Witness: Alena Maria Gonzalez

Date: 2004-07-06

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Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – David Harris

Day 1 of 2 for this witness

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

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Direct Examination by David Harris

HARRIS: Miss Gonzalez, I want to direct your attention back to April 14th of 2003 and ask you if you happened to be around the area of Point Isabel, the park, as part of East Bay Regional Park System?

GONZALEZ: Yes.

HARRIS: Is there a dog park there?

GONZALEZ: Yes.

HARRIS: There was a dog park there at Point Isabel. What's a dog park?

GONZALEZ: A dog park is a place where people, who probably don't have big backyards, field to run their dogs, get to enjoy watching their dog socialize with other dogs off leash, and swim in the water.

JUDGE: Go swimming too. Okay.

HARRIS: On April 14th, did you and some other people happen to end up at Point Isabel at the dog park?

GONZALEZ: Yes.

HARRIS: Who was there with you?

GONZALEZ: My twin sister, her daughter, and my father.

HARRIS: Have any dogs with you?

GONZALEZ: Five.

HARRIS: Five dogs?

GONZALEZ: Yes.

HARRIS: You were telling the judge about how you use the dog park to let dogs off leash. Did you do that?

GONZALEZ: Yes.

HARRIS: Was this somewhat of a family reunion for you and the dogs that particular day?

GONZALEZ: Yes.

HARRIS: Did your sister live someplace else?

GONZALEZ: Yes. She lives in Las Vegas.

HARRIS: And so on this particular date she had come back with her dog?

GONZALEZ: Yes.

HARRIS: And how many dogs does your dad have?

GONZALEZ: Two.

HARRIS: So all of you end up going down, you, the family, and the dogs go down to the dog park? You have to answer out loud for the reporter.

GONZALEZ: Yes.

HARRIS: So when you are there, do you let your dogs off the leash?

GONZALEZ: Yes.

HARRIS: At the point in time while you there, did something attract your attention down by the water?

GONZALEZ: Yes.

HARRIS: What was that?

GONZALEZ: Well, our dogs started running away. So we went to go find them. And we found something that looked peculiar. So we, it was Laci's body.

HARRIS: Okay. It was Laci's body?

GONZALEZ: We didn't know it at the time.

HARRIS: Well, let me back up through this. Your dog runs away. Your dog runs away. You start to follow your dogs. Where do you go to?

GONZALEZ: Well, two of them ran away. And we are always concerned when our dogs run away that we need to keep an eye on them, because we don't want them to get other dogs to fight with them, or for them to eat like dead animals. Or we just want to keep an eye on them. We started following the two dogs that got away.

HARRIS: Where did that take you?

GONZALEZ: Just a few yards further north from where we were.

HARRIS: You say going north. Is that closer to the water, or away from the water?

GONZALEZ: It was almost like a U-shape, because we were on a beach, and our dogs went back up on to the land, and then down the trail a little, and then they turned left again, down, back on the beach, the other side of the beach.

HARRIS: Okay. Did you follow that same trail after your dogs?

GONZALEZ: Yes.

HARRIS: Did you start to catch up with your dogs when they had gotten back down towards the water?

GONZALEZ: Yes.

HARRIS: And did you see something that kind of attracted your attention at that time?

GONZALEZ: Yes.

HARRIS: What was it that you saw?

GONZALEZ: Another big dog eating something.

HARRIS: Another big dog. Did you go closer to see what it was doing?

GONZALEZ: No. It was pretty obvious was eating something.

HARRIS: Could you see what it was it was eating?

GONZALEZ: Well, at first we thought it was like a big water-logged animal, like a big seal or something.

HARRIS: Did you go closer?

GONZALEZ: Yes.

HARRIS: When you got closer,

GONZALEZ: We realized it was a human.

HARRIS: I'm sorry?

GONZALEZ: We realized it was a human body.

HARRIS: Had you ever taken any classes or anything that helped you recognize it as a human body?

GONZALEZ: Yes, I have. I have taken a lot of anatomy and physiology classes in college.

HARRIS: When you saw this body, we have to be specific about this. The big dog that was eat being something, was it eating this body?

GONZALEZ: It was kind of munching on her elbow.

HARRIS: What did you do?

GONZALEZ: We quickly tried to call the dog away. And we found the dog owner. She came and got her dog. But she didn't know what it was doing. We didn't tell her.

HARRIS: And did you, were you by yourself at this time, or were you still with your sister?

GONZALEZ: My sister and father were with me.

HARRIS: When you realized that it was a body, what did you do?

GONZALEZ: We talked about who was going to run and make a phone call, who was going to stay around and keep people and dogs away. So I went to this place called Mud Puppies, where they bathe dogs. And I asked them to let me make a phone call. My father and my sister stayed in the area where she was.

HARRIS: And did you report it to someone?

GONZALEZ: Yes. The person who worked bathing dogs dialed the phone number for me. Then I got on the phone and talked to East Bay Regional Police.

HARRIS: After you talked to someone, did the police come out to your location?

GONZALEZ: A fireman came first, and then the police.

HARRIS: Fire department came out. Did the police come out after them?

GONZALEZ: The East Bay Regional Police did. And I think Richmond Police. I don't know, like ten minutes later it was swarming with tons of people. I can't tell you.

HARRIS: Okay. Just to go back through this. When you make this phone call, you talk to somebody. Fire department comes out. Police department comes out. Do you take them back to the location where you saw the body?

GONZALEZ: Yes.

HARRIS: The body, was it in the same location as when you had left?

GONZALEZ: Yes.

HARRIS: Now, when you first saw this body, was it near the water?

GONZALEZ: It was in the water.

HARRIS: It was in the water? Did you, when the police come out, did you stay and ultimately talk to some people?

GONZALEZ: Un-hun. Yes. Yes.

HARRIS: Then, again, you have to answer out loud for the reporter. If I can have marked next in order, three photographs counsel has seen.

JUDGE: Okay. That will be,

GERAGOS: 103-A through C? 103,

HARRIS: I would prefer 103-A and B, and then 104.

JUDGE: 103-A and B, and 104. [People's 103 and People's 104 sealed]

GERAGOS: Can I see what you marked as 104?

HARRIS: Miss Gonzalez, I'm going to bring these up to you and leave them there for a second. What I'm going to do is have, is have you look at this particular photograph here, which is 98-B. Down in the bottom. Can you see that?

GONZALEZ: Yes.

HARRIS: The area that you were talking about, the dog park, Point Isabel, is that near Costco?

GONZALEZ: Yes.

HARRIS: Is it also near kind of some mail facility?

GONZALEZ: Yes.

HARRIS: Looking at that particular photograph, 98-B, does that photograph depict that area that we're talking about?

GONZALEZ: Yes.

HARRIS: There is a label towards the bottom center of that photograph. It says "Laci Recovery Site". Is that the site of the point that you are referring to along the water's edge?

GONZALEZ: Yes.

HARRIS: And that photograph accurately depicts the location as you remember it from April 14th?

GONZALEZ: Yes.

HARRIS: If you can go ahead a look at the photographs in front of you, People's Number 103-A 103-B, and 104?

GONZALEZ: Un-hun.

HARRIS: Do you recognize that as depicting 103-A and B, directing you to the approximate location, the same as 98-B that's up there?

GONZALEZ: Yes.

HARRIS: And People's Number 104, does that depict the area that you observed this body?

GONZALEZ: Yes.

HARRIS: Project these up, and have you describe these. Starting what's been marked as 103-A, and we'll kind of show the different angles. Looking behind you on 98-B, do you see the radio towers that kind of come out from the right side of that photograph on the island?

GONZALEZ: Yes.

HARRIS: So the photograph that we are looking at here on 103-A, at the top of the photograph, those would be those same radio towers, you follow the beach around?

GONZALEZ: Yes.

HARRIS: And you also see the very bottom of this particular photograph, it's kind of hard to see in this photo. But this yellow tarp that was down there?

GONZALEZ: Yes.

HARRIS: Showing 103-B. This is the helicopter somewhat turned around in its location again. Is that same yellow tarp that was just depicted in the photograph?

GONZALEZ: Yes.

HARRIS: Looking here towards the center of the photograph, is that the location, as you recall it, where there body was?

GONZALEZ: Yes.

HARRIS: Showing you People's Number 104, 104. Does this depict when you were earlier there, you said the body was in the water. Does this depict the location where you observed the body?

GONZALEZ: Yes.

HARRIS: Now, is the, as the officers were, when you were first there, was the body actually awash in the water?

GONZALEZ: She was about halfway submerged in the water. Awash and came up, I don't understand your question.

HARRIS: Try go through it a little bit different. Was the body actually touching the water?

GONZALEZ: Yes.

HARRIS: Was the water coming up over the body, or was the body just floating when you first observed it?

GONZALEZ: We think that she was kind of,

JUDGE: No, just,

GERAGOS: Objection.

HARRIS: What you saw. What did you see?

GONZALEZ: I saw that she was already there in the water, and the water was splashing up on her like some,

HARRIS: This particular photograph there, People's Number 104, was that after the police had come out, and so you saw the body, you went made the call, fire department comes out, police department comes out, somebody takes this picture?

GONZALEZ: Yes.

HARRIS: Is the water starting to recede, or the tide's going out by the time this photograph is taken?

GONZALEZ: Considerably.

HARRIS: Now the, did you stay there until the police came and took a statement from you?

GONZALEZ: Yes.

HARRIS: In fact, there was a taped statement by one of the officers that day?

GONZALEZ: Yes.

HARRIS: And you told them everything that you were just talking about?

GONZALEZ: Yes.

HARRIS: People have no other questions.

<evening recess>