of Tully and the first street north of Briggsmore?

GROGAN: Yes.

GERAGOS: Okay. And then he told you he also looked at another twelve-foot aluminum boat off of McHenry, between Orangeburg and Roseburg, on a residential street?

GROGAN: Yes.

GERAGOS: And he said that boat when he got there did not even have a current registration and he chose not to even contact the owners and ask them about it; is that right?

GROGAN: That’s correct.

GERAGOS: Okay. Now, were you able to follow-up on either one of these?

GROGAN: I sent a detective to follow-up with these descriptions, and I believe it's Detective Ruskamp. He was able to find the first boat, the 15 foot boat, but he wasn't able to find the second.

GERAGOS: Now, the 15 foot boat that Scott described as garbage, do you know if that boat was registered?

GROGAN: I'm sorry, I don't know.

GERAGOS: Okay. Well, wouldn't that be something that you, if the boat was garbage, do you know what the price was?

GROGAN: I think it was 900 dollars.

GERAGOS: Okay. If you're going to just buy this boat for one time to go dump your wife in the Bay, wouldn't you want to just go buy the cheaper boat?

GROGAN: If it ran, yes, sir.

GERAGOS: Okay. The, well, as far as you know, according to Bruce Peterson, when Scott bought Bruce Peterson's boat, they never, never tested it out, correct? The 24th, as far as you know, is the first time he ever took the boat out in the Bay?

GROGAN: As far as I know that's the first time it was in the water, yes, sir.

GERAGOS: Okay. As far as you know the, the, Bruce Peterson did not do anything to indicate that that boat had been running since September, correct?

GROGAN: I don't know about a specific date with Mr. Peterson's statement, but I believe he did say the boat ran.

GERAGOS: Okay. The person, when Ruskamp went out to interview the person that had this boat, the 900 dollar boat, did that person confirm that Scott had been out there?

GROGAN: Yes.

GERAGOS: Okay. Now, the second, second boat which you couldn't find, Scott said that boat didn't have a current registration and that's why he didn't contact the owners, right?

GROGAN: Yes.

GERAGOS: Okay. And then he bought the boat he currently owned on the following morning, correct?

GROGAN: Is that in his statement here somewhere? If so, I'm not finding it.

GERAGOS: Yes. The second paragraph from the bottom. The following morning.

GROGAN: That’s correct.

GERAGOS: He's, he's the one that told you that Laci was the only person who was aware that they had bought that boat, correct?

GROGAN: Yes.

GERAGOS: Okay. And he also told you, you also asked him why he put the umbrellas in the back of his truck, right?

GROGAN: That’s correct.

GERAGOS: And he told you that he had wrapped them in a tarp to take them to the shop and that he had forget to take them out on two occasions, right?

GROGAN: Yes.

GERAGOS: And you asked him where the current location was, and he told you he had taken them out of his vehicle and put them in a shed behind the house, right?

GROGAN: Yes.

GERAGOS: And did you go and look there, or you had looked there to see where they were?

GROGAN: I know they were found during the search warrant, and I'm not sure where they were when they found them.

GERAGOS: Okay. And then you tried with the hidden camera to capture the interview on tape. This is, unlike the one in the car, but this one the tape did not work, well, apparently because there was no battery in the microphone unit, or the battery that was in there was dead?

GROGAN: That's what I was told, yes.

GERAGOS: Okay. Now, did Scott call you again? And I'm looking, at the top is 198 in handwritten, January 14th? Or you called him sometime, between 5:00 and 6:00 o'clock?

GROGAN: The Bates stamp number is 198?

GERAGOS: It's not Bates stamped, unfortunately. It's just handwritten on the top 198.

FLADAGER: 270.

GROGAN: Thank you. And this is the date of the, of 1/14?

JUDGE: January 14.

GERAGOS: January 14; is that correct?

GROGAN: Yes.

GERAGOS: Okay. You called him again and you talked to him about various subjects, correct?

GROGAN: Yes.

GERAGOS: Okay. And then you called him again on the 15th; is that correct? And tape recorded that conversation?

FLADAGER: 272.

GROGAN: Yes.

GERAGOS: Okay. And, once again, on the 29th of January, you called him and talked to him again; is that right? I'll show you this. It makes it faster.

GROGAN: Yes, that looks correct.

GERAGOS: Okay. And then ultimately on the 18th, when you came to the house in February and executed the search warrant, there, you had testified that there was some items that Scott needed in order to, that he wanted to take with him, basically; is that correct?

GROGAN: That’s correct.

GERAGOS: Okay. One of the items that he needed was a screwdriver; is that right?

GROGAN: Yes.

GERAGOS: And he needed that because at that point the shop, the warehouse, had been boarded up; is that right?

GROGAN: Yes.

GERAGOS: And it was boarded up because somebody had rammed the truck into it; is that correct?

GROGAN: Yes.

GERAGOS: Okay. And he explained that his, he had told you that the building had been vandalized and he needed a screwdriver to remove boards that were covering the front door area?

GROGAN: Yes.

GERAGOS: Okay. Now, you, also on the 19th, when you finally secured the house, you had contacted Scott by telephone to tell him that you had completed the search warrant at the home; is that right?

GROGAN: Yes.

GERAGOS: And that it was ready for release to him; is that correct?

GROGAN: Yes.

GERAGOS: And Scott told you he didn't plan to come to the home and asked that you secure the house, right?

GROGAN: Yes.

GERAGOS: Okay. And he told you just set the alarm, he's not coming back, right?

GROGAN: Right.

JUDGE: What was that date? That was on the 19th that he told you that, that he wasn't coming back?

GROGAN: On February 19th, yes, your Honor.

JUDGE: February 19th.

GERAGOS: Now, one of the things that you specifically had mentioned, I think it was you, in one of the interviews that Scott had referred to Laci in the past tense; is that correct?

GROGAN: Talking about the media interviews?

GERAGOS: Right.

GROGAN: Yes, sir.

GERAGOS: Okay. I'm looking at 14751. You got a call from a Marna Davis, who is a reporter from Sacramento, correct?

GROGAN: Yes.

GERAGOS: And Marna Davis reported that she was a reporter from Sacramento who had spoken to Brent Rocha, and she thought it was odd that Brent Rocha had spoken about his sister in the past tense; is that correct?

GROGAN: That's what this tip says.

GERAGOS: And that she had interviewed Brent Rocha on the day after Christmas and he had referred to Laci in the past tense and she thought that was odd, correct?

GROGAN: That's what the tip says, yes, sir.

GERAGOS: Okay. Now, the, did you, to the best of your knowledge, did anybody follow-up with this reporter, Marna Davis, to see what, what interview she had done with Brent Rocha where he had referred to Laci in the past tense?

GROGAN: No. That's the first I've seen that.

GERAGOS: Okay. That's in the, it is in the discovery in the tips line that comes in; isn't that correct?

GROGAN: It does have a Bates stamp number, so it should be in the discovery.

GERAGOS: Yeah. 14751, correct?

GROGAN: Correct, yes.

GERAGOS: Now, you've also seen a number of the, well, you've got one report here that is, I can't quite, it says page six of six. Is that 142?

GROGAN: I don't know.

GERAGOS: Okay. And is this an interview with Amy?

GROGAN: Yeah, it appears to be.

GERAGOS: You've got some quotation marks around something Amy said; is that correct?

GROGAN: Correct.

GERAGOS: And this is a January 5th report? That you prepared?

GROGAN: Yes.

GERAGOS: Does Amy refer to Laci in the past tense on January 5th? In your quote?

GROGAN: Talking about, yeah, it's talking about jewelry and whether Laci would have set any aside or if it would all be in the jewelry box, and she said: Laci was not that way, she would have shared all of it.

GERAGOS: Okay. Did you find that odd that Amy had spoken about Laci in the past tense?

GROGAN: At the time, no.

GERAGOS: Okay. I've got, you, there were also other interviews that were done on Larry King, on The Early Show, and Good Morning America. And in, you would periodically, I'm sorry, look at those interviews, as well, of the families, correct?

GROGAN: Actually, not very often. I didn't watch very much of the media in this. I was occasionally told about it.

GERAGOS: Okay. Were you aware that in an interview on The Early Show on December 30th that Sharon Rocha spoke about Laci in the past tense?

GROGAN: No.

GERAGOS: Were you aware that on Good Morning America, on December 27th, that Sharon Rocha spoke about Laci in the past tense?

FLADAGER: Your Honor, I would object as (inaudible).

JUDGE: I can't hear you, Ms. Fladager.

FLADAGER: I object to this, your Honor. The detective's indicated he's not watched these programs.

JUDGE: The objection's sustained.

GERAGOS: Did you do any, did you look at who other family members were speaking about the, about Laci on TV?

GROGAN: No. I rarely watched any media reports related to this case.

GERAGOS: Okay. If I were to show you, are you aware of how to obtain transcripts from the shows? Either by a Lexis search?

GROGAN: I know it can be done.

GERAGOS: If I were to tell you during the break to take a look at the Good Morning America transcript from December 27th, or The Early Show from December 30th, or the, specifically the Connie Chung Show, which I guess no longer exists, and they have family members speaking in the past tense; that in and of itself was really indicative of nothing, is it?

GROGAN: I don't know if it's indicative of nothing. Maybe it's when someone has decided that there's a possibility that Laci may not be coming back.

GERAGOS: Okay. As far as you know, it appears, at least, however, that virtually everybody who was close to her at one time or another in the media referred to Laci in the past tense within the first week; isn't that correct?

GROGAN: Based on the documents that you showed me, some of those people, if those quotes are correct, said things similar to that, yes.

JUDGE: All right. I think with that, Mr. Geragos, we'll take the morning recess, all right? Ladies and gentlemen of the jury, we'll take the morning recess until five to 11:00. Remember the admonition I've heretofore given you. We'll pick up where we left off. We've got the certify the record

JUDGE: All right. Let the record show the defendant is present with counsel. The jurors are in the jury box, along with the alternates. Go ahead, Mr. Geragos. Have you got it cued up now?

GERAGOS: Yeah. But we may just wait one minute.

JUDGE: Okay. Is this Miss Wolski?

GERAGOS: Huh?

JUDGE: This is the Yoga witness?

GERAGOS: Right.

GERAGOS: Detective, you, at some point there was, the investigation centered on the, at some point somebody went to talk to a Debbie Wolski, I think. I believe it was you, correct?

GROGAN: Actually I had, Miss Wolski came to the police department and I interviewed her there.

GERAGOS: I have got at the top 799 and 800. Do you have that?

FLADAGER: That's the number at the top, not the Bates number.

GERAGOS: Right.

GERAGOS: Miss Wolski was the instructor and owner of this Village Yoga Center?

GROGAN: That’s correct.

GERAGOS: Okay. And she said that Laci attended, she told you that Laci had attended all of her classes, and her last class was on December 20th?

GROGAN: Yes.

GERAGOS: And that Laci, she bought some kind of a ten-class maternity card; is that what she told you?

GROGAN: Yes.

GERAGOS: And that Laci actually may have gone to more than ten of the classes. Miss Wolski didn't really keep track?

GROGAN: Yes.

GERAGOS: She said, she did not get to know Laci that well, correct?

GROGAN: I'm not seeing that specifically, sir. Yes, I see that. That's correct.

GERAGOS: The other thing that she usually described what Laci would wear to come to the Yoga class as a white shirt with long sleeves, correct? This is it says. Typical clothing. It's on page five of nine.

GROGAN: Yes.

GERAGOS: She said what she typically wore were black stretch pants, a white shirt with long sleeves, and white tennis shoes, correct?

GROGAN: That’s correct.

GERAGOS: And that she wore this with a red fleece vest when the weather was colder?

GROGAN: Yes.

GERAGOS: Now, you have been to this area of where this yoga center is; isn't that correct?

GROGAN: McHenry Village. I have been to McHenry Village. I have never been to the –

GERAGOS: Next in order.

JUDGE: Defendant's next in order will be defendant's 7E. And this is the one the Court's viewed. This is a video of the Yoga Center.

GERAGOS: Detective, this is McHenry Village?

GROGAN: Yes.

GERAGOS: What street is that?

GROGAN: What street is that? I believe the one at the, well, from here I think the one, the street at the bottom of the photograph is going to be Briggsmore Avenue. I'm not really certain yet.

GERAGOS: Right here where my pen is?

GROGAN: Yes.

GERAGOS: Okay.

GROGAN: Okay. That was not Briggsmore. I think that is one of the streets inside the shopping center.

GERAGOS: Okay. This is the Village Yoga Center?

GROGAN: Yes.

GERAGOS: She lists that as 1700 McHenry, Suite 66C, when she gave you the information. That appears to be the address which we're looking at right now?

GROGAN: Yes, I believe it is. I know that that is an address to that shopping center, 1700 North McHenry. And that's the address she gave me for the Yoga Center.

GERAGOS: Okay. And she had indicated that Laci was last there on Friday before she disappeared the 20th, correct?

GROGAN: Yes. I think she may have gone back to look at some of the records to try to determine what dates. I'm not sure what the end result of that was. But that's what she says here.

GERAGOS: Okay. You say you have never been to the Yoga Center; is that correct?

GROGAN: That’s correct.

GERAGOS: Were you aware that this is the entrance for the Yoga Center?

GROGAN: No, I wasn't.

GERAGOS: Were you aware that the Yoga Center is located on the second floor of this building?

GROGAN: That's what I have been told.

GERAGOS: Do you remember who told you that?

GROGAN: I think I had a conversation with Detective Buehler not too long ago that he was aware that it was on the second floor.

GERAGOS: Okay. And, best of your knowledge, has Detective Buehler ever gone over there to see how it is that you get upstairs to the second floor?

GROGAN: I think he has.

GERAGOS: Okay. When you talked to Detective Buehler, did he inform you that the only way to get up there was through this stairwell?

GROGAN: I don't think we talked in specifics about that. But he did say that you had to go up some stairs, it was on the second floor.

GERAGOS: Okay. And apparently Laci Peterson was able to get up these stairs at her advanced stages of the pregnancy on the 20th?

GROGAN: Apparently.

GERAGOS: As far as you know, is there any elevator anywhere there?

GROGAN: Not to my knowledge, no, sir.

GERAGOS: Okay. Now, this is taking a look down the those stairs?

GROGAN: Yes.

GERAGOS: And as far as you know, based on your discussions with Detective Buehler, this is the only way in and out of the Yoga Center?

GROGAN: To my knowledge that is, yes.

GERAGOS: Okay. Miss Wolski said that, and I had asked you, I think before, the typical clothes that Laci wore were black stretch pants, white shirt, long sleeves, white tennis shoes. She specifically said that she had a memory on the 20th of wearing a white long-sleeved shirt, black stretch pants, and a red vest; isn't that correct? That would be page six of nine under 12-20-2003.

GROGAN: That’s correct.

JUDGE: We'll admit that video into evidence. Take the same number. Defendant 7E.

GERAGOS: Did Wolski tell you that Laci had said that some time, she believes it was around December 4th, possibly late in December, that Laci had mentioned she had gone for a walk at the park, she had become dizzy?

GROGAN: Is that on page 871?

GERAGOS: I have got it as page five of nine, under exercise walking. You see where I was referring to, detective?

GROGAN: I do.

GERAGOS: And she specifically had said, Laci had told her some time, she thought it was around the December 4th class, could have been late November, that she should gone for a walk and she had become dizzy, right?

GROGAN: Yes.

GERAGOS: And that she said Laci told her she shortened her walks. And Wolski said that she suggested she drink more water because she felt it might be a dehydration problem, correct?

GROGAN: That’s correct.

GERAGOS: And she said Laci did not mention walks again, correct?

GROGAN: That’s correct.

GERAGOS: Right. And she said that she had just assumed that Laci had stopped the walking when she didn't talk to Laci about it after that time, correct?

GROGAN: Correct.

GERAGOS: Now, you asked her about the jewelry that Laci was wearing, correct?

GROGAN: Yes.

GERAGOS: She said that Laci would come into the class wearing what Wolski estimated to be $50,000 worth of jewelry, correct?

GROGAN: Yes.

GERAGOS: And Wolski, actually, it was so noticeable that she actually inquired about it, correct?

GROGAN: Yes.

GERAGOS: And Laci said she didn't want to leave it in the car, right?

GROGAN: Correct.

GERAGOS: And that she had had that jewelry, or she just received it recently from her grandmother's estate. It was secured in a safety deposit box, right?

GROGAN: Correct.

GERAGOS: And she said, specifically, that she was, on the 12-4, December 4th time, that Laci had planned to have the jewelry appraised after class at a jewelry store in McHenry Village?

GROGAN: Yes.

GERAGOS: Okay. Now, this, the McHenry Village that the jury just saw is the same McHenry Village where this Edwards Jewelers is?

GROGAN: Yes.

GERAGOS: Okay. And that's where Scott told you, in one of those first interviews that we talked about before the break, that the ring was.

GROGAN: Yes.

GERAGOS: Okay. When you interviewed Wolski, this is in March, correct?

GROGAN: March 20th of 2003.

GERAGOS: At least the report on the bottom has got a 03-03-20. You prepared the report some time in March. I assume you interviewed her contemporaneously with that?

GROGAN: Yes. It should have been within a day or so of that.

GERAGOS: Okay. She also described what Laci was wearing, what kind of jewelry she was wearing on December 4th, right?

GROGAN: Yes.

GERAGOS: A gold watch with diamonds around the face, right?

GROGAN: Correct.

GERAGOS: A modest wedding ring set on her left hand.

GROGAN: Correct.

GERAGOS: A large wedding set on her right finger.

GROGAN: Correct.

GERAGOS: Gold chain with diamond solitaire, about two carats?

GROGAN: Yes.

GERAGOS: Now, and then a set of diamond earrings, correct?

GROGAN: Yes.

GERAGOS: Okay. Now, she said the set of diamond earrings was about one carat each, correct?

GROGAN: Yes.

GERAGOS: Now, she also described what Laci was wearing on December 20th, right?

GROGAN: Yes.

GERAGOS: Okay. What you just told the jury what she was wearing on the 4th what she was wearing, what Laci was wearing on December 4th, which were the larger, bigger-ticket items, correct?

GROGAN: Correct.

GERAGOS: She says on the 20th when she saw her she was wearing, unlike the gold chain with diamond solitaire, two carats. This time she was wearing a diamond pendant with a diamond solitaire and gold chain, correct?

GROGAN: Correct.

GERAGOS: So apparently the larger gold, you did find a gold chain with diamond solitaire of about two carats, correct?

GROGAN: I'm not sure of the size. But the diamond that has the gold all way around it I think is probably the largest of them. And it's probably around two carats.

GERAGOS: It looks substantial?

GROGAN: It's a large diamond.

GERAGOS: You found that. And then she also, on the 4th she said Laci was wearing a set of diamond earrings that were about a carat each, right?

GROGAN: On the 4th, yes.

GERAGOS: Right. And you found some diamond earrings thatwere about a carat each, didn't you? Just kind of like asking you about designers.

GROGAN: Yeah. I'm sorry, I'm really not a very good judge of the size of diamonds.

GERAGOS: But she distinguished between the set of diamond earrings that were a carat each she was wearing on the 4th, and the one-quarter to half-carat diamond earrings that she was wearing on December 20th, right?

GROGAN: Yes.

GERAGOS: Okay. So at least, to her eye, there was a noticeable difference in the size of the earrings that she wore two times that she saw her that month, correct?

GROGAN: Correct.

GERAGOS: And on the 20th did she describe, did Wolski describe any watch?

GROGAN: On the date of the 20th, I don't see a watch described, no.

GERAGOS: Okay. But what she did describe was the smaller diamond necklace and the smaller diamond earrings, correct, ear rings, correct?

GROGAN: Yes.

GERAGOS: Now, at some point you also contacted a woman by the name of Ann Bird; is that right?

GROGAN: Yes, sir.

GERAGOS: Now, Ann Bird you knew to be, at some point you had gotten, when you interviewed Scott, I think it was with Mansfield on the 25th, you had gotten kind of a family tree out of him; isn't that correct?

GROGAN: Yeah, I think that's accurate.

GERAGOS: Okay. Now, the, and you knew Ann Bird to be a half sister or a stepsister of Scott; is that correct?

GROGAN: Correct.

GERAGOS: Okay. And you knew Ann Bird to live where?

GROGAN: In Berkeley.

GERAGOS: In Berkeley. How far from the marina?

GROGAN: I eventually did a report looking at the distance from memory. I would say it's about four miles. But I would have to look it up to tell you for certain.

GERAGOS: One of the things that Miss Fladager had asked you is to look at some tracks in late January. Do remember that?

GROGAN: Yes.

GERAGOS: She had asked you, I think the way she phrased it was, does this appear that Scott was in the Berkeley Marina area? Do you remember that?

GROGAN: Yes.

GERAGOS: Okay. Was that because you were unable to distinguish from those tracks whether he was at Ann Bird's house, or specifically at the marina?

GROGAN: My understanding of those records, I think it's, it talks about University Avenue, or the Berkeley Marina, as that's the line where they decide if it's the Berkeley Marina area or not.

GERAGOS: Okay. And how far away is Ann Bird from there?

GROGAN: About four miles.

GERAGOS: Okay. And do you know if the tracker distinguishes that kind of, that kind of distance?

GROGAN: My understanding of that is, it's within a few yards.

GERAGOS: On that particular track, I agree with you that on the tracker that we had the witnesses come out here and testify that their testimony is within a couple of yards. Are you sure that that's the same for the Department of Justice tracker?

FLADAGER: Your Honor, I'd object. Just –

GERAGOS: I'm asking what his understanding is as the investigating officer.

JUDGE: All right, you can answer.

GERAGOS: What's your understanding of the track, not the tracker that has, the tracker that has, I guess it would be the Orion tracker, but the specific Department of Justice tracker?

GROGAN: My understanding of the technology is that it's capable of going within a few yards. I don't know enough about the other tracker that we got ne from Department of Justice in San Diego to really tell you much more than that.

GERAGOS: Have you talked to Rudy Skultety about that, about the Department of Justice tracker?

GROGAN: Yes.

GERAGOS: Okay. He was somewhat frustrated, wouldn't you say with that tracker, because it didn't have the same capabilities as the Orion tracker?

GROGAN: Yes. That was more in the live track capabilities was my understanding. And from actually using it myself through a website, it will tell you, if you go into the computer and log in and check it, it will tell you where somebody is at that time. But it doesn't have the ability to run

a continuous track like the one that we used from Modesto PD.

GERAGOS: Now, one of the things that you wanted to talk to Ann Bird about was the Disneyland trip; is that correct?

GROGAN: Yes.

GERAGOS: Okay. And if I understand correctly, at some point it became one of the theories of the investigation that Laci was not walking any more, so, therefore, when Scott said she had gone walking, that that was suspicious, correct?

GROGAN: Well, it conflicted somewhat with what we had from the medical records.

GERAGOS: Okay. And you have seen the medical records, and the fact, and now you have see them and heard, I assume heard the testimony that the doctor said that it appeared, at least, that Laci asked for some advice and was told not to walk again; but then called the next time and apparently was still walking, in contravention of the doctor's orders.

FLADAGER: Objection. Speculation.

GERAGOS: I'm asking at the scene.

JUDGE: If he's heard that. You were aware of that?

GROGAN: Yeah, I was. I remember that it was recommended that she not walk. And that she –

GERAGOS: Or walk later in the day?

GROGAN: Yes.

GERAGOS: Did you see the next entry in the record, she called after getting that advice, and apparently is still walking?

GROGAN: Yes. There were two occasions when she called in.

GERAGOS: Okay. Now, so one of the things that you wanted to do is, and I think one of the other witnesses testified that there had been a wheelchair that was used for Laci at Disneyland; is that correct?

GROGAN: I'm sorry. Your question is who told me that?

GERAGOS: Yes.

GROGAN: Ann Bird, and I know that defendant told me that in one interview. And I don't know if anybody else did.

GERAGOS: Okay. So you wanted to get more information as to why she would have been in that wheelchair on Thanksgiving, correct?

GROGAN: Yes.

GERAGOS: Okay. When you talked to, and she said that Scott,

FLADAGER: Your Honor, I'd object to hearsay as to Ann Bird to this particular –

GERAGOS: Judge –

FLADAGER: this line of questioning.

JUDGE: This goes to his investigation and reasonableness of his conduct, and information that he received, and what did he do about it. So it's not coming in for the truth. His state of mind, explaining his conduct. Go ahead.

GERAGOS: Okay. Ann said that Scott and Laci got along. We have, Scott even rented a wheelchair to push her around, to pamper her, correct?

GROGAN: Do you have a Bates stamp number?

FLADAGER: Page 650.

GROGAN: That's correct.

GERAGOS: And that they felt that Laci could have walked around. Scott chose to push her in the wheelchair, correct?

GROGAN: Yes.

GERAGOS: And she described Scott as being excited about becoming a father, and he and Laci seemed very happy together?

GROGAN: I don't know.

GERAGOS: Same page that you just referred to.

GROGAN: I'm sorry. Your question again, sir?

GERAGOS: My question was, that she told you that Scott seemed to be excited about becoming a father, and he and Laci seemed very happy together, correct? Bottom of the page.

GROGAN: That’s correct.

GERAGOS: And she said that Scott carried her son Tommy in his car seat and held him one time too at dinner, and stopped him from crying?

GROGAN: That’s correct.

GERAGOS: And that she had, and she also attended a baby shower in Del Mar on the day before Thanksgiving?

GROGAN: Yes.

GERAGOS: And that both Scott and Laci seemed excited about becoming parents, correct?

GROGAN: Yes.

GERAGOS: And that she noticed Laci was wearing a sapphire and diamond ring that looked similar to one that she had given Jackie?

GROGAN: Yes.

GERAGOS: Now, you, specifically you had a tape recorded interview with her; is that correct?

GROGAN: I believe so, yes.

GERAGOS: Okay. I have got 36910, starting there.

GROGAN: Okay.

GERAGOS: Okay. Now, specifically 36915. And told you that Scott had rented the wheelchair for her. She didn't have to walk. He was spinning her around and taking her through Disneyland and Downtown Disney, right?

GROGAN: Yes.

GERAGOS: And she said she, Laci said she never had a better time, correct?

GROGAN: Yes.

GERAGOS: And Scott was carrying her son Tommy around saying, "I'm going to have to get used to this." They were asking you about car seats, correct?

GROGAN: They were asking about car seats.

GERAGOS: How old would Tommy have been at the time, as she described it to you, said, when you interviewed, which was the end of February, right after the search warrant, about a week after the search warrant? Six days? I show 2-25 on the bottom.

GROGAN: Yes, somewhere.

GERAGOS: She said Tommy was six months then, so he would have obviously been an infant back in November?

GROGAN: That’s correct.

GERAGOS: Okay. And then they said that they went to dinner to a place called the Napa Rose, and that you specifically asked did Laci try to walk around before he got the wheelchair, or did she just go straight to that? And told you, no, she was just walking around, correct?

GROGAN: Yeah. She did say that she was walking around.

GERAGOS: Okay. She also said that he got the wheelchair as a little bit of a joke. He didn't want her walking that far. And that he just kind of, it was just that kind of a thing. He was pampering her a little bit, and she just loved it, correct?

GROGAN: That's what she said.

GERAGOS: And it was her opinion, Ann Bird's, that she, Laci was perfectly capable of walking, correct?

GROGAN: Yes.

GERAGOS: And specifically, and specifically she said, I'm looking at 36918, they got along great the whole time. There was no problems.

GROGAN: That’s correct.

GERAGOS: And then on the next page, referring you to 36919, she said they were just going on and on about how they were so excited about this baby and, you know, what they had done to the nursery. And Laci didn't eat dessert. She was watching her weight. She just had a manicure and pedicure, correct?

GROGAN: Correct.

GERAGOS: And then you asked specifically about Scott carrying around Tommy, right? That's where she said he was about three months old?

GROGAN: Yes.

GERAGOS: Okay. And talks about how they were going to dinner. About back on 36920. And you asked specifically, did Scott take him out of the car seat and play with him, or anything? Did he just carry him? You said, well, in the restaurant you talked to him. He was holding him, was playing with him. He was actually crying, and Scott got him to be quiet, which was kind of fun, right?

GROGAN: That's what Ann said, yes.

GERAGOS: You asked specifically, did he seem to have any reservations about being a father? She said not a bit. Not one ounce. He was really excited.

GROGAN: That’s correct.

GERAGOS: And then, again, you asked about that. She said, but I remember she was real excited. She was so happy it was a boy. And they decided on the name Logan. Although Jackie didn't like that name. So I think that's why they switched to Conner. And I think, you know, she said she was doing really, she was just so happy. She seemed really happy for them; is that correct?

GROGAN: That's what she said, yes.

JUDGE: What was the date of the interview of Miss Bird?

GROGAN: February the 5th.

GERAGOS: Your report reads the 5th.

GROGAN: Yes.

GERAGOS: That's what it says on your page, it says on 2-25, from 1940 to 2050 you conducted a tape recorded interview; is that correct?

GROGAN: Yes, that's correct.

JUDGE: This took place February the 25th, 2003.

GROGAN: Yes, your Honor.

JUDGE: All right.

GERAGOS: And so then you asked specifically about jewelry; is that correct? What she was wearing? On 36921.

GROGAN: Yes.

GERAGOS: And she said that she usually noticed it, but didn't that day. But she did notice she is wearing a little maternity dress and some sandals.

GROGAN: Yes.

GERAGOS: Okay. Then specifically you asked what she thought had happened to Laci, correct?

FLADAGER: Objection.

JUDGE: That's irrelevant.

GERAGOS: Did you ask her that? I'm not asking for the answer. I'm asking, what was her theory of what happened, correct?

GROGAN: Basically.

GERAGOS: Okay. And then you went on to talk to her about, specifically about Scott; is that correct? Looking at 36923.

GROGAN: Yes.

GERAGOS: And she told you that there was absolutely zero percent chance that Scott had anything to do with Laci's disappearance?

FLADAGER: Disappearance?

GERAGOS: Correct.

JUDGE: This is getting around really my ruling. I'm going to have to strike that. What she thinks about how Laci disappeared is irrelevant. What he found out from her is one thing. Her opinions are irrelevant.

GERAGOS: Specifically did she tell you that there were, that Laci was the fifth missing pregnant woman from Northern California?

FLADAGER: Objection. Relevance. Lacks foundation.

GERAGOS: Going to what his investigation, what he did. He did do an investigation after this about the other pregnant missing women.

JUDGE: No, not unless he was investigating them all himself.

GERAGOS: He did go to look to follow up on this.

JUDGE: I'm going to sustain the objection, Mr. Geragos.

GERAGOS: Now, did you specifically ask her about, or tell her that you couldn't even pretend to know the over 7,000 tips that have come in on the tip line. That's at 36925.

GROGAN: That’s correct.

GERAGOS: Okay. And that was in discussing what it was, orwhere the investigation was, I take it; is that correct?

GROGAN: I think we were talking about various tips.

GERAGOS: Okay. And one of the tips that you were talking about was this Mapes Ranch; is that right?

FLADAGER: Objection, relevance. His discussion with Ann Bird on tips –

JUDGE: I can't hear you. Again.

FLADAGER: My objection is as to conversations between Detective Grogan and Ann Bird regarding tips in the case.

GERAGOS: Goes to his –

JUDGE: Well, except that you have some, you asked some questions. He received tips. He received the, again the issue is reasonableness of his conduct based on what information he received, what did he do about it, and did he act on it, didn't he act on it. I think it's admissible. Overruled. Then you can ask him why he did or didn't.

GERAGOS: Now, the Mapes Ranch leads, did you talk about that?

GROGAN: Not seeing that, sir, is that supposed to be on 36925?

GERAGOS: 36925. Let me take you to the next portion of the interview then. Did you, you asked her about this idea that Laci and Scott were, whether she knew that Scott had said anything about Amber to Laci, correct? You were looking at 36928.

GROGAN: It appears, talking about halfway down the page here, or so.

GERAGOS: Starting at the, "And Scott said he was up front about that."

FLADAGER: At this point I would lodge an objection, as he's eliciting a statement by the defendant supposedly made to Ann Bird, who supposedly is now telling Detective Grogan. And it's self-serving hearsay by defendant.

GERAGOS: It's not the case.

JUDGE: Can I have that slowly? You lost me.

FLADAGER: It's a statement by, allegedly by the defendant to Ann Bird and then to Detective Grogan. And it's self-serving hearsay by the defendant.

JUDGE: All right.

GERAGOS: Goes to reasonableness of the investigation. They opened the door on all of this stuff.

JUDGE: I think so.

GERAGOS: Specifically mention –

JUDGE: I just ruled in your favor. Overruled.

GERAGOS: Detective, she specifically told you that Ron, that Laci did not like Ron Grantski, as she called him, said Sharon's boyfriend, correct?

GROGAN: That's what she said.

GERAGOS: She said Laci doesn't like him. She didn't want her mother or he to know about the affair at all. Isn't that what she told you?

GROGAN: That's what she told me.

GERAGOS: She said that, said Laci was very adamant about that. That's why he protected that, instead of being up front and that kind of thing; is that correct?

GROGAN: That's what she said.

GERAGOS: She said that Scott said that Laci was extremely, or very pissed off. That's what he told her, right?

GROGAN: Yes.

GERAGOS: And that the, and they were going to get through it, but that she was, Laci was upset, right?

GROGAN: Yes.

GERAGOS: And she said that Scott said that Laci had insisted they not tell the parents about it, correct?

GROGAN: Yes, that's what Ann said.

GERAGOS: And you said that Laci was pissed off, but they had been through it before, correct? And said her answer was, right, she was not happy. But he said, you know, they talked it over, you know. They were going to, going to get through it. They were looking forward to Conner being born. She went on. It was kind of putting it on the back burner; is that correct?

GROGAN: Yes, that's what she said.

GERAGOS: Then you specifically asked, I'm at 36929, about the fact of what else Scott talked about, correct?

GROGAN: Yes.

GERAGOS: Okay. And you were, and this was an investigative technique that you used with a lot of witnesses. Have you talked to Scott Peterson? What did he say? How did he look, correct? Did this with a lot of his friends. For instance, Aaron Fritz, Mike Richardson, Greg Reed. That was something that both you and Detective Brocchini were doing, correct?

GROGAN: All those people were interviewed. And I think I have talked to some of them myself, yes.

GERAGOS: Some of them have been talked to by other of the Core Detectives in the group, correct?

GROGAN: Correct.

GERAGOS: And when you asked her about what else he talked about. She said he just keeps hoping and praying that she's, that she'll appear. That she said, I did know he sold Laci's car because the locks didn't work on it. He said when the police went through the car, through her car, the locks were damaged. And he wanted, I think, Brent to bring the car back, or have it fixed, or something. That what they told you?

GROGAN: That's what they told me.

GERAGOS: She said that he said, that Laci called the car a piece of shit, and hated the car, correct?

GROGAN: Yes.

GERAGOS: Okay. And she actually wanted the same car that Ann has; is that correct? Is that right?

GROGAN: Yes.

GERAGOS: And she said that they had been shopping around for a different car, and that he needed to turn that car in for those reasons; and, also, because he needed a truck, and he had

asked several times to get his truck back, and he couldn't get it back, right?

GROGAN: Correct.

GERAGOS: Okay. And you know that at that point you still had the truck, correct?

GROGAN: Yes.

GERAGOS: Now, you also had an interview with Sharon Rocha and Ron Grantski on December 29th of 2002, correct? I'm looking at 2212 Bates stamp.

FLADAGER: 2212?

GROGAN: Yes, I did.

GERAGOS: During that interview with Sharon Rocha and Ron Grantski you learned, and you talked to two, just the two of them, right?

GROGAN: Yes.

GERAGOS: And you learned then that Laci did want a larger home and a new vehicle, correct?

GROGAN: Yes.

GERAGOS: In fact, I had asked you about this on Thursday, one of the tips you received on the tip line in May was from a real estate broker in San Luis Obispo; is that correct?

GROGAN: This is a tip? This is May, 2003.

GERAGOS: Tip came in in May, 2003, about something that occurred back in May of 2002, correct?

GROGAN: Yes. This is a tip that is written in a report by Detective Brocchini.

GERAGOS: Okay. I'm asking, did this tip involve a real estate broker from San Luis Obispo who specifically had had conversations with Laci Peterson in May of 2002?

GROGAN: I'm not familiar with that.

GERAGOS: With this report?

FLADAGER: Do you have a Bates stamp, Mr. Geragos?

GERAGOS: Bates stamp is 22363.

GROGAN: Yes.

GERAGOS: 369. I'm sorry. Were you aware of the fact that Laci had been calling a broker in San Luis Obispo about relocating there?

GROGAN: If I was told that, I don't remember it right now.

GERAGOS: You know there has been testimony in this case, and I believe specifically some of the, in some of the reports about Scott selling the car. Didn't you also call Sharon Rocha and tell her when the car was sold?

GROGAN: Yes, I did.

GERAGOS: Okay. Didn't she tell you at the time that the car had no sentimental value to her?

GROGAN: I don't recall if she said that or not.

GERAGOS: Okay. I'll find a report at the break. I'll show it to you this afternoon. When you were talking to Ann Bird, specifically in that same tape recorded interview, you talked about Amber, correct? Look at 36930.

GROGAN: Yes.

GERAGOS: Okay. And she said that Scott admitted that he had screwed up and that he had made a huge mistake, correct?

GROGAN: Yes.

GERAGOS: And, specifically, you also asked why it was that, you were asking about the fact that he had an attorney; is that correct? Scott had an attorney?

FLADAGER: Do you have the Bates stamp?

GERAGOS: 36932. At the top of the page you are asking, I think Jackie, I'm sorry, Bird, Ann Bird's asking, I think Jackie said that a policeman told her they should get an attorney. She was completely alarmed; is that right?

GROGAN: That's what Ann said.

GERAGOS: You said you didn't know about that. You certainly didn't tell them you needed an attorney. Then she said, yeah, I think Jackie said they were alarmed and so they hired an attorney. Jackie and Lee did, correct?

GROGAN: That's what Ann said, yes.

GERAGOS: And there was talk about who the lawyer was, correct?

GROGAN: Correct.

GERAGOS: Okay. And then you specifically started talking to her about what the media had done; is that correct? Bottom of the page.

GROGAN: Yes.

GERAGOS: Okay. I did find the portion, Bates number 395, about when you phoned Sharon and said that Scott had sold the Land Rover, where it was located. Sharon told you that the vehicle did not have sentimental value to her, correct?

GROGAN: Yes. That particular item did not.

GERAGOS: The car did not have sentimental value?

GROGAN: Correct.

GERAGOS: That was, if I understand correctly, when Miss Fladager had asked you about you brokering some of the belongings back and forth. That was that same conversation, correct?

GROGAN: I think so, yes.

GERAGOS: Okay. And she said that there was, Sharon said the vehicle didn't have any sentimental value, but she wanted the baby's belongings, the crib, Laci's photographs, two Tiffany lamps, correct?

GROGAN: Yes.

GERAGOS: And that was on, some time on January 31st?

GROGAN: I believe that's accurate.

GERAGOS: And so that's when you called up, I believe Miss Fladager asked you. You called up Scott; is that correct? And I'm looking at what's got 334. You received an e-mail which had been forwarded to you from Sharon, correct?

GROGAN: Yes.

GERAGOS: Okay. And Sharon had asked that she wanted the photographs of Laci as well as some Tiffany lamps and some items from the nursery, correct?

GROGAN: Yes.

GERAGOS: And in that e-mail, Scott, it was apparently an e-mail between Sharon and Scott, right, that had been forwarded to you?

GROGAN: I don't know. Is it attached there?

GERAGOS: I don't think that it was. But maybe it is. Let's see if it's the next page. Is that it?

GROGAN: Yes.

GERAGOS: Okay. And specifically on this e-mail that was forwarded to you, Scott apologizes. Says, I have never taken the opportunity to apologize, addressed to mom, correct?

GROGAN: Correct.

GERAGOS: "I have never taken the opportunity to apologize to Ron or yourself for lying to you about my infidelity to Laci," correct?

GROGAN: Yes.

GERAGOS: "I'm truly sorry I was not forthcoming with you immediately. I know both of our goals is to find Laci and Conner. I'm hoping together we can do that more than separate." Correct?

GROGAN: Yes.

GERAGOS: And then the last paragraph, "I received a message from Detective Grogan regarding the lamps and photos. Of course, I'm willing to share any photos with you. Laci loves her lamps and they should be in our home when we bring her home." Is that correct?

GROGAN: That's what it says.

GERAGOS: "For all of us, more importantly for Laci, we need to find her, bring her back where she belongs among us. We can do this if we can communicate and work together." Correct?

GROGAN: Correct.

GERAGOS: Okay. And specifically when you asked, did you talk to Scott about this?

GROGAN: I think we had a discussion during the 2-18 search warrant by telephone, or something, as to whether or not Sharon could come over to the home and pick out a few of Laci's items that she wanted to take with her.

GERAGOS: Parts of what the e-mail also has on it was that there was a national search day coming up that next week weekend; isn't that correct?

GROGAN: Yes. That's in this e-mail.

GERAGOS: Okay. And then specifically what I'm handing you now is a flyer for that national search day; is that correct?

GROGAN: That's correct.

GERAGOS: Do you recognize both of those items?

GROGAN: Yes, I believe I attached them to one of my reports.

GERAGOS: Okay. And if I could mark those as defendant's next in order.

JUDGE: Defendant's 7F.

GERAGOS: I want to make a clean copy of this. Now, this national search day for Laci was scheduled for Sunday the 9th of February; is that correct?

GROGAN: I believe that's what it said.

GERAGOS: Okay. Is that the same day, or about the same day that Scott's warehouse was vandalized?

GROGAN: I'm sorry, I don't remember the exact date on that. I'd have to pull the report up.

GERAGOS: Could you pull the report and tell me if that's the same day?

JUDGE: We'll take the noon recess. It's five to twelve. By the time you finish this up it will be noontime. Remember the admonition. We'll pick up again at 1:30. See you then.

JUDGE: All right. Let the record show the defendant's present with counsel, and the jury is in the jury box, along with the alternates. And, Mr. Geragos, proceed.

GERAGOS: Thank you, your Honor. You also, good afternoon. You –

GROGAN: Good afternoon.

GERAGOS: You also talked to Ms. Bird, Ann Bird, about the press turning on Scott; is that correct? 36932?

GROGAN: Yes, we talked about the, about the media

GERAGOS: Okay. And the idea of the media turning on Scott, was that your phrase? Saying that the police, meaning we, didn't turn them on Scott. Bottom of 36932, second from the bottom.

GROGAN: Yes.

GERAGOS: And, in fact, you were talking about how the media was also, going on to the next page, 36933, the media basically surrounded the Modesto PD as well, correct?

GROGAN: That's correct.

GERAGOS: Couldn't walk, your description was, I assume this is accurate, that you should see this place a few days where the, they're surrounding our entire courtyard out here and you can't walk out of a building without being on film?

GROGAN: Yes.

GERAGOS: And they're digging and trying to get as much information as they can. You were referring to the media?

GROGAN: Yes.

GERAGOS: Okay. Is it a fair statement that when you executed the search warrant on February 18th, I think it was one of Brocchini's reports he describes approximately 50 members of the media out front during the search warrant; is that correct? Whether it's in the report, I'm asking your, your memory of it.

Is it your memory it was quite a zoo out there when you executed the search warrant?

GROGAN: Yes. There was no, there was no media there initially, and through that first day they continued to show up. And there was a large number of media personnel by the second day, certainly.

GERAGOS: Okay. And you were trying to verify, when you were talking to Ann Bird, about verifying his, Scott's, story that he had been fishing; is that correct? The same page. That 36993. It's the next thing you guys discussed in the interview.

GROGAN: Yes.

GERAGOS: Okay. She actually said that she had gone over to the marina and within 15 minutes she said four, she met four people that all had seen Scott that day, correct?

GROGAN: That's correct.

GERAGOS: Okay. So she told you that she had their names and telephone numbers and everything. And you subsequently, I believe, asked her for some of the names later on in the interview, correct?

GROGAN: Yes.

GERAGOS: Okay. That, and I'm assuming that that goes back to the search for people who had seen Scott on the 24th? When you had sent Detective Armendariz up to the marina as well? To find people? Is that one of the issues, in your mind at least, from the investigative standpoint?

GROGAN: Yes. We did send some people out initially. I think, I think by this point in the investigation we believed he, he was there.

GERAGOS: Okay. So you as a detective had, but the public is still dubious, is what Ann Bird was telling you; is that correct? In the context of this discussion you were having about the media and the media turning on Scott, she started telling you Well, that's not the perception that's out there; correct?

FLADAGER: Objection, vague. And relevance.

JUDGE: Sustained.

GERAGOS: Well, she specifically talked about that he was receiving all kinds of hate mail; is that correct.

FLADAGER: Objection. Relevance.

JUDGE: Yeah, I'm going to sustain the objection.

Sustained.

GERAGOS: Let me show you a picture. The, does this accurately reflect what, well, what does that accurately reflect?

GROGAN: Well, it's not a very good photograph, but I believe that's, I believe that's my car parked in front of 523 Covena, either on, I think this is February 19th, would be my, my guess.

GERAGOS: Okay. That would be, and the police tape would be, I'd like to mark this as defense next in order.

JUDGE: Okay. That would be Defendant's 7 G.

FLADAGER: And, Mr. Geragos, can I see that for a moment.

GERAGOS: Sure.

GERAGOS: Detective, the, the conversation that you were having with Ann Bird, she was telling you about the stacks and stacks of hate mail that Scott was receiving; isn't that correct?

FLADAGER: Objection. Relevance.

JUDGE: I just sustained an objection to that. Maybe you forgot.

GERAGOS: It was the second, the second part of the question. I mean the second part of his interview. He had asked it successively two different ways.

JUDGE: I know, but I sustained an objection about the hate mail.

GERAGOS: Now, the witnesses that Ann Bird gave you, did you check out the names of those witnesses and who they were? At the top of 36935 there's one name in particular. A Mike Ilvestri.

GROGAN: Mike Ilvestri. Yes, he had been interviewed already, I believe.

GERAGOS: Okay. And that was a groundskeeper at the Berkeley Marina?

GROGAN: Yes.

GERAGOS: Did he, did he give you, when you interviewed him, did you get some information out of him?

GROGAN: I didn't interview him. He was interviewed; and, yes.

GERAGOS: I'm going to take you back to what was marked as D 7 G. Does this, does that accurately reflect what it looked like outside of Covena on the second day of the search warrant being executed?

GROGAN: Yes.

GERAGOS: Specifically so we can get our bearings, I think when I asked you about and showed you the picture up on the stand you said this was your car there here?

GROGAN: Yes.

GERAGOS: And I'm assuming does this, does this appear to be, do you know which angle we're looking at? Where the photographer is standing?

GROGAN: My, my guess would be that they were standing somewhere in the area of Greg Reed's grandmother's residence. Slightly north of 523 Covena, the next house north.

GERAGOS: So when the jury saw on Thursday that, where the new fence is, the fence posts and the boards, on that side of the house as opposed to Karen Servas's side?

GROGAN: Correct.

GERAGOS: Okay. And as you look in this photo, is this the street right here?

GROGAN: Yes.

GERAGOS: Okay. And then your car is parked kind of on an angle at the curb?

GROGAN: Yes.

GERAGOS: Okay. The police tape has been put up specifically to try to keep all the people away from the house?

GROGAN: Yeah. It's to keep everyone back.

GERAGOS: Okay. And could you give me an estimate as to at that point, in this picture, on the second day it's taken, approximately how many people and trucks and satellite trucks and camera personnel are out there?

GROGAN: It appears that there's probably 30 or so photo, people photographed in that, in that photo. And that would not represent everyone that was out there.

GERAGOS: Okay. Is it a fair statement that, if you have a panoramic of what was going on here, that the street was pretty much covered with people all the way up and down?

GROGAN: Yes.

GERAGOS: Okay. And these large satellite trucks that we're seeing were parked on both sides of the street?

GROGAN: Yes. I think so. There were, there were several trucks out there. Exactly where they were all located, I don't remember.

GERAGOS: Okay. Now, the, then you and Ann Bird discussed this purple car for a period of time; is that correct? As one of the tips? And that's on 36936.

GROGAN: Yes.

GERAGOS: Okay. And that was a car that was, at least from your knowledge, somebody had spotted parked in the neighborhood there with Arkansas plates and a Confederate flag that had been there on the 22nd and 23rd and disappeared on the 24th? Was that your, your understanding as well?

GROGAN: It was my understanding. I think it was parked, well, we don't have the map up. It was parked at another entrance to the park, from my memory, a ways away from this neighborhood.

GERAGOS: Okay. Approximately, was it by the bathroom areas in the park?

GROGAN: It was at the entrance that went down to where the command post would have been during the early phases of the search.

GERAGOS: Okay. So if the jury can remember back several months ago when Cloward testified and pointed out a location on the map where the command post was in the park, that's roughly where this purple car was?

GROGAN: To my memory, yes, sir.

GERAGOS: Okay. Now, there was also a discussion about people who had seen Laci walking that morning; is that correct?

GROGAN: Yes.

GERAGOS: Okay. Now, one of the people, one of the pieces of information that you received was from a deputy district attorney who worked in Merced; isn't that correct?

GROGAN: Yes.

GERAGOS: Okay. And can you tell the jury what that piece of information was? What that tip was?

FLADAGER: Actually, your Honor, I would oppose, impose an objection at this point because this is information that, at least if there's some indication that the detective relied on this in some fashion in his investigation, as opposed to just randomly discussing some gossip that might be out there, or rumors or speculation –

GERAGOS: He prepared a report.

FLADAGER: with Ms. Bird.

JUDGE: Wait. Finish. What? You want to finish?

FLADAGER: That's it.

JUDGE: Okay. Overruled. Go ahead. You can ask him.

GERAGOS: Okay. You, there was a witness, I'm not going to use her full name, I'll just call her Michelle last initial D. Do you know who I'm referring to?

GROGAN: I do.

GERAGOS: Okay. Bates stamped thirty-thousand nine nineteen. Now, she was not one of the witnesses that the DA brought in here to testify in front of this jury that was walking her dog that day, was she? Or that walked the dog in the neighborhood?

GROGAN: No, I don't believe she testified here.

GERAGOS: Okay. She contacted on January 6th, first of all, she indicated, she indicated that she was a deputy district attorney with a local district attorney's office, correct?

GROGAN: Yes.

GERAGOS: And she is described as a white female adult, 35 years old, who was five one, a hundred and forty pounds with brown shoulder length hair and brown eyes, correct?

GROGAN: I'm sorry I don't, give me just one second.

GERAGOS: Sure; I'm sorry. I didn't mean to, you want to look at this or you want, you've got better pictures, actually.

GROGAN: I've got it.

GERAGOS: Okay. Now, she said she was pregnant in 2002 and given birth on October 20th, correct?

GROGAN: Correct.

GERAGOS: Okay. And she has a dog, right?

GROGAN: Yes.

GERAGOS: And how did she describe her dog? Or how was her dog described?

GROGAN: It was described as a reddish brown Golden Retriever, four years old.

GERAGOS: Okay. What's the dog's name?

GROGAN: McKenzie.

GERAGOS: Same name as Laci Peterson's dog?

GROGAN: Correct.

GERAGOS: This woman was pregnant and gave birth in 2002, right?

GROGAN: That's correct.

GERAGOS: Okay. And she apparently said that she had originally contacted the Modesto Police Department based on threats she had received while working as a deputy DA, correct?

GROGAN: Yes. In Merced County.

GERAGOS: Right. And she worked in the Merced County but she lived in Modesto, right?

GROGAN: Yes.

GERAGOS: And she formerly, before she moved, she lived on Encina Avenue in Modesto? It's at the bottom of the page, second line from the bottom. 3919.

GROGAN: That's correct.

GERAGOS: Okay. So she said she lived on Encina Avenue, she had been pregnant in 2002, had given birth. She said she did not walk on a regular schedule, and she intentionally changed the time of her walks for security purposes, correct?

GROGAN: Correct.

GERAGOS: And when she didn't walk on weekends, she walked in the morning, leaving her home between 8:00 and 10:00 a.m., correct?

GROGAN: Yes.

GERAGOS: Okay. She, JUDGE: Wait. When did she give birth to the child.

GERAGOS: October of 2002.

JUDGE: October of 2002.

GERAGOS: Right.

GERAGOS: And she said, she was specific that she did not walk on December 24th, correct? Of 2000 and 2?

GROGAN: That’s correct.

GERAGOS: Okay. And she specifically said that she saw Laci Peterson on one occasion in her yard during her walks, correct?

GROGAN: Yes.

GERAGOS: And that she did not walk in October or November but she began walking again in December of 2000 and 2, right?

GROGAN: Correct.

GERAGOS: Okay. And she was on maternity leave between October through January 6th?

GROGAN: Yes.

GERAGOS: Okay. She advised that recently she had a prosecution, prior to her going out on maternity leave in October, where threats were made against her; isn't that correct?

GROGAN: That’s correct.

GERAGOS: Okay. And she specifically gave the name of the gentleman, and the person's wife, who had threatened her following the prosecution; is that right?

GROGAN: Yes.

GERAGOS: She said that these threats were witnessed by other court employees when the threat was made, and it was slightly outside of the courtroom; is that right? Got another report that shows it as well.

GROGAN: Yes, that's what that report says. It's Detective Buehler's report.

GERAGOS: Okay. And specifically she says that after the threats were made outside of the courtroom, the person who had made the threats, this person she had prosecuted, had to be physically restrained from coming at her, right?

GROGAN: I believe that's what that said.

GERAGOS: Okay. Now, she supplied the information to the Modesto PD because she wanted to alert them that there may be some relationship between the person who threatened her and they might have possibly mistaken Laci Peterson, correct?

GROGAN: Yes.

GERAGOS: Okay. Now, sometime in April, looks like April 16th of 2000 and 3, there was some follow-up investigation done; is that right?

GROGAN: It appears so, yes.

GERAGOS: Okay. And the follow-up investigation was to try to contact the person who had threatened this deputy DA, right?

GROGAN: I'm sorry, can I see that?

GERAGOS: Uh-huh.

GROGAN: That’s correct.

GERAGOS: Okay. And the follow-up investigation was that they scheduled somebody, one of the detectives is Jon Buehler, right?

GROGAN: Correct.

GERAGOS: Scheduled an appointment for the lawyer for the guy who had threatened the DA, right?

GROGAN: Yes.

GERAGOS: And then he went there to meet and the person never showed up; is that right?

GROGAN: That’s correct.

GERAGOS: And then, as far as I know, nothing else was ever done; correct?

GROGAN: I don't know either. I know that was assigned to Detective Buehler to follow-up on, and that's, I don't have any other information than that.

GERAGOS: Okay. I haven't seen any other information as well. Is it a fair statement that one of the photographs that this DA had provided of how she looked in late July, and I think you've got

a color picture there, she was extremely large as of July 31st, correct?

GROGAN: Yeah. She's obviously pregnant July, July 31st.

GERAGOS: And she gave birth sometime in October, and as far as you know she took these threats extremely seriously; isn't that correct?

GROGAN: It appears that she wanted to let us know about them, at the very minimum, yes.

GERAGOS: Okay. And as far as you know, as you sit here today, we know that she has a dog, the dog's a reddish brown Golden Retriever and it's got the same name, McKenzi, and that there was an appointment scheduled and the person never showed up. And that's basically where we stand today on this?

GROGAN: From the information I have at this point, yes.

GERAGOS: Did you ever run, by the way, the person who threatened her was convicted of a violent crime, correct?

GROGAN: I don't know.

GERAGOS: 236? Do you know what a Penal Code Section 236 is?

FLADAGER: Detective, you might want to take a look at 17611. That's Buehler's report.

GERAGOS: 236, a false imprisonment?

GROGAN: Yes, looks like.

GERAGOS: Okay. And that's what the person was charged with?

GROGAN: I don't know.

GERAGOS: Okay. Will you look at the, the charge is 236, and the threat occurred in early October, 2002? Is that what it says?

GROGAN: That’s correct.

GERAGOS: Now, what's the date on Buehler's report when he received that information?

GROGAN: The –

GERAGOS: The report was prepared when?

GROGAN: The report was completed on January 6th of 2003.

GERAGOS: Okay. And you've got a picture in your, it looks similar to the pictures that were, I should say the reports that were done look similar to the reports that were done for other people who were walking the dog; is that correct?

GROGAN: That’s correct.

GERAGOS: Okay. So she was one of the people who was, let's see. This was part of the supplemental reports that were done in July when the officers went out and canvassed the neighborhood to find women who were pregnant or who had a Golden Retriever who walked their dog, correct?

GROGAN: Yes.

GERAGOS: And that's why you prepared the report with her picture and the picture of the dog on it, correct?

GROGAN: Correct.

GERAGOS: Okay. Now, specifically, and I'll get to some of the others. The, specifically when you talked to Ann Bird, you talked about that there were two people that had seen Laci walking in the park, or she asked you about that; isn't that correct? And that's on page 28 of 35. 36927.

GROGAN: Yes.

GERAGOS: Okay. Now, you said that there was nobody that could say for certain it was her, and that there was another woman, a pregnant lady, that walks a dog over there, correct?

GROGAN: Correct.

GERAGOS: Now, is that, is that back in February of oh three, were you operating on the assumption that the, you couldn't, that nobody had given a statement in which they were certain that it was Laci? And if they did, that you thought that it could have been a case of mistaken identity?

GROGAN: Well, we were operating, operating under the understanding that there was no one that knew Laci Peterson, had seen her before, talked to her, knew who she was and saw her and identified her that day.

GERAGOS: Okay. Recently, or more recently than that you've come across other people, have you not, that have claimed to have seen Laci walking the dog that morning?

GROGAN: I think there's still tips that come in to that effect.

GERAGOS: Okay. Now, the, and I think I talked to you on Thursday about the fact that you had originally ruled out, on the 24th, any tips about seeing Laci that didn't put Laci in the park; is that correct? Isn't that what you had testified to on Thursday?

GROGAN: When we were talking about the map?

GERAGOS: Yes.

GROGAN One of the things we did look at is the known path that she took when she walked, yes, sir.

GERAGOS: Okay. And is it a fair statement that you had ruled out, back in the earlier stages of the investigation, any sightings that took place on surface streets that weren't in the park?

GROGAN: No. There's, there's some that are on Covena Avenue, or right down from Covena Avenue right near the home that we looked at also.

GERAGOS: Okay. Specifically there was as recently as, what looks like April of this year, somebody by the name, a young man who had called up and was interviewed by Mr. Bertalotto, who is one of the DA investigators?

GROGAN: Yes, he is.

GERAGOS: Okay. Do you remember or did you do anything in terms of following up on this interview of this person that claims to have known Laci Peterson, seen her walking before and seen her walking on the 24th?

GROGAN: I think this may be the first time I've seen this report. I can read through it if you like.

GERAGOS: No, I'm just asking if you, you haven't seen it before?

GROGAN: No.

GERAGOS: Okay. And can I ask you, there, there was a number of other witnesses that were provided to you, and I'll, I'll go through and give you an opportunity at the break so you can pull out your reports, but there was a number of other witnesses that, 40161. A number of other witnesses early on, Grace Wolf, Homer Maldonado, Tony Freitas. When was the first time that you were aware of one or all of those people?

GROGAN: I, I can look that up.

GERAGOS: Sure.

GROGAN: The first one you mentioned was Grace Wolf?

GERAGOS: Yes.

GROGAN: And I think the first that we heard about her was right after the preliminary hearing, around the time of the preliminary hearing, which was –

GERAGOS: Last fall?

GROGAN: Yes.

GERAGOS: Okay.

GROGAN: And –

GEGAGOS: How about, I'm sorry, are you not finished?

GROGAN: And that was only due to discovery that we got from your office.

GERAGOS: Okay. How about Tony Freitas, a gentleman who works as a driver for Orowheat who had been driving in the neighborhood that day?

GROGAN: Mr. Freitas called in on December 30th of 2002 to the police tip line.

GERAGOS: Okay. Were you able to verify his work schedule of work hours in any way that day, for where he was on the 24th? Well, if he called in on the tip line, can I ask you when was the next time that somebody from law enforcement contacted him?

GROGAN: He was contacted on July 29th of 2004.

GERAGOS: 2004?

GROGAN: Yes, by a DA investigator.

GERAGOS: So Mr. Freitas called in, was he one of the dots on the board that you showed, that we marked as an exhibit and showed to the jury?

GROGAN: Yes.

GERAGOS: Okay. And he called in and he said that he saw Laci Peterson walking a Golden Retriever, correct?

GROGAN: Yes.

GERAGOS: He called in the tip line, correct?

GROGAN: Yes.

GERAGOS: And no, you now know that he was working for Orowheat at the time, correct? As a driver?

GROGAN: Yes.

GERAGOS: Okay. And is it a fair statement that nobody contacted him from law enforcement between December, last week of December when he called in until approximately six weeks ago, during this trial?

GROGAN: That's correct. I, we have the initial tip on December 30th. We have discovery from your office that we received sometime around the preliminary hearing, and then we re-contacted him July 29th of this year.

GERAGOS: Okay. Was there anything initially in that tip that, I know you weren't, you stated before you weren't the person who was actually sifting through these things; is that correct?

GROGAN: That’s correct.

GERAGOS: Okay. And you had somebody who was at least sifting through or going through these things, right? Filtering them?

GROGAN: Yes.

GERAGOS: Is it a fair statement that, if you had known about Mr. Freitas back in December, that you would have taken some action to have contacted him and to have interviewed him or have somebody from law enforcement interview him?

GROGAN: Well, I can't say that the sightings were automatically a priority for us at that time in the investigation, but the intention always was to try to contact any of those folks around there, yes.

GERAGOS: Now, when you say that you can't say that the sightings were, what was the term you used?

GROGAN: A priority.

GERAGOS: A priority. And you did apply for search warrants repeatedly in this case, correct?

GROGAN: Correct.

GERAGOS: In every single one of those search warrant affidavits, which are declared under penalty of perjury, there was a section that says there are no verifiable sightings of her on December 24th, correct?

GROGAN: Something to that effect.

GERAGOS: Okay. That it's a, I don't want to call it boilerplate, but it's a, it's a kind of a cut and paste on your word processor that goes from search warrant to search warrant to let the judge know, you're supposed to give the judge all the pertinent information in an affidavit for a search warrant, correct?

GROGAN: Yes.

GERAGOS: And one of the things that's contained throughout virtually all of the search warrants is that there's no verifiable sightings of Laci Peterson, correct?

GROGAN: That’s correct.

GERAGOS: Okay. But it is also a fair statement that that was, sightings of Laci Peterson were not a priority at that point early in the investigation, correct?

GROGAN: In the first few days the, the people that called in initially, most of those I think had been contacted or were contacted at the time, and then as more and more sightings continued to pour in, we used less resources to try to deal with all of that.

GERAGOS: Okay. The, one of the first people that you had interviewed or that was interviewed was a Mark Peterson? Obviously no relation. Is that correct?

GROGAN: That's the defendant's, the defendant's brother.

GERAGOS: Okay. And he had told you about a gentleman by the name of Mike Chiavette?

GROGAN: Correct.

GERAGOS: Okay. And you talked to Chiavette?

GROGAN: I did not.

GERAGOS: Okay. One of the, you researched that interview; is that correct?

GROGAN: Correct.

GERAGOS: Okay. And he said he saw two people with the dog he believed to be the Peterson's dog?

GROGAN: Correct.

GERAGOS: And he said he had seen the dog before?

GROGAN: Yes.

GERAGOS: And that he didn't know Peterson but he had apparently seen her before in the neighborhood; is that correct?

GROGAN: Yes.

GERAGOS: Okay. Is that not, that, is there any way to either verify or not verify that information?

GROGAN: Whether he saw McKenzie or some other dog?

GERAGOS: Right. Did anybody show him a picture of McKenzie or anything, did a photo lineup of McKenzie and some of these other dogs that pictures were taken of?

GROGAN: No, that was never done.

GERAGOS: Okay. You did have, obviously the Modesto PD had the capability to take pictures of these other dogs, because there's at least 15 or 20 pictures of dogs in the discovery that's been provided, correct?

GROGAN: Yes.

GERAGOS: Okay.

GROGAN: When we were following up with other people that were walking in the area, we took photographs of their dogs.

GERAGOS: Okay. Now, the, specifically did you interview Chiavette?

GROGAN: No.

GERAGOS: Okay. Do you see a report by Brocchini where, and this is, once again it says 9/18 where Brocchini says that you and Officer Nicolai interviewed Chiavette?

GROGAN: Yes, I see that.

GERAGOS: Okay. So that's not true, what's contained in Brocchini's report about you actually interviewing this particular gentleman?

GROGAN: No, I didn't talk to him.

GERAGOS: Okay. Now, the, you had also talked to Ann Bird specifically about Scott and where he was living; you wanted to find him at that point at the end of February, is that correct? It's actually the top of 36939.

GROGAN: 939?

GERAGOS: Yeah. 36939. Page 30 of 35.

GROGAN: Yes.

GERAGOS: Right. It starts, 377. That appears that's what we're talking about, yes.

GERAGOS: Right. And she told you that specifically her, she wasn't going to tell you where he was because he needed a little privacy, correct?

GROGAN: That’s correct.

GERAGOS: Did she tell you why?

FLADAGER: Objection. Relevance.

GERAGOS: The relevance is,

FLADAGER: Speculation.

GERAGOS: whether or not he was fleeing or whether or not there was another alternative reasonable explanation for his behavior.

JUDGE: All right. I'll permit the answer.

GERAGOS: And that would have been the paragraph right before that where you had asked where he's at.

GROGAN: The paragraph before?

GERAGOS: Yeah. On 938. Didn't he, didn't, didn't she say that, she said there really isn't much left in the house for him now with all the death threats and strange people and all the other kind of stuff, he just doesn't want to be there anymore?

GROGAN: Yes.

GERAGOS: And she told you he was in a safe place but she didn't want to say where because she basically wanted to give him some privacy; is that correct?

GROGAN: Correct.

GERAGOS: Specifically you also asked her about other females besides Amber; is that right?

GROGAN: Yes.

GERAGOS: Okay. And she told you that there was some other females and that it was when they were first married; is that right? The bottom of 36940.

GROGAN: Yes.

GERAGOS: Okay. You, in fact, did do some investigation as to other females that Scott may have been involved with; is that correct?

GROGAN: Yes.

GERAGOS: Okay. Specifically, refer to the one female that you interviewed who had called the tip line, actually looks like she called and talked to Brocchini; is that correct?

GROGAN: Yes.

GERAGOS: Okay. She had specifically said that she had a five month relationship with Scott Peterson back when he was first married to Laci; is that correct?

GROGAN: Yes, I believe that's correct.

GERAGOS: And specifically Scott had never told her that he was married, correct? I've got 1222.

GROGAN: That’s correct.

GERAGOS: Okay. And the way she found out that Scott was married is she walked in on Scott and Laci in bed together, correct?

GROGAN: Yes.

GERAGOS: Okay. And, actually, she didn't even at that point know that they were married; she only found out after the fact when Scott's roommates told her this information, correct? It would have been, it's also 1223, last sentence of that second paragraph before the next subject.

GROGAN: That’s correct.

GERAGOS: Okay. And she was questioned specifically as to whether or not it was possible that Laci did not know about this confrontation, correct?

JUDGE: Confrontation between this young lady?

GERAGOS: Yes, this young lady, Basically the way she tells it is she walked in and Scott and Laci were in bed together, correct?

GROGAN: Yeah.

GERAGOS: And she says there's no way Laci couldn't have known because there was quite a scene; is that right?

GROGAN: I don't, I don't see that in her statement in here.

GERAGOS: Okay. I'll find you other one where it's got it. There was a, yet another, one other woman that was contacted by you; is that correct? Sometime in late January?

GROGAN: There is one other.

JUDGE: January 2003?

GERAGOS: Of 2000 and 3. Is that, and you contacted her by phone?

GROGAN: I did.

GERAGOS: Okay. And specifically she confirmed that she was aware of the case through news reports; is that correct?

GROGAN: Yes.

GERAGOS: Okay. And she said that she had attended Cal Poly from 96 through 98; is that correct?

GROGAN: Yes.

GERAGOS: And that they met in the last quarter of 98 and they started dating in about two months?

GROGAN: Yes.

GERAGOS: She said she learned that Scott was married in her conversation with him early on in the relationship, but he said he was separated from his wife or was in the process of divorce?

GROGAN: Yes.

GERAGOS: She said that she found out at a graduation ceremony that Scott was, in fact, still married; is that correct?

GROGAN: Yes.

GERAGOS: And she found out when Scott, or Laci apparently came over, Laci had come over and placed a lei around Scott's neck?

GROGAN: I'm sorry, that's not in that report. I'm going to try to find it.

GERAGOS: Yeah. Find the other report where it is.

FLADAGER: Bates stamp 1325.

GROGAN: I'm sorry, Mr. Geragos, I'm not finding that.

GERAGOS: 1325 did you say?

FLADAGER: The third paragraph down, fourth –

GERAGOS: I'll bring it up to you. 1325.

GROGAN: Yes. Yeah. That's correct.

GERAGOS: Okay. So what she specifically said is that on graduation day at Cal Poly she and Scott were sitting next to each other when a female walked up to Scott and put a lei around his neck and kissed him; is that correct?

GROGAN: Yes.

GERAGOS: And specifically, specifically she said that's, at that point she realized or had some indication that Scott was married; is that right? Or seriously, or that based, it was obvious from

the kiss that this female and Scott were seriously involved, correct?

GROGAN: Correct.

GERAGOS: And after the kiss, Scott and Katy sat through graduation, correct?

GROGAN: Yes.

GERAGOS: Now, one of the pictures that you seized during the search warrant; is that it? One of the ones that you and I had marked and given to Marilyn?

GROGAN: Yes.

GERAGOS: Okay. That came out of the February 18th search warrant; and then it looks like a bag, 55 A?

GROGAN: Yes.

GERAGOS: Okay. I'd like to mark this as defendant's next in order.

JUDGE: Just the photograph?

GERAGOS: Just the photograph. I might as well put the, the envelope was just so Detective Grogan and I would know.

JUDGE: All right. We'll mark the envelope and the photograph Defendant's 7 H

GERAGOS: Does that appear to be the graduation picture with the lei around the neck?

GROGAN: Yes, sir.

GERAGOS: And then on, when you talked to the, this woman, this particular woman, that, this picture would tend to corroborate her story, would it not?

GROGAN: Yes.

GERAGOS: Now, you've also spoken to a Rene Tomlinson; is that correct?

GROGAN: She's been interviewed as part of this case. I don't know that I, I've done any interviews with her.

GERAGOS: Okay. Is it a fair statement that she said that she had talked to Laci about her sex life and that she was not having sex anymore and that it was not a priority for her because of the pregnancy?

GROGAN: Yes.

GERAGOS: Okay. And that was a conversation, she had apparently talked to Laci on or around December 20th of 2000 and 2? I'm sorry. I don't mean to do that to you.

GROGAN: Yes.

GERAGOS: Okay. And part of the reason for this report was to try to elicit information as to what was, transpired on that last phone call in December of 2000 and 2 between Laci and one of her girlfriends, correct?

GROGAN: This is a report completed by Detective Bertalotto. I'm not sure what generated the interview.

GERAGOS: Okay. You're aware of the fact of who Rene Tomlinson is?

GROGAN: Yes, I know she's one of Laci's friends.

GERAGOS: Okay. And you're aware that she had made that statement that's what Laci had told her a couple of days before she disappeared?

GROGAN: From reading that report, yes.

GERAGOS: Okay. Now, specifically when you finished with the interview of Ann Bird and Ann told you that Laci was walking around Disneyland and getting around Disneyland, that the wheelchair basically was just so Scott could pamper her; did that change your outlook in terms of her ability to walk, Laci's ability to walk?

GROGAN: Well, I wasn't sure exactly how to take this because she is, of course, has a close relationship with the defendant.

GERAGOS: Okay. She did specifically address the fact that she's got a close relationship with Mr. Peterson, didn't she?

GROGAN: Yes. They were separated for many years, but I think she had started to have more contact recently.

GERAGOS: Okay. Didn't she specifically at some point during this interview tell you that if he, that she thought for a minute he had anything to do with Laci, that she wouldn't have anything to do with him? Didn't she tell you something to that effect?

GROGAN: I don't know. I can look through this.

GERAGOS: Sure. If you could just take a look and see if you've got it.

GROGAN: Do you know if that's in the summary, Mr. Geragos?

GERAGOS: I believe it's in the interview itself. I'm just moving my stuff around here and I'll see if I can grab it real quick. I'll come back to it after the break. So you don't need to look for it. She also asked you about the insurance policy, correct? 36942. About the one, two, three, four, fourth sentence down by you.

GROGAN: Yes.

GERAGOS: Okay. And you told her that your, your, well, you're not sure, but: I've never said that the insurance policy is anything. Was that, was that a true statement?

GROGAN: That's accurate.

GERAGOS: Okay. It's accurate in that that's what you said to her? Or it's inaccurate, accurate in that you don't believe that this insurance policy is a motive for anything?

GROGAN: It's accurate that the insurance policy, I guess it depends on what the, what the defendant knows about the insurance policy. But it was purchased long in advance of this incident. It wasn't immediate, right before she disappeared, and there are conditions that are required in order for him to try to get any money from the insurance policy. And one is that he can't be a suspect in anything, and the other is that he needs to wait, I think, a period of, like, seven years, or something like that, in order to collect anything from it.

GERAGOS: Is it also a fair statement that, until this trial, you were not aware that the insurance agent was the one who was kind of the moving force behind the insurance policy?

GROGAN: I don't know that I even know that now.

GERAGOS: Okay. You were not in here when it was, Brian Argain?

GROGAN: That sounds correct. I wasn't here when he testified.

GERAGOS: You weren't here when he testified. If I told you that he said he was the one, he had just become a financial consultant and he was kind of cold-calling, hitting, prevailing on his friends to make these sales, that was something that you were unaware of, correct?

GROGAN: Actually it does sound familiar that he had, he had just got the job and was trying to make some sales. I had heard that before somewhere.

GERAGOS: Were you aware, it's not in any reports of yours, though; is that correct?

GROGAN: I've never interviewed him, no.

GERAGOS: Okay. And is it also a fair statement, then, that until this trial you were unaware that Laci was the one, at least as testified to by Brian Argain, that had made the suggestion to give herself a 200 and 50,000 dollar policy?

GROGAN: Yes, I had never heard that.

GERAGOS: Okay. Now, specifically the, there was another incident that took place on, well, I'll ask you, I'll ask you this way: Do you know who Sergeant Carter is?

GROGAN: Yes. But we have two of them.

GERAGOS: Alan Carter.

GROGAN: Yes.

GERAGOS: Okay. Is he your, was he your supervisor at the time?

GROGAN: Yes.

GERAGOS: Okay. Now, was there an incident, and I'm pointing to the yellow highlight. You want to read that to refresh your recollection before I ask you questions about it? And it's Bates stamped 21638.

FLADAGER: 216.

GERAGOS: 38.

FLADAGER: 38.

JUDGE: For the record, we'll admit defendant's 7 H. Envelope and photograph.

GERAGOS: You, has that refreshed your recollection as to this particular incident?

GROGAN: Yes. That's the first time I've seen that document.

GERAGOS: Okay. You, it mentions, I'll lead into it and then you can get to your, apparently sometime in February of 2003, while this investigation was ongoing, there was a, Sergeant Carter and a gentleman by the name of Doug Ridenour. Is he your public information officer?

GROGAN: That’s correct.

GERAGOS: Okay. And then apparently they were, had, during an interview with a gentleman from KGO Television; is that correct?

GROGAN: Yes.

GERAGOS: Okay. And that's the ABC affiliate, and that's, they were doing a story about outstanding missing persons cases. And specifically I guess eight missing persons cases that were out of the Modesto area, correct?

GROGAN: Correct.

GERAGOS: Now –

FLADAGER: Your Honor, I'd object at this point in terms of any interview that was going on with people that the detective had absolutely no knowledge of.

GERAGOS: He had knowledge because, and I'll make the proffer that –

JUDGE: Let's see. Do you have any knowledge of the interview?

GROGAN: I've never watched the interview, no, your Honor.

GERAGOS: Could I ask one question and link it up. You were asked to give a press response regarding the interview; were you not?

GROGAN: I was asked by the public information officer. He was going to generate some sort of response because this interview went a little beyond the scope of what it was supposed to. And got into the, the Peterson case. The public information officer asked me to provide him some information on what he's supposed to say, basically, if he's called by any other media regarding it.

GERAGOS: Well, basically what happened is what started out as a story about eight missing persons, females in Modesto, turned into, where it was cut and pasted where the sergeant was supposedly saying: Scott Peterson is our most viable suspect, correct?

GROGAN: I don't know exactly what the media, what, what that interview actually contained or how it was broadcast later. I never saw either the edited or unedited version of it.

JUDGE: He apparently doesn't have any first-hand knowledge of that.

GERAGOS: Well, how, weren't you given this information, it says at the bottom: This necessitated a press response by Detective, I think it's misspelled, Crogan. That's you, correct?

GROGAN: I think that's me.

GERAGOS: Right. And Detective Ridenour regarding this interview, right?

GROGAN: Yes.

GERAGOS: Okay. Didn't somebody explain to you what had happened or why this interview was a problem and why you needed to get involved to correct it?

GROGAN: I, what was explained to me was that there was a number of questions that were being asked by the media regarding this case because of the interview, and I was asked how they were supposed to deal with it.

GERAGOS: Okay. Wasn't they specifically, wasn't the specific problem is that it had been, Sergeant Carter's statements had been cut so that it would look like he was saying Scott Peterson is the most viable suspect?

GROGAN: I don't know if that's the case or not. That's what that, that's what that document says, I think.

GERAGOS: And wasn't that the reason that you were asked to give a response, because you were the person who was the lead detective?

FLADAGER: Your Honor, I would object just as to relevance at this point.

JUDGE: I'm going to sustain the objection.

GERAGOS: Okay. Well, did you give a press response?

GROGAN: Yes.

GERAGOS: And that was to try to correct the misinformation, the way that the information had come out?

GROGAN: Yes.

GERAGOS: Okay.

JUDGE: All right. I think we'll take the afternoon recess, Mr. Geragos. Ladies and gentlemen, we'll take the afternoon recess until five minutes to 3:00, and we'll pick up where we left off.

JUDGE: All right, let the record show these proceedings are taking place out of the presence of the jury. I hate to be like a broken record. I want to go back to certifying the record. We started at page 16884.

I'm going to add a thousand pages, Mr. Geragos. That will put us up to September 23rd. 18166.

GERAGOS: Slower.

JUDGE: Eight volumes. We have got to get this done.

GERAGOS: I need to grab a couple of exhibits.

JUDGE: Go ahead. But you got to do – I asked you guys to do this Monday. I'll give you until Monday. I said I'll do it, otherwise I know who it is. The lawyers get way behind, it's like pulling teeth to get them to catch up.

GERAGOS: Can I have a minute with Marilyn in the antechamber over there?

JUDGE: You got to unlock it to get in there. You are going to show the –

GERAGOS: Can I have one minute with the detective so I can explain to him what I'm doing

JUDGE: Are we ready, Mr. Geragos?

GERAGOS: Just one second.

JUDGE: All right. I have to set this out. The record will show the defendant is present with counsel. The jury is in the jury box along with the alternates. When you are ready, Mr. Geragos.

GERAGOS: Thanks, judge. Detective, at some point, part of, one of the theories that the police were operating under was that Laci had been wearing the same clothes the night before, and there was an effort to try to determine what she was wearing the night before, correct, on the 23rd?

GROGAN: Yes, sir.

GERAGOS: Okay. And along with, looks like we marked this as evidence before. Show that for the jury. Three photos. Is that correct?

GROGAN: Yes.

GERAGOS: And the three photos were of three pairs of pants that you used as a photo lineup.

GROGAN: Yes.

JUDGE: Show them to the jury.

GERAGOS: Can I pass these around?

JUDGE: I'm going to admit those into evidence because they were identified by Amy Rocha. So we'll admit 15A, B and C into evidence.

GERAGOS: Now, specifically you took her in at one point to the search; is that right?

GROGAN: Yes.

GERAGOS: On the 18th?

GROGAN: Yes.

GERAGOS: And she entered the home because you had requested that she would see if she could view the clothing and select what Laci had been wearing on the 23rd; is that right?

GROGAN: Yes.

GERAGOS: Okay. The idea being that if Laci was wearing what she was on the 23rd, that she had been killed on the 23rd in that clothing, correct?

GROGAN: That was a possibility, yes.

GERAGOS: Okay. The first thing that she identified was what's previously been marked as People's 10, correct? That's the blouse.

GROGAN: Yes.

GERAGOS: I don't know if it was the first, one of the things that she picked out?

GROGAN: That's one of the items that she selected that day.

GERAGOS: Okay. And then she also, she also found the scarf that we have seen before, correct?

GROGAN: Yes. She found a scarf in the closet that we booked as evidence.

GERAGOS: And then she was certain that she had found the pants and shoes, similar, if not the same, that she wore the same, correct? She identified some shoes and then some pants that she was sure were the same, if not similar; is that correct? Similar if not the same?

FLADAGER: Objection. Compound.

JUDGE: It is a couple of questions.

GERAGOS: She picked out a pair of pants?

GROGAN: Yes.

GERAGOS: And she was sure that those were similar, if not the same pants she had been wearing on the 23rd, correct?

GROGAN: This sentence is talking, I think, about the scarf as an item that she was almost certain that Laci had worn, and that there were pants and shoes similar, if not the same.

GERAGOS: That's what I'm asking, if she picked out a pair of shoes and pair of pants, correct?

GROGAN: Yes.

GERAGOS: Okay. Then, that was obviously in February. And so, specifically, at some point after Laci was recovered and you found the pants, you sent someone to go get a pair of pants, and that was, or a similar pair, correct?

GROGAN: Yes. We took the information off the tag of the pants that were recovered with Laci Peterson's body, and a detective contacted Motherhood Maternity, and I believe those were mailed to us at the police department.

GERAGOS: Okay. And these are a similar pair of pants that I'm holding, People's 11.

GROGAN: They are similar. They are not the same size. Those are large. And I believe she wore a medium.

GERAGOS: Okay. And then you obtained the three photos that the jury is looking at right now, correct? I can show them to you as soon as they have gone through it. Trust me that the same three photos I showed you at the break are the same three photos that the jury is looking at. You picked that out for a specific reason; is that correct?

GROGAN: Yeah. I think we got the photos first, and then ordered the pants is the order of things. But we did get the photo off the internet to use to show Amy.

GERAGOS: And was that because you wanted to see whether or not this pair of pants, what's marked as People's 11, is, whether that was the same pair of pants, photo number 3, that's what Laci was found wearing, you wanted to see if that was what she was wearing on December 23rd, correct?

GROGAN: That's correct.

GERAGOS: Okay. Okay. And you videotaped an interview with her; is that correct?

GROGAN: Yes, I did.

GERAGOS: I'd ask, your Honor, that you have previously seen.

JUDGE: We have got to mark it next in order. Defendant's 7I. Video Marked as Exhibit D7I for identification. And also, ladies and gentlemen of the jury, the transcript of what is being said is

going to be shown is on the video, so we're not going to pass out a transcript, because it's superimposed on the video.

GERAGOS: Just so it's clear, because the video of that room is from behind you, correct?

GROGAN: Yes.

GERAGOS: Okay. So when you are showing Amy the three pictures, you have got the pants that are marked as People's 11, and it's photo number 3, they are going to be on your left, photo number 3, correct?

GROGAN: Correct.

GERAGOS: And then the middle pair, photo number 2, is right here. It will be in the middle as you are showing it to her, correct?

GROGAN: That's correct.

GERAGOS: And then photo number 1 is going to be on your right; is that correct?

GROGAN: Yes, sir.

GERAGOS: Okay. Need me to just press "Camera"?

NALJIAN: Un-hun.

GERAGOS: I showed you photo number 1. When you show it to her, is going to be on, she is going to be looking at it to her left? Photo number 2 will be in her middle, and photo number 3 will be on Amy's right; is that correct? So when you push it at her, it will look like that?

GROGAN: Yes, that's correct.

GERAGOS: Okay.

GERAGOS: Detective, the two photos, if I could, judge, I'm going to separate them.

JUDGE: That's okay. Give them back to Marilyn. Just one question. Does that truly and accurately reflect the interview as you saw it?

GROGAN: Portion of it, your Honor. That's not the entire interview.

JUDGE: The portion that you saw?

GROGAN: Yes.

JUDGE: Okay. We'll admit that in evidence also

GERAGOS: This is not one. What you did is, there is photo 1, photo 2, and photo 3, if I understand correct. Photo 3 is what's People's 11, correct? Which is the pants, the same style of pants that Laci was found in, correct?

GROGAN: Yes.

GERAGOS: Okay. And you showed them to Amy in this order, spread out just like this, correct?

GROGAN: Yes.

GERAGOS: Assuming that Amy is where you are right now. Where are the jury is, that's what she is looking at?

GROGAN: Yes.

GERAGOS: That she specifically said definitely not these two, correct?

GROGAN: That's what she said.

GERAGOS: And then starting to point and talk about these, correct?

GROGAN: Yes.

GERAGOS: And she specifically said that they did not have that line, did not have those cuffs, correct?

GROGAN: That’s correct.

JUDGE: Just for the record, Mr. Geragos –

GERAGOS: I'm pointing to number three.

JUDGE: But which one did Amy Rocha identify?

GERAGOS: Identified 15B as being most likely.

JUDGE: 15B. A and C she eliminated?

GERAGOS: That's correct. Now, that interview was done when?

GROGAN: Some time in July of 2003.

GERAGOS: July 23rd?

GROGAN: Yes.

GERAGOS: And that eliminated, I guess at that point did you feel fairly comfortable that you had all of the clothing that, at least you had the blouse, you had the pants, you had the shoes, you had the scarf that Laci was wearing on the 23rd of December?

GROGAN: The shirt and the scarf she was relatively sure about. As to items that she picked out from the house, is the shoes. I think she had some question about the height of the heel. There were some pants from the closet, and she looked at those pants and said they were most like the ones she saw in the house, most like what she recalled Laci wearing on the 23rd. And then with this interview she does say that, although the pants are like a cream-colored pant, and they are the Capri style, she did not recall the cuff or the line down the front of the pant, that seam, whatever it's called.

GERAGOS: Did she specifically use the term, "These are definitely not the pants"?

GROGAN: When she looked at those photographs, that's what she said.

GERAGOS: Okay. And specifically, at that point, that eliminated this idea, I guess you had gone through and investigated this theory that she was, that Laci had been in the same clothing that she was wearing on the 23rd; isn't that correct?

GROGAN: Well, she never selected any particular pant with absolute certainty to say that they were the ones that she saw. She was able to tell me differences, things that were similar.

GERAGOS: Didn't she pick out a pair of pants out of the closet? She looked in the closet when you went in there, correct?

GROGAN: Yes.

GERAGOS: On 2-18, on the pants statement, when she looked in the closet on February 18th or 19th, when she went in, she selected a pair of tan or cream-colored pants that were hanging in the closet, correct?

GROGAN: Correct.

GERAGOS: And those pants were clipped at the cuffs right?

GROGAN: Yes.

GERAGOS: And they were hanging upside down, right?

GROGAN: Correct.

GERAGOS: And they showed evidence of being worn, but they were not soiled, correct?

GERAGOS: That's correct. They had some lines on the crotch area or the upper thighs. Like if you were sitting down in those pants at one time or another, it might crease there. Okay. So it didn't look like they had just come back from the cleaners. It looked like the, selected, the pants Amy selected looked like they had been worn fairly recently. They still this, some kind of creases in the crotch area?

GROGAN: That's correct.

GERAGOS: Okay. And she said they also were clipped at the cuffs of the pants, correct?

GROGAN: Yeah. We saw that together when we were looking at them.

GERAGOS: Okay. And specifically those pants, as you said, showed evidence of being worn, but they didn't look like they were dirty such that you would need to send them to the cleaners. That's why you said worn, but not soiled?

GROGAN: Correct.

GERAGOS: And she did select those pants on the 18th, correct?

GROGAN: Yes.

GERAGOS: Now, did you compare those pants that she selected on photo number two, in this, I guess pants lineup for lack of a better word?

GROGAN: Did I compare them?

GERAGOS: Well, yeah. Did you?

JUDGE: You said photo number 2. A, B, C?

GERAGOS: It says photo two. You are right 15B.

GERAGOS: Did you take those pants? Did you put them into evidence?

GROGAN: Yes, I believe the ones out of the closet are in evidence.

GERAGOS: Okay. Did you ever get those pants, the ones that are in evidence that the Amy picked out in February, and did you ever compare them to photo number 2 to see whether or not they were the same style, the same make, or color?

GROGAN: I have seen, obviously I have seen this photograph. And I have seen photographs of the other pants. The color of the pants is, they are both a little bit darker in color than the pants that Laci was recovered in. The pants that she selected out of the closet did not have a cuff, nor did they have a line.

GERAGOS: Okay. But these don't have a cuff, do they?

GROGAN: No.

GERAGOS: Right. So that's what I'm saying. Did you compare the pants she selected with this photo? Basically they, to some degree, matched, didn't they?

GROGAN: Visually to some degree they do, yes.

GERAGOS: And where did you get this particular photo?

GROGAN: Off the internet.

GERAGOS: Okay. You never showed her, or you didn't get the photo the pants that you had in custody or in evidence, did you?

GROGAN: No. She had already looked at those.

GERAGOS: Okay. Did you ask her, or did you have, did you give her the opportunity to take a look at those pants again, once she eliminated, she said basically photos one and three are definitely not it, right?

GROGAN: That's what she initially said, yes.

GERAGOS: And then she told you that two was the most like it, except the fabric was not quite, didn't look to her like the fabric was quite right?

GROGAN: She said, to the best of my memory what she said is that maybe the fabric didn't look right in those, and that the color was possibly a little lighter.

GERAGOS: Okay. And she said that the specifically. They didn't have drawstring, they didn't have pockets. And when she was talking about the pants that are People's 11, she said those are more like cargo pants to me. So they are not, they were all new in fabric. Is that what she said?

GROGAN: Yes. That's talking about another pair of pants that are in the photos.

GERAGOS: That was in the number one?

JUDGE: Mr. Geragos, I hate to be picky. You keep saying them, ones we marked them as 15A, B, and C. And I know they have number on top.

GERAGOS: Whatever you want me to refer to.

JUDGE: 15A B, and C.

GERAGOS: 15A. Right there.

JUDGE: Right.

GERAGOS: That's you marked as your photo number one?

GROGAN: Yes.

GERAGOS: Okay. And that's what she was referring to?

GROGAN: When she is referring to the drawstrings, I think she is talking about at the ankle, yes.

GERAGOS: Okay. And she said those are more like cargo pants, definitely not those, correct?

GROGAN: Correct.

GERAGOS: Now, she also told you that they came in together that evening, meaning Scott and Laci; is that right?

GROGAN: On the 23rd?

GERAGOS: Yes.

GROGAN: Yes.

GERAGOS: And his appointment was at 5:45?

GROGAN: I'm not sure, sir. Do you have a Bates stamp number?

GERAGOS: Yes. 40781.

GROGAN: Is that a transcript?

GERAGOS: It's on the transcript at the top, on page 40781.

GROGAN: I'm not sure if I have that one here.

GERAGOS: I'll show it to you. I have got it right here. Top of the page.

GROGAN: Yes. The appointment time was 5:45.

GERAGOS: Is there anywhere in this interview that you had, the videotaped interview we just saw, we indicated just a small portion of that, that had to do with the pants; is that correct? There were other portions, as I indicated, that, where you talked about what time he got there for the appointment? Scott and Laci got there?

GROGAN: In the July interview?

GERAGOS: Yes. That's the one I just showed you.

GROGAN: 4078 –

GERAGOS: 40776 is where it starts. Page one of seven. What I showed you was specifically page six of seven.

GROGAN: Thank you. Yes, we talked about that briefly there. I think there have been other interviews about that.

GERAGOS: Now, one of the things you had done early on at the search warrant on the 26th is, my understanding is that you, that you had done, you went back in on the second search warrant to try and find these clothes with Amy, correct?

GROGAN: Yes.

GERAGOS: Okay. Now, on the first search warrant, he can't find it. I have got a copy. I'll just use that. On the first search warrant there was, there were pictures of the hamper taken, correct?

GROGAN: Yes. On the 26th, 27th.

GERAGOS: Yes. Specifically People's 7. This picture was taken on the, when the search warrant was executed on the 26th or the 27th, right?

GROGAN: Yes.

GERAGOS: When the search warrant was executed on the 26th or 27th of December, at some point after the second search warrant did you show Detective Coyle this photo? Show you one of six.

GROGAN: Yes, I showed him a series of photographs. I'm not certain that this photograph was in it.

GERAGOS: You what?

GROGAN: I'm not certain this photograph was in it at the time.

GERAGOS: Okay. What was the point of showing Detective Coyle the photographs of the hamper?

GROGAN: Well, we were trying to locate where the, this is after the February search warrants.

GERAGOS: So you have –

GROGAN: What we are trying to do is, we are trying to determine where the clothes were that we recovered here, where they were in December when we did the search warrant. And we didn't know that they were an issue at the time. So we're trying to see if anybody remembered seeing them.

GERAGOS: Okay. So is it a fair statement that nobody had noticed, and specifically Detective Coyle for whatever reason had not noticed this shirt here, which is People's 10, the maternity blouse?

GROGAN: In the 26th search warrant, that's correct. It wasn't listed in the search warrant. It wasn't really a reason to look for it, in particular, at the time.

GERAGOS: Okay. I mean so the theory that came up about wearing the clothes on the 23rd took place after the search warrant took place on the 26th?

GROGAN: Yes. This part of the investigation, when we were trying to determine where the clothes were that she was wearing on the 23rd, that came up after the first search warrant, and before the second.

GERAGOS: Okay. And then you asked Coyle, Detective Coyle for his memory of that day. And he obviously said, look, something to the effect, I don't remember having seen that, even though it's

there obviously in the photograph; is that correct?

GROGAN: That's correct.

GERAGOS: Okay. And, specifically, at one point, the other thing that you were looking for in there were the blue pajamas; is that also a fair statement? Looking for pictures that would show the blue pajamas in the hamper?

GROGAN: Yeah. We were looking, because we found those in a bag on the 2-18 search warrant in the master bedroom. And we were trying to figure out if anybody had seen those, and where they were the first time around.

GERAGOS: Okay. And when the, when you went back and looked at some of the video, you could see what, I assume if you are, People's 17, that's the pair of blue pajamas that you were looking for?

GROGAN: Yes.

GERAGOS: Okay. And did you go back and do a search through the video to see if you could find a better shot of the hamper here, and see actually two pictures, one before it was searched, and one after it was searched; is that correct?

GROGAN: We did look at the video from the 26th search warrant, and we're talking about in time on, like in February when I was talking to Detective Coyle.

GERAGOS: Right. I mean you went back and talked to Coyle after the second search warrant, right?

GROGAN: Correct.

GERAGOS: Because you were trying to put together this theory, or at least disabuse yourself of this theory on the clothing; is that correct?

GROGAN: Correct.

GERAGOS: So you were trying to determine from Coyle if he had seen People's Number 10, if he had seen the blue pajamas, or anything else, right?

GROGAN: Right.

GERAGOS: Okay. Coyle tells you that, no, he's got no memory of it. But then when you show him the pictures, obviously it was there. I just don't remember it. Right? Something to that effect?

FLADAGER: I'm sorry, the pajamas or the blouse?

GERAGOS: Talking first about the blouse.

FLADAGER: Blouse?

GROGAN: As far as his interview.

GERAGOS: Sure. That's the page three of six.

GROGAN: He's talking about, all right. All right. I'm sorry. Your specific question was, sir?

GERAGOS: You talked to Coyle about what he had seen in the hamper, right?

GROGAN: Yes.

GERAGOS: Okay. And he told you specifically that he had not, that he had not noticed this, what we now believe is People's Number 11, the blouse; is that right?

GROGAN: Yes, he didn't remember it.

GERAGOS: This right here. You have another picture which was Quadruple O.

JUDGE: You said 10. You meant People's Number 10?

GERAGOS: Yes, I did misspeak. People's Number 11, the pants. Once again there is another picture which shows the hamper there with the blouse in it, right? Black and white, obviously.

GROGAN: It appears to. I don't know that I have seen that black and white photo before.

GERAGOS: Okay. How about Quadruple P1 and Quadruple P2, which looks like after that hamper had been searched. Maybe, I'll give you one of these to look at closer, because I have got two. Does it look to you like the blue pajamas are on top of that hamper?

GROGAN: This is taken from a video; is that correct?

GERAGOS: Yes. That's taken from the video, correct.

GROGAN: And is it the entrance or exit video from 12-26, 12-27?

GERAGOS: It was testified to as the exit video during the day.

GROGAN: There is certainly a blue garment there, and that could be the pajamas. There is, also there was a blue shirt I think I have seen in photos.

GERAGOS: Let me –

GROGAN: In that hamper.

GERAGOS: Let me show you Triple I. Defense Triple I. Does that look like the blue shirt, which is a different color than the blue pajamas?

GROGAN: Well, I don't know if that's a different garment or not, sir, because we have light coming through here. This is slightly overexposed. That one is taken at night. The blinds are closed. Appeared to be night, or at least the blinds are closed. It's darker. So I don't know if that's the same item or not.

GERAGOS: Let me, let's put it up on the board for a second here, which is Quadruple P, which is the same as what you were just pointing to, right?

GROGAN: Yes.

GERAGOS: In this picture does not appear, we don't see People's 10, right? This is People's 10 right here. We agreed on that?

GROGAN: Yes. And there is a blue shirt in there.

GERAGOS: Right. There is a blue shirt right there. You can see the two buttons, right?

GROGAN: Yes.

GERAGOS: Okay. Now, this is already been testified to, Quadruple P, as the exit video. And you would tend to agree with that, because it's light out as opposed to this, which appeared to be much darker, correct?

GROGAN: Yes.

GERAGOS: Okay. And, specifically, when we looked at Triple I, does that look like we're still looking at, see, right here, there is a belt right there. See that belt?

GROGAN: Yes.

GERAGOS: You see that right there?

GROGAN: Yes.

GERAGOS: Okay. You see this right here. Does that look to you like People's 10?

GROGAN: I'm sorry, People's 10, is that the shirt?

GERAGOS: The maternity blouse.

JUDGE: Maternity blouse.

GERAGOS: Does it look like this was taken some time, roughly the same time as this one was taken here? And you have got the blue shirt. We have got some pants up there. And then we have got the maternity blouse hanging out. And that looks like these two photos were taken some time in the evening, and then this photo after somebody searched the hamper, because we no longer see the maternity blouse. We no longer see the pants. We no longer see the blue shirt. If that's, in fact, the pajamas. That make sense?

GROGAN: Yes. If that's the pajamas, that photograph does appear to me maybe that it was taken on 12-27 because of the light situation. The others are definitely darker. I believe the 27th photo –

GERAGOS: 27th photo, just so the jury knows what you are talking about, this window here does not appear to be light here. Obviously it appears to be lit up, light coming through it; is that right?

GROGAN: Yes.

GERAGOS: Okay. Now, when you went back to Detective Coyle obviously to try to sort all of this out, is it a fair statement that you had not seen this video, this still from the video until this trial, that is marked as Quadruple P?

GROGAN: Yeah, I have never seen a still from it. I have seen the video.

GERAGOS: Okay. So as you, is it fair to say also that it now appeared, at least, that the blue pajamas were apparently in that hamper on the 26th and the 27th?

GROGAN: I would say that's a possibility, sir, yes.

GERAGOS: Certainly a reasonable possibility, wouldn't it be?

GROGAN: Yes. I don't know that we can make a positive identification looking at what we have right there, but those pajamas are blue. There is a blue garment on top.

GERAGOS: And it would appear that the maternity, one reasonable explanation for the clothes here is that, in fact, the clothes that Amy Rocha had identified as Laci Peterson as wearing on the 23rd, when she came home on the evening of the 23rd, that she got out of those clothes, put the blouse in the hamper, hung up the tan or cream colored pants, put her shoes away. She wore pajamas. She wore those blue pajamas. Got up the next morning, took the blue pajamas off and put them into the hamper. Is that an reasonable explanation, based upon what you have seen?

GROGAN: That's a possible scenario, yes, sir.

GERAGOS: Now, the specific clothing that she was wearing, one of the other, I guess, investigative things that you tried to do was talk to Amy about what happened on that evening, the evening of the 23rd, correct?

GROGAN: Yes, I did interview her about that.

GERAGOS: Now, you had never asked her specifically whether she was invited over to the house, to the Covena house on the 23rd, correct?

GROGAN: I don't know.

GERAGOS: Okay. Is there something else –

GROGAN: Is there a –

GERAGOS: I don't have any report that you prepared, at least, that shows that during the times, you interviewed her on multiple occasions, correct?

GROGAN: Yes.

GERAGOS: Okay. I show, correct me if I'm wrong, but I have got January 3rd, January 4th, the 7th, the 9th, the 16th, the 20th, 27th, 30th, February 4th, February 5th, twice February 12th,

February 18th. You were with her at the house February 25th, March 5th, March 14th, and July 23rd, which we just saw. Is that a fair statement of the number of times that you have talked to or contacted Amy Rocha?

GROGAN: If you are asking if I can remember I talked to her on all of those dates, I can't. But, 811. I have got a series of reports that, I have culled through your thousands of pages of reports and yellow highlighted various dates. And I have got a kind of a little scratch sheet here. If you want to take a look and compare it and tell me if you could, real quickly, if you talked to Amy on those occasions, just by looking through these reports comparing the dates.

GROGAN: Yes, sir.

GERAGOS: Okay. So all those dates that I rattled off, it's a fair characterization of times, at the very least, that you talked to Amy Rocha? Is that a yes?

GROGAN: Yes. There is a 1-9 date that I didn't see the report for. But based on the note you had alongside, I think that's accurate.

GERAGOS: Now, is it a fair statement that until October of 2003 that there was, she then did an interview with DA Investigator Bertalotto?

GROGAN: Yes. I'm looking at a report dated October 13th.

GROGAN: Okay. Is that the first time that you are aware of that anybody had asked Amy if Scott had invited her over for the evening of the 23rd?

GROGAN: Yes, I think that's accurate. There has been discussion in some of my reports of them going, they were going to order pizza. That was done at the Salon Salon. And this is the only one I know of where anyone is told that Scott asked her over.

GERAGOS: That would be significant, would it not, if the theory of, the prosecution theory of the investigation is that Scott had some plan to kill Laci on the 23rd, it would be significant, at least to the investigators, or you as the investigator, as to why Scott would then invite Amy over on the evening of the 23rd to have pizza? I mean that's a significant fact of some kind?

GROGAN: Well, it would depend on the timing, I would suppose.

GERAGOS: I don't dispute that. But would you agree that that would be something significant to the investigation?

GROGAN: It is information that we, that I didn't have. But –

GERAGOS: Okay. That is information you did not have at the time Scott Peterson was arrested on this case; is that correct?

GROGAN: That's correct.

GERAGOS: At the time that you applied for the search warrants and the arrest warrant, it was information you did not have, correct?

GROGAN: Yes, correct.

GERAGOS: Now, the surveillance at Salon Salon, when was the first time that you were aware that Salon Salon had surveillance cameras, do you remember?

GROGAN: I think that was a conversation in about mid-January with the owner of the salon.

GERAGOS: Okay. When you had that conversation with the owner of the salon, did you realize at that time this would that have been Mr. Johnson?

GROGAN: Chris Johnson, yes.

GERAGOS: Chris Johnson. Did you realize at that time that Chris Johnson had numerous cameras, up to ten cameras in the location?

GROGAN: No. And I don't believe that he has ten cameras in the location. I think there is –

GERAGOS: You think that his testimony on that is inaccurate?

GROGAN: I do.

GERAGOS: Okay. You are aware that he testified to that in this case; is that correct?

GROGAN: Yes.

GERAGOS: Okay. You think that he's inaccurate when he testified to that?

GROGAN: Yes.

GERAGOS: You are aware that there was photos which have been previously marked as people's, series of People's 3; is that correct. Show them to you.

GROGAN: Yes.

GERAGOS: Okay. And, specifically, the last one which is 3, looks like is an N?

GROGAN: 3N, yes, sir.

GERAGOS: Where there is circles, there is cameras right there?

GROGAN: Yes.

GERAGOS: Okay. Now, on 3N it would appear that the camera in the space where Scott and Laci were would have been covered by the surveillance camera; is that correct?

GROGAN: My understanding that is those cameras are used to check what employee, employee theft type situations, and that they cover that desk area. And then that there is a camera back in the office area where the safe is.

GERAGOS: When we're talking about the cameras, we're talking about specifically here and here, where the circles are.

JUDGE: Mr. Geragos did you identify what that is, 3N?

GERAGOS: I thought it says 3N.

JUDGE: I don't think so.

GERAGOS: May I show it to you? Mine is a copy. This is a little lighter. This is the actual exhibit. It's part of the binder.

JUDGE: Came out of the binder. All right.

GERAGOS: Okay. If the surveillance video had been available, that probably would have put to rest all of this investigative effort; isn't that correct?

GROGAN: That's correct.

GERAGOS: Okay. And, as far as you know, nobody alerted you to the fact that there was a surveillance video there?

GROGAN: Not until I spoke with him. And I never been in the salon. And I didn't really think of the possibility of any kind of video in a hair salon.

GERAGOS: Okay. Specifically this would have been, looks like, maybe this will refresh your recollection. Looks to me like you spoke to Amy Rocha by phone on the 27th of January? I have got it yellow highlighted.

GROGAN: Yes.

GERAGOS: And was that, is that roughly the time when you became aware that there was surveillance footage at Salon Salon?

GROGAN: I think it was before that from a conversation I had with Mr. Johnson by phone. And then when I next talked to Amy, I asked if she would check to see if they had determined if they had any video left from that time period on the 27th.

GERAGOS: Now, specifically, you some time on the, when you did check it, by the way, did you ever send somebody in, any officer in to actually check the system?

GROGAN: At that time?

GERAGOS: At that time, right?

GROGAN: No. I assume from these photographs someone took these photographs over there.

GERAGOS: Okay. Now, you also, in late February, had a theory, I'm referring to, at the top, his 5-26 handwritten looks like a 2-28-03 report on the bottom. You had a theory Christmas morning, when Scott left his home to go to the warehouse, that he may have simply cleaned up of all Laci's dirty clothing from the laundry hamper; is that correct?

GROGAN: That was one thing that we were trying to determine, whether that was a possibility or not.

GERAGOS: Okay. And the theory was, the working theory was that he was taking those clothes with him to ensure he obtained the clothing she was wearing on the 23rd, which he likely used for his description of her appearance on the 24th, correct?

GROGAN: Yes, that's what it says.

GERAGOS: Okay. And that was one of the theories that you were working on, even after the second search warrant, correct?

GROGAN: I'm sorry, I missed the date on that.

GERAGOS: It says 2-28 on the bottom, and then it's led off with a statement that on Thursday 2-27 had a meeting and discussed timeline with –

GROGAN: Yes. Somewhere after that second search warrant.

GERAGOS: So some time after the second search warrant, you were still finding out about that in late February, correct?

GROGAN: Trying to figure out what the story is with the clothing, yes, sir.

GERAGOS: Okay. And, specifically, when you went in on the 18th, there was some clothing that was bagged and in the second bedroom, correct?

GROGAN: Yes.

GERAGOS: Okay. Did you ever ask anybody, any of the Petersons what that clothing was, or why it was there?

GROGAN: No.

GERAGOS: Did you ever follow up with, you talked to Jackie and Lee after that; isn't that correct? After the search warrant?

GROGAN: I'm sorry, which are we talking about, the 26th, 27th search warrant, or the February 18th?

GERAGOS: After either search warrant. Did you talk to Jackie, Lee, or Scott, I know you talked to Scott Peterson. We went through that this morning repeatedly. Did you ever talk to him, either about her clothing, or clothing that was found during the search warrant?

GROGAN: No, I don't think so.

GERAGOS: Okay. Did you ever talk after the 26th and the 27th about her clothing with Jackie or Lee?

GROGAN: No, I don't think so, because they weren't, they were not there around that time period.

GERAGOS: Okay. When you were investigating this idea that we talked about, about the break, about whether Laci was able to take walks, do you remember when we were discussing that this morning?

GROGAN: The Yoga Village, and things of that nature, that she could walk up the stairs?

GERAGOS: Yes.

GROGAN: Yes.

GERAGOS: Okay. You interviewed Jackie and Lee at one point, correct?

GROGAN: Yes.

GERAGOS: Now, when you interviewed them, were you aware that Jackie and Lee had accompanied Scott and Laci to Carmel the week before?

GROGAN: I don't know if that's in that interview. It probably is.

GERAGOS: Okay. I don't have it in front of me. I was just asking if you remember off the top of your head as you sit here. Do you want to take a look at it?

GROGAN: I interviewed him on December 31st. Bates stamp number is 174.

GERAGOS: During that interview, that's the day after, two days after you had interviewed Ron and Sharon, correct?

GROGAN: Yeah. I think it's the day after.

GERAGOS: The day after when you interviewed Ron and Sharon, we went through this, they indicated that Laci's daily routine was to talk every day, or every other day, correct?

GROGAN: Yeah, that's what it says in that interview.

GERAGOS: Okay. Did you ask Lee or Jackie, when they were with Laci and Scott in Carmel the week before whether or not Laci had any trouble walking?

GROGAN: I don't see the information even about Carmel in my summary of that interview. It is on the tape.

GERAGOS: Okay. Now, specifically, is it a fair statement that, until this trial, you were not aware of the suggestion that Laci had been walking up a steep hill at Carmel there, and back to the beach from the hotel?

GROGAN: Yeah, I never heard that, that she had been up and down a steep hill in Carmel.

GERAGOS: Okay. You had never asked about, as far as you can tell from reviewing your reports, you never asked Lee or Jackie about Carmel, had you?

GROGAN: I don't see anything in this summary. It's five pages long.

GERAGOS: Were you a –

GROGAN: That they, where they talk about.

GERAGOS: Are you aware of the pictures of Scott and Laci, which were marked as People's Exhibit 5, which the prosecution marked right there? This picture?

GROGAN: I have seen that photograph before, yes.

GERAGOS: Okay. Were you aware of People's Number 6, this photograph here?

GROGAN: Yes, sir.

GERAGOS: Okay. Did you ever, were you aware of any information as to how, it appears, at least here, that Laci and Scott are at the beach, correct?

GROGAN: Yes, appears to.

GERAGOS: Appears here they are at The Lodge. That they stayed at The Lodge in Carmel, correct?

GROGAN: I think we had information that they stayed there from someone.

GERAGOS: Did you inquire as to anybody as to how it was that Laci got down to the beach from The Lodge?

GROGAN: No.

GERAGOS: Okay. And if you were to find out that Laci, or you now know there is testimony that Laci had walked, it was a steep incline there and back, that it was any where from three quarters of a mile to a mile, would that cause you some pause in this theory that Laci was not walking?

FLADAGER: Objection. Misstates the testimony about where the walk started and ended.

JUDGE: Sustained.

GERAGOS: You have heard, if I tell you that there is testimony that she walked, she walked at least three quarters of a mile, there is a steep area, you now see pictures where she is down at the beach, does that give you some pause as to this theory that Laci was not walking?

GROGAN: Well, obviously I don't know how she got from the lodge down to the beach. I have no information about that, other than what I have heard recently.

JUDGE: I think that's The Lodge at Pebble Beach, maybe.

GERAGOS: Do you know where these are?

JUDGE: This is The Lodge at Pebble Beach.

GROGAN: I have seen those photographs before, your Honor. And I'd have do probably get into the computer upstairs to figure out where they were taken.

GERAGOS: Take a look at that. Now, specifically have you sent anybody, you had, you, at some point, had heard during this trial that Laci and Scott, when they were at Carmel, had walked, correct, with Lee and Jackie?

GROGAN: I'm sorry, I missed the first part of your question. But are you asking who would have said that?

GERAGOS: No. I'm saying you have heard that they, that there has been testimony that they walked Lee Peterson testified they walked. They went on a steep incline, correct?

GROGAN: I have heard that information second hand, yes, sir.

GERAGOS: Okay. Has anybody ever investigated to see whether or not, in Carmel, to get to the beach from wherever they were staying, whatever hotel they were staying, what the distance of that walk was, whether or not there is an incline, anything to try to get at the truth as to whether or not Laci was walking during that week before she disappeared?

GROGAN: Not to my knowledge.

JUDGE: I think we'll stop right there. All right, ladies and gentlemen of the jury, we'll take the evening recess. Remember the admonition. You are not to discuss this case among yourselves or with any other person, or form or express any opinions about this case. You are not to listen to, read, or watch any media reports of this trial, nor discuss it with any representatives of media or

their agents. We should be able to start right on time tomorrow at 9:00 o'clock, hopefully. We'll see you tomorrow. Have a nice evening.