Witness: Lori Ellsworth

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Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – David Harris; Cross – Pat Harris

Day 1 of 1 for this witness

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Direct Examination by David Harris

DISTASO: Miss Ellsworth, you live in Modesto?

ELLSWORTH: Yes.

DISTASO: And don't tell me your address. But have you lived there most of your life?

ELLSWORTH: My whole life.

DISTASO: And when you were, as you were growing up, at some point did you meet someone by the name of Laci Peterson?

ELLSWORTH: I did.

DISTASO: When did you meet her?

ELLSWORTH: 7th grade, 17 years ago.

DISTASO: And did you and Laci pretty much become friends at that time, and stay friends throughout your adult life?

ELLSWORTH: We did. She is one of the first people that I met when I went to a new school. And we were cheerleaders together, played softball together.

DISTASO: And kind of did the normal growing-up kind of things?

ELLSWORTH: Yeah.

DISTASO: Were you aware when Laci went to college in San Luis Obispo?

ELLSWORTH: Yes.

DISTASO: Cal Poly, I think?

ELLSWORTH: Yes.

DISTASO: And were aware we she got married?

ELLSWORTH: Yes.

DISTASO: Did you attend the wedding?

ELLSWORTH: I did not.

DISTASO: And then were you aware when she came back to Modesto, moved back here?

ELLSWORTH: Yes.

DISTASO: And did you get back in contact with her?

ELLSWORTH: We reconnected when she came back. It was before she came back.

DISTASO: Okay. Let me show you People's 14. Is that a picture of Laci?

ELLSWORTH: Yes, it is.

DISTASO: Were you aware of when Laci became pregnant?

ELLSWORTH: Yes.

DISTASO: Is that something she talked about?

ELLSWORTH: Absolutely.

DISTASO: And were you also aware of, you know, how the pregnancy was progressing?

ELLSWORTH: Yes.

DISTASO: You could see her getting bigger, of course?

ELLSWORTH: Yes.

DISTASO: All right. And some time in November, did, were you at a party, I think, at Chili's where Laci mentioned something about her walking, or her physical condition?

ELLSWORTH: Yeah.

DISTASO: What did she say about that?

ELLSWORTH: She had mentioned that she was going to quit walking, because she was starting to feel sick when she was walking. And her doctor and mom both suggested that she quit.

DISTASO: And did you ever personally go walking with her?

ELLSWORTH: No, I did not.

DISTASO: Even when she wasn't pregnant?

ELLSWORTH: Right.

DISTASO: All right. So you are not familiar with what route she had been taking, or anything of that nature?

ELLSWORTH: I don't know what route she took.

DISTASO: In December, did you also see, well, did you also see Laci at a party, I think, on the 20th?

ELLSWORTH: No. On the 14th.

DISTASO: On December 14th?

ELLSWORTH: On December 14th.

DISTASO: I'm sorry, let me go back to November. Did you see her again in November?

ELLSWORTH: Yes. She came to my mouse on the 20th.

DISTASO: Okay. That was for a party, watching "The Bachelor", or something?

ELLSWORTH: Yes.

DISTASO: And then did you also see her at some time in December?

ELLSWORTH: December 14th.

DISTASO: Okay. Where was that?

ELLSWORTH: That was at a Christmas party at Stacey Boyers' and and Jake Zimeht's home.

DISTASO: And do you recognize that picture People's 14 in front of you?

ELLSWORTH: That's where that was, yes.

DISTASO: That's where that picture was taken?

ELLSWORTH: Yes.

DISTASO: Did Laci talk at all during that party about how she was feeling?

ELLSWORTH: She did.

DISTASO: What did she say?

ELLSWORTH: I asked her how she was doing, she was feeling. And she said she was really excited waiting for the baby, but she was getting tired. She was very tired.

DISTASO: Did you see what she did during the party?

ELLSWORTH: Basically she stayed inside. And she was just talking with people. She sat down for a little while. Just was socializing.

DISTASO: When was the last time that you spoke to Laci?

ELLSWORTH: It was that night.

DISTASO: And at some point did you have, did you get information that Laci was missing?

ELLSWORTH: Yeah.

DISTASO: And when was that?

ELLSWORTH: On the 24th.

DISTASO: Okay. Of December?

ELLSWORTH: Of December.

DISTASO: Okay. Can you tell the jury about that?

ELLSWORTH: First Stacey had called me, because Scott had called her. And she asked if I had seen Laci, and/or talked to her. And I said no. And then about 20 minutes later Scott called and said, "Laci is missing, have you seen her?" I said, "No, what do you mean she is missing?" And he said, "I can't find her." And I said, "What do you want me to do? Do you want us to come over?" He said, "Yes, come over." So we left immediately.

DISTASO: Okay. And when you got to the house, were there a number of people already there?

ELLSWORTH: There were a lot of people there.

DISTASO: And what did you do that night?

ELLSWORTH: As soon as we got there, actually Stacey had gotten there around the same time. So we both went and talked to Scott, gave him a hug, asked him what we could do. And we pretty much got a couple of photos and hit the neighborhoods, asking the neighbors whether they had seen her.

DISTASO: And did you personally go with Stacey around to the neighborhood?

ELLSWORTH: Stacey, myself, and another woman, one of our friends, went door-to-door.

DISTASO: And just based on other testimony, you didn't get any information regarding Laci's disappearance?

ELLSWORTH: No.

DISTASO: When did you go back over to 523, Covena the next day?

ELLSWORTH: Yes, on Christmas.

DISTASO: On Christmas day?

ELLSWORTH: Yes. On Christmas day, first thing in the morning.

DISTASO: Do you remember what time you got there?

ELLSWORTH: I don't remember. It was early. It was really early.

DISTASO: And at some point on that date, was there a decision made to kind of move the volunteer effort from that house down to the Red Lion Hotel?

ELLSWORTH: Yes. Because there had been so many, we went to Kinkos, not Kinkos, I'm sorry Dittos the night before and made just a lot of flyers.

DISTASO: All right. Let me stop you. Dittos is like a Kinkos?

ELLSWORTH: It's a copy, like Kinkos, it's a copy place.

DISTASO: Go ahead?

ELLSWORTH: They let us in there at midnight. We just made a ton of flyers so that we could start putting them up the next day. And as we put them up, a lot of people were finding out about Laci being missing. They started showing up at the house to also help in looking for her. So that's when we decided that we needed to move from the house instead of having a lot of people showing up there.

DISTASO: When did you go to, is the Volunteer Center down at the Red Lion?

ELLSWORTH: Yes.

DISTASO: When did you go there?

ELLSWORTH: As soon as it opened. As soon as we got it opened.

DISTASO: And how often were you present there?

ELLSWORTH: Daily.

DISTASO: Do you remember when you stopped going there?

ELLSWORTH: When it closed.

DISTASO: When you were there at the Volunteer Center, would you have any contact with Scott Peterson?

ELLSWORTH: Very little.

DISTASO: At the Volunteer Center?

ELLSWORTH: Yes.

DISTASO: Would you see him there?

ELLSWORTH: Yes.

DISTASO: And you recognize Mr. Peterson who sits in court here today?

ELLSWORTH: Yes.

DISTASO: Okay. What time would you typically arrive at the Volunteer Center?

ELLSWORTH: Early. 8:30, 9:00. Some days different times.

DISTASO: Do you know what time the media was, or when I say media, I mean camera crews, reporters, or whatever, were allowed into the Volunteer Center?

ELLSWORTH: Not before 9:00 or 9:30.

DISTASO: Do you know who made that rule?

ELLSWORTH: Scott did.

DISTASO: And did he tell you why he made that rule?

ELLSWORTH: I did not know why.

DISTASO: Did you ever ask him?

ELLSWORTH: No, I didn't ask him.

DISTASO: Did you ever see Scott Peterson, or did he ever tell you that he didn't want pictures of himself given to the media, or used in this effort?

ELLSWORTH: Yeah.

DISTASO: What did he say about that?

ELLSWORTH: He didn't want wedding pictures, or pictures with him and Laci up on the wall or given to the media.

DISTASO: And did you ask him why that was?

ELLSWORTH: No.

DISTASO: Now, in the times that you knew Laci, did you also have some occasion to see their dog McKenzie?

ELLSWORTH: Yes.

DISTASO: How would you characterize the dog's like, barking? Can you do that for me?

ELLSWORTH: When people,

GERAGOS: You want her to demonstrate it?

DISTASO: I don't want her to demonstrate it?

ELLSWORTH: Pardon me?

DISTASO: Just, if you could just tell me,

JUDGE: Would he get excited if people came over?

ELLSWORTH: Yes.

JUDGE: Would he bark at people?

ELLSWORTH: He would.

JUDGE: Would he bark continually, or would he stop after a while?

ELLSWORTH: He would he stop after a while.

JUDGE: Go ahead.

DISTASO: That's all I wanted, your Honor.

JUDGE: All right.

DISTASO: I think it might be, that's all, your Honor.

Cross Examination by Pat Harris

HARRIS: Good morning, Miss Ellsworth.

ELLSWORTH: Good morning.

HARRIS: Briefly, on McKenzie, you are familiar with the dog McKenzie then?

ELLSWORTH: I am.

HARRIS: Did you ever walk McKenzie?

ELLSWORTH: Did I walk him? No.

HARRIS: Sorry?

ELLSWORTH: No.

HARRIS: And you were aware that Scott Peterson traveled a lot?

ELLSWORTH: Yes.

HARRIS: That was one of the, something that Laci kind of complained about that he was on road a lot?

ELLSWORTH: She didn't complain.

HARRIS: But you were aware he traveled?

ELLSWORTH: I was aware he traveled a lot.

HARRIS: And were you aware who actually walked the dog when he was gone?

ELLSWORTH: Laci did.

HARRIS: He was gone quite a bit during December, wasn't he?

ELLSWORTH: In December, apparently he was.

HARRIS: Do you recall a story that Laci liked to tell about their first date?

DISTASO: Objection, your Honor. This is hearsay.

JUDGE: Relevance.

HARRIS: There is relevance, if I could be allowed to pursue it,

JUDGE: Let's hear,

HARRIS: more directly.

HARRIS: Do you remember Laci telling you on their first date that Scott Peterson took her fishing?

DISTASO: Objection, your Honor.

JUDGE: Took her picture?

HARRIS: Took her fishing.

JUDGE: Fishing. Overruled.

HARRIS: You can answer.

ELLSWORTH: We didn't talk about her first date.

HARRIS: You never discussed her first date with her?

ELLSWORTH: No.

HARRIS: Did you ever discuss her honeymoon with her?

ELLSWORTH: Honeymoon, no.

HARRIS: At various times, you have had interviews with the Modesto Police Department, is that true?

ELLSWORTH: Yes.

HARRIS: You interviewed with them shortly after Laci disappeared?

ELLSWORTH: Yes.

HARRIS: And then you interviewed with them, I believe later on in January, around January, does 30th sound about right?

ELLSWORTH: Sure. I don't know the exact date.

HARRIS: Do you recall an interview session where they, actually Detective Buehler brought Stacey Boyers, Kim McNeely, yourself, and Rene Tomlinson all into a room at one time?

ELLSWORTH: Yes.

HARRIS: Do you recall that Detective Buehler told you at that time that information surfaced about Amber Frey, he wanted to get you all together, see what you now remembered about Scott Peterson?

ELLSWORTH: That wasn't the reason that we were brought in there. I don't recall it being about Amber Frey.

HARRIS: Let me take a chance to refresh your memory. Had you ever, Bates number 1751, the interview by Detective Buehler?

JUDGE: Just read to it yourself first, Miss Ellsworth.

ELLSWORTH: Un-hun.

HARRIS: Do you recall that Detective Buehler said that he had heard information,

DISTASO: Objection. He's reading from the report.

JUDGE: Not relevant. She refreshed her.

HARRIS: I'm asking the question.

JUDGE: Well, question is, does it refresh your recollection. You ask the question.

HARRIS: Does it refresh your recollection that he told you, Detective Buehler told you that, in fact, he had wanted to talk to you after Scott Peterson, had been discovered that Scott Peterson had been involved with Amber Frey?

ELLSWORTH: It was after that.

HARRIS: And, now, he wanted to get all of you together and see what you remember, looking back; is that correct?

ELLSWORTH: Right.

HARRIS: And one of the things you talked about that night, or, excuse me, during that interview, was that, during the marriage, Laci asked Scott to do a lot of sort of chores, different things around the house, and is it true that you told the detective that you guys thought it was so cool that Scott would not get upset with her, was more than happy to do them?

ELLSWORTH: That wasn't something that I had said. I was in there at the time. Yes, it was nice that Scott did a lot of things for Laci.

HARRIS: And during the interview you confirmed that was, in fact, true?

ELLSWORTH: That was true.

HARRIS: Do you recall when they asked you to come to Modesto Police Department and look at some jewelry, or look at pictures of some jewelry?

ELLSWORTH: I did not go to the police department and look at pictures of jewelry.

HARRIS: Okay.

ELLSWORTH: Picture was brought to me at one time.

HARRIS: And do you recall telling, I believe that was Detective Buehler also; is that correct?

ELLSWORTH: Yes, it was.

HARRIS: And do you recall that was some time in March of 2003, does that sound about right? About two months after Laci disappeared.

ELLSWORTH: Could have been.

HARRIS: Do you recall telling Detective Buehler at that time that Laci almost always wore a pendant?

ELLSWORTH: Yes.

HARRIS: Do you recall telling him that pendant was given to her by Scott Peterson?

ELLSWORTH: I don't believe I told him that that's where it came from.

HARRIS: Bates stamp number 1778, interview with Detective Buehler. Just read the, does that refresh your recollection?

ELLSWORTH: Sure.

HARRIS: Does that, you now recall that you told Detective Buehler that, in fact, it was a pendant necklace that was given to her by Scott Peterson?

ELLSWORTH: I may have assumed that her earrings and her necklace were, and her ring were all given to her by her husband.

HARRIS: You had seen she had worn this previously, correct?

ELLSWORTH: Yes.

HARRIS: You had seen her wear it for quite some time since you had known her?

ELLSWORTH: Yes.

HARRIS: Well, before she disappeared?

ELLSWORTH: Yes.

HARRIS: And were you aware that she didn't get the inherited jewelry until about a month before she disappeared?

ELLSWORTH: Yes.

HARRIS: The night of the 24th, if I understand your testimony, it's that Stacey Boyers called you first before Scott did?

ELLSWORTH: Yes.

HARRIS: And did Stacey sound upset?

ELLSWORTH: She sounded confused.

HARRIS: Confused, being,

ELLSWORTH: She didn't know. Nobody knew what was happening. Didn't know. She did not.

HARRIS: And did she call you back before Scott called you? Did she call you back a second time?

ELLSWORTH: She did call me back a second time. I believe it was before Scott called.

HARRIS: Okay. And at that point what did she tell you?

ELLSWORTH: She still didn't know. She was on her way to a dinner.

HARRIS: And then Scott Peterson called you?

ELLSWORTH: Then Scott called.

HARRIS: When Scott called you, he was up set?

ELLSWORTH: He had a different tone in his voice, yes.

HARRIS: He was panicked, wasn't he?

ELLSWORTH: Panic, maybe.

HARRIS: In fact, he asked you, you testified he asked you, you asked him if he needed, you needed to come over, and he said, "Please"?

ELLSWORTH: He said yes.

HARRIS: Get over there as soon as you could?

ELLSWORTH: Yes.

HARRIS: And as you went through the evening, said there were a large crowd gathered at the house?

ELLSWORTH: Right.

HARRIS: During that time period while the crowd was there at the house, do you recall Scott going inside to bring out some pictures for posters so that you could go and copy them at the, it was not Kinkos?

ELLSWORTH: Dittos.

HARRIS: Dittos. Sorry.

ELLSWORTH: I wasn't aware whether he went inside, or if he had somebody, one of the police officers get them for him. But he came out with some pictures.

HARRIS: He came out with some pictures?

ELLSWORTH: Yes.

HARRIS: Then you took those pictures, went to Dittos, and made,

ELLSWORTH: No. We took those pictures and went around the neighborhood looking for Laci, looking to see if anybody had seen her. Then later we went to Dittos.

HARRIS: That's when you made the flyers up?

ELLSWORTH: Yes.

HARRIS: And you brought the flyers back when?

ELLSWORTH: In the morning.

HARRIS: Do you remember what time in the morning?

ELLSWORTH: Early. As soon as the sun came up. I don't know what time it was. I'd been up all night.

HARRIS: And you gave those to Scott?

ELLSWORTH: I don't think, I don't know where they exactly went. They were in the house. She just, we distributed from the house.

HARRIS: Just so I am clear, you came to the house, that would be Christmas morning?

ELLSWORTH: Christmas morning.

HARRIS: Brought the posters to the house?

ELLSWORTH: The posters were at the house, yes.

HARRIS: And left them there. And did you stay at the house that morning?

ELLSWORTH: Yes. Actually we went to the police department that morning.

HARRIS: On the 25th?

ELLSWORTH: On the 25th.

HARRIS: Do you remember about what time you went to the police department?

ELLSWORTH: I'm not sure what time their press conference was. That's what we went, we went down there for. I have no idea what time it was.

HARRIS: That's okay. Take your time. Do you recall being there during the morning for several hours during the morning before you left for the press conference?

ELLSWORTH: Several hours, no. Probably an hour and a half or so.

HARRIS: And during that time where was Scott Peterson?

ELLSWORTH: I believe he was in the house, in and out of the house.

HARRIS: In and out of the house?

ELLSWORTH: Un-hun.

HARRIS: And was he taking flyers with him, leaving in and out of the house?

ELLSWORTH: I don't know. He may have been.

HARRIS: The Volunteer Center where you worked, you said you immediately went to work at the Volunteer Center?

ELLSWORTH: Yes.

HARRIS: And that it was at the Red Lion Inn?

ELLSWORTH: Yes.

HARRIS: And Scott was there every morning when you got there?

ELLSWORTH: I wasn't there necessarily every morning. I did see him the mornings that I was there. I was there daily.

HARRIS: And I think you mentioned that you had got there usually around 8:30?

ELLSWORTH: Around 8:30.

HARRIS: Scott would already be there by then?

ELLSWORTH: He was there some of the days I was there.

HARRIS: Is it a fair statement to say that, given the media presence, it was somewhat of zoo there?

ELLSWORTH: The first couple of days wasn't so bad. It got worse as the story got out there more.

HARRIS: Kind of almost like a walking through a phalanx of just cameras and newspaper reporters screaming questions, that kind of thing to get,

ELLSWORTH: It's not as bad as it is out there now.

HARRIS: I'm sure that's true. But it was, nevertheless, there were a lot of media types yelling, screaming?

ELLSWORTH: They weren't there as early in the morning. They were there more towards the midmorning.

HARRIS: They would he get there later?

ELLSWORTH: Yeah.

HARRIS: And in, as a general rule, did they particularly follow around Scott?

ELLSWORTH: They followed around anybody that would talk to them.

HARRIS: And particularly, though, when Scott left?

ELLSWORTH: Sure. They wanted to talk to him.

HARRIS: They would go after him?

ELLSWORTH: Sure.

HARRIS: And it's a fair statement to say that it was very difficult for Scott to do much of anything as far as getting anywhere, getting even to his truck, it was difficult without the media following him?

DISTASO: Objection. Calls for speculation.

JUDGE: Well, if she saw it. I'll sustain the objection.

HARRIS: It would certainly be difficult for Scott to work with the media present, wouldn't it?

DISTASO: Objection. That calls for speculation.

JUDGE: Sustained.

HARRIS: You saw the media. You say they came in at 9:30. And Scott would leave at about the same time the media came in; is that your testimony?

ELLSWORTH: The media was not allowed in there until 9:30.

HARRIS: Okay. And at that point Scott would leave?

ELLSWORTH: That point or before.

HARRIS: And when the media would come into the room, they would start interviewing people?

ELLSWORTH: If people would talk to them, they would interview.

HARRIS: And they would, in general, just kind of cause a commotion within the room?

ELLSWORTH: A lot of work got done in there still.

HARRIS: When you say lot of work got done, there were a lot of meetings?

ELLSWORTH: There were a lot of, there was checking e-mails, there was sending people out on their way to put up posters. There was a lot going on there.

HARRIS: There were a lot of people getting together trying to work websites?

ELLSWORTH: Yes.

HARRIS: In general, as you said, trying to organize, putting together people to go out, and flyers?

ELLSWORTH: Uh-huh.

HARRIS: Coordinating e-mails?

ELLSWORTH: Right.

HARRIS: Lot of different things going on in there?

ELLSWORTH: Yes.

HARRIS: And there were people handling all those things, correct?

ELLSWORTH: Yes.

HARRIS: You had volunteers in there working full time to help find Laci?

ELLSWORTH: Right.

HARRIS: They were doing their best to make sure that everything was organized to find Laci?

ELLSWORTH: Right.

HARRIS: Scott Peterson would come in in the morning, open everything up, get started, and then he would leave at that point, right?

ELLSWORTH: Yes, he would.

HARRIS: 9:30, okay; is that correct?

ELLSWORTH: Right.

HARRIS: Then he would come back later after the media and everyone had gone and shut down?

ELLSWORTH: I don't know.

HARRIS: You weren't there for that?

ELLSWORTH: I wasn't there for that. I did not see him come in and close anything down. There were nights I was there at close down, and he was not.

HARRIS: One second, your Honor. At some point toward the end of January, you were invited to a press conference that Amber Frey gave at the Modesto Police Department. Do you recall that?

ELLSWORTH: Yes. I was there.

HARRIS: You were present?

ELLSWORTH: I was there.

HARRIS: And you, along with two or three others of Laci's friends, asked to meet with Amber?

ELLSWORTH: We did.

HARRIS: After you met with Amber, you invited her over to spend the night at your house?

ELLSWORTH: She did.

HARRIS: She came over and spent the night that night?

ELLSWORTH: She did.

HARRIS: And did she spend subsequent nights there?

ELLSWORTH: No.

HARRIS: She spent subsequent nights at other friends' houses that you are aware of, other of Laci's friends?

ELLSWORTH: She stayed at other places, yes.

HARRIS: I don't have anything else.

DISTASO: No follow up.

JUDGE: May the witness be excused? Miss Ellsworth, thank you very much.