Witness: Kim Castro

Date: 2004-07-13

Proceedings held July 13, 2004

Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – Rick Distaso; Cross – Mark Geragos

Day 1 of 1 for this witness

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

Source: https://pwc-sii.com/CourtDocs/Transcripts/Castro.htm

Page/line: not available (source HTML has no page or line markers)

Text below is verbatim from the source page for this date only.

Direct Examination by Rick Distaso

DISTASO: Officer Castro, I'm going to make this really quick. You are an officer with the Modesto Police Department?

CASTRO: Yes, sir.

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

CASTRO: 15 years.

DISTASO: On the night of the 26th of December, 2002, were you asked to maintain security of the residence at 523 Covena over the nighttime hours between the night of the 26th and into the early morning of the 27th?

CASTRO: Yes, sir.

DISTASO: And did you do that?

CASTRO: Yes, sir.

DISTASO: When, what time did you arrive?

CASTRO: Some time after 10:00 o'clock p.m.

DISTASO: And when you were there, were there other MPD, or Modesto police personnel there?

CASTRO: Yes, sir.

DISTASO: And eventually those people left?

CASTRO: Yes, sir.

DISTASO: And you remained in the residence?

CASTRO: Yes, sir.

DISTASO: Is that kind of standard, that when a scene is kept overnight that someone has to maintain security of it?

CASTRO: Yes, sir.

DISTASO: Periodically throughout the night, did you check out the front windows of the house, or look out to see what the activity was going on in the street in front of the house?

CASTRO: Yes, sir.

DISTASO: And can you describe for the jury what it was you saw throughout the night, on the night of the 26th and into the morning hours of the 27th?

CASTRO: There was some foot traffic and a few camera crews that were there. As the morning went on into the early, early hours of the morning, there was an essentially a lack of any kind of foot traffic or news crews that I could identify.

DISTASO: So eventually you saw the news crews left the street?

CASTRO: Yes, sir.

DISTASO: And then at some point did they return the next day?

CASTRO: Yes, sir.

DISTASO: And about what time did they get there?

CASTRO: Before dawn.

DISTASO: Okay. And how many news personnel did you see there?

CASTRO: I don't recall. Less than a handful.

DISTASO: What time were you relieved of your duties when the Modesto Police came back and retook control of the house?

CASTRO: At 8:29 a.m. the following morning.

DISTASO: And that's then you were finished with your security and then you went home?

CASTRO: Yes, sir.

DISTASO: Nothing further, Judge.

Cross Examination by Mark Geragos

GERAGOS: Is it Officer Castro?

CASTRO: Yes, sir.

GERAGOS: Good morning. You arrived there at about 10:00 o'clock at night on the 26th?

CASTRO: It was after 10:00 o'clock, sir.

GERAGOS: Okay. And when you arrived there, was there, were news crews present?

CASTRO: As far as I could identify, yes.

GERAGOS: And where were they?

CASTRO: In front of the residence, down the street.

GERAGOS: Did they have cameras?

CASTRO: Not that I recall.

GERAGOS: Okay. Just standing there in front of the residence, or down the street?

CASTRO: Yes, sir.

GERAGOS: Was there satellite type trucks?

CASTRO: Not that I recall.

GERAGOS: And you say not that you recall. You prepared a report; is that correct?

CASTRO: Yes, sir.

GERAGOS: And that report, show it to you. It's marked Bates stamp 2621. Is this the full report that you prepared in connection with this?

CASTRO: Yes, sir.

GERAGOS: Is there anywhere on that report one, two, three, four paragraphs, where you talk about news crews?

CASTRO: No, sir.

GERAGOS: Any place on that report where you mention the fact that there were people in the front yard or down the street?

CASTRO: No, sir.

GERAGOS: Okay. Now, you indicated, however, in your report that you found crime scene tape surrounding the front of the residence, correct?

CASTRO: Yes, sir.

GERAGOS: When you say the front of the residence, if you are looking at People's Number 12, if I tell you that that's the house, could you point out for the jury where the crime scene tape was with that pointer? It would be easier if I moved these, the larger ones.

JUDGE: Mr. Geragos, you can lead. Go ahead lead. It's cross examination.

GERAGOS: I want to move these. I think they are blocking the view of the chart, if that's okay.

JUDGE: Okay.

CASTRO: Generally speaking?

GERAGOS: Yes.

CASTRO: In this area I would say, this is Covena Street here?

GERAGOS: This is, assume that this is Covena Street. This is the front yard right there?

CASTRO: It would be in the area swinging down, I guess it would be east of the residence and up in front somewhere, down this area here.

GERAGOS: Did it actually, crime scene tape actually go into the street itself?

CASTRO: No.

GERAGOS: Basically if I were to tell you that that front line, assume right now that the front line right here is the curb line. It's actually not a curb, just a street. The crime scene tape would just be like this?

CASTRO: Along that. Not in the street, but along, but along this imaginary curb line.

GERAGOS: Then you went inside of the house, correct?

CASTRO: Yes, sir.

GERAGOS: And your objective was to make sure that the integrity of the inside of the house was okay for the evening, correct?

CASTRO: No, sir.

GERAGOS: Well, did you remain inside the house all evening?

CASTRO: Yes, sir.

GERAGOS: Okay. You didn't go outside, did you?

CASTRO: No, sir.

GERAGOS: You didn't, in any way, keep a log of who was outside, did you?

CASTRO: No, sir.

GERAGOS: You didn't write down any, which news crews were outside, did you?

CASTRO: No, sir.

GERAGOS: You didn't write down which crews left and which crews came, did you?

CASTRO: No, sir.

GERAGOS: In the morning at 8:29, approximately how many news people, or people from the media were out front of that house?

CASTRO: I would estimate two.

GERAGOS: And that's on December 27th?

CASTRO: Yes, sir.

GERAGOS: At 8:30 in the morning, it's your testimony that there were two news crews, or two people from the news media standing in front of the house?

CASTRO: Approximately two groups of people in the early hours before dawn.

GERAGOS: Okay. Now, when you say two groups of people, what does that mean? How many people?

CASTRO: I would estimate five.

GERAGOS: Okay. And that's before dawn, before what time in the morning?

CASTRO: Before the sun came up.

GERAGOS: What time was that?

CASTRO: I don't know.

GERAGOS: Okay. You left at 8:29. Was the sun up?

CASTRO: Yes.

GERAGOS: When you left at, 8:29 how many groups of people were there?

CASTRO: Two.

GERAGOS: And was that still just five people at 8:30 in the morning on the 27th of December?

CASTRO: Approximately five.

GERAGOS: If I were to, if I were to show you a videotape of that morning that showed more than that, news videotape, would that refresh your recollection as to what happened?

CASTRO: No, sir.

GERAGOS: So nothing that I could show you would change your mind. You saw two people out there at 8:30 in the morning on the 27th?

CASTRO: Two groups of people.

GERAGOS: Two groups totaling five people on the 27th at 8:30 in the morning.

CASTRO: Approximately five people, correct.

GERAGOS: Thank you. I have no further questions.

JUDGE: May this witness be excused?

DISTASO: Yes, your Honor.

JUDGE: Officer Castro, thank you.